1st

Davidson County DEEDWARR
Recvd: 09/19/07 08:53 5 pgs
Fees:28.00 Taxes:619.75

20070919-0111909

26A

SPECIAL WARRANTY DEED

TO:	Theodore F. Bertuca	This instrument was prepared by: Patricia Tighe Ash The Kroger Co.
FROM:	KROGER LIMITED PARTNERSHIP I, an Ohio limited partnership	1014 Vine Street Cincinnati, OH 45202

Address New Owner(s) as Follows:	Send Tax Bills To:	Map/Parcel Numbers
Theodore F. Bertuca 152 McGavock Pike Nashville, TN 37214	Same	Part of #84-16/24

STATE OF Tennessee)
COUNTY OF Davidson)

The actual consideration for this transfer is $167,500.00.

Affiant

Sworn to and subscribed before me, this 18th day of September, 2007.

Notary Public

My Commission Expires: 3/7/11

EMILY SPENCE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Kroger Limited Partnership I**, an Ohio limited partnership (hereinafter called the "Grantor"), has bargained and sold, and by these presents does transfer and convey unto **Theodore F. Bertuca** (hereinafter called the "Grantee"), and Grantee's successors and assigns, all of Grantor's interest as owner in a certain tract of land in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

The above-referenced property is conveyed subject to all matters set forth on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said real property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Grantee, its successors and assigns, forever in fee simple.

Grantor further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said real estate to Grantee, and Grantee's successors and assigns, against the lawful claims of all persons claiming through and under Grantor (other than claims arising out of the matters set forth on Exhibit B), but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed effective as of the 18th day of September, 2007.

GRANTOR:

Kroger Limited Partnership I,
an Ohio limited partnership

By: KRGP Inc., an Ohio corporation,
its general partner

By: James E. Hodge

Title: James E. Hodge
Vice President

By: Patricia T. Ash

Title: Patricia T. Ash
Vice President

APPROVED LAW DEPT.

STATE OF OHIO)
COUNTY OF HAMILTON)

Before me, Bobbi J. McFadden, a Notary Public of said County and State, personally appeared James E. Hodge, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him self to be Vice President (or other officer authorized to execute the instrument) of KRGP Inc., an Ohio corporation and the general partner of Kroger Limited Partnership I, the within named bargainor, a limited partnership, and that he as such Vice President executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by him self as Vice President.

Witness my hand and seal, at Office in Cincinnati, Ohio, this 17th day of Sept., 2007.

Bobbi J McFadden
Notary Public

My Commission Expires: 5-07-2011

NOTARIAL SEAL STATE OF OHIO

BOBBI J. McFADDEN
Notary Public, State of Ohio
My Commission Expires 05-07-11

STATE OF OHIO)
COUNTY OF HAMILTON)

Before me, Bobbi J. McFadden, a Notary Public of said County and State, personally appeared Patricia T. Ash, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged her self to be Vice President (or other officer authorized to execute the instrument) of KRGP Inc., an Ohio corporation and the general partner of Kroger Limited Partnership I, the within named bargainor, a limited partnership, and that she as such Vice President executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her self as Vice President.

Witness my hand and seal, at Office in Cincinnati, Ohio, this 17th day of Sept., 2007.

Bobbi J McFadden
Notary Public

My Commission Expires: 5-07-2011

NOTARIAL SEAL STATE OF OHIO

BOBBI J. McFADDEN
Notary Public, State of Ohio
My Commission Expires 05-07-11

EXHIBIT A

LAND DESCRIPTION

Land lying in the 15th Council District of Davidson County, Tennessee, being a portion of the William D. Staley property as recorded in Book 7431, Page 794 in the Register's Office for Davidson County, Tennessee, and being the western portion of Lot 14 of the Bainbridge and Satterfield subdivision, and may be more particularly described as follows:

Beginning at an iron pin in the northwest corner of Lot 13 and the southwest corner of the herein described lot and running thence with the east line of the Andrew Schartz property North 5 degrees, 51 minutes, 22 seconds East 100.63 feet to an iron pin, thence with the south line of Lot 15 South 86 degrees, 29 minutes, 41 seconds East 217.08 feet to an iron pin, thence on a new line South 4 degrees, 10 minutes, 32 seconds West 100.29 feet to an iron pin, thence with the north line of Lot 13 North 86 degrees, 33 minutes, 43 seconds West 220.03 feet to an iron pin, being the point of beginning, containing 0.503 acres, plus or minus, according to a survey plat by Young, Hobbs, and Associates, 1200 Crossland Avenue, Clarksville, Tennessee, 37040.

EXHIBIT B

1. Taxes for 2007 and thereafter.

2. All matters shown on plat of record at Instrument No. 20070907-0107349, Register's Office for Davidson County, Tennessee.