

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded

2022 Mar 07 11:18 AM

Book: 9633 Page: 380

NC Rev Stamp: \$ 42000.00 Fee: \$ 26.00

Instrument Number: 2022009637
DEED

(Space Above Line for Recorder's Use)

Excise Tax: \$42,000.00

Parcel Identifier Nos. 0832-17-90-7078; 130312 Verified by _____ County on the
_____ day of _____, 2022, by _____.

Mail after recording to: Robert Labes, Esq., Squire Patton Boggs LLP, 2550 M Street NW,
Washington, D.C. 20037

This instrument was

Prepared by: Matthew W. Barnes, Burr & Forman LLP, 434 Fayetteville Street, Suite
1730, Raleigh, North Carolina 27601

Brief description for the index: Naples Terrace Apartments, 1237 E. Naples Place, Durham, North
Carolina

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED is made as of this 10 day of Feb, 2022, by and between

GRANTOR	GRANTEE
NAPLES TERRACE APARTMENTS, LLC 274 Madison Avenue Suite 1401 New York, NY 10016 Attention: Sean Denihan	NAPLES TERRACE NC, LLC c/o The Millennia Companies 4000 Key Tower, 127 Public Square Cleveland, Ohio 44114-1309 Attention: Frank T. Sinito, Chief Executive Officer

submitted electronically by "Gallimore Levy Chrisawn Gallimore PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham 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 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 those certain lots or parcels of land situated in the Town of Durham, Durham County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and incorporate herein by reference.

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

The property hereinabove described was acquired by Grantor by instrument(s) recorded in Book 7623 at Page 575 in the Durham County, North Carolina, Register of Deeds Office (the "Registry").

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

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 on Exhibit "B".

(Remainder of page left intentionally blank.)

EXHIBIT A TO DEED**Legal Description**

POINT OF BEGINNING BEING AN EXISTING CONCRETE MONUMENT, SAID MONUMENT HAVING NC GRID NAD 83 COORDINATES OF N - 820438.0235 AND E - 20339377.0326 AND LOCATED ON THE EASTERLY RIGHT OF WAY LINE OF HARDEE STREET (A 60' PUBLIC RIGHT OF WAY), THENCE WITH THE SOUTHERLY PROPERTY LINE OF THE NOW OR FORMERLY GREATER JOY BAPTIST CHURCH PROPERTY S 83°41'03" E 190.37' TO AN EXISTING CONCRETE MONUMENT, SAID MONUMENT BEING THE SOUTHEASTERLY PROPERTY CORNER OF SAID GREATER JOY BAPTIST CHURCH PROPERTY, THENCE N 05°41'18" E 311.61' TO A NEW IRON PIPE, SAID NEW IRON PIPE BEING THE NORTHEASTERLY PROPERTY CORNER OF THE NOW OR FORMERLY JEWEL TEVEPAUGH PROPERTY AND THE SOUTHEASTERLY PROPERTY CORNER OF THE NOW OR FORMERLY MARY FAUCETTE PROPERTY, THENCE WITH THE PROPERTY LINE OF SAID FAUCETTE PROPERTY N 49°04'48" E 53.36' TO A NEW IRON PIPE, THENCE S 57°11'04" E 45.28' TO AN EXISTING RIGHT OF WAY MONUMENT LOCATED ON THE SOUTHWESTERLY NC DEPARTMENT OF TRANSPORTATION VARIABLE WIDTH RIGHT OF WAY LINE, THENCE WITH SAID RIGHT OF WAY LINE THE FOLLOWING CALLS: S 14°02'24" E 50.90' TO AN EXISTING RIGHT OF WAY MONUMENT, THENCE S 27°30'44" E 217.24' TO AN EXISTING RIGHT OF WAY MONUMENT, THENCE S 42°20'52" E 555.15' TO A NEW IRON PIPE, THENCE S 18°58'12" E 445.93' TO A NEW IRON PIPE, THENCE LEAVING SAID RIGHT OF WAY LINE N 89°07'12" W 605.29' TO A NEW IRON PIPE, THENCE WITH THE EASTERLY PROPERTY LINE OF THE NOW OR FORMERLY D.K. WATSON PROPERTY N 04°06'48" E 209.70' TO A NEW IRON PIPE, SAID NEW IRON PIPE BEING THE NORTHEASTERLY PROPERTY CORNER OF SAID WATSON PROPERTY, THENCE WITH THE NORTHERLY PROPERTY LINE OF THE WATSON PROPERTY N 89°38'12" W 392.00' TO AN EXISTING CONCRETE MONUMENT LOCATED ON THE EASTERLY RIGHT OF WAY LINE OF THE AFOREMENTIONED HARDEE STREET, THENCE WITH SAID RIGHT OF WAY LINE THE FOLLOWING CALLS: N 05°31'48" E 365.32' TO AN EXISTING CONCRETE MONUMENT, THENCE N 05°04'24" E 190.70' TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 13.018 ACRES MORE OR LESS.

Being the same property as described in the deed to from Naples Terrace Limited Partnership to Federal Home Naples Terrace LLC recorded in Book 7623 at Page 575 of the Durham County Registry.

EXHIBIT B TO DEED
PERMITTED ENCUMBRANCES

1. Any state of facts that a current accurate survey or physical inspection of the premises would show, provided such state of facts do not render title uninsurable or unmarketable.
2. Recorded public utility easements, rights of way or similar matters not listed on this Exhibit B which encumber the premises, but the existence of which do not materially interfere with the present use of the premises.
3. Any effect of the fact that the premises or a portion thereof is or may be located in an area that qualifies for government subsidized insurance under the National Flood Insurance Act of 1968, as amended, and the maps promulgated or to be promulgated pursuant thereto.
4. Consents of record by any former owner of the premises for the erection of any structure or structures on, under or above any streets, highways, roads or avenues which the premises may abut.
5. Any and all liens, encumbrances or other matters resulting from, relating to, or in connection with the performance of any inspections, tests, work or other activities with respect to the premises by or on behalf of Grantee.
6. Any variations between the descriptions of the premises contained in Exhibit A attached hereto and the tax map description of the premises.
7. Rights of tenants in possession, as tenants only, under unrecorded written residential leases.
8. Any and all provisions of any ordinance, municipal regulation, or public or private law, including, but not limited to, zoning, health, inland wetlands and water courses laws, building and planning laws, rules and regulations as established in and for the municipality in which the premises is located or the State of North Carolina.
9. Public improvement assessments, and/or any unpaid installments thereof, which assessments and/or installments become due and payable after the date of the delivery of this deed, which assessments and/or installments Grantee assumes and agrees to pay as part of the consideration for this deed.
10. Real estate taxes hereafter becoming due and payable, which taxes Grantee assumes and agrees to pay as part of the consideration for this deed.
11. Public improvement assessments hereafter becoming due and payable, which assessments Grantee assumes and agrees to pay as part of the consideration for this deed.
12. Riparian rights of others in and to the water courses traversing and lying within said premises.
13. Easements (including the twenty-five (25) foot sanitary sewer easement), setback lines and any other facts shown on plat recorded in Plat Book 73, page 38, Durham County Registry and as shown on survey by Thomas Teabo, R.L.S., dated November 29, 2000 and last revised May 17, 2001. Plat also dedicates Hardee Street for public use.
14. NC Department of Transportation Temporary Construction Easement recorded in Book 2750, page 955, Durham County Registry and as shown on survey by Thomas Teabo, R.L.S., dated November 29, 2000 and last revised May 17, 2001.
15. Survey by Thomas Teabo, R.L.S., dated November 29, 2000 and last revised May 17, 2001, reveals the following: Various width RCP's, light poles, sanitary sewer manholes, overhead power lines.
16. NC Department of Transportation variable width right of way (also shown in Deed Book 2384, page 741, Durham County Registry) and as shown on survey by Thomas Teabo, R.L.S., dated November 29, 2000 and last revised May 17, 2001.
17. Declaration of Land Use Restrictive Covenants for Low-Income Housing Tax Credits dated as of July 7, 2003, recorded as Document No. 2003041593 in the Durham County Registry at Book

3991, Page 349 et seq., as amended in Book 8409, Page 692, and as further amended in Book 8409, Page 696.

18. 236 (e) (2) Use Agreement by and between Naples Terrace Limited Partnership and the Secretary of Housing and Urban Development, acting by and through the Federal Housing Commission, dated May 1, 2001, filed May 31, 2001 in Book 3100, page 877 of in the Durham County Registry.
19. Regulatory Agreement and Declaration of Restrictive Covenants by and among Housing Authority of the City of Durham, Naples Terrace Limited Partnership and SunTrust Bank, filed May 1, 2001, and filed for record May 31, 2001 in Book 3100, page 883 of Durham County Registry.
20. Matters shown on a survey entitled Survey for Federal Housing Solutions, by Kevin S. Baucom, PLS L-4275, including without limitation:
 - a. 15", 18", 24", 36" and 48" reinforced concrete pipe, storm drainage manhole, sanitary sewer cleanout, flared end section, telephone pedestal, electric box, light and utility poles, underground water line, sanitary sewer manholes, water meters, overhead utility lines, storm drain lines, water valves, sanitary sewer lines;
 - b. Fence encroaches by 1' and 1.43'.

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