Karen Johnson Davidson County
Batch# 1058398 DEEDWARR
10/06/2023 08:35:30 AM 5 pgs
Fees: $28.00 Taxes: $555.00
20231006-0078698

OWNER/RESPONSIBLE TAXPAYER:
O'Malley Hughes Real
Estate, LLC
2501 Crossings Boulevard,
Suite 300
Bowling Green, Kentucky 42104

THIS INSTRUMENT PREPARED BY:
Rebecca D. Northup, Esq.
3309 Collins Lane
Louisville, Kentucky 40245

WARRANTY DEED

THIS INDENTURE made as of this 5th day of October 2023, between **UP PROPERTIES, LLC, a Kentucky limited liability company, successor by merger to UP PROPERTIES OF TENNESSEE, LLC, a Tennessee limited liability company,** First Party, and **O'MALLEY HUGHES REAL ESTATE, LLC, a Kentucky limited liability company,** Second Party:

WITNESSETH

THAT SAID FIRST PARTY, for and in consideration of the sum of **TEN AND NO/100 ($10.00) DOLLARS,** and other good and valuable consideration, to it in hand paid by said Second Party, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and does by these presents grant, bargain, sell and convey unto Second Party, the real property located in Davidson County, Tennessee, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

With the improvements located thereon and hereditaments and appurtenances thereto appertaining, hereby releasing all claims therein. **TO HAVE AND TO HOLD** the same unto the Second Party, its successors and assigns forever.

AND SAID FIRST PARTY, for itself and its successors and assigns, does hereby covenant with said Second Party, its successors and assigns, that it is lawfully seized in fee simple of the premises above conveyed and has full power, authority and right to convey the same, and that said premises are free from all encumbrances except the matters set forth on Exhibit "B" attached hereto and made a part hereof, and 2023 real property taxes, which 2023 real property taxes shall be prorated as of the date of closing and which Second Party assumes and agrees to pay (the matters set forth on Exhibit "B" attached hereto, together with the 2023 real property taxes, the "Encumbrances"), and that it will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever, except as to the Encumbrances.

Whenever in this instrument a pronoun is used it shall be construed to represent either singular or plural, or the masculine, feminine or neuter gender, as the case may demand.

IN WITNESS WHEREOF, the said First Party hereunder has caused this instrument to be executed as of the day and year first above written.

UP PROPERTIES, LLC,
a Kentucky limited liability company

By: Troy Hanke
TROY HANKE

Title: CFO

STATE OF KENTUCKY)
) ss
COUNTY OF JEFFERSON)

PERSONALLY appeared before me, the undersigned authority, a Notary Public in and for said County and State, Troy Hanke, 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 Chief Financial Officer of **UP PROPERTIES, LLC, a Kentucky limited liability company**, the within named bargainor, and that he, as such CFO being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as such CFO.

WITNESS my hand and official seal at office this 4TH day of OCTOBER 2023.

Denice Diggs
Notary Public

My Commission Expires: 9/29/2026

DENICE DIGGS
NOTARY PUBLIC
Kentucky, State At Large
Commission # KYNP59721
My Commission Expires 9/29/2026

I hereby swear or affirm that the actual consideration or true value of this transfer, whichever is greater, is $150,000.00

Troy Hanke
Affiant TROY HANKE

WITNESS my hand and official seal at office this 4TH day of OCTOBER 2023.

Denice Diggs
Notary Public

My Commission Expires: 9/29/2026

DENICE DIGGS
NOTARY PUBLIC
Kentucky, State At Large
Commission # KYNP59721
My Commission Expires 9/29/2026

EXHIBIT "A"

Being Lot 2, Resubdivision of part of lot 45 Casper Zopfi Plan, as shown on plat of record in Plat Book 5190, Page 496, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description of the property.

Being the same property conveyed to UP Properties, LLC, a Kentucky limited liability company, by B.F. Nashville, Inc., a Tennessee corporation and the successor in interest to Southern Hospitality Corporation, by Quitclaim Deed dated June 11, 2019, and recorded on June 19, 2019, as Instrument Number 20190619-0059045, in the Register's Office of Davidson County, Tennessee.

EXHIBIT "B"

1. All matters shown on Plan of record in Plat Book 5190, Page 496, in the Register's Office for Davidson County, Tennessee.

2. Restrictions set forth in the deed of record in Book 621, Page 605, in the Register's Office for Davidson County, Tennessee.

3. Agreement for Dedication of Easement for Sanitary Sewers and/or Storm Drainage of record in Book 4819, Page 703, in the Register's Office for Davidson County, Tennessee.

4. Matters depicted and disclosed by ALTA/NSPS Land Title Survey of Land of UP Properties of Tennessee, LLC, made by Byron D. Howell, Surveyor, Tennessee RLS No. 2925, dated June 21, 2023, bearing GRS Project No. 22-61561.1 (the "Survey").

Tennessee Certification of Electronic Document

I, Tonya McCants, 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 10/5/2023 (date of document).

Tonya McCants
Affiant Signature

10/5/2023
Date

State of New York

County of New York

Sworn to and subscribed before me this 5th day of October, 2023.

Lia Capozzi
Notary's Signature

MY COMMISSION EXPIRES: _____

NOTARY'S SEAL

LIA N CAPOZZI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CA6357557
Qualified In Suffolk County
My Commission Expires 04-24-2025