| | |
|---|---|
| Davidson County DEEDWARRSP<br>Recvd: 11/23/16 15:28 6 pgs<br>Fees:33.00 Taxes:4625.00<br>**20161123-0124058**<br><br>**THIS INSTRUMENT PREPARED BY:**<br><br>**Talbott P. Ottinger**<br>**MCKENZIE LAIRD, PLLC**<br>**3835 Cleghorn Avenue, Suite 250**<br>**Nashville, TN 37215** | STATE OF TENNESSEE<br>COUNTY OF DAVIDSON<br><br>The actual consideration or value, whichever is greater, for this transfer is $1,250,000.00.<br><br>Affiant<br><br>Subscribed and sworn to before me this 22nd day of November, 2016.<br><br>Notary Public<br>My Commission Expires: 1-8-2019 |

**SPECIAL WARRANTY DEED**

| Address New Owner: | Send Tax Bills To: | Map-Parcel Number(s): |
|---|---|---|
| Fresh Capital, LLC<br>4816 Charlotte Avenue<br>Nashville, TN 37209 | New Owner | 091 15 0 254.00 |

FOR AND IN CONSIDERATION OF the sum of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **PRB Properties, LLC**, a Tennessee limited liability company ("**Grantor**"), has bargained and sold, and does hereby transfer and convey unto **HB Charlotte Ave, LLC**, a Tennessee limited liability company ("**Grantee**"), its successors, heirs and assigns, certain real property located in Nashville, Davidson County, Tennessee, being more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "**Property**").

The Property is improved property located at 4816 Charlotte Avenue, Nashville, Tennessee 37209.

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors, heirs and assigns, forever. Grantor covenants and binds itself, its successors and assigns to warrant and forever defend the title and quiet possession to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise, except as set forth on Exhibit B attached hereto and incorporated herein by reference, to which this conveyance is expressly made subject.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed ~~on~~ as of the 22nd day of November, 2016.

**PRB Properties, LLC,**
a Tennessee limited liability company

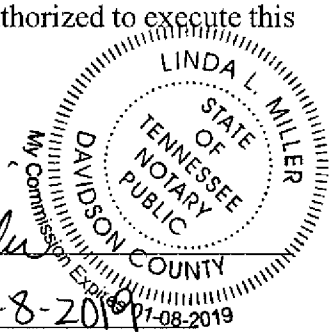
By: _____
Christopher T. Carter,
Authorized Representative

By: _____
James F. Peisker,
Authorized Representative

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, **Christopher T. Carter**, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence, and who acknowledged that such person executed the within instrument for the purposes therein contained, and who further acknowledged that he is an **Authorized Representative** of **PRB Properties, LLC** and is authorized to execute this instrument on its behalf.

Witness my hand, at office, this 22nd day of November, 2016.

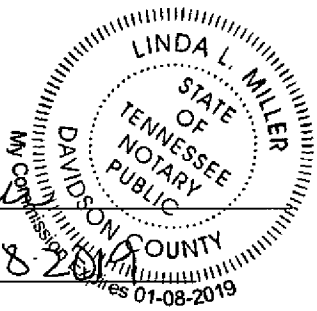



Notary Public
My Commission Expires: 1-8-2019

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Personally appeared before me, **James F. Peisker**, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence, and who acknowledged that such person executed the within instrument for the purposes therein contained, and who further acknowledged that he is an **Authorized Representative** of **PRB Properties, LLC** and is authorized to execute this instrument on its behalf.

Witness my hand, at office, this 22nd day of November, 2016.




Notary Public
My Commission Expires: 1-8-2019

**EXHIBIT A**
**Legal Description**

Land lying in the 24th Council District of Nashville, Davidson County, Tennessee, being the property conveyed to PRB Properties, LLC, a Tennessee Limited Liability Company, as evidenced by instrument of record in deed book 20151020-0106486, Register's office of Davidson County, Tennessee, and being more particularly described according to an ALTA/NSPS Land Title Survey by Michael K. Story of HFR Design, Inc. dated 09-14-16 as follows:

Beginning at a 5/8" iron pin with HFR cap (new) in the northerly right-of-way line of Charlotte Avenue, being North 88 degrees 02 minutes 29 seconds East 75.50 feet from the intersection of said Charlotte Avenue northerly right-of-way line with the easterly right-of-way line of 49th Avenue North, and being the southeast corner of the property conveyed to Global Education Center, of record in instrument 20040505-0051064, same being the southwest corner of the herein described; thence with Global Education Center, North 01 degrees 44 minutes 46 seconds West 150.00 feet to a ½" iron pin found in the southerly right-of-way line of a 25 foot Alley; thence with the southerly right-of-way line of the Alley, North 88 degrees 02 minutes 29 seconds East 109.50 feet to a ¾" iron pin found at the northwest corner of the property conveyed to Asghar Mahdavi and Nancy Mahdavi, Trustees, of record in instrument 20110301-0016587; thence with the westerly line of Mahdavi, South 01 degrees 44 minutes 46 seconds East 150.00 feet to a point inside a wall in the northerly right-of-way line of Charlotte Pike; thence with said northerly right-of-way line, South 88 degrees 02 minutes 29 seconds West 109.50 feet to the point of beginning, containing 16,425 square feet, or 0.377 acre, more or less.

Being the same property conveyed to PRB Properties, LLC, a Tennessee limited liability company, by Warranty Deed from Dale A. Hilmen and Kay J. Hilmen, recorded on October 20, 2015 in Instrument No. 20151020-0106486, in the Register's Office of Davidson County, Tennessee.

## EXHIBIT B
## Permitted Exceptions

1. Taxes and assessments for the year 2017 and subsequent years, not yet due and payable.

2. All matters as shown on that certain plat of record in Plat Book 57, Page 74 and 75, in the Register's Office of Davidson County, Tennessee.

3. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by a survey prepared by Michael K. Story, TN Registered Land Surveyor No. 1989, HFR Design, September 14 , 2016, Project No. 2016141.52.

    - Wood planter encroaching onto western portion of the Land.
    - Light poles encroaching on neighboring property to the West of the Land.
    - Wall encroaching onto the southeast portion of the Land.
    - Light pole encroaching on neighboring property to the East of the Land.

# 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 therewith and that this is a true and correct copy of the original documents executed and authenticated according to law.

Signature

State of Tennessee

County of Davidson

Personally appeared before me, Jodean M. King, 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.

Notary's Signature

JODEAN M. KING
STATE OF TENNESSEE NOTARY PUBLIC
ROBERTSON COUNTY

My Commission Expires: 6/20/2017

Notary Seal: