Karen Johnson Davidson County
Batch# 1284398 DEEDWARRSP
06/13/2025 02:41:30 PM 6 pgs
Fees: $33.00 Taxes: $1,503.88
20250613-0046354

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

## SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

| **NOTARY SEAL** | STATE OF TENNESSEE<br>COUNTY OF DAVIDSON<br><br>The actual consideration or value, whichever is greater, for this transaction is $406,454.00.<br><br>Affiant<br><br>Subscribed and sworn to before me, this the 29TH day of MAY, 2025.<br><br>Notary Public<br><br>My Commission Expires: 3/3/26 |
|---|---|

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

**THIS INSTRUMENT WAS PREPARED BY:**
**WINSTEAD PC, 600 WEST 5th STREET, SUITE 900, AUSTIN, TEXAS 78701**

| **Address of New Owners:** | **Send Tax Bills To:** | **Map/Parcel Numbers:** |
|---|---|---|
| 6549 Waterford Circle<br>Sarasota, Florida 34238 | PO Box 8800<br>Dayton, Ohio 45482 | 093090G15700CO |

STATE OF TENNESSEE§
§ KNOW ALL MEN BY THESE PRESENTS THAT:
COUNTY OF DAVIDSON §

THAT, **NASHVILLE GULCH PII JV HOLDINGS,** a Delaware general partnership ("**Grantor**"), the owner of Unit 1711, of The Pullman Condominiums, a condominium regime (the "Residence"), created under and pursuant to that certain Declaration of Condominium Regime for The Pullman Condominiums recorded as Document No. 20240715-0053179, with the Register of Deeds of Davidson County, Tennessee, for and in consideration of good and valuable consideration paid by **JOSEPH MACDONALD GARLAND** and **JENNIFER ZOKOVITCH GARLAND, HUSBAND AND WIFE** (whether one or more, "**Grantee**"), the receipt and sufficiency of which are hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of one certain promissory note ("**Note**") of even date herewith in the principal sum of **THREE HUNDRED FOUR THOUSAND EIGHT HUNDRED THIRTY-NINE AND NO/100 DOLLARS ($304,839.00)** payable to the order of **PNC BANK, N.A.** ("**Lender**"), as therein provided and bearing interest at the rates therein specified, the payment of which Note is secured by the vendor's lien herein retained by Grantor ("**Vendor's Lien**") and is additionally secured by a deed of trust of even date herewith to Brock & Scott PLLC, as Trustee, for the benefit of Lender, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does hereby GRANT, BARGAIN, SELL and

CONVEY unto Grantee the property, situated in Davidson County, Tennessee, and being described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes, together with an undivided interest, appurtenant to the Unit, in and to the Common Elements (as defined on Exhibit "A" attached hereto).

TOGETHER WITH, all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in anywise appertaining thereto and with all improvements located thereon (said land, rights, benefits, privileges, easements, tenements, hereditaments, appurtenances, improvements and interests being hereinafter referred to as the "**Subject Property**").

This conveyance is subject to all restrictions, easements and planning documents of record, and current year's taxes and subsequent years, a lien not yet due and payable.

TO HAVE AND TO HOLD the Subject Property, subject to the exceptions aforesaid, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, personal representatives, successors and assigns to WARRANT and FOREVER DEFEND, all and singular, the Subject Property, subject to the exceptions aforesaid, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

Grantee, by its acceptance hereof, does hereby assume and agree to pay any and all ad valorem taxes and special assessments pertaining to the Subject Property for the current calendar year and all subsequent years; there having been a proper proration of ad valorem taxes for the current calendar year between Grantor and Grantee.

The Vendor's Lien, together with the superior title to the Subject Property, is retained herein for the benefit of Lender at the request of Grantee and the same are hereby conveyed, transferred and assigned to Lender, its successors and assigns. The Vendor's Lien and superior title to the Subject Property are retained until the Note is fully paid according to its terms, at which time this Special Warranty Deed shall become absolute.

EXCEPT AS SPECIFICALLY PROVIDED IN THIS DEED AND THE LIMITED WARRANTY PROVIDED IN CONNECTION HEREWITH, GRANTOR MAKES NO REPRESENTATIONS OR WARRANTIES IN CONNECTION WITH THE SUBJECT PROPERTY. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE IS ACQUIRING THE SUBJECT PROPERTY "AS IS" AND "WHERE IS," AND THAT, TO THE EXTENT ALLOWED BY APPLICABLE LAW, GRANTOR HAS DISCLAIMED ANY AND ALL OTHER WARRANTIES, BOTH EXPRESS AND IMPLIED, SPECIFICALLY INCLUDING, WITHOUT LIMITATION, THE WARRANTIES OF MERCHANTABILITY, HABITABILITY, AND FITNESS FOR A PARTICULAR USE OR PURPOSE.

*[SIGNATURE AND ACKNOWLEDGMENT PAGE FOLLOWS]*

EXECUTED as of the 21 day of May, 2025.

**GRANTOR:**

**NASHVILLE GULCH PII JV HOLDINGS,** a Delaware general partnership

By: 12D GU PII JV Holdings, LP,
a Delaware limited partnership,
its managing general partner

By: ERG GU PII Nashville Holdings, LP,
a Delaware limited partnership,
its sole general partner

By: Endeavor 2017 Management, LLC,
a Texas limited liability company,
its sole general partner

By: _____
Printed Name: Sam Martens
Title: Vice President

THE STATE OF ~~TENNESSEE~~ TEXAS §
§
COUNTY OF ~~DAVIDSON~~ TRAVIS §

This instrument was acknowledged before me this 21 day of May, 2025 by Sam Martens, the Vice President of Endeavor 2017 Management, LLC, a Texas limited liability company, the sole General Partner of ERG GU PII Nashville Holdings, LP, a Delaware limited partnership, the sole General Partner of 12D GU PII JV Holdings, LP, a Delaware limited partnership, the managing General Partner of **NASHVILLE GULCH PII JV HOLDINGS,** a Delaware general partnership, on behalf of such entities.

(SEAL) NOTARY PUBLIC STATE OF TEXAS
Maylee Yaeger
My Commission Expires
4/4/2028
Notary ID134838586

maylee yaeger
Notary Public Signature

GRANTEE'S ADDRESS FOR TAX NOTICES

Joseph MacDonald Garland
Jennifer Zokovitch Garland
PO Box 8800
Dayton, Ohio 45482

**EXHIBIT "A" TO SPECIAL WARRANTY DEED**

PROPERTY DESCRIPTION

Unit 1711 as established by the Declaration of Condominium Regime for The Pullman Condominiums (A Condominium Community in Davidson County, Tennessee), of record as Instrument No. 20240715-0053179, Register's Office of Davidson County, Tennessee (the "Declaration"), to which reference is hereby made for a more complete description, together with easements appurtenant to said unit, and an undivided percentage interest in the common elements allocated to said unit, as set forth in said Declaration.

Being a portion of the same property conveyed to NASHVILLE GULCH PII JV HOLDINGS, a Delaware general partnership, by Special Warranty Deed from 12D Nashville Land Partners, LP, a Delaware limited partnership, of record as Document No. 20220216-0018086 Register of Deeds Office of Davidson County, Tennessee, dated February 10, 2022 and recorded on February 16, 2022.

**Tennessee Certification of Electronic Document**

I, Steven T. Morris, 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 May 29. 2025.

Affiant Signature

12th day of June, 2025

Date

State of Tennessee

County of Davidson

Sworn to and subscribed before me this 12th day of June, 2025

Notary's Signature

MY COMMISSION EXPIRES: 1/24/2028

NOTARY'S SEAL

CATHERINE DESIMONE
STATE OF TENNESSEE
NOTARY PUBLIC
DAVIDSON COUNTY
MY COMMISSION EXPIRES 1-24-2028