(4)

Nashville, TN (100 Oaks)
Store No. 5616-00

This instrument prepared by:
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BILL GARRETT, Davidson County
Trans:T20100064273 DEEDWARRSP
Recvd: 10/11/10 10:35 6 pgs
Fees:33.00 Taxes:45880.00
20101011-0081297

SPECIAL WARRANTY DEED

For and in consideration of the sum of TEN DOLLARS ($10.00), cash in hand paid by the hereinafter Grantee, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, **Oaks Investment Partners, LLC**, a Georgia limited liability company, as to an undivided 84.109% interest, and **Oaks Management Associates, LLC,** a Georgia limited liability company, as to an undivided 15.891% interest, with an address of c/o GBT Realty Corporation, 201 Summit View Drive, Suite 110, Brentwood, TN 37027, Attention: George B. Tomlin, hereinafter collectively called Grantor, has bargained and sold, and by these presents does transfer 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, hereinafter called the Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described on Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth therein.

TO HAVE AND TO HOLD the said tract or parcel of land, with all fixtures and improvements thereon and appurtenances thereto, estate, title, and interest thereto belonging to the Grantee, its successors and assigns forever; and Grantor does covenant with the said Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the said Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor but not further or otherwise, subject only to the Permitted Exceptions set forth on Exhibit "B" attached hereto and made a part hereof by this reference. 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.

WITNESS our hand this 1st day of October, 2010.

OAKS MANAGEMENT ASSOCIATES, LLC

By: _____
George B. Tomlin, Manager

OAKS INVESTMENT PARTNERS, LLC

By: _____
Carl E. Adams, Jr, Manager

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, a Notary Public in and for the state and county aforesaid, personally appeared George B. Tomlin, to me known (or proved to me on the basis of satisfactory evidence) to be the Manager of Oaks Management Associates, LLC, a Georgia limited liability company, the within named bargainor, who acknowledged that he executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company as the Manager of the limited liability company.

WITNESS my hand and notarial seal at office this 1st day of October, 2010.

JULIA FRANKS LOCKE STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Julia Franks Locke
Notary Public
My Commission Expires May 2, 2011

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Before me, a Notary Public in and for the state and county aforesaid, personally appeared Carl E. Adams, Jr., to me known (or proved to me on the basis of satisfactory evidence) to be the Manager of Oaks Investment Partners, LLC, a Georgia limited liability company, the within named bargainor, who acknowledged that he executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company as the Manager of the limited liability company.

WITNESS my hand and notarial seal at office this 1st day of October, 2010.

JULIA FRANKS LOCKE STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Julia Franks Locke
Notary Public
My Commission Expires May 2, 2011

PROPERTY ADDRESS: TAX MAP & PARCEL – 118-11-0179.00 9.43 ± acres 2421 Powell Avenue Nashville, TN 37204	STATE OF TENNESSEE COUNTY OF DAVIDSON I, or We, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration or the fair market value for this transfer, whichever is greater, is $12,400,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale. Affiant
NAME AND ADDRESS OF PROPERTY OWNER: Wal-Mart Real Estate Business Trust 2001 S.E. 10th Street Bentonville, AR 72716-0550	Subscribed and sworn to before me this 1st day of October, 2010. Notary Public My Commission expires: May 4, 2014 STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.
MAIL TAX BILLS TO: Wal-Mart Real Estate Business Trust Property Tax Department Ref. Store #5616-00 P.O. Box 8050 Attn.: MS 0555 Bentonville, AR 72716-8050 TAX MAP & PARCEL – 118-11-0179.00	

EXHIBIT "A"

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

Beginning at a cross mark chiseled in concrete sidewalk in the westerly margin of Powell Avenue, said point being the northeast corner of the Fleming CarMax Tennessee, LLC recorded in deed book instrument number 2008032800313203 in the Register's Office for Davidson County, Tennessee;

Thence with the line of Fleming CarMax the flowing two calls and distances:

1. North 88° 27' 21" West 129.20 feet to an iron rod new with Gresham Smith and Partners Cap in the center of East Fork Browns Creek;

2. South 61° 40' 52" West, a distance of 559.75 feet to an iron rod new with GS&P cap in the easterly margin of CSX Railroad;

Thence leaving the line of Fleming CarMax with the right of way of CSX Railroad with a curve to the right with a central angle of 02° 36' 57", a radius of 13,138.44 feet, a tangent of 299.96 feet, a length of 599.22 feet, and a chord bearing of North 26° 04' 44" West, a distance of 599.17 feet to an iron rod new with GS&P cap corner with State of Tennessee Controlled Access Highway recorded in Deed Book 4567 Page 558 in the Register's Office for Davidson County, Tennessee;

Thence leaving said railroad right-of-way with the line of the State of Tennessee Controlled Access Highway North 54° 17' 33" East, a distance of 368.22 feet to a concrete right of way monument existing corner with Metro Government of Nashville and Davidson County recorded in recorded in Deed Book 7275 Page 575 in the Register's Office for Davidson County, Tennessee;

Thence leaving the State of Tennessee Controlled Access Highway with the line Metro Government of Nashville and Davidson County property the following four (4) calls and distances;

1. South 30° 51' 08" East 123.77 feet to an iron rod new with GS&P cap;;
2. North 74° 18' 03" East 175.01 feet to an iron rod existing with Thomas Miller Associates Cap;
3. North 24° 05' 09" West 91.35 feet to a point in East Fork Browns Creek;
4. North 74° 09' 30" East 167.58 feet to an iron rod existing with cap (not readable) in the westerly right of way of Powell Avenue;

Thence leaving the line Metro Government of Nashville and Davidson County with the westerly right of way of Powell Avenue the following three (3) calls and distances;

1. South 24° 05' 46" East 269.22 feet to a mag nail new in concrete sidewalk;
2. South 20° 47' 38" East 249.82 feet to a mag nail new in concrete sidewalk;
3. Thence with a curve to the left, having a central angle of 00° 44' 50", a radius of 6,738.95 feet, a tangent of 43.98 feet, a length of 87.95 feet, and a chord bearing of South 21° 11' 01" East, a distance of 87.90 feet to the point of beginning and containing 410,707 square feet more or less or 9.43 acres more or less, as surveyed June 2009 by Kenneth D. Church, PLS #1004, of Gresham Smith & Partners, 1400 Nashville City Center, 511 Union Street, Nashville, Tennessee 37219.

Being the same property conveyed to Oaks Investment Partners, LLC, and Oaks Management Associates, LLC from Oaks Investment Partners, GP by Quit Claim Deed dated October 1, 2010, of record in Instrument No. 20101011 00 81295 and Quitclaim Deed dated October 1, 2010 of record in Instrument No. 20101011 00 81296, both in the Register's Office of Davidson County, Tennessee.

EXHIBIT "B"

1. Davidson County real property taxes for the year 2011 and subsequent years, not yet due and payable.

2. Easements and Mineral Rights reserved by the United States of America in Quitclaim Deed of record in Book 1561, Page 117, in the Register's Office for Davidson County, Tennessee.

3. Lack of access to a controlled access highway as set forth in deed to the State of Tennessee of record in Book 4567, Page 558, in the Register's Office for Davidson County Tennessee. Said controlled access highway being known as Thompson Lane as shown on the survey conducted June 21, 2010 – July 1, 2010, by Earl T. Beckwith, RLS, No. 2251, of Carlson Consulting Engineers, Inc.

4. Drainage Easement to the State of Tennessee of record in Book 4680, Page 268, in the Register's Office for Davidson County, Tennessee.

5. Drainage Easement of record in Book 6597, Page 381, in the Register's Office for Davidson County, Tennessee.

6. Easements for Water Mains of record in Book 6695, Page 66, in the Register's Office for Davidson County, Tennessee.

7. Covenants and agreements of record in Book 9753, Page 837, in the Register's Office for Davidson County, Tennessee.

8. Access Easement of record in Book 9759, Page 20, as amended in Instrument No. 20011030-0118037 and Instrument No. 20020227-0024771, in the Register's Office for Davidson County, Tennessee.

9. Restrictive Covenant Agreement of record in Instrument Number 20091006-0092639, as amended in Instrument No. 20101011008 1294, in the Register's Office for Davidson County, Tennessee.

10. Drainage Easement of record in Book 7698, page 302, Register's Office for Davidson County, Tennessee.

11. Transmission line easement of record in Book 1174, page 101, Register's Office for Davidson County, Tennessee.

12. EXCEPT FOR THE COVENANT OF SPECIAL WARRANTY OF TITLE HEREIN ABOVE GIVEN BY GRANTOR TO GRANTEE, GRANTOR IS NOT MAKING, AND HAS NOT AT ANY TIME MADE, ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESSED OR IMPLIED, WITH RESPECT TO

THE PROPERTY, INCLUDING ANY WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE, ZONING, TAX CONSEQUENCES, LATENT OR PATENT PHYSICAL OR ENVIRONMENTAL CONDITION, UTILITIES, OPERATING HISTORY OR PROJECTIONS, VALUATION, GOVERNMENTAL APPROVALS, THE COMPLIANCE OF THE PROPERTY WITH LAWS, THE TRUTH, ACCURACY OR COMPLETENESS OF ANY INFORMATION PROVIDED BY OR ON BEHALF OF THE GRANTOR TO OR FOR THE BENEFIT OF GRANTEE OR ANY OTHER MATTER OR THING REGARDING THE PROPERTY.