Davidson County DEEDQC
Recvd: 10/22/07 10:47 5 pgs
Fees:27.00 Taxes:0.00
20071022-0124669

THIS INSTRUMENT PREPARED BY:
Drew Marlar, Esq.
Kutak Rock LLP
Suite 2100
225 Peachtree Street, NE
Atlanta, GA 30303-1731
404-222-4688

ADDRESS NEW OWNER AS FOLLOWS: SEND TAX BILLS TO: MAP-PARCEL NOS.

HD Development of Maryland, Inc.
c/o Home Depot U.S.A., Inc.
2455 Paces Ferry Road
Atlanta, GA 30339

HD Development of Maryland, Inc.
c/o Home Depot U.S.A., Inc.
2455 Paces Ferry Road
Atlanta, GA 30339

118-15-0 007.00

Return to:
First American Title
Insurance Company
National Commercial Services
7370 College Parkway, Suite 104
Fort Myers, Florida 33907

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration, or value for this transfer, whichever is greater, is $0.00.

Thomas K. Anderson
Affiant

Subscribed and sworn to before me
this 10 day of October,
2007.

Notary Public

My commission expires:

DEBORAH STRAW NOTARY PUBLIC EXPIRES GEORGIA NOVEMBER 20, 2007 COBB COUNTY

QUITCLAIM DEED

For and in consideration of One ($1.00) Dollar, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Home Depot U.S.A., Inc. ("Grantor"), by these presents do hereby quitclaim and convey unto HD Development of Maryland, Inc. ("Grantee"), Grantee's heirs, representatives, successors and assigns, all of Grantor's interest in the property and all improvements thereon as more particularly described in Exhibit "A", attached hereto.

This is improved property known as 2535 Powell Avenue, Nashville, Tennessee 37204-3629.

Said property is conveyed subject to such limitations, restrictions, and encumbrances as may affect the premises.

IN WITNESS WHEREOF, I have hereunto set my hand this the 10 day of October, 2007.

HOME DEPOT U.S.A., INC.,
a Delaware corporation

By: _____
Name: Thomas K. Anderson
Title: Corporate Counsel – Real Estate Law

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, Deborah L. Straw, Notary Public, Thomas K. Anderson, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Corporate Counsel-Real Estate Law of the grantor and is authorized by the grantor or by its constituent, the constituent being authorized by the grantor, to execute this instrument on behalf of the grantor.

Witness my hand, at office, this 10 day of October, 2007.

_____
Notary Public

My commission expires: _____

DEBORAH L. STRAW NOTARY PUBLIC EXPIRES GEORGIA NOVEMBER 20, 2007 COBB COUNTY

Exhibit A

Thompson Lane, Tennessee (Store #0732)
Legal Description

TRACT I.

Being a parcel of land in Nashville, First Civil District, Twenty-Sixth Councilmanic District, Davidson County, Tennessee, located between Powell Avenue and the CSX Transportation Railroad north of and adjacent to Powell Place, and being more particularly described as follows:

BEGINNING at the point of Intersection of the westerly right-of-way of Powell Avenue and the northerly right-of-way of Powell Place, said point being marked by a hole in sidewalk;

THENE, with said northerly right-of-way of Powell Place and northerly boundary of Lot I shown on First Revision, Nashville Showroom Properties of record in Book 5060, page 67, Register's Office of Davidson County, Tennessee S 57° 29' 00" W, 586.92 feet to a point in the east usage line/occupied right-of-way of CSX Transportation Railroad;

THENCE, with said east usage line/occupied right-of-way being 33 feet distant from and parallel to the centerline of said railroad, N 32° 23' 00" W, 831.79 feet to a point;

THENCE, leaving said railroad with the southerly boundary to Baptist Sunday School Board of record in Book 1814, page 533, Register's Office, Davidosn County, Tennessee, N 57° 32' 00" E, 604.77 feet to an iron pin in the westerly right-of-way of Powell Avenue as widened by Project No. 67-R-32;

THENCE, with said right-of-way, S 27° 41' 57" E, 448.77 feet to an iron pin;

THENCE, with a curve to the left 372.96 feet to an iron pin, said curve having a radius of 1,482.40 feet, a central angle of 14° 25' 55", a tangent distance of 187.47 feet and a chord of S 34° 54' 25" E, 371.98 feet;

THENCE, continuing with said right-of-way, S 43° 25' 48" E, 12.64 feet to a hole in sidewalk, the point of beginning.

Being the same property conveyed to Home Depot U.S.A., Inc. by deed of record in Book 9892, page 486, Register's Office for Davidson County, Tennessee.

TOGETHER WITH:

Easements for utilities and roadway purposes over that portion of Lot 1, as said Lot is shown on the Plan of First Revision, Nashville Showroom Properties, of record in Book 5060, page 67, Register's Office, Davidson County, Tennessee, designated "Roadway & Public Utility Easement", as affected and amended by Agreement to Modify and Amend Access Easement of record in Book 10609 Page 611, Register's Office, Davidson County, Tennessee.

TOGETHER WITH:

Being a rectangular parcel of land in Nashville, First Civil District, Twenty-Sixth Councilmanic District, Davidson County, Tennessee, located between Powell Avenue and the CSX Transportation, Inc., north of Powell Place, lying within the charter right-of-way of said railroad and being more particularly described as follows:

BEGINNING at the point of intersection of the northwesterly boundary of the subdivision of First Revision, Nashville Showroom Properties of record in Book 5060, Page 67, of the Register's Office of Davidson County, Tennessee and the northeasterly charter right-of-way of the CSX Transportation, Inc., said point being S 57° 29′ 00" W, 519.65 feet from the southwesterly right-of-way of Powell Avenue as widened by Project No. 67-R-32, said point being further described as being 100.00 feet from the centerline of said railroad;

THENCE, with said northwesterly boundary S 57° 29′ 00" W, 27.20 feet to a point;

THENCE, leaving said boundary with a fence line, N 32° 29′ 04" W, 831.75 feet to a point in the southeasterly boundary of the property deeded to the Baptist Sunday School Board of record in Book 1814, Page 533, R.O.D.C.;

THENCE, with said boundary N 57° 32′ 00" E, 28.11 feet to a point in the charter right-of-way of said railroad;

THENCE, leaving said boundary with said charter right-of-way, S 32° 25′ 18" E, 831.73 feet to the northwesterly boundary of the subdivision of First Revision, Nashville Showroom properties, the point of beginning.

Containing 23,000 square feet or 0.53 acre, more or less.

BEING more particularly shown on plat of survey dated April 26, 1995 prepared by Barge, Wagoner, Summer and Cannon, Inc., , 162 Third Avenue North, Nashville, Tennessee 37201.

BEING property occupied and used by the Louisville and Nashville Railroad Company, a predecessor of Grantor, for railroad operations since 1860, there being no record of conveyance.

On December 29, 1982 the Louisville and Nashville Railroad Company merged into Seaboard Coast Line Railroad Company, and the name of the surviving corporation changed to Seaboard System Railroad, Inc. On July 1, 1986, Seaboard System Railroad, Inc. changed its name to CSX Transportation, Inc.

TOGETHER WITH:

Description of No-Build Easement ac: Nashville, Davidson Co., Tennessee

To: Home Depot, U.S.A., INC.
CSXT Deed File No.: 1995-00217-BDJ

Being a parcel of land in Nashville, First Civil District, Twenty-Sixth Councilmanic District, Davidson County, Tennessee, located between Powell Avenue and the CSX Transportation, Inc., north of Powell Place, lying within the charter right-of-way of said railroad and being more particularly described as follows:

BEGINNING at a point in the northwesterly boundary of the subdivision of First Revision, Nashville Showroom Properties of record in Book 5060, Page 67, of the Register's Office of Davidson County, Tennessee, said point being S 57° 29′ 00" W, 544.92 feet from the southwesterly right-of-way of Powell Avenue as widened by Project No. 67-R-32, said point further described as being N 57° 29′ 00" E, 75.00 feet from the centerline of the CSX Transportation, Inc.

THENCE, with said northwesterly boundary S 57° 29′ 00" W, 33.05 feet to a point;

THENCE, leaving said boundary with a severance line and a curve to the right, 59.25 feet to a point, said curve having a radius of 60.00 feet, a central angle of 56° 34′ 34", a tangent distance of 32.29 feet and a chord of N 60° 40′ 17" W, 56.87 feet;

THENCE, continuing with said severance line being 60 feet from and parallel to the building, N 32° 23′ 00" W, 480.00 feet to a point;

THENCE, with a curve to the right, 94.25 feet to a point, said curve having a radius of 60.00 feet, a central angle of 90° 00′ 00", a tangent distance of 60.00 feet and a chord of N 12° 37′ 00" E, 84.85 feet;

THENCE, with the building line extended S 32° 23′ 00" E, 60.00 feet to the southwesterly building corner;

THENCE, continuing on the same course with the building S 32° 23′ 00" E, 480.00 feet to the southeasterly building corner;

THENCE, continuing on the same course with the building line extended S 32° 23′ 00" E, 50.00 feet to a point in the northwesterly boundary of the subdivision of First Revision, Nashville Showroom properties, the point of beginning.

Containing 34,231 square feet or 0.79 acres, more or less.

The "No-Build Easement" covers fee or easement rights of Grantor, as applicable, and, in any case, excludes any portion of the property above described in this Exhibit "B" which is being conveyed to Grantee by virtue of this Quitclaim Deed as described in Exhibit "A" hereto.