



20170324000055150 DEED
Bk:RB6279 Pg:581
03/24/2017 01:57:22 PM 1/7

FILED Mark Chilton
Register of Deeds, Orange Co., NC
Recording Fee: \$26.00
NC Real Estate TX: \$145500.00
MB

EXCISE TAX: \$ 145,500.00

PREPARED BY:

Susan E. Restrepo
Jones Day
325 John H. McConnell Blvd., Suite 600
Columbus, OH 43215

*Reviewed for compliance with North Carolina law
by Kennon Craver, PLLC*

AFTER RECORDING RETURN TO:

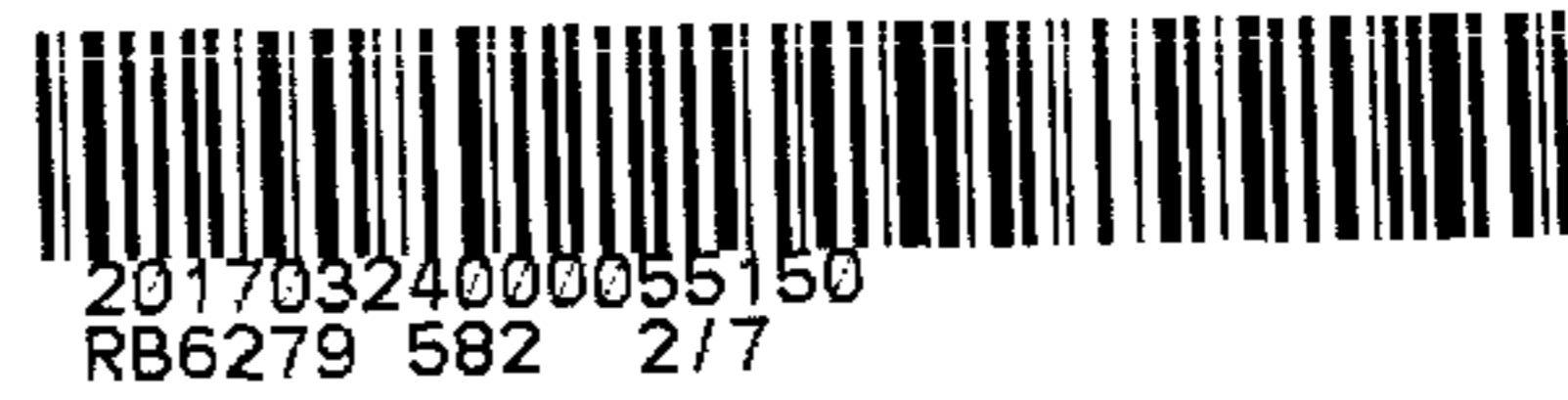
Fidelity National Title Insurance Com.
421 Fayetteville Street
Suite 1304
Raleigh, NC 27601

PIN 9799-14-8556
MAB

SPECIAL WARRANTY DEED

This Special Warranty Deed, made March 22, 2017, by Village Plaza Apartments, LLC, a Delaware limited liability company ("Grantor"), whose street address is 3715 Northside Parkway, Building 400, Suite 450, Atlanta, Georgia 30327, in favor of BIR Chapel Hill, L.L.C., a Delaware limited liability company ("Grantee"), whose street address is One Beacon Street, 24th Floor, Boston, Massachusetts 02108.

Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey, unto Grantee and its successors and assigns, forever, all of the land situated, lying and being in Orange County, North



Carolina and described in Exhibit A to this deed and all buildings, structures, parking areas, sidewalks, landscaping and other improvements located on such land, together with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5733, Page 580, Orange County Registry.

The described property is not the primary residence of Grantor.

To have and to hold the said premises above-bargained and described, with the hereditaments and appurtenances, unto the Grantee and its successors and assigns forever in fee simple.

Grantor covenants and agrees that it will warrant and forever defend the above-bargained premises to Grantee and its successors and assigns against any person claiming the whole or any part thereof by, through or under the Grantor, but not otherwise, subject to those matters listed on Exhibit B to this deed.

Village Plaza Apartments, LLC

By: Village Plaza Mid-Tier, LLC, a Delaware limited liability company, its managing member

By: SCH 102 Chapel Hill, L.P., a Delaware limited partnership, its administrative member

By: Maple Multi-Family Development, L.L.C., a Texas limited liability company, its general partner

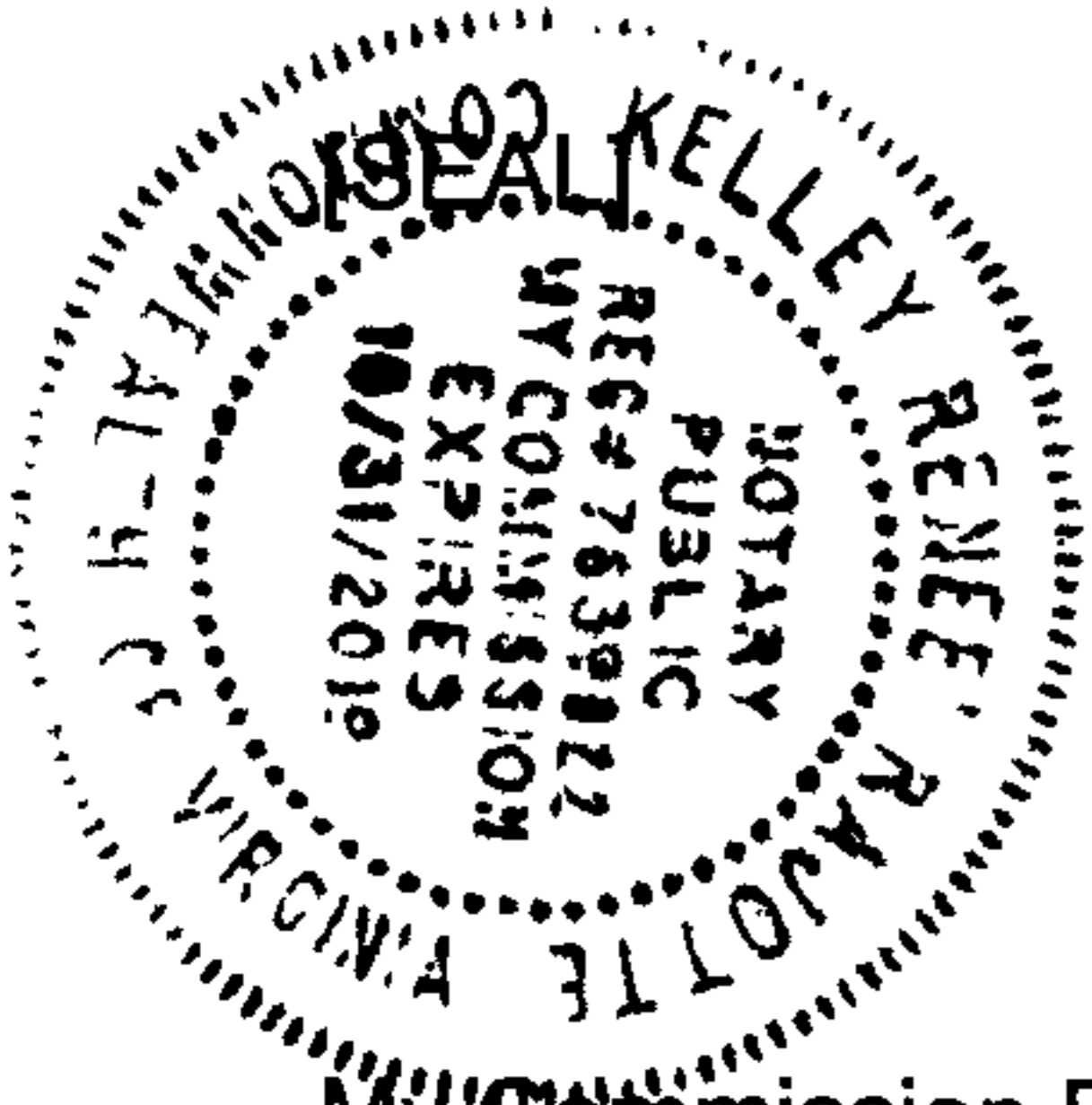
By: Robert Brooks
Name: Robert Brooks
Title: Vice President



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STATE OF Virginia }
COUNTY OF Arlington }

The foregoing instrument was acknowledged before me this 21st day of March, 2017, by Robert Brooks as Vice President of Maple Multi-Family Development, L.L.C., a Texas limited liability company, acting in its capacity as general partner on behalf of SCH 102 Chapel Hill, L.P., a Delaware limited partnership, acting in its capacity as administrative member of Village Plaza Mid-Tier, LLC, a Delaware limited liability company, acting in its capacity as managing member on behalf of Village Plaza Apartments, LLC, a Delaware limited liability company.



My Commission Expires: 10/31/2019

Kelley Renee Rajotte

Notary Public for Arlington, Virginia

Print Name Kelley Renee Rajotte

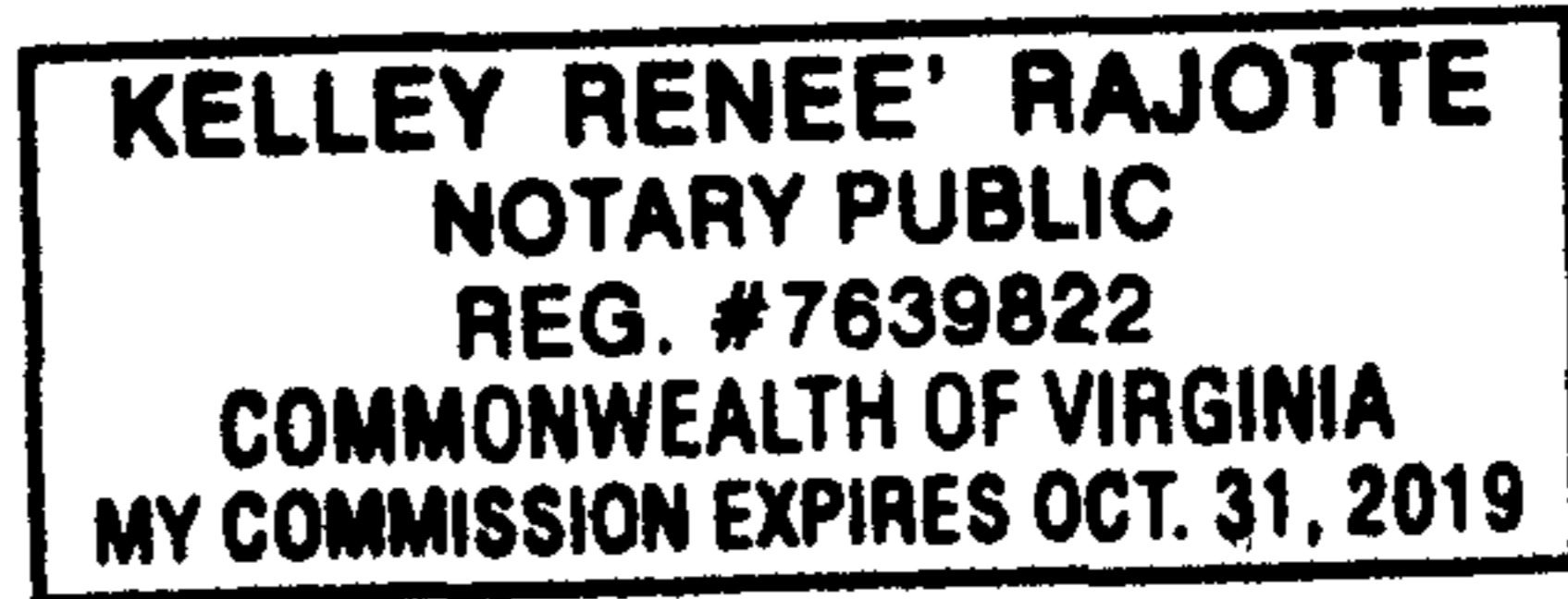




EXHIBIT A

Legal Description

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

Being all of Lot 1 of Village Plaza, according to the plat thereof recorded in Plat Book 57, Page 43, in the Office of the Register of Deeds of Orange County, North Carolina, as said Lot 1 is affected by and depicted as Tract Two on that certain Plat entitled "Village Plaza Apartments – ROW and Easement Plat" by the John R. McAdams Company, Inc. recorded in Plat Book 113, Pages 198 and 199, in the Office of the Register of Deeds of Orange County, North Carolina, and having Orange County PIN 9799-14-8556;

TOGETHER WITH and SUBJECT TO the terms, conditions and obligations contained in the following easements appurtenant:

Easement 1: easements contained in the Declaration of Cross Access Easement recorded in Book 4674, Page 424, Orange County Registry;

Easement 2: easements contained in the Declaration of Cross Access Easement recorded in Book 4674, Page 407, Orange County Registry, as amended by Amendment to Declaration of Cross Access Easement recorded in Book 5691, Page 398, Orange County Registry;

Easement 3: easements contained in the Easement Agreement recorded in Book 5904, Page 35, Orange County Registry;

Easement 4: easements contained in the Temporary Construction Easement Agreement recorded in Book 5866, Page 189, Orange County Registry.



EXHIBIT B

Permitted Exceptions

THE FOLLOWING EXCEPTIONS ARE APPLICABLE TO THE FEE SIMPLE TRACT OF LAND:

1. The lien of all taxes for the year 2017 and thereafter, which are not yet due and payable.
2. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 57, Page 43; Plat Book 113, Pages 198 and 199 and Plat Book 116, Page 80.
3. Rights of tenants in possession, as tenants only, under prior unrecorded leases.
4. The following matter(s) as shown on survey by Ronald T. Frederick, dated February 21, 2017, last revised March 22, 2017 and any easement(s) or right(s)-of-way associated therewith:
 - a. Various utility lines with electricity, water, sewer, storm drainage and telecommunications located on the Land;
 - b. Yard inlet(s); Electric boxes; Water valve(s); Water Meter(s); Planter(s); Bike Rack; Light Pole(s); Power Pole(s); Fire Hydrant(s); Grease Manhole(s); all located as shown; and
 - c. Encroachment of building overhang by 2.2' into the Land.
5. Terms and conditions of, and rights of others in and to the use of the property subject to, those appurtenant easements described in Book 4674, Page 407 as amended by instrument recorded in Book 5691, Page 398; Book 4674, Page 424; Book 5904, Page 35; and Book 5866, Page 189.
6. Declaration of Easement Agreement and Restrictions recorded in Book 5733, Page 560, as amended by Amendment to Declaration of Easement Agreement and Restrictions dated March 22, 2017, recorded in Book 6279, Page 564.
7. Environmental Release Agreement recorded in Book 5733, Page 569.
8. Easement(s) or right(s)-of-way in favor of Time Warner Cable Enterprises, LLC recorded in Book 6030, Page 378.
9. Easement(s) or right(s)-of-way in favor of BellSouth Telecommunications, LLC d/b/a AT&T North Carolina recorded in Book 6050, Page 441.
10. Easement(s) or right(s)-of-way in favor of Orange Water and Sewer Authority recorded in Book 6107, Page 568.
11. Rights or claims of LK Chapel Hill, LLC in possession as tenant under an unrecorded lease, a Memorandum or Short Form evidencing same being recorded in Book 6106, Page 380.
12. Easement(s) or right(s)-of-way in favor of Duke Energy Carolinas, LLC recorded in Book 6154, Page 322.
13. Rights of claims of Salon Lofts Group, LLC as a tenant, as evidenced by that Subordination, Nondisturbance and Attornment Agreement recorded in Book 6156, Page 266.
14. Operation and Maintenance Agreement recorded in Book 6271, Page 126.



15. Operation and Maintenance Agreement recorded in Book 6271, Page 137.

THE FOLLOWING EXCEPTIONS ARE APPLICABLE TO ALL OF THE APPURTENANT EASEMENT TRACTS:

1. The lien of all taxes for the year 2017 and thereafter, which are not yet due and payable.
2. Rights or claims of parties in possession as tenants under unrecorded leases.
3. 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.

THE FOLLOWING EXCEPTIONS ARE APPLICABLE TO EASEMENT TRACT 1:

4. The fee simple interest of Triangle V II Limited Partnership.
5. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 1, Pages 178 and 191; Plat Book 18, Page 111; Plat Book 57, Page 43 and Plat Book 90, Page 72.
6. Easement(s) or right(s)-of-way in favor of Orange Water and Sewer Authority recorded in Book 2581, Page 152.
7. Rights or claims of Orange County ABC Board in possession as tenant under an unrecorded lease, a Memorandum or Short Form evidencing same being recorded in Book 1180, Page 1.
8. Easements for Greenway Purposes; Maintenance and Repair; Construction Staging and Storage; Public Sidewalk and Sidewalk Maintenance; Landscape Installation and Maintenance and Stream Restoration and Maintenance recorded in Book 4000, Page 256.

THE FOLLOWING EXCEPTIONS ARE APPLICABLE TO EASEMENT TRACT 2:

9. The fee simple interest of Columbia II Village Plaza, LLC.
10. Dedication and Cross Easement Agreement, Declaration of Use Restrictions and Consent of Lender recorded in Book 1875, Page 455.
11. Memorandum of Amended and Restated Lease with no rights of first refusal, rights of first offer or any other rights to acquire the property recorded in Book 2043, Page 146.
12. Deed of Easement to OWASA recorded in Book 4544, Page 197.
13. Special Use Permit recorded in Book 261, Page 557 as modified by instruments recorded in Book 261, Page 559; Book 278, Page 606; Book 289, Page 523 and Book 359, Page 224.



THE FOLLOWING EXCEPTIONS ARE APPLICABLE TO EASEMENT TRACT 3:

29. The fee simple interest of Little & Cloniger, LLP.
1. Dedication and Cross Easement Agreement, Declaration of Use Restrictions and Consent of Lender recorded in Book 1875, Page 455.
2. Easement(s) or right(s)-of-way in favor of Orange Water and Sewer Authority recorded in Book 2041, Page 256 for a twenty (20) foot wide water easement.
3. Easement(s) or right(s)-of-way in favor of Orange Water and Sewer Authority recorded in Book 2041, Page 263 for a thirty (30) foot wide sanitary sewer easement.
4. Easement(s) or right(s)-of-way in favor of University of North Carolina recorded in Book 178, Page 132.
5. Easement(s) or right(s)-of-way for Greenway Purposes in favor of Town of Chapel Hill recorded in Book 2848, Page 115.
6. Special Use Permit from the Town of Chapel Hill recorded in Book 1849, Page 349.
7. Rights or claims of Staples, Inc. in possession as tenant under an unrecorded lease, a Memorandum of same being recorded in Book 1765, Page 306.

THE FOLLOWING EXCEPTIONS ARE APPLICABLE TO EASEMENT TRACT 4:

8. The fee simple interest of Triangle V II Limited Partnership.
9. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 1, Pages 178 and 191; Plat Book 18, Page 111; Plat Book 57, Page 43 and Plat Book 90, Page 72.
10. Easement(s) or right(s)-of-way in favor of Orange Water and Sewer Authority recorded in Book 2581, Page 152.
11. Easements for Greenway Purposes; Maintenance and Repair; Construction Staging and Storage; Public Sidewalk and Sidewalk Maintenance; Landscape Installation and Maintenance and Stream Restoration and Maintenance recorded in Book 4000, Page 256.
12. Deed of Trust in favor of Paragon Commercial Bank recorded in Book 2331, Page 91 as affected by Modification Agreements recorded in Book 3255, Page 137; Book 3727, Page 453; Book 5682, Page 53 and a Substitution of Trustee in Book 3727, Page 450.
13. Assignment of Leases, Rents and Profits in favor of Paragon Commercial Bank recorded in Book 2331, Page 100.
14. Notice of Dry-Cleaning Solvent Remediation recorded in Book 5216, Page 358 and as shown on a plat recorded in Plat Book 109, Page 18.