This Instrument Prepared by:
Bettie J. Winton
Grissim and Hodges, Attorneys
323 Union Street, Suite 400
Nashville, TN 37201

Bill Garrett Davidson County
Batch# 126147 DEEDWARRSP
08/07/2018 02:16:05 PM 5 pgs
Fees: $28.00 Taxes: $10,524.38
20180807-0077685

SPECIAL WARRANTY DEED

ADDRESS NEW OWNER:	SEND TAX BILLS TO:	MAP/PARCEL NO.:
S & M Properties and Investments P.O. Box 504 San Anselmo, CA 94901 Attn: Mike DeLuca	SAME	05104006300

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **CAPITAL DEVELOPMENT PARTNERS, LLC**, a South Carolina limited liability company (the "Grantor") has bargained and sold, and by these presents does transfer and convey unto **S & M PROPERTIES AND INVESTMENTS**, a California general partnership (the "Grantee"), its successors and assigns, all of Grantor's right, title and interest in and to that certain land in Davidson County, Tennessee, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the Grantee, its successors and assigns, forever. And Grantor does covenant with the Grantee that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, except for those exceptions included on Exhibit "B", attached hereto and incorporated herein by reference. And Grantor does further covenant and bind itself, its successors and assigns to warrant and forever defend the title to the said land to the Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise.

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.

(Signature Page to Follow)

6th IN WITNESS WHEREOF, the Grantor has executed this instrument as of the day of August, 2018.

CAPITAL DEVELOPMENT PARTNERS, LLC, a South Carolina limited liability company

By: _____
Mark M. James

Title: Authorized Signer

STATE OF South Carolina)
COUNTY OF Richland)

Personally appeared before me, a Notary Public, Mark M. James, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he is an Authorized Signer (or other officer authorized to execute this instrument) of CAPITAL DEVELOPMENT PARTNERS, LLC, a South Carolina limited liability company, and that he as such Authorized Signer executed the within instrument for the purposes therein contained by signing the name of the company in his capacity as Authorized Signer.

Witness my hand, at office, this 2nd day of August, 2018.

BAILEY DOLGE Commission Expires Notary Public 08-12-2026 SOUTH CAROLINA

_____
NOTARY PUBLIC

My Commission Expires: 08·12·2026

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration for this transfer, or value of property (whichever is greater) is $2,844,426.00

Affiant

Subscribed and sworn before me this 4th day of August, 2017.

NOTARY PUBLIC

My Commission Expires:

PEGGY AXFORD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires MAR. 10, 2019

EXHIBIT "A"
Legal Description

Being a tract of land lying in Davidson County, Tennessee, and being more particularly described as follows:

Beginning at a pk nail set on the westerly right-of-way line Gallatin Pike, 90 feet in width, at corner common with Metro Government Library Madison Branch, as of record in Book 3856, Page 262, at the Register's Office for Davidson County, Tennessee;

Thence Leaving the westerly right-of-way line of Gallatin Pike with the Northerly property line of Metro Government Library Madison Branch, South 62 deg 20 min 59 sec West, 40.80 feet to an existing pk nail;

Thence North 74 deg 48 min 32 sec West, 309.67 feet to an existing pk nail;

Thence along a curve to the right with an arc length of 145.72 feet, the radius of which is 370.00 feet, the central angle of which is 22 deg 33 min 58 sec, the chord of which is North 63 deg 31 min 33 sec West, 144.78 feet to an existing pk nail;

Thence North 37 deg 45 min 28 sec East, 79.37 feet to an iron rod set;

Thence South 82 deg 53 min 59 sec East, 106.52 feet to an existing iron pipe at a corner common with Centerstone Comm. Mental Health Center, as of record in Deed Instrument No. 200506230071859, at said Register's Office;

Thence with the southerly property line of Centerstone Comm. Mental Health Center, South 82 deg 53 min 59 sec East, 204.35 feet to an existing iron rod;

Thence South 82 deg 43 min 32 sec East, 149.53 feet to an iron rod set on the westerly right-of-way line of Gallatin Pike;

Thence with the westerly right-of-way line of Gallatin Pike, South 16 deg 18 min 23 sec West, 42.06 feet to an existing iron rod;

Thence with the westerly right-of-way line of Gallatin Pike along a curve to the right with an arc length of 96.27 feet, the radius of which is 1402.50 feet, the central angle of which is 03 deg 55 min 58 sec, the chord of which is South 17 deg 32 min 22 sec West, 96.24 feet to the point of beginning, containing 60,943 square feet (1.40 acres more or less).

Being the same property conveyed to Capital Development Partners, LLC, as of record in Deeds of record as Instruments No. 20170511-0047058, 20170511-0047059, 20170511-0047060 and 20170511-0047061, Register's Office for Davidson County, Tennessee.

EXHIBIT "B"
Permitted Exceptions

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

2. Clearance Permit to Southern Bell and Telephone of record in Book 1060, Page 359, Register's Office for Davidson County, Tennessee.

3. Agreement for dedication of easement and/or public street right-of-way dated May 12, 2017 and recorded May 16, 2017, in Instrument No. 20170516-0048449, Register's Office for Davidson County, Tennessee.

4. Declaration of Restrictions and Covenants for stormwater facilities and systems, dated May 22, 2017 and recorded May 23, 2017, in Instrument No. 20170523-0051020, Register's Office for Davidson County, Tennessee.

5. Memorandum of Land and Building Lease Agreement, by and between Capital Development Partners, LLC, a South Carolina limited liability company, and Bojangles' Restaurants, Inc., dated August 15, 2017 and recorded August 22, 2017 I Instrument No. 20170822-0086074, Register's Office for Davidson County, Tennessee.