PREPARED BY:

Clark Business Law, PLLC
199 N. 290 West, Suite 100
Lindon, UT 84042

RETURN RECORDED TO:

300 Hickory Apartments, LLC
2097 Graybar Lane, #C2
Nashville, TN 37215

Karen Johnson Davidson County
Batch# 884139 DEEDWARRSP
07/05/2022 11:58:30 AM 9 pgs
Fees: $48.00 Taxes: $190,550.00
20220705-0077339

ADDRESS OF NEW OWNER:

300 Hickory Apartments, LLC
2097 Graybar Lane, #C2
Nashville, TN 37215

SEND TAX BILLS TO:

300 Hickory Apartments, LLC
2097 Graybar Lane, #C2
Nashville, TN 37215

MAP-PARCEL NO.:

No. 16300005700

First American Title
National Commercial Services
NCS File # 112306

SPECIAL WARRANTY DEED

Effective as of July 1, 2022, PC Hickory, LLC, a Utah limited liability company, ("*Seller*"), whose address is 4956 North 300 West, Suite 300, Provo, Utah 84604, in consideration of Ten Dollars and other good and valuable consideration, the receipt of which is acknowledged, hereby conveys and warrants against all claiming by, through or under it, but not otherwise, to 300 Hickory Apartments, LLC, a Delaware limited liability company the tract of land in the County of Davidson, State of Tennessee, more particularly described on Exhibit A attached hereto, subject to all equitable claims, matters of record and the matters listed on Exhibit B attached hereto.

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IN WITNESS WHEREOF, this Special Warranty Deed is executed by Seller this 28 day of June, 2022.

PC Hickory, LLC,
a Utah limited liability company

By: PC Hickory Holdings SPE, LLC,
a Delaware limited liability company,
its Managing Member

By: PC-O JV Holdings, LLC,
a Delaware limited liability company,
its Sole Member

By: PCMFM, LLC,
a Utah limited liability company,
its Managing Member

By: _____
Name: Jeff Danley
Title: Manager

STATE OF UTAH)
): ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this 28th day of June, 2022 by PCMFM, LLC, a Utah limited liability company, as the managing member of PC-O JV Holdings, LLC, the sole member of PC Hickory Holdings, LLC, the managing member of PC Hickory, LLC.

_____
NOTARY PUBLIC
Residing at: Utah
My Commission Expires: 4/13/2026

OLIVIA LINDSLEY
Notary Public - State of Utah
Comm. No. 724151
My Commission Expires on
Apr 13, 2026

STATE OF Tennessee
COUNTY OF Williamson

I, RANDALL A. HOLLAND, IN MY CAPACITY AS MANAGER OF BMR 1 LLC, A WYOMING LIMITED LIABILITY COMPANY, AS MANAGER OF 300 HICKORY APARTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, SWEAR OR AFFIRM THAT THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $51,500.000.00.

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 29 DAY OF June, 2022.

NOTARY PUBLIC

ROBERT EDWARDS
TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON

My Commission expires: 4/10/2023

EXHIBIT "A" TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION OF PROPERTY

Real property in Davidson County, State of Tennessee, described as follows:

TRACT 1:

A CERTAIN TRACT OR PARCEL OF LAND IN THE 28TH COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE. SAID TRACT BEING BOUNDED ON THE NORTH BY MOUNT VIEW ROAD AND A. J. RAINEY, ET UX, OF RECORD IN BOOK 2245, PAGE 528, REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE (R.O.D.C.), ON THE EAST BY LOT 4, SECTION ONE, HICKORY HOLLOW MALL, RING ROAD AND LOT 1, SECTION ONE, HICKORY HOLLOW MALL, OF RECORD IN BOOK 5050, PAGE 25, R.O.D.C., ON THE SOUTH BY LOT D-2, HICKORY HOLLOW MALL, SECTION 17, REVISION 1 OF RECORD IN INSTRUMENT NO. 200211200144169, R.O.D.C. AND PATRICIA DALE SAPP OF RECORD IN BOOK 10548, PAGE 109, R.O.D.C., ON THE WEST BY HICKORY HOLLOW TOWNHOMES, PHASE 1 OF RECORD IN BOOK 9700, PAGE 539, R.O.D.C. AND MILL PARK, PHASE 2, OF RECORD IN INSTRUMENT NO. 200007060066999, R.O.D.C., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT (OLD) IN THE SOUTHERLY RIGHT-OF-WAY OF MOUNT VIEW ROAD, SAID MONUMENT BEING THE NORTHEAST CORNER OF THE SUBJECT TRACT AND THE NORTHWEST CORNER OF THE SAID LOT 4, SECTION 1, HICKORY HOLLOW MALL; THENCE LEAVING SAID MOUNT VIEW ROAD, WITH THE WESTERLY LINE OF SAID LOT 4, SECTION 1, HICKORY HOLLOW MALL AND SAID LOT D-2, HICKORY HOLLOW MALL SECTION 17, REVISION 1, SOUTH 21 DEGREES 04 MINUTES 27 SECONDS WEST, 1000.42 FEET TO AN IRON ROD (OLD) IN THE WESTERLY RIGHT-OF-WAY OF SAID RING ROAD; THENCE,

WITH THE WESTERLY RIGHT-OF-WAY OF SAID RING ROAD, WITH A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 32 DEGREES 58 MINUTES 00 SECONDS, A RADIUS OF 700.00 FEET, AN ARC LENGTH OF 402.76 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 35 MINUTES 28 SECONDS WEST, 397.23 FEET TO A P-K NAIL (NEW); THENCE,

CONTINUING WITH SAID RING ROAD, WITH A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 04 DEGREES 57 MINUTES 47 SECONDS, A RADIUS OF 360.00 FEET, AN ARC LENGTH OF 31.18 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 14 DEGREES 50 MINUTES 15 SECONDS EAST, 31.17 FEET TO AN IRON ROD (OLD), SAID IRON ROD (OLD) BEING THE NORTHEAST CORNER OF LOT D-2, HICKORY HOLLOW MALL, SECTION 17, REVISION 1; THENCE,

LEAVING SAID RING ROAD, WITH SAID LOT D-2, FOR THE NEXT 3 CALLS:

1. WITH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 62 DEGREES 44 MINUTES 56 SECONDS, A RADIUS OF 136.28 FEET, AN ARC LENGTH OF 149.25 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 77 DEGREES 47 MINUTES 04 SECONDS WEST, 141.90 FEET TO AN IRON ROD (OLD); THENCE,

2. NORTH 45 DEGREES 28 MINUTES 25 SECONDS WEST, 100.97 FEET TO AN IRON ROD (OLD); THENCE,

3. SOUTH 44 DEGREES 16 MINUTES 04 SECONDS WEST, 315.61 FEET TO AN IRON ROD (OLD) WITH CAP STAMPED "LITTLE JOHN", SAID IRON ROD (OLD) BEING THE NORTHEAST CORNER OF PATRICIA DALE SAPP PROPERTY; THENCE,

WITH THE NORTHERLY LINE OF SAID SAPP PROPERTY, NORTH 58 DEGREES 26 MINUTES 22 SECONDS WEST, 312.30 FEET TO AN IRON ROD (OLD), SAID IRON ROD (OLD) BEING THE NORTHEAST CORNER OF LOT 2, HICKORY HOLLOW TOWNHOMES AND THE SOUTHEAST CORNER OF PHASE 1 HICKORY HOLLOW TOWNHOMES; THENCE,

WITH SAID PHASE 1 AND MILL PARK, PHASE 2 FOR THE NEXT 3 CALLS:

1. NORTH 12 DEGREES 40 MINUTES 27 SECONDS EAST, 735.10 FEET TO AN IRON ROD (OLD); THENCE,

2. NORTH 04 DEGREES 16 MINUTES 58 SECONDS EAST, 249.62 FEET TO AN IRON ROD (OLD); THENCE,

3. NORTH 05 DEGREES 57 MINUTES 43 SECONDS EAST, 264.96 FEET TO AN IRON ROD (OLD), SAID IRON ROD (OLD) LYING IN THE SOUTHERLY LINE OF SAID A.J. RAINEY PROPERTY; THENCE,

WITH THE SOUTHERLY LINE OF SAID A. J. RAINEY PROPERTY, SOUTH 83 DEGREES 29 MINUTES 36 SECONDS EAST, 480.95 FEET TO AN IRON ROD (OLD), SAID IRON ROD (OLD) BEING THE SOUTHEAST CORNER OF SAID RAINEY PROPERTY; THENCE,

WITH THE EASTERLY LINE OF SAID RAINEY PROPERTY, NORTH 00 DEGREES 05 MINUTES 07 SECONDS WEST, 228.84 FEET TO A CONCRETE MONUMENT (OLD) IN THE SOUTHERLY RIGHT-OF-WAY LINE OF MOUNT VIEW ROAD; THENCE,

LEAVING SAID RAINEY PROPERTY, WITH SAID RIGHT-OF-WAY, SOUTH 78 DEGREES 12 MINUTES 00 SECONDS EAST, 404.19 FEET TO THE POINT OF BEGINNING.

TRACT 2:

EASEMENT(S) BENEFITING TRACT 1 AS SET FORTH IN DEED OF DECLARATION OF RECORD IN BOOK 5091, PAGE 533; AS AFFECTED BY FIRST AMENDMENT TO DEED OF DECLARATION IN BOOK 5249, PAGE 450; AND SECOND AMENDMENT TO DEED OF DECLARATION IN BOOK 5318, PAGE 762, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

TRACT 3:

EASEMENT(S) BENEFITING TRACT 1 AS SET FORTH IN PERMANENT ACCESS EASEMENT OF RECORD IN BOOK 5951, PAGE 14, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED TO PC HICKORY, LLC, A UTAH LIMITED LIABILITY COMPANY, BY DEEDS FROM NEW BIRNAM WOOD ASSOCIATES, L.P., A PENNSYLVANIA LIMITED PARTNERSHIP, OF RECORD IN INSTRUMENT NO. 201311070115589; AND INSTRUMENT NO. 201311070115590, IN THE REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

EXHIBIT "B" TO SPECIAL WARRANTY DEED

PERMITTED EXCEPTIONS

1. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

2. Taxes and assessments for the year 2022, as prorated through the date hereof, and subsequent years.

3. All matters shown on plat(s) of record in Book 5200, Page 726, in the Register's Office of Davidson County, Tennessee.

4. Terms and provisions of Deed of Declaration, by Hickory Hollow Associates, a joint venture comprised of Hickory Hollow Mall, Inc., a Georgia corporation, and Intereal Company, a Tennessee corporation, of record in Book 5091, Page 533; as affected by First Amendment to Deed of Declaration in Book 5249, Page 450; and Second Amendment to Deed of Declaration in Book 5318, Page 762, in the Register's Office of Davidson County, Tennessee.

5. Terms and provisions of Restated and Amended Declaration of Protective Covenants for Hickory Hollow, by Hickory Hollow Associates, a Joint Venture composed of Hickory Hollow Mall, Inc., a Georgia corporation, and Intereal Company, a Tennessee corporation, of record in Book 5441, Page 968; as affected by Amendment to Restated and Amended Declaration of Protective Covenants for Hickory Hollow in Book 5792, Page 491; Second Amendment to Restated and Amended Declaration of Protective Covenants for Hickory Hollow in Book 5951, Page 26; Third Amendment to Restated and Amended Declaration of Protective Covenants for Hickory Hollow of record in Book 6011, Page 163; and Fourth Amendment to Restated and Amended Declaration of Protective Covenants for Hickory Hollow in Book 6095, Page 948, in the Register's Office of Davidson County, Tennessee.

6. Terms and provisions of Permanent Access Easement, by and between Sears, Roebuck and Co., a New York corporation and Hickory Hollow Associates, a joint venture comprised of Hickory Hollow Mall, Inc., a Georgia corporation, and Intereal Company, a Tennessee corporation, of record in Book 5951, Page 14, in the Register's Office of Davidson County, Tennessee.

7. Matters contained in Deed of record in Book 6095, Page 957, in the Register's Office of Davidson County, Tennessee.

8. Terms and provisions of Storm Water Detention Agreement, by and between American Diversified Capital Corporation and The Metropolitan Government of Nashville and

Davidson County, of record in Book 6255, Page 82, in the Register's Office of Davidson County, Tennessee.

9. Terms and provisions of Deed of Conveyance, by and between American Diversified Capital Corp. and The Metropolitan Government of Nashville and Davidson County, Department of Water and Sewerage Services, its successors and assigns, of record in Book 6518, Page 931, in the Register's Office of Davidson County, Tennessee.

10. Terms and provisions of Grant of Easement, by and between New Birnam Wood Associates, L.P. and Comcast of Nashville I, LLC, its successors and assigns, of record in Instrument No. 201305170050156, in the Register's Office of Davidson County, Tennessee.

11. Terms and provisions of Grant of Easement, by and between PC Hickory LLC and Comcast of Nashville I, LLC, its successors and assigns, of record in Instrument No. 201707170071456, in the Register's Office of Davidson County, Tennessee.

12. That portion of the land embraced within the bounds of any public road or thoroughfare.

13. Rights of tenants, as tenants only, as reflected in the rent roll certified by Seller and delivered to 300 Hickory Apartments, LLC on the date hereof.

Tennessee Certification of Electronic Document

I, Aaron C. Hansen, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on July 1, 2022 (date of document).

Affiant Signature

7/1/2022
Date

State of Utah
County of Salt Lake

Sworn to and subscribed before me this 5th day of July, 2022.

Notary's Signature

MY COMMISSION EXPIRES: 3/12/26

NOTARY'S SEAL

CANDICE BRUIN
Notary Public State of Utah
My Commission Expires on:
March 12, 2026
Comm. Number: 723277