Karen Johnson Davidson County
Batch# 242070 DEEDWARRSP
06/12/2019 08:56:03 AM 8 pgs
Fees: $43.00 Taxes: $185,185.00
20190612-0056228

THIS INSTRUMENT PREPARED BY:
Chambliss, Bahner & Stophel, P.C.
Liberty Tower
605 Chestnut Street, Suite 1700
Chattanooga, Tennessee 37450
ATTENTION: Michael J. Stewart

Return to:
Ambreen Shahnawaz
First National Financial Title Services, LLC
3301 Windy Ridge Parkway, Suite 300
Atlanta, GA 30339
770-916-4351
File No. TN251904039J

ADDRESS OF NEW OWNER(S):	**SEND TAX BILLS TO:**	**MAP PARCEL NO.**
South Oaks Apt Owner LLC c/o Carroll Organization	**(SAME)**	
(Name)	**(Name)**	**133-040-053.00** **133-000-044.00**
3340 Peachtree Rd NE, Suite 2250		**119-160-094.00**
(Street Address)	**(Street Address)**	
Atlanta, Georgia 30326		
(City) (State) (Zip)	**(City) (State) (Zip)**	

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), and other good and valuable consideration not herein mentioned, the receipt and sufficiency of which are hereby acknowledged HAWTHORNE-MIDWAY TWIN OAKS, LLC, a North Carolina limited liability company, as to a 91.9048% interest as tenant in common and C&C TWIN OAKS, LLC, a Delaware limited liability company, as to a 8.0952% interest as tenant in common (collectively, "**Grantor**") does hereby sell, transfer, and convey unto SOUTH OAKS APT OWNER LLC, a Delaware limited liability ("**Grantee**") and its successors and assigns, the improved tract or parcel of real property in Nashville, Davidson County, Tennessee described in Exhibit A attached to and made a part of this Special Warranty Deed (the "**Land**"), TOGETHER WITH any and all improvements, appurtenances, rights, privileges and easements benefiting, belonging or pertaining to the Land, and any right, title and interest of Grantor in and to any land lying in the bed of any street, road or highway in front of or adjoining said Land, together with any strips or gores relating to the Land (the Land and the foregoing rights, easements and appurtenances being hereinafter collectively referred to as the "**Property**").

TO HAVE AND TO HOLD the same unto Grantee and its successors and assigns forever in fee simple. Grantor does covenant that he is lawfully seized and possessed of the Property in FEE SIMPLE, has full power and legal authority to convey the Property, and the title to the Property is free, clear and unencumbered, except as noted in Exhibit B attached to and made a part of this Special Warranty Deed.

Grantor further covenants for itself and its successors and assigns, to warrant and forever defend the title to the Property to Grantee and its successors and assigns against all lawful claims of all persons claiming by, through or under it, but not further or otherwise.

[SIGNATURE PAGE(S) ATTACHED]

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of this 7 day of JUNE, 2019.

GRANTOR:

HAWTHORNE-MIDWAY TWIN OAKS, LLC, a North Carolina limited liability company, as to a 91.9048% tenant in common interest

By: _____ (SEAL)
Philip M. Payonk, Manager

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

Before me, a Notary Public of the state and county mentioned, personally appeared Philip M. Payonk, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be a Manager of Hawthorne-Midway Twin Oaks, LLC, the within named bargainor, a North Carolina limited liability company, and that such person as such Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by personally signing the name of the limited liability company by such person as such Manager.

WITNESS my hand and seal, at office in *(county, state)* Guilford, NC, this 31 day of May, 2019.

Notary Public

My Commission Expires: March 3, 2022

LEIGH ANN WEBER NOTARY PUBLIC GUILFORD COUNTY, NC

C&C TWIN OAKS, LLC, a Delaware limited liability company, as to a 8.0952% tenant in common interest

By: C & C Associates of Richmond LLC, a Virginia limited liability company, its sole member

By: Norma B. Carl (SEAL)
Norma B. Carl, Manager

STATE OF Virginia
City
~~COUNTY~~ OF Richmond

Before me, a Notary Public of the state and county mentioned, personally appeared Norma B. Carl, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged such person to be the Manager of C & C Associates of Richmond LLC, a Virginia limited liability company, the sole member of C & C Twin Oaks, LLC, the within named bargainor, a Delaware limited liability company, and that such person as such Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by personally signing the name of the limited liability company by such person as such Manager.

WITNESS my hand and seal, at office in *(county, state)* Richmond, Virginia this 31st day of May, 2019.

Nancy L. MacKinnon
Notary Public

NANCY L. MACKINNON NOTARY PUBLIC MY COMMISSION NUMBER 7541079 COMMONWEALTH OF VIRGINIA

My Commission Expires: 10-31-21

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I hereby swear or affirm that the actual consideration for this transfer, or value of the property transferred, whichever is greater, is $50,050,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Sworn and subscribed to before me this 31 day of May, 2019.

Notary Public

My Commission Expires: March 3, 2022

LEIGH ANN WEBER NOTARY PUBLIC GUILFORD COUNTY, NC

EXHIBIT A

Legal Description

Being located in Nashville, Davidson County, Tennessee and being more particularly described as follows:

Tract I

Land located in the Twenty-seventh Councilmanic District of Davidson County, Tennessee, being Lot 1 on the Consolidation Plat of Lot 1 Revised Twin Oaks, P.B. 5200, page 669, R.O.D.C. and Lot 1, Twin Oaks Phase II, P.B. 9700, PG, 819, R.O.D.C. of record in Instrument Number 20010510-0048697, R.O.D.C. and being more particularly described as follows:

Beginning at an iron rod in the northerly right-of-way of Antioch Pike at the southwesterly corner of New Plan Excel Realty Trust, Inc. property of record in Deed Book 11581, page 94, R.O.D.C.;

Thence with said right-of-way northwesterly with a curve to the left 518.04 feet to an iron rod at a southeasterly corner of Malcolm L. Barrett, Sr. et ux, Rachael S. Barrett, Trustees property of record in Deed book 8512, page 193, R.O.D.C., said curve having a radius of 672.00 feet, a central angle of 44° 10' 09" and a chord of 505.31 feet at North 64° 13' 42 1/2" West;

Thence North 30° 27' 07" East, 1,100.02 feet to an iron rod in the southerly right-of-way of Twin Oaks Drive at the northeasterly corner of Twin Oaks Subdivision of record in Plat Book 7900, Page 70, R.O.D.C.;

Thence with the right-of-way of said Twin Oaks Drive as follows:

South 88° 11' 45" East, 204.26 feet to an iron rod;
North 01° 48' 15" East, 50.00 feet to an iron rod;
North 88° 11' 45" West, 816.01 feet to an iron rod at a southeasterly corner of Section Two-Phase One Twin Oaks Subdivision of record in Plat Book 8250, Page 25, R.O.D.C.;

Thence North 02° 10' 00" East, 169.56 feet to an iron rod in the southerly boundary of James C. Pyburn, et ux property of record in Deed Book 10333, Page 163, R.O.D.C.;

Thence with the boundary of said Pyburn property as follows:

South 86° 58' 05" East, 816.06 feet to an iron rod;
North 01° 56' 30" East, 70.58 feet to a concrete monument in the westerly right-of-way of Interstate I-24;

Thence with said westerly right-of-way as follows:

Southeasterly with a curve to the left 252.50 feet to an iron rod, said curve having a radius of 5,879.58 feet, a central angle of 02° 27' 38" and a chord of 252.49 feet at South 51° 04' 56" East;
South 57° 22' 48" East 91.45 feet to an iron rod;
Southeasterly with a curve to the right 1,143.14 feet to an iron rod at the northeasterly corner of Hassan property of record in Deed Book 11356, Page 45, R.O.D.C., said curve having a radius of 5,500.00 feet, a central angle of 11° 54' 31" and a chord of 1,141.09 feet at South 49° 00' 55 1/2" East;

Thence with the boundary of said Eslami Property as follows:

South 89° 57' 00" West, 284.48 feet to an iron rod;
South 02° 07' 11" West, 332.14 feet to an iron rod;
South 05° 02' 15" West, 191.34 feet to an iron rod in the easterly boundary of the aforementioned New Plan Excel Realty Trust, Inc. property;

Thence with the boundary of said property as follows:

North 12° 50' 30" West, 203.30 feet to an iron rod;
North 00° 39' 30" East, 362.67 feet to an iron rod;
North 62° 13' 47" West, 301.80 feet to an iron rod;
South 89° 39' 11" West, 533.00 feet to a concrete monument;
South 00° 14' 49" West, 176.29 feet to an iron rod;
South 26° 01' 12" West, 160.70 feet to an iron rod;
South 34° 08' 45" West, 412.41 feet to the beginning.

Tract II

Land in Davidson County, Tennessee, being Lot No. 27, on the Plan of Twin Oaks Subdivision, Section Two, Phase One, as shown on plat of record in Plat Book 8250, page 25, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

GRANTOR'S SOURCE OF EQUITABLE TITLE is a Special Warranty Deed recorded in as Instrument No. 201501080002291, in the Register's Office of Davidson County, Tennessee.

EXHIBIT B
TO
SPECIAL WARRANTY DEED

EXCEPTIONS

1. Taxes for the year 2019, and subsequent years, not yet due and payable.

2. Rights of tenants in possession under unrecorded residential leases, as tenants only, with no rights of first refusal or options to purchase.

3. All encroachments, encumbrances, violations, variations and other matters shown on that certain ALTA/NSPS Land Title Survey for Carroll Organization by Kenneth R. Shreve, TN RLS 2298 for Gresham Smith, dated April 30, 2019, Project No. 43935.00.

4. All matters shown on the plat of record as Instrument No. 200105100048697, in the Register's Office for Davidson County, Tennessee.

5. Agreement for Dedication of Easement for Sanitary Sewers and /or Storm Drainage of record in Book 5203, Page 453, in the Register's Office for Davidson County, Tennessee.

6. Storm Water Detention Agreement of record in Book 6198, Page 457, in the Register's Office for Davidson County, Tennessee.

7. Agreement for Dedication of Easement for Sanitary Sewers, Storm Drainage, Water Mains and Appurtenances of record in Book 7485, Page 941, in the Register's Office for Davidson County, Tennessee.

8. Easement of record in Instrument No. 200004250040744, in the Register's Office for Davidson County, Tennessee.

9. All matters as shown on the plat of record in Plat Book 8250, Page 25, in the Register's Office for Davidson County, Tennessee.

10. Terms and conditions of restrictions of record in Book 1163, Page 372, in the Register's Office for Davidson County, Tennessee.

11. Grant of Easement from Hawthorne-Midway Twin Oaks, LLC to Comcast of Nashville I, LLC dated October 1, 2015 and recorded in Instrument No. 20151130-0120251 in the Registers Office for Davidson County, Tennessee.

12. Grant of Easement from Twin Oaks Associates, GP to Comcast of Nashville I, LLC dated May 14, 2008 and recorded in Instrument No. 200810060101451, in the Register's Office for Davidson County, Tennessee.