This Instrument Prepared By
and Return to:

Hannah K. V. Cassidy
Reno & Cavanaugh, PLLC
424 Church Street, Suite 2910
Nashville, TN 37219

Karen Johnson Davidson County
Batch# 951903 DEEDWARRSP
12/15/2022 11:43:31 AM 5 pgs
Fees: $28.00 Taxes: $23,680.00
20221215-0129952

SPECIAL WARRANTY DEED

Address New Owner as follows:	Send Tax Bills to:	Map-Parcel Number:
Birchstone Village, L.P. 1011 Cherry Avenue Nashville, TN 37203	Birchstone Village, L.P. 1011 Cherry Avenue Nashville, TN 37203	043-10 0 120.00

STATE OF TENNESSEE)
COUNTY OF Davidson)

The actual consideration or value, whichever is greater, for this transfer is Six Million Four Hundred Thousand and No/100 Dollars ($6,400,000.00).

Affiant

Subscribed and sworn to before me, this the 13th day of December, 2022.

Notary Public

KAYLA HARDISON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
MY COMM. EXPIRES SEPTEMBER 7, 2026

My Comm. Expires: 09-07-26

FOR AND IN CONSIDERATION OF the sum of TEN AND NO/100 DOLLARS ($10.00), the receipt and sufficiency of which are hereby acknowledged, **First Cumberland Properties, Inc.**, a Tennessee corporation (the "**Grantor**"), has bargained and sold, and by these presents does transfer and convey unto **Birchstone Village, L.P.,** a Tennessee limited partnership (the "**Grantee**"), its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, containing 12.83 acres more or less, 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 unimproved property known as 616 Dupont Avenue, Madison, Davidson County, Tennessee 37115.

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 the Grantee, his successors and assigns forever.

Grantor covenants and binds itself, its successors, and assigns to warrant and defend the title to the Property to the 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**.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed this 1st day of December, 2022.

GRANTOR:

FIRST CUMBERLAND PROPERTIES, INC., a Tennessee corporation

By: _____
Robert K. Trent
Authorized Representative

STATE OF TENNESSEE)
COUNTY OF Davidson)

Before me, Kayla Hardison, a Notary Public of said County and State, personally appeared Robert K. Trent, 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 Authorized Representative of First Cumberland Properties, Inc., a Tennessee corporation, and that he as such Authorized Representative executed the foregoing instrument for the purposes therein contained being authorized to do so, by signing the name of the corporation by himself as Authorized Representative.

Witness my hand and seal, at Office in Davidson, Tennessee, this 5th day of December, 2022.

Kayla Hardison
Notary Public

My Commission Expires: 09-07-26

KAYLA HARDISON
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
MY COMM. EXPIRES SEPTEMBER 7, 2026

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

Exhibit A
The Property

APPROXIMATELY 12.83 ACRES, BEING TAX PARCEL 04310012000, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT ONE:

BEING A CERTAIN TRACT OF LAND LYING IN THE NINTH COUNCIL DISTRICT OF MADISON, METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE. SAID PARCEL IS LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 45, NORTH 76 DEGREES 40 MINUTES WEST, 683 FEET FROM THE CENTERLINE INTERSECTION OF MCARTHUR DRIVE AND STATE ROUTE 45, AND BEING MORE PARTICULARLY DESCRIBED, BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT AN IRON ROD (NEW) WITH A CAP STAMPED RAGAN-SMITH & ASSOCIATES, ON THE NORTH SIDE OF A CHAIN LINK FENCE, IN THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 45, AT THE SOUTHWESTERLY CORNER OF BIXLER FARMS, LLC, OF RECORD AS INSTRUMENT NUMBER 200702130018434, R.O.D.C.T. (REGISTER' S OFFICE FOR DAVIDSON COUNTY, TENNESSEE) AND BEING THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED PROPERTY;

THENCE, WITH SAID RIGHT-OF-WAY AND ALONG SAID FENCE, FOR THE NEXT THREE CALLS:

NORTH 84 DEGREES 30 MINUTES 37 SECONDS WEST, 405.06 FEET TO A CONCRETE HIGHWAY MONUMENT (OLD);
NORTH 79 DEGREES 14 MINUTES 41 SECONDS WEST, 265.92 FEET TO A CONCRETE HIGHWAY MONUMENT (OLD);
SOUTH 84 DEGREES 47 MINUTES 44 SECONDS WEST, 322.38 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES, AT THE SOUTHEASTERLY CORNER OF OCTOBER HOMES, L.P., OF RECORD AS INSTRUMENT NUMBER 201002010007741, R.O.D.C.T.;

THENCE, LEAVING SAID RIGHT-OF-WAY WITH SAID OCTOBER HOMES, L.P., FOR THE NEXT FOUR CALLS:

NORTH 03 DEGREES 12 MINUTES 25 SECONDS WEST, 259.73 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES;
NORTH 06 DEGREES 59 MINUTES 50 SECONDS EAST, 231.37 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES;
SOUTH 83 DEGREES 01 MINUTES 05 SECONDS EAST, 49.50 FEET TO AN IRON ROD (NEW), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES;
NORTH 07 DEGREES 01 MINUTES 59 SECONDS EAST, 236.95 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES IN THE SOUTHERLY LINE OF FIRST CUMBERLAND PROPERTIES, INC., OF RECORD AS INSTRUMENT NUMBER 201509010088786, R.O.D.C.T., WHICH IS SHOWN AS LOT 4 ON THE PLAT ENTITLED, MADISON CHURCH OF CHRIST SUBDIVISION, OF RECORD AS INSTRUMENT NUMBER 201308290091466, R.O.D.C.T.;

THENCE, WITH SAID FIRST CUMBERLAND PROPERTIES, INC. AND SAID LOT 4 ALONG WITH LOT 5 OF SAID MADISON CHURCH OF CHRIST SUBDIVISION, SOUTH 83 DEGREES 00 MINUTES 11 SECONDS EAST, 320.19 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED,

RAGAN-SMITH & ASSOCIATES IN THE WESTERLY LINE OF MADISON SENIOR LIVING, LLC, OF RECORD AS INSTRUMENT NUMBER 201108310067648, R.O.D.C.T.;

THENCE, WITH SAID MADISON SENIOR LIVING, LLC, SOUTH 07 DEGREES 01 MINUTES 06 SECONDS WEST, 302.70 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES;

THENCE, CONTINUING WITH SAID MADISON SENIOR LIVING, LLC, SOUTH 83 DEGREES 00 MINUTES 41 SECONDS EAST, 617.47 FEET TO AN IRON ROD (OLD), WITH CAP STAMPED, RAGAN-SMITH & ASSOCIATES IN THE WESTERLY LINE OF BIXLER FARMS, LLC, OF RECORD AS INSTRUMENT NUMBER 200702130018434, R.O.D.C.T.;

THENCE, WITH SAID BIXLER FARMS, LLC, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 362.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 471,669 SQUARE FEET OR 10.83 ACRES, MORE OR LESS.

TOGETHER WITH THE APPURTENANT EASEMENT RIGHTS CONTAINED IN EASEMENT AND MAINTENANCE AGREEMENT BETWEEN OCTOBER HOMES, L.P. AND BIXLER FARMS, LLC, DATED MARCH 1, 2010, OF RECORD IN INSTRUMENT NUMBER 20100317-0020036, SAID REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

TRACT TWO:

BEING LOT NOS. 4 AND 5 ON THE FINAL PLAT OF MADISON CHURCH OF CHRIST SUBDIVISION LOTS 1-5, OF RECORD IN INSTRUMENT NO. 20130829-0091466, REGISTER' S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, TO WHICH PLAT REFERENCE IS HERE MADE FOR A MORE DETAILED DESCRIPTION OF SAID LOT.

TRACT TWO BEING THE SAME PROPERTY CONVEYED TO FIRST CUMBERLAND PROPERTIES, INC. FROM MADISON CHURCH OF CHRIST BY WARRANT DEED OF RECORD IN INSTRUMENT NO. 20150901-0088786, REGISTER' S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

Together with easement and other rights granted in Easement Grant and Agreement to Remove House of record as Instrument No, 20051129-0143579, said Register's Office.

Together with easement and other rights granted by Detention Facilities and Easement Agreement of record as Instrument No. 20051129-0143580, said Registers Office.

Together with the appurtenant easement rights contained in Easement and Maintenance Agreement between October Homes, L.P. and Bixler Farms, LLC, dated March 1, 2010, of record in Instrument Number 20100317-0020036, as amended by First Amendment to the Easement and Maintenance Agreement filed of record as Instrument No. 20221213-0129350, in said Register's Office.

TRACTS I AND II BEING THE SAME PROPERTY CONSOLIDATED AND CONVEYED BY BIXLER FARMS, LLC, A TENNESSEE FOR PROFIT CORPORATION, TO FIRST CUMBERLAND PROPERTIES, INC., A TENNESSEE FOR PROFIT CORPORATION, BY QUITCLAIM DEED OF RECORD IN INSTRUMENT NO. 20210630-0088599, IN SAID REGISTER'S OFFICE.

Exhibit B
Permitted Encumbrances

1. General or special taxes and assessments required to be paid in the year 2023 and subsequent years.

2. Easement and Maintenance Agreement for access easement and other matters as set forth in the instrument recorded Instrument No. 20100317-0020036, as amended by First Amendment to the Easement and Maintenance Agreement filed for record as Instrument No. 20221213-0129350, in the Register's Office for Davidson County, Tennessee.

3. Waterline Easement granted to the Madison Suburban Utility District easement set forth in the instrument recorded Book 2991, page 287, in said Register's Office.

4. Easement for Sanitary Sewers or Storm Drainage easement set forth in the instrument recorded in Book 8870, page 845, in said Register's Office.

5. The plat of Madison Church of Christ Subdivision of Lots 1-5 of record in Instrument No. 20130829-0091466, in said Register's Office, shows a 20-foot public utility and drainage easement along the southerly margin of North Dupont Avenue.

6. Easement and other rights granted by Detention Facilities and Easement Agreement of record as Instrument No. 20051129-0143580, said Registers Office.