This Instrument Was Prepared By:

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Bethesda, Maryland 20814

Karen Y Johnson Davidson County
Batch# 180979 DEEDWARRSP
01/07/2019 07:54:30 AM 6 pgs
Fees: $33.00 Taxes: $13,227.50
20190107-0001299

Address New Owner(s):	**Send Tax Bills to:**	**Map and Parcel No.:**
SYLVAN SUPPLY OWNER, LP c/o FCP 5425 Wisconsin Avenue, Suite 202 Chevy Chase, Maryland 20815 Attention: Erik Weinberg	c/o FCP 5425 Wisconsin Avenue, Suite 202 Chevy Chase, Maryland 20815 Attention: Erik Weinberg	091-160-373.00

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, 42nd & CHARLOTTE, LLC, a Tennessee limited liability company (the "Grantor"), has this day bargained and sold, and does hereby transfer and convey to SYLVAN SUPPLY OWNER, LP, a Delaware limited partnership (the "Grantee"), its successors, heirs and assigns, all of its right, title and interest in certain land and improvements located thereon in Davidson County, Tennessee described on Exhibit A attached hereto.

TO HAVE AND TO HOLD said real estate, with the appurtenances, estate, title and interest thereto belonging, to the said Grantee and its successors and assigns, forever. Grantor covenants with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple subject to those matters set forth on Exhibit B attached hereto and has a good right to convey it. Except for those matters set forth on Exhibit B, Grantor further covenants and binds itself, its successors and assigns to warrant and forever defend the title to said real estate against the lawful claims of all persons claiming by, through or under it but no further or otherwise.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

[signatures on following pages]

**L&B 7232114v3/05159.0838

IN WITNESS WHEREOF, Grantor has executed this instrument on this 4th day of January, 2019.

GRANTOR:

42nd & CHARLOTTE, LLC, a Tennessee limited liability company

By: KPCD, LLC, a Tennessee limited liability Company, Its Manager

By: KPCD II, LLC, a Tennessee limited liability company, Its Sole Member

By: _____
Kenneth M. Powers, Sole Member

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, Peggy Axford, a Notary Public in and for said County and state, duly commissioned and qualified, Kenneth M. Powers, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged, upon oath, that he is the Sole Member of KPCD II, LLC, a Tennessee limited liability company, the Sole Member KPCD, LLC, a Tennessee limited liability company, the Manager of 42nd & Charlotte, LLC, a Tennessee limited liability company, the within named bargainor(s), and who acknowledged that he executed the within instrument for the purposes therein contained in his capacity as Sole Member of the Sole Member of the Manager of the Company.

WITNESS my hand and official seal at office, this 3rd day of January, 2019.

_____
Notary Public
My commission expires:_____

PEGGY AXFORD
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires MAR. 16, 2019

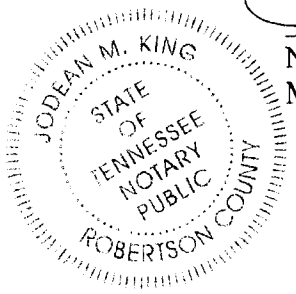
**L&B 7232114v2/05159.0838

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $ 3,575,000.00 .

Claire Burke
Affiant

Subscribed and sworn to before me this 4th day of January, 2019.



Jodean M. King
Notary Public
My Commission Expires: 6/21/2021

**L&B 7232114v3/05159.0838

EXHIBIT A

PROPERTY DESCRIPTION

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

Beginning at an existing iron rod, at the intersection of the southerly right-of-way line of Charlotte Avenue, 80 feet in width, and the easterly right-of-way line of Forty-Second Avenue North, 100 feet in width;

Thence leaving the easterly right-of-way line of Forty-Second Avenue North, with the southerly right-of-way line of Charlotte Avenue, North 88 deg 03 min 46 sec East, 175.00 feet to an iron rod set, at a corner common with the property of Associated Warehouse Properties, II, as of record in Deed Book 7715, Page 838, at the Register's Office for Davidson County, Tennessee;

Thence leaving the southerly right-of-way line of Charlotte Avenue with the westerly property line of Associated Warehouse Properties, II, South 01 deg 07 min 55 sec East, 162.50 feet to an iron rod set;

Thence with the northerly property line of Associated Warehouse Properties, II, South 88 deg. 03 min 46 sec West, 175.00 feet to a pk nail set in the easterly right-of-way of Forty-Second Avenue North;

Thence with the easterly right of way line of Forty-Second Avenue North, North 01 deg 07 min 55 sec West, 162.50 feet to the POINT OF BEGINNING.

This description is based on a survey dated May 29, 2013 prepared by Cherry Land Surveying, Inc. certified by R. Scot Cherry RLS #1512.

BEING THE SAME PROPERTY CONVEYED TO 42ND & CHARLOTTE, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, BY DEED FROM WALNUT STREET PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP, AND DBL LIMITED, A CALIFORNIA LIMITED PARTNERSHIP, OF RECORD IN INSTRUMENT NO. 201309060094418, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Terms and provisions of Declaration of Restrictions and Covenants for Stormwater Facilities and Systems, by 42nd & Charlotte, LLC, of record in Instrument No. 201401240006624, in the Register's Office of Davidson County, Tennessee.

2. Terms and provisions of Easement and Maintenance Agreement, by and between Currie & Walker, LLC and Associated Warehouse Properties II, of record in Book 10639, Page 777, in the Register's Office of Davidson County, Tennessee.

3. Agreement for Dedication of Easement for Storm Sewers and/or Sanitary Sewers to The Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Book 4349, Page 514, in the Register's Office of Davidson County, Tennessee.

4. Rights reserved and easements retained pertaining to the closure of Alley No. 1199 in Metropolitan County Council Ordinance No. O97-967.

5. Real property taxes for the year 2019 and succeeding years, a lien or liens not yet due and payable.

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 therewith and that this is a true and correct copy of the original documents executed and authenticated according to law.

Signature

State of Tennessee

County of Davidson

Personally appeared before me, Jodean M. King, 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.

Notary's Signature

My Commission Expires: 6/21/2021

Notary Seal:

