THIS INSTRUMENT PREPARED BY: Larry D. Craig, Attorney, P. O. Box 774, Kingston Springs, TN 37082.

Bill Garrett Davidson County
Batch# 90719 DEEDWARR
05/10/2018 10:12:30 AM 9 pgs
Fees: $48.00 Taxes: $20,350.00
20180510-0044840

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or true value, whichever is greater for this transfer is $5,500,000.00.

X _____
Affiant

Subscribed and sworn to before me on this the 9th day of May, 2018.

_____
Notary Public

My Commission Expires: 7-24-2019

LARRY D. CRAIG NOTARY PUBLIC AT LARGE CHEATHAM COUNTY, TENN.

WARRANTY DEED

Address New Owner(s)as follows:	Send Tax Bills To:	Map-Parcel Numbers
Altitude at 41 LLC 1325 Millersport Highway, Suite 209 Attention: Anthony J. Cutaia Williamsville, New York 14221	**New Owner-Same**	**Map 050-00-0, Parcels 073.00; 074.00 and 075.00; Map 051-00-0, Parcel 020.00**

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 of which is hereby acknowledged, **we, Steve Denny, Terry Denny and Scotty Chambliss, each owning an undivided one-third interest as tenants in common,** hereinafter called the Grantors, have bargained and sold, and by these presents do transfer and convey **unto Altitude at 41 LLC, a New York Limit Liability Company,** hereinafter called the Grantee, its successors and assigns, certain tracts or parcels of land **in Davidson County**, State of Tennessee, described as follows, to wit:

See Exhibits "A", "B", and "C" Attached Hereto and Incorporated By Reference Herein, according to surveys by Jack L. Whitson, RLS No. 1732.

Being the same property conveyed to Steve Denny, Terry Denny and Scotty Chambliss by deed from Skyline Commercial Properties, a Tennessee General Partnership, recorded on December 23, 2013, in Instrument Number 20131223-0129447, Register's Office for Davidson County, Tennessee.

Permitted Exceptions:

1. 2018 Metropolitan Government Taxes, a lien, not yet due and payable.

2. Assessments, taxes and special assessments which are now a lien or payable or which may become due and payable, including, but not limited to water bills and sanitary bills, as may be applicable.

3. Additional taxes, interest and/or penalties which may be assessed for prior tax years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records.

4. Any inaccuracy in the area, square footage, or acreage of subject property described herein, or attached plat, if any.

5. Rights of upper and lower riparian owners in and to the free and unobstructed flow of the water extending through the subject property, without diminution.

6. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to kaolin, coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the subject property, together with all rights, privileges, and immunities relating thereto whether or not listed herein. No representation is made as to the present ownership of such interests known as to any other person, other than the Grantor.

7. Subject to Cemetery and ingress and egress to said cemetery as set forth in Instrument No. 20131223–129447, Register's Office for Davidson County, TN.

8. Any right or claim because of dedication or use of a portion of the land as a cemetery or burial ground, including: Rights, interest, and easement of any persons who have burial lots, their relatives, and the public in the land; Easements for visitation, maintenance, use, driveways, and access; Rights of parties entitled thereto to keep therein the bodies and remains of deceased person now interred thereon.

9. All matters set forth on the referenced ALTA/NSPS LAND TITLE SURVEYS.

This is not the principal place of residence of the Grantors.

The Grantee herein has qualified as foreign limited liability company to transact business in the State of Tennessee by requisite filings with the Secretary of State of Tennessee.

This is property commonly known as 927 Old Due West Avenue, Madison, Tennessee 37115; 3465 Dickerson Pike, Nashville, Tennessee 37207; and 915 Old Due West Avenue, Madison, Tennessee 37115.

To have and to hold the said tracts or parcels of land, with the appurtenances, estate, title and interest thereto belonging to the GRANTEE, its successors and assigns, forever; and we do covenant with the said GRANTEE that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it, and the same is unencumbered, except as set forth above, and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE, its successors assigns, against the lawful claims of all persons whomsoever. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hands this 9th day of May, 2018.

STEVE DENNY

TERRY DENNY

SCOTTY CHAMBLISS

STATE OF TENNESSEE
COUNTY DAVIDSON

Personally appeared before me, the undersigned, a notary public in and for said County and State, the within named Steve Denny, Terry Denny and Scotty Chambliss, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained, as their free act and deed.

Witness my hand and seal at Nashville, Tennessee, this 9th day of May, 2018.

NOTARY PUBLIC

My Commission Expires: 7-24-2019

LARRY D. CRAIG
NOTARY PUBLIC AT LARGE
CHEATHAM COUNTY, TEN

EXHIBIT "A"

LEGAL DESCRIPTION

Tract I:

Map 050-00-0, Parcel 073.00

927 Old Due West Avenue, Madison, TN 37115

Land situated in the 8th Councilmanic District of Nashville, Davidson County, Tennessee; lying on the North side of Old Due West Avenue, described according to a survey dated May 4, 2018, prepared by Wamble & Associates, PLLC, 40 Middleton Street Nashville, Tennessee 37210, W & A File #919-0118 and being more particularly described with metes and bounds as follows:

Beginning in the North right-of-way line of Old Due West Avenue, at the southeast corner of the Davidson Farmers Cooperative property, shown as Parcel 71 on Metro Property Map 50-00, of record in Deed Book 9478, Page 852, R.O.D.C., Tennessee; said point also being the southwest corner of the Tract herein being described as follows:

1. Thence, leaving said right-of-way of Old Due West Avenue and following the East boundary of said Davidson Famers Cooperative property North 07 Degrees 09 Minutes 12 Seconds West, 277.74 Feet to an Iron Rod (Old); Thence, continuing with said Co-op property North 05 Degrees 36 Minutes 32 Seconds West, 274.88 Feet to Iron Rod (Old) at the northeast corner of said Co-op property, also being the southeast corner of Mike and Karen Rippetoe property shown as Parcel 98 on Metro Property Map 50-00, of record in Instrument No. 20121025-0098000, Register's Office for Davidson County, Tennessee.

2. Thence, following the East boundary of said Rippetoe property, North 05 Degrees 36 Minutes 32 Seconds West, 398.13 Feet to Iron Rod (Old) at the northeast corner of said Rippetoe property; said point also being the northwest corner of subject tract; said Iron Rod also being in the South line of a Tract owned by Metro Government, referenced as Parcel 69, on Metro Property Map 50-00, of record in Instrument No. 20131022-0110200, R.O.D.C., Tennessee.

3. Thence, leaving said Rippetoe property and following for a short distance the South boundary of said Metro Government Tract, and then following the South boundary line of the Nesuan Naif Chalky property shown as Parcel 65, on Metro Property Map 50-00, of record in Instrument No. 20140408-0029146, R.O.D.C., Tennessee, South 84 Degrees 13 Minutes 49 Seconds East, 757.54 Feet to Iron Rod (Old) in the West boundary line of Children of God Opening Doors, Inc. property, shown as Parcel 46 on Metro Property Map 51-01, of record in Instrument No. 20030324-0038929, R.O.D.C., Tennessee, said Iron Rod also being in the northern most northeastern corner of subject tract.

4. Thence, following the West boundary of said Children of God property, South 06 Degrees 49 Minutes 55 Seconds West, 379.15 Feet to a Mag Nail (Old) found in the root a large Hackberry Tree, said Nail being the southwest corner of said Children of God property; Thence continuing along with the South boundary of said Children of God Tract, South 84 Degrees 35 Minutes 32 Seconds East, 567.93 Feet to Iron Rod (Old), being in the common corner of two tracts owned by Children of God Opening Doors, Inc., being the southeast corner of previously mentioned Children of God Tract and the southwest corner of another Tract owned by Children of God Opening Doors, Inc., shown as Parcel 16, on Metro Property Map 51-05 of record in Instrument No. 20030324-0038929, R.O.D.C., Tennessee; Thence, continuing with the second Children of God Tract, South 84 Degrees 11 Minutes 02 Seconds East, 109.67 Feet to Iron Rod (Old); said Iron Rod being the northwest corner of the John Sherrod, III property, shown as Parcel 19, on Metro Property Map 51-00 of record in Instrument No. 20141112-0104078, R.O.D.C., Tennessee.

5. Thence, following the West boundary of said Sherrod property, South 06 Degrees 27 Minutes 19 Seconds West, 616.44 Feet to Iron Rod (New), on the North right-of-way line of Old Due West Avenue, said Iron Rod being the southwest corner of said Sherrod property and the southeast corner of subject tract.

6. Thence, following the North right-of-way of said Old Due West Avenue, South 88 Degrees 28 Minutes 54 Seconds West, 491.59 Feet to Iron Rod (New); thence continuing with said right-of-way with a curve to the Left having a central angle of 07 Degrees 22 Minutes 09 Seconds, a radius of 1200.00 Feet, an arc length of 154.34 Feet, and a chord bearing and length South 84 Degrees 47 Minutes 50 Seconds West, 154.23 Feet to Iron Rod (New); Thence continuing with said right-of-way with a curve to the right having a central angle of 36 Degrees 31 Minutes 06 Seconds, a radius of 300.00 feet, an arc length of 191.21 Feet and a chord bearing and length of North 80 Degrees 37 Minutes 42 Seconds West, 187.99 Feet to Iron Rod (New); Thence continuing with said right-of-way North 62 Degrees 22 Minutes 11 Seconds West, 265.74 Feet to an Iron Rod (New); Thence continuing along said right-of-way with a curve to the left having a central angle of 12 Degrees 32 Minutes 21 Seconds, a radius of 725.00 Feet, an arc length of 158.67 Feet, and a chord bearing and length of North 68 Degrees 40 Minutes 44 Seconds West, 158.35 Feet to the Point of Beginning.

Containing 1,105,632 Square Feet or 25.38 Acres.

Being part of the same property conveyed to Steve and Terry Denny and Scotty Chambliss, of record in Instrument No. 20131223-0129447, Register's Office for Davidson County, Tennessee.

Property subject to an easement for overhead utility lines along the southerly boundary at Old Due West Avenue and for an 8" water line along the southeasterly boundary at Old Due West Avenue.

EXHIBIT "B"

LEGAL DESCRIPTION

Tract II:

Map 05l-00-0, Parcel 020.00

and

Map 050-00-0, Parcel 074.00

915 and 927 Old Due West Avenue, Madison, TN 37115

Land situated in the 8th Councilmanic District of Nashville, Davidson County, Tennessee, lying South of Old Due West Avenue and East of Dickerson Pike and as shown on a survey prepared by Wamble & Associates, PLLC, 40 Middleton Street Nashville, Davidson County, Tennessee 37210, Project No. 919-0118 and being more particularly described as follows:

Beginning at a Iron Rod (old), in the intersection of the East right-of-way line of Dickerson Pike and South right-of-way line of Old Due West Avenue, said Rod also located on the south side of an old creek bed, and being further described as the northwest corner of the Steve Denny, Terry Denny, and Scotty Chambliss, Tract known as Parcel 75 on Metro Property Map 50-00 of record in Instrument No. 20131223-0129447, R.O.D.C., Tennessee; herein tract of land is described by meets and bounds as follows:

1. Thence, leaving the East right-of-way line of said Dickerson Pike and following the South right-of-way line of Old Due West Avenue, South 75 Degrees 04 Minutes 19 Seconds East, 409.07 Feet to an Iron Rod (New); thence continuing along said right-of -way line with a curve to the right, having a central angle of 12 Degrees 34 Minutes 58 Seconds, a radius of 675.00 Feet, an arc length of 148.24 Feet, and a chord bearing and distance of South 68 Degrees 46 Minutes 53 Seconds East, 147.94 Feet to an Iron Rod (New); Thence, continuing along said right-of-way South 62 Degrees 29 Minutes 22 Seconds East, 265.74 Feet to an Iron Rod (New); Thence, continuing along said right-of-way with a curve to the left having a central angle of 36 Degrees 31 Minutes 05 Seconds, a radius of 350.00 Feet, an arc length of 223.08 Feet, and a chord bearing and distance of South 80 Degrees 44 Minutes 53 Seconds East, 219.32 Feet to an Iron Rod (New); Thence continuing along said right-of-way line with a curve to the right having a central angle of 07 Degrees 22 Minutes 10 Seconds, a radius of 1150.00 Feet, an arc length of 147.91 Feet, and a chord bearing and distance of North 84 Degrees 40 Minutes 38 Seconds East, 147.81 Feet to an Iron Rod (New); Thence continuing along said right-of-way North 88 Degrees 21 Minutes 43 Seconds East, 131.80 Feet to an Iron Rod (New); Thence continuing along said right-of-way North 88 Degrees 59 Minutes 43 Seconds East, 280.52 Feet to an Iron Rod (New); Thence continuing along said right-of-way North 88 Degrees 11 Minutes 14 Seconds East, 69.81 Feet to an Iron Rod (New) at the northwest corner of the Battle Ground Academy Property, shown as Parcel No. 177 on Metro Tax Map 51-00 of record in Deed Book 4563, Page 358, Register's Office for Davidson County, Tennessee.

2. Thence, leaving said right-of-way of Old Due West Avenue and running with the West line of said Battle Ground Academy property, South 08 Degrees 27 Minutes 06 Seconds West, 302.71 Feet to Iron Rod (New); Thence continuing with said Battle Ground Academy property, South 11 Degrees 31 Minutes 28 Seconds West, 111.46 Feet to Iron Rod (New); Thence continuing with said Battle Ground Academy property South 07 Degrees 39 Minutes 02 Seconds West, 164.89 Feet to Iron Rod (Old) set in the northern most northwest corner of the HTI Memorial Hospital Corporation property shown as Parcel 79, on Metro Property Map 50-00, of record in Instrument No. 20081230-0123555, R.O.D.C. Tennessee.

3. Thence, leaving said Battle Ground Academy property running along the common boundary with said Hospital property South 06 Degrees 35 Minutes 27 Seconds West, 621.98 Feet to an Iron Rod (Old); Thence continuing with said Hospital property North 82 Degrees 15 Minutes 11 Seconds West, 674.50 Feet to Iron Rod (Old) in the East line of the Steve Denny, Terry Denny, and Scotty Chambliss property, known as Parcel 75 on Metro Property Map 50-00, of record in Instrument No. 20131223-0129447, R.O.D.C., Tennessee.

4. Thence, following the East line of said Parcel 75, North 13 Degrees 23 Minutes 44 Seconds East, 79.92 Feet to Metal Fence Post in the southeast corner of an old cemetery, said cemetery does not have a Map and Parcel Number assigned in the Metro G.I.S. System, nor was a deed found for this property.

5. Thence, following the East boundary of said old cemetery, North 07 Degrees 13 Minutes 09 Seconds East, 82.33 Feet to a Metal Fence Post, said corner being at an interior corner with previously noted Denny and Chambliss property, shown as Parcel 75, on Metro property map 50-00.

6. Thence, following the East line of said Parcel 75, North 06 Degrees 53 Minutes 06 Seconds East, 723.87 Feet to an Iron Rod (Old) on the south bank of an old creek bed; Thence continuing with the North boundary of said Parcel 75, running along and in an old creek bed, North 60 Degrees 21 Minutes 03 Seconds West, 1037.54 Feet to the Point of Beginning.

Containing 865,927 Square Feet or 19.88 Acres.

Being part of the same property conveyed to Steve Denny, Terry Denny, and Scotty Chambliss in Instrument No. 20131223-0129447, Register's Office for Davidson County, Tennessee.

EXHIBIT "C"

LEGAL DESCRIPTION

Map 050-00-0, Parcel 075.00

3465 Dickerson Pike, Nashville, TN 37207

Land situated in the 8th Councilmanic District of Metropolitan Nashville, Davidson County, Tennessee, lying on the East side of Dickerson Road and South of Old Due West Avenue and being described according to a survey dated May 4, 2018, prepared by Wamble & Associates, PLLC, 40 Middleton Street Nashville, Tennessee 37210, W & A File #919-0118 and being more particularly described as follows:

Beginning at an Iron Rod (old) at the intersection of the East right-of-way line of Dickerson Pike and South right-of-way line of Old Due West Avenue; said Iron Rod is also located on the south side of an old creek bed; said Iron Rod being at the northwest corner of the Tract herein described, and being the northwest corner of the Steve Denny, Terry Denny, and Scott Chambliss Tract of Record, Instrument No. 20131223-0129447, R.O.D.C., Tennessee, said Tract also known as Parcel 74, on Metro Property Map 50-00;

1. Thence, leaving said right-of-way lines of Dickerson Pike and Old Due West Avenue, following the common line with Parcel 74 running generally along and with the creek South 60 Degrees 21 Minutes 03 Seconds East, 1037.54 Feet to an Iron Rod (old); Thence continuing along same common line with Parcel 74, and leaving the old creek South 6 Degrees 53 Minutes 06 Seconds West, 723.87 Feet to a metal fence post at the northeast corner of an old cemetery.

2. Thence, leaving the common line with Parcel 74, and running along the North boundary of said cemetery following a fence North 83 Degrees 36 Minutes 08 Seconds West, 46.58 Feet to a metal fence post in the northwest corner of said cemetery; Thence continuing along the fence South 07 Degrees 01 Minutes 08 Seconds West, 83.49 Feet to a metal fence post in the southwest corner of said cemetery; Thence continuing along said cemetery and fence, South 85 Degrees 02 Minutes 34 Seconds East, 46.32 Feet to a metal fence post in the southeast corner of said cemetery and in the West boundary of the Denny and Chambliss Tract previously referred to as Parcel 74.

3. Thence, along the common line with Tract 74, South 13 Degrees 23 Minutes 44 Seconds West, 79.92 Feet to an Iron Rod (old), said Rod being the southwest corner of said Parcel 74, and the northeast corner of the HTI Memorial Hospital Corporation property known as Parcel 79, of Record in Instrument No. 20081230-0123555, R.O.D.C., Tennessee.

4. Thence, leaving said Denny and Chambliss Tract 74 and running along the West boundary of said Hospital Tract South 06 Degrees 07 Minutes 27 Seconds West, 319.24 Feet to a Iron Rod (old), thence North 84 Degrees 04 Minutes 59 Seconds West, passing the common corner of said Hospital Tract and the northeast corner of the Nashville Skyline, LP Tract of record in Instrument No. 20171020-0107899, R.O.D.C., Tennessee at a scaled distance of 184.92 Feet, passing the northwest corner of said Nashville Skyline, LP Tract at a scaled distance of 537.07 Feet and continuing for a total distance of 575.91 Feet to an Iron Rod (old) in the East right-of-way line off Dickerson Pike.

5. Thence, following said East right-of-way line of Dickerson Pike along a curve to the left having a central angle of 07 Degrees 33 Minutes 36 Seconds, a radius of 2759.40 Feet, a curve length of 364.10 Feet, and a chord bearing and length of North 4 Degrees 05 Minutes 39 Seconds West, 363.83 Feet to an Iron Rod (new); Thence, continuing along said right-of-way line, North 07 Degrees 50 Minutes 51 Seconds West, 99.44 Feet to an Iron Rod (old); Thence, continuing along

said right-of-way line, South 89 Degrees 44 Minutes 11 Seconds West, 1.72 Feet to an Iron Rod (old); Thence continuing along said right-of-way line North 06 Degrees 37 Minutes 16 Seconds West, 1195.95 Feet to the Point of Beginning.

Containing 1,030,714 Square Feet or 23.66 Acres.

Being a portion of the property conveyed to Steve Denny, Terry Denny, and Scott Chambliss each owning an undivided one-third interest as Tenants in Common in a Quitclaim Deed from Skyline Commercial Properties, LP, a Tennessee General Partnership, recorded on December 23, 2013 in Instrument No. 20131223-0129447, Registers Office for Davidson County, Tennessee.

The above described property is subject to a blanket ingress and egress easement across said Tract, to the above referenced old cemetery.

Certificate of Authenticity

I, LAURA L. CURLEY, 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.

Signature

State of Connecticut

County of Fairfield

Personally appeared before me, Laura L. Curley, a notary public for this county and state, Katie Chirico who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 8/31/20.

Notary's Seal (If on paper)