THIS INSTRUMENT PREPARED BY: **MUDTER, MORGAN & PATTERSON.** **Attorneys at Law** **2000 Richard Jones Road** **Suite 103** **Nashville, Tennessee 37215** **(615) 383-4429** **File Box 9B – GEM** **FTEC #25935**	STATE OF TENNESSEE) COUNTY OF DAVIDSON) The actual consideration or value, whichever is greater, for this transfer is: $1,000,000.00 Affiant Subscribed and sworn to before me, this 30th day of APRIL, 2007. Tracey A Brooks Notary Public My Commission Expires: _____

TRACEY A. BROOKS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.
My Commission Expires MAY 22, 2010

SPECIAL WARRANTY DEED

Address New Owner:	Send Tax Bills to:	Tax Information:
Fifth Third Bank, N.A., a national banking association V.P. Corporate Facilities –Real Estate 38 Fountain Square Plaza, MD10ATA1 Cincinnati, OH 45263	Fifth Third Bank, N.A., a national banking association V.P. Corporate Facilities –Real Estate 38 Fountain Square Plaza, MD10ATA1 Cincinnati, OH 45263	Map/Parcel No.: 08104022000

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, THE KRYSTAL COMPANY, a Tennessee corporation ("Grantor"), has this day bargained and sold, and does hereby transfer and convey to FIFTH THIRD BANK, N.A., a national banking association ("Grantee"), its successors and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is improved property known as 2054 Metrocenter Boulevard, Nashville, Tennessee.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to Grantee and its successors and assigns, forever. Grantor covenants with Grantee that Grantor is lawfully seized and possessed of said real estate in fee simple and has a good right to convey it. This conveyance and all covenants and warranties made herein are expressly subject to those matters set forth on Exhibit "A". Grantor further covenants and binds itself, its successors and assigns to warrant and forever defend the title to said real estate against the lawful claims of all persons claiming by, through or under it but no further or otherwise.

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

Davidson County DEEDWARR
Recvd: 05/01/07 13:05 5 pgs
Fees:28.00 Taxes:3700.00
20070501-0051829

IN WITNESS WHEREOF, Grantor has executed this instrument, the corporate party by its duly authorized officer(s), on this 27th day of APRIL, 2007.

THE KRYSTAL COMPANY, a Tennessee corporation

By: _____

Title: EXECUTIVE VICE PRESIDENT / CFO

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Personally appeared before me, the undersigned Notary Public, in and for the said county and state, the within named JAMES W. BEAR, the bargainor, 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 EX. VP / CFO of The Krystal Company, a Tennessee corporation, 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 and official seal at office, this 27 day of APRIL, 2007.

Colleen M. Fiser
Notary Public

My Commission Expires: Feb. 6, 2010

COLLEEN M. FIESER
STATE OF TENNESSEE NOTARY PUBLIC
HAMILTON COUNTY

Exhibit "A"

Land in Davidson County, Tennessee being Lot No. 1, on the Plan of Metrocenter Tract 21-A, Block C, as of record in Plat Book 7900, page 504, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description, together with the following easements:

A. A perpetual slope easement (the "Slope Easement") for lateral and vertical support to maintain the elevation and grade of the Land adjacent to the western margin of the area of the Slope Easement, which area (the "Slope Easement Area") is described as follows:

Being a slope easement in Nashville, First Civil District, Twentieth Councilmanic District, Davidson County, Tennessee, located on the westerly side of French Landing Drive, south of Vantage Way, being a part of Lot 2 as shown on the plan Metrocenter, Tract 21-A, Block C, as of record in Book 7900, page 504, Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the westerly right-of- way line of French Landing Drive, said point being southerly 70.55 feet from an iron pin at the southerly terminus of a curve return to the southerly right-of-way line of Vantage Way;

THENCE, with said westerly right-of-way line of French Landing Drive South 14 degrees 40 minutes 44 seconds West, 23.07 feet to a point;

THENCE, continuing with said westerly right-of-way along a curve to the left 34.81 feet to a point, said curve having a central angle of 03 degrees 40 minutes 48 seconds, a radius of 542.00 feet, a tangent of 17.41 feet and a chord of South 12 degrees 50 minutes 20 seconds West, 34.80 feet;

THENCE, leaving said westerly right-of-way line of French Landing Drive and following the east line of a proposed ingress/egress easement and easterly property line of Lot No. 1 as shown on the above-mentioned plan, North 79 degrees 00 minutes 04 seconds West, 8.50 feet to a point;

THENCE, North 08 degrees 46 minutes 10 seconds, West, 121.89 feet to a point;

THENCE, along a curve to the left 78.24 feet to a point, said curve having a central angle of 52 degrees 44 minutes 15 seconds, a radius of 85.00 feet, a tangent of 42.14 feet and a chord of N 35 degrees 08 minutes 18 seconds West, 75.50 feet;

THENCE, leaving said easterly property line of Lot No. 1, South 61 degrees 30 minutes 25 seconds East, 79.83 feet to a point;

THENCE, South 08 degrees 46 minutes 10seconds East, 90.55 feet to the point of beginning.

Containing 4,301 square feet or 0.10 acres, more or less.

B. A perpetual non-exclusive easement (the "Ingress/Egress Easement") to construct, maintain and repair driveways and walkways for vehicular and pedestrian ingress end egress from, to and between French Landing Drive and the Land across the following described area (the "Ingress/Egress Easement Area"):

Being an Ingress-Egress Easement in Nashville, First Civil District, Twentieth Councilmanic District, Davidson County, Tennessee, located on the westerly side of French Landing Drive, south of Vantage Way, being a part of Lot No. 2 as shown on the plan MetroCenter, Tract 21A, Block C, as of record in Book 7900, page 504, Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the westerly right-of-way line of French Landing Drive, said point being southerly 128.43 feet from a concrete monument at the southerly terminus of a curve return to the southerly right-of-way line of Vantage Way;

THENCE, with said westerly right-of-way line with a curve to the left 52.68 feet to a point, said curve having a central angle of 05 degrees 34 minutes 08 seconds, a radius of 542.00 feet and a chord of South 08 degrees 12 minutes 52 seconds West, 52.66 feet;

THENCE, leaving said right-of-way line with the northerly line of Lot No. 2 as shown on the plan of resubdivision of Metrocenter Tract 21-B as of record in Book 7900, page 278, Register's Office for Davidson County, Tennessee, South 76 degrees 07 minutes 16 seconds West, 47.49 feet to a point;

THENCE, leaving said line North 00 degrees 19 minutes 15 seconds East, 87.35 feet to a point;

THENCE, with an easterly line of Lot No. 1 as shown on the aforementioned plan of Tract 21A, North 29 degrees 40 minutes 45 seconds West, 22.71 feet to a point;

THENCE, with a southerly line of said Lot No. 1, N 81° 13' 50" E, 48.99 feet to a point;

THENCE, with a projection of the easterly most line of said Lot No. 1, South 08 degrees 46 minutes 10 seconds East, 50.00 feet to a point;

THENCE, South 79 degrees 00 minutes 04 seconds East, 8.50 feet to the point of beginning.

Containing 4,948 square feet or 0.11 acre, more or less.

C. A perpetual non-exclusive easement to construct, maintain and repair an eight inch sanitary sewer line (the "Sanitary Sewer Easement") within the following described area (the "Sanitary Sewer Easement Area")

Being a 20-foot sanitary sewer easement in Nashville, First Civil District, Twentieth Councilmanic District, Davdson County, Tennessee, located on the westerly side of French Landing Drive, south of Vantage Way, being a part of Lot No, 2 as shown on the plan Metrocenter, Tract 21A, Block C, as of record in Book 7900, page 504, Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at a point in the westerly right-of-way line of French Landing Drive, said point being southerly 181.11 feet from an iron pin at the southerly terminus of a curve return to the southerly right-of-way line of Vantage Way;

THENCE, with the southerly property line of said Lot No. 2, South 76 degrees 07 minutes 16 seconds West, 11.75 feet to the true point of beginning;

THENCE, South 76 degrees 07 minutes 16 seconds West, 20.25 feet to a point;

THENCE, leaving said southerly property line of Lot No. 2, North 04 degrees 51 minutes 02 seconds West, 106.34 feet to a point in the southerly property line of Lot No. 1, as shown on the plan of Metrocenter Tract 21A, Block C, as of record in Book 7900, page 504, Register's Office for Davidson County, Tennessee;

THENCE, with said southerly property line of Lot No. 1, North 81 degrees 13 minutes 50 seconds East, 20.05 feet to a point;

THENCE, leaving said southerly property line of Lot No. 1, South 04 degrees 51 minutes 02 seconds East, 104.53 feet to the true point of beginning.

Containing 2,109 square feet or 0.05 acres, more or less.

Being the same property conveyed to The Krystal Company, a Tennessee corporation, by deed dated February 25, 1993, from MetroCenter Holdings, Inc., of record in Book 8874, page 418, Register's Office for Davidson County, Tennessee.