WARRANTY DEED

JILL CONNORS
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $1,400,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 5TH DAY OF JANUARY, 2007.

Notary Public

MY COMMISSION EXPIRES: 7-19-08

(AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY
MICHAEL J. PHILBIN, P.C., 2021 Richard Jones Road, Suite 220, Nashville, TN 37215

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
306 Broadway, LLC Attn: Gene Gilbert	**SAME**	93-6-2/26
(NAME) P. O. Box 680245	(NAME)	
(ADDRESS) Marietta, GA 30068-0005	(ADDRESS)	
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, **Frank Messer Jr. and Briane Messer and Tim Messer**, HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO **306 Broadway, LLC**, A TENNESSEE LIMITED LIABILITY COMPANY, HEREINAFTER CALLED THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, TWO TRACTS OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

This conveyance is subject to any and all existing restrictions and easements of record, including those permitted exceptions set forth on Attached Exhibit "B".

unimproved ☐

This is improved ☒ property, known as 308 & 310 Broadway, Nashville, TN 37201

(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. 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 hands this 5th day of January, 2007.

Tim Messer

Frank Messer Jr.

Briane Messer

Davidson County DEEDWARR
Recvd: 01/08/07 11:24 4 pgs
Fees:23.00 Taxes:5180.00

20070108-0002955

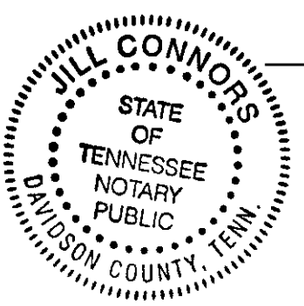
STATE OF TENNESSEE

COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Frank Messer, Jr., Briane Messer and Tim Messer, the bargainors, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 5TH DAY OF JANUARY, 2007.

Commission expires: 7-19-08



Jill Connors

Notary Public

Exhibit "A"

Tract 1:

Land in Davidson County, Tennessee, being part of Lot No. 45 on the Original Town of Nashville, not of record, described according to a plan of lot owned by T. W. Cole Estates, surveyed 3/18/1901 by W. W. Southgate, Surveyor, of record in Book 161, page 66, Register's Office for Davidson County, Tennessee. Beginning on the northerly margin of Broad Street, 114 feet 6 inches westerly from the westerly margin of Third Avenue North (formerly College Street); running thence westerly with the northerly margin of said street, 28 feet 1 inch; thence northerly 107 feet to the southerly margin of a 10 foot alley; thence easterly with the southerly margin of said alley 28 feet 3 inches to a point 114 feet 9 inches westerly from the westerly margin of 3rd Avenue North; thence southerly 107 feet to the beginning.

Tract 2:

Land in Davidson County, Tennessee, being part of Lot No. 45 on the Original Town of Nashville, described as follows:

Beginning at a point on the northern side of Broad Street 142 feet from the northwest corner of Broad and College Street; thence westwardly 29 feet 5 inches to a 10 foot alley; thence northwardly 107 feet to a 10 foot alley; thence eastwardly 29 feet 3 inches to the center of the partition wall of an adjoining building; thence southwardly with the center of said wall 107 feet to the point of beginning.

Being the same property conveyed to Frank Messer, Jr., Briane Messer, and Tim Messer in Instrument No. 20020305-0027615, Register's Office for Davidson County, Tennessee.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Taxes for the year 2006, a lien, which are not yet due and payable. Tax Parcel No. 93-6-2/26 (Parcel A) and Tax Parcel Nos. 93-6-2/27 and 28 (Parcel B).

2. Rutledge Hill Redevelopment Plan of record in Book 7084, Page 983.

3. Capital Mall Redevelopment Plan of record in Book 7423, Page 374; Book 8421, Page 587; Book 9208, Page 613; and Instrument No. 20050124-0008719.

4. All matters shown on Plat recorded in Book 7900, Page 314.

5. All matters shown on Plat recorded in Book 7800, Page 317.

6. Easements retained and maintained by Metropolitan Government pursuant to Ordinance Bill No. 91-1585.

All matters shown on the unrecorded ALTA/ACSM Land Title Survey prepared by Patrick S. Coode, a Tennessee licensed surveyor (License No. 855) on behalf of John Kohl and Company, a division of the Schneider Corporation, said survey as revised being dated December 7, 2006 and referred to by Project No. 6048.001.