Karen Johnson Davidson County
Batch# 1013033 DEEDWARRSP
06/09/2023 08:03:30 AM 5 pgs
Fees: $28.00 Taxes: $16,280.00
20230609-0043804

Address New Owner:	Map-Parcel Number:	Send Tax Bills To:
Pizzuti Donelson LLC The Offices at the Joseph 629 North High Street, Suite 500 Columbus, Ohio 43215	096-01-0-074.00	Same as New Owner
This instrument prepared by: Bradley Arant Boult Cummings LLP (mth) 1600 Division Street, Suite 700, Nashville, Tennessee 37203		

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS ($10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, CBC LIMITED, a Tennessee limited partnership ("***Grantor***"), has bargained and sold, and by these presents transfers and conveys, to PIZZUTI DONELSON LLC, an Ohio limited liability company ("***Grantee***"), Grantee's successors and assigns, the real property described on **Exhibit A**, which is attached hereto and incorporated herein by reference (the "***Property***"), together with all rights, interests, easements and hereditaments appurtenant thereto, including, without limitation, any buildings, structures, fixtures and other improvements located on the Property, all of Grantor's interest, if any, to the land lying beneath any roads and rights-of-way adjoining the Property, and all of Grantor's interest, if any, to any water or mineral rights associated with the Property. This Special Warranty Deed is dated effective as of June 8, 2023 (the "***Effective Date***").

This conveyance of the Property, and all covenants and warranties contained herein, are made expressly subject to the matters described on **Exhibit B**, which is attached hereto and incorporated herein by reference (collectively, the "***Permitted Encumbrances***").

The Property is approximately 3.73 acres of land located at 117 Donelson Pike, Nashville, Tennessee 37214.

TO HAVE AND TO HOLD the Property, with all appurtenances, estate, title and interest thereto belonging to Grantee, Grantee's successors and assigns, forever.

Grantor covenants with Grantee, Grantee's successors and assigns, that Grantor is lawfully seized and possessed of the Property in fee simple, Grantor has the right to convey the Property, and the Property is free from all encumbrances except the Permitted Encumbrances. Grantor further covenants and binds itself, its heirs, successors and assigns, to warrant and forever defend the title to the Property to Grantee, Grantee's successors and assigns, against the lawful claims of all persons whomsoever claiming by, through or under Grantor, except claims arising under or by virtue of the Permitted Encumbrances.

STATE OF Tennessee
COUNTY OF DAVIDSON

The actual consideration, or value, whichever is greater, for this transfer is $4,400,000.00.

Affiant

Subscribed and sworn to before me this 08 day of June, 2023.

LISA FARRIS
STATE OF TENNESSEE
NOTARY PUBLIC
ROBERTSON COUNTY
MY COMMISSION EXPIRES AUGUST 24, 2024

Notary Public
My Commission Expires: 08-24-2024

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed effective as of the Effective Date.

GRANTOR:

CBC LIMITED, a Tennessee limited partnership

By: Rebel Company, Inc., its General Partner

By: _____
Name: Robert Baulch, III
Its: President

STATE OF Tennessee)
)
COUNTY OF DAVIDSON)

Before me, Lisa Farris, the undersigned, a Notary Public for the county and state aforesaid, personally appeared Robert Baulch, III, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themself to be the President of Rebel Company, Inc., which is the General Partner of CBC LIMITED, a Tennessee limited partnership, the within named bargainor, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by themself as the President of its General Partner.

WITNESS my hand and seal at office in DAVIDSON County, Tennessee on this 6th day of June, 2023.

Lisa Farris
Notary Public

My Commission Expires:

08. 24. 2024

(seal)

LISA FARRIS
STATE OF TENNESSEE NOTARY PUBLIC
ROBERTSON COUNTY
MY COMMISSION EXPIRES AUGUST 24, 2024

[*Signature Page to Special Warranty Deed*]

EXHIBIT A

PROPERTY DESCRIPTION

Land in the 3rd, formerly the 2nd, Civil District of Davidson County, Tennessee, described as follows:

Beginning at a spike located 75 feet from the center line of the Tennessee Central Railroad on the easterly margin of Donelson Pike; then North 5 degrees 47' East 210.15 feet to an iron stake; thence with the dividing line of the property of Sadler, South 84 degrees 21' East, 155.80 feet to an iron stake; thence northerly with the rear of Sadler property North 6 degrees 5' East 31.50 feet to an iron stake; thence with the rear line of the Donelson Theatre South 83 degrees 0' East 256.00 feet to an iron stake; thence with the easterly line of the Donelson Theatre North 5 degrees 12' East 98.60 feet to a concrete monument; thence with the rear property line of Donelson Locker Refrigeration Association, South 69 degrees 38' East 82.00 feet to an iron stake; thence South 6 degrees 47' West 518.70 feet to an iron stake, which iron stake is 50 feet from the center line of the Tennessee Central Railroad; thence adjoining the Tennessee Central Railroad North 63 degrees 59' West 173.91 feet to an iron stake; thence North 7 degrees 16' East 26.40 feet to an iron stake; thence North 63 degrees 59' West 340.30 feet to the point of origin, being in accordance with a boundary survey not of record made by Wm. Collier Parrish Associates, Civil Engineers, dated July 9, 1962.

Being a portion of the property conveyed to CBC Limited, a Tennessee limited partnership, by Warranty Deed of record in Book 7101, Page 150, Register's Office for Davidson County, Tennessee, as corrected by Deed of Correction of record in Book 7101, Page 155, said register's office.

INCLUDED IN THE ABOVE BUT EXCLUDED THEREFROM IS THAT PORTION THEREOF DESCRIBED IN WARRANTY DEED OF RECORD IN INSTRUMENT NO. 20020510-0058094, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Real estate taxes for the taxable year 2023, a lien not yet due and payable.

2. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 5593, page 417, Register's Office for Davidson County, Tennessee, as shown on that certain ALTA/NSPS Land Title Survey by Michael H. Charette (TN RLS # 2048) of Cherry Land Surveying, Inc., Job No. 22073-2, dated July 15, 2022, last revised May 30, 2023 (the "Survey").

3. Easement of record in Instrument No. 20120228-0017172, said Register's Office, as shown on the Survey.

4. The following matters shown on the plat of survey by Michael H. Charette, Tenn. RLS No. 2048, with Cherry Land Surveying, Inc., dated July 15, 2022, last revised May 30, 2023, and designated as Job No. 22073-2:

   a. Overhead Utility Line crossing southwest corner; and
   b. Asphalt encroachment in northeast corner.

Certificate of Authenticity

I, Lisa Farris, 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 06/08/2023.

Date

Affiant Signature

06/08/2023

Date

State of Tennessee

County of Davidson

Sworn to and subscribed before me this 8th day of June, 2023.

Notary's Signature

My Commission Expires: 05/05/2023

Date

Notary's Seal (if on paper)

