Karen Johnson Davidson County
Batch# 948890 DEEDWARRSP
12/07/2022 03:31:30 PM 5 pgs
Fees: $28.00 Taxes: $59,940.00
20221207-0127722

**THIS INSTRUMENT PREPARED BY:**
W. Warner McNeilly, III, Esq.
Watkins & McNeilly, PLLC
214 2nd Ave. North, Suite 300
Nashville, TN 37201-1638

## SPECIAL WARRANTY DEED

| ADDRESS NEW OWNER AS FOLLOWS: | SEND TAX BILLS TO: | MAP PARCEL # |
|---|---|---|
| 1400 DAVIDSON, LP<br>918 South St.<br>Nashville, TN 37203 | SAME | 09405011300 |

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, for this transfer is $16,200,000.00.

Paul A Conn
Affiant

SUBSCRIBED AND SWORN to before me by Paul A Conn this 12th day of November, 2022.

W. WARNER MCNEILLY, III
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires July 7, 2025

Notary Public
My Commission Expires: 7/7/25

FOR AND IN CONSIDERATION of the sum of Ten Dollars ($10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, NOLAN MCKENZIE PROPERTIES, LLC, a Tennessee limited liability company, hereinafter "Grantor," have this day bargained and sold and do hereby transfer and convey to 1400 DAVIDSON, LP, a Tennessee limited partnership, its successors and assigns, hereinafter "Grantee," all of Grantor's right, title and interest in a certain tract or parcel of real property located in Davidson County, Tennessee described on Exhibit "A" attached hereto and incorporated herein by reference ("Property").

This conveyance and all covenant and warranties contained herein are made expressly subject to the encumbrances listed on Exhibit "B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said Property, with the appurtenances, estate, title and interest thereto belonging to Grantee, its successors and assigns forever. Grantor covenants that except as may be provided on Exhibit "A" and Exhibit "B" hereto the Property is free from all encumbrances made or suffered by Grantor and Grantor has not made, done, executed, allowed or suffered any act, instrument or thing whatsoever whereby said Property, or any part thereof, now or at any time hereafter shall be charged or encumbered in any manner whatsoever.

Grantor covenants that it is seized and possessed of this land and has a right to convey it. Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said Property to Grantee, its successors and assigns, against the lawful claims of all persons claiming by, through or under Grantor but not further or otherwise.

WITNESS its hand this 17th day of November, 2022.

NOLAN MCKENZIE PROPERTIES, LLC,

By: David A Carver President
David A. Carver, President

STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

Before me personally appeared DAVID A. CARVER, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he is the president of NOLAN MCKENZIE PROPERTIES, LLC, a Tennessee limited liability company and that he executed the within instrument on behalf of NOLAN MCKENZIE PROPERTIES, LLC as President for the purposes therein contained.

**WITNESS** my hand and official this 17th day of November, 2022.

W. WARNER MCNEILLY, III
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
My Comm. Expires July 7, 2025

Notary Public
My Commission Expires: 7/7/26

**EXHIBIT A**

TRACT ONE:
LAND in Davidson County, Tennessee, being Lot No. 8, on the Plan of Inner-City Industrial Park, Section 8, of record in Plat Book 4715, Page 140, Register of Deeds Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate description thereof.

TRACT TWO:
LAND in Davidson County, Tennessee, being Lot No. 9 on the Plan of Inner-City Industrial Park, Section 9, of record in Plat Book 5190, Page 352, Register of Deeds Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate legal description thereof.

TRACT THREE:
LAND in Davidson County, Tennessee, being Lot No. 5 on the Plan of Inner-City Industrial Park, Section 5, as of record in Plat Book 4715, Page 97, Register of Deeds Office for Davidson County, Tennessee, more particularly described as follows:

BEGINNING at a concrete monument in the southerly margin of Davidson Street, 230.6 feet east of the of the northeast corner of Lot 3, Section 3, Inner-City Industrial Park, as of record in Book 4715, Page 77, said Register's Office; thence, North 71 degrees 57 minutes East, 350.80 feet to a concrete monument, the beginning of a curve to the right; thence, with said curve having a radius of 311.3 feet, a central angle of 3 degrees 32 minutes and a distance of19.20 feet to a concrete monument; thence, leaving Davidson Street, South 18 degrees 3 minutes East, passing a witness monument at 228.00 feet and a total distance of 285.3 feet to the low water line of the Cumberland River; thence, along said river, South 61 degrees 3 minutes West, 42.01 feet to a point; thence, South 62 degrees 48 minutes 7 seconds West, 332.89 feet to a point; thence, leaving said river, North 18 degrees 3 minutes West, passing a witness monument at 51.4 feet and a total distance of 346.40 feet to a concrete monument, the point of beginning. Containing 2.69 acres, more or less.

Being the same property conveyed to Nolan McKenzie Properties, LLC, a Tennessee limited liability company by Warranty Deed dated 05/19/2004 from Keystone Foods, LLC, a Delaware limited liability company of record in Instrument 200405240060419, Register's Office for Davidson County, Tennessee.

**EXHIBIT B**

1. All matters as set forth per Plat Book 4715, Page 97, Plat Book 4715, Page 140, Plat Book 5190, Page 352, Register's Office for Davidson County, Tennessee.

2. Any inaccuracy in the areas, square footage, or acreage of land described in Schedule A or the above described legal description.

3. Warranty Deed of Flowage Easement of record in Book 2199, Page 71, Register's Office for Davidson County, Tennessee.

4. Sewer Easements to the City of Nashville of record in Book 2297, Page 185 and Book 2806, Page 536, Register's Office for Davidson County, Tennessee. Exceptions to Easement of record in Book 4834, Page 497, Register's Office for Davidson County, Tennessee.

5. Grant of Easement to Piedmont Natural Gas Company of record in instrument 201512160126377, Register's Office for Davidson County, Tennessee.

6. Easements for the flow of the Cumberland River and any stream or creek as much as there on lies.

7. Title to any portion of said land lying in the bed or banks of the Cumberland River, the rights of upper and lower riparian owners to the free and unobstructed flow of the water of said Cumberland River, without diminution or pollution, and the consequence of any past or future change in the location of said Cumberland River.

8. County of Davidson taxes for the year 2023 and subsequent years, a lien not yet ascertainable, due or payable.

## CERTIFICATE OF AUTHENTICITY

I, Jennifer D Stacy do hereby make oath that I am a licensed attorney and/or 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 December 7, 2022.

Affiant
Date: December 7, 2022

STATE OF TENNESSEE
COUNTY OF Williamson

Sworn to and subscribed before me this 7th day of December, 2022

Notary Public

My Commission Expires: 1/6/25

KATHERINE ANN HEDRICK
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY