Bill Garrett Davidson County
Batch# 6254 DEEDWARRSP
10/02/2017 09:31:45 AM 8 pgs
Fees: $43.00 Taxes: $20,786.60
20171002-0100287

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (MAS)
150 3rd Avenue South, Suite 2800
Nashville, Tennessee 37201

SPECIAL WARRANTY DEED

Address New Owner(s):	Send Tax Bills To:	Map/Parcel Numbers:
Madison Center Partners, LLC 2926 Foster Creighton Dr. Nashville, TN 37204	Same	051-00-0-154.00 051-00-0-180.00

FOR AND IN CONSIDERATION OF the sum of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, MADISON REALTY, LLC, a California limited liability company (the "Grantor"), has bargained and sold, and hereby transfers and conveys, to MADISON CENTER PARTNERS, LLC, a Tennessee limited liability company, and its successors and assigns (the "Grantee"), certain real property in Davidson County, Tennessee, more particularly described on Exhibit A attached hereto, together with all rights and appurtenances pertaining to such real property and all improvements, structures and fixtures now constructed and completed or under construction on the real property.

Said property is conveyed subject to those matters more particularly described on Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to Grantee, forever.

This is improved property known as 1508 South Gallatin Road, Madison, TN 37115.

Grantor covenants and binds herself and her heirs and successors to warrant specially and defend to Grantee, its successors and assigns, forever the title to said property against the lawful claims of all persons claiming by, through or under Grantor (excluding claims arising out of the matters set forth on Exhibit B), but not further or otherwise.

[*Signature Page Follows*]

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument or has caused same to be executed as of the 29th day of September, 2017.

GRANTOR:

MADISON REALTY, LLC, a
California limited liability company

By: _____
Name: Jonathan Brooks
Its: Co-Manager
Date: 9/26/17

By: _____
Name: Edwin P. Yates
Its: Co-Manager
Date: 9/26/17

[DAN TO INSERT CA NOTARY]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CITY NATIONAL BANK
The way up.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles } SS.

On 9-26-17 (DATE) before me, Susan Mastro, Notary Public (Name, Title of Officer (e.g., "Jane Doe, Notary Public")),

personally appeared Jonathan Brooks (NAME(S) OF SIGNER(S)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SUSAN MASTRO
Commission # 2135059
Notary Public - California
Los Angeles County
My Comm. Expires Dec 21, 2019

Susan Mastro
Signature Of Notary Public

Place Notary Seal Above

OPTIONAL

Though the data is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

CAPACITY(IES) CLAIMED BY SIGNER

Signer's Name: _____

RIGHT THUMPRINT OF SIGNER
Top of thumb here

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partnership - ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

(098P)

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The way up.

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State of California
County of Los Angeles } SS.

On 9-26-17 (DATE) before me, Susan Mastro, Notary Public (Name, Title of Officer (e.g., "Jane Doe, Notary Public")),

personally appeared Edwin Yates (NAME(S) OF SIGNER(S)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

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Commission # 2135059
Notary Public - California
Los Angeles County
My Comm. Expires Dec 21, 2019

Susan Mastro
Signature Of Notary Public

Place Notary Seal Above

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Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer – Title(s): _____
- ☐ Partnership - ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMPRINT OF SIGNER
Top of thumb here

(098P)

ID 03148E (Rev 12/2014)

(047)

STATE OF TN)

COUNTY OF DAVIDSON)

The actual consideration for this transfer or value of property transferred (whichever is greater) is $5,618,000.00.

Affiant (Representative of Grantee)

Sworn to and subscribed before me this 26 day of September 2017.

Notary Public

My Commission Expires:

09.10.19

KATHERINE REALL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

EXHIBIT A

[Legal Description of the Property]

TRACT I:

Being a certain tract of land located at the Southwest intersection of Gallatin Pike and Walton Lane in the 8th Councilmanic District of Nashville, Davidson County, Tennessee and being more particularly described by metes and bounds as follows:

Beginning at an Iron pin (old), said pin being in the South right of way of Walton Lane and the Northeast corner of the herein described tract;

Thence along said Right of Way South 41° 21' 54" East, 53.42 feet to a railroad spike, said spike being in the West right of way of Gallatin Pike;

Thence with said Right of Way of Gallatin Pike South 10° 02' 05" West, 287.11 feet to a P.K. nail (new),

Thence leaving said Right of Way, North 88° 21' 27" West, 232.22 feet to an P.K. nail (new);

Thence South 01° 36' 34" West, 205.81' to a P.K. nail (new);

Thence South 88° 21' 27" East 69.68 feet to a P.K. nail (old) in a broken concrete monument (old);

Thence South 04° 35' 09" West, 99,11 feet to a point, in the North Right of Way of Briley Parkway;

Thence with said Right of Way, South 47° 43' 49" West, 44.19 feet to a concrete monument (old);

Thence with said Right of Way, South 76° 20' 33" West, 190.48 feet to a concrete monument (old);

Thence with said Right of Way, South 66° 11' 05" West, 121.52 feet to an iron pin (old);

Thence leaving said Right of Way, North 82° 45' 24" West, 641.28 feet to a concrete monument (old), said monument being in the East Right of Way of CSX Railroad and being the beginning of a curve to the right, said curve having a central angle of 01 degrees 20' 33", a radius of 11,424.69 feet, an arc length of 267.68 feet and a chord of North 16° 28' 21" East, 267.67 feet;

Thence with said railroad right of way along the arc of the above described curve 267.68 feet to an iron pin (old);

Thence with said railroad right of way, North 17° 35' 22" East, 425.69 feet to an iron pin (old), said pin being in the South right of way of Walton Lane;

Thence with said right of way of Walton Lane, North 85° 01' 21" East, 298.99 feet to an Iron Pin (old);

Thence with said right of way, South 88° 00' 0" East, 654.03 feet to the **point of beginning** and containing 671,491 square feet or 15.415 Acres.

Tract II:

Being a certain tract of land located in the 8th Councilmanic District of Nashville, Davidson County, Tennessee and being more particularly described by metes and bounds as follows:

Beginning at a concrete monument (old), said monument being in the East right of way of CSX Railroad, the Northwest corner of the herein described tract and the Southwest corner of Tract 1 described above, also being in the North right of way of Briley Parkway;

Thence with the line of Tract 1 above, South 82° 45' 24" East, 641.28 feet to an iron pin (old), said pin being in the North right of way of Briley Parkway;

Thence with said Right of Way South 66° 11' 05" West, 221.08 feet to a concrete monument (old);

Thence with said Right of Way South 88° 38' 05" West, 128.84 feet to a concrete monument (old);

Thence with said Right of Way North 60° 25' 04" West, 350.83 feet to the **point of beginning** and containing 48,194 square feet or 1.106 acres.

Being the same property conveyed to Madison Realty, LLC, a California limited liability company, by Special Warranty Deed from KTN Holdings, Inc., a Georgia corporation, of record at Instrument No. 20000809-0079136, in the Register's Office of Davidson County, Tennessee.

EXHIBIT B

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

2. Possible right of CSX Railroad to increase its right-of-way to the full extent of its charter.

3. Shopping Center Reciprocal Easement and Operation Agreement of record in Book 10685, Page 621, as re-recorded in Book 11385, Page 706, in the Register's Office of Davidson County, Tennessee.

   First Amendment to Shopping Center Reciprocal Easement and Operation Agreement of record in Instrument No. 200008070077969, said Register's Office.

   Second Amendment to Shopping Center Reciprocal Easement and Operation Agreement of record at Instrument No. 20020207-0017077, said Register's Office.

4. Easement Agreement of record in Book 6014, Page 888, in the Register's Office of Davidson County, Tennessee.

5. Agreement of record in Book 5700, Page 118, in the Register's Office for Davidson County, Tennessee.

6. Access rights of the Metropolitan Government of Nashville and Davidson County, reserved in deeds of record in Book 5351, Pages 881 and 887, in the Register's Office of Davidson County, Tennessee.

7. Deed of Conveyance to Metropolitan Government of Nashville and Davidson County, Department of Water and Sewerage Services, of record in Book 4016, Page 869, in the Register's Office of Davidson County, Tennessee.

8. Terms and Provision of Memorandum of Lease by and between MTN Holdings, Inc. (Landlord) an Kmart Corp (Tenant) dated November 7, 1997 of record in Book 10685, page 604, in the Register's Office of Davidson County, Tennessee.

   First Amendment to Lease of record at Instrument No. 200008070077968, said Register's Office.

9. Easement Deed by Court Order establishing telecommunications easement in favor of U.S. Sprint Communications Company, of record at Instrument no. 20140114-0003779, in Register's Office of Davidson County, Tennessee.