

SPECIAL WARRANTY DEED

Excise Tax: \$138,500.00

Tax Parcel Identifier No.: 9880443469

Mail after recording to:

KV Chapel Hill Owner, LLC
5728 LBJ Freeway, Suite 400
Dallas, Texas 75240

Submitted electronically by MBL Title in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Orange County Register of Deeds.

KPC

This instrument was prepared without title examination by:

The Connor Group
10501 Springboro Pike
Miamisburg, Ohio 45342
Attn: Kevin M. Hyland, Esq.

Brief description for the Index:

The Pointe at Chapel Hill Apartments:
100 Saluda Court, Chapel Hill, North
Carolina 27514

THIS DEED made this 16th day of September, 2021, by and between:

GRANTOR	GRANTEE
CHAPEL HILL AT THE POINTE, LLC, a Delaware limited liability company 10510 Springboro Pike, Miamisburg, Ohio 45342	KV CHAPEL HILL OWNER, LLC a Delaware limited liability company 5728 LBJ Freeway, Suite 400 Dallas, Texas 75240
CHAPEL HILL AT THE POINTE VILLAGER, LLC, a Delaware limited liability company 10510 Springboro Pike, Miamisburg, Ohio 45342	

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged Chapel Hill at The Pointe, LLC, a Delaware limited liability company and Chapel Hill at The Pointe Villager, LLC, a Delaware limited liability company (collectively "Grantor"), have and by these presents does grant, bargain, sell and convey to KV CHAPEL HILL OWNER, LLC, a Delaware limited liability company, in fee simple, the property more fully described in Exhibit "A".

The property hereinabove described was acquired by Chapel Hill at The Pointe, LLC by instrument recorded in Book 6056, Pages 235-240 of the Orange County, North Carolina Registry, and Chapel Hill at The Pointe Villager, LLC acquired an undivided 49.414% tenant-in-common interest in the property by instrument recorded in Book 6115, Pages 241-245 of the Orange County, North Carolina Registry.

TO HAVE AND TO HOLD the aforesaid undivided interest in said lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND, SUBJECT TO the title matters expressly set forth on Exhibit "B" attached hereto and made a part hereof, Grantor will warrant and forever defend the right and title to the Property unto the Grantee against the claims of all persons claiming by, through or under Grantor.

The property herein above described does not contain the primary residence of Grantor.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor has executed this Deed on the day and year first written above.

CHAPEL HILL AT THE POINTE, LLC,
a Delaware limited liability company (SEAL)

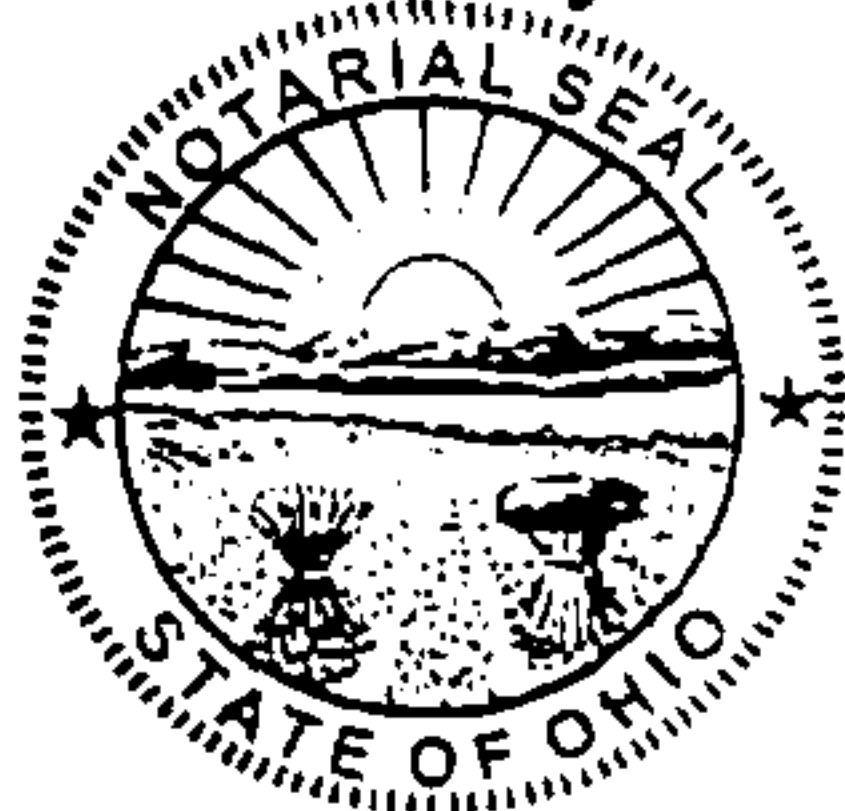
By: [Signature]
Lawrence S. Connor, President

CHAPEL HILL AT THE POINTE VILLAGER, LLC,
a Delaware limited liability company (SEAL)

By: [Signature]
Lawrence S. Connor, President

STATE OF OHIO)
MONTGOMERY COUNTY)

The foregoing instrument was acknowledged before me this 14th day of September 2021, by Lawrence S. Connor, the President of Chapel Hill at The Pointe, LLC, a Delaware limited liability company, on behalf of the company.



KERI STAFFORD
Notary Public, State of Ohio
My Commission Expires:
June 16, 2025

Keri Stafford Keri Stafford
Notary Public
Notary's Printed or Typed Name

[NOTARIAL SEAL]

STATE OF OHIO)
MONTGOMERY COUNTY)

The foregoing instrument was acknowledged before me this 14th day of September 2021, by Lawrence S. Connor, the President of Chapel Hill at The Pointe Villager, LLC, a Delaware limited liability company, on behalf of the company.



KERI STAFFORD
Notary Public, State of Ohio
My Commission Expires:
June 16, 2025

Keri Stafford Keri Stafford
Notary Public
Notary's Printed or Typed Name

[NOTARIAL SEAL]

EXHIBIT A

Lying and being situate in Orange County, North Carolina, and being more particularly described as follows:

Being all of Parcel A, containing 19.247 acres, more or less, as shown on that certain plat of survey prepared by Murphy Hobson Sacks, Register Land Surveyor, entitled "Recombination Map Lynden Properties, LLC Estates at Chapel Hill, LLC", dated July 20, 1999 and recorded in Plat Book 84, Page 183, Orange County Registry, which is more particularly bounded and described as follows:

BEGINNING AT AN IRON PIPE, THE SOUTHWESTERN CORNER OF THE PROPERTY DESCRIBED HEREIN, SAID POINT HAVING NORTH CAROLINA STATE PLANE COORDINATE IN THE NAD 83 PROJECTION OF Y=245007.177 METERS AND X=604615.999 METERS, SAID POINT LYING AT AN AZIMUTH OF 46° 04'33" A DISTANCE OF 971.02 FEET (GRID DISTANCE) OR 971.09 FEET (GROUND DISTANCE) FROM NORTH CAROLINA GEODETIC SURVEY MARKER "MADDRY"; THENCE WITH THE LINE OF LOT 1 OF AVERY MADREY AS RECORDED IN PLAT BOOK 37 PAGE 83, A COURSE OF N 00° 59' 16" E FOR A DISTANCE OF 665.58 FEET TO AN EXISTING IRON PIPE ; THENCE WITH THE LINE OF TIMBERLYNE VILLAGE LOT 1 PHASE 2 AS RECORDED IN PLAT BOOK 38 PAGE 28, A COURSE OF S 85° 05' 37" E FOR A DISTANCE OF 184.58 FEET TO AN EXISTING IRON PIPE; THENCE WITH THE LINE OF TIMBERLYNE VILLAGE LOT 1 PHASE 2 AS RECORDED IN PLAT BOOK 38 PAGE 28, A COURSE OF S 86° 08' 21" E FOR A DISTANCE OF 123.73 FEET TO AN EXISTING IRON PIPE; THENCE WITH THE LINE OF TIMBERLYNE VILLAGE LOT 1 PHASE 2 AS RECORDED IN PLAT BOOK 38 PAGE 28, A COURSE OF S 89° 18' 14" E FOR A DISTANCE OF 373.70 FEET TO AN IRON PIPE IN THE EASTERN RIGHT OF WAY LINE OF WESTMINSTER DRIVE, A 70' PUBLIC RIGHT OF WAY; THENCE WITH SAID RIGHT OF WAY ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 410.00 FEET, A DELTA ANGLE OF 92° 01' 23" FOR AN ARC LENGTH OF 658.50 FEET, SUBTENDED BY A CHORD THAT BEARS N 34° 06' 30" W FOR A CHORD LENGTH OF 589.97 FEET TO AN EXISTING IRON PIPE; THENCE DEPARTING SAID WESTMINSTER DRIVE AND WITH THE LINE OF TIMBERLYNE VILLAGE SHOPPING CENTER AS RECORDED IN PLAT BOOK 37 PAGE 52, A COURSE OF N 79° 46' 00" E FOR A DISTANCE OF 425.88 FEET TO AN EXISTING IRON PIPE; THENCE CONTINUING WITH TIMBERLYNE VILLAGE SHOPPING CENTER AS RECORDED IN PLAT BOOK 37 PAGE 52 ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 850.00 FEET, A DELTA ANGLE OF 8° 50' 16" FOR AN ARC LENGTH OF 131.11 FEET, SUBTENDED BY A CHORD THAT BEARS N 75° 20' 52" E FOR A CHORD LENGTH OF 130.98 FEET TO AN IRON PIPE SET; THENCE CONTINUING WITH THE LINE OF TIMBERLYNE VILLAGE SHOPPING CENTER AS RECORDED IN PLAT BOOK 37 PAGE 52, A COURSE OF N 6° 12' 00" W FOR A DISTANCE OF 30.80 FEET TO AN EXISTING IRON PIPE AT THE SOUTHWEST CORNER OF LA PETITE ACADEMY, INC. AS RECORDED IN PLAT BOOK 36 PAGE 150; THENCE WITH SAID LA PETITE ACADEMY ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 16° 34' 13" FOR AN ARC LENGTH OF 237.15 FEET, SUBTENDED BY A CHORD THAT BEARS N 62° 09' 52" E FOR A CHORD LENGTH OF 236.32 FEET TO AN EXISTING IRON PIPE IN THE WESTERN RIGHT OF WAY OF KINGSTON DRIVE, AN 80' PUBLIC RIGHT OF WAY; THENCE WITH SAID KINGSTON DRIVE ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 865.07 FEET, A DELTA ANGLE OF 15° 04' 24" FOR AN ARC LENGTH OF 227.58 FEET, SUBTENDED BY A CHORD THAT BEARS S 43° 05' 08" E FOR A CHORD LENGTH OF 226.92 FEET TO AN IRON PIPE SET; THENCE CONTINUING WITH THE LINE OF SAID KINGSTON DRIVE, A COURSE OF S 50° 37' 13" E FOR A DISTANCE OF 92.39 FEET TO AN EXISTING IRON PIPE; THENCE WITH THE LINE OF TIMBERLYNE PHASE 2 SECTION 2 AS RECORDED IN PLAT BOOK 43 PAGE 150, A COURSE OF S 12° 28' 53" W FOR A DISTANCE OF 532.96 FEET TO AN EXISTING IRON PIPE; THENCE WITH THE FOLLOWING FOURTEEN (14)

LINES OF TIMBERLYNE PHASE 3 AS RECORDED IN PLAT BOOK 84, PAGE 188 AND 189:
1) A COURSE OF N 87° 00' 44" W FOR A DISTANCE OF 94.25 FEET TO AN EXISTING IRON PIPE; 2) A COURSE OF N 80° 56' 22" W FOR A DISTANCE OF 112.74 FEET TO AN EXISTING IRON PIPE; 3) A COURSE OF S 75° 04' 10" W FOR A DISTANCE OF 80.97 FEET TO AN EXISTING IRON PIPE; 4) A COURSE OF S 82° 14' 44" W FOR A DISTANCE OF 37.37 FEET TO AN EXISTING IRON PIPE; 5) A COURSE OF S 49° 53' 07" W FOR A DISTANCE OF 54.08 FEET TO AN EXISTING IRON PIPE; 6) A COURSE OF S 42° 33' 00" W FOR A DISTANCE OF 152.33 FEET TO AN EXISTING IRON PIPE; 7) A COURSE OF N 68° 23' 31" W FOR A DISTANCE OF 44.02 FEET TO AN EXISTING IRON PIPE; 8) THENCE ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 72.00 FEET, A DELTA ANGLE OF 62° 51' 24" FOR AN ARC LENGTH OF 78.99 FEET, SUBTENDED BY A CHORD THAT BEARS S 53° 02' 11" W FOR A CHORD LENGTH OF 75.09 FEET TO AN EXISTING IRON PIPE; 9) THENCE ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 25.00 FEET, A DELTA ANGLE OF 58° 58' 18" FOR AN ARC LENGTH OF 25.73 FEET, SUBTENDED BY A CHORD THAT BEARS S 54° 58' 44" W FOR A CHORD LENGTH OF 24.61 FEET TO AN EXISTING IRON PIPE; 10) A COURSE OF S 25° 29' 36" W FOR A DISTANCE OF 115.24 FEET TO AN EXISTING IRON PIPE; 11) THENCE ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 210.00 FEET, A DELTA ANGLE OF 9° 33' 33" FOR AN ARC LENGTH OF 35.04 FEET, SUBTENDED BY A CHORD THAT BEARS S 20° 42' 49" W FOR A CHORD LENGTH OF 35.00 FEET TO AN EXISTING IRON PIPE; 12) A COURSE OF S 15° 56' 02" W FOR A DISTANCE OF 384.18 FEET TO AN EXISTING IRON PIPE; 13) THENCE ALONG THE ARC OF A CIRCULAR CURVE WITH A RADIUS OF 175.00 FEET, A DELTA ANGLE OF 4° 31' 21" FOR AN ARC LENGTH OF 13.81 FEET, SUBTENDED BY A CHORD THAT BEARS S 13° 40' 22" W FOR A CHORD LENGTH OF 13.81 FEET TO AN EXISTING IRON PIPE; AND 14) A COURSE OF S 11° 24' 42" W FOR A DISTANCE OF 11.49 FEET TO AN EXISTING IRON PIPE; THENCE WITH THE LINE OF WINDSOR PARK SUBDIVISION AS RECORDED IN PLAT BOOK 79 PAGES 49-50 A COURSE OF N 78° 35' 37" W FOR A DISTANCE OF 474.60 FEET TO AN EXISTING IRON PIPE, THE POINT AND PLACE OF BEGINNING AND CONTAINING 838,391 SQUARE FEET OR 19.247 ACRES, MORE OR LESS. BEING ALL OF PARCEL "A", AS SHOWN ON A PLAT RECORDED IN PLAT BOOK 84, PAGE 183, ORANGE COUNTY REGISTRY. BOOK 84 AT PAGES 188-189 WHICH IS DESCRIBED IN BOOK 2029 AT PAGE 386.

TOGETHER WITH THOSE CERTAIN EASEMENTS OF ENJOYMENT TO THE "RECREATION AREA" AS DEPICTED IN PLAT BOOK 84 AT PAGES 188-189 WHICH IS DESCRIBED IN BOOK 2029 AT PAGE 386.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Amended and Restated Declaration of Covenants, Conditions and Restrictions for Timberlyne, Phase III Subdivision filed for record in Book 3057, Page 465, Orange County Registry of North Carolina (the "Registry Records").
2. The following shown on Plat Book 84, Page 183 of the Registry Records, as approximately shown on the Survey:
 - a. 30' public sanitary sewer easement along the north line of the property
 - b. 30' public storm drain easement in the northeast corner of the property
 - c. 80' x 60' private access easement located in the northern corner of the property
 - d. 30' utility easement along the northeastern boundary of the property
3. Variable width Greenway and Emergency Access Easement shown on plat recorded in Plat Book 84, Pages 188 and 189 or the Registry Records, as approximately shown on the ALTA/NSPS Land Title Survey of the Property prepared by Jonathan F. Murphy of Murphy Geomatics, dated July 22, 2021, last revised September 13, 2021 (the "Survey").
4. Roadway Dedication Map of Westminster Drive at Plat Book 86, Page 137 of the Registry Records, as approximately shown on the Survey.
5. Water and Sewer Authority Easements shown on Plat Book 86, Page 138 and per Deeds of Easement recorded in Book 2145, Page 166 and Book 2145, Page 175 of the Registry Records, as approximately shown on the Survey, including:
 - a. 30' water easement
 - b. 20' water easement
 - c. 30' sanitary sewer easement
 - d. Variable width water and sanitary sewer easement
 - e. 40 water and sanitary sewer easement
6. Terms and conditions contained in Special Use Permit, recorded in Book 1603, Page 472 of the Registry Records.
7. Easement(s) to University of North Carolina recorded in Book 136, Page 554 of the Registry Records.
8. Easement(s) to Duke Power Company recorded in Book 212, Page 41 of the Registry Records.
9. Deed of Easement to Orange Water and Sewer Authority, recorded in Book 1961, Page 221 and Book 1961, Page 228 of the Registry Records.

10. Easement(s) to BellSouth Telecommunications, Inc. recorded in Book 2079, Page 54 of the Registry Records, and as shown on the Survey.
11. Unrecorded Nonexclusive Installation and Service Agreement Easement to Spectrum Southeast, LLC.
12. Rights of tenants, as tenants only, pursuant to unrecorded leases set forth on the rent roll approved by Grantee as of the date hereof.
13. The following as shown on ALTA/NSPS Land Title Survey prepared by Jonathan F Murphy, L-4382, dated July 22, 2021, last revised September 13, 2021 (the "Survey"):
 - (a) Encroachment of Buildings 2, 3, and 6 and Garages A, C, D, E and F and Clubhouse and Carwash into the easement at exception 5 hereof.