SPECIAL WARRANTY DEED

Karen Johnson Davidson County
Batch# 921955 DEEDWARRSP
09/27/2022 12:55:30 PM 8 pgs
Fees: $43.00 Taxes: $29,785.00
20220927-0106888

File No. LG-21-1551

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $8,050,000.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 26th day of SEPTEMBER, 2022

Notary Public

MY COMMISSION EXPIRES:

(AFFIX SEAL)

RYAN LUX
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 01-02-2024

THIS INSTRUMENT WAS PREPARED BY
Magnolia Title & Escrow, Inc., 1104 Fatherland Street, Nashville, TN 37206

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
LBH Clarksville Pike, LLC	New Owner	
(NAME)	(NAME)	
1315 N. North Branch Street, Suite D		069-12-0-091.00;
		069-12-0-001.00
(ADDRESS)	(ADDRESS)	
Chicago, IL 60642		
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, I/we, **EUGENE CARROLL WHEELER AND EUGENE JOSEPH WHEELER, AS JOINT TENANTS WITTH THE RIGHTS OF SURVIVORSHIP**, HEREINAFTER CALLED THE GRANTOR, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO **LBH CLARKSVILLE PIKE, LLC, A DELAWARE LIMITED LIABILITY COMPANY**, HEREINAFTER CALLED THE GRANTEE, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

TRACT I:

PROPERTY LOCATED IN THE 13TH CIVIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A SURVEY BY WAMBLE AND ASSOCIATES ON FEBRUARY 23, 1987, AS FOLLOWS:

BEGINNING AT AN IRON ROD, SET THIS SURVEY, LOCATED ON THE NORTHERN RIGHT-OF-WAY OF HYDES FERRY PIKE (STATE ROUTE 12), SAID ROD ALSO BEING 694.40 FEET IN A WESTERLY DIRECTION FROM AN EXISTING CONCRETE HIGHWAY RIGHT-OF-WAY MONUMENT AT THE NORTHWEST INTERSECTION OF SAID NORTHERN RIGHT-OF-WAY AND THE WESTERN RIGHT-OF-WAY OF CLARKSVILLE PIKE (UNITED STATES HIGHWAY 41A, STATE ROUTE 112). THENCE, FOLLOWING SAID NORTHERN RIGHT-OF-WAY WITH A BEARING OF NORTH 31 DEGREES 22 MINUTES 55 SECONDS WEST A DISTANCE OF 471.58 FEET TO AN IRON ROD. SET THIS SURVEY; THENCE, LEAVING SAID NORTHERN RIGHT-OF-WAY NORTH 19 DEGREES 34 MINUTES 07 SECONDS WEST 123.24 FEET TO AN IRON ROD, SET THIS SURVEY; SAID ROD BEING THE NORTHEAST CORNER OF PROPERTY CONVEYED TO EARL T. HUTCHENS BY RECORD IN DEED BOOK 4532, PAGE 922 R.O.D.C., TENNESSEE; THENCE, NORTH 70 DEGREES 33 MINUTES 02 SECONDS WEST 298.07 FOLLOWING HUTCHENS NORTH LINE AND THE NORTH LINES OF PROPERTY CONVEYED TO W.W. ESPEY, DEED BOOK 1555, PAGE 387 R.O.D.C., TENNESSEE; RONALD J. HUTTON, DEED BOOK 4935, PAGE 283 AND PART OF THE NORTH LINE OF PROPERTY CONVEYED TO JOHN W. MALONE, ET UX. DEED BOOK 4194, PAGE 972 R.O.D.C., TENNESSEE, TO AN IRON ROD (SET THIS SURVEY); SAID ROD ALSO BEING THE

SOUTHEAST CORNER OF PROPERTY CONVEYED TO THE METROPOLITAN NASHVILLE GOVERNMENT POWER BOARD DEED BOOK 3795, PAGE 829 R.O.D.C., TENNESSEE; THENCE, FOLLOWING THE EASTERLY BOUNDARY OF SAID GOVERNMENT PROPERTY NORTH 19 DEGREES 27 MINUTES 57 SECONDS EAST, 450.56 FEET TO AN IRON ROD. SET THIS SURVEY; SAID ROD BEING THE NORTHEAST CORNER OF AFOREMENTIONED GOVERNMENT PROPERTY; THENCE FOLLOWING THE NORTHERN BOUNDARY OF SAID GOVERNMENT PROPERTY, NORTH 70 DEGREES 32 MINUTES 05 SECONDS WEST 437.30 FEET TO AN EXISTING IRON ROD; SAID ROD BEING AT THE INTERSECTION OF THE NORTH LINE OF AFOREMENTIONED GOVERNMENT PROPERTY AND THE EASTERLY LINE OF A 150 FOOT WIDE TENNESSEE VALLEY AUTHORITY EASEMENT AS REFERENCED IN THE AFOREMENTIONED GOVERNMENT PROPERTY DEED; THENCE FOLLOWING THE COMMON NORTHWEST BOUNDARY OF SAID GOVERNMENT PROPERTY AND THE EASTERLY LINE OF SAID 150 FEET EASEMENT SOUTH 45 DEGREES 08 MINUTES 10 SECONDS WEST, 175.51 FEET TO AN IRON ROD. SET THIS SURVEY; SAID ROD BEING AT THE INTERSECTION OF THE WESTERLY BOUNDARY OF SAID GOVERNMENT PROPERTY AND THE SOUTHERN RIGHT-OF-WAY OF ABERNATHY ROAD; SAID ROD ALSO BEING THE NORTHEAST CORNER OF PROPERTY CONVEYED TO JOE A. GREEN ET UX DEED BOOK 5621, PAGE 474 R.O.D.C., TENNESSEE; THENCE, LEAVING SAID SOUTHERN RIGHT-OF-WAY, NORTH 05 DEGREES 36 MINUTES 35 SECONDS EAST 127.19 FEET TO AN EXISTING IRON ROD, SAID ROD BEING THE NORTHEAST CORNER OF PROPERTY CONVEYED TO M. A. MOSKOVITZ, DEED BOOK 4850, PAGE 157 R.O.D.C., TENNESSEE; AND THE SOUTHEAST CORNER OF PROPERTY CONVEYED TO O. H, ABERNATHY JR, ET UX, DEED BOOK 2810, PAGE 381 R.O.D.C., TENNESSEE; THENCE, FOLLOWING THE EASTERN LINE OF SAID ABERNATHY PROPERTY ALONG THE CENTERLINE, MORE OR LESS, OF THE REMNANTS OF AN EXISTING ROCK WALL AND FENCE LINE, NORTH 04 DEGREES 35 MINUTES 57 SECONDS EAST, 160.34 FEET TO AN IRON ROD. SET THIS SURVEY; THENCE, CONTINUING ALONG CENTERLINE, MORE OR LESS, OR SAID ROCK WALL AND FENCE LINE WITH THE SOUTHERN BOUNDARY OF SAID ABERNATHY PROPERTY, NORTH 87 DEGREES 12 MINUTES 44 SECONDS EAST 819.05 FEET, TO AN EXISTING IRON ROD. SAID ROD BEING IN THE CENTER OF SAID ROCK WALL AND ALSO BEING THE SOUTHEAST CORNER OF SAID ABERNATHY PROPERTY AND THE SOUTHWEST CORNER OF PROPERTY CONVEYED TO W.M. MCINTURFF ET UX & J. A. LEWIS ET UX. DEED BOOK 6529, PAGE 121 R.O.D.C., TENNESSEE; THENCE CONTINUING ALONG CENTERLINE, MORE OR LESS, OF SAID ROCK WALL AND FENCE LINE WITH THE SOUTHERN LINE OF SAID MCINTURFF AND LEWIS PROPERTY, NORTH 86 DEGREES 08 MINUTES 27 SECONDS EAST, 388.59 FEET TO AN IRON ROD. SET THIS SURVEY; SAID ROD BEING ON THE WESTERN RIGHT-OF-WAY OF CLARKSVILLE PIKE (UNITED STATES HIGHWAY 41A, STATE ROUTE 112); THENCE, FOLLOWING SAID WESTERN RIGHT-OF-WAY SOUTH 26 DEGREES 39 MINUTES 13 SECONDS EAST 346.06 FEET TO AN IRON ROD; SET THIS SURVEY; SAID ROD BEING THE NORTHEAST CORNER OF PROPERTY KNOWN AS THE NORTHGATE SHOPPING CENTER, BEING PART OF THE PROPERTY DEVISED TO CLIFFORD L. MAXWELL IN WILL BOOK 107, PAGE 164 COUNTY COURT CLERK'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE, LEAVING SAID WESTERN RIGHT-OF-WAY WITH THE NORTHERN LINE OF SAID SHOPPING CENTER PROPERTY SOUTH 63 DEGREES 21 MINUTES 44 SECONDS WEST, 470.00 FEET TO AN IRON ROD. SET THIS SURVEY; SAID ROD BEING THE NORTHWEST CORNER OF SAID SHOPPING CENTER PROPERTY; THENCE WITH THE WESTERN LINE OF SAID SHOPPING CENTER PROPERTY SOUTH 26 DEGREES 38 MINUTES 47 SECONDS EAST 503.94 FEET TO AN IRON ROD, SET THIS SURVEY; THENCE,

CONTINUING WITH THE WESTERN LINE OF SAID SHOPPING CENTER PROPERTY SOUTH 08 DEGREES 28 MINUTES 34 SECONDS WEST 115.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.157 ACRES MORE OR LESS.

LESS AND EXCEPT THAT PROPERTY CONVEYED TO THE STATE OF TENNESSEE BY WARRANTY DEED OF RECORD IN INSTRUMENT NO. 20171228-0131847, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TRACT II:

PROPERTY LOCATED IN THE 2ND COUNCILMANIC DISTRICT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE. BEING A PORTION OF THE PROPERTY SHOWN ON THE PLAT OF NORTHGATE SHOPPING CENTER AS OF RECORD IN PLAT BOOK 5060, PAGE 38, R.O.D.C., TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A SURVEY PERFORMED BY WAMBLE & ASSOCIATES ON JULY 14, 1988 AS FOLLOWS:

BEGINNING AT AN EXISTING IRON ROD LOCATED ON THE WESTERN RIGHT-OF-WAY OF CLARKSVILLE PIKE (UNITED STATES HIGHWAY 41A, STATE ROUTE 112); SAID ROD ALSO BEING SOUTH 26 DEGREES 39 MINUTES 13 SECONDS EAST OF THE NORTHEAST CORNER OF TRACT ONE; THENCE, FOLLOWING SAID WESTERN RIGHT-OF-WAY SOUTH 26 DEGREES 39 MINUTES 13 SECONDS EAST 93.24 FEET TO AN IRON ROD, SET THIS SURVEY; THENCE, SOUTH 34 DEGREES 22 MINUTES 48 SECONDS EAST 25.00 FEET TO AN IRON ROD, SET THIS SURVEY; THENCE, LEAVING SAID WESTERN RIGHT-OF-WAY SOUTH 63 DEGREES 21 MINUTES 13 SECONDS EAST 124.08 FEET TO AN IRON ROD, SET THIS SURVEY; THENCE, SOUTH 26 DEGREES 39 MINUTES 13 SECONDS EAST 150 FEET TO AN EXISTING IRON ROD; THENCE, SOUTH 63 DEGREES 37 MINUTES 37 SECONDS WEST 349.32 FEET TO AN IRON ROD, SET THIS SURVEY; THENCE, NORTH 26 DEGREES 38 MINUTES 47 SECONDS WEST 286.35 FEET TO AN EXISTING IRON ROD; THENCE NORTH 63 DEGREES 21 MINUTES 13 SECONDS EAST 470.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 107,616.05 SQUARE FEET OR 2.47 ACRES.

BEING THE SAME PROPERTY CONVEYED TO EUGENE CARROLL WHEELER AND EUGENE JOSEPH WHEELER, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP BY WARRANTY DEED FROM T. TURNER SNODGRASS, TRUSTEE WITH FULL POWER TO SELL, MORTGAGE, TRANSFER AND CONVEY OF RECORD IN INSTRUMENT NO. 20150225-0016138 REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, DATED FEBRUARY 25, 2015 AND RECORDED ON FEBRUARY 25, 2015.

THIS IS PROPERTY MORE COMMONLY KNOWN AS: 0 CLARKSVILLE PIKE, NASHVILLE, TN 37218 & 0 ASHLAND CITY HWY, NASHVILLE, TN 37218.

THIS CONVEYANCE IS MADE SUBJECT TO: (1) any and all applicable governmental and/or zoning regulations; (2) property taxes for 2022 and thereafter; (3) all matters that would be disclosed by an accurate survey; and (4) items noted on Exhibit A, attached hereto.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, their heirs and assigns forever; and we do covenant with the said GRANTEE that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, except as otherwise set out in this instrument; and we do further covenant and bind ourselves, our heirs and representatives,

to warrant and forever defend the title to the said land (subject to the matters expressly set forth in this instrument) to the said GRANTEE, their heirs and assigns, against the lawful claims of all persons claiming by, through, or under GRANTEE, but against none other. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

[Signatures to appear on the following page]

Witness my/our hand this 22 day of September, 2022.

Eugene Carroll Wheeler

Eugene Joseph Wheeler

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California
COUNTY OF Santa Barbara

On this 22nd day of September, 2022, before me personally appeared **Eugene Carroll Wheeler**, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this 22 day of September, 2022.

Notary Signature
My commission expires: 12-25-25

KAREN S. AKOFA ARCHER
Notary Public - California
Ventura County
Commission # 2388215
My Comm. Expires Dec 25, 2025

STATE OF _____
COUNTY OF _____

On this _____ day of September, 2022, before me personally appeared **Eugene Joseph Wheeler**, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this _____ day of September, 2022.

Notary Signature
My commission expires:

Witness my/our hand this 22 day of September, 2022.

Eugene Carroll Wheeler

Eugene Joseph Wheeler

STATE OF _____
COUNTY OF _____

On this _____ day of September, 2022, before me personally appeared **Eugene Carroll Wheeler,** to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this _____ day of September, 2022.

_____
Notary Signature
My commission expires:

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

On this 22nd day of September, 2022, before me personally appeared **Eugene Joseph Wheeler**, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

Witness my hand, at office, this 22nd day of September, 2022.

Charmaine Lyn Walker
Notary Signature
My commission expires: 07/30/2024

CHARMAINE LYN WALKER
Notary Public - State of Florida
Commission # HH 26150
My Comm. Expires Jul 30, 2024

EXHIBIT A

1. Subject to all matters shown on the Plan of record in Plat Book 5060, Page 38, Register's Office for Davidson County, Tennessee. (As to Tract II)

2. Easement for permanent slope and drainage of record in Book 5104, Page 626, in the Register's Office for Davidson County, Tennessee. (As to Tract II)

3. Easement for power lines, poles, apparatuses, maintenance, etc. to Metropolitan Government Power Board of record in Book 3795, Page 829, in the Register's Office for Davidson County, Tennessee. (As to Tract II)

4. Transfer and easements to the State of Tennessee of record in Instrument Number 20171228-0131847 and Easement to the State of Tennessee of record in Instrument No. 201712280131848, in the Register's Office for Davidson County, Tennessee.

5. Easement to Piedmont Natural Gas Company of record in Instrument Number 201711270120738, in the Register's Office for Davidson County, Tennessee.

6. TVA Transmission Line Easement, of record in Book 2859, Page 612, Register's Office for Davidson County, Tennessee.

Certificate of Authenticity

I, Ryan Lux, 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 9/27/22.

Date

Affiant Signature

9/27/22
Date

State of Tennessee

County of Davidson

Sworn to and subscribed before me this 27 day of September, 2022.

Notary's Signature

EMILY MANNO
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 05-05-2025

My Commission Expires: _____
Date

Notary's Seal (if on paper)