Karen Johnson Davidson County
Batch# 1009829 DEEDWARR
06/01/2023 09:37:30 AM 6 pgs
Fees: $33.00 Taxes: $7,400.00
20230601-0041232

FROM: ALTITUDE AT 41 LLC, a New York limited liability company

TO: CAT NASHVILLE, LLC, an Ohio limited liability company

Address New Owner as follows:

CAT Nashville, LLC
3805 Edwards Road
Suite 390
Cincinnati, Ohio 45209

Send Tax Bills to:

(SAME)

Tax Parcel Id:
05000016600

THIS INSTRUMENT PREPARED BY:
J. Steven Kirkham, Esq., Holland & Knight LLP, 511 Union St., Suite 2700, Nashville, TN 37221

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $2,000,000.00.

Affiant

Subscribed and sworn to before me, this the 31 day of May, 2023.

KATHERINE M. REDDING
Notary Public, State of Ohio
My Commission Expires
February 13, 2027

Notary Public
My Comm. Expires: February 13, 2027

GENERAL WARRANTY DEED

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEE, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **ALTITUDE AT 41 LLC**, a New York limited liability company, hereinafter called "GRANTOR", has bargained and sold, and by these presents does transfer and convey unto **CAT NASHVILLE, LLC**, an Ohio limited liability company, hereinafter called "GRANTEE", its successors and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

(See **Exhibit A** attached hereto and incorporated herein)

Said property is transferred subject to the limitations, restrictions, and encumbrances as set forth on Exhibit B.

This is unimproved property located at 3475 Dickerson Pike, Nashville, Tennessee 37207.

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, its successors and assigns, forever, and GRANTOR does covenant with the said GRANTEE that it is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, unless otherwise herein set out; and GRANTOR does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the said GRANTEE, its successors and assigns, against the lawful claims of all persons whomsoever. 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.

[Signature Page Follows]

IN WITNESS WHEREOF, this General Warranty Deed has been executed to be effective as of May 24 2023.

ALTITUDE AT 41 LLC,
a New York limited liability company

By: _____
Name: Nicholas A. Cutaia
Title: ~~owner~~ Authorized Agent

STATE OF Tennessee)
COUNTY OF Williamson)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Nicholas Cutaia, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be owner of ALTITUDE AT 41 LLC, a New York limited liability company, the within named bargainor, an individual, and that individual as such individual, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the individual by himself as ~~owner~~ Authorized Agent.

Witness my hand and seal, at office in Brentwood TN, this the 24 day of May, 2023.

_____
NOTARY PUBLIC

My Commission Expires: 3/3/26

MELISSA MOSS
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON

Exhibit A

Legal Description

Land lying in the Eighth Civil District, Nashville, Davidson County, Tennessee, and being more particularly described as follows:

Being all of Lot 102 of the Final Plat Altitude at 41, LLC, Phase I recorded as Instrument No. 20220926-0106611, of the Davidson County, Tennessee Records.

Being the same property conveyed to Altitude at 41, LLC, a New York limited liability company, by Warranty Deed of record in Instrument No. 20180510-0044840, of the Davidson County, Tennessee Records.

Exhibit B

Permitted Encumbrances

1. Taxes and assessments for the year 2023 and subsequent years, not yet due and payable.

2. Matters as set forth in Warranty Deed dated October 23, 1995 and recorded November 8, 1995, in Book 9854, Page 160, of the Davidson County, Tennessee Records.

3. Matters as set forth in Warranty Deed dated May 9, 2018 and recorded May 10, 2018, in Instrument No. 20180510-0044840, of the Davidson County, Tennessee Records.

   A) Subject to Cemetery ingress and egress, as set forth in Instrument No. 20131223-129447, Register's Office for Davidson County, TN.

   B) Any rights or claim because of dedication or use of a portion of the land as cemetery or burial ground, including: Rights, interests, and easements of any persons who have burial lots, their relatives, and the public in the land; Easements for visitation, maintenance, use, driveways, and access; Rights of parties entitled thereto to keep therein the bodies and remains of deceased persons not interred thereon.

4. Declaration of Restrictions and Covenants for Stormwater Facilities and Systems dated January 29, 2020 and recorded February 3, 2020, in Instrument No. 20200203-0012335, of the Davidson County, Tennessee Records.

5. Rights of others, if any, in, over and to that portion of the Land which lies within the public right-of-way.

6. Matters as set forth on Final Plat Altitude at 41, Phase 1, recorded September 26, 2022 as Instrument No. 20220926-0106611, of the Davidson County, Tennessee Records.

7. Declaration of Restrictive Covenants by Altitude at 41, LLC, a New York limited liability company, dated February 22, 2023 and recorded April 4, 2023 as Instrument No. 202340404-0024349, of the Davidson County, Tennessee Records.

8. Declaration of Covenants, Conditions and Restrictions for Altitude at 41 by Altitude at 41, LLC, a New York limited liability company, dated February 26, 2023 and recorded April 4, 2023 as Instrument No. 20230404-0024350, of the Davidson County, Tennessee Records.

Tennessee Certification of Electronic Document

I, Gregory J. Haverkamp, 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 May 24, 2023 (date of document).

Affiant Signature

5.31.23
Date

State of Ohio

County of Hamilton

Sworn to and subscribed before me this 31 day of May, 2023.

Katherine M. Redding
Notary's Signature

MY COMMISSION EXPIRES: _____

NOTARY'S SEAL

NOTARY PUBLIC STATE OF OHIO

KATHERINE M. REDDING
Notary Public, State of Ohio
My Commission Expires
February 13, 2027