Bill Garrett Davidson County
Batch# 53690 DEEDWARRSP
02/01/2018 09:55:30 AM 12 pgs
Fees: $63.00 Taxes: $90,835.00
20180201-0010183

**This instrument prepared by:**
Sycamores, LLC
c/o The Lighthouse Group, LLC
15332 Antioch Street, Suite 540
Pacific Palisades, CA 90272

**After recording return to:**
1441 Pike L.P.
c/o Emma Capital Properties, Inc.
Yonge Eglinton Centre
2300 Yonge Street, Suite 1600
Toronto, ON Canada M4P 1E4
Attn: Oz Cohen

# SPECIAL WARRANTY DEED

| Address of New Owner as follows: | Send Tax Bills To: | Tax Map/Parcel IDs: |
|---|---|---|
| 1441 Pike L.P.<br>c/o Emma Capital Properties, Inc.<br>Yonge Eglington Centre<br>2300 Yonge Street, Suite 1600<br>Toronto, ON Canada M4P 1E4 | Same | 094-00-0-079-00 |

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, **SYCAMORES, LLC,** a Delaware limited liability company and **LHREOF I MANAGER, INC.**, a Delaware corporation, as tenants-in-common (collectively "Grantor"), herein this day has bargained and sold, and does hereby transfer and convey, unto **1441 PIKE L.P.**, a Tennessee limited partnership ("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 Davidson 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 (the "Permitted Exceptions").

Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said Property to said Grantee, its successors and assigns, against all persons claiming under Grantor, but no further or otherwise and subject, however, to the Permitted Exceptions.

*[Remainder of this page intentionally left blank; Signatures on following page]*

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on this 30 day of January, 2018.

**GRANTORS:**

**SYCAMORES, LLC,**
a Delaware limited liability company

By: LHREOF I Manager, Inc.,
a Delaware corporation
its Manager

By: _____
Gary M. Leshgold, President

**LHREOF I MANAGER, INC.,**
a Delaware corporation

By: _____
Gary M. Leshgold, President

## ACKNOWLEDGMENT

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 )
) ss.
COUNTY OF LOS ANGELES )

On January 3, 2018, before me, M. Hartnett, a Notary Public, personally appeared Gary M. Leshgold, 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 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.

M. HARTNETT
Notary Public - California
Los Angeles County
Commission # 2217546
My Comm. Expires Oct 9, 2021

WITNESS my hand and official seal.

Signature M. Hartnett

(Seal)

## ACKNOWLEDGMENT

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STATE OF CALIFORNIA )
) ss.
COUNTY OF LOS ANGELES )

On January 3, 2018, before me, M. Hartnett, a Notary Public, personally appeared Gary M. Lashgold, 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 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.

M. HARTNETT
Notary Public – California
Los Angeles County
Commission # 2217546
My Comm. Expires Oct 9, 2021

WITNESS my hand and official seal.

Signature M. Hartnett (Seal)

**CONSIDERATION AFFIDAVIT**

STATE OF CALIFORNIA )
) ss.
COUNTY OF LOS ANGELES )

I hereby swear and affirm that the actual consideration for this transfer, or value of the property transferred, whichever is greater, is $24,550,000.00.

**AFFIANTS:**

**SYCAMORES, LLC,**
a Delaware limited liability company

By: LHREOF I Manager, Inc.,
a Delaware corporation
its Manager

By: _____
Gary M. Leshgold, President

**LHREOF I MANAGER, INC.,**
a Delaware corporation

By: _____
Gary M. Leshgold, President

*[Acknowledgment on following page]*

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STATE OF CALIFORNIA )
) ss.
COUNTY OF LOS ANGELES )

On January 4, 2018 before me, M. Hartnett, a Notary Public, personally appeared Gary M. Lyshgold, 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 on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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M. HARTNETT
Notary Public – California
Los Angeles County
Commission # 2217546
My Comm. Expires Oct 9, 2021

WITNESS my hand and official seal.

Signature M. Hartnett (Seal)

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

M. HARTNETT
Notary Public – California
Los Angeles County
Commission # 2217546
My Comm. Expires Oct 9, 2021

WITNESS my hand and official seal.

Signature M. Hartnett (Seal)

**Exhibit "A"**

**Legal Description of Property**

A tract of land in the 17th Councilmanic District of Metropolitan Nashville, Davidson County, Tennessee, being the North 15.13 acres of a 27.08 acre tract of land as shown on the Plat entitled "The Sycamores", as of record in Plat Book 4460, page 95, Register's Office for said County (R.O.D.C., TN), described according to a survey by Ragan- Smith-Associates, Surveyors, dated October 3, 2008, last revised February 3, 2009 as follows:

BEGINNING at a concrete monument (old) lying on the Southerly margin of Lebanon Pike, said concrete monument being located on the Westerly right-of-way of the L & N Railroad; thence leaving the said Southerly margin of Lebanon Pike and running with the said Westerly right-of-way of the L & N Railroad South 00 degrees 20 minutes 18 seconds East, 644.68 feet to a concrete monument (old), said monument being the beginning of a spiral curve to the right, having a long tangent of 149.44 feet, a short tangent of 76.63 feet, a central angle 01 degrees 32 minutes 07 seconds, a long chord of 225.89 feet, a spiral length of 225.95 feet, and a chord of South 01 degrees 18 minutes 40 seconds West, 225.89 feet; thence along the arc of the above described curve, 225.95 feet to a concrete monument (old), said monument being the beginning of a curve to the right having a central angle of 13 degrees 57 minutes 30 second, a radius of 1368.52 feet, an arc length of 333.40 feet, and a chord of South 11 degrees 30 minutes 30 seconds West, 332.57 feet; thence along the arc of the above described curve, 333.40 feet to a concrete monument (old), said monument being in the North line of a phase line shown on said Plat of "The Sycamores"; thence leaving the said Westerly right-of-way of the L & N Railroad and along said phase line, North 75 degrees 33 minutes 21 seconds West, 770.95 feet to an iron rod (old) lying on the East property line of the David C. Watkins, Jr., and wife, Karen R. Watkins, of record in Instrument No. 20041124-0140906, R.O.D.C., TN.; thence running with the Easterly property line of said Watkins, North 05 degrees 23 minutes 40 seconds East, 429.93 feet to an iron rod (new), with a cap stamped Ragan-Smith-Associates; thence North 02 degrees 10 minutes 53 seconds East, 69.89 feet to a concrete monument (old), said monument being in the Southern line of Sycamores Terrace Limited, of record in Deed Book 5293, page 468, R.O.D.C., TN.; thence with the South line of the aforementioned property, North 83 degrees 03 minutes 19 seconds East, 399.84 feet to a P.K. nail (old); thence North 02 degrees 02 minutes 20 seconds East, 415.25 feet to a concrete monument (old) in the Southerly margin of Lebanon Pike; thence running with the Southerly margin of Lebanon Pike North 83 degrees 11 minutes 53 seconds East, 362.09 feet to the Point of Beginning, containing 15.13 acres, or 659,151 square feet, more or less, as calculated by the above courses and distances, according to a survey by Kevin L. Birdwell, whose address is Ragan-Smith Associates, 315 Woodland Street, Nashville, Tennessee

TOGETHER WITH the following Easements:

Easement No. 1: Land in the 17th Councilmanic District of Metropolitan Nashville, Davidson County, Tennessee, described as follows: Commencing at a concrete monument (old) lying on the Southerly margin of Lebanon Pike, said concrete monument being located on the Westerly right-of-way of the L & N Railroad; thence leaving the said Southerly margin of Lebanon Pike and running with the said Westerly right-of-way of the L & N Railroad South 00 degrees 20 minutes 18 seconds East, 644.68 feet to a concrete monument (old), said monument being the beginning of a spiral curve to the right having a long tangent of 149.44 feet, a short tangent of 76.63 feet, a central angle 01 degrees 32 minutes 07 seconds, a long chord of 225.89 feet, a spiral length of 225.95 feet, and a chord of South 01 degrees 18 minutes 40 seconds West, 225.89 feet; thence along the arc of the above described curve, 225.95 feet to a concrete monument (old), said monument being the beginning of a curve to the right having a central angle of 13 degrees 57 minutes 30 seconds, a radius of 1368.52 feet, an arc length of 333.40 feet, and a chord of South 11 degrees 30

minutes 30 seconds West, 332.57 feet; thence along the arc of the above described curve, 333.40 feet to a concrete monument (old), said monument being in the North line of a phase line shown on said Plat of "The Sycamores"; thence leaving the said Westerly right-of-way of the L & N Railroad and along said phase line, North 75 degrees 33 minutes 21 seconds West, 30.00 feet to the point of beginning; thence South 14 degrees 26 minutes 39 seconds West 20.00 feet to a point; thence North 75 degrees 33 minutes 21 seconds West 200.00 feet to a point; thence North 14 degrees 26 minutes 39 seconds East 20.00 feet to a point in the Southerly line of said phase line; thence with said phase line of "The Sycamores" South 75 degrees 33 minutes 21 seconds East 200.00 feet to the point of beginning.

Easement No. 2: Land in the 17th Councilmanic District of Metropolitan Nashville, Davidson County, Tennessee, described as follows:

Commencing at a concrete monument (old) lying on the Southerly margin of Lebanon Pike, said concrete monument being located on the Westerly right-of-way of the L & N Railroad; thence leaving the said Southerly margin of Lebanon Pike and running with the said Westerly right-of-way of the L & N Railroad; south 00 degrees 20 minutes 18 seconds East, 644.68 feet to a concrete monument (old), said monument being the beginning of a spiral curve to the right having a long tangent of 149.44 feet, a short tangent of 76.63 feet, a central angle 01 degrees 32 minutes 07 seconds, a long chord of 225.89 feet, a spiral length of 225.95 feet, and a chord of South 01 degrees 18 minutes 40 seconds West, 225.89 feet; thence along the arc of the above described curve, 225.95 feet to a concrete monument (old), said monument being the beginning of a curve to the right having a central angle of 13 degrees 57 minutes 30 seconds, a radius of 1368.52 feet, an arc length of 333.40 feet, and a chord of South 11 degrees 30 minutes 30 seconds West, 332.57 feet; thence along the arc of the above described curve, 333.40 feet to a concrete monument (old), said monument being in the North line of a phase line shown on said Plat of "The Sycamores"; thence leaving the said Westerly right-of-way of the L & N Railroad and along said phase line, North 75 degrees 33 minutes 21 seconds West, 540.95 feet to the point of beginning; thence South 14 degrees 26 minutes 39 seconds West 10.00 feet to a point; thence North 75 degrees 33 minutes 21 seconds West, 70.00 feet to a point; thence North 14 degrees 26 minutes 39 seconds East 10.00 feet to a point in the said phase line; thence with the said phase line of "The Sycamores" South 75 degrees 33 minutes 21 seconds East 70.00 feet the point of beginning.

Being the same property conveyed to LHREOF I Manager, Inc., a Delaware corporation, a 23% undivided interest, by Quit Claim Deed dated December 11, 2017 from Sycamores, LLC, a Delaware limited liability company and recorded December 18, 2017 in Instrument No. 20171218-0128891, Register's Office for Davidson County, Tennessee. Also see Memorandum of Tenants-In-Common Agreement of record in Instrument No. 20171218-0128892, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Sycamores, LLC, a Delaware limited liability company by Warranty Deed dated 02/18/2009 from The Sycamores, a Tennessee Limited Partnership of record in Instrument 20090219-0014667.

EXHIBIT "B"

Permitted Exceptions

All matters as set forth per Plat Book 4460, Page 95, Register's for Davidson County, Tennessee.

Right of Way Easement of record in Book 437, Page 51, Register's for Davidson County, Tennessee.

Easement Agreement of record in Book 1174, Page 158, Register's for Davidson County, Tennessee.

Easement of record in Book 3286, Page 368, Register's for Davidson County, Tennessee.

Right of Way Easement of record in Book 3670, Page 504, as modified of record in Book 1174, Page 158, Register's for Davidson County, Tennessee.

Agreement for Dedication of Easement for Sanitary Sewer and/or Storm Drainage of record in Book 3841, Page 596, Register's for Davidson County, Tennessee.

Agreement of record in Book 4721, Page 677, Register's for Davidson County, Tennessee.

Deed of Conveyance of record in Book 4750, Page 791, Register's for Davidson County, Tennessee.

Right of Way Easement of record in Book 5038, Page 42, Register's for Davidson County, Tennessee.

Easement of record in Book 9322, Page 88, Register's for Davidson County, Tennessee.
Grant of Easement of record in Instrument 20100219-0012997, Register's for Davidson County, Tennessee.

Grant of Easement of record in Instrument 20100219-0012997, Register's for Davidson County, Tennessee.

Easement Deeds of record in Instrument 20120228-0017172 and Instrument 20140114-0003779, Register's for Davidson County, Tennessee.

Easement of record in Instrument 20161121-0122529, Register's for Davidson County, Tennessee.

# True Copy Certification

I, Sandy Hale, do hereby make oath that I am 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.

Sandy Hale

State of Texas

County of Harris

Personally appeared before me, the undersigned Notary Public for this County and State, Sandy Hale, who acknowledged that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary Public

My Commission expires: 9-17-2018

PAULA WILLS
Notary Public, State of Texas
Comm. Expires 09-17-2018
Notary ID 643424-5

Seal: