Karen Johnson Davidson County
Batch# 662215 DEEDWARRSP
06/22/2021 01:47:10 PM 6 pgs
Fees: $33.00 Taxes: $11,100.00
20210622-0084267

THIS INSTRUMENT PREPARED BY:
BASS, BERRY & SIMS PLC (MAS)
150 Third Avenue South, Suite 2800
Nashville, Tennessee 37201

SPECIAL WARRANTY DEED

Address New Owner:	Send Tax Bills To:	Map/Parcel Number:
Perkins Hermitage Investors, LLC 1200 Fourth Street, #226 Key West, Florida 33040	Same	075-000-176.00

FOR AND IN CONSIDERATION OF the sum of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **FIVE THOUSAND B LLC**, a Tennessee limited liability company (the "Grantor") has bargained and sold, and hereby transfers and conveys, to **PERKINS HERMITAGE INVESTORS, LLC**, a Tennessee limited liability company and its successors and assigns (the "Grantee"), certain real property in Davidson County, Tennessee, being more particularly described on Exhibit A attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said property, together with the appurtenances, hereditaments, estate, title and interest thereto belonging, to Grantee, forever.

This is improved property known as 5000B Old Hickory Boulevard, Hermitage, TN 37076.

Said property is conveyed subject to the matters set forth on Exhibit B attached hereto and incorporated herein by reference.

Grantor covenants and binds itself and its successors and assigns to warrant specially and defend to Grantee forever the title to said property against the lawful claims of all persons claiming through or under Grantor (excluding claims arising out of the matters set forth on Exhibit B), but no further or otherwise.

(Next Page is Signature Page)

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument or has caused same to be executed this 22 day of June, 2021.

FIVE THOUSAND B LLC,
a Tennessee limited liability company

By: _____
Name: Harrison Truex
Title: Manager

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public having authority within the State and County aforesaid, Harrison Truex, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is a manager of FIVE THOUSAND B LLC, a Tennessee limited liability company, and is authorized by the company to execute this instrument on behalf of the company.

WITNESS my hand, at office, this 22 day of June, 2021.

_____
Notary Public

My Commission Expires: 7/3/23

ELIZABETH PUCKETT
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN

STATE OF TENNESSEE)

COUNTY OF Davidson)

The actual consideration for this transfer or value of property transferred (whichever is greater) is $3,000,000.00.

Affiant

Sworn to and subscribed before me this 22 day of June, 2021.

Notary Public

My Commission Expires:

1-8-2024

JENNIFER DIPERNA
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 01-08-2024

EXHIBIT A

Legal Description

Land located in Davidson County, Tennessee, being Lot Number 1A on the Final Plat of Hermitage Market Place, Third Revision, as of record in Plat Book 8250, page 855, Register's Office for Davidson County, Tennessee and more particularly described as follows:

Beginning at a property corner, said property corner being located on the Northeasterly right-of-way of Old Hickory Boulevard and the Southwesterly property corner of the above referenced Parcel 165; thence along the aforesaid right-of-way following a curve to the right with a Delta 06 degrees 09 minutes 37 seconds; a Radius of 1,829.86 feet, a length of 196.74 feet, a Tangent of 98.46 feet, a Chord length of 196.64 feet, a Chord Bearing of North 36 degrees 44 minutes 04 seconds West to a point; thence North 55 degrees 57 minutes 48 seconds East, 81.55 feet to a point; thence North 89 degrees 59 minutes 43 seconds East, 151.01 feet, to a point; thence following a curve to the right with Delta of 74 degrees 17 minutes 39 seconds; a Radius of 37.48 feet, a length of 48.60 feet, a Tangent of 28.39 feet, a Chord length of 45.27 feet, a Chord Bearing of South 52 degrees 51 minutes 27 seconds East, to a point; thence South 15 degrees 42 minutes 37 seconds East 87.13 feet to a point, said point being on the Northerly property line of Parcel 122, Lot 9 of said Hermitage Market Place; thence following a curve to the left with a Delta of 31 degrees 46 minutes 45 seconds, a Radius of 230.00 feet, a length of 127.57 feet, a Tangent of 65.47 feet, a Chord length of 125.94 feet, a Chord Bearing of South 65 degrees 21 minutes 17 seconds West, to a point; thence South 49 degrees 27 minutes 55 seconds West, 60.82 feet to a point on said Northeasterly right-of-way of Old Hickory Boulevard and the point of beginning.

This legal description was prepared by Ronnie D. Lawery, Registration No. 1685, E. Roberts Alley and Associates, Inc., 230 Wilson Pike Circle, Brentwood, Tennessee 37027.

Being the same property conveyed to Five Thousand B LLC, by deed of record in Instrument No. 20191121-0120489, in the Register's Office of Davidson County, Tennessee.

EXHIBIT B

Permitted Exceptions

1. Taxes and assessments for the year 2021 and subsequent years, not yet due and payable.

2. All matters shown on plat(s) of record in Book 8250, Page 855 in the Register's Office of Davidson County, Tennessee.

3. Terms and provisions of Reciprocal Cross Parking Easement Agreement by and between Steak N Shake, Inc., an Indiana corporation; Spartan Food Group, Inc., a Tennessee corporation; and First Tennessee Bank National Association, of record in Book 10741, Page 821, in the Register's Office of Davidson County, Tennessee.

4. Terms and provisions of Declaration of Easements, Restrictive Covenants, Conditions and Restrictions by First Tennessee Bank National Association, a national banking association; Home Depot U.S.A., Inc., a Delaware corporation; and Credit Suisse Leasing 92A, L.P., a Delaware limited partnership, of record in Book 10202, Page 607, in the Register's Office of Davidson County, Tennessee.

5. Terms and provisions of Storm Water Detention Agreement by and between Hermitage Market Place Company and The Metropolitan Government of Nashville and Davidson County, of record in Book 7323, Page 649, in the Register's Office of Davidson County, Tennessee.

6. Terms and provisions of Easement by and between Harry D. Dodson, and wife, Elizabeth K. Dodson; Marcelle Dodson Estes, and husband, Ralph Estes, and Metropolitan Government of Nashville and Davidson County, acting by and through the Electric Power Board of said Government, of record in Book 5647, Page 515, in the Register's Office of Davidson County, Tennessee.

7. Declaration of Restrictions and Covenants for Stormwater Facilities and Systems from Five Thousand B, LLC to Metropolitan Government of Nashville, of record in Instrument No. 202010300126641, in the Register's Office of Davidson County, Tennessee.

8. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

9. Rights of Chipotle Mexican Grill of Colorado, LLC, pursuant to an unrecorded lease.

10. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Brian M. Reifschneider, TN RLS No. 2487, Blue Ridge Surveying Services on May 12, 2021, designated N/A:

(A) The fact that the parking lot and partial parking space extend over northwest border onto adjoining land.

(B) The fact that guy wires extend over southwest border onto subject land without benefit of an easement.

(C) The fact that a power line and power pole extend over southwest border onto subject land without benefit of an easement.