2nd
26A

Davidson County DEEDWARR
Recvd: 09/19/07 08:54 4 pgs
Fees:23.00 Taxes:1110.00
20070919-0111910

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (KMH)
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001

SPECIAL WARRANTY DEED

Address New Owner(s)	Send Tax Bills To:	Map-Parcel Number(s)
Kroger Limited Partnership I 1014 Vine Street Cincinnati, Ohio 45202	Same	Part of #84-16/25

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 ($10.00) DOLLARS cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, THEODORE F. BERTUCA ("Grantor"), has bargained and sold, and hereby transfers and conveys unto KROGER LIMITED PARTNERSHIP I, an Ohio limited partnership ("Grantee"), its successors and assigns, certain real property in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

TO HAVE AND TO HOLD said land with the appurtenances, hereditaments, estate, title, and interest thereto belonging to Grantee, its successors and assigns, forever.

Said property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

This is improved property on McGavock Pike, Nashville, Tennessee.

Grantor covenants and binds itself and its successors to warrant specially and defend to Grantee forever the title to said property against the lawful claims of all persons claiming through and under Grantor (excluding claims arising out of the matters set forth on Exhibit B), but no further or otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument or has caused same to be executed as of the 18 day of September, 2007.

Theodore F. Bertuca
Theodore F. Bertuca

STATE OF Tennessee)
COUNTY OF Davidson)

Personally appeared before me, the undersigned, a Notary Public, Theodore F. Bertuca, an individual, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand, at office, this 18 day of September, 2007.

Notary Public

My Commission Expires:
3/7/11

EMILY M. SPENCE
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY

STATE OF Tennessee
COUNTY OF Davidson

The actual consideration or value (whichever is greater) for this transfer is $300,000.00.

Theodore F. Bertuca
Affiant

Subscribed and sworn to before me, this 18 day of September, 2007.

Notary Public

My Commission Expires:
3/7/11

EMILY M. SPENCE
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY

Exhibit A
Property Description

Land lying in the 15th Council District of Davidson County, Tennessee being the eastern portion of old Lot 13 of the Bainbridge and Satterfield subdivision, and being more particularly described as follows:

Beginning at an iron pin in the west right-of-way of McGavock Pike, marking the northeast corner of the McDonald's Hamburgers lot, Deed Book 4830, Page 521, and the southeast corner of the herein described parcel, and running thence with the north line of the McDonald's Hamburgers lot North 86 degrees, 30 minutes, 00 seconds West 250.00 feet to an iron pin, thence on a new line North 4 degrees, 10 minutes, 32 seconds East 99.77 feet to an iron pin, thence with the South line of Lot 14 South 86 Degrees, 33 minutes, 43 seconds East 250.00 feet to an iron pin, thence with the West right of way of McGavock Pike South 4 degrees, 10 minutes, 32 seconds West 100.03 feet to an iron pin, being the point of beginning, containing 0.573 acres, more or less, according to a survey plat prepared by Young, Hobbs, and Associates, 1200 Crossland Avenue, Clarksville, TN 37040.

Being a portion of the property conveyed to Theodore F. Bertuca by deed of record at Instrument No. 20060221-0020347, Register's Office for Davidson County, Tennessee.

Said property is a portion of new Lot 13 as shown on the Final Plat of the Bainbridge and Satterfield Subdivision Replat of Lots 13 and 14 filed of record at Instrument No. 20070907 - 0107349, Register's Office Davidson County, Tennessee.

Exhibit B
Exceptions

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.