**Prepared by:**
Anne R. Garr, Esq.
Freeborn & Peters, LLP
311 South Wacker Drive, Suite 3000
Chicago, Illinois 60606

**After recording return to:**
Thompson Burton, PLLC
One Franklin Tower Park
6100 Tower Circle, Suite 200
Franklin, Tennessee 37067
Attn: William W. Burton, Esq.

BILL GARRETT, Davidson County
Trans:T20170038835 DEEDWARRSP
Recvd: 05/08/17 10:44 5 pgs
Fees:28.00 Taxes:19980.00
20170508-0045339

**Send tax bills to:** (New Owner)
Richland South, LLC
212 Overlook Circle, Suite 207
Brentwood, Tennessee 37027
Attn: Hoss Mousavi

## SPECIAL WARRANTY DEED

**THIS SPECIAL WARRANTY DEED** is made as of this 3RD day of May, 2017, by KMART CORPORATION, a Michigan corporation, whose address is 3333 Beverly Road, Dept. 824RE, Hoffman Estates, Illinois 60179 ("**Grantor**"), and RICHLAND SOUTH, LLC, a Tennessee limited liability company, whose address is 212 Overlook Circle, Suite 207, Brentwood, Tennessee 37037 ("**Grantee**").

## WITNESSETH:

Grantor, in consideration of the amount of Ten Dollars ($10.00) to it in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby REMISES, RELEASES, ALIENATES AND CONVEYS to Grantee, its successors and assigns, the improved real property situated in the City of Nashville, County of Davidson, State of Tennessee, legally described in **Exhibit "A,"** attached hereto and made a part hereof. TO HAVE AND TO HOLD said Property, with the appurtenance, estate, title and interest thereto belonging, to the Grantee, its successors and assigns forever.

Address of Property: 2491 Murfreesboro Pike, Nashville, Tennessee 37217

Map/Parcel Numbers: 14900032100; 14900032700; 14900032300; 14900032400; and 14900032600.

Grantor covenants that it is lawfully seized and possessed of said Property in FEE SIMPLE, has a good right to convey it, and that the same is unencumbered, except for those matters shown on **Exhibit "B"** attached hereto and incorporated herein by this reference. Grantor warrants and will defend Grantee, and its successors and assigns, against any claim hereafter arising by, through and under Grantor, but not otherwise, subject to those matters set forth on **Exhibit "B"** attached hereto and made a part hereof.

*Signature and Notary Pages to Follow*

**IN WITNESS WHEREOF**, Grantor has caused its name to be signed to these presents as of the date and year first above written.

REAL ESTATE
CAS
LEGAL
MS

**KMART CORPORATION, a Michigan corporation**

By: JoAnn Catanese
Name: JoAnn Catanese
Its: DVP, Real Estate

STATE OF Illinois )
) SS:
COUNTY OF Cook )

The undersigned, a Notary Public in and for the County and State aforesaid, does hereby certify that JoAnn Catanese, personally known to me to be the DVP-Real Estate of Kmart Corporation, a Michigan corporation, appeared before me this day in person and acknowledged under oath that in such capacity ~~he~~/she signed and delivered the said instrument pursuant to authority duly given to ~~him~~/her by said corporation.

**GIVEN** under my hand and seal this 1st day of May, 2017.

OFFICIAL SEAL
GWEN A SANDSTROM
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:08/07/19

Notary Public

My Commission Expires: 8/7/19

**Affidavit of Consideration**

STATE OF Tennessee
COUNTY OF Williamson

I swear or affirm that the actual consideration for this transfer, or the value of the property transferred, whichever is greater, is FIVE MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS ($5,400,000.00).

**GRANTEE/AFFIANT**:

RICHLAND SOUTH, LLC,
a Tennessee limited liability company

By: _____
Name: Hoss Mowson
Title: Sole Member & Manager

Sworn to and subscribed before me this 2nd day of May, 2017.

_____
Notary Public

My commission expires: 5-25-20.

CAROLE M. MAXSON
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY
My Commission Expires MAY 25, 2020

## EXHIBIT A
## Legal Description

Land in Davidson County, Tennessee, being Lot No. 1 on the Plan of First Revision-Lot 1, P.U.D. Boundary Plat and Subdivision plat, K-Mart Corporation, of record in Instrument No. 20010515-0050280, 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 K-Mart Corporation, a Michigan corporation by Warranty Deed from First Atlantic Management Corp., a Florida corporation of record in Book 7059, Page 710 and also being a portion of the same property conveyed to K-Mart Corporation, a Michigan corporation by Warranty Deed from Sam Sanders, Jr. of record in Book 8319, Page 757, in the Register's Office of Davison County, Tennessee.

Land in Davidson County, Tennessee, being Lot Nos. 3, 4, 6 & 7, P.U.D. Boundary Plat and Subdivision Plat, Kmart Corporation, of record in plat Book 7900, Page 289, 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 K-Mart Corporation, a Michigan corporation by First Atlantic Management Corp., a Florida corporation of record in Book 7059, Page 710 and also being a portion of the same property conveyed to K-Mart Corporation, a Michigan corporation by Sam Sanders, Jr. of record in Book 8319, Page 757 and also being a portion of the same property conveyed to Troy CMBS Property, LLC, a Delaware limited liability company by K-Mart Corporation, a Michigan corporation of record in Book 10386, Page 967, in the Register's Office of Davidson County, Tennessee.

**EXHIBIT B**
**Permitted Exceptions**

1. Taxes for the year 2017, a lien, not yet due and payable.
2. Subject to all matters shown on the Plan of record in Plat Book 7900, Page 289, Register's Office for Davidson County, Tennessee.
3. Subject to all matters shown on the Plan of record as Instrument No. 20010515-0050280, Register's Office of Davidson County, Tennessee.
4. Clearance Permit of record in Book 1104, Page 598, Register's Office of Davidson County, Tennessee.
5. Deed of Conveyance of record in Book 4883, Page 900, Register's Office of Davidson County, Tennessee.
6. Agreement for Dedication of Easement for Water Mains and Appurtenances of record in Book 8899, Page 465, Register's Office of Davidson County, Tennessee.
7. Stormwater Detention Agreement of record in Book 8309, Page 244, Register's Office of Davidson County, Tennessee.
8. Easement Agreement of record in Book 8319, Page 761, Register's Office of Davidson County, Tennessee.
9. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Declaration of Easements, Restrictions, and Operating Agreements of record in Book 8451, Page 495, amended in Instrument No. 20011231-0145083 Register's Office for Davidson County, Tennessee.
10. Development and Operation Agreements of record in Book 8451, Page 516; Instrument No. 20000322-0028992; and Instrument No. 20011231-0145082, Register's Office of Davidson County, Tennessee.
11. Deed of Conveyance of record in Book 8664, Page 56, Register's Office of Davidson County, Tennessee.
12. Deed of Conveyance of record in Book 8855, Page 578, Register's Office of Davidson County, Tennessee.
13. Deed of Conveyance of record in Book 9523, Page 100, Register's Office of Davidson County, Tennessee.