Karen Y Johnson Davidson County
Batch# 183219 DEEDWARRSP
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Fees: $48.00 Taxes: $434,750.00
20190111-0003283

SPECIAL WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY:
Vivek K. Chavan, Esq.
Greenberg Traurig, LLP
1900 University Avenue, 5th Floor
East Palo Alto, CA 94303

NAME AND ADDRESS OF NEW OWNER:
NHT Nashville, LLC
c/o Highland Capital Management
300 Crescent Court, Suite 700
Dallas, TX 75201
Attention: Matt McGraner

SEND TAX BILL TO: SAME

RECORD AND RETURN TO:
Greenberg Traurig, LLP
1900 University Avenue, 5th Floor
East Palo Alto, CA 94303
Attention: Vivek Chavan, Esq.

TAX PARCEL NOS.: 09305018500

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is executed as of this 8th day of January, 2019, by BIRCHMONT-H.I. NASHVILLE, LLC, a Delaware limited liability company ("Grantor"), to NHT NASHVILLE, LLC, a Delaware limited liability company ("Grantee"), whose mailing address is c/o Highland Capital Management, 300 Crescent Court, Suite 700, Dallas, TX 75201 Attention: Matt McGraner, and whose Federal employer identification number is 47-4606853 ———.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable consideration in hand paid by the said Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said Grantee, its successors and assigns forever, the land (the "Land") lying and being in the county of Davidson, State of Tennessee, more particularly described in Exhibit A attached hereto together with all the improvements, buildings, structures and fixtures (excluding those fixtures owned by tenants if such tenant, pursuant to its lease, is entitled to remove such fixture) located on the Land; any and all related facilities, structures, fixtures and amenities owned by Grantor; and Grantor's interest in all easements, privileges, rights-of-way, riparian and other water rights, lands underlying adjacent streets and roads and appurtenances pertaining to or accruing to the benefit of the Land.

TO HAVE AND TO HOLD the same unto Grantee, its successors and assigns, in fee simple forever, SUBJECT, HOWEVER, to the encumbrances and restrictions set forth in Exhibit B attached hereto.

Grantor covenants with Grantee that Grantor is lawfully seized of the Land in fee simple; that Grantor has good right and lawful authority to convey and sell the Land; that Grantor specially warrants to the Grantee the title to the Land as previously described and will defend the same against lawful claims of all persons whomsoever claiming directly through or under the Grantor, but against none other.

Executed as of this 8 day of January, 2019.

BIRCHMONT-H.I. NASHVILLE, LLC,
a Delaware limited liability company

By: Birchmont H.I. Nashville Partners, LLC, a Delaware limited liability company, its Manager and Sole Member

By: Birchmont Management, Inc., a California corporation, its Manager

By:_____
Name: Robert Lee
Title: President

STATE OF _____ §
§
COUNTY OF _____ §

Before me, _____, a Notary Public in and for the said State and County, personally appeared _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself (or herself) to be the authorized signatory of _____ _____, which is the _____ of _____, the named bargainor, a limited liability company, and that she/he as such authorized signatory, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by herself/himself as such.

WITNESS my hand and seal at office, on this _____ day of _____

[S E A L]

_____
Notary Public, State of _____

My Commission Expires:

See Attached Notary Acknowledgment Certificate

_____
(Printed Name of Notary Public)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

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
County of Los Angeles }

On January 3, 2019 before me, Adriana Carolina Solano, Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared Robert Lee
Name(s) of Signer(s)

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(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

ADRIANA CAROLINA SOLANO
Commission # 2103284
Notary Public - California
Los Angeles County
My Comm. Expires Mar 15, 2019

Place Notary Seal and/or Stamp Above

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

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Special warranty deed - Birchmont H.I
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian of Conservator	☐ Trustee ☐ Guardian of Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: _____	Signer is Representing: _____

©2017 National Notary Association

I hereby swear or affirm that to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater is $117,500,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant:

BIRCHMONT-H.I. NASHVILLE, LLC,
a Delaware limited liability company

By: Birchmont H.I. Nashville Partners, LLC, a Delaware limited liability company, its Manager and Sole Member

By: Birchmont Management, Inc., a California corporation, its Manager

By:_____
Name: Robert Lee
Title: President

STATE OF _____
COUNTY OF _____

Subscribed and sworn before me this the ___ th day of _____, 2019.

See Attached Notary Jurat Certificate

_____
Notary Public

MY COMMISSION EXPIRES:

[SIGNATURE PAGE TO
SPECIAL WARRANTY DEED]

CALIFORNIA JURAT WITH AFFIANT STATEMENT GOVERNMENT CODE § 8202

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

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

County of Los Angeles

ADRIANA CAROLINA SOLANO
Commission # 2103284
Notary Public - California
Los Angeles County
My Comm. Expires Mar 15, 2019

Place Notary Seal and/or Stamp Above

Subscribed and sworn to (or affirmed) before me

on this 3 day of January, 2019,
by *Date* *Month* *Year*

(1) Robert Lee

(and (2) —),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Special Warranty Deed - Birchmont H.I.

Document Date: — Number of Pages: —

Signer(s) Other Than Named Above: —

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Exhibit A to Deed

Real Property Description

Being a parcel of land in Nashville, First Civil District, Nineteenth Councilmanic District, Davidson County, Tennessee, located in the northeast quadrant of the intersection of Broadway and Tenth Avenue North. and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Broadway and the easterly right-of-way line of Tenth Avenue North;

THENCE, with said right-of-way line of Tenth Avenue North, N 27 deg. 15' 40" W, 325.78 feet to a point;

THENCE, leaving said right-of-way line with the southerly line of property conveyed to the Sunday School Board of the Southern Baptist Convention of record in Book 2494, page 145, and Book 2499, page 616, R.O.D.C., N 62 deg. 27' 10" E. 185.89 feet to a point in the westerly line of property conveyed to the Executive Committee of the Southern Baptist Convention by deed of record in Book 6143, page 936, R.O.D.C.;

THENCE, with said westerly line and the westerly line of property conveyed to Christ Episcopal Church Wardens by deed of· record in Book 10292, page 939, R.O.D.C., S 27 deg. 13' 03" E. 115.17 feet to a point;

THENCE, leaving said Christ Episcopal Church Wardens line with the northerly line of property conveyed to Sudekum, L.P. by deed of record in Book 10741, page 162, R.O.D.C., S 62 deg. 25' 00" W. 75.00 feet;

THENCE, with Sudekum, L.P. westerly line S 27 deg. 27' 02" E. 210.50 feet to the northerly right-of-way line of Broadway;

THENCE with said right-of-way fine of Broadway, S 62 deg. 25' 30" W. 111.50 feet to the Point of Beginning.

Containing 44,811 square feet or 1.01 acres, more or less.

BEING the same property conveyed to. Birchmont-H.I. Nashville, LLC, a Delaware limited liability company, by Deed of record in Instrument No. 200705100055969, Register's Office for Davidson County, Tennessee.

Exhibit B to Deed

Permitted Exceptions

1. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

2. Taxes for the year 2018, a lien, due and payable, but not yet delinquent.

3. Acreage content of the subject property is not hereby insured. Reference to acreage is left in the description merely for convenience in identifying the tract.

4. All matters as shown on Survey Job No. 3176603, prepared by Barge Waggoner Sumner & Cannon, Inc., dated June 7, 2016, including the following: 12-foot public utility easement; utility lines crossing the premises; canopy encroaching onto Broadway.

Certificate of Authenticity

I, Heather Wood, 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.

Heather Wood

Signature

State of Tennessee

County of Williamson

Personally appeared before me, Brina Mathis, a notary public for this county and state, Heather Wood who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Brina Mathis

Notary's Signature

My Commission Expires: 4-21-2020

Notary's Seal (if on paper)

BRINA MATHIS
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY