**THIS INSTRUMENT PREPARED BY:**
**W. Lee Corbett, P.C.**
**CORBETT CROCKETT**
Suite 1050 American Center
3100 West End Avenue
Nashville, Tennessee 37203
(615) 383-0500

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $3,600,000.00.

Gayle E. Smith
**AFFIANT**

Subscribed and sworn to before me, this 2nd day of March, 2015.

Traci Sellers
Notary Public

My Commission Expires: 3-6-18

TRACI SELLERS NOTARY PUBLIC STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Traci Sellers
NOTARY PUBLIC
My Commission Expires
March 6, 2018
STATE OF TENNESSEE

BILL GARRETT, Davidson County
Trans:T20150015606 DEEDWARRSP
Recvd: 03/03/15 13:20 3 pgs
Fees:18.00 Taxes:13320.00
20150303-0018479

| **Address New Owners As Follows:** | **Send Tax Bills To:** | **Map-Parcel Numbers:** |
|---|---|---|
| Hillsboro Realty Company<br>Attn: Gayle Elam Smith, President<br>4338 Chickering Lane<br>Nashville, TN 37215 | SAME | Map: 108<br>Parcel 174 |

## SPECIAL WARRANTY DEED

**FOR AND IN CONSIDERATION** of the sum of Three Million Six Hundred Thousand Dollars and no/100 Dollars ($3,600,000.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt of which is hereby acknowledged, **Donelson Pike Restaurant Partners,** a Tennessee General Partnership, hereinafter called the Grantor, has bargained and sold, and by these presents does transfer and convey to **Hillsboro Realty Company,** a Tennessee corporation, hereinafter called the Grantee, its successors and assigns, a certain tract or parcel of land in Davidson County, Tennessee, described as follows:

Lot No. 1 on the plat of Shoney's of Donelson Pike Subdivision of record in Book 7900, page 610, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

LESS AND EXCEPT the right of way conveyed by deed of record in Book 9693, page 721, in the office of the Register of Deeds for Davidson County, Tennessee.

BEING the same property conveyed to Donelson Pike Restaurant Partners, a Tennessee general partnership in Instrument 20080527-0054011 Register's Office for Davidson County, Tennessee.

**TO HAVE AND TO HOLD** the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Grantee, its successors and assigns, forever; and the Grantor further covenants and binds 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. 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.

This conveyance is made subject to the following exceptions:

1. Taxes and assessments for the year 2015, a lien but not yet due and payable, and subsequent years.

2. Right of way and temporary and permanent easements conveyed to Metropolitan Government of Nashville & Davidson County, Tennessee, by deed of record in Book 9693, page 721, Register's Office for Davidson County, Tennessee.

3. Subject to all matters shown on the Plan of record in Book 7900, page 610, Register's Office for Davidson County, Tennessee.

4. Subject to the rights of Shoney's Tenn. 1, LLC, a Tennessee limited liability company, under an unrecorded lease agreement.

5. Matters shown on the survey of Rocky L. Montoya, TN RLS No. 697, of R. L. Montoya Land Surveying Inc., as Job No. 08-04-14, dated April 30, 2008, last revised May 15, 2008.

6. Subject to any and all right of ways, easements, building lines, covenants, restrictions, reservations of record, encroachments, encumbrances, violations or adverse circumstances that would be disclosed by an accurate and complete updated survey of the land.

This is improved property commonly known as 546 Donelson Pike, Nashville, Davidson County, Tennessee.

**IN WITNESS WHEREOF,** the Grantor has executed this deed as of the 2nd day of March, 2015.

**DONELSON PIKE RESTAURANT PARTNERS,**
a Tennessee General Partnership

By: George N. Spiva
Its: Managing Partner

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, an official Notary Public of the said county and state, George N. Spiva, 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 managing partner of DONELSON PIKE RESTAURANT PARTNERS, a Tennessee general partnership, the within named bargainor, and who acknowledged that as such managing partner, he executed the foregoing instrument for the purposes therein contained, by signing the name of the general partnership by himself as managing partner.

WITNESS MY HAND, at office, this 2nd day of March, 2015.

MORGAN THOMPSON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires May 8, 2018

Notary Public

My Commission Expires: _____