BILL GARRETT, Davidson County
Trans:T20150092261 DEEDWARRSP
Recvd: 10/29/15 12:42 5 pgs
Fees:28.00 Taxes:69560.00
20151029-0110197

SPECIAL WARRANTY DEED

FROM: Holrob Avalon Apartments, LLC, a Tennessee limited liability company

TO: Smokey Point Plaza Investors, LLC, a Washington limited liability company, LMS 2, LLC, a Wyoming limited liability company, and PC Avalon Holdings, LLC, a Utah limited liability company

Address New Owner as follows:	Send Tax Bills to:	Map-Parcel Number:
c/o PC Avalon Holdings, LLC 4956 North 300 West Suite 300 Provo, Utah 84604	(same)	Map 86, Parcel 92

THIS INSTRUMENT PREPARED BY: Waller Lansden Dortch & Davis, LLP, Nashville City Center, 511 Union Street, Suite 2700, Nashville, Tennessee 37219-8966

STATE OF Utah)
COUNTY OF Utah)

The actual consideration or value, whichever is greater, for this transfer is Eighteen Million Eight Hundred Thousand and No/100 Dollars ($18,800,000.00).

JANNETTE SORENSON
Notary Public, State of Utah
Commission # 680069
My Commission Expires
November 04, 2018

Affiant

Subscribed and sworn to before me, this the 19 day of October, 2015.

Notary Public

My Comm. Expires: 11-04-2018

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged **HOLROB AVALON APARTMENTS, LLC**, a Tennessee limited liability company, hereinafter called "GRANTOR", has bargained and sold, and by these presents does transfer and convey unto **SMOKEY POINT PLAZA INVESTORS, LLC**, a Washington limited liability company, as to a 33.33% undivided tenant-in-common interest, **LMS 2, LLC**, a Wyoming limited liability company, as to a 40.53% undivided tenant-

in-common interest and **PC AVALON HOLDINGS, LLC,** a Utah limited liability company, as to a 26.14% undivided tenant-in-common interest, hereinafter collectively called "GRANTEE", its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit (the "Property"):

SITUATED in Davidson County, Tennessee, and within the corporate limits of the City of Nashville, Tennessee, and being property platted in Hermitage Creste, as shown by plat recorded in Plat Book 7900, page 959, in the Davidson County Register's Office, and being more particularly described as follows:

BEGINNING at a point in the easterly right-of-way line of Andrew Jackson Way, 60 feet in width, at the center of Dry Fork Creek, at a corner common with Lot 1A of the Resubdivision of Lot 1A, Northlake Village, as of record in Plat Book 9700, page 35, in the Davidson County Register's Office, also being the property conveyed to Northlake Village Shopping Center, LLC, as recorded as Instrument No. 20000810-0079584, in the Davidson County Register's Office, said point being located at Northing: 673,948.80; Easting: 1,789,134.57; on the State Plan Coordinate System NAD-83; thence leaving the center of Dry Fork Creek, with the easterly right-of-way line of Andrew Jackson Way, with a curve to the right, along an arc length of 978.47 feet, the central angle of which is 19 deg. 18 min. 59 sec., the radius of which is 2902.32 feet, the chord of which is North 03 deg. 27 min. 13 sec. West, 973.84 feet to an existing iron rod; thence leaving the easterly right-of-way line of Andrew Jackson Way, with the southerly property line of Bret Ridge Subdivision, as of record in Plat Book 6900, page 121, in the Davidson County Register's Office, South 82 deg. 06 min. 38 sec. East, 735.79 feet to an existing iron rod, in the westerly property line of Lot 64 of Phase 1, Section 2, Jackson's Retreat, as of record in Plat Cabinet 5200, page 334, in the Davidson County Register's Office, also being the property of Ronald Miller, as recorded as Instrument No. 20070110-0004133, in the Davidson County Register's Office; thence with the westerly property line of Lot 64, South 07 deg. 36 min. 46 sec. West, 63.82 feet to an existing pk nail, at a corner common with Lot 92 of Phase II, Jackson's Retreat, as of record in Plat Book 5200, page 473, in the Davidson County Register's Office, also being the property of Debra M. Minello, as recorded as Instrument No. 20071214-0143876, in the Davidson County Register's Office; thence with the westerly property line of said Lot 92, South 01 deg. 48 min. 26 sec. East, 308.69 feet to an existing concrete monument at a corner common with Lot 93 of Phase II, Jackson's Retreat, also being the property of Charles R. Fite, et. ux., as recorded in Deed Book 8473, page 444, in the Davidson County Register's Office; thence with the southerly property line of said Lot 93, South 62 deg. 56 min. 29 sec. East, 399.84 feet to an existing concrete monument at corner common with Lot 97 of Phase II, Jackson's Retreat, also being the property of Charlene R. Garcia, as recorded as Instrument No. 20071017-0123086, at the Register's Office for Davidson County, Tennessee, and with Lot 103 of Phase II, Jackson's Retreat, also being the property of Patrick F. Buckman, et. ux., as recorded in Deed Book 6739, page 904, in the Davidson County Register's Office; thence with the westerly property line of said Lot 103,

South 20 deg. 12 min. 07 sec. East, 335.52 feet to an existing concrete monument at a corner common with Lot 241 of Phase V-B, Revised Jackson's Retreat as recorded in Plat Book 6250, page 905, in the Davidson County Register's Office, also being the property of Francisco Alduenda, as recorded as Instrument No. 20000907-0088458, in the Davidson County Register's Office, and at a corner common with Lot 235 of Phase V-B, Revised Jackson's Retreat, also being the property of Stephen A. Cowman, et. ux., as recorded in Deed Book 7539, page 262, in the Davidson County Register's Office; thence with the westerly property line of said Lot 235, South 21 deg. 46 min. 45 sec. West, 154.95 feet to an existing concrete monument in the northerly right-of-way line of Market Square; thence with the northerly right-of-way line of Market Square, North 68 deg. 19 min. 34 sec. West, 50.05 feet to an iron rod set; thence with a curve to the right, along an arc length of 24.89 feet, the central angle of which is 35 deg. 39 min. 33 sec., the radius of which is 40.00 feet, the chord of which is North 50 deg. 29 min. 48 sec. West, 24.49 feet to an iron rod set; thence leaving the northerly right-of-way line of Market Square, with the westerly cul-de-sac of Market Square with a curve to the left, along an arc length of 175.45 feet, the central angle of which is 251deg.19 min. 06 sec., the radius of which is 40.00 feet, the chord of which is South 21 deg. 40 min. 26 sec. West, 65.00 feet to an iron rod set; thence leaving the westerly cul-de-sac of Market Square, with the southerly right-of-way line of Market Square, with a curve to the right, along an arc length of 24.89 feet, the central angle of which is 35 deg. 39 min. 33 sec., the radius of which is 40.00 feet, the chord of which is South 86 deg. 09 min. 20 sec. East, 24.49 feet to an iron rod set at a corner common with Lot 234 of Phase V-B, Revised Jackson's Retreat, also being the property of Mark A. Helstein, et. ux, as recorded in Deed Book 7519, page 918, in the Davidson County Register's Office; thence with the westerly property line of said Lot 234, South 21 deg. 48 min. 12 sec. West, passing an existing concrete monument at 100.02 feet for a total distance of 122.82 feet to a point in the center of Dry Fork Creek, and being the northerly property line of said Lot 1A of the Resubdivision of Lot 1A, Northlake Village; thence with the northerly property line of said Lot 1A, and the center of Dry Fork Creek, the following seven calls: South 87 deg. 22 min. 11 sec. West, 128.09 feet to a point; North 40 deg. 36 min. 59 sec. West, 163.20 feet to a point; North 56 deg. 51 min. 59 sec. West, 329.30 feet to a point; North 82 deg. 19 min. 59 sec. West, 114.70 feet to a point; South 60 deg. 05 min. 01 sec. West, 59.30 feet to a point; North 72 deg. 10 min. 59 sec. West, 66.80 feet to a point; South 84 deg. 59 min. 01 sec. West, 237.58 feet to the point of BEGINNING, containing 925,852 square feet or 21.255 acres, more or less.

The foregoing description was prepared from the survey of Cherry Land Surveying, Inc., 622 West Iris Drive, Nashville, TN 37204, dated June 29, 2009.

BEING the same property conveyed to Holrob Avalon Apartments, LLC, a Tennessee limited liability company, by Warranty Deed from Avalon of Hermitage, LLC, a Tennessee limited liability company, dated July 9, 2009, and

recorded as Instrument No. 20090710-0064508, in the Davidson County Register's Office.

Said property is transferred subject to the limitations, restrictions, and encumbrances set forth below.

1. Rights of tenants in possession, as tenants only, under any unrecorded residential leases.

2. 2015 Metro Nashville Davidson County Taxes, a lien not yet due and payable.

3. All matters shown on the plans of record in Book 7900, pages 864 and 959, Davidson County Register's Office.

4. Easement and Right of Entry Agreement, by and between VSC Cable Inc., dba Viacom Cable and Hermitage Crests Apts., L.P., of record in Book 10046, page 753, Davidson County Register's Office.

5. Easement for Sanitary Sewers and/or Storm Drainage, Water Mains, Pumps and Appurtenances, of record as Instrument No. 20140306-0019010, Davidson County Register's Office.

6. Rights of upper and lower riparian owners in and to the use of and the uninterrupted flow of Dry Fork Creek free from diminution or pollution which crossed the south part of the property.

7. Changes in the boundary of the land resulting from erosion or accretion by the flow of Dry Fork Creek.

8. All matters shown on the survey prepared by Tony Reasons II, dated October 6, 2015, Job No. 15-09-007.

This is improved property commonly known as 3501 Andrew Jackson Way, Hermitage, Tennessee 37076.

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 GRANTOR further covenants and binds itself, its successors and assigns to warrant specially and forever defend the title to said real estate to GRANTEE, its successors and assigns, against the lawful claims of all persons claiming through and under GRANTOR (other than claims arising out of the matters set forth above), 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.

IN WITNESS WHEREOF; Grantor has caused this Special Warranty Deed to be executed this ____ day of October, 2015.

GRANTOR:

HOLROB AVALON APARTMENTS, LLC,
a Tennessee limited liability company

By: _____
Name: Raja J. Jubran
Title: President

STATE OF TENNESSEE)

COUNTY OF KNOX)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Raja J. Jubran, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged him/herself to be the President of HOLROB AVALON APARTMENTS, LLC, a Tennessee limited liability company, the within named grantor, and being authorized so to do, executed the foregoing instrument for the purposes therein contained on behalf of the foregoing entity.

Witness my hand and seal, this the 26th day of October, 2015.

_____
NOTARY PUBLIC

My Commission Expires: 07/06/16

TINA M. BORING
STATE OF TENNESSEE NOTARY PUBLIC
KNOX COUNTY