Davidson County DEEDWARR
Recvd: 04/02/07 15:56 4 pgs
Fees:23.00 Taxes:2791.17
20070402-0039346

State of Tennessee
County of Davidson

The actual consideration or value, whichever is greater, for this transaction is $

THIS INSTRUMENT WAS PREPARED BY:
LandAmerica Commercial Services
1850 N. Central Ave., Suite 300
Phoenix, AZ 85004

Affiant

Subscribed and Sworn to before me, this the ____ day of
20

ADDRESS NEW OWNER(S) AS FOLLOWS: Toby Macfarlane, Trustee, 555 Zuni Drive, Del Mar, CA 92014
SEND TAX BILLS TO: Toby Macfarlane, Trustee, 555 Zuni Drive, Del Mar, CA 92014
MAP-PARCEL NUMBER: 096-13-0 154.02

Notary Public

Commission Expires:

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND IN OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE **ELLIOT A. SCOTT, TRUSTEE OF THE ELLIOT A. SCOTT TRUST DATED JULY 26, 2005, AS TO AN UNDIVIDED 30% INTEREST, MICHAEL A. FOLB, TRUSTEE OF THE MICHAEL A. FOLB TRUST DATED OCTOBER 23, 1996, AS TO AN UNDIVIDED 25%, STEVEN ROSS, AN UNMARRIED MAN, AS TO AN UNDIVIDED 5% INTEREST; AND 20 BEES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 10%**

HEREINAFTER CALLED THE **GRANTORS**, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

TOBY MACFARLANE, TRUSTEE OF THE MACFARLANE FAMILY TRUST DATED JULY 21, 1997

HEREINAFTER CALLED THE **GRANTEES**, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS TO-WIT:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

THIS IS (X) IMPROVED ( ) UNIMPROVED PROPERTY KNOWN AS: 2740 Elm Hill Pike, Nashville, TN

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns, forever, and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, unless otherwise herein set out, and we do further covenants and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons claiming by, through or under, the GRANTOR(S) but no further or otherwise. Whenever used, the singular number shall include the plural, the plural the singular, and use of any gender shall be applicable to all genders.

WITNESS, this 13th day of March, 2007.

By:_____
Elliot A. Scott, Trustee of the Elliot A. Scott Trust dated July 26,2005

By:_____
Michael A. Folb, Trustee of the Michael A. Folb Trust dated October 23, 1996

By:_____
Steven Ross

20 Bees, LLC, a California limited liability company

By:_____
Elliot A. Scott, its Manager

STATE OF California)
) ss
COUNTY OF San Diego)

Personally appeared before me Annie Chapman, a Notary Public in and for said County and State aforesaid, personally appeared Elliot A. Scott, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and upon oath acknowledged to be the Trustee of Elliot A Scott Trust, and that as such Trustee, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the said corporation.

Witness my hand and official seal at office at San Diego, California on this 13th day of March, 2007.

Commission expires: Jan. 8, 2009

Annie Chapman
Notary Public

STATE OF California)
) ss
COUNTY OF San Diego)

ANNIE CHAPMAN
COMM. #1542609
Notary Public · California
San Diego County
My Comm. Expires Jan. 8, 2009

Personally appeared before me Annie Chapman, a Notary Public in and for said County and State aforesaid, personally appeared Michael A. Folb, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and upon oath acknowledged to be the Trustee of Michael A. Folb, and that as such Trustee, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the said corporation.

Witness my hand and official seal at office at San Diego, California on this 13th day of March, 2007.

Commission expires: Jan. 8, 2009

Annie Chapman
Notary Public

STATE OF California)
) ss
COUNTY OF San Diego)

ANNIE CHAPMAN
COMM. #1542609
Notary Public · California
San Diego County
My Comm. Expires Jan. 8, 2009

Personally appeared before me Annie Chapman, a Notary Public in and for said County and State aforesaid, personally appeared Steven Ross, un married, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and upon oath acknowledged to be the _____ of _____, and that as such _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the said corporation.

Witness my hand and official seal at office at San Diego, California on this 13th day of March, 2007.

Commission expires: Jan. 8, 2009

Annie Chapman
Notary Public

STATE OF California)
) ss
COUNTY OF San Diego)

ANNIE CHAPMAN
COMM. #1542609
Notary Public · California
San Diego County
My Comm. Expires Jan. 8, 2009

Personally appeared before me Annie Chapman, a Notary Public in and for said County and State aforesaid, personally appeared Elliot A. Scott of 20 BEES, LLC, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and upon oath acknowledged to be the Manager of 20 BEES LLC, and that as such Manager, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the said corporation.

Witness my hand and official seal at office at San Diego, California on this 13th day of March, 2007.

Commission expires: Jan. 8, 2009

Annie Chapman
Notary Public

ANNIE CHAPMAN
COMM. #1542609
Notary Public · California
San Diego County
My Comm. Expires Jan. 8, 2009

EXHIBIT A
LEGAL DESCRIPTION

Beginning at an ironpipe in the North proposed margin of Elm Hill Pike, opposite a curve into Donelson Pike; thence with the margin of Elm Hill Pike proposed, North 79 degrees 15 minutes West 100 feet to a point; thence leaving said Pike, North 4 degrees 38 minutes East 190 feet to an iron pipe; thence North 81 degrees 03 minutes East 150 feet to an iron pipe in the West margin of Donelson Pike; thence with the margin of the same, South 9 degrees 05 minutes East 82.6 feet to the beginning of a curve; continuing with the margin of said Pike, Southerly around a curve, having a radius of 4,137.58 feet, a distance of 67.36 feet to an iron pipe at the beginning of a curve; thence around said curve having a radius of 75 feet, Southwesterly a distance of 141.24 feet to the point of beginning.

Being the same property conveyed to Arby's Inc. by deed from Tennessee River Properties, Inc. a Kentucky Corporation, of record in Book 6413, page 654, Register's Office for Davidson County, Tennessee.

The purpose of this correction deed is to correct the name of the grantee in that deed dated 12 December, 1985, of record in Book 6741, page 279, in said Register's Office, the grantee therein stated as being Insured Income Properties 1985, a Deleware limited partnership. No such entity exists and the intent was to convey the subject property to FFCA/IIP 1985 PROPERTY COMPANY, a Deleware General Partnership, the grantee herein.

This conveyance is subject to 1985 State & County Taxes, sanitary sewers and/or storm drainage easement of record in Book 5139, page 93, and storm water detention agreement of record in Book 6435, page 73, said Register's Office.

When recorded mail to:
LandAmerica Financial Group, Inc.
Attn: K Brown
1850 N. Central Avenue, Suite 300
Phoenix, AZ 85004
Escrow No 07-51497

State of Tennessee
County of Davidson

The actual consideration or value, whichever is greater, for this transaction is $ 754,369.00

Affiant

Subscribed and Sworn to before me, this the 23 day of March, 2007

Notary Public

Commission Expires: 3/30/10

OFFICIAL SEAL
LESA D. FERRIS
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires March 30, 2010

THIS INSTRUMENT WAS PREPARED BY:
LandAmerica Commercial Services
1850 N. Central Ave., Suite 300
Phoenix, AZ 85004

ADDRESS NEW OWNER(S) AS FOLLOWS: Toby Macfarlane, Trustee, 555 Zuni Drive, Del Mar, CA 92014
SEND TAX BILLS TO: Toby Macfarlane, Trustee, 555 Zuni Drive, Del Mar, CA 92014
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