Karen Johnson Davidson County
Batch# 636913 DEEDWARRSP
05/14/2021 03:05:30 PM 8 pgs
Fees: $43.00 Taxes: $15,823.67
20210514-0065648

Address New Owner:	Map-Parcel Numbers:	Send Tax Bills To:
Family Trust u/w Robert E. Harwell #II F/B/O Coleman A. Harwell, II c/o Argent Trust Company 3102 West End Ave Suite 775 Nashville, TN 37203	Map/Parcel 093-06-2-085.00 and 093-06-2-086.00	Same as New Owner
This instrument prepared by: Bradley Arant Boult Cummings LLP (JTT) 1600 Division Street, Suite 700, Nashville, TN 37203		

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of $10.00, cash in hand paid, the receipt and sufficiency of which are hereby acknowledged, **REH Investments, LLC**, A Tennessee limited liability company (the "Grantor"), has bargained and sold, and by these presents does transfer and convey to **Family Trust u/w Robert E. Harwell #II F/B/O Coleman A. Harwell, II** (the "Grantee"), Grantee's successors and assigns, its one-third (1/3) tenant-in-common interest in and to certain property located in Davidson County, Tennessee being more particularly described on **Exhibit A** attached hereto and incorporated herein by reference, together with all buildings, structures, fixtures and other improvements thereon, and all rights, interests, privileges and easements appurtenant thereto (the "Property").

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $4,276,666.67.

MILADY HEUGAS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires JULY 3, 2023

Affiant

Subscribed and sworn to before me this 5th day of May, 2021.

Notary Public

My Commission Expires: 7-3-2023

4846-2974-2312.1

This conveyance of the Property is made subject to those matters shown on **Exhibit B** attached hereto and incorporated herein by reference (the "Permitted Exceptions").

This is improved property located at 108 & 110 Second Ave. North, Nashville, Davidson County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the estate, title, interests, appurtenances and hereditaments thereunto belonging or in any wise appertaining, unto the Grantee, Grantee's successors and assigns in said one-third (1/3) tenant-in-common interest, forever.

Grantor covenants with the Grantee that Grantor is lawfully seized and possessed in the Property; that Grantor has a good right to convey the Property, and that Grantor covenants and binds itself to warrant and forever defend the title to the Property to the said Grantee, Grantee's successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor, but not further or otherwise.

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed this 5 day of May, 2021.

GRANTOR:

REH Investments, LLC

By: _____
Thomas C. Harwell
Chief Manager

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Before me, a Notary Public of the State and County aforesaid, personally appeared Thomas C. Harwell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the Chief Manager of REH Investments, LLC, the within named bargainor, a limited liability company, and that he, as such Chief Manager, being duly authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as such Chief Manager.

WITNESS my hand and seal this 5th day of May, 2021.

MILADY HEUGAS STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires JULY 3, 2023

_____
Notary Public

My Commission Expires:
7-3-2023

4846-2974-2312.1

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Being a 33.33% undivided interest in the following property situated in Davidson County, Tennessee, more particularly described as follows:

Parcel #1
Land in Davidson County, Tennessee, in the 5th Ward of the City of Nashville, being parts of Lot No, 15 on the Original Plan of Nashville, not of record, described according to a survey made by E. R, Southgate, Surveyor, January 18, 1944, as follows:

Beginning on the northerly margin of Broad Street 66 feet 8 inches east of the southeast corner of 2nd Avenue, North, and Broad Street, running thence northwardly and parallel with 2nd Avenue, North, 77 feet 6 inches to the southerly line of the property owned by McEwell Corporation; thence with McEwell's southerly line eastwardly 146 feet 5 inches to the westerly margin of 1st Avenue, North; thence with the westerly margin of said Avenue, southwardly 37 feet 6 inches to an iron pin, S. T. Ross' northeast corner: thence with his line, westwardly and parallel with Broad Street, and with the southerly wall of the filling station building now on the land being here described 63 feet 4 inches to a point in the east line of the land described as the First Tract in the deed from Jos. R. West, Clerk & Master, to Sarah F. Cohen; thence southwardly and parallel with 1st Avenue, North 40 feet to the northerly margin of Broad Street; thence with the northerly margin of said street, westwardly 83 feet to the point of beginning.

Parcel #2
Being Lot No. 15 on the Original Plan of Nashville, not of record described as follows:

Beginning on the northerly margin of Broad Street about 40 feet easterly from the easterly margin of Second Avenue North, formerly Market Street, the southwest corner of a brick building on the lot herein described; thence with the northerly margin of Broad Street, easterly, about 21 feet 7 inches to the center of the division wall; thence through the center of said wall, northerly 72 feet. to the margin of a private alley; thence with said private alley westerly, about 21 feet 7 inches to the northwest corner of said brick building; thence with the. wall of the same, southerly, about 72 feet to the beginning.

In addition thereto a certain tract or parcel of land, alley or areaway, between the northerly line of the property conveyed to McEwell Corporation by deed from Elizabeth Chambers and husband, J. D, Chambers, of record in Deed Book 1784, page 401, and the southerly line of the property conveyed to McEwell Corporation by deed from Sally Core Looney, a widow, of record in Book 1278, page 157, Register's Office of Davidson County, Tennessee, said tract of land situated in the First Civil District of Davidson County, Tennessee, extends east and west approximately 21 feet 7 inches, more or less, and north and south approximately 5 feet, more or less.

Parcel #3

Land in Davidson County, Tennessee, being part of Lot No. 15 or the Original Plan of the Town of Nashville, not of record, described as follows:

Beginning on the easterly margin of Second Avenue, North, formerly Market Street, at a point 19 feet north of the northerly margin of Broadway, formerly Broad Street, said point being the northwest corner of the property conveyed to Mrs. E. B. Shwab by deed from J. R. Whitmore of record in Book 168, page 480, Register's Office for said County; thence with the easterly margin of said Avenue, northwardly 37 feet 3 inches to the southwest corner of the property conveyed to McEwell Corporation by deed from Irvin G. Chase and wife, of record in Book 1136, page 423, said Register's Office; thence with said Corporation's southerly line, eastwardly 40 feet, more or less, lo the westerly margin of an alley; thence with said alley, southwardly 37 feet 2 inches to the northeast comer of said Shwab property; thence with the northerly line of same, westwardly 40 feet, more or less, to the beginning.

Also and together with the land, alley, or areaway between the easterly line of the above described property, the said I. Komisar and wife, Eva Komisar, did grant to the McEwell Corporation all of their right, title, and interest, if any, in and to the aforesaid property described in parcel #2 hereinabove as quit claimed from Elizabeth Chambers and husband, J, D. Chambers, to McEwell Corporation.

Parcel #4
Being part of Lot No. 1 S on the Original Plan of the Town of Nashville, not of record, described as follows:

Beginning on the easterly margin of Second Avenue North, formerly Market Street, at a point 56 feet 2 inches more or less, north of the northerly margin of Broadway, formerly Broad Street, said point being the northwest corner of the properly conveyed to I. Komlsar by deed from Vanderbilt University of record in Book 1194, page 109, Register's Office for said County; thence with the easterly margin of said Avenue northwardly 21 feet; more or less, to the southwest corner of the property conveyed to McEwell Corporation by deed from Sallie Core Looney of record in Book 1278, Page 157, said Register's Office; thence with the southerly line of same eastwardly 40 feet, more or less, to the westerly margin of an alley; thence with said alley southwardly 21 feet, more or less, to the northeast corner of said Komlsar property; thence with the northerly Iine of same westwardly 40 feet, more or less, to the beginning.

Parcel #5
In the 5th Ward of the City of Nashville, being part of Lot No. 15 on the Original Plan of Nashville, not of record, described as follows:

Beginning on the easterly margin of Second Avenue North, formerly Market Street, at a point 76 feet 8 inches, more or less, northwardly from the northerly margin of Broad Street, being the northwest corner of the lot conveyed by the Executors of the William Litterer estate to James H, Gordon by deed of record in Book 611, page 353, Register's Office for said County; running thence with the easterly margin of said Second Avenue North northwardly 26 feet 10 Inches, more or less, to the southwest corner of the lot owned by Benjamin Herman, now deceased; thence with Herman's southerly line eastwardly 213 feet to the westerly margin of First Avenue

North, formerly Front or Water Street; thence with the westerly margin of First Avenue North southwardly 26 feet 10 inches, more or less, to the northerly margin of a private alley; thence westwardly with said margin of said alley, to the northeast corner of the aforesaid Gordon lot, and continuing with said Gordon's northerly line to the point pf beginning on Second Avenue North, this southerly line of the Litterer lot measuring like its northerly line 213 feet.

Parcel #6
Land in Davidson County, Tennessee, being part of Lot 15 on the Plan of Original Town of Nashville, and further identified as Parcel 96 on Metropolitan Property Map 93-6-2. Said lot fronts 63.41 feet on the north side of Broadway and extends back 40 feet along .the west margin of First Avenue, North to a dead line in the rear, on which it measures 63.33 feet.

Parcel #7
Land in Davidson County, Tennessee, being part of Lot No. 15 on the Original Plan of Nashville, not of record, described as follows:

Beginning at a point on the easterly margin of 2nd Avenue, North, formerly Market Street, 103 feet 8 inches, north of the northerly margin of Broadway, and running thence eastwardly through the center of a party wall 210 feet to a point on the westerly margin of 1st Avenue North, formerly Front Street, 104 feet 1 inch north of the northerly margin of Broadway; thence northwardly, along the westerly margin of 1st Avenue North, 25 feet 7 inches; thence westerly through the center of a party wall, 210 feet to the easterly margin of 2nd Avenue North; thence southwardly 25 feet 9 inches to the beginning, according to a survey made on September 30, 1931, by W. B, Southgate, Surveyor.

Being the same property conveyed to REH Investments, LLC, a limited liability company, by Deed of record in Instrument No. 20160425-0040069, in the Register's Office for Davidson County, Tennessee. For further reference see Deed of record in Instrument No. 20040922-0113887, in the Register's Office for Davidson County, Tennessee; (as to an undivided one-third interest)

AND being the same property conveyed to Jonathan M. Harwell and Cumberland Trust Company, as Co-Trustees of the Jonathan M. Harwell Separate Share Trust established under the Will of Robert E. Harwell, as to an undivided one-third interest, by Quitclaim Deed of record in Instrument No. 20040922-0113888, in the Register's Office for Davidson County, Tennessee;

AND being the same property conveyed to Kirk LeMoyne Billings Harwell and Independence Trust Company, as Co-Trustees of the Family Trust under the Will of Robert E. Harwell II, by Quitclaim Deed of record in Instrument No. 20130305-0021770, in the Register's Office for Davidson County, Tennessee. See Certification of Trust of record in Instrument No. 20100201-0007762, in the Register's Office for Davidson County, Tennessee. For further reference see Quitclaim Deed of record in Instrument No. 20040922-0113889, in the Register's Office for Davidson County, Tennessee; (as to an undivided one-third interest).

For further references see Deed of record in Book 4649, Page 844 and Book 4649, Page 846; in the Register's Office for Davidson County, Tennessee. Last Will and Testament of Robert E. Harwell of record in Book 4089, page 581, in the Register's Office for Davidson County, Tennessee.

Parcel # 8 - a portion of Map Parcel 09306208600

Property situated in Davidson County; Tennessee, more particularly described as follows:

Being a part of Lot No, 15 on the original plan of the Town of Nashville, not of record, described as follows:

Fronting nineteen (19) feet on the east side of Second Avenue, North, formerly South Market Street, and running back between parallel lines and with the northern margin of Broad Street, forty (40) feet.

Being the same property conveyed to Robert E. Harwell, Jr., Jonathan McKelvey Harwell and First American Bank, Co-Trustees of a trust created under the will of Robert E. Harwell, deceased, by Deed of record in Book 4825, Page774, in the Register's Office for Davidson County, Tennessee.

EXHIBIT B

PERMITTED EXCEPTIONS

Said Property is transferred subject to the limitations, restrictions, and encumbrances set forth below.

1. Taxes for the year 2021, a lien, now due and payable.

2. Easement for party walls and interests of adjoining landowners in appurtenant improvements.

3. Rights or claims of parties in possession not shown by the public records.

4. Rights of tenants, as tenants only, under recorded or unrecorded leases, including without limitation, the following:

    a. Terms and conditions of Lease by and between Robert E. Harwell, Jr. Separate Share Trust under the Will of Robert E. Harwell, the Jonathan M. Harwell Separate Share Trust under the Will of Robert E. Harwell and the Family Trust u/w Robert E. Harwell #II F/B/O Coleman A. Harwell, II, Lessor, and Almost Famous Saloon, LLC, a Tennessee limited liability company, Lessee, as documented by the Memorandum of Lease dated November 1, 2015, of record in Instrument No. 20151102-0111431, as assigned and assumed in Assignment and Assumption of Lease of record in Instrument No. 20151102-0111432, all in the Register's Office for Davidson County, Tennessee, as amended.

    b. Terms and conditions of the Lease by and between The Robert E. Harwell Family Trust, Lessor, and Hard Rock Cafe International (TN), Inc., Lessee, as documented by the Short Form Lease dated December 23, 1993, of record in Book 9200, Page 403, in the Register's Office for Davidson County, Tennessee, as amended.

5. Easements, or claims of easements, not shown by the public records.

6. Any and all matters that would be disclosed by an accurate and complete land survey of the Property.

Certificate of Authenticity

I, Heather Wood, 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.

Heather Wood

Signature

State of Tennessee

County of Williamson

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

Brina Mathis

My commission expires: 4/21/2024

Notary's Signature

Notary's Seal (is on paper)

BRINA MATHIS
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY

202105140065648