

## NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:	\$222,000.00
Parcel ID:	0773907583 / REID 0340040
Mail/Box to:	GRANTEE
Prepared by:	Moore and Van Allen, PLLC, 100 N Tryon St # 4700, Charlotte, NC 28202, Attn: Michael P. Hebert, Esq. <b>No Title Search Performed By, Opinion Given By or Closing Conducted By Preparer</b>
Brief description for the Index:	1010 Legacy Village Drive, Cary, NC

THIS SPECIAL WARRANTY DEED ("DEED") IS MADE ON THE 25<sup>th</sup> DAY OF AUGUST 2022, BY AND BETWEEN:

GRANTOR	GRANTEE
Crossroads Apartments Owner, LLC, a Delaware limited liability company  c/o Boston Capital Real Estate Partners, LLC 268 Summer Street 3 <sup>rd</sup> Floor, Suite A Boston, Massachusetts 02210	Cary Crossroads Owner, LLC, a Delaware limited liability company  c/o The Bainbridge Companies LLC 12765 W. Forest Hill Boulevard, Suite 1307 Wellington, Florida 33414

Submitted electronically by "Chicago Title Company, LLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Wake County Register of Deeds.

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 Grantee, the receipt and legal sufficiency of which is hereby acknowledged, has and by these presents does hereby grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain lot or parcel of land situated in the City of Cary, Wake County, North Carolina and more particularly described as follows (the "Property"):

See **Exhibit A** attached hereto and incorporated herein by reference.

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 017525, Page 01368 of the Wake County Registry.

A map or plat of the Property is recorded in Book of Maps 2009, Pages 386 and 387 of the Wake County Registry.

All or a portion of the Property \_\_\_ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor shall warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the following exceptions:

See **Exhibit B** attached hereto and incorporated herein by reference.

[SIGNATURE APPEARS ON FOLLOWING PAGE]

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina Special Warranty Deed, if an entity by its duly authorized representative.

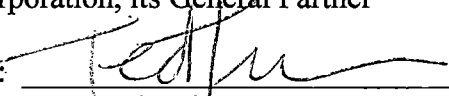
**GRANTOR:**

**CROSSROADS APARTMENT OWNER, LLC,**  
a Delaware limited liability company

By: Aventura Apartment Holdings, LLC, its  
Sole Member

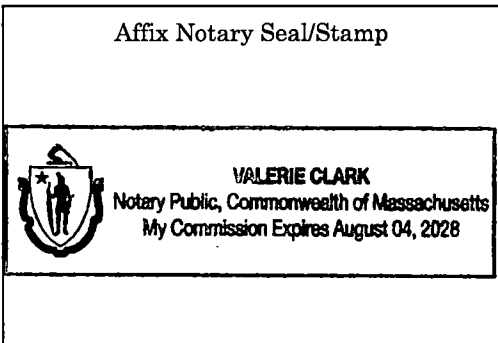
By: Boston US IV Holding, LP, a  
Member

By: Boston Capital Real Estate Manager  
Corporation, its General Partner

By:   
Name: Theodore Trivers  
Title: Vice President

COMMONWEALTH OF MASSACHUSETTS, COUNTY OF SUFFOLK

I, Valerie Clark, a Notary of the above state and county of Suffolk, certify that the following person personally appeared before me on the 19th day of August, 2022 and acknowledged to me that he or she signed the foregoing document, in the capacity represented and identified therein: Theodore Trivers, as Vice President of Boston Capital Real Estate Manager Corporation, the General Partner of Boston US IV Holding, LP, a member of Aventura Apartment Holdings, LLC, the sole member of Crossroads Apartment Owner, LLC, a Delaware limited liability company.



Valerie Clark  
Notary Public (Official Signature)

Valerie Clark  
Notary Public (Printed Name as appears on Seal)

My commission expires: August 4, 2028

**EXHIBIT A**

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

**TRACT 1:**

BEING all of Tract 1 containing 10.650 acres as shown on a plat entitled "Subdivision and Right of Way Dedication Map of The Apartments at Crossroads, LLC Property" prepared by Withers & Ravenel Kenneth Close Surveying dated July 11, 2008 and recorded in Book of Maps 2009, Pages 386 and 387, Wake County Registry. Also being described by metes and bounds as follows:

Beginning at an existing iron pipe on the eastern property line of PFRS Crossroads Land Corp. Deed Book 13074 Page 2132, said pipe being South 41°05'07" West 376.44 feet from NCGS Monument "JOFRANK", said monument having NC grid coordinates (NAD 83 - NAVD 88) of N=731,185.795, E=2,079,596.891, thence from said Beginning point leaving said property line South 47°00'03" East 84.68 feet to an existing iron pipe, thence South 24°22'38" East 94.15 feet to an existing iron pipe, thence North 67°47'52" East 44.59 feet to an existing nail, thence South 61°54'23" East 47.28 feet to an existing drill hole, thence South 24°22'38" East 88.03 feet to an existing drill hole, thence South 70°41'56" East 194.10 feet to an existing drill hole, thence South 19°18'04" West 18.00 to an existing spike, thence South 70°41'56" East 343.02 feet an existing iron pipe, thence South 17°30'09" East 25.93 feet to an existing nail, thence South 70°41'59" East 144.77 feet to an existing iron pipe on the western right of way of Jones Franklin Road (SR 1319) (Variable R/W), thence with said right of way along a curve to the right having a radius of 5,439.86 feet, an arc length of 271.28 feet, and a chord bearing and distance of South 17°25'43" West 271.25 feet to an existing iron pipe, thence along a curve to the right having a radius of 2,675.15 feet, an arc length of 265.88 feet, and a chord bearing and distance of South 21°42'16" West 265.77 feet to an existing iron pipe, thence South 24°33'06" West 21.48 feet to an existing iron pipe, thence leaving said right of way along a curve to the right having a radius of 40.00 feet, an arc length of 65.86 feet, and a chord bearing and distance of South 71°43'10" West 58.67 feet to an existing iron pipe on the northern right of way of Crossroads Boulevard (95' R/W), thence with said right of way North 61°06'47" West 239.26 feet to an existing iron pipe, thence along a curve to the right having a radius of 679.70 feet, an arc length of 435.83 feet, and a chord bearing and distance of North 42°44'38" West 428.40 feet to an existing iron pipe, thence North 24°22'28" West 573.87 feet to an existing spike, thence leaving said right of way North 57°58'04" East 98.07 feet to an existing iron pipe, thence North 42°59'57" East 47.75 feet to the point and place of Beginning, containing 10.650 acres more or less according to the map by Withers and Ravenel entitled "ALTA/ACSM Land Title Survey of the Apartments at Crossroads, LLC Property" dated January 20, 2011.

TOGETHER WITH any interests in real estate contained or conveyed in that certain Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 6742, Page 196, as amended by that certain Supplementary Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 7896, Page 713, as further amended by that certain First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 9418, Page 1264, as further amended by that certain Appointment of Successors Declarant under Declaration of Easements, Covenants, Conditions, and Restrictions for Crossroads Park

recorded in Book 11423, Page 107, and as further amended by that certain Second Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 11915, Page 1926, all of the Wake County Public Registry.

TOGETHER WITH any interests in real estate contained or conveyed in that certain Declaration of Easements and Restrictions filed for record in Book 11915, page 1931; as amended by First Amendment to Declaration of Easements and Restrictions recorded in Book 14541, page 2060, all of the Wake County.

**TRACT 2:**

BEING all of Tract 2 containing 7.759 acres as shown on a plat entitled "Subdivision and Right of Way Dedication Map of The Apartments at Crossroads, LLC Property" prepared by Withers & Ravenel Kenneth Close Surveying dated July 11, 2008 and recorded in Book of Maps 2009, Pages 386 and 387, Wake County Registry. Also being described by metes and bounds' as follows:

Beginning at an existing iron pipe on the eastern property line of PFRS Crossroads Land Corp. Deed Book 13074 Page 2132, said pipe being South 41°05'07" West 376.44 feet from NCGS Monument "JOFRANK", said monument having NC grid coordinates (NAD 83 - NAVD 88) of N=731,185.795, E=2,079,596.891, thence from said Beginning point with said property line, North 42°59'57" East 371.68 feet to an existing iron pipe on the southern right of way of Interstate No. 40, thence with said right of way along a curve to the left having a radius of 2,491.83 feet, an arc length of 778.66 feet, and a chord bearing and distance of South 58°10'55" East 775.50 feet to an existing right of way disk, thence leaving said right of way South 05°46'12" East 102.19 feet to an existing right of way disk on the western right of way of Jones Franklin Road (SR 1319) (Variable R/W), thence with said right of way South 15°27'46" West 200.05 feet to an existing iron pipe, thence South 74°32'14" East 13.78 feet to an existing iron pipe, thence along a curve to the right having a radius of 5,439.86 feet, an arc length of 63.37 feet, and a chord bearing and distance of South 15°39'58" West 63.37 feet to an existing iron pipe, thence leaving said right of way North 70°41'59" West 144.77 feet to an existing nail, thence North 17°30'09" West 25.93 feet to an existing iron pipe, thence North 70°41'56" West 343.02 feet to an existing spike, thence North 19°18'04" East 18.00 feet to an existing drill hole, thence North 70°41'56" West 194.10 feet to an existing drill hole, thence North 24°22'38" West 88.03 feet to an existing drill hole, thence North 61°54'23" West 47.28 feet to an existing nail, thence South 67°47'52" West 44.59 feet to an existing iron pipe, thence North 24°22'38" West 94.15 feet to an existing iron pipe, thence North 47°00'03" West 84.68 feet to the point and place of Beginning, containing 7.759 acres more or less according to the map by Withers and Ravenel entitled "ALTA/ACSM Land Title Survey of the Apartments at Crossroads, LLC Property" dated January 20, 2011.

TOGETHER WITH any interests in real estate contained or conveyed in that certain Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 6742, Page 196, as amended by that certain Supplementary Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 7896, Page 713, as further amended by that certain First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 9418, Page 1264, as further amended by that certain Appointment of Successors Declarant under Declaration of Easements, Covenants, Conditions, and Restrictions for Crossroads Park recorded in Book 11423, Page 107, and as further amended by that certain Second Amendment to Declaration of Easements,

Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 11915, Page 1926, all of the Wake County Public Registry.

TOGETHER WITH any interests in real estate contained or conveyed in that certain Declaration of Easements and Restrictions filed for record in Book 11915, page 1931; as amended by First Amendment to Declaration of Easements and Restrictions recorded in Book 14541, page 2060, all of the Wake County Public Registry.

**EXHIBIT B**  
**PERMITTED EXCEPTIONS**

1. Taxes or assessments for the year 2023, and subsequent years, not yet due or payable.
2. Covenants, conditions, restrictions, easements, and liens provided for in Declaration of Easements, Covenants, Conditions and Restrictions for Crossroad Park filed for record in Book 6742, page 196, in official records of Wake County Registry; as supplemented by Supplementary Declaration of Easements, Covenants, Conditions and Restrictions for Crossroad Park recorded in Book 7896, page 713, in official records of Wake County Registry; as amended by First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Crossroad Park recorded in Book 9418, page 1264, in official records of Wake County Registry; as affected by Appointment of Successor Declarant under Declaration of Easements, Covenants, Conditions and Restrictions for Crossroad Park recorded in Book 11423, page 107, in official records of Wake County Registry; as amended by Second Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Crossroad Park recorded in Book 11915, page 1926, in official records of Wake County Registry; as affected by Assignment of Declarant's Rights Under Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 13074, page 2161, in official records of Wake County Registry; as affected by Assignment of Declarant's Rights Under Declaration of Easements, Covenants, Conditions and Restrictions for Crossroads Park recorded in Book 17042, page 2498, in official records of Wake County Registry; and any related maps, plans, bylaws and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
3. Covenants, conditions, restrictions, easements, and liens provided for in Declaration of Easements and Restrictions filed for record in Book 11915, page 1931, in official records of Wake County Registry; as amended by First Amendment to Declaration of Easements and Restrictions recorded in Book 14541, page 2060, in official records of Wake County Registry; some matters of which are shown on the Survey; and any related maps, plans, bylaws and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

4. Easement to BellSouth Telecommunications, Inc., a Georgia corporation d/b/a AT&T North Carolina recorded in Book 12900, page 2577, in official records of Wake County Registry.
5. Easement to BellSouth Telecommunications, Inc., a Georgia corporation d/b/a AT&T North Carolina, recorded in Book 12943, page 1344, in official records of Wake County Registry. (As to Tract 1)
6. Stormwater Control Structure and Access Easement and Agreement recorded in Book 13232, page 2334, in official records of Wake County Registry.
7. Utility and Pipeline Easement to the Town of Cary recorded in Book 4946, page 835, in official records of Wake County Registry.
8. Sanitary Sewer Easement recorded in Book 8144, page 2598, in official records of Wake County Registry; as amended by First Amendment to Sanitary Sewer Easement recorded in Book 8283, page 1377, in official records of Wake County Registry; and as further amended by First Amendment to Sanitary Sewer Easement recorded in Book 8283, page 1382, in official records of Wake County Registry.
9. Access by way of Interstate 40, a controlled access highway, is not insured.