Karen Johnson Davidson County
Batch# 373077 DEEDWARRSP
03/16/2020 03:20:30 PM 7 pgs
Fees: $38.00 Taxes: $44,400.00
20200316-0029068

# SPECIAL WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY:
Gozdecki, Del Giudice, Americus,
Farkas & Brocato LLP
One East Wacker Drive, Suite 1700
Chicago, IL 60601
Attention: David L. Theyssen

NAME AND ADDRESS OF NEW OWNER:
USPF Massman, LP
c/o Everwest Advisors, LLC
1099 18th Street, Suite 2900
Denver, CO 80202

SEND TAX BILL TO: SAME

RECORD AND RETURN TO:
USPF Massman, LP
c/o Everwest Advisors, LLC
1099 18th Street, Suite 2900
Denver, CO 80202
Attention: General Counsel

TAX PARCEL NO. 095-14-0-120.00
095-13-0-015.00

PROPERTY ADDRESS:
640 Massman Drive
Nashville, TN 37210

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SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is executed as of this 16TH day of March, 2020, by KJ MASSMAN, LLC, a Delaware limited liability company ("**Grantor**"), to USPF MASSMAN, LP, a Delaware limited partnership ("**Grantee**").

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

All of that certain real estate described in **Exhibit A** attached hereto (the "**Property**").

This is unimproved ( ) improved ( X ) property, known as

| 640 Massman Drive | Nashville | TN | 37210 |
|---|---|---|---|
| (House Number) (Street) | (City) | (State) | (Zip) |

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

AND, **SUBJECT, HOWEVER**, to the Permitted Exceptions set forth on **Exhibit B**, attached hereto and made a part hereof.

Grantor does hereby covenant with Grantee that Grantor will warrant and forever defend against

the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise, subject to the Permitted Exceptions.

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

*[signature and acknowledgement on following page]*

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by and through its duly authorized officer as of the day and year first above written.

KJ MASSMAN, LLC,
a Delaware limited liability company

By: Massman Management Company LLC,
a Delaware limited liability company,
its manager

By: _____
Name: Samuel M. Fuchs
Title: Authorized Signatory

STATE OF ILLINOIS }
} ss.
COUNTY OF COOK }

On this 11TH day of March, 2020, before me personally appeared Samuel M. Fuchs, being by me duly sworn, did depose and say that he is the Authorized Signatory of Massman Management Company LLC, the Manager of KJ Massman, LLC, the limited liability company described in and which executed the above instrument, and that he executed this instrument in his capacity as Authorized Signatory and that he had authority to do so.

_____
Notary Public in and for said County and State

02/13/21
My Commission Expires

OFFICIAL SEAL
B D FEDOR
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:02/13/21

00086079.1

AFFIDAVIT

The following oath of consideration is required on all deeds transferring property:

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or true value, whichever is greater for this transfer is $12,000,000.00.

Affiant authorized signatory of GWL Propco GP, LLC

Subscribed and sworn before me, this 12th day of March, 2020.

Notary
PRINTED NAME: GRETA JOHNSON

GRETA JOHNSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194009288
MY COMMISSION EXPIRES 03/07/2023

GRETA JOHNSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194009288
MY COMMISSION EXPIRES 03/07/2023

## EXHIBIT "A"

## LEGAL DESCRIPTION OF THE PROPERTY

TRACT I:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING A PARCEL OF LAND IN THE 3RD CIVIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, BOUNDED ON THE NORTH BY MASSMAN DRIVE, ON THE EAST BY ACORN DRIVE, AND ON THE SOUTH BY AN L & N RAILROAD SPUR TRACK BEING LOT NO. 21 ON THE PLAN OF METROPOLITAN INDUSTRIAL PARK, SEC. 16, OF RECORD IN BOOK 3842, PAGE 274, REGISTER'S OFFICE FOR SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT ON THE SOUTHERLY MARGIN OF MASSMAN DRIVE ON THE WESTERLY MARGIN OF METROPOLITAN INDUSTRIAL PARK SECTION 5; THENCE WITH MASSMAN DRIVE NORTH 62 DEG. 02' EAST 339.65 FEET TO A CONCRETE MONUMENT, THE BEGINNING OF A CURVE TO THE LEFT; THENCE WITH SAID CURVE HAVING A RADIUS OF 799.79 FEET AND A CENTRAL ANGLE OF 19 DEG. 57' 278.48 FEET TO A CONCRETE MONUMENT, THE BEGINNING OF A RETURN RADIUS TO THE RIGHT; THENCE AROUND SAID RETURN HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 84 DEG. 37' 73.84 FEET TO A CONCRETE MONUMENT ON THE WESTERLY MARGIN OF ACORN DRIVE; THENCE WITH ACORN DRIVE SOUTH 53 DEG. 18' EAST, 88.88 FEET TO A CONCRETE MONUMENT, THE BEGINNING OF A CURVE TO THE RIGHT; THENCE AROUND SAID CURVE HAVING A RADIUS OF 451.65 FEET AND A CENTRAL ANGLE OF 45 DEG. 06' 355.51 FEET TO A CONCRETE MONUMENT; THENCE CONTINUING WITH ACORN DRIVE SOUTH 8 DEG. 12' EAST 189.56 FEET TO A POINT IN THE CENTER OF A PROPOSED RAILROAD SPUR TRACK BEING THE NORTHEASTERLY CORNER OF LOT NO. 19, METROPOLITAN INDUSTRIAL PARK, SEC. 13; THENCE WITH THE CENTERLINE OF SAID RAILROAD SOUTH 82 DEG. 18' WEST 48.92 FEET TO A CONCRETE MONUMENT, THE BEGINNING OF A CURVE TO THE LEFT; THENCE WITH SAID CURVE HAVING A RADIUS OF 2,284.29 FEET AND A CENTRAL ANGLE OF 15 DEG. 57' 635.72 FEET TO A POINT, THE SOUTHEASTERLY CORNER OF METROPOLITAN INDUSTRIAL PARK, SEC. 5; THENCE NORTH 27 DEG. 58' WEST PASSING A CONCRETE WITNESS MONUMENT AT 25.04 FEET A TOTAL DISTANCE OF 431.41 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY CONVEYED TO KJ MASSMAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY DEED FROM PARSONS NASHVILLE, A PENNSYLVANIA GENERAL PARTNERSHIP, OF RECORD IN INSTRUMENT NO. 201612150131682, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

TRACT II:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 53, ON THE REVISED METROPOLITAN INDUSTRIAL PARK, SECTION 45, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 4715, PAGE 127, IN THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION.

BEING THE SAME PROPERTY CONVEYED TO KJ MASSMAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY BY DEED FROM PARSONS NASHVILLE, A PENNSYLVANIA GENERAL PARTNERSHIP OF RECORD IN INSTRUMENT NO. 201612150131683, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Real estate taxes for the year 2020 and subsequent years not yet due and payable.

2. Local, state, and federal laws, ordinances, rules and regulations, including but not limited to, zoning ordinances.

3. Any exceptions that would be disclosed by an accurate survey of the Property.

4. All matters shown on plat(s) of record in Book 3842, Page 274 and Book 4715, Page 127, in the Register's Office of Davidson County, Tennessee.

5. Easement from George Peabody College for Teachers, a Tennessee Educational and General Welfare Corporation, to City of Nashville, acting by and through the Electric Power Board of the City of Nashville, a municipal corporation, its successors and assigns, of record in Book 2017, Page 589, in the Register's Office of Davidson County, Tennessee.

6. Terms and provisions of Landscaping Contract, of record in Instrument No. 200010200104149, in the Register's Office of Davidson County, Tennessee.

7. Rights of the Railroad Company to expand its right of way to its full charter width.

# True Copy Certification

I, JASON TISSONG, 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.

Signature

State of Illinois

County of Cook

Personally appeared before me, [~~Name of Notary~~] HEATHER PETERSON, a notary public for this county and state, [name of person making certification] who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

HEATHER R. PETERSON
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires Dec 06, 2023

Notary's Signature

My Commission Expires: 12/6/2023

Notary' Seal (if on paper)