BILL GARRETT, Davidson County
Trans:T20170046235 DEEDWARRSP
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Fees:23.00 Taxes:11932.50
20170531-0054190

SPECIAL WARRANTY DEED

TO: Overland Park Investment Company, LLC
a Tennessee limited liability company

This instrument was prepared by:
C. Mark Carver, Esq.
Sherrard Roe Voigt & Harbison, PLC
150 3rd Avenue South, Suite 1100
Nashville, TN 37201

FROM: Trace Creek Shops, LLC,
a Tennessee limited liability company

Address New Owner(s) as Follows:	Send Tax Bills To:	Map/Parcel Number
Overland Park Investment Company, LLC 2 Missionary Drive Brentwood, TN 37027	Same	Map/Parcel 155-00-0-276.00

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer is $3,225,000.00.

Affiant

Sworn to and subscribed before me, this 31st day of May, 2017.

RICK G. MANSFIELD STATE OF TENNESSEE NOTARY PUBLIC RUTHERFORD COUNTY

Notary Public

My Commission Expires: 1/28/2019

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named Buyer, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Trace Creek Shops, LLC**, a Tennessee limited liability company (hereinafter called the "Seller"), has bargained and sold, and by these presents does transfer and convey unto **Overland Park Investment Company, LLC**, Tennessee limited liability company (hereinafter called the "Buyer"), and Buyer's successors and assigns, all of Seller's interest as owner in a certain tract of land in Davidson County, Tennessee, described on Exhibit A attached hereto and incorporated herein by reference, and any improvements thereon.

The above-referenced property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

This is improved property located at 8171 Highway 100, Nashville, Davidson County, Tennessee 37221.

TO HAVE AND TO HOLD the said real property, together with all rights and appurtenances thereunto belonging or in any wise appertaining to Buyer, its successors and assigns, forever in fee simple.

Seller further covenants and binds itself, its representatives, successors and assigns to warrant specially and forever defend the title to said real estate to Buyer, and Buyer's successors and assigns, against the lawful claims of all persons claiming through and under Seller (other than claims arising out of the matters set forth above), but not further or otherwise. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Seller has caused this Special Warranty Deed to be executed effective as of the 31st day of May, 2017.

GRANTOR:

Trace Creek Shops, LLC,
a Tennessee limited liability company

By: _____
Timothy H. Lehning, President

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Traci Sellers, a Notary Public of said County and State, personally appeared Timothy H. Lehning, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be President of Trace Creek Shops, LLC, a Tennessee limited liability company, the within named bargainor, and that he as such President executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as President.

Witness my hand and seal, at Office in Nashville, Tennessee this 24th day of May, 2017.

Traci Sellers
Notary Public

My Commission Expires: _____

TRACI SELLERS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

NOTARY PUBLIC
Traci Sellers
My Commission Expires
March 6, 2018
STATE OF TENNESSEE

EXHIBIT A

PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, being Lot(s) 4, as shown on the map entitled Plan of Resubdivision of Lot 1, Trace Creek Center of Pasquo, of record as Instrument No. 200002090013330, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

TOGETHER WITH those easement rights arising under that certain Declaration of Reciprocal Easements and Restrictions by Kroger Limited Partnership I, an Ohio limited partnership, dated April 27, 2000, filed for record May 5, 2000 at 3:31 p.m., recorded as Instrument No. 200005050045793, aforesaid Records; as amended by that certain First Amendment to Declaration of Reciprocal Easements and Restrictions by Kroger Limited Partnership I, an Ohio limited partnership, dated June 27, 2001, filed for record October 1, 2001 at 2:41 p.m., recorded as Instrument No. 20011019-0114428, aforesaid Records, together with that certain Acknowledgement, Consent and Subordination Agreement of record as Instrument No. 20010222-0016792, aforesaid Records.

ALSO TOGETHER WITH those easement rights arising under that certain Sign Easement Agreement by Kroger Limited Partnership I, an Ohio limited partnership, dated April 27, 2000, filed for record May 5, 2000 at 3:29 p.m., recorded as Instrument No. 200005050045792, aforesaid Records.

ALSO TOGETHER WITH those easement rights arising under Plan of Resubdivision of Lot 1, Tract Trace Creek Center of Pasquo, of record as Instrument No. 200002090013330, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to TRACE CREEK SHOPS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, by deed from KROGER LIMITED PARTNERSHIP I, AN OHIO LIMITED PARTNERSHIP, of record as Instrument No. 200005050045791, dated April 27, 2000, said Register's Office.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes for the year 2017 and future taxes, a lien, not yet due and payable.

2. Matters shown on the Plan of record as Instrument No. 200002090013330, said Register's Office.

3. Declaration of Reciprocal Easements Restrictions by Kroger Limited Partnership I, an Ohio limited partnership, of record as Instrument No. 200005050045793 and amended as Instrument No. 20011019-0114428, said Register's Office.

4. Sign Easement Agreement by Kroger Limited Partnership I, an Ohio limited partnership, of record as Instrument No. 200005050045792, said Register's Office

5. Easement Agreement between Harpeth Heights Baptist Church and Kroger Limited Partnership I, an Ohio limited partnership, of record as Instrument No. 200005050045794, said Register's Office.

6. Acknowledgement, Consent and Subordination Agreement of record as Instrument No. 20010222-0016792, said Register's Office.

7. Rights of others in and to party walls.