Karen Johnson Davidson County
Batch# 934926 DEEDWARRSP
10/27/2022 03:31:30 PM 9 pgs
Fees: $48.00 Taxes: $15,170.00
20221027-0116524

Prepared By:
Joshua D. Hankins, Esq.
HANKINS LAW
117 Saundersville Road, Suite 205
Hendersonville, Tennessee 37075
(615) 246-2544

Return to:
Robert E. Wood, Esq.
Bradley Arant Boult Cummings LLP
1600 Division Street, Suite 700
Nashville, TN 37203

Address New Owner(s):	Send Tax Bills To:	Map-Parcel Number(s):
AHV Newsome BFR Owner, LLC 105 Westpark Drive Suite 380 Brentwood, TN 37027	Same As New Owner	12600056400

SPECIAL WARRANTY DEED

THIS DEED is made this 26th day of October, 2022, by and between

GRANTOR:

Sandra Eatherly Cantrell, Successor Trustee of The J.D. Rivergate Land Trust

GRANTEE:

AHV Newsome BFR Owner, LLC, a Delaware limited liability company

The designation Grantor and Grantee, as used herein, shall include said Parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that Grantor, for and in consideration of the sum of Four Million One Hundred Thousand and No/100 Dollars ($4,100,000.00), and other good and valuable consideration, in hand paid at and before the delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, transferred, conveyed and confirmed and by these presents does grant, bargain, sell, and convey unto Grantee, in fee simple, all that certain tract or parcel of land lying and being in Davidson County, Tennessee, being more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Property**").

All or a portion of the Property herein conveyed does not include the primary residence of Grantor. The Property is unimproved property known as 0 McCrory Lane, Nashville, Davidson County, Tennessee 37221.

TO HAVE AND TO HOLD the aforesaid Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor has done nothing to title to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor only, except for the exceptions hereinafter stated.

Title to the Property is subject only to the Permitted Exceptions contained in **Exhibit B** attached hereto and incorporated herein by reference.

There has been a proration of *ad valorem* property taxes applicable to the Property between Grantor and Grantee. By Grantee's acceptance and recordation of this Special Warranty Deed, Grantee hereby assumes and agrees to pay all *ad valorem* property taxes and assessments assessed against the Property, including, but not limited to, any Greenbelt roll-back taxes.

[Signature Page Follows.]

IN WITNESS WHEREOF, Grantor has executed this instrument to be signed in its name this 25th day of October, 2022, and delivered as of the date indicated on the first page of this instrument.

GRANTOR:

S. Eatherly Cantrell, Trustee

Sandra Eatherly Cantrell, Successor Trustee of
The J.D. Rivergate Land Trust

STATE OF TENNESSEE)
)
COUNTY OF Davidson)

Before me, Josh Hankins, a Notary Public of said County and State, personally appeared Sandra Eatherly Cantrell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the Successor Trustee of THE J.D. RIVERGATE LAND TRUST, the within named bargainor, a trust formed under the laws for the State of Tennessee, and that she, as such Successor Trustee, executed the foregoing instrument for the purposes therein contained, by signing the name of the trust by herself as Successor Trustee.

Witness my hand and seal, at Office in Nashville, Tennessee, this 25 day of October, 2022.

Notary Public

JOSH HANKINS
STATE OF TENNESSEE
NOTARY PUBLIC
SUMNER COUNTY
MY COMMISSION EXPIRES 10-21-2025

My Commission Expires: 10/21/25

STATE OF California)

COUNTY OF Orange)

The actual consideration for this transfer or value of property conveyed (whichever is greater) is Four Million One Hundred Thousand and 00/00 Dollars ($4,100,000.00).

AFFIANT

Sworn to and subscribed before me, this 26 day of October, 2022.

Notary Public

My Commission Expires: 2/28/25

RILEY FLANAGAN
COMM. #2349375
Notary Public - California
Orange County
My Comm. Expires Feb. 28, 2025

NRO1 NRO1

EXHIBIT A

Legal Description

A TRACT OF LAND IN THE 35TH COUNCILMANIC DISTRICT OF METROPOLITAN NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, BEING BOUNDED ON THE NORTH BY MCCRORY LANE, ON THE EAST BY CSX RAILROAD, ON THE SOUTH BY THE HARPETH RIVER AND ON THE WEST BY MCCRORY LANE PARTNERS, LLC AND BEING MORE PARTICULARLY DESCRIBED ACCORDING TO A SURVEY PREPARED BY JTA LAND SURVEYING, INC., JOB NUMBER: 2022-194, DATED: JUNE 15, 2022 AND PROCEEDING AS FOLLOWS:

BEGINNING AT AN IRON ROD (FOUND) ON THE EASTERLY RIGHT-OF-WAY LINE OF MCCRORY LANE (RIGHT-OF-WAY WIDTH VARIES) AT THE INTERSECTION OF SAID MCCRORY LANE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF CSX RAILROAD (A 100-FOOT CHARTER RIGHT-OF-WAY); SAID IRON ROD BEING THE MOST NORTHERLY PROPERTY CORNER OF THE HEREIN DESCRIBED TRACT; THENCE,

1. WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF CSX RAILROAD, SOUTH 59 DEGREES 20 MINUTES 57 SECONDS EAST, 1945.08 FEET TO AN IRON ROD (FOUND); THENCE,

2. IN A SOUTHEASTWARDLY DIRECTION WITH A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08 DEGREES 29 MINUTES 36 SECONDS, A RADIUS OF 3267.54-FEET, FOR AN ARC LENGTH OF 484.37 FEET TO AN IRON ROD (SET) ON THE WESTERLY BANK OF THE HARPETH RIVER; SAID CURVE HAS A CHORD BEARING AND DISTANCE OF SOUTH 63 DEGREES 35 MINUTES 45 SECONDS EAST, 483.93 FEET; THENCE,

3. LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CSX RAILROAD, AND WITH THE WESTERLY BANK OF THE HARPETH RIVER, SOUTH 25 DEGREES 11 MINUTES 11 SECONDS WEST, 259.80 FEET TO AN IRON ROD (FOUND); THENCE,

4. SOUTH 32 DEGREES 15 MINUTES 47 SECONDS WEST, 236.74 FEET TO AN IRON ROD (FOUND); THENCE,

5. SOUTH 30 DEGREES 04 MINUTES 37 SECONDS WEST, 351.96 FEET TO AN IRON ROD (SET); THENCE,

6. SOUTH 32 DEGREES 50 MINUTES 53 SECONDS WEST, 494.28 FEET TO AN IRON ROD (SET) AT THE MOST EASTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO JOHN GREGORY JONES AS OF RECORD IN INSTRUMENT NO. 20020108-0002573, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE,

7. LEAVING THE WESTERLY BANK OF THE HARPETH RIVER, AND WITH THE EASTERLY PROPERTY LINE OF SAID JOHN GREGORY JONES PROPERTY, IN PART, NORTH 60 DEGREES 56 MINUTES 58 SECONDS WEST, 174.10 FEET TO AN IRON ROD (FOUND) AT THE SOUTHEASTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO MCCRORY LANE PARTNERS, LLC AS OF RECORD IN INSTRUMENT NO. 20060804-0095539, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE; THENCE,

8. WITH THE SOUTHERLY PROPERTY LINE OF SAID MCCRORY LANE PARTNERS, LLC, NORTH 22 DEGREES 51 MINUTES 40 SECONDS EAST, 802.99 FEET TO AN IRON ROD (FOUND) AT THE NORTHEASTERLY PROPERTY CORNER OF SAID MCCRORY LANE PARTNERS, LLC; THENCE,

9. WITH THE EASTERLY PROPERTY LINE OF SAID MCCRORY LANE PARTNERS, LLC, NORTH 55 DEGREES 25 MINUTES 58 SECONDS WEST, 752.69 FEET TO AN IRON ROD (SET); THENCE,

10. NORTH 58 DEGREES 45 MINUTES 49 SECONDS WEST, 641.04 FEET TO AN IRON ROD (FOUND); THENCE,

11. NORTH 51 DEGREES 05 MINUTES 12 SECONDS WEST, 280.82 FEET TO AN IRON ROD (FOUND); THENCE,

12. NORTH 54 DEGREES 56 MINUTES 39 SECONDS WEST, 387.09 FEET TO AN IRON ROD (SET) ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID MCCRORY LANE (RIGHT-OF-WAY WIDTH VARIES); THENCE,

13. WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID MCCRORY LANE, IN A NORTHEASTWARDLY DIRECTION WITH A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREES 24 MINUTES 03 SECONDS, A RADIUS OF 2325.37-FEET, FOR AN ARC LENGTH OF 56.88 FEET TO AN IRON ROD (SET); SAID CURVE HAS A CHORD BEARING AND DISTANCE OF NORTH 16 DEGREES 42 MINUTES 25 SECONDS EAST, 56.88 FEET; THENCE,

14. NORTH 17 DEGREES 24 MINUTES 28 SECONDS EAST, 340.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,306,347 SQUARE FEET OR 29.99 ACRES, MORE OR LESS, AS CALCULATED BY THE ABOVE COURSES AND DISTANCES WHICH WERE WITHIN THE PRECISION REQUIREMENTS OF AN ALTA/NSPS LAND TITLE SURVEY OF 2021

BEING THE SAME PROPERTY CONVEYED TO J.D. EATHERLY, BY WARRANTY DEED FROM MCCRORY LANE PARTNERS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, OF RECORD AS INSTRUMENT NO. 20070829-0103481, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE. BEING FURTHER CONVEYED TO STEVE EATHERLY, SUCCESSOR TRUSTEE OF THE J.D. RIVERGATE LAND TRUST, BY

QUITCLAIM DEED FROM J.D. EATHERLY, OF RECORD AS INSTRUMENT NO. 20121228-0120238, DATED DECEMBER 24, 2012, SAID REGISTER'S OFFICE.

TOGETHER WITH THE APPURTENANT EASEMENT RIGHTS GRANTED BY THAT CERTAIN SANITARY SEWER INFRASTRUCTURE DEVELOPMENT AND EASEMENT AGREEMENT, OF RECORD AS INSTRUMENT NO. 20221027-0116471, SAID REGISTER'S OFFICE.

EXHIBIT B

Permitted Exceptions

1. The lien for 2022 real estate taxes, assessments and governmental charges not yet due and payable.

2. All applicable governmental and zoning regulations.

3. Rights of the CSX Railroad and its successors and/or assigns, including the right to expand up to the full extent of its charter.

4. Reservation of rights, terms and conditions identified in Deed from McCrory Lane Partners, LLC, its successors and assigns, for perpetual and exclusive water and sewer easements, of record in Instrument No. 20070829-0103481, said Register's Office.

5. Grant of Private Water, Sewer and Gas Line Easement of record in Instrument Number 20030619-0085046, said Register's Office.

6. Agreement for Dedication of Public Utilities Easement of record in Instrument Number 20071116-0134571, said Register's Office.

7. Agreement for Dedication of Public Utilities Easement of record in Instrument Number 20071116-0134572, said Register's Office.

8. Application for Greenbelt Assessment of record in Instrument Number 20130530-0054151, said Register's Office.

9. The rights of upper and lower riparian owners to the free and unobstructed flow of the water of Harpeth River without diminution or pollution and the consequence of any past or future change in the location of Harpeth River; b) riparian rights incident to premises; c) rights of upper and lower riparian owners in and to the waters of Harpeth River crossing or adjoining the property, and the natural flow thereof, free from diminution or pollution; and d) ny enlargement or loss of land by reason of avulsion, accretion, or reliction, and questions of ownership caused by subsequent rebuilding or reformation of land.

10. Matters shown on Survey by JTA Land Surveying, Inc, bearing the seal and certification of James G. Terry, Tennessee RLS No. 2287 dated June 16, 2022, Job No. 2022-194:

(a) fenceline extends into and beyond property line;
(b) 100-year flood zone, 500-year flood zone, and flood zones X and AE; and
(c) Rights of public and quasi-public utilities in and to facilities lying within the property lines without the benefit of recorded easements.

Tennessee Certification of Electronic Document

I, Will Rogers, 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 October 26, 2022 (date of document).

Affiant Signature

October 26, 2022

Date

State of Tennessee

County of Williamson

Sworn to and subscribed before me this 26 day of October, 2022

Notary's Signature

MY COMMISSION EXPIRES: 2-24-2025

NOTARY'S SEAL

BRINA MATHIS
STATE OF TENNESSEE NOTARY PUBLIC
WILLIAMSON COUNTY