WHEN RECORDED MAIL TO:

Denice A. Pectol
Fidelity National Title - Phoenix NTS
40 N. Central Ave.
Suite 2850
Phoenix, AZ 85004

Z06-01023-DAP

Davidson County DEEDWARR
Recvd: 10/23/06 09:58 4 pg:
Fees:23.00 Taxes:2532.17



20061023-0130964

DO NOT REMOVE THIS COVER SHEET. IT IS NOW PART OF THE RECORDED DOCUMENT.

Return to:
Zonia N. Veal
First National Financial Title Services, Inc.
3237 Satellite Blvd., Suite 450, Bldg 300
Duluth, GA 30096
H2878-H

DOCUMENT TO BE RECORDED:
SPECIAL WARRANTY DEED

This instrument prepared by:
Jenette O'Brien, Esq.
220 West Crest Street
Escondido, CA. 92025

SPECIAL

WARRANTY DEED

ADDRESS NEW OWNER(s) AS FOLLOWS:	SEND TAX BILLS TO:	MAP PARCEL NUMBERS
Realty Income Corporation	Realty Income Corporation	14900015900
220 West Crest Street	220 West Crest Street	
Escondido, CA. 92025	Escondido, CA. 92025	

FOR AND IN CONSIDERATION of the sum of Six Hundred Eighty Four Thousand Three Hundred Sixty-Nine dollars and no/100 ($684,369.00), cash in hand paid by the Grantee(s) and other good and valuable considerations accepted as cash, the receipt and sufficiency of which is hereby acknowledged, Pizza Hut of America, Inc., a Delaware corporation, 14841 N. Dallas Pkwy., Dallas, TX. 75254 have this day bargained and sold, and do hereby transfer and convey unto the said Realty Income Corporation, a Maryland corporation, 220 West Crest Street, Escondido, CA. 92025 the Grantees herein, their (successors), heirs and assigns, certain real estate in Davidson County, Tennessee as follows:

SEE ATTACHED EXHIBIT

STATE OF Arizona
COUNTY OF Maricopa

The actual consideration or value whichever is greater, for this transfer is $ 684,369.00

Subscribed and sworn to before me this the 5th *day of* October *20*06

Affiant

Notary Public Denice A. Pectol

My commission expires *(Affix Seal)*

DENICE A. PECTOL
Notary Public - Arizona
Maricopa County
Expires 04/11/10

This is unimproved ( ) property, known as
improved (x) 2701 Murfreesboro Rd., Antioch, Tennessee

TO HAVE AND TO HOLD said real estate, with the appurtenance, estate, title and interest thereto belonging, to the Grantees their (successors), heirs and assigns forever we covenant that we are lawfully seized and possessed of said real estate in fee simple, have a good right to convey it, and that the same is unencumbered, except for those encumbrances set forth hereinafter.

We further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to said real estate to said Grantees, their (successors), heirs and assigns, against the lawful claims of all persons, claiming by, through or under the grantor.

Whenever used, the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

Witness our hand this 2nd *day of* October, *20*06, *the corporate party, if any, having caused its name to be signed hereto by its duly authorized officers on said day and date.*

Pizza Hut of America, Inc., a Delaware corporation

By:

President

Its:

STATE OF TX
COUNTY OF Dallas

Personally appeared before me, C. Phillips, *a Notary Public in and for said County and State,* John J. Murphy, *with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that* he *executed the within instrument for the purposes therein contained, and who further acknowledged that* he *is the* President *of the maker or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.*

Witness my hand, at office in _____, *this* 2nd *day of* October, 2006.

Notary Public C Phillips

My Commission Expires: 1/28/08

C PHILLIPS
My Commission Expires
January 28, 2008

Exhibit 'A'

All that tract or parcel of land lying and being in Davidson County, Tennessee, and being more particularly described as follows:

Commence at the former South right-of-way of Murfreesboro Pike and the East right-of-way of Bell Road and being the Northwest corner of Tract No. 1 of the Houston T. Ezell Property as recorded in Book 4885, Page 200 in the Register's Office of Davidson County, Tennessee; thence South 48°36'42" West a distance of 12.64 feet to the Point of Beginning of the tract of land herein described; said point being a corner to the property described in the Warranty Deed from Pizza Hut of America, Inc. to the Tennessee Department of Transportation in Deed Book 10074, Page 922, as recorded in the Register's Office of Davidson County, Tennessee; thence South 47°13'08" East along the Southwest right-of-way of Murfreesboro Pike a distance of 131.06 feet; thence leaving Murfreesboro Pike South 43°56'45" West a distance of 166.10 feet; thence North 46°03'38" West a distance of 15.53 feet; thence North 88°30'58" West a distance of 60.15 feet to the Northeast right-of-way margin of Bell Road; said point being a corner of the said Tennessee Department of Transportation property; thence along the Northeast right-of-way margin of Bell Road with a curve turning to the right with an arc length of 148.56 feet, a radius of 7583.44 feet, a chord bearing of North 11°59'12" East, and a chord length of 148.56 feet; thence North 49°26'59" East along the Northeast right-of-way margin of Bell Road a distance of 78.37 feet to the Point of Beginning, having an area of 21,700.3± square feet, (0.498± acres).

Being the same property conveyed to Pizza Hut of America, Inc., a Delaware corporation, successor by merger to Pizza Hut of Knoxville Corporation, a Tennessee corporation by Warranty Deed from Houston T. Ezell and wife, Mable W. Ezell, dated October 7, 1976, recorded October 7, 1976, in Book 5076, Page 182, Davidson County, Tennessee Records, and by Articles of Merger and Plan of Merger, dated June 10, 1998, and recorded July 20, 1998, in Book 11027, Page 174, aforesaid records, and by Agreement and Plan of Merger, recorded April 26, 2004, in Book 9323, Page 831, aforesaid records.

Tax Parcel No. 14900015900