Karen Johnson Davidson County
Batch# 197780 **DEEDWARRSP**
02/21/2019 03:46:10 PM 9 pgs
Fees: $48.00 Taxes: $10,175.00

20190221-0016001

THIS INSTRUMENT PREPARED BY:
BOTTORFF & KAVIN, PLC (TIB)
5110 Maryland Way, Suite 120
Brentwood, Tennessee 37027

SPECIAL WARRANTY DEED

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Address New Owner:	Send Tax Bills To:	Map and Parcel Nos.
Blueroad Fontanel, LLC	Owner	Tr.2 Nos.049-00-0-319.00
180 North Stetson, Ste. 2880		& 049-00-0-200.01
Chicago, IL 60601		Tr. 3 No. 040-00-0-163.0
		Tr. 5 No. 049-00-0-198.0

****

STATE OF TENNESSEE
COUNTY OF Davidson

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater, is $2,750,000.00.

Brandy Gorman
Affiant

CONNIE CANTRELL
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires July 9, 2022

Subscribed and sworn to before me this 20 day of February, 2019.

Connie Cantrell
Notary Public

My Commission Expires: _____

****

FOR AND IN CONSIDERATION of Ten and No/100 Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Fontanel Properties, LLC, a Tennessee limited liability company ("Grantor") by these presents does hereby grant, transfer and convey to Blueroad Fontanel, LLC, a Delaware limited liability company ("Grantee"), its successors and assigns, certain tracts or parcels of real property located in Davidson County, State of Tennessee, more particularly identified as follows, to wit:

See Tract No. 2, Tract No. 3 and Tract No. 5 on Exhibit A attached hereto

This conveyance is subject to all health, planning and zoning ordinances of Metropolitan Nashville, Davidson County, Tennessee and the real property taxes for 2019 and subsequent years, the obligation for payment of which taxes is assumed by the Grantee, and all matters of record in the Register's Office for Davidson County, Tennessee, including, but not limited to those matters set forth on Exhibit B attached hereto and incorporated herein.

TO HAVE AND TO HOLD the said property, with the appurtenances, estate, title and interest thereto belonging to the Grantee, its successors and assigns forever.

AND Grantor does hereby covenant with the Grantee that he is lawfully seized and possessed of the said land in fee simple, has a good right to convey it, and the same is unencumbered except for those matters hereinabove mentioned.

AND Grantor does further covenant and bind himself, and his heirs, successors and assigns to warrant and forever defend the title to said real property to the Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under the Grantor.

IN WITNESS WHEREOF this instrument is executed on this the 18 day of February, 2019.

GRANTOR:

Fontanel Properties, LLC, a Tennessee limited liability company

By: _____
Dale C. Morris, Sole Member

STATE OF Florida
COUNTY OF Palm Beach

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Dale C. Morris with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who, upon oath acknowledged that he is the Sole Member of Fontanel Properties, LLC, the Bargainor, and as such member being authorized so to do, the foregoing instrument was executed on behalf of the Bargainor for the purposes therein contained.

Witness my hand and official seal this 18 day of February, 2019.

_____
Notary Public

My Commission Expires: 6/22/2021

ROSEMARIE CONTINO
Commission # GG 108498
Expires June 22, 2021
Bonded Thru Budget Notary Services

EXHIBIT A
Tract No. 2

MAP 49, PARCEL 200.01

Property situated in the White's Creek, Davidson County, Tennessee, being shown on Tax Map 049, as Parcel 200.01 and as Parcel 319.00. Said property being bounded on the North by Fontanel Properties, LLC, on the South by Tollgate Two Subdivision of record, on the West by Whites Creek Pike, and the East by Dale C. Morris, and also Charles H. Holloway and wife, Mary K. Holloway and being more particularly described as follows.

Beginning at an iron rod found on the East right-of-way of Whites Creek Pike, said Point of Beginning (P.O.B., N:702215.69, E:1723703.89) being the Southwest corner of a tract of land, in the name Fontanel Properties, LLC, recorded in Instrument No. 20160816-0085500, Register's Office, Davidson County, Tennessee (R.O.D.C.TN.);

Thence, leaving the right-of-way of Whites Creek Pike and along the South line of said Fontanel Properties, LLC line, South 78°27'29" East, a distance of 837.63 feet to the West line of a called 14.7 acre tract of land, in the name of Charles H. Holloway and wife, Mary K. Holloway, recorded in Instrument No. 20050110-0003816 (R.O.D.C.TN.);

Thence, continuing with the West line of said Holloway tract, South 05°48'30" West, a distance of 118.48 feet to the Southwest corner of said Holloway tract, at the Northwest corner of a called 116.65 acres tract of land, in the name of Dale C. Morris, recorded in Instrument No. 20160218-0015590 (R.O.D.C.TN.);

Thence, along the West line of said Morris tract, South 16°33'24" West, a distance of 212.60 feet;

Thence, continuing with the West line of said Morris tract, South 09°54'16" West, a distance of 338.23 feet;

Thence, continuing with the West line of said Morris tract, South 14°09'17" West, a distance of 359.72 feet;

Thence, continuing with the West line of said Morris tract, South 06°42'25" East, a distance of 210.26 feet;

Thence, continuing with the West line of said Morris tract, South 02°22'58" West, a distance of 190.87 feet to an iron rod found at the Southwest corner of said Morris tract and on the North line of Lot 9 of the Tollgate Two Subdivision, recorded in Plat Instrument No. 20000502-0043728 (R.O.D.C.TN.);

Thence, along the North line of Lot 9 of the Tollgate Two Subdivision, North 77°57'52" West, a distance of 556.84 feet to an iron rod set at the Northwest corner of said Lot 9 of the Tollgate Two Subdivision, and on the East right-of-way of Whites Creek Pike;

Thence, along the East right-of-way of Whites Creek Pike, North 02°37'18" West, a distance of 1,106.31 feet to an iron rod set on the East right-of-way of Whites Creek Pike;

Thence, continuing with the East right-of-way of Whites Creek Pike, with a curve to the left, having a radius of 9,153.88 feet, an arc length of 350.15 feet, and a chord bearing and distance of North 03°49'57, West, 350.13 feet, to the Point of Beginning containing 936,695 square feet or 21.50 acres.

Being part of the same property conveyed to FONTANEL PROPERTIES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, by deed from KENNETH L. DUDNEY AND WIFE, BARBARA A. DUDNEY, of record as Instrument No. 20020621-0075107, dated June 20, 2002, said Register's Office.

The above is a new description being part of Fontanel Properties, LLC land in Whites Creek, Davidson County, Tennessee, according to a survey by Bennie O. Wheeler, Tenn. RLS No. 1546, dated March 23, 2018, for Energy Land and Infrastructure (ELI File No. 18-11-6004).

EXHIBIT A
Tract No. 3

MAP 40, PARCEL 163.00

Property situated in the White's Creek, Davidson County, Tennessee, being shown on Tax Map 040, as Parcel 163.00. Said property being bounded on the North by Font Eat, LLC, on the South by Fontanel Properties, LLC, on the West by Whites Creek Pike, and the East by Justin Lane, and wife Megan Lane, and also Charles H. Holloway and wife, Mary K. Holloway and being more particularly described as follows.

Beginning at an iron rod found on the East right-of-way of Whites Creek Pike, said Point of Beginning (P.O.B., N:702507.01, E:1723677.10) being the Southwest corner of a called 25.77 acre tract of land, in the name Font Eat, LLC, recorded in Instrument No. 20160816-0085512, Register's Office, Davidson County, Tennessee (R.O.D.C.TN.);

Thence, leaving the right-of-way of Whites Creek Pike and along the South line of said Font Eat, LLC line, South 78°25'50" East, a distance of 782.35 feet to an iron rod found on the South line of said Font Eat, LLC tract;

Thence, continuing with the South line of said Font Eat, LLC tract, South 48°49'51" East, a distance of 136.05 feet to the Northwest corner of a called 14.7 acre tract of land, in the name of Charles E. Holloway and wife, Mary K. Holloway, recorded in Instrument No. 20050110-0003816 (R.O.D.C.TN.), and at the Southwest corner of a called 50 acre tract of land, in the name of Justin Lane and wife, Megan Lane, recorded in Instrument No. 20110920-0072904 (R.O.D.C.TN.);

Thence, leaving the South line of said Font Eat, LLC tract, and continuing along the West line of said Holloway tract,
South 05°44'46" West, a distance of 213.51 feet on the West line of said Holloway tract, and on the most Northerly East line of a called 141.50 acre tract of land, in the name of Fontanel Properties, LLC, recorded in Instrument No. 20020621-0075107 (R.O.D.C.TN.);

Thence, leaving the West line of said Holloway tract, and continuing with a severed line on said Fontanel Properties, LLC tract,
North 78°27'29" West, a distance of 837.63 feet to an iron rod found on the West line of said Fontanel Properties, LLC tract, and on the East right-of-way of Whites Creek Pike;

Thence, leaving the severed line of said Fontanel Properties, LLC tract, and continuing with East right-of-way of Whites Creek Pike, with a curve to the left having a radius of 9,153.88 feet, an arc length of 60.00 feet, and a chord bearing and distance of North 05°07'16" West, 60.00 feet to an iron rod found;

Thence, continuing with East right-of-way of Whites Creek Pike, North 05°17'16" West, a distance of 232.55 feet, to the Point of Beginning (P.O.B.) containing 5.46 acres.

Being the same property conveyed to FONTANEL PROPERTIES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, by deed from MELVIN BROWN AND ALTA DENISE BROWN, HUSBAND AND WIFE, of record as Instrument No. 20160816-008550, dated May 19, 2016, said Register's Office.

The above is a new description being part of Fontanel Properties, LLC land in Whites Creek, Davidson County, Tennessee, according to a survey by Bennie O. Wheeler, Tenn. RLS No. 1546, dated March 23, 2018, for Energy Land and Infrastructure (ELI File No. 18-11-6004).

EXHIBIT A
Tract No. 5

MAP 49, PARCEL 198.00

Property situated in the White's Creek, Davidson County, Tennessee, being shown on Tax Map 049, as Parcel 198.00. Said property being bounded on the North by Dale C. Morris, on the South by Jing-Qi Mei and wife, Xuhan Zhang, and on the West by W.H. Thompson and wife, Odie H. Thompson, and Tollgate Two Subdivision of record and being more particularly described as follows.

Beginning at an iron rod found on the northeast right-of-way of Whites Creek Pike, said Point of Beginning (P.O.B., N:698794.14, E:1724458.36) being the West corner of "Lot 1", recorded in Plat Instrument No. 20030522-0070068, Register's Office, Davidson County, Tennessee (R.O.D.C.TN.), and the South corner of the herein described tract of land;

Thence, continuing with the right-of-way of White's Creek Pike, North 39°05'17" West, a distance of 408.92 feet, to the centerline of Whites Creek, at the South corner of a called 5 acre and 122 poles tract of land, in the name of W.H. Thompson and wife, Odie H. Thompson, recorded in Deed Book 3532, Page 126 (R.O.D.C.TN.);

Thence, continuing with CL of White's Creek and the East line of said 5 acre and 122 poles tract of land, North 14°17'59" East, a distance of 90.23 feet; North 02°36'47" East, a distance of 124.04 feet, North 04°50'20" West, a distance of 270.63, and North 00°23'42" East, a distance of 147.25 feet, to the Northeast corner of said 5 acres and 122 poles tract of land, at the Southeast corner of "Lot 1" of the Tollgate Two Subdivision, recorded in Plat Instrument No. 20000502-0043728 (R.O.D.C.TN.);

Thence, continuing with CL of White's Creek and the East line of said Tollgate Two Subdivision, North 05°29'04" East, a distance of 303.79 feet; Thence, North 08°38'01" East, a distance of 313.66 feet; Thence, North 17°28'53" East, a distance of 295.79 feet to the Northeast corner of said Tollgate Two Subdivision, on the South line of a called 116.65 acre tract of land, in the name of Dale C. Morris, recorded in Instrument No. 20160218-0015590 (R.O.D.C.TN.);

Thence, leaving the CL of White's Creek and along the South line of said Morris, South 77°56'52" East, a distance of 359.21 feet, to an iron rod old found;

Thence, continuing with the South line of said Morris, South 82°01'56" East, a distance of 1,634.36 feet, to an iron old found, said iron rod being the Northern most corner of a called 24.8 acre tract of land, in the name of Jing-Qi Mei and wife, Xuhan Zhang, recorded in Instrument No. 20140115-0004207 (R.O.D.C.TN.);

Thence, leaving said Morris and along the Northwest line of said Mei, South 50°44'56" West, a distance of 2,432.19 feet, to the Point of Beginning (P.O.B.) containing 2,063,021.13 square feet or 47.36 acres.

Being the same property conveyed to FONTANEL PROPERTIES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, by deed from DALE MORRIS, of record as Instrument No. 20160816-0085516, dated August 15, 2016, said Register's Office.

The above is a new description being part of Fontanel Properties, LLC land in Whites Creek, Davidson County, Tennessee, according to a survey by Bennie O. Wheeler, Tenn. RLS No. 1546, dated March 23, 2018, for Energy Land and Infrastructure (ELI File No. 18-11-6004).

EXHIBIT B
TO SPECIAL WARRANTY DEED OF
FONTANEL PROPERTIES, LLC TO
BLUEROAD FONTANEL, LLC

1. Agreement for Dedication of Easement for Sanitary Sewer and/or Storm Drainage of record in Book 6919, page 111 and Instrument No. 20031130-0159875 (Tract 5) said Register's Office.

2. Easements for the flow of the water in Whites Creek and the rights of the public thereon.

3. Rights of upper and lower riparin owners to the flow of the water of Whites Creek free from dimunition of pollution.

4. Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of Whites Creek.

5. Declaration of Restrictive and Covenants for Stormwater Facilities and Systems of record as Instrument No. 20121016-0094198, 20161031-0114712, and 20171113-0115969 said Register's Office.

6. Sanitary Sewer Easement of record as Instrument No. 201000427-0031963 (Tract 2).

7. Easement for Conservation Greenway of record as Instrument 201330822-0099910 said Register's Office (Tract 2).

8 All matters shown on the Plat of Survey by Bennie O. Wheeler, Tenn. RLS No. 1546 with Energy Land & Infrastructure dated March 23, 2018, ~~last revised~~ BG, and designated ELI File No. 18-11-6004.

9. Subject to "roll-back taxes" for the statutory period if the land is converted to a use other than those stipulated in the provisions of Tennessee Code Annotated sections 67-5-1001 et. seq.