Karen Johnson Davidson County
Batch# 1071838 DEEDWARRSP
11/14/2023 04:01:30 PM 6 pgs
Fees: $33.00 Taxes: $76,775.00
20231114-0088903

This instrument prepared by
and after recording return to:
Bradley Arant Boult Cummings LLP (mth)
1600 Division St, Suite 700
Nashville, TN 37203

SPECIAL WARRANTY DEED

Address New Owner(s) as follows:	Send Tax Bills To:	Tax Map/Parcel IDs:
River West Apartments, LLC Attn: Jack May 4535 Harding Pike, Suite 309 Nashville, Tennessee 37205	Same as New Owner	102-03-0-001.00

FOR AND IN CONSIDERATION of the sum of Ten Dollars and No/100 ($10.00), cash in hand paid by the Grantee and other good and valuable consideration accepted as cash, the receipt and sufficiency of which are hereby acknowledged, **411 ANNEX AVENUE PROPERTY, LLC,** a Tennessee limited liability company (hereinafter referred to as "Grantor"), herein this day has bargained and sold, and does hereby transfer and convey, unto **RIVER WEST APARTMENTS, LLC**, a Tennessee limited liability company (hereinafter referred to as "Grantee"; the terms "Grantor" and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits), the following described real property, to wit:

> ALL THAT TRACT OR PARCEL of improved land lying and being in Davidson County, Tennessee, being more particularly described on **Exhibit "A"** attached hereto (the "Land"); TOGETHER WITH any and all improvements, appurtenances, rights, privileges and easements benefiting, belonging or pertaining to the Land, and any right, title and interest of Grantor in and to any land lying in the bed of any street, road or highway in front of or adjoining said Land, together with any strips or gores relating to the Land (the Land and the foregoing rights, easements and appurtenances being hereinafter collectively referred to as the "Property").

This is the same real estate conveyed to the Grantor by Special Warranty Deed recorded as Instrument No. 20210104-0000265, in the Register's Office of Davidson County, Tennessee, Tax ID No. 102-03-0-001.00.

This is improved property with a street address of 411 Annex Avenue, Nashville, Tennessee 37209.

TO HAVE AND TO HOLD said Property, with the appurtenance, estate, title and interest thereto belonging, to the Grantee, its successors and assigns forever.

Grantor covenants that it is lawfully seized and possessed of said Property in FEE SIMPLE, has a good right to convey it, and that the same is unencumbered, except for those matters shown on **Exhibit "B"** attached hereto and incorporated herein by this reference (the "Permitted Exceptions").

Grantor further covenants and binds itself, its successors and assigns, to warrant and forever defend the title to said Property to said Grantee, its successors and assigns, against all persons claiming under Grantor, but no further or otherwise and subject, however, to the Permitted Exceptions.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on this 13th day of November, 2023.

GRANTOR:

411 ANNEX AVENUE PROPERTY, LLC,
a Tennessee limited liability company

By: W. W. Burton
Name: Will W. Burton
Its: Authorized Representative

STATE OF Tennessee

COUNTY OF Davidson

Personally appeared before me, the undersigned authority, a Notary Public in and for said County and State, Walt Burton, the Authorized Rep of 411 Annex Avenue Property, LLC, a Tennessee limited liability company, the within-named Grantor, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the foregoing instrument for the purposes therein expressed and contained, by signing the name of the limited liability company as such Authorized Rep.

Witness my hand and official seal this 10 day of November, 2023.

My Commission Expires:
9-8-25

Samantha Birdsall
Notary Public

SAMANTHA BIRDSALL
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 09-08-2025

STATE OF Tennessee

COUNTY OF Davidson

I hereby swear and affirm that the actual consideration for this transfer, or value of the property transferred, whichever is greater, is $20,750,000.00, which is equal to or greater than the amount the property transferred would command at a fair and voluntary sale.

Affiant

Sworn to and subscribed before me,
this 13th day of November 2023.

NOTARY PUBLIC

My Commission Expires: 05/05/25

SETH A. DEARINGER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

EXHIBIT A

Legal Description of Property

Land in Davidson County and further described as follows:

Being a parcel of land in the First Civil District of Nashville, Davidson County, Tennessee, located in the northwesterly quadrant of Annex Drive and Cleece's Ferry Road on the east bank of the Cumberland River and being more particularly described as follows:

Beginning at a concrete monument in the westerly margin of Annex Drive, said monument being the northeast corner of herein described tract and the southeast corner of Lot No. 1174 of Charlotte Park, Section 17 of record in Plat Book 3600, page 22, R.O.D.C.;

Thence, with said margin and a curve concave to the east having a central angle of 23° 27' 53", a radius of 607.15 feet and a chord of S 21° 05' 56" W, 246.92 feet for an arc length of 248.65 feet to a concrete monument;

Thence, S 09° 22' 00" W, 281.21 feet to a point;

Thence, with a curve concave to the east having a central angle of 26° 14' 58", a radius of 940.00 feet and a chord of S 03° 45' 29" E, 426.89 feet for an arc length of 430.65 feet to a point;

Thence, with a curve concave to the west having a central angle of 87° 04' 00", a radius of 25.00 feet and chord of S 26° 39' 02" W, 34.44 feet for an arc length of 37.99 feet to a point in the northerly margin of Cleece's Ferry Road;

Thence, with said north margin, S 70° 11' 00" W, 176.56 feet to a point;

Thence, with a curve concave to the south having a central angle of 21° 50' 00", a radius of 396.26 feet and a chord of S 59° 16' 00" W, 150.09 feet for an arc length of 151.00 feet to a point;

Thence, leaving said margin, N 47° 24' 00" W, 63.00 feet to a point at the edge of the water of the Cumberland River;

Thence, northerly with the edge of the water, more or less, N 10° 53' 59" E, 1229.78 feet to a point; Thence, leaving said edge of water, with the south line of aforementioned Lot 1174, Charlotte Park, S 57° 10' 00' E, 275.00 feet to the point of beginning, containing 275,839 square feet or 6.33 acres, more or less.

Being the same property conveyed to 411 ANNEX AVENUE PROPERTY, LLC, a Tennessee limited liability company, by deed from MILDRED HUDGINS REALTY LLC, a Tennessee limited liability company and LEIGH-LAND STABLES, LLC, a Tennessee limited liability company, of record Instrument No. 20210104-0000265, Register's Office of Davidson County, Tennessee.

EXHIBIT B

Permitted Exceptions

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

2. Easement(s) in deed of record in Book 2155, Page 311, Register's Office for Davidson County, Tennessee.

3. TVA transmission line and utility anchor easement noted in deeds of record in Book 6735, Page 922 and Book 8176, Page 167, Register's Office for Davidson County, Tennessee.

4. Grant of Easement to Comcast of Nashville I, LLC, of record in Instrument No. 20121114-0104691, Register's Office for Davidson County, Tennessee.

5. Rights of tenants in possession, as tenants only, under prior unrecorded residential leases.

6. Easement for the flow of the water of Cumberland River and the rights of the public therein.

7. Rights of upper and lower riparian owners to the flow of the water of Cumberland River, free from diminution or pollution.

8. Changes in the boundary of the subject property resulting from erosion or accretion caused by the flow of Cumberland River.

9. Title to that portion of the land lying below the ordinary low water mark of Cumberland River.

10. The following matters shown on the plat of survey by James M. Powers, Tenn. RLS No. 2761, with Red Plains Surveying Company, dated October 2, 2023, last revised October 9, 2023, and designated as Job No. 23-227-01U:

a. Rock wall extends over boundary line in Southeast corner;

b. Overhead power line extends over boundary line into property along East boundary line outside easement of record;

c. Overhead power line extends over boundary line into property along South boundary line outside easement of record;

d. Chain link fence extends over North boundary line.

Certificate of Authenticity

I, Danielle Dunn, 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 November 13, 2023.
Date

Affiant Signature

November 13, 2023
Date

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Sworn to and subscribed before me this 13th day of November 2023.

Notary's Signature

My Commission Expires: 05/05/25
Date

Notary Seal (if on paper)

SETH A. DEARINGER
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY