Karen Johnson Davidson County
Batch# 1078862 DEEDWARRSP
12/05/2023 03:52:30 PM 6 pgs
Fees: $33.00 Taxes: $12,025.00
20231205-0094119

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

TO: MANDAR HOTELS LLC, a Tennessee limited liability company

Address New Owner as follows:	Send Tax Bills to:	Map/Parcel No.
Mandar Hotels LLC 400 Sugartree Lane Franklin, TN 37064	Same	050-00-0-165-00

THIS INSTRUMENT PREPARED BY:
J. Steven Kirkham, Esq., Holland & Knight LLP, 511 Union St., Suite 2700, Nashville, TN 37219

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, for this transfer is $3,250,000.00.

Affiant

Subscribed and sworn to before me, this the 30th day of November, 2023.

Notary Public
My Commission Expires:

CARMEN COATS
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 3-3-2026

SPECIAL 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 **MANDAR HOTELS LLC**, a Tennessee 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 3465 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 all persons claiming by, through or under GRANTOR, but not further or otherwise. 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.

In relation to the initial construction of a hotel by Grantee, Grantor hereby confirms it is the Declarant under that "Declaration of Covenants, Conditions and Restrictions for Altitude at 41", of record as Instrument #20230404-0024350; and further confirms that as Declarant it is currently in control of the Architectural Control Committee, as described by Article VIII of the aforesaid Declaration. Pursuant to such role, the Grantor hereby: (i) pursuant to Section 6.8 of the Declaration, approves a satellite dish atop the improvements to be constructed by Grantee, it's successors and/or assigns, provided such dish is no more than 18" in diameter and placed in a position to be screened from view of Dickerson Road; (ii) pursuant to Section 6.21 of the Declaration, hereby approves the Land Coverage area of the initial improvements contemplated to be constructed by Grantee; and (iii) pursuant to Section 6.9 of the Declaration, hereby approves the signage contemplated to be installed and maintained by Grantee.

[Signature Page Follows]

IN WITNESS WHEREOF, this Special Warranty Deed has been executed 29th day of November, 2023.

ALTITUDE AT 41 LLC,
a New York limited liability company

By: _____
Name: _____
Title: _____

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

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/herself to be a Member of ALTITUDE AT 41 LLC, a New York limited liability company, the within named bargainor, a Nicholas Cutaia, and that he/she as such Member, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself/herself as such Member.

Witness my hand and seal, at office in Nashville, TN, this the 29th day of November, 2023.

_____
NOTARY PUBLIC

My Commission Expires: 7/13/2024

JATIN A. SHAH
MY COMM. EXPIRES
STATE OF TENNESSEE NOTARY PUBLIC
07/13/2024
COUNTY OF WILLIAMSON

Exhibit A

Legal Description

Land situated in Davidson County, Tennessee:

Lot 101, Final Plat Altitude at 41, Phase I, as shown on plat of record in Instrument No. 20220926-10106611, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said Land.

Being the same property conveyed to Altitude at 41 LLC, a New York limited liability company, by Warranty Deed from Steve Denny, Terry Denny and Scotty Chambliss, each owning a one-third interest as tenants in common of record in Instrument No. 20180510-0044840, said Register's Office.

Exhibit B

Permitted Encumbrances

1. Taxes and assessments for the year 2024 and subsequent years, not yet due and payable.

2. Subject to all matters shown on the Plan of record as Instrument No. 20220926-0106611, Register's Office for Davidson County, Tennessee.

3. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens provided in the Covenants, Conditions and Restrictions of record in Instrument Number 20230404-0024349 and Instrument Number 20230404-0024350, said Register's Office.

4. Restrictions of record as Instrument Number 20180510-0044840 said Register's Office.

5. Declaration of Restrictions and Covenants for Stormwater of record in Instrument Number 20200203-0012335, said Register's Office.

6. Sidewalk and Temporary Grading Easement Agreement of record in Instrument Number 20200327-
7. 0033428, said Register's Office.

8. Agreement for Dedication of Public Right-of-Way of record in Instrument Number 20200513-0049578, said Register's Office.

9. Easement of record in Book 9854, Page 160, said Register's Office. said Register's Office.

10. Subject to the rights of others in and to the means of ingress and egress to and from a certain cemetery as
11. described in deed of record in Instrument Number 20131223-0129447, said Register's Office.

12. Subject to rights of others in and to the common areas and/or elements.

13. Subject to the flow of any creeks, streams, or branches across subject proper

202312050094119

Tennessee Certification of Electronic Document

I, J. BRANDON MILLER 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 **November 27, 2023** (date of document).

Affiant Signature

December 5, 2023

State of TENNESSEE

County of DAVIDSON

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

CAITLIN MCKEIGHEN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF DAVIDSON
MY COMM. EXPIRES JULY 7, 2025

Notary's Signature

MY COMMISSION EXPIRES: 7-7-25