Karen Johnson Davidson County
Batch# 579569 DEEDWARRSP
02/26/2021 02:58:30 PM 12 pgs
Fees: $63.00 Taxes: $72,150.00
20210226-0024914

THIS INSTRUMENT WAS PREPARED BY:

William H. Payne
Federal Express Corporation
3620 Hacks Cross Road
Memphis, TN 38125

NAME AND ADDRESS OF NEW OWNER:

DG Nashville Airport East Property Owner, L.P.
Attn: Joseph Walker
17304 Preston Road, Suite 550
Dallas, Texas 75252

RECORD AND RETURN TO:

Greenberg Traurig, LLP
Attn: Milos Markovic
77 West Wacker Dr., Suite 3100
Chicago, Illinois 60601

SEND TAX BILL TO: SAME

TAX PARCEL NOS.:

121 11 OA 001.00
121 11 OA 004.00
121 00 0 267.00

After recording return to:
Calloway Title and Escrow, LLC
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, GA 30319

7-01144

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made and entered into as of the 24th day of February, 2021, by FEDEX CORPORATE SERVICES, INC., a Delaware corporation ("**Grantor**"), whose mailing address is 3620 Hacks Cross Road, Memphis, Tennessee 38125, to DG NASHVILLE AIRPORT EAST PROPERTY OWNER, L.P., a Delaware limited partnership ("**Grantee**"), whose mailing address is 17304 Preston Road, Suite 550, Dallas, Texas 75252.

WITNESSETH: That for and in consideration of Ten Dollars ($10.00) cash in hand paid and other good and valuable considerations, 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 the City of Nashville, County of Davidson, State of Tennessee, to-wit:

See Exhibit "A" attached hereto and incorporated by reference (the "Property").

These being the same Property conveyed to FedEx Corporate Services, Inc., a Delaware corporation by (i) General Warranty Deed of record at Instrument No. 20080109-0002820, recorded January 9, 2008 and (ii) Special Warranty Deed of record at Instrument No. 20080109-0002821, recorded January 9, 2008, each in the Register's Office of Davidson County, Tennessee.

TO HAVE AND TO HOLD, the aforesaid Property, with all the hereditaments and appurtenances of and to the same belonging or in anywise appertaining unto Grantee, its successors and assigns forever in fee simple.

Grantor does hereby covenant and agree to and with Grantee that it has full power and lawful authority to sell and convey the Property and that Grantor is lawfully seized of the Property in fee simple; that title thereto is free, clear and unencumbered, except for the permitted exceptions set forth on **Exhibit "B"** attached hereto and made a part hereof; and, that the title and quiet

possession thereto Grantor will warrant and forever defend against the lawful claims of all persons claiming by, through and under a conveyance from Grantor but not further or otherwise.

[SIGNATURE PAGES FOLLOW.]

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.

GRANTOR:

FedEx Corporate Services, Inc.
A Delaware corporation

By: Sharon L Hawkins
Name: Sharon L. Hawkins
Title: Senior Vice President and Chief Financial Officer

CORPORATE SEAL

FedEx Legal Approved Document: WHP 2.15.2021

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, a Notary Public in and for said county, personally appeared Sharon L. Hawkins, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be Senior Vice President and Chief Financial Officer of FedEx Corporate Services, Inc., a Delaware corporation, the within named bargainor, and that she, as such Senior Vice President and Chief Financial Officer, being authorized to so do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by herself as Senior Vice President and Chief Financial Officer of FedEx Corporate Services, Inc.

Witness my hand and seal, this 17th day of February, 2021.

Susan M Thone
NOTARY PUBLIC

SUSAN M. THONE
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY
My Comm. Exp. 7-1-2023

My Commission Expires: July 1, 2023

AFFIDAVIT

I hereby swear or affirm that to the best of the undersigned's knowledge, information, and belief, the actual consideration for this transfer or value of the Property, whichever is greater, is $19,500,000.00, which amount is equal to or greater than the amount which the Property would command at a fair and voluntary sale. The Property is unimproved real property located at (i) 0 Airpark Commerce Drive, Nashville, TN 37217 (Tax Parcel No. 121110A-00100-CO), (ii) 700 Airpark Commerce Drive, Nashville, TN 37217 (Tax Parcel No. 121110A-00400-CO), and (iii) 0 Una Recreation Road, Nashville, TN 37217 (Tax Parcel No. 121000-26700).

GRANTEE:

DG NASHVILLE AIRPORT EAST PROPERTY OWNER, L.P.,
a Delaware limited partnership

By: DG Nashville Airport East Property Owner GP, LLC,
a Delaware limited liability company,
its general partner

By: _____
Name: Joseph Walker
Title: Authorized Signatory

SUBSCRIBED and sworn to before me, this 11th day of February, 2021.

_____
Notary Public
My Commission Expires: 9/6/2022

MIRA LAFFERTON
NOTARY PUBLIC
STATE OF TEXAS
ID# 124326595
EXPIRES 9-6-2022

Grantee's Name and Address for Payment of Real Property Taxes:

DG Nashville Airport East Property Owner, L.P.
17304 Preston Road, Suite 550
Dallas, Texas 75252

EXHIBIT "A"

Legal Description of Property

TRACT 1:

Being a parcel of land in the First Civil District of Nashville, Davidson County, Tennessee located south of Couchville Pike being Lot No. 4 as shown on the Final Plat of Airpark East of record in Instrument No. 200111200127754, R.O.D.C. being more particularly described as follows:

BEGINNING at an iron pin at the northwest corner of herein described Lot 4, said pin being in the southerly margin of Airpark Commerce Drive;

THENCE, with the southerly margin of Airpark Commerce Drive the following calls:

S72°43'35"E, 93.46 feet to an iron pin,

With a curve concave to the south having a central angle of 57°22'37", a radius of 270.00 feet and a chord of S44°02'29"E, 259.23 feet for an arc length of 270.38 feet to an iron pin,

S15°19'57"E, 100.11 feet to an iron pin,

With a curve concave to the east having a central angle of 67°17'25", a radius of 330.00 feet and a chord of S48°58'39"E, 365.67 feet for an arc length of 387.56 feet to an iron pin,

S82°37'22"E, 462.63 feet to an iron pin,

With a curve concave to the south having a central angle of 49°40'47", a radius of 25.00 feet and a chord of S57°47'24"E, 21.00 feet for an arc length of 21.68 feet to an iron pin,

With a curve concave to the east having a central angle of 48°10'34", a radius of 60.00 feet and a chord of S57°02'17"E, 48.98 feet for an arc length of 50.45 feet to an iron pin;

THENCE, leaving said Airpark Commerce Drive with the line between Lots 2 and 4, S07°26'45'W, 956.51 feet to an iron pin in the north line of Lucky C. Maze, et. ux. of record in Book 5484, Page 768, R.O.D.C.;

THENCE, with said Maze, N76°05'09"W, 635.32 feet to an iron pin;

THENCE, S82°17'27"W, 95.45 feet to an iron pin;

THENCE, with the west line of Lot No. 4, being the east line of Richard Joe Casey and wife, Mary of record in Deed Book 6577, Page 85, R.O.D.C., the following calls:

N18°21'29"W, 367.19 feet to an iron pin,
N07°53'19"E, 868.70 feet to an iron pin,
N15°19'57"W, 28.96 feet to an iron pin,

With a curve concave to the west having a central angle of 43°59'43", a radius of 250.00 feet and a chord of N37°19'44"W, 187.28 feet for an arc length of 191.97 feet to an iron pin,

N82°00'31"W, 145.13 feet to an iron pin,
N08°02'00"E, 50.89 feet to the point of beginning.

TRACT 2:

Being a parcel of land in the First Civil District of Nashville, Davidson County, Tennessee located south of Couchville Pike being Lot No. 1 as shown on the Final Plat of Airpark East of record in Instrument No. 200111200127754, R.O.D.C. being more particularly described as follows:

BEGINNING at an iron pin in the north line of herein described Lot No. 1 at the southeast corner of Lot No. 3 of above referenced Airpark East, said pin being S07°21'47"W, 1611.87 along the east line of said Lot 3 from the southerly margin of Couchville Pike;

THENCE, with the south line of James F. Smithson, et. ux. of record in Book 5221, Page 945, R.O.D.C., S82°32'24"E, 288.41 feet to an iron pin;

THENCE, with the south line of Werner R. Muggler of record in Instrument No. 200605110055534, R.O.D.C., S83°04'05"E, 290.19 feet to an iron pin;

THENCE, continuing with said Muggler and Elfriede Muggler of record in Instrument No. 200605110055535, R.O.D.C., S81°39'27"E, 531.79 feet to an iron pin;

THENCE, with the west line of Sallie R. Hicks, et. al. (Trustees) & T. Vaughn of record in Book 10440, Page 492, R.O.D.C., S08°29'59"W, 574.26 feet to an iron pin;

THENCE, with the line between Lots 1 and 2, N82°37'22"W, 51.00 feet to an iron pin in the terminus of Cul-De-Sac of Airpark Commerce Drive;

THENCE, with the northerly margin of Airpark Commerce Drive the following calls:

With a curve concave to the south having a central angle of 139°40'39", a radius of 60.00 feet and a chord of N62°27'42"W, 112.65 feet for an arc length of 146.27 feet to an iron pin,

With a curve concave to the west having a central angle of 49°40'47", a radius of 25.00 feet and a chord of S72°32'14"W, 21.00 feet for an arc length of 21.68 feet to an iron pin,

N82°37'22"W, 462.63 feet to an iron pin,

With a curve concave to the north having a central angle of 67°17'25", a radius of 270.00 feet and a chord of N48°58'39"W, 299.19 feet for an arc length of 317.10 feet to an iron pin,

N15°19'57"W, 100.11 feet to an iron pin,

With a curve concave to the west having a central angle of 54°35'04", a radius of 330.00 feet and a chord of N42°37'29"W, 302.63 feet for an arc length of 314.38 feet to an iron pin,

With a curve concave to the north having a central angle of 87°11'26", a radius of 25.00 feet and a chord of N26°19'18"W, 34.48 feet for an arc length of 38.04 feet to an iron pin,

N17°16'45"E, 71.41 feet to an iron pin in the south line of Lot No. 3;

THENCE, with Lot No. 3, S82°17'21"E, 65.86 feet to the point of beginning;

TRACT 3:

Being land in the First Civil District, Twenty-Ninth Councilmanic District, Nashville, Davidson County, Tennessee. Being a portion of the land conveyed to Richard Joe & Mary Casey as of record in Deed Book 6577, Page 85, R.O.D.C., being located south of Couchville Pike and east of Reynolds Road and being more particularly described as follows:

BEGINNING, at an iron rod on the northerly line of Lucky C. Maze, et. ux. as of record in Book 5484, Page 768, R.O.D.C.;

THENCE, with the lines of said Lucky C. Maze et. ux. the following calls:

N74°27'36" W, 143.32 feet to an existing iron rod,
S21°25'32" W, 352.99 feet to an existing iron rod,
S21°33'18"E, 302.73 feet to an existing iron rod,
S52°12'15" E, 225.61 feet to a set iron rod at the northwest corner of Lucky C. Maze as of record in Instrument No. 20010322002764l, R.O.D.C.;

THENCE, with the westerly line of said Maze, S38°36'23" E, 218.20 feet to an existing iron rod;

THENCE, with the west line of Gilberto Rodriquez of record in Instrument No. 2003062000824, R.O.D.C., S25°00'13" E, 166.66 feet to a set iron rod;

THENCE, S14°04'12" E, 145.23 feet to an existing iron rod on the northerly right-of-way line of Una Recreation Road;

THENCE, along the right-of-way line of Una Recreation Road, S22°36'01"W, 83.69 feet to an existing iron rod on the easterly line of Kenneth H. Peek as of record in Book 8977, Page 883, R.O.D.C.;

THENCE, with the lines of said Kenneth H. Peek the following calls:

N14°04'12"W, 208.06 feet to an existing iron rod,
N25°00'13"W, 155.44 feet to an existing iron rod,
N38°36'23"W, 205.90 feet to an existing iron rod,
N52°12'15"W, 233.70 feet to an existing iron rod,
N21°35'05"W, 228.68 feet to an existing iron rod,
N57°26'41"W, 414.52 feet to an existing iron rod,
N86°09'10"W, 389.27 feet to an existing iron rod;

THENCE, with a proposed phase line the following calls:

N58°06'27"W, 156.65 feet,
N08°52'29"W, 265.96 feet,
N17°40'23"E, 594.69 feet,
N11°38'46"W, 670.76 feet,
N34°01'40"W, 358.46 feet to a point on the southerly line of CSJ & Associates, LLC, as of record in Book 11045, Page 956, R.O.D.C.;

THENCE, along said southerly line of CSJ & Associates, LLC, S83°09'15"E, 331.08 feet to an existing iron rod at the corner of M.I. Barrett Sr., & Rachel S. Barrett Trustee, as of record in Book 10103, Page 437, R.O.D.C.;

THENCE, along the south line of said M.I. Barrett S82°44'48"E, 163.41 feet to an existing iron rod on the southerly line of Duke-Weeks Realty, L.P. as of record in Instrument No. 200012180124084, R.O.D.C.;

THENCE, with Duke-Weeks S82°44'13"E, 182.11 feet to an existing iron rod;

THENCE, S83°53'26"E, 444.91 feet to a proposed Phase Line;

THENCE, with said Phase Line the following calls:

S08°02'00"W, 190.51 feet,
S82°00'31"E, 145.13 feet,

With a curve concave to the south having a central angle of 43°59'43", a radius of 250.00 feet and a chord of S37°19'44"E, 187.28 feet for an arc length of 191.97 feet to a point,

S15°19'57"E, 28.96 feet to a point,
S07°53'19"W, 868.70 feet,
S18°21'29"E, 367.19 feet to the point of beginning;

Exhibit "B"

Permitted Exceptions

1. Real estate taxes for the year 2021 and subsequent years, a lien not yet due and payable.
2. Riparian rights incident to the land.
3. All matters shown on a complete and accurate ALTA/NSPS Land Title survey of the Property.
4. Warranty Deed (right of way purposes) from S. B. Gardner to Metropolitan Government of Nashville and Davidson County, Tennessee, dated November 26, 1971, filed for record December 7, 1971 at 3:48 p.m., recorded in Book 4559, Page 259, in the Register of Deeds in Davidson County, Tennessee.
5. Easement as contained in that certain Installment Deed by and between S. B. Gardner and John T. Wallace et ux, dated September 5, 1973, filed for record September 27, 1973 at 9:31 a.m., recorded in Book 4750, Page 217, aforesaid Records.
6. Easement as contained in that certain Warranty Deed from Stanley B. Gardner to Richard Joe Casey and Mary E. Casey, dated May 10, 1976, filed for record June 14, 1976 at 9:45 a.m., recorded in Book 5034, Page 599, aforesaid Records.
7. Easement from Richard Joe Casey and Mary Casey to Stanley B. Gardner, dated September 22, 1981, filed for record September 22, 1981 at 9:07 a.m., recorded in Book 5797, Page 73, aforesaid Records.
8. Stormwater Detention Agreement by and between Duke Weeks Construction and the Metropolitan Government of Nashville and Davidson County, dated August 31, 2001, filed for record October 5, 2001 at 10:54 a.m., recorded in Instrument No. 20011005-0108509, aforesaid Records.
9. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage from Richard Joe Casey and Mary E. Casey to Metropolitan Government of Nashville and Davidson County, Tennessee, dated July 3, 2001, filed for record July 20, 2001 at 10:58 a.m., recorded in Instrument No. 20010720-0077150, aforesaid Records.
10. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage from Richard Joe Casey and Mary E. Casey to Metropolitan Government of Nashville and Davidson County, Tennessee, dated July 3, 2001, filed for record July 20, 2001 at 11:20 a.m., recorded in Instrument No. 20010720-0077151, aforesaid Records.
11. Agreement for Dedication of Easement Water Mains and Appurtenances from Richard Joe Casey and Mary E. Casey to Metropolitan Government of Nashville and Davidson County, Tennessee, dated July 3, 2001, filed for record July 20, 2001 at 11:24 a.m., recorded in Instrument No. 20010720-0077152, aforesaid Records.
12. Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Airpark East by Duke Realty Limited Partnership, an Indiana limited partnership, dated November 15, 2001, filed for record November 15, 2001 at 4:06 p.m., recorded in Instrument No. 20011115-0125662, aforesaid Records; as amended by that certain First Amendment to Declaration of Covenants,

Conditions, Restrictions, Reservations and Easements for Airpark East by and between Duke Realty Limited Partnership, an Indiana limited partnership and Fedex Corporate Services, Inc., dated as of December 14, 2007, filed for record January 9, 2008 at 2:03 p.m., recorded in Instrument No. 20080109-0002825, aforesaid Records; as further amended by that certain Variance and Amendment to Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Airpark East by Duke Realty Limited Partnership, an Indiana limited partnership and Design Review Committee, dated August 25, 2009, filed for record August 25, 2009 at 3:46 p.m., recorded in Instrument No. 20090825-0080146, aforesaid Records; as further amended by that certain Third Amendment to Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Airpark East by Duke Realty Limited Partnership, an Indiana limited partnership, dated as of December 18, 2019, filed for record December 23, 2019 at 3:53 p.m., recorded in Instrument No. 20191223-0132622, aforesaid Records; as further amended by that certain Fourth Amendment to Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Airpark East by Duke Realty Limited Partnership, an Indiana limited partnership, dated as of September 30, 2020, filed for record October 6, 2020 at 11:05 a.m., recorded in Instrument No. 20201006-0115619, aforesaid Records; as further amended by that certain Fifth Amendment to Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Airpark East by Duke Realty Limited Partnership, an Indiana limited partnership e, dated as of the date hereof, and recorded on or about the date hereof, aforesaid Records, but omitting any restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

13. Easement Including Generators and Fuel Supply Systems from Richard Joe Casey and Mary E. Casey to BellSouth Telecommunications, Inc., a Georgia corporation, dated November 13, 2002, filed for record January 13, 2003 at 12:38 a.m., recorded in Instrument No. 20030113-0005189, aforesaid Records.
14. Easement Agreement by and between Richard Joe Casey, Mary E. Casey and Fedex Corporate Services, Inc., a Delaware corporation, dated as of December 14, 2007, filed for record January 9, 2008 at 2:02 p.m., recorded in Instrument No. 20080109-0002824, aforesaid Records.
15. Grant of Easement from Fedex Corporate Services, Inc. to Piedmont Natural Gas Company, Inc., dated November 6, 2012, filed for record December 18, 2012 at 12:12 p.m., recorded in Instrument No. 20121218-0116441, aforesaid Records.
16. Declaration of Access and Temporary Construction Easement by and between Fedex Corporate Services, Inc., a Delaware corporation and Hamilton Creek Development Company, L.L.C., a Mississippi limited liability company, dated as of April 1, 2019, filed for record October 11, 2019 at 10:50 a.m., recorded in Instrument No. 20191011-0104438, aforesaid Records.
17. All those matters as disclosed by that certain plat recorded in Instrument No. 20011120-0127754, aforesaid Records.

I, David W. Dudley, 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 GEORGIA

COUNTY OF DEKALB

Personally appeared before me, Darryl Fred Tumlin Jr., a notary public for this county and state, David W. Dudley, who acknowledges that this certificate of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

MY COMMISSION EXPIRES: 08-15-2023.

Notary's Seal (If on paper)

