Karen Johnson Davidson County
Batch# 581227 DEEDWARRSP
03/02/2021 09:29:30 AM 18 pgs
Fees: $93.00 Taxes: $185,925.00
20210302-0026144

| THIS INSTRUMENT PREPARED BY:<br>Gregory Kleiber, Esq.<br>Fox Rothschild LLP<br>2000 Market Street<br>Philadelphia, PA 19003 | | |
|---|---|---|
| ADDRESS NEW OWNER(S) AS FOLLOWS:<br><br>Velocis Lincoln Commerce SPE, LLC<br>300 Crescent Court, Suite 850<br>Dallas, Texas 75201 | SEND TAX BILLS TO:<br><br>Velocis Lincoln Commerce SPE, LLC<br>300 Crescent Court, Suite 850<br>Dallas, Texas 75201 | MAP PARCEL NUMBER:<br>093 06 2<br>034.00 |

## SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of ten dollars, cash in hand paid by the hereinafter named grantees, and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, **SUN LIFE ASSURANCE COMPANY OF CANADA**, a Canadian corporation, hereinafter called the **GRANTOR**, has bargained and sold, and by these presents does transfer and convey unto **VELOCIS LINCOLN COMMERCE SPE, LLC**, a Delaware limited liability company, hereinafter called the **GRANTEE**, its successors and assigns, that certain tract of land in Davidson County, State of Tennessee, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

BEING part of the same property conveyed to Sun Life Assurance Company of Canada, by the following deed of record in the Register's Office for Davidson County, Tennessee: Instrument Number 20160224-0017477.

This conveyance is subject to the exceptions listed on Exhibit B attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR does covenant with the said GRANTEE that GRANTOR is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out, and

GRANTOR does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to the said land to the said GRANTEE, its successors and assigns, against the lawful claims of all persons claiming under GRANTOR. Whenever used, the singular number shall include the plural, the plural the singular, and the use of any genders shall be applicable to all genders.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS, this date February 24, 2020.

SUN LIFE ASSURANCE COMPANY OF CANADA, a Canadian corporation

By: _____

Name: Alana T. Tverskov
Authorized Signer

Title: _____

By: _____

Name: Stephen Pierangeli
Authorized Signer

Title: _____

NOTARY ACKNOWLEDGEMENT

COMMONWEALTH OF MASSACHUSETTS )
)SS.:
COUNTY OF NORFOLK )

BEFORE ME, a Notary Public in and for said County and Commonwealth, personally appeared SUN LIFE ASSURANCE COMPANY OF CANADA, a Canadian corporation by Alexa R Tuerskey, its authorized signatory, and Stephen Berangeli, its authorized signatory, each personally known to me, or proved to me through satisfactory evidence of identification, to be person whose name is signed on the preceding or attached documents and acknowledged that he/she did sign the foregoing instrument for and on behalf of said SUN LIFE ASSURANCE COMPANY OF CANADA, and that the same is his/her free act and deed individually and as such duly authorized officer and the free act and deed of said SUN LIFE ASSURANCE COMPANY OF CANADA.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Wellesley Hills, Norfolk County, Commonwealth of Massachusetts on February 18 2021.

Donna M Callahan
Notary Public

**Commonwealth of Massachusetts**

DONNA M CALLAHAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 3, 2026

# AFFIDAVIT OF CONSIDERATION

**STATE OF MASSACHUSETTS**
**COUNTY OF NORFOLK**

**The actual consideration or value, whichever is greater, for this transfer is $50,250,000.00.**

**Affiant**

**Affiant**

**Subscribed and sworn to before me this the 18 day of February, 2021.**

**Notary Public**

**My commission expires:**
**(Affix Seal)**

DONNA M CALLAHAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 3, 2026

**Exhibit A-1**

**Legal Description**

**Tract 1**

Being a tract of land in the Urban Services District, Sixth Councilmanic District, Nashville, Davidson County, Tennessee, located in the southeast quadrant of the intersection of Commerce Street and Third Avenue North, being Lot No. 1 of the First Revision, A Portion of Tract 76A, Capitol Mall Redevelopment Plan, as of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

BEGINNING at a point in the easterly right-of-way of Third Avenue North at the intersection of the southerly right-of-way of Commerce Street, said point being the northwesterly corner of the subject property;

THENCE, with said southerly right-of-way of Commerce Street, N 59° 46' 37" E 104.46 feet to a point in the Westerly right-of-way of Alley No. 11;

THENCE, with said westerly right-of-way of Alley No. 11, S 30° 02' 00" E 187.45 feet to a point;

THENCE, continuing with said westerly right-of-way of Alley No. 11, S 29° 44' 48" E, 47.55 feet to a point at the northeast corner of the property conveyed to Metro Government of Nashville by deed of record in Instrument No. 200307230103194, R.O.D.C.;

THENCE, with the northerly line of said Metro Government property the following calls:

S59° 58' 00" W, 18.93 feet to a point;
N30° 02' 00" W, 30.83 feet to a point;
S59° 58' 00" W, 85.29 feet to a point in the east margin of Third Avenue North;

THENCE, with said easterly right-of-way line of Third Avenue North, N30° 02' 00" W, 203.83 feet to the point of beginning.

Being the same property conveyed to Commerce Street Associates, a Tennessee general partnership, by deed of record in Book 11268, page 269, Register's Office for Davidson County, Tennessee.

**Tract 2**

Air Space Parcel

Being a parcel of land located in the Urban Services District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of First Revision Capital Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the First Revision Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' .00" E, 203.83 feet to the common line of Lot Nos. 1 and 2 of said Capitol Mall Redevelopment Plan:

THENCE, leaving said right-of-way with the common line of Lot Nos. 1 and 2, N59° 58' 00" E, 34.00 feet to the true point of beginning;

THENCE, continuing with said common lot line the following calls:

N59° 58' 00" E, 51.29 feet to a point;
S30° 02' 00" E, 30.83 feet to a point;

THENCE, leaving said common lot line S59° 58' 00" W, 51.29 feet to a point;

THENCE, N30° 02' 00" W, 30.83 feet to the point of beginning.

The above description applies to air space between elevation 448.5 and above.

TOGETHER with a perpetual easement for building columns to be constructed and maintained with air space between elevation 436.5' and 448.5' within the above legal description.

**Tract 3**

Ingress-Egress Easement

Being a perpetual easement for ingress and egress over a parcel of land located in the Urban Services District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of First Revision Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the First Revision Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E, 286.33 feet to the true point of beginning;

THENCE, leaving said right-of-way, N59° 58' 00" E, 38.17 feet to a point;

THENCE, S30° 02' 00" E, 44.00 feet to a point;

THENCE, S59° 58' 00" W, 38.17 feet to a point in the easterly right-of-way of Third Avenue North;

THENCE, with said easterly right-of-way, N30° 02' 00" W, 44.00 feet to the point of beginning.

**Tract 4**

Fire Stairs, Elevator Shaft, Elevator Equipment Room and Mechanical Housing Air Space Parcel

Being a parcel of land located in the Urban Services District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located in the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E, 337.07 feet to a point;

THENCE, leaving said right-of-way with the northerly boundary of property conveyed to The Lin Family Limited Partnership of record in Book 11274, page 97, corrected as to Tract No. 4 Instrument No. 199912150303492, R.O.D.C., N59° 45' 54" E, 37.67 feet to the true point of beginning.

THENCE, leaving said northerly boundary of property, N30° 02' 00" W, 20.61 feet to a point;

THENCE, N59° 58' 00" E 28.52 feet to a point;

THENCE, S30° 02' 00" E, 20.51 feet to a point in the northerly boundary of aforementioned Lin Family Limited Partnership;

THENCE, with said northerly boundary S59° 45' 54" W 28.52 to the point of beginning.

Above description applies to air space between elevation 425.0 and above.

**Tract 5**

Non-Exclusive Ingress-Egress Easement

Being a perpetual non-exclusive easement for ingress and egress over a parcel of land located in the Urban Services District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said southerly right-of-way of Commerce Street N59°46'37" E, 104.46 feet to the westerly right-of-way of Alley No. 11;

THENCE, leaving said southerly right-of-way of Commerce Street with the westerly right-of-way of Alley No. 11, the following calls:

S30°02'00" E, 187.45 feet to a point;
S29°44'48" E, 47.55 feet to the common line between Lot Nos. 1 and 2 of said plat and the true point of beginning;

THENCE, continuing with said right-of-way of said Alley No. 11, S 29°44'48" E, 90.50 feet to a point;

THENCE, leaving said right-of-way S 59°58'00" W 20.35 feet to a point;

THENCE, N30° 02' 00" W, 90.50 feet to a point in the common line of Lot Nos. I and 2 of said recorded plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said common line, N59° 58' 00" E 20.80 feet to the point of beginning.

Containing 1,862 square feet or 0.04 acres more or less.

**Tract 6**

Exhaust Chase Air Space Parcel

Being a parcel of land located in the Urban Services District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said southerly right-of-way of Commerce Street, N59° 46' 37" E, 104.46 feet to the westerly right-of-way of Alley No. 11;

THENCE, leaving said southerly right-of-way of Commerce Street with the westerly right-of-way of Alley No. 11, the following calls:

S30° 02' 00"E, 187.45 feet to a point;

S29° 44' 48" E, 149.60 feet to the northerly boundary line of The Lin Family Limited Partnership of record in Book 11274, page 97, corrected as to Tract No. 4 Instrument No. 199912150303492, R.O.D.C., and the true point of beginning;

THENCE, with said northerly boundary line S59°45' 54" W, 14.29 feet to a point;

THENCE, leaving said boundary line, N30° 02' 00" W, 32.90 feet to a point;

THENCE, N 59° 58' 00" E, 14.46 feet to a point in the westerly right-of-way of Alley No. 11;

THENCE, with said westerly right-of-way, S29° 44' 48" E, 32.85 feet to the point of beginning.

Above description applied to air space between elevation 426.0 and above.

**Tract 7**

Sub-Surface Parcel

Being all of the area located below the surface of a parcel of land located in the Urban Services District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right- of-way of Third Avenue North, said parcel of land being Lot No. 2 on the recorded subdivision on plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., at elevation 425.0 extending down to elevation 351.0 and the perpetual right to maintain any and all portions of the structure, mechanical and electrical systems of the garage to be constructed below the surface of said Lot No. 2 at any elevation higher than 425.0 Said Lot No. 2 being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E 203.83 feet to the true point of beginning;

THENCE, leaving said right-of-way with the common line between Lot Nos. l and 2 the following calls:

N59° 58'00" E, 85.29 feet to a point;
N30° 02' 00"E 30.83 feet to a point;
N59° 58' 00" E, 18.93 feet to a point in the westerly right-of-way line of Alley No. 11;

THENCE, with said westerly right-of-way of Alley No. 11, S29° 44' 48" E, 102.05 feet to a point in the northwest corner of the property conveyed to The Lin Family Limited Partnership of record in Book 11274, page 97, corrected as to Tract No. 4 Instrument No. 199912150303492, R.O.D.C.;

THENCE, with said northerly line is said Lin Property, S59° 45' 54" W, 103.71 feet to a point in the easterly right of way of Third Avenue North;

THENCE, with said easterly right-of- way, N 30° 02' 00" W, 133.24 feet to the point of beginning.

**Tract 8**

Ingress/Egress Easement

Being a non-exclusive perpetual easement for ingress and egress over and across Lot No. 2, First Revision, Capital Mall Redevelopment Plan of record in Plat Book 9700, page 706, Register's Office for Davidson County, Tennessee, as provided in Book 11268, page 281, and amended in Instrument No. 20010426-0042178, said Register's Office.

**Tract 9**

Subsurface of Alley No. 11

Being the Right to encroach upon and maintain a garage under the westerly six (6) feet of Ally No. 11 as shown on the First Revision of a portion of Tract 76A Capital Mall Redevelopment Plan of record in Plat Book 9700, Page 706, Register's Office for Davidson County, Tennessee, as permitted by Metropolitan Ordinance no. 97-692.

## Exhibit A-2

## Legal Description

### Tract 1

Lot No. 1 as shown on the First Revision, A Portion of Tract 76A, Capitol Mall Redevelopment Plan, of record in Plat Book 9700, page 706, R.O.D.C., which plat is incorporated herein by reference and to which plat reference is hereby made for a more particular description.

### Tract 2

Air Space Parcel

Being a parcel of land located in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capital Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E, 203.83 feet to the common line of Lot Nos. 1 and 2 of said Capitol Mall Redevelopment Plan:

THENCE, leaving said right-of-way with the common line of Lot Nos. 1 and 2, N59° 58' 00" E, 34.00 feet to the true point of beginning;

THENCE, continuing with said common lot line the following calls:

N59° 58' 00" E, 51.29 feet to a point;
S30° 02' 00" E, 30.83 feet to a point;

THENCE, leaving said common lot line S59° 58' 00" W, 51.29 feet to a point;

THENCE, N30° 02' 00" W, 30.83 feet to the point of beginning.

The above description applies to air space between elevation 448.5 and above.

TOGETHER with a perpetual easement for building columns to be constructed and maintained with air space between elevation 436.5 and 448.5 within the above legal description.

**Tract 3**

Ingress-Egress Easement

Being a perpetual easement for ingress and egress over a parcel of land located in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right- of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E, 286.33 feet to the true point of beginning:

THENCE, leaving said right-of-way, N59° 58' 00" E, 38.17 feet to a point;

THENCE, S30° 02' 00" E, 44.00 feet to a point;

THENCE, S59° 58' 00" W, 38.17 feet to a point in the easterly right-of-way of Third Avenue North;

THENCE, with said easterly right-of-way, N30° 02' 00" W, 44.00 feet to the point of beginning.

**Tract 4**

Fire Stairs, Elevator Shaft, Elevator Equipment Room and Mechanical Housing Air Space Parcel

Being a parcel of land located in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located in the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E, 337.07 feet to a point;

THENCE, leaving said right-of-way with the northerly boundary of property conveyed to Weng-Teh Lin and wife, Keco Lin, of record in Book 10410, page 761, R.O.D.C., N59° 45' 54" E, 37.67 feet to the true point of beginning.

THENCE, leaving said northerly boundary of property, N30° 02' 00" W, 20.61 feet to a point;

THENCE, N59° 58' 00" E 28.52 feet to a point;

THENCE, S30° 02' 00" E, 20.51 feet to a point in the northerly boundary of property conveyed to Weng-Teh Lin and wife, Keco Lin, of record in Book 10410, page 761, R.O.D.C.;

THENCE, with said northerly boundary S59° 45' 54" W 28.52 to the point of beginning.

Above description applies to air space between elevation 425.0 and above.

**Tract 5**

Non-Exclusive Ingress-Egress Easement

Being a perpetual non-exclusive easement for ingress and egress over a parcel of land located in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said southerly right-of-way of Commerce Street N59°46'37" E, 104.46 feet to the westerly right-of-way of Alley No. 11;

THENCE, leaving said southerly right-of-way of Commerce Street with the westerly right-of-way of Alley No. 11, the following calls:

S30°02'00" E, 187.45 feet to a point;
S29°44'48" E, 47.55 feet to the common line between Lot Nos. 1 and 2 of said plat and the true point of beginning;

THENCE, with said right-of-way of said Alley No. 11, S 29°44'48" E, 90.50 feet to a point;

THENCE, leaving said right-of-way S 59°58'00" W 20.35 feet to a point;

THENCE, N30° 02' 00" W, 90.50 feet to a point in the common line of Lot Nos. 1 and 2 of said recorded plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said common line, N59° 58' 00" E 20.80 feet to the point of beginning.

Containing 1,862 square feet or 0.04 acres more or less.

**Tract 6**

Exhaust Chase Air Space Parcel

Being a parcel of land located in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North and being a portion of Lot No. 2 on the recorded subdivision plat of Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., and being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said southerly right-of-way of Commerce Street, N59° 46' 37" E, 104.46 feet to the westerly right-of-way of Alley No. 11;

THENCE, leaving said southerly right-of-way of Commerce Street with the westerly right-of-way of Alley No. 11, the following calls:

S30° 02' 00"E, 187.45 feet to a point;

S29° 44' 48" E, 149.60 feet to the northerly boundary line of Weng-Teh Lin and wife, Keco Lin, of record in Book 10410, page 761, R.O.D.C., and the true point of beginning;

THENCE, with said northerly boundary line S59°45' 54" W, 14.29 feet to a point;

THENCE, leaving said boundary line, N30° 02' 00" W, 32.90 feet to a point;

THENCE, N 59° 58' 00" E, 20.80 feet to a point in the southerly right-of-way of Alley No. 11;

THENCE, with said southerly right-of-way, S29° 44' 48" E, 32.85 feet to the point of beginning.

Above description applied to air space between elevation 426.0 and above.

**Tract 7**

Sub-Surface Parcel

Being all of the area located below the surface of a parcel of land located in the First Civil District, Nineteenth Councilmanic District, Nashville, Davidson County, Tennessee, located on the easterly right-of-way of Third Avenue North, said parcel of land being Lot No. 2 on the recorded subdivision of the plat of Capital Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C., at elevation 425.0 extending down to elevation 351.0 and the perpetual right to maintain any and all portions of the structure, mechanical and electrical systems of the garage to be constructed below the surface of said Lot No. 2 at any elevation higher than 425.0 Said Lot No. 2 being more particularly described as follows:

COMMENCING at the intersection of the southerly right-of-way of Commerce Street and the easterly right-of-way of Third Avenue North, said point also being the northwest corner of Lot No. 1 of the Capitol Mall Redevelopment Plan of record in Plat Book 9700, page 706, R.O.D.C.;

THENCE, with said easterly right-of-way of Third Avenue North, S30° 02' 00" E 203.83 feet to the true point of beginning;

THENCE, leaving said right-of-way with the common line between Lot Nos. 1 and 2 the following calls:

N59° 58'00" E, 85.29 feet to a point;
N30° 02' 00"E 30.83 feet to a point;
N59° 58' 00" E, 18.93 feet to a point in the westerly right-of-way line of Alley No. 11;

THENCE, with said westerly right-of-way of Alley No. 11, S29° 44' 48" E, 102.05 feet to a point in the northwest corner of the property conveyed to Weng-Teh Lin, et ux by deed of record in Book 10410, page 761, R.O.D.C.;

THENCE, with said northerly line is said Weng-Teh Lin property, S59° 45' 54" W, 103.71 feet to a point in the easterly right of way of Third Avenue North;

THENCE, with said easterly right-of- way, N 30° 02' 00" W, 133.24 feet to the point of beginning.

Tracts 1 through 7 being the same property conveyed to Commerce Street Associates, a Tennessee general partnership, by deed of record in Book 11268, page 269, Register's Office for Davidson County, Tennessee.

**Tract 8**

Ingress/Egress Easement

Being a non-exclusive perpetual easement for ingress and egress over and across Lot No. 2, First Revision, Capital Mall Redevelopment Plan of record in Plat Book 9700, page 706, Register's Office for Davidson County, Tennessee, as provided in Book 11268, page 281, and amended in Instrument No. 20010426-0042178, said Register's Office.

**Tract 9**

Subsurface of Alley No. 11

Being the Right to encroach upon and maintain a garage under the westerly six (6) feet of Ally No. 11 as shown on the First Revision of a portion of Tract 76A Capital Mall Redevelopment Plan of record in Plat Book 9700, Page 706, Register's Office for Davidson County, Tennessee, as permitted by Metropolitan Ordinance no. 97-692.

**EXHIBIT B**

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., none now due and payable.

2. All taxes for the year 2021 and subsequent years, not yet due and payable.

3. Subdivision restrictions, building lines and easements of record in Book 9700 Page 706, in the Register's Office of Davidson County, Tennessee, and as shown on the ALTA/NSPS Land Title Survey prepared by , RPLS#____, of Barge Design Solutions, Inc., dated December 11, 2020, last revised January 21, 2021, Job No. 3271302.

4. Declaration of Covenants and Easements of record in Book 11268 Page 281, amended at Instrument Nos. 20010426-0042178 and 20100902-0069927, in the aforesaid Register's Office.

5. Memorandum of Amended and Restated Development Agreement by and between Metropolitan Development and Housing Agency and Commerce Street Associates of record in Book 11268 Page 305, in the aforesaid Register's Office.

6. Capital Mall Redevelopment Project Plan, recorded in Book 10512 Page 464 and Instrument Nos. 20020626-0076795 and 20050124-0008719, in the aforesaid Register's Office.

7. Restrictive Covenants for the Capital Mall Redevelopment Plan of record in Book 7423 Page 374, Book 8421 Page 587 and Book 9208 Page 613, in the aforesaid Register's Office.

8. Terms and conditions of the Ordinance No. 097-692 of the Metropolitan County Council, also recorded in Book 11301 Page 351, in the aforesaid Register's Office.

9. Short Form Memorandum of Lease by and between Commerce Street Associates and Inflow, Inc., of record at Instrument No. 20010322-0027913, in the aforesaid Register's Office.

10. Rights of tenants in possession, as tenants only under written, unrecorded and unexpired leases with no option to purchase.

11. Any taxes for past, present or future tax years which may become due but which are not presently due and payable because of the existing tax classification of the Land as exempt. ( Easement parcel)

12. Underground encroachment- underground parking facility six feet into the western right-of-way of Alley No. 11, south of Commerce Street, as shown on said Survey.

Property Address:
211 Commerce Street
Nashville, TN 37201

Certificate of Authenticity

I, Rena Lu, do hereby make oath that I am 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.

Rena Lu

State of Tennessee

County of Shelby

Personally appeared before me, a notary public for this county and state, Rena Lu who acknowledges that this certification of an electronic document is true and correct, and whose signature I have witnessed.

Pamela Cox

Signature

MY COMMISSION EXPIRES: 3-19-2024

