

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$2,800.00

Parcel Identifier Nos. 1840263952, 1840265930, 1840262915, and 1840263731
 Verified by _____ County on the _____ day of _____ 20____
 by _____

Mail after recording to: Zachary D. Morgan, McGuireWoods LLP, 201 North Tryon Street, Suite 3000, Charlotte, NC 28202

This instrument was prepared by: Weatherspoon & Voltz LLP (without benefit of title examination)

Brief Description for the
Index

5.32 acres, Dr. Calvin Jones Highway

THIS DEED made this 26th day of February, 2016, by and between

GRANTOR

**WILLIAM L. TURNER, III and spouse,
LINDA K. TURNER**

JULIE WRIGHT, Unmarried

MARY F. BUNN, Unmarried

**W. GRAHAM CAWTHORNE, JR. and spouse,
CATHERINE CARTER CAWTHORNE**

6112 Crescent Knoll Drive
Raleigh, NC 27614

GRANTEE

**LIDL US OPERATIONS, LLC, a Delaware
limited liability company**

1500 Sunday Drive, Suite 101
Raleigh, NC 27607

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership

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 Wake Forest Township, Wake County, North Carolina and more particularly described as follows:

submitted electronically by "wyatt Early Harris wheeler LLP"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Wake County Register of Deeds.

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in **Book 16299, Page 1059.**

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

A map showing the above-described property is recorded in **Map Book _____, Page _____.**

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 the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

See Exhibit B attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE FOR GENERAL WARRANTY DEED]

W. Graham Cawthorne, Jr.
W. Graham Cawthorne, Jr.

Catherine Carter Cawthorne
Catherine Carter Cawthorne

STATE OF NORTH CAROLINA

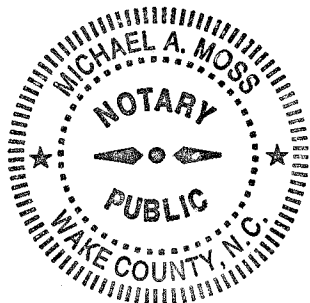
COUNTY OF WAKE
(Place of Acknowledgment)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **W. Graham Cawthorne, Jr. and Catherine Carter Cawthorne.**

Date: FEBRUARY 24, 2016

Michael A. Moss
Notary Public
Printed or Typed Name MICHAEL A. MOSS
My commission expires: JULY 3, 2016

(Official Seal)



[SIGNATURE PAGE FOR GENERAL WARRANTY DEED]

William L. Turner III
William L. Turner, III

Linda K. Turner
Linda K. Turner

STATE OF NORTH CAROLINA

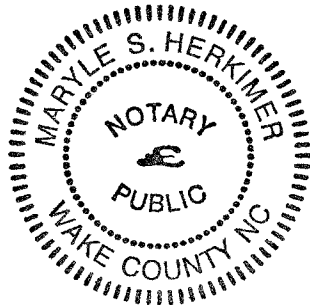
COUNTY OF Wake
(Place of Acknowledgment)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **William L. Turner and Linda K. Turner.**

Date: February 24, 2016

Maryle S. Herkimer
Notary Public
Printed or Typed Name Maryle S. Herkimer
My commission expires: 2/26/2019

(Official Seal)



[SIGNATURE PAGE FOR GENERAL WARRANTY DEED]

Julie Wright
Julie Wright

STATE OF NORTH CAROLINA

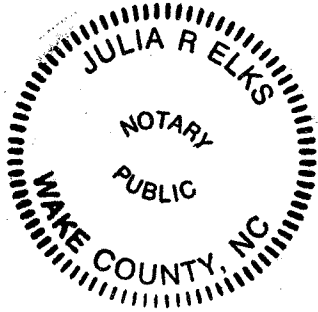
COUNTY OF Wake
(Place of Acknowledgment)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **Julie Wright.**

Date: February 23, 2016

Julia R Elks
Notary Public
Printed or Typed Name Julia R. Elks
My commission expires: 12/3/20

(Official Seal)



[SIGNATURE PAGE FOR GENERAL WARRANTY DEED]

Mary F. Bunn
Mary F. Bunn

STATE OF NORTH CAROLINA

COUNTY OF Wake
(Place of Acknowledgment)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **Mary F. Bunn.**



John Keener Cook
Notary Public
Printed or Typed Name JOHN KEENER COOK
My commission expires: Sept 26, 2018

EXHIBIT A

Legal Description

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

BEGINNING at a right-of-way monument marking the northerly terminus of the miter forming the intersection of the southerly margin of the right-of-way of Dr. Calvin Jones Highway (Highway 98 Bypass) (variable width public right-of-way) and the westerly margin of the right-of-way of U. S. Highway 1-A (South Main Street) (98.42-foot public right-of-way), said right-of-way monument being located South $28^{\circ} 03' 49''$ West 831.14 feet from N.C.G.S. Monument "T 217" having NAD 83 (2011) North Carolina State Plane Grid Coordinates $N=807,663.04$ and $E=2,143,020.78$ feet, with a combined grid reduction factor of 0.99993665; thence with the aforesaid miter South $31^{\circ} 56' 07''$ East 75.77 feet to a right-of-way monument in the westerly margin of the aforesaid right-of-way of U. S. Highway 1-A; thence with the westerly margin of the aforesaid right-of-way of U. S. Highway 1-A the following two (2) courses and distances: (1) with the arc of a circular curve to the left having a radius of 2263.78 feet and an arc length of 306.22 feet, having a chord of South $07^{\circ} 37' 13''$ West 305.99 feet to a computed point and (2) South $03^{\circ} 44' 42''$ West 86.49 feet to an iron pipe set marking the point of intersection of the westerly margin of the aforesaid right-of-way of U. S. Highway 1-A and the northerly boundary of the property owned by Clara T. Webb and Betty Frances Magnum (now or formerly) as described in that instrument recorded in Book 13581, Page 2710 in the Wake County Public Registry; thence with the northerly boundary of the aforesaid property owned by Clara T. Webb and Betty Frances Magnum North $85^{\circ} 19' 53''$ West 478.27 feet to an existing iron pipe marking the point of intersection of the northerly boundary of the aforesaid property owned by Clara T. Webb and Betty Frances Magnum and the easterly boundary of the property owned by W. Graham Cawthorne, Jr. and Catherine C. Cawthorne (now or formerly) as described in that instrument recorded in Book 14789, Page 543 in the aforesaid Registry; thence with the easterly boundary of the aforesaid property owned by W. Graham Cawthorne, Jr. and Catherine C. Cawthorne North $04^{\circ} 52' 28''$ East 344.03 feet to an existing axle marking the point of intersection of the easterly boundary of the aforesaid property owned by W. Graham Cawthorne, Jr. and Catherine C. Cawthorne and a northerly boundary of the property owned by ASB II Partnership (now or formerly) as described in that instrument recorded in Book 12940, Page 2401 in the aforesaid Registry; thence with various northerly and easterly boundaries of the aforesaid property owned by ASB II Partnership the following three (3) courses and distances: (1) North $04^{\circ} 52' 28''$ East 50.58 feet to an iron pipe set (passing an existing iron pipe at 47.53 feet); (2) North $85^{\circ} 47' 02''$ West 33.80 feet to an existing iron pipe; and (3) North $04^{\circ} 48' 52''$ East 109.07 feet to a right-of-way monument marking the point of intersection of an easterly boundary of the aforesaid property owned by ASB II Partnership and the southerly margin of the aforesaid right-of-way of Dr. Calvin Jones Highway; thence with the southerly margin of the aforesaid right-of-way of Dr. Calvin Jones Highway the following three (3) courses and distances: (1) with the arc of a circular curve to the right having a radius of 7568.88 feet and an arc length of 145.55 feet, having a chord of South $80^{\circ} 35' 30''$ East 145.55 feet to a computed point; (2) with the arc of a circular curve to the right having a radius of 7568.88 feet and an arc length of 147.12 feet, having a chord of South $79^{\circ} 29' 02''$ East 147.12 feet to a computed point; and (3) with the arc of a circular curve to the right having a radius of 7568.88 feet and an arc length of 189.61 feet, having a chord of South $78^{\circ} 12' 33''$ East 189.61 feet to the POINT OR PLACE OF BEGINNING, containing 5.32 acres, more or less, as shown on

survey titled "ALTA/ACSM Land Title Survey of Lands For: MGP Retail Consulting, LLC, Dr. Calvin Jones Highway (aka: Highway 98 Bypass) U.S. Highway 1-A (aka: South Main Street)", dated December 12, 2014, and prepared by Michael D. Case of SEPI Engineering & Construction, N.C.P.L.S. No. L-2828.

BEING the same property conveyed to ASB Partnership, a North Carolina general partnership, (1) by deed dated August 2, 2001 and recorded in Book 9122, Page 408 in the Wake County Public Registry, (2) by deed dated December 3, 2004 and recorded in Book 11132, Page 1514 in the aforesaid Registry, (3) by deed dated November 10, 1989 and recorded in Book 4688, Page 563 in the aforesaid Registry (portion thereof conveyed hereby), (4) by deed dated March 27, 1990 and recorded in Book 4688, Page 567 in the aforesaid Registry (portion thereof conveyed hereby), (5) by deed dated December 30, 2002 and recorded in Book 9822, Page 2424 in the aforesaid Registry, and (6) by deed dated May 14, 2003 and recorded in Book 10130, Page 1053 in the aforesaid Registry.

EXHIBIT B

Permitted Exceptions

1. The lien of all taxes for the year 2016 and thereafter, which are not yet due and payable.
2. The following matters as shown on survey by Michael D. Case, dated December 12, 2014 and last revised February 12, 2015 (the "Survey"), and any easement(s) or right(s)-of-way associated therewith:
 - a. Various utility lines with existing overhead power lines, power poles, power boxes, underground electric lines, guy wires, signs, traffic signal boxes, fire hydrant and transformer located on the Land.
 - b. Fifteen (15) foot landscape buffer.
 - c. Fifteen (15) foot side yard setback, twenty (20) foot rear yard setback, and twenty (20) foot front yard setback.
 - d. Thirty (30) foot easement.
3. Utility easement recorded in Book 9504, Page 745 with the Wake County Register of Deeds and located substantially as shown on the Survey.
4. Building restriction lines, if any, shown on map or plat recorded in Book of Maps 1990, Page 248 with the Wake County Register of Deeds.