

Excise Tax **\$75,000.00**

Recording Time, Book and Page

Parcel Identifier No. 0773.11-55-6540-000, Verified by Wake County on the _____ day of _____, 2018 by: _____

Mail after recording to: Riverside Abstract
1 Paragon Drive, Suite 150B
Montvale, NJ 07645
Attention: _____

This instrument was prepared by: Ducie Wilhelm

Brief description for the Index: 101 Harlon Drive

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED to be effective as of this 25 day of October, 2018, by and between

GRANTOR	GRANTEE
<p>STERLING RESERVE AT MAGNOLIA RIDGE, LLC, a North Carolina limited liability company</p>	<p>RAM CARY LLC, a Delaware limited liability company, as to an undivided eighty one and three-thousand nine-hundred fifty-fourth percent (81.3954%) interest as tenant-in-common, and 37 EAST 12TH STREET RAM CARY LLC, a Delaware limited liability company as to an undivided thirteen and two-hundred thirty-two thousandth percent (13.0232%) interest as tenant-in-common, and J&J RESERVE AT MAGNOLIA</p>

	TIC LLC, a Delaware limited liability company, as to an
	undivided five and five-thousand eight-hundred fourteenth percent (5.5814%) interest as tenant-in-common

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 the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Cary, Wake County, North Carolina, and more particularly described as follows:

SEE **Exhibit A** attached hereto and incorporated herein by reference (herein called the "**Property**").

The Property herein described was acquired by Grantor by instruments recorded in Book 016193 at Page 563 Wake County Register of Deeds.

The Property does not contain Grantor's primary residence.

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

And Grantor covenants with Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the Property herein described is subject to all matters of record as of the date hereof and those exceptions shown on **Exhibit B** attached hereto and incorporated herein by reference.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed the day and year first above written.

STERLING RESERVE AT MAGNOLIA RIDGE, LLC, a North Carolina limited liability company

By: [Signature]
Lance A. Swank, its Manager

STATE OF Indiana
COUNTY OF St. Joseph

I certify that Lance A. Swank, personally appeared before me this day, and

- I have personal knowledge of the identity of the principal(s); **or**
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____; **or**
- A credible witness has sworn to the identity of the principal(s).

acknowledged to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Date: Oct 24 2018

Breea L Nunemaker
Breea L Nunemaker, Notary Public
(print name)



My commission expires:
4/21/2023

I am a resident of Marshall County, Indiana

EXHIBIT A
TO SPECIAL WARRANTY DEED

Legal Description of the Real Property

BEING LOCATED IN WAKE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT A POINT, SAID POINT BEING A SET IRON PIPE (SIP) IN THE NORTHERN RIGHT-OF-WAY (R/W) OF NOTTINGHAM ROAD (60' PUBLIC R/W) AND LOCATED THE FOLLOWING TWO CALLS FROM THE CENTERLINE INTERSECTION OF NOTTINGHAM ROAD AND DONALDSON DRIVE; N 78°14'01" E 216.02' AND N 78°51'56" E 11.81' TO THE TRUE POINT OF BEGINNING (POB); THENCE LEAVING SAID R/W AND WITH THE NORTHERN LINE OF WILLAMSBURG MANOR HOMEOWNERS ASSOCIATION, N 46°32'02" W 495.56' TO AN EXISTING IRON PIPE (EIP) IN THE EASTERN LINE OF WALNUT RIDGE SUBDIVISION; THENCE N 43°27'26" E 1880.08' TO THE CENTERLINE OF WALNUT CREEK; THENCE WITH THE MEANDERS OF SAID CREEK IN A NORTHWESTERLY (GENERALLY) DIRECTION THE FOLLOWING TWENTY FOUR CALLS: N 26°21'03" W 11.13', N 30°57'36" W 91.76', N 40°08'32" W 43.10', N 82°39'15" W 19.04', N 82°37'36" W 20.79', N 12°07'44" E 34.65', N 04°39'17" E 10.70', S 85°40'10" W 26.61', S 01°58'42" E 37.57', S 82°17'01" W 8.39', N 82°34'57" W 47.21', N 50°28'36" W 13.92', N 37°10'38" W 47.49', N 52°19'53" W 33.82', 76°39'50" W 32.46', N 82°01'25" W 48.31', S 84°43'59" W 19.39', N 66°51'59" W 17.35', N 00°23'12" E 32.05', N 48°51'22" E 34.41', N 67°15'45" E 21.04', N 09°41'13" W 19.94', N 58°03'48" W 24.00', AND N 50°09'11" W 18.08' TO A POINT IN THE EASTERN LINE OF THE TOWN OF CARY; THENCE, WITH SAID LINE N 38°11'16" E 32.27' TO A SIP AND S 88°03'49" E 538.87' TO AN EXISTING CONCRETE R/W MONUMENT IN THE WESTERN R/W OF I-40 (VARIABLE WIDTH PUBLIC R/W); THENCE, WITH SAID R/W THE FOLLOWING TWO CALLS: S 86°18'32" E 77.55' TO A COMPUTED POINT WITNESSED BY TWO 1.00' REFERENCE IRONS, S 46°40'59" E 591.83' TO AN EIP IN THE NORTHERN LINE OF THE TOWN OF CARY; THENCE WITH THE TOWN OF CARY'S NORTHERN AND WESTERN LINES, S 03°31'04" W 57.81' TO A POINT, S 87°41'18" W 422.43' TO A POINT IN WALNUT CREEK S 08°20'57" E 254.58' TO AN EIP IN THE WESTERN LINE NOW OR FORMALLY (N/F) OF AMERICAN ENTERTAINMENT REALITY ASSOCIATION, LLC; THENCE WITH SAID LINES 08°20'32" E 120.17' TO AN EIP AT THE NORTHEAST CORNER N/F OF NEW WOODCREEK ASSOCIATES, LLC; THENCE, WITH NEW WOODCREEK ASSOCIATES, LLC'S NORTHERN AND WESTERN LINES THE FOLLOWING SEVEN CALLS: S 81°38'56" W 324.00' TO A SIP, S 08°28'10" E 63.54' TO AN EIP, S 81°28'18" W 149.83' TO AN EIP, S 08°27'15" E 115.08' TO AN EIP, S 81°27'05" W 299.97' TO AN EIP, S 08°34'41" E 398.92' TO AN EIP AND S 02°37'41" W 502.31' TO AN EIP IN THE NORTHERN R/W OF NOTTINGHAM ROAD; THENCE, WITH SAID R/W THE FOLLOWING FOUR CALLS: ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 316.06' (CHORD- N 83°31'23" W 33.02') FOR A LENGTH OF 33.04' TO AN EIP, N 80°41'19" W 266.28' TO AN EIP, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 386.06' (CHORD- S 89°00'36" W 136.76') FOR A LENGTH OF 137.49' TO A MASONRY NAIL SET AND S 78°31'56" W 128.54' TO THE POINT OR PLACE OF BEGINNING CONTAINING 30.737 ACRES MORE OR LESS.

AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEING LOCATED IN WAKE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PERMANENT RIGHT OF WAY MONUMENT SITUATED IN THE SOUTHERN RIGHT OF WAY OF INTERSTATE 40 (WHICH MONUMENT HAS N.C. GRID COORDINATES N 736,280.977 AND E 2,076,022.468); RUNS THENCE SOUTH 87° 01' 43" EAST 77.38 FEET TO AN IRON PIPE IN THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 40; RUNS THENCE WITH SAID RIGHT OF WAY LINE OF INTERSTATE 40 SOUTH 47° 46' 43" EAST 591.67 FEET TO AN IRON PIPE; THENCE LEAVING SAID RIGHT OF WAY RUNS SOUTH 03° 20' 44" WEST 58.49 FEET TO AN IRON PIPE; RUNS THENCE SOUTH 86° 41' 22" WEST 422.43 FEET TO A NEW IRON PIPE; RUNS THENCE SOUTH 09° 20' 58" EAST 374.75 FEET TO AN EXISTING IRON PIPE, CORNER OF PROPERTY OF WOODCREEK APARTMENTS COMPANY; RUNS THENCE WITH THE LINE OF PROPERTY OF THE WOODCREEK APARTMENTS COMPANY THE FOLLOWING COURSES AND DISTANCES: SOUTH 80° 40' 22" WEST 324.00

FEEET TO A NEW IRON PIPE, SOUTH 09° 25' 06" EAST 63.54 FEET TO A NEW IRON PIPE, SOUTH 80° 31' 47" WEST 149.86 FEET TO AN EXISTING IRON PIPE, SOUTH 09° 28' 13" EAST 115.04 FEET TO AN EXISTING IRON PIPE, SOUTH 77° 16' 04" WEST 300.36 FEET TO AN EXISTING IRON PIPE, SOUTH 09° 31' 05" EAST 114.99 FEET TO AN EXISTING IRON PIPE AND CONTINUING THE SAME COURSE 267.10 FEET TO A NEW IRON PIPE, AND SOUTH 01° 40' 49" WEST 502.29 FEET TO A NEW IRON PIPE IN THE NORTHERN LINE OF NOTTINGHAM ROAD, SAID PIPE MARKING THE SOUTHWESTERNMOST CORNER OF PROPERTY OF THE WOODCREEK APARTMENTS COMPANY; RUNS THENCE WITH NORTHERN LINE OF NOTTINGHAM ROAD THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 316.06 FEET AN ARC DISTANCE OF 32.74 FEET IN A WESTERLY DIRECTION TO A NEW IRON PIPE, NORTH 81° 43' 31" WEST 266.35 FEET TO A NEW IRON PIPE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 386.06 FEET AN ARC DISTANCE OF 137.38 FEET IN A WESTERLY DIRECTION TO A NEW IRON PIPE AND SOUTH 77° 53' 09" WEST 140.27 FEET TO A NEW IRON PIPE; THENCE LEAVING NOTTINGHAM ROAD RUNS NORTH 50° 06' 03" WEST 489.76 FEET TO AN EXISTING IRON PIPE IN THE WESTERLY LINE OF WALNUT RIDGE SUBDIVISION; RUNS THENCE WITH THE LINE OF WALNUT RIDGE SUBDIVISION NORTH 42° 29' 36" EAST 1904.68 FEET TO AN EXISTING IRON PIPE ("POINT B") AND CONTINUING THE SAME COURSE TO A POINT IN THE CENTER LINE OF WALNUT CREEK; RUNS THENCE WITH THE CENTER LINE OF WALNUT CREEK AS THE SAME MEANDERS IN A NORTHWESTERLY DIRECTION TO A POINT, SAID CALL ALONG WALNUT CREEK BEING WITNESSED BY A REFERENCE LINE COMMENCING AT POINT B (LOCATED 3 FEET, MORE OR LESS, SOUTH OF THE CENTER LINE OF WALNUT CREEK), SAID REFERENCE LINE BEING AS FOLLOWS: NORTH 50° 25' 19" WEST 65.01 FEET TO A POINT, NORTH 52° 38' 51" WEST 97.90 FEET TO A POINT, NORTH 45° 59' 35" WEST 48.24 FEET TO A POINT, NORTH 50° 27' 56" WEST 86.94 FEET TO A POINT, NORTH 50° 23' 36" WEST 164.32 FEET TO A POINT AND NORTH 48° 18' 24" WEST 27.97 FEET TO AN EXISTING IRON PIPE (POINT "A") LOCATED 15 FEET, MORE OR LESS, SOUTH OF THE CENTER OF WALNUT CREEK; THENCE NORTH 37° 05' 33" EAST 52 FEET (CROSSING WALNUT CREEK) TO AN IRON PIPE; RUNS THENCE SOUTH 87° 01' 43" EAST 537.09 FEET TO POINT AND PLACE OF BEGINNING, AND BEING THE PROPERTY OF MISTY WOODS APARTMENT COMPANY, LTD., ALL ACCORDING TO A SURVEY PREPARED BY JOHN A. EDWARDS & COMPANY, CONSULTING ENGINEERS, DATED JULY 22, 1983, AS AMENDED JULY 26, 1983 AND FURTHER AMENDED AUGUST 5, 1983, AND CONTAINING 31.1047 ACRES ACCORDING TO SAID SURVEY.

TOGETHER WITH THE APPURTENANT RIGHTS AND BENEFITS CONTAINED WITHIN THE EASEMENTS RECORDED IN BOOK 1930 AT PAGE 257, AND BOOK 2708 AT PAGE 124, OF THE WAKE COUNTY PUBLIC REGISTRY.

EXHIBIT "B"PERMITTED EXCEPTIONS

1. Matters disclosed by an ALTA/ACSM Land Title Survey.
2. The lien of all taxes for the year 2018 and thereafter, which are not yet due and payable.
3. Easement(s) and right(s)-of-way for roads or public/private utilities.
4. Rights or claims of parties in possession as tenants under unrecorded leases.
5. Discrepancies, variances, shortages or overages in the acreage of the Land.
6. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
7. Statutory liens of mechanics, laborers and materialmen that have performed or furnished labor, professional design or surveying services, or furnished materials or rental equipment of which no notice appears of record.
8. Easement recorded in Book 1577, Page 590, Wake County Registry and as shown on ALTA/ACSM Land Title Survey Reserve at Magnolia Ridge, Prepared for Sterling Reserve at Magnolia Ridge LLC, A North Carolina Limited Liability Company, Town of Cary, Wake County, NC by Jonathan F. Murphy, PLS, L-4382, dated August 20, 2015 and last revised October 14, 2015.
9. Sewer Easement(s) recorded in Book 1930, Page 257, Wake County Registry. Said Easements "Blanket in Nature".
10. Sewer Easement(s) recorded in Book 2708, Page 124, Wake County as shown on ALTA/ACSM Land Title Survey Reserve at Magnolia Ridge, Prepared for Sterling Reserve at Magnolia Ridge LLC, A North Carolina Limited Liability Company, Town of Cary, Wake County, NC by Jonathan F. Murphy, PLS, L-4382, dated August 20, 2015 and last revised October 14, 2015.
11. Easement(s) to Time Warner Entertainment-Advance/Newhouse Partnership recorded in Book 12804, Page 2057, Wake County Registry. Said Easements "Blanket in Nature."
12. The creation or loss of land or nature or artificial changes along water forming part of the boundary of the land; and/or title to land lying below the higher of the mean high water mark and/or the normal bounds of any body of water; and/or riparian rights incident to any branches, creeks, streams, lakes or other waters
13. Memorandum of Lease recorded in Book 13184, Page 2347, Wake County Registry.