# SPECIAL WARRANTY DEED

This Instrument Prepared By:

Conor Shary
Andrews Kurth Kenyon LLP
600 Travis St., Suite 4200
Houston, Texas 77002

Bill Garrett Davidson County
Batch# 42969 DEEDWARRSP
12/29/2017 02:53:12 PM 5 pgs
Fees: $28.00 Taxes: $15,778.04
20171229-0132470

Name and Address of New Owner and Taxpayer and upon recording return to:

SL 5270 HARDING PLACE, LLC
c/o The Silverman Group
788 Morris Turnpike
Short Hills, NJ 07078
Attention: Blake Silverman

Map Parcel Number: Map 134, Parcel 315

SPECIAL WARRANTY DEED

THAT as of this 28th day of December, 2017, PCO HARDING LINBAR L.P., a Tennessee limited partnership ("*Grantor*"), whose address is 4400 Post Oak Parkway, Suite 2350, Houston, Texas 77027, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD and CONVEYED and does hereby GRANT, BARGAIN, SELL and CONVEY unto SL 5270 HARDING PLACE, LLC, a Delaware limited liability company ("*Grantee*"), whose address is c/o The Silverman Group, 788 Morris Turnpike, Short Hills, New Jersey 07078, that certain tract of land situated in Davidson County, Nashville, Tennessee, as more fully described on Exhibit "A" attached hereto and made a part hereof for all purposes, together with (a) all improvements located thereon, (b) all rights, benefits, privileges, easements, tenements, hereditaments and appurtenances there unto belonging or in any wise, pertaining thereto, and (c) all of Grantor's right, title and interest in and to adjacent strips, gores, streets, roads, alleys and rights-of-way (said land, improvements, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests being hereinafter referred to as the "*Property*").

This conveyance is made and accepted subject to all matters set out herein above and in Exhibit "B" attached hereto and incorporated herein by reference ("*Permitted Exceptions*") but only to the extent the Permitted Exceptions are valid, existing and affect the Property.

TO HAVE AND TO HOLD the Property, together with all rights and appurtenances pertaining thereto, unto Grantee and Grantee's successors and assigns forever, and Grantor does hereby bind itself and its successors and assigns to WARRANT and FOREVER DEFEND, all and singular, subject to the Permitted Exceptions, the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

[*Signature Page Follows*]

DATED effective as of the date first set forth above.

PCO HARDING LINBAR L.P.,
a Tennessee limited partnership

By: Pinchal & Company LLC,
its sole general partner

By: _____
Brian W. McMackin, Vice President

STATE OF TEXAS )
)ss.
COUNTY OF HARRIS )

BEFORE ME, the undersigned authority, on this day personally appeared Brian W. McMackin, Vice President of Pinchal & Company LLC, sole general partner of PCO HARDING LINBAR L.P., a Tennessee limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated as the act and deed of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 27th day of December, 2017.

_____
Notary Public in and for said County and State

CONOR MANGAN SHARY
NOTARY ID #12946550-4
My Commission Expires
June 29, 2021

CONOR MANGAN SHARY
NOTARY ID #12946550-4
My Commission Expires
June 29, 2021

STATE OF NEW JERSEY )

COUNTY OF ESSEX )

The undersigned affiant hereby swears or affirms that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is $4,264,335.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

**SL 5270 HARDING PLACE, LLC,**
a Delaware limited liability company

By: _____
Kenneth Silverman, Manager

Subscribed and sworn to before me this 22nd day of December, 2017.

_____
NOTARY PUBLIC

PATRICIA KRAUSE
Notary Public, State of New Jersey
My Commission Expires
March 31, 2020

My Commission Expires: _____

**EXHIBIT A**

**LEGAL DESCRIPTION**

LAND in Davidson County, Tennessee, being Lot No. 1, on the Subdivision Plat of Lot 1, AIRPARK BUSINESS PARK, as shown on plat of record in Plat Instrument No. 20060719-0087114, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description of the property.

Being the same property conveyed to PCO Harding Linbar L.P., a Tennessee limited partnership by Special Warranty Deed of record in Instrument No. 20060912-0113022, in the Register's Office of Davidson County, Tennessee.

## EXHIBIT B

## PERMITTED EXCEPTIONS

1. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

2. Taxes for the year 2018, a lien, not yet due and payable.

3. Rights of the following tenant in possession under an unrecorded lease: Sky High Sports Nashville, LLC.

4. Subject to all matters shown on the Plan of record as Instrument No. 20060719-0087114, Register's Office of Davidson County, Tennessee.

5. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Declaration of Covenants, Conditions and Restrictions for Airpark Business Park of record in Instrument No. 20060719-0087113 and Assignment of Declarants Rights of record in Instrument No. 20070423-0048178 and in Instrument No. 20160524-0052023, Register's Office for Davidson County, Tennessee.

6. Storm Water Detention Agreement of record in Book 7276, Page 908, Register's Office for Davidson County, Tennessee.

7. Deed of Conveyance unto the Metropolitan Government of Nashville and Davidson County, Department of Water and Sewerage Services of record in Book 10461, Page 769, Register's Office for Davidson County, Tennessee.

8. Subject to all matters shown on the Plan of record in Plat Book 6250, Page 368, Register's Office of Davidson County, Tennessee.

9. Right, title, and interest of others in and to that portion of the premises occupied by a cemetery; and right of ingress and egress to the cemetery located on the premises from a public road.

10. ALTA/ACSM Land Title Survey entitled "5270 Harding Place" dated December 13, 2017, prepared by Barge Waggoner Sumner & Cannon, Inc., having file no. 3269401, which indicates the following:

    (a) Storm sewer line appears to service property to the west and the south
    (b) Parking spaces overlap along northerly line.