Karen Johnson Davidson County
Batch# 1113462 DEEDWARRSP
03/21/2024 10:12:30 AM 6 pgs
Fees: $33.00 Taxes: $7,585.00
20240321-0019543

THIS INSTRUMENT PREPARED BY:
Alison Woodrow, Esq.
Hartman Simons & Wood LLP
400 Interstate North Pkwy, SE, Suite 600
Atlanta, Georgia 30339

AFTER RECORDING RETURN TO:
Stewart Title Guaranty Company
5901 Peachtree Dunwoody Rd., Suite B-540
Atlanta, GA 30328
Attn: Regina Yoho

Name and Address of New Owner:
Highway 23 LLC
c/o B. Clark Heebe
110 Moore Road
Mandeville, Louisiana 70471
Phone: 504.421.7760

Send Tax Bills To:
Same

Map Parcel No.:
034 02 0 111.00

SPECIAL WARRANTY DEED

IN CONSIDERATION of One Dollar ($1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **KDI RIVERGATE MALL, LLC,** a Georgia limited liability company ("Grantor"), does hereby sell, transfer and convey unto **HIGHWAY 23 LLC**, a Louisiana limited liability company ("Grantee"), certain real property located in Goodlettesville, Davidson County, Tennessee, more particularly described on **Exhibit "A"** attached hereto and made a part hereof. This conveyance is subject to the matters set forth on **Exhibit "B"** attached hereto and made a part hereof.

TO HAVE AND TO HOLD said property unto Grantee, its successors and assigns, forever in fee simple.

Grantor covenants that it is lawfully seized and possessed of said real property; that it has full power and lawful authority to sell and convey same; and the Grantor will forever warrant and defend the title to the real property herein conveyed against all persons claiming the same from, through or under it, but not further or otherwise.

IN WITNESS WHEREOF, Grantor has executed this conveyance this 19th day of March, 2024.

GRANTOR:

KDI RIVERGATE MALL, LLC, a Georgia limited liability company

By: KDI HENDON HOLDING COMPANY, LLC, a Georgia limited liability company, its Sole Member

By: HENDON THREE MALL HOLDINGS, LLC, a Georgia limited liability company, its Manager

By: _____ (Seal)
J. Charles Hendon, Jr.
Sole Member

STATE OF Georgia)
) SS:
COUNTY OF Fulton)

Before me, the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared J. Charles Hendon, Jr., with whom I am personally acquainted and who upon his oath acknowledged himself to be the Sole Member of Hendon Three Mall Holdings, LLC, a Georgia limited liability company, the Manager of KDI Hendon Holding Company, LLC, a Georgia limited liability company, Sole Member of KDI Rivergate Mall, LLC, a Georgia limited liability company, the within named bargainor, and that he as such, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of KDI Rivergate Mall, LLC, by the said J. Charles Hendon, Jr. as Sole Member of Hendon Three Mall Holdings, LLC, being the Manager of KDI Hendon Holding Company, LLC, being the Sole Member of KDI Rivergate Mall, LLC.

Witness my hand seal at office this 13th day of March, 2024.

Roxanne S Payne
Notary Public
State of Georgia, County of Fulton
Roxanne S. Payne
Type/print name of Notary Public

My Commission Expires: 3/16/26

[NOTARY SEAL]

Roxanne S Payne
My Commission Expires
March 16, 2026
NOTARY PUBLIC
GEORGIA
DOUGLAS COUNTY

3996594-1 10403.200000
4656317-1 12339.009904

EXHIBIT "A"

LEGAL DESCRIPTION

Land in Davidson County, Tennessee, being Lot No. 4B of the Re-subdivision of Lot 4 and Lot 5, Rivergate Mall Shopping Center, as shown on plat of record in Plat Instrument 201911260122177, Register's Office for Davidson County, reference to which is hereby made for a more complete description.

Being a portion of the same property conveyed to KDI Rivergate Mall, LLC, a Georgia limited liability company by Special Warranty Deed from Rivergate Mall Limited Partnership, a Delaware limited partnership, dated August 30, 2013, of record in Instrument 201309050093854, Register's Office for Davidson County, Tennessee.

Map Parcel No. 034 02 0 111.00

3996594-1 10403.200000
4656317-1 12339.009904

EXHIBIT "B"

TITLE EXCEPTIONS

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

2. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records.

3. All matters shown on that certain Stewart Title Guaranty Company's Title Commitment No. 2257244 with an effective date of February 23, 2024 at 8:00 a.m.

4. Any facts, rights, interests or claims that may be disclosed by a survey and inspection of the Property.

STATE OF Georgia)
COUNTY OF Fulton)

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is $ 2,050,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Subscribed and sworn to before me on this 14th day of March, 2024.

Jessica Robertson
Notary Public

[Affix Notary Seal]

My Commission Expires:

Aug. 27, 2027

JESSICA ROBERTSON NOTARY PUBLIC CHEROKEE COUNTY, GEORGIA MY COMMISSION EXPIRES AUGUST 27, 2027

AFFIANT – Grantee:

HIGHWAY 23 LLC, a Louisiana limited liability company

By: ~~D. Clarke Heebe~~, Member
B. Clark Heebe

3996594-1 10403.200000
4656317-1 12339.009904

CERTIFICATE OF AUTHENTICITY

I, Will Lovell 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 March 19, 2024.

Will Lovell
Affiant
Date: March 20, 2024

STATE OF ~~TENNESSEE~~ Georgia
COUNTY OF Fulton

Sworn to and subscribed before me this 20th day of March, 2024

Jessica Robertson
Notary Public

My Commission Expires: 8/27/27

JESSICA ROBERTSON NOTARY PUBLIC CHEROKEE COUNTY, GEORGIA MY COMMISSION EXPIRES AUGUST 27, 2027