Karen Johnson Davidson County
Batch# 1240354 DEEDWARRSP
02/25/2025 07:52:30 AM 8 pgs
Fees: $43.00 Taxes: $7,400.00
20250225-0013653

THIS INSTRUMENT PREPARED BY:
DOERNER, SAUNDERS, DANIEL & ANDERSON, LLP
210 PARK AVE, STE 1200
OKLAHOMA CITY, OK 73102-5603

WHEN RECORDED MAIL TO:

FIDELITY NATIONAL TITLE CO – NCS DIV
ONE EAST WASHINGTON STREET, SUITE 450
PHOENIX, AZ 85004
ATTN: KELLI VOS
(602)343-7572

TITLE NO.: 20242450CTN
ESCROW NO.: Z2452817-KEV **MASTER NO.: Z2453301**
DO NOT REMOVE THIS COVER SHEET. IT IS NOW PART OF THE RECORDED DOCUMENT.

DOCUMENT TO BE RECORDED:

SPECIAL WARRANTY DEED

This instrument was prepared by:

Doerner Saunders Daniel & Anderson, LLP
210 Park Avenue, Suite 1200
Oklahoma City, OK 73102-5603

Owner and Responsible Taxpayer:

Realty Income Properties 30, LLC
11995 El Camino Real
San Diego, California 92130
Attn: Legal Department

CLT No. 042G-J-001.01
4115 Lebanon Pike, Hermitage, TN 37076

Space Above This Line for Register's Use

SPECIAL WARRANTY DEED

This INDENTURE is made on this 9th day of January, 2025, by and between ROC Solid Foods, LLC (dba Zaxby's), a Georgia limited liability company, whose address is 620 Cave Springs Road, Lebanon, Tennessee 37087, hereinafter referred to as "Grantor," and Realty Income Properties 30, LLC, a Delaware limited liability company, whose address is 11995 El Camino Real, San Diego, California 92130, hereinafter referred to as "Grantee."

WITNESSETH:

For and in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, as set forth herein, in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, and conveyed, and does hereby grant, bargain, sell, and convey, unto the Grantee that certain real property and premises described on **Exhibit "A"** attached hereto and incorporated herein by reference, together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, and together with all improvements situated thereon, all sewer and wastewater discharge capacity allocated or reserved thereto, all potable water capacity allocated or reserved thereto, all other utility rights allocated or reserved thereto, all development rights with respect thereto and any right, title and interest of Grantor in and to adjacent streets, alleys, rights-of-way and any adjacent strips or gores of real estate (the "Property"), hereby releasing all claims to homestead and dower therein, to have and to hold the said Property to Grantee, and Grantee's successors and assigns forever.

Grantor, for Grantor and Grantor's successors and assigns, hereby covenants with Grantee, and Grantee's successors and assigns, that Grantor is lawfully seized in fee simple of the Property conveyed hereby, has full power, authority and right to convey the same, that the said Property is free from all encumbrances except for the matters set forth on **Exhibit "B"** ("Permitted Exceptions"), and that Grantor will forever warrant and defend said Property and the title thereto

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against the lawful claims of all persons claiming by or through Grantor, but not further or otherwise.

[Signature page follows.]

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal as of the day, month, and year first above written.

GRANTOR:

ROC SOLID FOODS, LLC,
a Georgia limited liability company

By: _____
Name: CHAD MARTIN
Its: CHIEF OPERATING MANAGER

STATE OF GEORGIA)
) SS
COUNTY OF Floyd)

Before me, a Notary Public in and for the state and county aforesaid, personally appeared Chadwick W. Martin, 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 Operating Manager of ROC Solid Foods, LLC, a Georgia Limited Liability Company, and that he/she, as the Chief Operating Manager of such Company, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Chadwick W. Martin by himself/herself as the Chief Operating Manager of the Company thereof.

Witness my hand and seal, this 9th day of January, 2025.

Cristy Britt
Notary Public

My Commission Expires: 6/7/27

(SEAL)

CRISTY D BRITT
My Commission Expires
NOTARY
PUBLIC
06-07-2027
FLOYD, GA

I hereby swear or affirm that the actual consideration or true value of the property transferred hereby, whichever is greater, is Two Million Dollars and 00/100 ($2,000,000.00).

AFFIANT:

Name: Andrea Dennehy

Subscribed and sworn to before me this 9th day of January, 2025.

ERIN LEATHAM
Notary Public - Arizona
Maricopa Co. / #614103
Expires 09/30/2025

Notary Public

My Commission Expires: 9.30.2025

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

Tract 1:

A certain tracts or parcels of land in the State of Tennessee, Davidson County, and described as follows, to wit:

Being a parcel of land in Nashville, Davidson County, Tennessee, said property being located East of Old Hickory Boulevard and South of Lebanon Road (U.S. Highway 70), known as Out Lot 2 on Plat of record in Book 6900, Page 3, in a Register's Office for Davidson County, Tennessee, known as 4115 Lebanon Road, Hermitage, TN., more particularly described as follows:

Beginning at a concrete monument being the intersection of the Southerly margin of Lebanon Road and the Easterly margin of the Seaboard System Railroad; thence with the Southerly margin of Lebanon Road with a curve to the right having a central angle of 01 degrees 24 minutes 45 seconds a radius of 3,755.7 feet and an arc length of 92.59 feet; thence North 31 degrees 04 minutes East 22.28 feet; thence leaving said road South 78 degrees 42 minutes 36 seconds East 271.75 feet to the Westerly margin of a proposed drive; thence with said drive South 05 degrees 35 minutes 00 seconds West 175.00 feet; thence leaving said drive North 84 degrees 25 minutes 00 seconds West 293.64 feet to a point in the Easterly margin of Seaboard System Railroad; thence with a curve to the left having a central angle of 03 degrees 00 minutes 10 seconds a radius of 1,946.90 feet and an arc length of 102.04 feet to the point of beginning; containing 1.31 acres, more or less.

Tract 2:

Together with rights of ingress and egress over the Joint Access and Public Utility Easement shown on the Plat of record in Book 6900, Page 3, in the Register's Office for Davidson County, Tennessee.

Being the same property conveyed to ROC Solid Foods, LLC (dba Zaxby's), a Georgia Limited Liability Company by General Warranty Deed from The Grand Golden Dragon Enterprise, Inc., a Tennessee Business Corporation of record in Instrument No. 20130103-0000763, Register's Office for Davidson County, Tennessee, dated December 04, 2012 and recorded on January 03, 2013.

Property Address: 4115 Lebanon Pike, Hermitage, TN 37076

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF TITLE TO THE PROPERTY DESCRIBED HEREIN. THIS DEED HAS BEEN PREPARED SOLELY FROM INFORMATION FURNISHED TO THE PREPARER WHO MAKES NO REPRESENTATION WHATSOEVER OTHER THAN THAT IT HAS BEEN ACCURATELY TRANSCRIBED FROM THE INFORMATION.

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Subject to all matters shown on the Plan of record in Plat Book 6900, Page 3, Register's Office for Davidson County, Tennessee.

2. Restrictions set forth in the Deed of record in Book 6963, Page 361, and as modified by Modification to Deed Restrictions in Book 7747, Page 539, in the Register's Office for Davidson County, Tennessee, but omitting any restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons.

3. Anchor Easement along the easterly margin of the Louisville and Nashville Railroad acquired by the Metropolitan Government by decree in Docket C-2560, in the Third Circuit Court for Davidson County, Tennessee, as referenced in the Deed of record in Book 7765, Page 853, in the Register's Office for Davidson County, Tennessee.

4. Declaration of Restrictions and Covenants for Stormwater Facilities and Systems of record in Instrument Number 20130506-0045542, in the Register's Office for Davidson County, Tennessee.

5. Grant of Easement Distribution of record in Instrument Number 20130716-0073539, in the Register's Office for Davidson County, Tennessee.

6. Possible right of Louisville and Nashville Railroad to increase its right-of-way to the full extent of its charter.

7. Any rights, easements, interests, or claims which may exist by reason of, or reflected by, the following matters disclosed on the ALTA/NSPS Land Title Survey prepared by Kimberly D. Solitro, PLS No. 3077, Republic National for Partner ESI, dated November 5, 2024 and last revised January 13, 2025:

    (a) Utility and drainage lines, with meters, valves, poles and other appurtenances, not located within a recorded easement area;

    (b) Metal fence running along, and crossing over, the subject property line and rights or claims of others in and to the land located between the fence line and property line.

Tennessee Certification of Electronic Document

I, Teresa Beardsley, 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 January 9, 2025 (date of document).

Teresa C Beardsley
Affiant Signature

2-21-2025
Date

State of Tennessee

County of Williamson

Sworn to and subscribed before me this 21 day of February, 2025.

Brandy Catalanotto
Notary's Signature

My Commission Expires: 11/8/27

