THIS INSTRUMENT PREPARED BY:
Amy W. Mahone, Esquire
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
633 Chestnut Street, Suite 1900
Chattanooga, Tennessee 37450

AFTER RECORDING RETURN TO:
Eric Anderson
Gutnicki LLP
4711 Golf Road, Suite 200
Skokie, IL 60076

Karen Johnson Davidson County
Batch# 243201 DEEDWARRSP
06/13/2019 02:51:34 PM 7 pgs
Fees: $38.00 Taxes: $29,600.00



20190613-0057057

Address New Owner as Follows:	*Send Tax Bills To*	*Map & Parcel No.:*
Whites Creek Realty Group LLC c/o Ahava HC LLC 544 Park Avenue, Suite B04 Brooklyn, NY 11205	Same	04900031300

SPECIAL WARRANTY DEED

That in consideration of Ten and 00/100 Dollars ($10.00), to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, WHITES CREEK PROPERTY INVESTMENT, LLC, a Tennessee limited liability company ("Grantor"), has bargained and sold and does hereby transfer and convey unto WHITES CREEK REALTY GROUP LLC, a Tennessee limited liability company ("Grantee"), its successors and assigns, the following described property (the "Property"):

See Exhibit "A" annexed hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD to the said Grantee, its successors and assigns forever.

And the said Grantor does for itself, and for its successors and assigns, covenant with the said Grantee, its successors and assigns, that it is lawfully seized and possessed of said real estate, and that it is free from encumbrances, except for those matters shown as permitted exceptions on Exhibit "B" annexed hereto and incorporated herein by this reference ("Permitted Exceptions"), that it has a good right to sell and convey the same; that it will, and its successors and assigns shall, warrant and defend the same unto the said Grantee, its successors and assigns forever, against the lawful claims of all persons claiming by and through Grantor but not otherwise

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed effective as of the 1st day of June, 2019.

WHITES CREEK PROPERTY INVESTMENT, LLC,
a Tennessee limited liability company

By: _____
Name: Ken DeFoor
Its: President

STATE OF TENNESSEE)
)
COUNTY OF HAMILTON)

Personally appeared before me, the undersigned, a Notary Public for the state and county aforesaid, Ken DeFoor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the President of Whites Creek Property Investment, LLC, a Tennessee limited liability company, and is authorized to execute this instrument on behalf of the limited liability company.

WITNESS my hand, at office, this 29th day of May, 2019.

Jessica Dunn
NOTARY PUBLIC

My Commission Expires:
12.21.2019

JESSICA DUNN
STATE OF TENNESSEE NOTARY PUBLIC
HAMILTON COUNTY
MY COMMISSION EXPIRES 12-21-2019

STATE OF NY
COUNTY OF KINGS

I, or we, 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 $ 8,000,000.00 which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Affiant

Subscribed and sworn to before me this the 29 day of May, 2019.

Notary Public

My commission expires:

ALAN WEISBERGER
Notary Public, State of New York
No. 24-4857074
Qualified in Kings County
Commission Expires JUNE 30 2022

EXHIBIT A

A tract of land in the Second Civil District of Metropolitan Nashville, Davidson County, Tennessee and being parcel No. 313 on Tax Map 49 and also being Lot No. 1 on the amended final plat of Brookside Manor Subdivision as of record in Book 6900, Page 842, Register's Office for Davidson County, Tennessee and being more particularly described as follows according to an ALTA/ACSM Land Title Survey by Ragan-Smith-Murphy and Associates, Inc., dated March 12, 1991, Job No. 83-005, W.O. No. 3627:

Beginning at an existing iron pin set in concrete on the easterly right-of-way line of Knight Drive at a common corner of the herein-described Lot No. 1 and parcel 259 on Tax Map 49 owned by Charles H. Jernigan by deed recorded in Book 5127, page 628, R.O.D.C, Tennessee, said beginning point also being 880 feet, more or less, northeasterly from the center of Green Lane as measured along the easterly right-of-way line of Knight Road; thence, with the easterly right-of-way line of Knight Road with a curve to the left (radius 2889.85) northeastwardly a distance of 124.83 feet to an existing concrete monument at the beginning of a curve and having a chord bearing and distance of north 09 degrees 19 minutes 55 seconds east, 124.82 feet; thence, with a curve to the right (radius 25.0 feet) northeastwardly a distance of 37.55 feet to an iron pin set on the southerly right-of-way line of Brook Manor Drive and having a chord bearing and distance of north 51 degrees 07 minutes 25 seconds east, 34.12 feet; thence, with the southerly right-of-way line of Brook Manor Drive south 85 degrees 51 minutes 01 seconds east, 124.78 feet to an existing concrete monument; thence, continuing with the southerly right-of-way line of Brook Manor Drive with a curve to the left (radius 1051.00 feet) northeastwardly a distance of 146.74 feet to an iron pin set in concrete and having a chord bearing and distance of 89 degrees 51 minutes 01 seconds east, 146.62 feet; thence, continuing with the southerly right-of-way line of Brook Manor Drive north 86 degrees 08 minutes 25 seconds east, 140.06 feet to an iron pin set; thence, continuing with the southerly right-of-way line of Brook Manor Drive with a curve to the right (radius 100.0 feet) southeastwardly a distance of 58.85 feet to an iron pin set and having a chord bearing and distance of south 77 degrees 04 minutes 08 seconds east, 57.74 feet; thence, with a curve to the left (radius 50.0 feet) southeastwardly a distance of 14.88 feet to an iron pin set at the common corner of herein-described Lot No. 1 and the westerly line of Willow Trace Subdivision Phase Two as of record in Book 7900, Page 46, R.O.D.C., Tennessee and having a chord bearing and distance of south 68 degrees 46 minutes 05 seconds east, 14.83 feet; thence, with the common line between the herein-described Lot No. 1 and the above-noted Willow Trace Phase Two south 12 degrees 40 minutes 04 seconds west, 603.87 feet to an iron pin set in the north line of Parcel 166 on Tax Map 59 owned by Charles A. Wheeler, Jr. as of record in Book 5670, Page 331, R.O.D.C, Tennessee; thence with the north line of Wheeler south 55 degrees 38 minutes 20 seconds west, 145.00 feet to an existing iron pipe common corner of herein-described Lot No. 1 and Parcel 259 on Tax Map 49 owned by Charles H. Jernigan as of record in Book 5127, Page 628, R.O.D.C., Tennessee, thence, with the east line of Jernigan north 39 degrees 25 minutes 22 seconds west, 119.62 feet to an existing concrete monument; thence, continuing with Jernigan north 38 degrees 24 minutes 56 seconds west, 258.88 feet to an existing concrete monument; thence, continuing with Jernigan north 02 degrees 52 minutes 09 seconds west, 245.80 feet to an iron pin set; thence, continuing with Jernigan north 81 degrees 29 minutes 19 seconds west, 26.78 feet to the point of beginning and containing 249,703 square feet or 5.732 acres.

Being also the same property described as follows according to ALTA Land survey dated February 20, 2008 and last revised on June 26, 2008, by David A. Johnson, RLS No. 1352, Ragan-Smith-Associates, Inc.

Being a certain tract of land in the 11th Councilmanic District of Metropolitan Nashville, Davidson County, TN, being bounded on the north by Brook Manor Drive, on the east by Willow Trace Subdivision, Phase 2 of record in Plat Book 7900, Page 46, Register's Office, Davidson County, TN. On the south by Roadway Express, Inc., of record in Book 9614, Page 233, Register's Office, Davidson County, TN, on the west by Roderick C. Claybrooks and wife Sharon E. Claybrooks of record in Book 10860, Page 19 Register's Office, Davidson County, TN and by Knight Drive, and being more particularly described as follows:

Beginning at a punch hole in the southerly right-of-way (r.o.w.) of said Brook Manor Drive and being a northwesterly corner of the herein described tract; thence, with the southerly (r.o.w.) of said Brook Manor Drive for the next five (5) calls: south 85 degrees 47 minutes 34 seconds east, 124.75 feet to a concrete monument (old), along a curve to the left with an interior angle of 8 degrees 00 minutes 02 seconds, a radius of 1051.05 feet, an arc length of 146.76 feet, and a chord bearing and distance of south 89 degrees 54 minutes 33 seconds east, 146.65 feet to a bent 0.5" iron rod (old), north 86 degrees 15 minutes 44 seconds east, 140.01 feet to a punch hole in a concrete monument (old), along a curve to the right with an interior angle of 33 degrees 30 minutes 56 seconds, a radius of 100.00 feet, an arc length of 58.50 feet, and a chord bearing and distance of south 76 degrees 48 minutes 25 seconds east, 57.67 feet, to a broken concrete monument (old), along a curve to the left with an interior angle of 17 degrees 12 minutes l 0 seconds, a radius of 50.00 feet, an arc length of 15.01 feet, and a chord bearing and distance of south 70 degrees 55 minutes 26 seconds east, 14.96 feet, to a 3/8" iron rod (old) being a corner of said Willow Trace Subdivision, Phase 2 and the northeast corner of the subject tract; thence, with the westerly line of said Willow Trace Subdivision, Phase 2, south 12 degrees 40 minutes 24 seconds west, 603.74 feet to a 5/8" iron rod (old) in the northerly line of said Roadway Express Inc., property; thence, with the northerly line of said Roadway Express Inc. property, south 55 degrees 43 minutes 19 seconds west, 144.99 feet to a l" iron pipe (old) and being the southeast corner of said Roderick C. Claybrooks and wife, Sharon E. Claybrooks property; thence, with the easterly line of said Roderick C. Claybrooks and wife, Sharon E. Claybrooks property for the next four (4) calls: north 39 degrees 28 minutes 46 seconds west, 119.38 feet to a punch hole, north 38 degrees 24 minutes 08 seconds west, 258.88 feet to a concrete monument (old), north 02 degrees 54 minutes 43 seconds west, 245.95 feet to a 2" iron rod (old), north 81 degrees 28 minutes 21 seconds west, 26.79 feet to an iron rod (new) in the easterly (r.o.w.) of said Knight Drive; thence, with the westerly (r.o.w.) of said Knight Drive for the next two (2) calls: along a curve to the left with an interior angle of 2 degrees 28 minutes 21 seconds, a radius of 2889.85 feet, an arc length of 124.71 feet, and a chord bearing and distance of north 09 degrees 33 minutes 24 seconds east, 124.70 feet, to a punch hole, along a curve to the right with an interior angle of 85 degrees 09 minutes 33 seconds, a radius of 25.0"0 feet, an arc length of 37.16 feet, and a chord bearing and distance of north 50 degrees 45 minutes 36 seconds east, 33.83 feet, to the point of beginning, having an area of 249,615 square feet or 5.730 acres, more or less.

TOGETHER WITH Sewer Easement of record in Book 5055, Page 368, in the Register's Office of Davidson County, Tennessee, and as shown, described or noted on ALTA/NSPS Land Title Survey Prepared by CREsurveys, LTD., as Project #19-3630-Site #8, last revised April 17, 2019.

For prior title, see Special Warranty Deed from Brookside Healthcare Investors, L.P., a Georgia limited partnership, to WHITES CREEK PROPERTY INVESTMENT, LLC, a Tennessee limited liability company, executed July 28, 2008 and recorded on August 5, 2008 in Instrument Number 20080805-080813, in the Register's Office of Davidson County, Tennessee.

EXHIBIT "B"

1. Applicable building, zoning, and subdivision laws and regulations.

2. The lien of taxes due in the year 2019 and thereafter, not yet due and payable.

3. Covenants, conditions, restrictions, declarations, and easements of record, if any.

4. Matters which would be shown by a true, accurate and complete survey of the property.

5. Rights of long term care residents under residency agreements which do not contain options to purchase or rights of first refusal.

6. Easements for the flow of the waters of Vhoins Branch River (or creek) and the rights of the public therein.

7. Rights of the upper and lower riparian owners to the flow of the waters of the Vhoins Branch River (or creek) and the rights of the public therein.

8. All notes, stipulations, restrictions, easements, conditions, and regulations as shown, described or noted on Final Plat of Brookside Manor subdivision of record in Plat Book 6900, Page 842, in the Register's Office of Davidson County, Tennessee.

9. Terms and conditions of Sewer Easement of record in Book 5055, Page 368, in the Register's Office of Davidson County, Tennessee, and as shown, described or noted on ALTA/NSPS Land Title Survey prepared by CREsurvyes, LTD., as Project #19-360-Site #8.

10. Matters disclosed by ALTA/NSPS Land Title Survey prepared by CREsurvyes, LTD., as Project #19-360-Site #8.

11. Public utility easement as shown, described or noted on Final Plat of Brookside Manor subdivision of record in Plat Book 6900, Page 842, in the Register's Office of Davidson County, Tennessee and as shown, described or noted on ALTA/NSPS Land Title Survey prepared by CREsurvyes, LTD., as Project #19-360-Site #8.

12. Floodway zones as shown, described or noted on Final Plat of Brookside Manor subdivision of record in Plat Book 6900, Page 842, in the Register's Office of Davidson County, Tennessee and as shown, described or noted on ALTA/NSPS Land Title Survey prepared by CREsurvyes, LTD., as Project #19-360-Site #8.