Karen Johnson Davidson County
Batch# 780864 DEEDWARRSP
12/29/2021 08:15:29 AM 6 pgs
Fees: $33.00 Taxes: $141,340.00
20211229-0170858

This Instrument Prepared By:
Reno & Cavanaugh, PLLC
424 Church Street, Suite 2910
Nashville, Tennessee 37219
Attn: Tracy L. Childress

SPECIAL WARRANTY DEED

Address New Owner(s):	Send Tax Bills to:	Map-Parcel No.
EC Burning Tree Acquisition, LLC 4608 Cactus Lane Austin, Texas 78745	EC Burning Tree Acquisition, LLC 4608 Cactus Lane Austin, Texas 78745	066J A 014.00

STATE OF ~~TENNESSEE~~ Alabama)
COUNTY OF Jefferson)

The actual consideration or value, whichever is greater, for this transfer is Thirty-Eight Million Two Hundred Thousand and 00/100 Dollars ($38,200,000.00).

Affiant

SUBSCRIBED AND SWORN TO before me, this the 23 day of December, 2021.

Notary Public

My Commission Expires:

WADE AGERTON WOOD MY COMMISSION EXPIRES MARCH 8, 2025 NOTARY PUBLIC STATE OF ALABAMA

For and in consideration of the sum of Thirty-Eight Million Two Hundred Thousand and 00/100 Dollars ($38,200,000.00), the receipt and sufficiency of which are hereby acknowledged, BURNING TREE TN, L.P., a Tennessee limited partnership ("Grantor"), has bargained and sold, and by these presents does transfer and convey unto EC BURNING TREE ACQUISITION, LLC, a Tennessee limited liability company ("Grantee"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, more particularly described on Exhibit A attached hereto and incorporated herein by this reference, together with all improvements, buildings, and structures located thereon (the "Property").

The Property is improved property known as 345 Burning Tree Drive, Hermitage, Tennessee 37076.

WADE AGERTON WOOD MY COMMISSION EXPIRES MARCH 8, 2025 NOTARY PUBLIC STATE OF ALABAMA

This conveyance is expressly made subject to those matters more specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

To have and to hold the Property with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors and assigns in fee simple forever.

Grantor does covenant with Grantee that Grantor is lawfully seized and possessed of the Property in fee simple and Grantor has a good right to convey the Property.

Grantor covenants with Grantee that Grantor has not made, done, executed, allowed or suffered any act, instrument or thing whatsoever whereby said land, or any part thereof, now or at any time hereafter shall be charged or encumbered in any manner whatsoever.

Grantor further covenants and binds Grantor, its successors, and assigns to warrant and defend the title to the Property to Grantee, its successors and assigns, against the lawful claims of all persons whomsoever claiming title against all acts of the Grantor herein and no other (except claims arising from the matters set forth on Exhibit B), but not further or otherwise. This conveyance is expressly made subject to the matters set forth on Exhibit B.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

Witness my hand this 28th day of December, 2021.

SELLER:

BURNING TREE TN, L.P., a Tennessee limited partnership

By: FWB Burning Tree, LLC, a Tennessee limited liability company, its General Partner

By: _____
Name: William H. Freeman
Title: Chief Manager

CRISTINA E. STANFILL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Cristina Stanfill, a Notary Public of said state and county, personally appeared William H. Freeman, 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 FWB Burning Tree, LLC, a Tennessee limited liability company, the sole general partner of Burning Tree TN, L.P., the within named bargainor, a Tennessee limited partnership, and that he, as such officer of the General Partner of Burning Tree TN, L.P., being duly authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of Burning Tree TN, L.P. by himself as Chief Manager of the General Partner.

Witness my hand and seal at Office in Nashville, Tennessee, the 22 day of December, 2021.

_____
Notary Public

My Commission expires: My Commission Expires March 7, 2023

(Signature Page to Special Warranty Deed)

EXHIBIT A

Legal Description

Being a parcel of land in the Twelfth Councilmanic District of Nashville, Davidson County, located at the northeast corner of Old Hickory Boulevard and Central Pike being more particularly described as follows:

BEGINNING at a point in the easterly margin of Old Hickory Boulevard, said point being approximately 445 feet northerly along said margin from the northerly margin of Central Pike; Thence, leaving said margin of Old Hickory Boulevard with the easterly line of Davco-O.H. Blvd Properties of record in Deed Book 9159, page 798, R.O.D.C., N 05 degrees 44' 57" E, 461.96 feet to a concrete monument; Thence, N 04 degrees 41' 11" E 516.13 feet to an iron pin in the southerly line of Robert E. Earheart, of record in Deed Book 5637, page 759, R.O.D.C.; Thence, with said line of Earheart, S 57 degrees 36' 57" E, 780.96 feet to an iron pin; Thence, S 65 degrees 48' 20" E, 286.95 feet to an iron pin in the westerly line of The Gleaves Family Partnership of record in Instrument Number 20011220-140875, R.O.D.C.; Thence, with said Gleaves, S 03 degrees 30' 41" W, 1001.43 feet to an iron pin; Thence, leaving said Gleaves, with the north line of Ricky McClintock, of record in Instrument Number 20040625-75481, R.O.D.C., N 83 degrees 14' 13" W, 234.55 feet to a corner post; Thence continuing with said McC!intock of record in Instrument Number 20040625-75481, R.O.D.C., N 83 degrees 48' 55" W, 193.53 feet to an angle iron; Thence, S 12 degrees 27' 05" W, 110.99 feet to a point in the northerly margin of Central Pike; Thence, with said margin, and a curve concave to the north having a central angle of 04 degrees 31' 39" ,a radius of 1072.93 feet and a chord of N 62 degrees 43' 17" W, 84.76 feet for an arc length of 84.78 feet to a point; Thence, leaving said Central Pike, with the property of Teachers Retirement System of Kentucky of record in Instrument Number 20000825-84161, R.O.D.C., the following calls:

N 29 degrees 41' 29" E, 178.00 feet to a point;
N 19 degrees 00' 00" W, 233.00 feet to a point;
N 70 degrees 30' 00" W, 50.00 feet to a point;
Thence along or near the northerly line of Ilene Gibbs of record in Instrument Number 2003082-121786, R.O.D.C., the following call:
N 50 degrees 00' 00" W, 230.00 feet to a point;
N 73 degrees 22' 05" W, 52.47 feet to a point;
S 66 degrees 29' 22" W, 140.00 feet to a point in the easterly margin of Old Hickory Boulevard;

Thence, with said margin and a curve concave to the west having a central angle of 01 degrees 47' 31" a radius of 2939.79 feet and a chord of N 23 degrees 28' 07" W, 91.94 feet for an arc length of 91.94 feet to the point of beginning, containing 985,215 square feet or 22.62 acres, more or less.

Cemetery:

Included in the above described property but expressly excluded therefrom is the following described Gleaves Cemetery:

The Point of Beginning of said cemetery lies S 67 degrees 18' 12" E, 359.93 feet from the concrete monument at the end of the first call of the above described property:
Thence with a fence, N 02 degrees 53' 41" E, 104.29 feet to a point;
Thence N 89 degrees 58' 32" E, 127.93 feet to a point;
Thence S 04 degrees 26' 20" W, 115.53 feet to a point;
Thence N 84 degrees 57' 11" W, 124.74 feet to the point of beginning, containing 13,835 square feet or 0.32 acres, more or less.

TOGETHER WITH a perpetual nonexclusive easement (Easement 3) for ingress and egress as granted to Burning Tree Associates, Ltd. by Deed of Record in Book 5553, page 20, said Register's Office, and being described as follows:

Beginning at a point, said point being 358.16 feet along the easterly margin of Old Hickory Boulevard from the intersection with the northerly margin of Central Pike; thence, North 66 degrees 29' 22" East, a distance of 140.00 feet; thence, South 73 degrees 22' 05" East, a distance of 52.47 feet; thence, South 50 degrees 00' 00" East, a distance of 90.00 feet to the point of beginning; thence, South 40 degrees 55' 20" East, a distance of 82.53 feet to a point; thence South 50 degrees 00' 00" East, a distance of 50.00 feet to a point; thence South 70 degrees 30' 00" East, a distance of 70.00 feet to a point; thence North 19 degrees 00' 00" West, a distance of 12.00 feet to a point; thence North 70 degrees 30' 00" West, a distance of 50.00 feet to a point; thence, North 50 degrees 00' 00" West, a distance of 140.00 feet to the point of beginning and containing 1,796 square feet or 0.04 acre.

TOGETHER WITH Easements to Burning Tree Associates, Ltd., as set forth in instrument recorded in Book 5193, Page 821 and Book 5194, Page 548, in said Register's Office, as shown on the Survey.

Being the same property conveyed to Burning Tree TN, L.P., a Tennessee limited partnership, at Instrument No. 20050603-0063701, in said Register's Office for Davidson County, Tennessee.

The description of the Property was obtained from a survey dated November 22, 2021, last revised December 17, 2021, prepared by Alan Cummings of Crawford & Cummings, P.C., Project No. 21-077 (the "Survey").

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Taxes for the year 2022 and future taxes.

2. Title to that portion of the property within the bounds of the cemetery reserved in instrument recorded in Book 5193, Page 816, in the Register's Office of Davidson County, Tennessee, together with rights of ingress and egress thereto.

3. Easements for Right of Way to Family Graveyard reserved in instrument of record in Book 5194, Page 551, in said Register's Office.

4. Agreements for Dedication of Easement for Sanitary Sewers and/or Storm Drainage to Metropolitan Government of Nashville and Davidson County, Tennessee, as set forth in instruments recorded in Book 11563, page 522 and Instrument No. 20040514-0056661, in said Register's Office.

5. Agreements for Dedication of Easement for Sanitary Sewers to American Development, LLC as of record in Book 11057, Page 784 and Book 11057, Page 787, in said Register's Office.

6. Terms and conditions contained in the Easement(s) to Burning Tree Associates, Ltd., as set forth in instruments recorded in Book 5193, page 821 and Book 5194, page 548, in said Register's Office.

7. Declaration of Land Use Restrictive Covenants for Low-Income Housing Tax Credits of record in Instrument No. 20060229-0160401, in said Register's Office.

8. Grant of Easement of record in Instrument No. 20081125-0115439, in said Register's Office.