Bill Garrett Davidson County
Batch# 53187 DEEDWARRSP
01/30/2018 01:17:30 PM 6 pgs
Fees: $33.00 Taxes: $125,800.00
20180130-0009505

This instrument was prepared by:

Eric R. Wilensky, Esq.
Nelson Mullins Riley & Scarborough LLP
Atlantic Station
201 17th Street NW, Suite 1700
Atlanta, GA 30363

**SPECIAL WARRANTY DEED**

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| ADDRESS OF NEW OWNER | SEND TAX BILLS TO | MAP/PARCEL NO. |
|---|---|---|
| VR West 46th Holdings Limited Partnership<br>c/o VR General Partner LLC<br>1725 16th Avenue, Suite 201<br>Richmond Hill, ON CAN L4B 4C6<br>Attn: Andrew Stewart | [SAME] | 091-160-007.00 |

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**FOR AND IN CONSIDERATION** of the sum of Ten ($10.00) Dollars cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **WEST 46TH, LLC**, a Tennessee limited liability company ("Grantor") has bargained and sold, and by these presents does transfer and convey to **VR WEST 46TH HOLDINGS LIMITED PARTNERSHIP**, a Delaware limited partnership ("Grantee") and Grantee's successors and assigns, in and to that certain tract or parcel of land in Davidson County, City of Nashville, State of Tennessee, being more particularly described on Exhibit A attached hereto.

This is improved property located at 4510 Charlotte Avenue, Nashville, Tennessee 37209.

TO HAVE AND TO HOLD the said tract or parcel of land with the appurtenances, estate, title, and interest thereto belonging to the said Grantees, Grantees' successors and assigns, forever.

Conveyance is made subject to the permitted exceptions listed on the attached Exhibit B (the "Permitted Encumbrances").

Grantor covenants with the Grantee, its successors and assigns, that the Property is free from all encumbrances made or suffered by Grantor, except the Permitted Encumbrances. And Grantor does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the Property to the said Grantees, their successors and assigns against the lawful claims of all persons claiming by, through or under the Grantor, 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, the Grantor has caused this Deed to be executed this 29 day of January, 2018.

GRANTOR:

**WEST 46TH, LLC,**
a Tennessee limited liability company

By: West 46th Owner, LLC,
a Delaware limited liability company,
its Sole Member

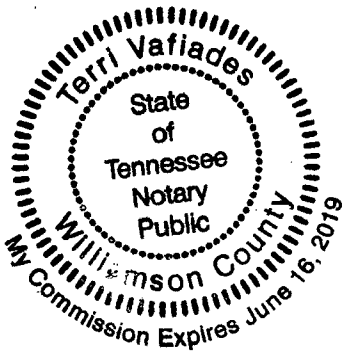
By: West 46th Manager, LLC,
a Tennessee limited liability company,
its Manager

By: Stonehenge Real Estate Group, LLC,
a Tennessee limited liability company,
its Manager

By: _____
Name: Todd Jackovich
Title: Manager

STATE OF Tennessee )
) SS:
COUNTY OF Williamson )

Personally appeared before me, the undersigned, a Notary Public for the state and county aforesaid, Todd Jackovich, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Manager of Stonehenge Real Estate Group, LLC, the Manager of West 46th Manager, LLC, the Manager of West 46th Owner, LLC, the Sole Member of West 46th, LLC (the "Grantor"), and is authorized to execute this instrument on behalf of the Grantor.




Terri Vafiades
Notary Signature

Terri Vafiades
Print Notary Name

NOTARY PUBLIC
My Commission Expires:
June 16, 2019

**STATE OF TENNESSEE )**
**COUNTY OF** Williamson

The actual consideration or value, whichever is greater for this transfer is $34,000,000.00

Affiant

Subscribed and sworn to before me this the 23 day of January, 2018

Notary Public

My Commission Expires: June 16, 2019

Terri Vafiades
State of Tennessee Notary Public
Williamson County
My Commission Expires June 16, 2019

# Exhibit A

## Property

BEING located in the 24th Councilmanic District of Davidson County, Tennessee, being located at the northeasterly intersection of U. S. Highway 70 ( State Route 24, Charlotte Avenue) and 46th Avenue North and the southeasterly intersection of Alabama Avenue and 45th Avenue North and being a portion of Alley #1200, Lots 411, 413, 415, 417, 419, 421, and a portion of 423 of Block 68, Lots 412, 414, 416, 418 420, 422, 424 of Block 70 of No. 1 Plan of West Nashville as recorded in Deed Book 57, Page 75, in the Register's Office of Davidson County, Tennessee, and being the Hillsboro Corner, LLC Property as recorded in Instrument #20130401-0031807 and a portion of the 4508 Charlotte Pike Partners Property as recorded in Instrument #20130515-0049159 in the Register's Office of Davidson County, Tennessee, and being more particularly described as follows:

BEGINNING at an iron pin monument in the southwesterly right-of-way intersection of Alabama Avenue and Public Alleyway #1218 and being the northeasterly corner of Lot 412 of Block 70 of No. 1 Plan of West Nashville as recorded in Deed Book 57, Page 75, in the Register's Office of Davidson County, Tennessee;

Thence leaving the southerly right-of-way of Alabama Avenue and continuing along with the westerly right-of-way of Alley #1218 and the easterly lines of Lot 412 of Block 70 and Lot 411 of Block No. 68 of No. 1 Plan of West Nashville, S 01° 52' 25" E a distance of 325.00' to an iron pin monument, said monument being the northerly right-of-way of U.S. Highway 70 (State Route 24, Charlotte Avenue);

Thence continuing along with the northerly right-of-way of U. S. Highway 70 (State Route 24, Charlotte Avenue) and the southerly edge of Lots 411, 413, 415, 417, 419, 421, and a portion of 423 of Block 68 of No. 1 Plan of West Nashville, S 88° 07' 35" W a distance of 175.00' to an iron pin monument, said monument being the northeasterly intersection of U. S. Highway 70 (State Route 24, Charlotte Avenue) and 46th Avenue North;

Thence continuing along with the northerly right-of-way of U. S. Highway 70 (State Route 24, Charlotte Avenue) and with the easterly right-of-way of 46th Avenue North with a curve turning to the right, with an arc length of 15.71', with a radius of 10.00', with a chord bearing of N 46° 52' 25" W, with a chord length of 14.14' to an iron pin monument said monument being the southwesterly edge of Lot 423 of Block 68 of No. 1 Plan of West Nashville,

Thence leaving the right-of-way of U. S. Highway 70 (State Route 24, Charlotte Avenue) and continuing along with the easterly right-of-way of 46th Avenue North and Lot 423 of Block 68 of No. 1 Plan of West Nashville, the abandoned alleyway and Lot 424 of Block 70 of No. 1 Plan of West Nashville, N 01° 52' 25" W a distance of 315.00' to an iron pin monument said monument being the southeasterly intersection of 46th Avenue North and Alabama Avenue;

Thence leaving the easterly right-of-way of 46th Avenue North and continuing along with the southerly right-of-way of Alabama Avenue and Lots 424, 422, 420, 418, 416, 414, and 412 of Block 70 of No. 1 Plan of West Nashville, N 88° 07' 35" E a distance of 185.00' to an iron pin monument; which is the point of beginning, having an area of 60,104 square feet, 1.38 acres, more or less.

This description was prepared by Blue Ridge Surveying, Inc., certified by Brian M. Reifschneider RLS #2487, and dated September 24, 2014.

Tract I being the same property conveyed to West 46th, LLC, a Tennessee limited liability company, by deed from 4508 Charlotte Pike Partners, a Tennessee general partnership, of record as Instrument No. 20140929-0089577, said Register's Office, and by deed from Hillsboro Corner, LLC, a Tennessee limited liability company, of record as Instrument No. 20140929-0089576, said Register's Office.

## Exhibit B

## Permitted Exceptions

1. The lien of all taxes and assessments for the year 2018 and thereafter, which are not yet due and payable.

2. Rights of tenants in possession, as residential tenants only, under unrecorded leases affecting the property, with no rights of first refusal, options to purchase or similar rights or options.

3. All matters as shown on that certain survey by R. Scot Cherry of Cherry Land Surveying, Inc. dated May 17, 2017 and revised November 29, 2017.

4. All agreements, covenants, conditions, restrictions, and private or public easements, and other matters of public record.

# TRUE COPY CERTIFICATION

I, Jay H. Smith, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Jay H Smith
Signature

State of Tennessee:

County of Davidson:

Personally appeared before me, Denise C. Allis Wilburn, a notary public for this county and state, Jay H. Smith, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Denise C. Allis Wilburn
Denise C. Allis Wilburn, Notary Public

My commission Expires: 9-10-18
(affix Notary seal)

DENISE C. ALLIS-WILBURN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 9-10-2018