BILL GARRETT, Davidson County
Trans:T20160110254 DEEDWARRSP
Recvd: 12/15/16 10:42 5 pgs
Fees:28.00 Taxes:4810.00
20161215-0131568

This Instrument Prepared By:
Michael S. Peek, Esq.
Bass, Berry & Sims PLC
150 Third Avenue South, Suite 2800
Nashville, TN 37201

# SPECIAL WARRANTY DEED

| *Address New Owner as Follows:* | *Send Tax Bills To* | *Map & Parcel No.:* |
|---|---|---|
| SWR 1, LLC<br>c/o Jason VanDerMark<br>1023 Iverson Avenue<br>Nashville, TN 37216 | Same | 075-00-0-213.00 |

FOR AND IN CONSIDERATION of the sum of Ten ($10.00) Dollars, and other good and valuable consideration, receipt of which is hereby acknowledged, WVF PROPERTIES, LLC, a Tennessee limited liability company ("Grantor"), has bargained and sold and does hereby transfer and convey unto SWR 1, LLC, a Delaware limited liability company ("Grantee"), its successors and assigns, a certain tract of land located in Davidson County, Tennessee and described as follows (the "Property"):

See Exhibit A

This is improved property known as 3925 Lebanon Pike, Hermitage, Tennessee.

TO HAVE AND TO HOLD the Property, together with all improvements thereon and all appurtenances, estates, titles, interests and hereditaments thereunto belonging or in anywise appertaining, to the said Grantee, its successors and assigns, forever.

AND Grantor does hereby covenant with Grantee that it is lawfully seized and possessed of the Property in fee simple, that it has good right to sell and convey the same, and that the same is unencumbered, except for the matters set forth on Exhibit B (the "Permitted Encumbrances").

AND Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the Property against the lawful claims of all persons claiming by, through or under Grantor, but no further or otherwise, subject however to the Permitted Encumbrances.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed as of the 14th day of December, 2016.

WVF PROPERTIES, LLC,
a Tennessee limited liability company

By: _____
William L. Vallett, Jr., President

STATE OF TENNESSEE )
)
COUNTY OF DAVIDSON )

Personally appeared before me, Angela D. Goolsby, a Notary Public in and for said County and State, William L. Vallett, Jr., with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the President of WVF PROPERTIES, LLC, a Tennessee limited liability company, the Grantor of the foregoing instrument, and is authorized by such Grantor to execute this instrument on behalf of such Grantor.

WITNESS my hand, at office, this 13TH day of December, 2016.

ANGELA D. GOOLSBY
STATE OF TENNESSEE
NOTARY PUBLIC
WILSON COUNTY

_____
NOTARY PUBLIC

My Commission Expires:
August 31, 2020

STATE OF TENNESSEE )
)
COUNTY OF Sumner )

The actual consideration or value, whichever is greater, for this transfer is $1,300,000.

JASON VANDERMARK, AFFIANT

Subscribed and sworn to before me this 14th day of December, 2016.

NOTARY PUBLIC

My Commission Expires:
4/19/17

MELISSA D. ROGERS
STATE OF TENNESSEE NOTARY PUBLIC
SUMNER COUNTY

**Exhibit A**
**Legal Description**

LAND in Davidson County, Tennessee, being Lot No. 4, on the Plan of Hermitage Hills Baptist Church, Phase III, as shown on plat of record as Instrument No. 20160914-0096847, in the Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description of the property.

Being a portion of the same property conveyed to WVF Properties, LLC, a Tennessee limited liability company, by Special Warranty Deed of record in Instrument No. 20101210-0098555 and by Quitclaim Deed of record as Instrument No. 20101210-0098556, in the Register's Office for Davidson County, Tennessee.

## Exhibit B
## Permitted Encumbrances

1. If improvements are completed after January 1 of any year, and the law, pursuant to TCA 67-5-509 and TCA 67-5-603, requires supplement assessment for the year in which improvements are completed.

2. Taxes for the year 2017 a lien, presently due and payable but not yet delinquent.

3. Intentionally deleted.

4. Electric Line Easement of record in Book 3948, Page 777, Register's Office for Davidson County, Tennessee.

5. Overhead Line and Anchor Easement of record in Book 5931, page 356, Register's Office for Davidson County, Tennessee.

6. Declaration of Easement of record in Instrument No. 201111040086213, Register's Office for Davidson County, Tennessee.

7. Declaration of Reciprocal Easements of record in Instrument No. 201510070102299, Register's Office for Davidson County, Tennessee.

8. Inspection and Maintenance Agreement for Private Stormwater Management Facilities of record in Instrument No. 20110412-0028104, Register's Office for Davidson County, Tennessee.

9. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage Water Mains, Pumps and Appurtenances of record in Instrument No. 20120621-0054492, Register's Office for Davidson County, Tennessee.

10. Declaration of Restrictions and Covenants for Stormwater Facilities and Systems of record in Instrument No. 20130104-0001284, Register's Office for Davidson County, Tennessee.

11. Terms and Provisions of Memorandum of Lease by and between 1101 Safety Harbor Cove, Old Hickory, Tennessee 37138 and First Watch Restaurants, Inc., a Delaware corporation of record in Instrument No. 20150306-0019430 and in Instrument No. 20150306-0019431, Register's Office for Davidson County, Tennessee.

12. Declaration of Restrictions and Covenants for Stormwater Facilities and Systems of record in Instrument No. 20150724-0072692, Register's Office for Davidson County, Tennessee.

13. Declaration of Use Restrictions by WVF Properties, LLC, a Tennessee limited liability company, of record as Instrument No. 20151202-0121357, Register's Office of Davidson County, Tennessee.

14. All matters shown on ALTA/NSPS Land Title Survey of Lot 4, Hermitage Hills Baptist Church, Phase III, dated June 28, 2016, prepared by R. Scot Cherry, TN RLS # 1512 of Cherry Land Surveying, Inc.

15. All matters shown on the Plan of record as Instrument No. 20160914-0096847, Register's Office of Davidson County, Tennessee.