Bill Garrett Davidson County
Batch# 148 DEEDWARRSP
09/11/2017 12:59:24 PM 4 pgs
Fees: $23.00 Taxes: $2,405.00
20170911-0092889

Prepared by and return to:

Robert L. Scruggs, Attorney
2021 Richard Jones Road, Suite 220
Nashville, Tennessee 37215

SPECIAL WARRANTY DEED

Address Of New Owner(s)	Send Tax Bills To:	Tax Parcel Numbers:
Murfreesboro Road Retail, LLC 4117 Hillsboro Road, Se 103-348 Nashville, TN 37215	SAME AS NEW OWNER	**Map 106** **Parcel 166.00**

FOR AND IN CONSIDERATION of the sum of Ten Dollars and No/100 ($10.00), cash in hand paid by the Grantee and other good and valuable consideration accepted as cash, the receipt and sufficiency of which are hereby acknowledged, **The McCullar Family Limited Partnership** (hereinafter, collectively referred to as "Grantor"), herein this day has bargained and sold, and does hereby transfer and convey, unto **MURFREESBORO ROAD RETAIL, LLC, a Tennessee limited liability company** (hereinafter referred to as "Grantee"; the terms "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits), the following described real property, to wit:

> ALL THAT TRACT OR PARCEL of improved land lying and being in Williamson County, Tennessee, being more particularly described on **Exhibit "A"** attached hereto (the "Land"); TOGETHER WITH any and all improvements, appurtenances, rights, privileges and easements benefiting, belonging or pertaining to the Land, and any right, title and interest of Grantor in and to any land lying in the bed of any street, road or highway in front of or adjoining said Land, together with any strips or gores relating to the Land (the Land and the foregoing rights, easements and appurtenances being hereinafter collectively referred to as the "Property").

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

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 further covenants and binds itself, its heirs and assigns, to warrant and forever defend the title to said Property to said Grantee, its heirs and assigns, against all persons claiming under Grantor.

Witness my hand this 8TH day of September, 2017.

The McCullar Family Limited Partnership

By: McCullar Land Company, LLC
Its General Partner

By: Jason C. McCullar
Jason C. McCullar, Member

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a notary public in and for said County and State, personally appeared, **Jason C. McCullar**, 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 General Partner of The McCullar Family Limited Partnership, a Member of McCullar Land Company, LLC, a Tennessee limited liability company, the within named bargainor, and that as the Member, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the Partnership by himself as Member of the company

Witness my hand and official seal, at office located in Nashville, Tennessee this 8th day of September, 2017.

My Commission Expires: _____ Notary Public

ROBERT L. SCRUGGS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires March 8, 2021

Affidavit of Consideration

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

I hereby swear and affirm that the actual consideration for this transfer, or value of the property transferred, whichever is greater, is $650,000.00, which is equal to or greater than the amount the property transferred would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me, this 8th day of September, 2017.

My Commission Expires: _____ NOTARY PUBLIC

STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires March 8, 2021

ROBERT L. SCRUGGS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires March 8, 2021

EXHIBIT "A"

Legal Description of the Property

Land in the Sixteenth Civil District of Davidson County, Tennessee and being more particularly described according to a survey by J. Bruce Rainey, Surveyor 823, dated March 7, 1988 and revised October 20, 1993 and known as Job No. 880030, as follows:

Beginning at an iron pin set on the Northeast margin of Murfreesboro Pike, said point of beginning being the Southwest corner of the herein described tract and also being the Southeast comer of the Samuel K. Freshman property of record in Book 5799, Page 262, Register's Office for Davidson County, Tennessee, thence with Freshman's line and a fence North 14° 38' 00" East, a distance of 216.96 feet to an iron pin; thence South 78° 01' 00" East, a distance of 152.47 feet to an iron pin; thence North 10° 42' 00" East, a distance of 130.34 feet to a point; thence leaving the line of said Samuel K. Freshman and severing the W.L. Hagan property South 65° 07' 00" East, a distance of 144.90 feet to an iron pin; thence South 65° 07' 00" East, a distance of 20.07 feet to an iron pin; thence South 65° 07' 00" East, a distance of 440.00 feet to an iron pin set on the westerly margin of Wilhagan Road; thence with the westerly margin of Wilhagan Road South 16° 01' 00" West, a distance of 125.50 feet to an iron pin; thence with a curve to the right, having a radius of 1,115.92 feet and an iron chord of 172.52 feet, said chord having a bearing of South 20° 27' 00" West, a distance along the curve of 172.69 feet to an iron pin; thence South 24° 53' 00" West, a distance of 79.01 feet to an iron pin; thence with a turnout curve to the right having a radius of 25.00 feet and a long chord of 35.36 feet, said chord having a bearing of South 69° 53' 00" West, a distance along the curve of 39.27 feet to an iron pin on the northeasterly margin of Murfreesboro Pike; thence with the northeasterly margin of Murfreesboro Pike the two following calls: North 65° 07' 00" West, a distance of 378.50 feet to an iron pin; thence with a curve to the right having a radius of 1,879.90 feet and a long chord of 313.32 feet, said chord having a bearing of North 60° 20' 11" West, a distance of 313.6 feet to the POINT OF BEGINNING, containing 6.22 acres, more or less.

Being the same Property conveyed to The McCullar Family Limited Partnership, a Tennessee Limited Partnership by Quitclaim Deed from Iron Wood, LLC a Tennessee Limited Partnership filed for record on September 2, 2014 as Instrument No. 20140902-0079961, Register's Office for Davidson County, Tennessee

EXHIBIT "B"

Permitted Exceptions

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

2. Easement of record in Book 3618, page 484; Book 3913, page 100; Book 3913, page 100, and in Book 4816, page 304 for Sanitary Sewers and or storm drainage, said Register's Office.

3. Deed to Metropolitan Davidson County for Water Mains of record in Book 4133, page 631, said Register's Office.

4 Deed to Metropolitan Davidson County for Sewer lines of record in Book 4842, page 185, said Register's Office.

5 Rights to maintain and operate Transmission lines granted to Southern Bell Telephone and Telegraph Company of record in Book 1066, page 395, said Register's Office.

6 Rights to claim of properties in Possession under any unrecorded lease agreements.

7 Easement for the Flow of waters on any creeks or streams running through the subject property and rights of the public therein.

8 Rights of upper and lower riparian owners to the flow of the waters of any creeks or streams free from diminutions of pollution.

9 No insurance is provided as to the number of acres. Any reference to number of acres in Schedule "A" hereof is for the informational purposes only.