Davidson County DEEDWARRSP
Recvd: 01/25/16 11:03 6 pgs
Fees:33.00 Taxes:262700.00
20160125-0006778

Prepared by and after recordation, return to:

Summit Hotel Properties, Inc.
12600 Hill Country Blvd.
Suite R-100
Austin, Texas 78738
Attention: Christopher Eng

# SPECIAL WARRANTY DEED

STATE OF TENNESSEE §
COUNTY OF DAVIDSON §

NOBLE I NASHVILLE, LLC, a Delaware limited liability company (herein "**Grantor**") for and in consideration of the sum of $10 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto SUMMIT HOSPITALITY 127, LLC, a Delaware limited liability company ("**Grantee**") the real property in Davidson County, State of Tennessee, fully described in Exhibit A hereto, together with all and singular rights, titles, tenements, hereditaments, appurtenances and interests belonging or in any way appurtenant thereto (collectively, the "**Property**").

This Special Warranty Deed and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject to the matters described in Exhibit B hereto, to the extent the same are validly existing and applicable to the Property (collectively, the "**Permitted Encumbrances**").

Being the same property conveyed to Grantor by deed of record in Instrument No. 201202160013701, in the Register's Office for Davidson County, Tennessee.

This is improved property known as: 1901 West End Avenue, Nashville, Tennessee 37203

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, and its successors and assigns in fee simple forever, and Grantor does hereby bind itself, and its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the title to the Property unto the said Grantee, and its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor but not otherwise, subject to the Permitted Encumbrances.

(Signature page follows)

EXECUTED as of January 19, 2016.

NOBLE I NASHVILLE, LLC, a
Delaware limited liability company

By: _____
Name: Mark K. Rafuse
Title: Vice President

**STATE OF** Georgia )
) **ss.**
**COUNTY OF** Fulton )

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Mark K. Rafuse with whom I am personally acquainted (or proved to me to be on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Vice President of Noble I Nashville, LLC, the within named bargainor, and that he as such Vice President, being authorized so to do, executed the within instrument for the purposes therein contained, by signing the name of the Mark K. Rafuse by himself as Vice President of Noble I Nashville, LLC.

WITNESS my hand and Official Seal at office, this 15th day of December, 2015.

_____
Notary Public

My Commission Expires May 10, 2018.

CYNTHIA M JORDAN NOTARY PUBLIC GWINNETT COUNTY EXPIRES GEORGIA MAY 10, 2018

***

I, or we, hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $71,000,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

_____
AFFIANT

Subscribed and sworn to before me this 15th day of December 2015.

_____
Notary Public

My Commission Expires May 10, 2018.

CYNTHIA M JORDAN NOTARY PUBLIC GWINNETT COUNTY EXPIRES GEORGIA MAY 10, 2018

Tax Parcel Numbers:

09216011500
09216012000

Name and Address of Owner, and Send Tax Notices to:

Summit Hospitality 127, LLC
c/o Summit Hotel Properties, Inc.
12600 Hill Country Blvd.
Suite R-100
Austin, Texas 78738
Attention: Christopher Eng

Exhibit A – Legal Description
Exhibit B – Permitted Encumbrances

# EXHIBIT A

(Legal Description)

A tract of land in the First Civil District of Nashville, Davidson County, Tennessee, at the Southeast corner of West End Avenue and Nineteenth Avenue South being more particular described by Walter Davidson & Association as follows:

Beginning at an iron rod; said iron rod being the intersection of the southeastern right of way of West End Avenue (90') and the southwestern right of way of Nineteenth Avenue South (50'); thence with said right of way of Nineteenth Avenue South 31 degrees 10 minutes 49 seconds East a distance of 305.32 feet to an iron rod; thence South 56 degrees 54 minutes 29 seconds West a distance of 150.13 feet to an iron rod in the northeastern right of way of Alley Number 384, thence with said Alley North 31 degrees 13 minutes 00 seconds West a distance of 159.71 feet to an iron rod in said right of way at the southeastern corner of the property of Twentieth Avenue Co. as of record in Book 5958 page 539; thence with the common line with Twentieth Avenue Co. North 31 degrees 13 minutes 00 seconds West a distance of 150.16 feet to an iron rod in the right of way of West End Avenue; thence with right of way of West End Avenue North 58 degrees 38 minutes 47 seconds East a distance of 150.24 feet to the point of beginning. Containing 46182.366 square feet or 1.060 acres more or less.

BEING the same property conveyed to Noble I Nashville, LLC, a Delaware limited liability company by deed of record in Instrument No. 201202160013701, Register's Office for Davidson County, Tennessee.

## EXHIBIT B

(Permitted Encumbrances)

1. Taxes and assessments for the year 2016 and subsequent years, not yet due and payable.

2. All matters shown on Plat of record in Book 7900, page 859, Register's Office for Davidson County, Tennessee.

3. Easements and rights as set forth in Metropolitan City Counsel Ordinance No. 095-1544, Davidson County, Tennessee.

4. The following matters as shown on ALTA/ACSM survey prepared by American National, dated August 20, 2015, Network Reference No. 20150731-003 as follows:

   a. Fence encroaches onto subject property 0.8' to 0.9' along west line;

   b. Canopy encroaches onto subject property 3.1' to 3.9' along west line;

   c. Fence encroaches onto subject property 2.8' to 3.7' along west line;

   d. Concrete encroaches onto the subject property 2.8' to 3.4' along west line;

   e. 8 Story building encroaches into 5' reservation for future right of way of 19th Avenue South; and

   f. A portion of the improvements encroach over easements retained in Metro Council Bill No. 095-1544.

# TRUE COPY CERTIFICATION

I, Jay H. Smith, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee:

County of Davidson:

Personally appeared before me, Denise C. Allis-Wilburn, a notary public for this county and state, Jay H. Smith, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Denise C. Allis Wilburn, Notary Public

My commission Expires: 9-10-18
(affix Notary seal)

DENISE C. ALLIS-WILBURN
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 9-10-2018