

When Recorded Return To:  
Heather Townsend  
National Commercial Services  
First American Title Insurance Company  
Six Concourse Parkway, Ste. 2000  
Atlanta, GA 30328  
File No: NCS 874451

For Registration Sharon A. Davis  
Register of Deeds  
Durham County, NC  
Electronically Recorded  
2018 Mar 14 11:29 AM NC Rev Stamp: \$ 84200.00  
Book: 8381 Page: 774 Fee: \$ 26.00  
Instrument Number: 2018008249  
DEED

Prepared by  
and Return to: Anthony Marre  
Wilson Cribbs & Goren PC  
2500 Fannin Street  
Houston, Texas 77002

Portion of Parcel No. 0823-07-50-7508.000

STATE OF NORTH CAROLINA

Excise Stamps:  
\$ 84,200.00

COUNTY OF DURHAM

No Title Search Performed By, Opinion Given By or Closing Conducted By Preparer

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is made as of the 12<sup>TH</sup> day of March, 2018, by and between BWP North Pointe Holdco, LLC, a Delaware limited liability company, having an address of c/o Wood Partners, 3715 Northside Parkway, Suite 4-600, Atlanta, Georgia 30327 ("Grantor"), and MRP North Pointe, LLC, a Delaware limited liability company ("Grantee"), having an address of c/o McCann Realty Partners, 2520-B Gaskins Road, Richmond, Virginia 23238. 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 Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these present does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Durham County, North Carolina, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property").

The Property was acquired by Grantor by instrument recorded in Book 7738 at Page 709 of the Durham County Public Registry.

A map or plat of the Property is recording in Book 5 at Page 310-330 of the Durham County Public Registry.

**TO HAVE AND TO HOLD** the Property, together with all privileges and appurtenances thereto belonging to Grantee in fee simple.

**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.

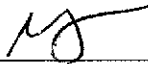
Title to the Property is subject to the exceptions set forth on Exhibit B attached hereto and incorporated herein by reference.

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

**BWP North Pointe Holdco, LLC,**  
a Delaware limited liability company

By:   
Name: MARTHA TRAMMELL  
Title: VICE PRESIDENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF GEORGIA )SS  
COUNTY OF FULTON )

On March 7, 2018 before me, STEPHANIE MANSOUR, Notary Public, personally appeared MATTHEW TRAMMELL, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

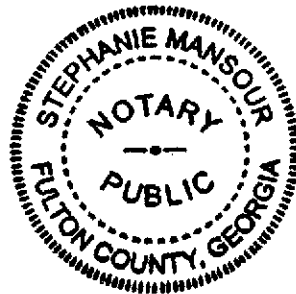
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



NOTARY EXPIRATION  
DATE 3/25/18



*This area for official notarial seal*

**Exhibit A**

**LEGAL DESCRIPTION**

BEING ALL OF UNITS 1 THROUGH 320, INCLUSIVE, TOGETHER WITH "COMMON ELEMENTS" OF NORTH POINTE COMMONS CONDOMINIUM, AS CREATED BY THAT CERTAIN DECLARATION OF CONDOMINIUM RECORDED IN BOOK 4070, PAGE 874, OF THE DURHAM COUNTY REGISTRY, AND AS SHOWN ON THE PLATS AND PLANS OF THE CONDOMINIUM RECORDED IN CONDOMINIUM BOOK 5, PAGES 310 THROUGH 330, INCLUSIVE, OF SAID REGISTRY.

**Exhibit B**

**PERMITTED EXCEPTIONS**

1. Taxes for the year 2018 and all subsequent years, not yet due and payable.
2. Terms, provisions, covenants, conditions, easements and restrictions as provided in Declaration of Condominium for North Pointe Commons Condominium with rights of others to easements and other matters therein, recorded in Book 4070, Page 874; as affected by Assignment of Declarant Rights between NPCA Limited Partnership and Bouwfonds North Pointe LP, recorded in Book 5238, Page 821; and Assignment of Declarant's Rights between Bouwfonds North Pointe LP and BWP North Pointe Holdco, LLC, recorded in Book 7738, Page 716, Durham County Registry.
3. Easements and any other facts as shown on plat recorded in Condominium Plat Book 5, Pages 310 through 330; Plat Book 151, Page 117; and Plat Book 157, Page 131; Plat Book 157, Page 133, Plat Book 138, Page 217; Plat Book 143, Page 157; and Plat Book 9, Page 72, Durham County Registry.
4. Terms, provisions, covenants, conditions, easements and restrictions as provided in Declaration of Restrictive Covenants, Easements and Conditions, recorded in Book 2898, Page 710, Durham County Registry.
5. Water and Sewer Easement to City of Durham recorded in Book 1510, Page 958, Durham County Registry.
6. Greenway Easement to City of Durham, a North Carolina municipal corporation recorded in Book 1503, Page 898 and Plat Book 157, Page 133; and as shown on plat in Plat Book 157, Page 131, Durham County Registry.
7. Easements, various buffers and any other facts as shown on plat recorded in 50' Buffer, 75' Buffer, 40' Buffer and Stream Buffer as shown on plat recorded in Condominium Plat Book 5, Pages 310 through 330, Durham County Registry.
8. 30' Sanitary Sewer Easement to City of Durham recorded in Book 151, Page 117, Durham County Registry.
9. Twenty Five Foot Sanitary Sewer Easement to City of Durham recorded in Book 80, Pages 388 and 396 and as shown on Plat Book 138, Page 217, which easement is subject to Declaration of Rights and Privileges recorded in Book 1223, Page 239, Durham County Registry.
10. Fifty Foot Slope and Landscape Easement to Costco Wholesale Corporation, a Washington corporation recorded in Book 2724, Page 969; and recorded in Book 2898, Page 700, Durham County Registry.
11. Communications Systems Right of Way and Easement Agreement to AT&T Corp. (f/k/a American Telephone and Telegraph Company), a New York corporation recorded in Book 3341, Page 242; Telephone Easement recorded in Book 124, Page 311; and as shown on Plat Book 143, Page 157, Durham County Registry.

12. Easement benefitting water flow of Ellerbee Creek to City of Durham recorded in Book 269, Pages 505 and 690, Durham County Registry.
13. Rights of upper and lower riparian owners in and to the continued and uninterrupted flow of Ellerbee Creek, located along western boundary.
14. Easement and Memorandum of Agreement to Time Warner Entertainment-Advance/Newhouse Partnership, a New York general partnership, through its Eastern Carolina Division, d/b/a Time Warner Cable recorded in Book 6309, Page 495, Durham County Registry.
15. Memorandum of Agreement of Restrictions (including a right of repurchase) between Bouwfonds North Pointe LP and BWP North Pointe Holdco, LLC, recorded in Book 7738, Page 702, Durham County Registry.
16. Transfer of Assumed Name, North Pointe Commons, filed by Bouwfonds North Pointe LP, recorded in Book 7969, Page 591, Durham County Registry.
17. Matters shown on Final Easement Plat, recorded in Plat Book 195, Pages 247-249, Durham County Registry.
18. Easement to City of Durham, a N.C. municipal corporation recorded in Book 7859, Page 208, Durham County Registry.
19. Rights of tenants, as tenants only, under unrecorded, currently effective lease agreements.