Karen Johnson Davidson County
Batch# 670801 DEEDWARRSP
07/02/2021 01:00:06 PM 8 pgs
Fees: $43.00 Taxes: $26,270.00
20210702-0090209

This Instrument Was Prepared By:
CAMPBELL LAW SOLUTIONS
Attorneys At Law
P.O. Box 11187
Murfreesboro, TN 37129

Address New Owner & Send Tax Bills To:

ABP 9th Ave Holdings LLC
Attention: Ryan Bunker
850 S. Coast Highway 101
Encinitas, CA 92024

Map/Parcel 093 14 0 557.00
Map/Parcel 093 14 0 573.00

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00) cash in hand paid by the hereinafter named Grantee, and for other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, **Mitchell Binder, Trustee of the Mitchell Binder Living Trust u/a/d April 24, 2012, and Alvin Michael Binder; and Mitchell A. Binder and Alvin Michael Binder** (collectively, the "Grantor"), have bargained and sold, and by these presents do transfer and convey unto **ABP 9th Ave Holdings LLC**, a Tennessee limited liability company (the "Grantee"), in fee simple, certain real property situated in Davidson County, Tennessee, which property is more particularly described on Exhibit A which is attached hereto and made a part hereof by this reference, together with all right, title and interest of the Grantor, if any, in and to any easements and rights-of-way adjoining, abutting, or benefiting the same and together with the appurtenances, hereditaments, estate, title and interest thereto appertaining (all of the foregoing being the "Property").

TO HAVE AND TO HOLD the Property to the Grantee, its heirs, successors and assigns, in fee simple forever; subject, however, to the matters set forth in Exhibit B that is attached hereto and made a part hereof by this reference.

The Grantor covenants that the Grantor is lawfully seized and possessed of the Property; that the Grantor has full power and lawful authority to sell and convey the Property; that the Property is free from all encumbrances made or suffered by the Grantor, except to the extent otherwise set forth in Exhibit B hereto; and the Grantor will forever warrant and defend the title to the Property against all persons lawfully claiming the same from, through or under the Grantor, but not otherwise. Notwithstanding the foregoing, each of the parties constituting the Grantor only makes the foregoing warranties as to the portion of the Property being conveyed by that party.

Whenever in this instrument the terms the Grantor and the Grantee are used, such terms will be construed to include said parties, their respective heirs, legal representatives, successors and assigns, and such terms, or pronouns therefor, will be construed to include the masculine, feminine or neuter gender and the singular number will include the plural, all as the context may require.

IN WITNESS WHEREOF, the Grantor has executed this deed on this 1st day of July, 2021.

Alvin Michael Binder (as to Tract I)

Mitchell A. Binder (as to Tract I)

Mitchell Binder, Trustee of the Mitchell Binder Living Trust u/a/d April 24, 2012 (as to Tract II)

Alvin Michael Binder (as to Tract II)

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Mitchell Binder, Trustee of the Mitchell Binder Living Trust u/a/d April 24, 2012, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and upon oath acknowledged himself to be the person who executed the within instrument for the purposes therein contained.

Witness my hand and seal on this the 1st day of July, 2021.

Kathy A. Culligan
Notary Public For The State of Tennessee

KATHY A. CULLIGAN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

My Commission Expires: 3/7/2023

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Alvin Michael Binder, the bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal on this the 1st day of July, 2021.

Kathy A. Culligan
Notary Public For The State of Tennessee

KATHY A. CULLIGAN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY

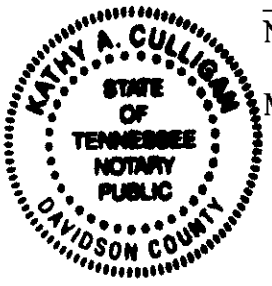
My Commission Expires: 3/7/2023

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Mitchell A. Binder, the bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal on this the 1st day of July, 2021.

Kathy A. Culligan
Notary Public For The State of Tennessee



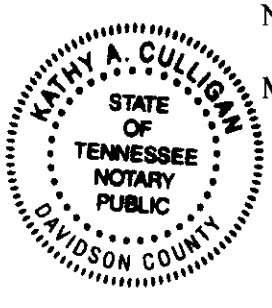
My Commission Expires: 3/7/2023

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Alvin Michael Binder, the bargainor, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and seal on this the 1st day of July, 2021.

Kathy A. Culligan
Notary Public For The State of Tennessee



My Commission Expires: 3/7/2023

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $7,100,000.00.

Affiant

Subscribed and sworn to before me, this the 1st day of July, 2021.

Notary Public For The State of Tennessee

My Commission Expires: 3/7/2023

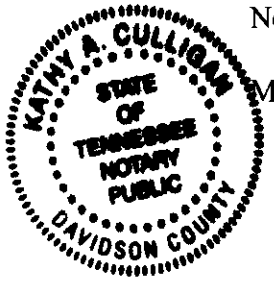


Exhibit A

Legal Description Of The Property

Land in Davidson County, Tennessee, described as follows, to-wit:

Tract I

Being a tract of land lying in Nashville, Davidson County, Tennessee, also being Lot 1 of Section Six, Edgehill Estates, as of record in Plat Book 4350, Page 39, in the Register's Office for Davidson County, Tennessee, and being more particularly described as follows:

Beginning at an existing concrete monument, in the westerly right-of-way line of 9th Avenue South, 50 feet in width, at a corner common with the property of Alvin Michael Binder and Mitchell Binder, as of record in Instrument Number 20120517-0043017, in the Register's Office for Davidson County, Tennessee, said existing concrete monument being located at Northing: 662,540.35; Easting: 1,738,045.14; on the State Plane Coordinate System NAD-83;

Thence leaving the westerly right-of-way line of 9th Avenue South, with the northerly property line of Alvin Michael Binder and Mitchell Binder, North 83 degrees 40 minutes 15 seconds West, 140.00 feet to a PK nail set in the easterly right-of-way line of Alley Number 231, 20 feet in width;

Thence, with the easterly right-of-way line of Alley Number 231, North 06 degrees 19 minutes 45 seconds East, 62.00 feet to a PK nail set, at a corner common with Mamie Mooney Regan, as of record in Deed Book 700, Page 696, in the Register's Office for Davidson County, Tennessee;

Thence, leaving the easterly right-of-way line of Alley Number 231, with the southerly property line of Mamie Mooney Regan, South 83 degrees 40 minutes 15 seconds East, 140.00 feet to a PK nail set, in the westerly right-of-way line of 9th Avenue South;

Thence, with the westerly right-of-way line of 9th Avenue South, South 06 degrees 19 minutes 45 seconds West, 62.00 feet to the Point of Beginning. Containing 8,680 square feet or 0.199 acres more or less.

Derivation

Being the same property conveyed to Mitchell A. Binder, as to an undivided fifty percent (50%) interest, and Alvin Michael Binder, as to an undivided fifty percent (50%) interest, said interests being held as tenants in common, by warranty deed from Stephen M. Maxwell, of record in Instrument Number 20131031-0112901, in the Register's Office for Davidson County, Tennessee.

Address and Tax Map/Parcel Information

This is improved property located at 611 9th Avenue South, Nashville, Tennessee 37203 [Map/Parcel No. 093 14 0 557.00].

Tract II

Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Edgehill Estates, Section Sixty-Eight, of record in Book 4595, Page 156, in the Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete legal description thereof.

Derivation

Being the same property conveyed to Mitchell Binder, Trustee of the Mitchell Binder Living Trust u/a/d April 24, 2012, by quitclaim deed from Mitchell Aaron Binder as to his undivided fee ownership interest as a tenant in common, of record in Instrument Number 20120517-0043017, in the Register's Office for Davidson County, Tennessee.

Also being the same property conveyed to Mitchell Aaron Binder and Alvin Michael Binder, as tenants in common, by warranty deed from Todd W. Clodfelter and Kimberly Charise Clodfelter, of record in Instrument Number 20110812-0062403, in the Register's Office for Davidson County, Tennessee.

Address and Tax Map/Parcel Information

This is improved property located at 615 9th Avenue South, Nashville, Tennessee 37203 [Map/Parcel No. 093 14 0 573.00].

Exhibit B

Permitted Exceptions

1. All matters shown on the Plan of Record in Book 4350, Page 39, in the Register's Office for Davidson County, Tennessee.

2. Restrictive Covenants and Agreements contained in the Deed in Book 4383, Page 312, in the Register's Office for Davidson County, Tennessee.

3. Restrictive Covenants for the Edgehill Urban Renewal Project in Book 4220, Page 723, and Book 6236, Page 263, in the Register's Office for Davidson County, Tennessee.

4. Restrictive Covenants for the Arts Center Redevelopment Plan in Book 10965, Page 404, Book 11625, Page 252, and recorded in Instrument No. 20020715-0084598, in the Register's Office for Davidson County, Tennessee.

5. All matters shown on the Plan of Edgehill Estates, Section Sixty-Eight, of record in Book 4595, Page 156, in the Register's Office for Davidson County, Tennessee.

6. Easements for utilities retained in the Metropolitan County Council Bill No. 72-368, of record in Book 4659, Page 7, in the Register's Office for Davidson County, Tennessee.

7. General Covenants and Restrictions as set out in the Deed of record in Book 4899, Page 789, in the Register's Office for Davidson County, Tennessee.

8. Certificate of Compliance of record in Book 7177, Page 423, in the Register's Office for Davidson County, Tennessee.

9. All matters shown on the survey of 611 & 615 9th Avenue South by Michael H. Charette, R.L.S. #2048, of Cherry Land Surveying, Inc., dated April 28, 2021.

10. Taxes and assessments for the year 2021 and subsequent years.

11. Matters as would be disclosed by a visible inspection of the property.