Davidson County DEEDWARR
Recvd: 11/03/06 14:56 3 pgs
Fees:18.00 Taxes:832.50
20061103-0137213

PREPARED BY:
COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 37115

SPECIAL WARRANTY DEED

THIS INDENTURE is made and entered into this 26 day of May, 2006, between RFM DEVELOPMENT COMPANY, A TENNESSEE CORPORATION, hereinafter called GRANTOR, and HOWARD M. CLAUDE, hereinafter called GRANTEE.

W I T N E S S E T H: That for and in consideration of Ten Dollars ($10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, RFM DEVELOPMENT COMPANY, A TENNESSEE CORPORATION, hereinafter referred to as Grantor, does hereby bargain, sell, transfer and convey unto HOWARD M. CLAUDE, hereinafter referred to as Grantee, his successors, heirs and assigns, in and to certain real property located in DAVIDSON County, Tennessee, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by reference, together with all right, title and interest of Grantor in and to any easements and rights-of-way adjoining or abutting said real estate and any covenants and other rights appurtenant thereto (the "Property"). This conveyance of the "Property" and all covenants and warranties contained herein, are made expressly subject to the exceptions and other matters set forth in Exhibit "B", which is attached hereto and incorporated herein by reference.

This is unimproved property known as ~~OUTPARCEL 6~~ Lot 4, NOLENSVILLE PIKE, NASHVILLE, TN.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title and interest unto Grantee, his respective successors, heirs and assigns forever. The Grantor hereby covenants and agrees with the said Grantee that Grantor is lawfully seized and possessed of the said real estate and that Grantor has a good and lawful right to sell the same. The Grantor further covenants that the same is unencumbered except as otherwise set forth in Exhibit "B".

The said Grantor hereby covenants that said Grantor shall and will WARRANT AND DEFEND the title to the premises unto the said Grantee, his successors, heirs and assigns FOREVER against the lawful claims of all persons claiming by, through or under the Grantor, BUT NOT OTHERWISE. WITNESS the hand and seal of Grantor's duly authorized official on the day and year first above written.

RFM DEVELOPMENT COMPANY, A
TENNESSEE CORPORATION

BY: _____
Russell F. Morris III, President
Signature of Seller

RETURN TO:

COMMONWEALTH TITLE AGENCY OF NASHVILLE, INC.
333 GALLATIN ROAD SOUTH
MADISON, TN 3 7115

FILE NUMBER: 05-7619J

CORPORATE
STATE OF Tennessee)
COUNTY OF Davidson)

Personally appeared before me, the undersigned Notary Public of the aforesaid County and State, Russell F. Morris, III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself (or herself) to be PRESIDENT of **RFM DEVELOPMENT COMPANY, A TENNESSEE CORPORATION,** the within named bargainor, and that he as such **PRESIDENT,** executed the foregoing instrument for the purpose therein contained, by signing the name of the CORPORATION by himself as **PRESIDENT.**

Witness my hand, at office, in Nashville, TN, Davidson County, this 26th, day of May, 2006.

Jeanette L. Ramer
Notary Public

My Commission Expires: 7/21/07

JEANETTE L. RAMER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Name and Address of Property Owner:

HOWARD M. CLAUDE
6210 Nolensville Rd
Nashville, Tn 37211

Property Address:
Lot 4
~~OUTPARCEL 3~~, NOLENSVILLE PIKE, NASHVILLE, TN

Person Responsible for Taxes:

SAME

Map & Parcel #: MAP 161-00-0, ~~Pcl~~ parcels 103 + 105

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby swear or affirm that the actual consideration for this transfer, or value of the property or interest in property transferred, whichever is greater is **$225,000.00**, and the amount is equal to, or greater than, the amount which the property, or interest in property transferred, would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, a Notary Public, this 26 day of May, 2006.

Notary Public

My Commission Expires: 5/24/2008

DENISE C. ALLIS
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENNESSEE

Exhibit A

Lot 3 as shown on the Final Plat of Wal-Mart Nashville South of record as Instrument 20060808-0097205 in the Register's Office of Davidson County, Tennessee, a copy of which is attached hereto as more fully described as follows:

Being a proposed parcel of land located in the 31st Councilmanic District of Davidson County, Tennessee, and being more particularly described as follows:

Beginning at a point on the eastern right-of-way of Nolensville Pike, said point located approximately 1,553 feet, in a southerly direction from the intersection of Nolensville Pike and Old Hickory Boulevard, being the TRUE POINT OF BEGINNING of the herein described property;

Thence, leaving the said eastern right-of-way of Nolensville Pike with proposed Lot 3, South 77 Degrees 11 Minutes 39 Seconds East, a distance of 266.73 feet;

Thence, with proposed Lot 1 as follows:

South 26 Degrees 28 Minutes 14 Seconds West, a distance of 130.82 feet;

Thence, with a curve to the right, said curve having a radius of 308.88 feet, with an arc of 220.77 feet, and a chord bearing and distance of South 56 degrees 56 minutes 47 seconds West, a distance of 216.10 feet to the said eastern right-of-way of Nolensville Pike;

Thence, with said right-of-way line with a curve to the left, said curve having an radius of 4333.25 feet, with an arc of 288.14 feet, and a chord bearing and distance of North 00 Degrees 37 Minutes 26 Seconds East, a distance of 288.09 feet to the TRUE POINT OF BEGINNING.

The proposed parcel of land thus described contains 45,147 square feet or 1.04 acres, more or less.

The above description was prepared by Kenneth A. Bau, Tennessee Registered Land Surveyor #2019, Referencing a survey by Gresham, Smith and Partners, Dated September 07, 2004.

Being the same property conveyed to RFM DEVELOPMENT COMPANY, a Tennessee corporation, by Special Warranty Deed from Wal-Mart Stores East, L.P., a Delaware limited partnership, of record in Instrument No. 20061103013702 18, Register's Office for Davidson County, Tennessee.

EXHIBIT 'B'

1. All REAL PROPERTY taxes for the year 2007 and subsequent years, A LIEN, not yet due and payable (MAP _____).

2. Any and all matters with regard to the herein described tract of land appearing of record in the Register's Office for Davidson County, Tennessee.