Davidson County DEEDWARRSP
Recvd: 01/28/16 14:04 6 pgs
Fees:33.00 Taxes:6475.00
20160128-0008463

# SPECIAL WARRANTY DEED

FROM: Dairy Farmers of America, Inc., a Kansas cooperative marketing association

TO: LV2 Properties, LLC, a Colorado limited liability company, Grantee

This instrument was prepared by:
Otten Johnson Robinson Neff + Ragonetti PC
950 17th Street, Suite 1600
Denver, CO 80202
Attn: Dimitri Adloff, Esquire

| Address New Owner (s) as follows: | Name and Address of the Person or Entity Responsible for the Payment of Real Property Taxes: | Map-Parcel Number 175-177.00 Part of |
|---|---|---|
| LV2 Properties, LLC, a Colorado limited liability company 4350 Hurricane Creek Blvd., Antioch, TN 37013 | SAME | |

STATE OF MISSOURI )
COUNTY OF PLATTE )

The actual consideration or value, whichever is greater, for this transfer is One Million Seven Hundred Fifty Thousand and No/100 Dollars ($1,750,000.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 27th day of January, 2016.

ANN CATHERINE MARTINEZ
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
BUCHANAN COUNTY
MY COMMISSION EXPIRES: JAN. 13, 2018
COMMISSION # 14566903

Ann Catherine Martinez
Notary Public

My Commission Expires: 01-13-2018

FOR AND IN CONSIDERATION OF $10.00 and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Dairy Farmers of America, Inc., a Kansas cooperative marketing association ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto LV2 Properties, LLC, a Colorado limited liability company ("Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described on Exhibit 1 attached hereto and incorporated herein by this reference together with all improvements, buildings and structures located thereon (the "Property").

This conveyance is expressly made subject to those matters more specifically set forth on Exhibit 2 attached hereto and incorporated herein by this reference. This conveyance is further made subject to the restriction, which shall run with the land, and which prohibits use of the Property for the production of fluid milk or other dairy products (the "Restriction") for a period of fifteen (15) years from the date of this Special Warranty Deed (the "Restriction Period"). The Restriction shall expire and be of no further force upon the expiration of the Restriction Period.

TO HAVE AND TO HOLD the Property with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors and assigns forever.

And Grantor does covenant with Grantee that Grantor is lawfully seized and possessed of the Property in fee simple and Grantor has a good right to convey the Property.

And Grantor does further covenant and bind Grantor, its successors and assigns to warrant and forever defend the title to the Property to Grantee, its successors and assigns against the lawful claims of all persons whomsoever claiming by, through or under Grantor (other than claims arising from the matters set forth on Exhibit 2), but not further or otherwise.

Witness my hand this 28th day of January, 2016.

**GRANTOR:**

DAIRY FARMERS OF AMERICA, INC.,
a Kansas cooperative marketing association

By: Joel Clark
Its: Sr VP, Administration

STATE OF MISSOURI )
)
COUNTY OF PLATTE )

Before me, the undersigned, a Notary Public of said County and State, personally appeared Joel Clark, 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 Senior Vice President, Administration, of Dairy Farmers of America, Inc., a Kansas cooperative marketing association, the within named bargainor, and that he executed the foregoing instrument for the purposes therein contained, by signing his or her name.

Witness my hand and seal, at Office in Kansas City, Missouri, this 27th day of January, 2016.

ANN CATHERINE MARTINEZ
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
BUCHANAN COUNTY
MY COMMISSION EXPIRES: JAN. 13, 2018
COMMISSION # 14566903

Ann Catherine Martinez
Notary Public
My Commission Expires: 01-13-2018

**EXHIBIT 1**
**to**
**SPECIAL WARRANTY DEED**

PROPERTY DESCRIPTION

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 1 ON THE PLAN OF REVISED RESUBDIVISION OF HURRICANE CREEK, INDUSTRIAL PARK, SECTION THREE, OF RECORD IN PLAT BOOK 7900, PAGE 198, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAN REFERENCE IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION OF SAID LOT.

SAID PROPERTY IS MORE PARTICULARLY DESCRIBED AS COMMENCING AT A CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID TRACT, SAID MONUMENT BEING LOCATED ON THE WESTERN RIGHT OF WAY LINE OF HURRICANE CREEK BOULEVARD 2,180.05 FEET SOUTH OF THE SOUTHERLY MARGIN OF MURFREESBORO PIKE; THENCE ALONG THE WESTERN RIGHT OF WAY OF HURRICANE CREEK BOULEVARD SOUTH 06 DEG. 51 MIN. 02 SEC. WEST A DISTANCE OF 162.94 FEET TO A CONCRETE MONUMENT; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTHERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 48 DEG. 11 MIN. 9 SEC. A RADIUS OF 30 FEET, AND LENGTH OF 25.23 FEET TO A CONCRETE MONUMENT; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 138 DEG. 11 MIN. 23 SEC. A RADIUS 60 FEET, AND LENGTH OF 144.71 FEET TO A CONCRETE MONUMENT AT THE SOUTHERN END OF A CUL-DE-SAC ON HURRICANE CREEK BOULEVARD; THENCE SOUTH 06 DEG. 51 MIN. 02 SEC. WEST A DISTANCE OF 329.57 FEET TO A POINT ON THE NORTHERN BOUNDARY OF PROPERTY OWNED NOW FORMERLY BY J.D. JOHNSON; THENCE NORTH 76 DEG. 22 MIN. 44 SEC. WEST A DISTANCE OF 65.86 FEET TO A POINT AT THE NORTHWESTERN CORNER OF SAID J.D. JOHNSON PROPERTY; THENCE SOUTH 13 DEG. 37 MIN. 16 SEC. WEST A DISTANCE OF 12.0 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF LOUISVILLE AND NASHVILLE RAILROAD COMPANY (NOW CSX TRANSPORTATION, INC.), THENCE NORTH 76 DEG. 22 MIN. 44 SEC. WEST ALONG THE SAID NORTHERN BOUNDARY OF SAID RAILROAD RIGHT-OF-WAY A DISTANCE OF 520.52 FEET TO AN IRON PIN; THENCE NORTH 02 DEG. 33 MIN. 10 SEC. EAST A DISTANCE OF 563.97 FEET TO A POINT; THENCE SOUTH 83 DEG. 09 MIN. 58 SEC. EAST A DISTANCE OF 595.97 FEET TO A CONCRETE MONUMENT ON THE WESTERN RIGHT-OF-WAY LINE OF HURRICANE CREEK BOULEVARD; MARKING THE POINT OF BEGINNING. THIS PROPERTY CONTAINS 8.005 ACRES MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO DAIRY FARMERS OF AMERICA, INC. BY DEED FROM SCHREIBER FOODS, INC. OF RECORD IN INSTRUMENT NO. 201202220015208, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

**EXHIBIT 2**
**to**
**SPECIAL WARRANTY DEED**

EXCEPTIONS

1. Ad valorem taxes for Davidson County, Tennessee for 2016 and future years.
2. Any mineral or mineral rights leased, granted or retained by current or prior owners.
3. Easements and notes as shown on that certain plat of record in Plat book 7900, Page 198, in the Register's Office of Davidson County, Tennessee.
4. Clearance Permit to Southern Bell Tel & Tel Co. of record in Book 1083, page 277, Register's Office of Davidson County, Tennessee.
5. Grant of Overhead Line Easement of record in Book 7594, page 785, Register's Office of Davidson County, Tennessee.
6. Grant of Transmission Line Easement of record in Book 11493, page 476, Register's Office of Davidson County, Tennessee.
7. Easement by Court Order of record in Instrument No. 201202280017172, Register's Office of Davidson County, Tennessee.
8. Any rights, interest, or claims which may exist or arise by reason of the following facts shown on the ALTA/ACSM Land Title Survey dated December 23, 2015, prepared by Barge, Waggoner, Sumner and Cannon, Inc., as File Number 3625700:
    A) Fence located inside and outside of property line
    B) Overhead utility line and sanitary line outside of recorded easement

**True Copy Certification**

I, John V. Miller, 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 Colorado

County of Denver

Personally appeared before me, Nathan Rogers, a notary public for this county and state, John V. Miller, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Signature

My Commission Expires: August 9, 2016

Notary Seal

NATHAN ROGERS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124050916
MY COMMISSION EXPIRES AUGUST 9, 2016