

JB 34617  
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**SPECIAL WARRANTY DEED**

Excise Tax \$ 52,943.00  
Tax Parcel Identifier No. 9778-17-8992 KPC

Mail after recording to:  
Ragsdale Liggett PLLC  
2840 Plaza Place, Suite 401  
Raleigh, NC 27612

This instrument was prepared by: Pamela V. Rothenberg, Esq.<sup>1</sup>  
Womble Bond Dickinson (US) LLP  
1200 19th Street, NW, Suite 500,  
Washington, DC 20036

[No title search performed and no title opinion given or implied by the preparer.]

Brief description for the Index: \_\_\_\_\_

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED made as of this 27 day of July, 2021, by and between

GRANTOR	GRANTEE
<b>Carrboro Berkshire West, LLC</b> , a Delaware limited liability company with a postoffice address of 3330 N. Washington Blvd., Suite 200, Arlington, VA 22201.	<b>Berkshire 54 Owner, LP</b> , a Delaware limited partnership with a postoffice address of _____.

Submitted electronically by "Ragsdale Liggett PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Orange County Register of Deeds.

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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.

Per NCGS 105-317.2, the property does not include the primary residence of the Grantor.

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 (those) certain lot(s) or parcel(s) of land situated in the City of Carrboro, **Orange** County, North Carolina, and more particularly described on Exhibit A attached hereto and fully incorporated herein by this reference and the buildings, structures, fixtures and other improvements affixed to or located thereon (hereinafter referred to as the "Property").

The Property was acquired by the Grantor by instrument recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County, North Carolina.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County, North Carolina.

TO HAVE AND TO HOLD the aforesaid lot(s) or parcel(s) of land, together with all improvements thereon and all of the Grantor's right, title and interest in and to all hereditaments, easements, licenses, privileges, strips and gores, streets, alleys, rights of way and other rights appurtenant, adjacent or connected to the Property, including, without limitation, all minerals, oil, gas and other hydrocarbon substances, development rights, air rights, water, water rights and water stock relating to the Property, to the Grantee in fee simple.

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

Title to the property hereinabove described is subject to (i) the lien of ad valorem real estate taxes assessed against the Property for the current year, not yet due and payable; (ii) the rights of any tenant, as a tenant only, under any recorded or unrecorded lease of the Property assigned by Grantor to Grantee as of the date hereof; and (iii) all of those matters listed on Exhibit B attached hereto and incorporated herein by this reference.

[Signature Page Follows]

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IN WITNESS WHEREOF, the Grantor has duly executed this deed as of the day and year first above written.

**CARRBORO BERKSHIRE WEST, LLC,**  
a Delaware limited liability company

By: BTN CARRBORO BERKSHIRE HOLDINGS, LLC, a  
Delaware limited liability company, its manager

By: [Signature]  
Name: Andrew W Buchanan  
Title: Authorized Representative

STATE OF Virginia  
COUNTY OF Arlington

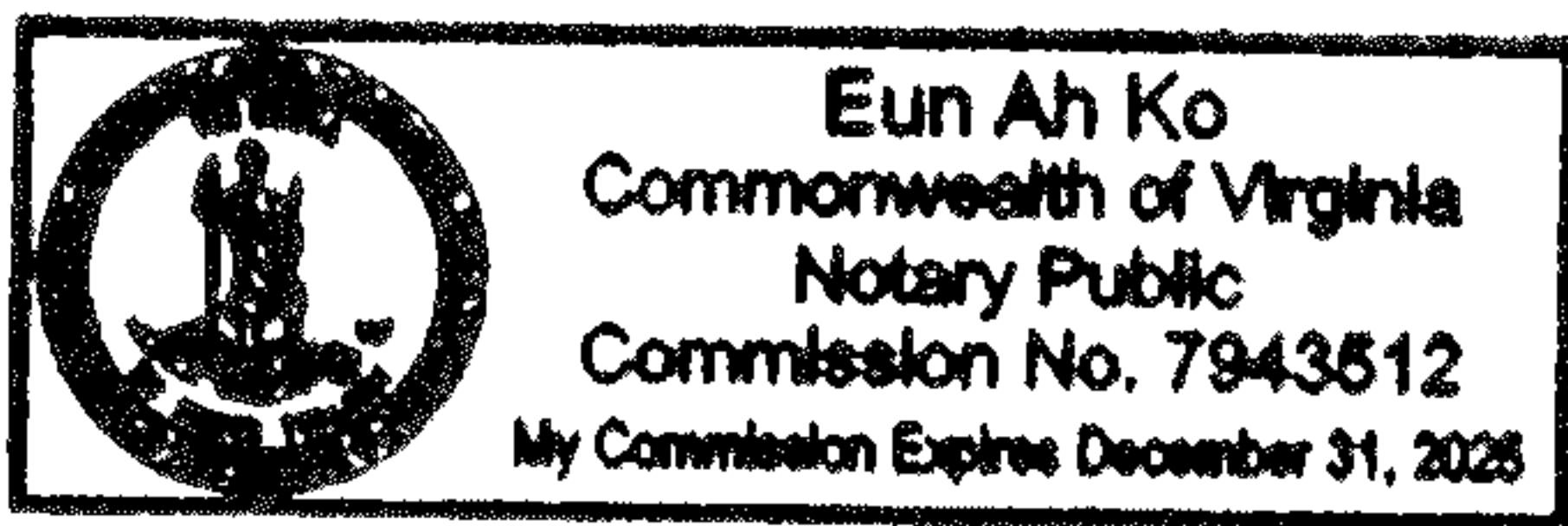
I, Eun Ah Ko, a Notary Public of aforesaid County and State,  
certify that the following person personally appeared before me this day, acknowledging  
the due execution of the foregoing instrument in the capacity indicated therein:

Andrew W Buchanan as Authorized Representative of BTN Carrboro Berkshire Holdings LLC, manager of Carrboro Berkshire West, LLC

Date: July 27, 2021.  
[Signature]  
(Official Signature of Notary)

STAMP/SEAL

Notary's printed name: Eun Ah Ko



My commission expires: 12/31/2025

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EXHIBIT A

DESCRIPTION OF PROPERTY

See attached.

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EXHIBIT A

**DESCRIPTION OF CARRBORO WEST PROPERTY**

BEGINNING AT AN EXISTING IRON PIPE ON THE EASTERN MARGIN OF OLD FAYETTEVILLE ROAD (S.R.1937), SAID IRON PIPE BEING 1422.22' IN SOUTHEASTERLY DIRECTION FROM THE SOUTHEAST INTERSECTION OF N.C. HWY 54 AND S.R. 1937; THENCE N78°50'02"E 939.00' TO A POINT IN THE WESTERN MARGIN OF N.C. HWY 54 BYPASS; THENCE S16°09'17"E 746.68' TO AN EXISTING IRON STAKE; THENCE S80°25'26"W 763.04' TO AN EXISTING IRON PIPE ON THE EASTERN MARGIN OF S.R. 1937; THENCE ALONG THE EASTERN MARGIN OF S.R. 1937 N29°37'18"W 761.86' TO THE POINT AND PLACE OF BEGINNING.

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**EXHIBIT B**

PERMITTED ENCUMBRANCES

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## Exhibit B

## Permitted Exceptions (Berkshire West)

1. Taxes or assessments for the year 2021, and subsequent years, not yet due or payable.
2. All title matters affecting the Title disclosed by PRELIMINARY survey entitled "ALTA/NSPS Land Title Survey for Berkshire Manor West" by Jimmy F. Cain, P.L.S., with Cain Surveying, P.C., dated July 1, 2021, last revised \_\_\_\_\_ (the "Survey").
3. The correctness of the square footage/acreage computation contained in the description of the Land is not insured.
4. Rights of parties in possession, as tenants only, without rights of purchase and as shown on the attached rent roll hereto and made a part hereof as Exhibit "A".
9. Right of Way Easement(s) to Piedmont Electric Membership Corporation recorded in Book 113, page 220; and Book 280, page 687.
10. Memorandum of Action recorded in Book 897, page 132; Final Judgment with Department of Transportation for taking and drainage easements, recorded in Book 1079, page 572, and shown on the State Highway Department of Transportation in Map 2, page 28.
11. License and Memorandum of Agreement to Time Warner Entertainment Advance/Newhouse Partnership, a New York general partnership, through its Raleigh Division, d/b/a Time Warner Cable recorded in Book 4374, page 287; Book 5074, page 470; and Book 5326, page 207.
12. Permanent Drainage Easement to Town of Carrboro, a North Carolina municipal corporation recorded in Book 4270, page 495.
13. Grant of Easement/License (Memorandum of Agreement) in favor of Time Warner Cable Enterprises LLC recorded in Book 6624, page 116.