SPECIAL WARRANTY DEED

Prepared by and Return to:	Property Owner and Mail Tax Bills To:	Property Address:	Tax Parcel No(s).:
John W. Stone, III 3817 Richland Avenue Nashville, TN 37205	Fondren Hill Apartments, L.L.C. P. O. Box 13925 Jackson, MS 39236-3925 Attention: Justin Peterson	1520 Elm Hill Pike Nashville, TN 37210	106 00 0 148.00

SPECIAL WARRANTY DEED

THIS INDENTURE is made and entered into effective as of this 10 day of June, 2019, by and between **46TH STREET INVESTORS, a California general partnership** (hereinafter referred to as "Grantor"), and **FONDREN HILL APARTMENTS, L.L.C., a Mississippi limited liability company** (hereinafter referred to as "Grantee").

WITNESSETH:

THAT for and in consideration of TEN DOLLARS ($10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto the said Grantee the following described real estate situated and being in Nashville, Davidson County, Tennessee to, wit:

> All of that certain real estate described in **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Real Estate").

TO HAVE AND TO HOLD the Real Estate together with all the appurtenances and hereditaments thereunto belonging or in the anywise appertaining unto Grantee, its successors and assigns, in fee simple forever.

Grantor covenants that it is lawfully seized in fee and possessed of the Real Estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for those liens, easements, encumbrances and exceptions listed in **Exhibit "B"** attached hereto and incorporated herein by reference; and Grantor does hereby covenant with Grantee that title to the Real Estate Grantor will warrant and forever defend against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise.

As used herein, pronouns shall be construed according to their gender and number according to the context thereof.

[*signature page follows*]

Karen Johnson Davidson County
Batch# 243303 **DEEDWARRSP**
06/14/2019 08:49:52 AM 5 pgs
Fees: $28.00 Taxes: $52,170.00



20190614-0057185

[Signature Page to Special Warranty Deed]

IN WITNESS WHEREOF, Grantor has executed or caused this instrument to be executed by its duly authorized representative on the day and year first above written.

46TH STREET INVESTORS, a California general partnership

By: _____

Name: George Hicker

Title: General Partner

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 June 5, 2019, before me, Rozita G. Moghanian Notary Public, personally appeared **GEORGE HICKER** 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.

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 of Notary

ROZITA G. MOGHANIAN
Notary Public - California
Los Angeles County
Commission # 2166686
My Comm. Expires Oct 20, 2020

AFFIDAVIT OF VALUE

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 Fourteen Million, One Hundred Thousand Dollars ($14,100,000.00), which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Justin J. Peterson
Affiant

Subscribed and sworn to before me this 5th day of June, 2019.

Nicole F. Stewart
Notary Public

My Commission Expires: May 13, 2020

STATE OF MISSISSIPPI
NICOLE F. STEWART
NOTARY PUBLIC
ID No. 89517
Commission Expires
May 13, 2020
RANKIN COUNTY

EXHIBIT A

LEGAL DESCRIPTION

Land situated in Davidson County, Tennessee:

Being a parcel of land in Nashville, First Civil District, Fifteenth Councilmanic District, Davidson County, Tennessee, being located north of Elm Hill Pike and east of Spence Lane and being Lot 1, as shown on the Final Plat of Second Revision, Wright Industries, of record in Instrument No. 20041215-0149129, Register's Office Davidson County, Tennessee, and being more particularly described on plat of survey prepared by Ronald W. Ferguson, L.S., dated April 7, 2004, last revised March 2, 2005, Job No. 31933-00, as follows:

BEGINNING at a point in the northerly right-of-way of Elm Hill Pike (82-foot right-of way) said point being N 86° 33' 20" E, 79.74 feet from the southwesterly corner of the Lot 3 of the aforementioned plat;

THENCE, leaving said right-of-way and with Lot 1 the following calls:

N 02° 51' 00" E, 1363.12 feet,
S 87° 09' 00" E, 342.22 feet,
S 29° 45' 40" E, 79.94 feet,
N 89° 27' 19" E, 168.90 feet,
S 26° 14' 39" E, 8.06 feet,
S 65° 11' 54" E, 49.10 feet,
S 27° 17' 42" E, 73.30 feet,
S 16° 49' 37" E, 92.33 feet,
S 01° 29' 48" E, 93.26 feet,
S 09° 13' 57" W, 51.38 feet,
S 75° 36' 09" W, 75.04 feet,
S 66° 36' 39" W, 225.00 feet to an iron pin (old) in the north-westerly corner of Lot 5, Baltz Brothers Packing Company of record in Plat Book 7900, Page 370, R.O.D.C.;

THENCE, with the westerly line of Lot 5, S 02° 56' 00" E, 820.48 feet to the northerly right-of-way of Elm Hill Pike;

THENCE, with said right-of-way the following calls:

With a curve to the right 66.06 feet, said curve having a central angle of 03° 57' 04", a radius of 958.00 feet, a tangent of 33.04 feet and a Chord of S 84° 34' 48" W, 66.05 feet, S 86° 33' 20" W, 415.61 feet to the Point of Beginning. Containing 658,749 square feet or 15.12 acres, more or less.

Together with that certain easement benefiting the property in and to that certain 40' joint ingress/egress easement as shown of record in Instrument No. 20041215-0149129, said Register's Office.

Together with that certain Reciprocal Easement Agreement benefiting the property as shown of record in Instrument No. 20050609-0065782, said Register's Office.

EXHIBIT "B"
TO SPECIAL WARRANTY DEED

PERMITTED EXCEPTIONS

1. Supplemental, Revised and/or Corrected Assessments pursuant to T.C.A. Section 67-5-509 and 67-5-603 et seq. or Back Assessments pursuant to T.C.A. Section 67-1-1001 et seq.
2. Davidson County taxes for the year 2019, liens, not yet due and payable.
3. Subdivision restrictions, building lines and easements of record in Plat Book 5200 Page 382, Plat Book 9700 Page 403, Plat Book 9700 Page 756, Plat Book at Instrument No. 20041215-0149129, all recordings in the Register's Office of Davidson County, Tennessee.
4. Permanent Drainage Easement, Temporary Slope Easement and Temporary Construction Easement of record at Instrument No. 20000321-0028726, in the aforesaid Register's Office.
5. Reciprocal Easement Agreement of record at Instrument No. 20050609-0065782, in the aforesaid Register's Office.

Current source of title: 20150724-0072638