Nashville, TN (NW)
Store No. 4435-00

*This instrument prepared by:*
Richard M. Hopgood
Wyatt, Tarrant & Combs, LLP
250 West Main Street, Suite 1600
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BILL GARRETT, Davidson County
Trans:T20090083363 DEEDQC
Recvd: 12/10/09 10:02 4 pgs
Fees:23.00 Taxes:14497.83
20091210-0112832

# QUITCLAIM DEED

FOR AND IN CONSIDERATION OF THE SUM OF THREE MILLION NINE HUNDRED EIGHTEEN THOUSAND THREE HUNDRED THIRTY-THREE AND 40/100 DOLLARS ($3,918,333.40), CASH IN HAND PAID AND OTHER GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby expressly acknowledged, **WAL-MART STORES EAST, LP, a Delaware limited partnership**, hereinafter called the GRANTOR, does hereby quitclaim and convey unto **WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust**, with an address of 2001 S.E. 10th Street, Bentonville, AR 72716-0550, its successors and assigns, hereinafter called the GRANTEE, all of its right, title and interest in and to a certain tract or parcel of land in Davidson County, State of Tennessee, said property being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth therein; provided, however, this conveyance does not include a transfer of the improvements located on such real property, such improvements having been constructed by the Grantee and currently being owned by the Grantee.

This is approximately 19.76 acres of improved property known as 3458 DICKERSON PIKE, NASHVILLE, TN 37207.

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

WITNESS the hand and seal of the Grantor this 6 day of November, 2009.

**ATTEST:**

**WAL-MART STORES EAST, LP,**
a Delaware limited partnership

By: **WSE MANAGEMENT, LLC,** a Delaware limited liability company and general partner

by: _____
Assistant Secretary

by: _____
Don R. Etheredge
Senior Director
Wal-Mart Realty

(SEAL)

STATE OF ARKANSAS
COUNTY OF BENTON

Before me, the undersigned, a Notary Public in and for the state and county aforesaid, personally appeared Don R. Etheredge, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Senior Director, Wal-Mart Realty, of WSE Management, LLC, a Delaware limited liability company and general partner of Wal-Mart Stores East, LP, a Delaware limited partnership, the within named bargainor, and executed the foregoing instrument for the purposes therein contained, by personally signing the name of the limited partnership as such Senior Director.

WITNESS my hand, at office, this 6th day of Nov, 2009.

PATRICIA A. WILLIAMS
NOTARY PUBLIC
BENTON COUNTY, ARKANSAS
MY COMMISSION EXPIRES 9/13/2013

NOTARY PUBLIC, State at Large
or County of Benton

My Commission expires 9-13-2013

| | |
|---|---|
| PROPERTY ADDRESS:<br><br>TAX PARCEL ID 050 12 0A 001.00<br>19.76 acres<br>3458 Dickerson Pike<br>Nashville, TN 37207 | STATE OF Arkansas,<br>COUNTY OF Benton<br><br>I, or We, hereby swear or affirm that the actual consideration for this transfer is $3,918,333.40, this 6th day of November, 2009.<br><br>Heather Clark<br>Affiant |
| NAME AND ADDRESS OF PROPERTY OWNER:<br><br>Wal-Mart Real Estate Business Trust<br>2001 S.E. 10th Street<br>Bentonville, AR 72716-0550 | Subscribed and sworn to before me this 6th day of Nov, 2009.<br><br>Patricia A. Williams<br>Notary Public<br><br>My Commission expires: 9-13-2013 |

MAIL TAX BILLS TO:

Wal-Mart Real Estate Business Trust
Property Tax Department
Ref. Store #3660-00
P.O. Box 8050
Attn.: MS 0555
Bentonville, AR 72716-8050
TAX PARCEL ID 050 12 0A 001.00

PATRICIA A. WILLIAMS
NOTARY PUBLIC
BENTON COUNTY, ARKANSAS
MY COMMISSION EXPIRES 9/13/2013

# EXHIBIT "A"

## Lot 1

A tract of land in the 3rd Councilmanic District of Davidson County, Tennessee, and being Lot 1 on the Final Plat of Nashville Commons, which plat is of record in Instrument No. 20070404-0040461, and the Final Plat of Nashville Commons, First Revision, which plat is of record in Instrument No. 20080228-0019514, both in the Register's Office for said County. Said Lot is more particularly described as follows as per the survey of Gresham Smith & Partners, Kenneth D. Church, TN No. 1004, as follows:

Beginning at a point in the east line of Lot 5 the northwest corner of Lot 2 and northeast corner of Lot 1 of the Final Plat of Nashville Commons, thence leaving the line of Lot 5 with the line of Lot 4 the following six calls and distances;

1. South 73 degrees 19 minutes 37 seconds East 216.72 feet to a calculated point ,
2. South 16 degrees 40 minutes 33 seconds West 73.00 feet to a calculated point.
3. South 73 degrees 19 minutes 37 seconds East 292.25 feet to a calculated point.
4. North 16 degrees 40 minutes 23 seconds East 102.55 feet to a calculated point.
5. South 73 degrees 19 minutes 36 seconds East 473.76 feet to a calculated point.
6. South 16 degrees 40 minutes 23 seconds West 465.04 feet to a calculated point common corner with Lot 2 and 4 centerline of private ingress/egress easement;

Thence leaving the line of Lot 2 with the line of Lot 4 the following four calls and distances;

1. South 16 degrees 40 minutes 23 seconds West 212.96 feet to a calculated point.
2. A curve to the right having an arc length of 278.54 feet, a radius of 195.00 feet, and of which has a chord bearing of South 57 degrees 35 minutes 40 seconds West, a distance of 255.46 feet to a calculated point.
3. South 16 degrees 40 minutes 23 seconds West 59.97 feet to a calculated point,
4. North 73 degrees 19 minutes 36 Seconds West 815.43 feet to a calculated point corner in the eastern line of Lot 5,

Thence leaving the line of Lot 4 with the line of Lot 5 North 16 degrees 40 minutes 30 seconds East 901.45 feet to the point of beginning.

The described parcel contains 860,707 square feet more or less or 19.76 acres more or less according to the survey by Kenneth D. Church, R.L.S. Number 1004, of Gresham Smith & Partners, 1400 Nashville City Center, 511 Union Street, Nashville, TN 37219, dated March 9, 2007 and last revised March 26, 2007.

Being the same property conveyed to Wal-Mart Stores East, LP, a Delaware limited partnership, by Warranty Deed from Nashville Commons, LP, a Pennsylvania limited partnership, of record in Instrument No. 20070405-0041312, in the Register's Office of Davidson County, Tennessee.