

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$8,733.00

REID 0059112 Verified by _____ County on the ____ day of _____, 20____

By: _____

Mail/Box to: GRANTEE

This instrument was prepared by: Richard T. Boyette, CRANFILL SUMNER & HARTZOG LLP

Brief description for the Index: _____

THIS DEED made this 24th day of November, 2017, by and between

GRANTOR

Fahey Family Farm, LLC,
a North Carolina limited liability company
2517 Kelly Road
Apex, NC 27502

GRANTEE

SM Raleigh, LLC,
a North Carolina limited liability company
11710 Plaza America Drive, Suite 1100
Reston, VA 20190-4771

Enter in appropriate block for each Grantor and Grantee: name, mailing 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, parcel of land or condominium unit situated in the Town of Apex, White Oak Township, Wake County, North Carolina and more particularly described as follows:

SEE EXHIBIT A

The property hereinabove described was acquired by Grantor by instrument recorded in Book 014396 page 01463.
All or a portion of the property herein conveyed ___ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat 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, other than the following exceptions: SEE EXHIBIT B

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

FAHEY FAMILY FARM, LLC

(Entity Name)

By: Patrick S. Fahey

Print/Type Name & Title: Patrick S. Fahey, Manager

State of Nebraska - County or City of Douglas

I, the undersigned Notary Public of the County or City of Douglas and State aforesaid, certify that Patrick S. Fahey, Manager of Fahey Family Farm, LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 24 day of November, 2017.

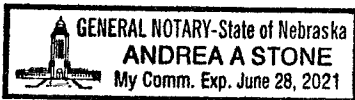
Andrea A Stone

My Commission Expires: 6-28-21

Andrea A Stone

Notary Public

(Affix Seal)



Notary's Printed or Typed Name

EXHIBIT A
PROPERTY DESCRIPTION

BEGINNING at an existing axle, the northwest corner for Howard Belvin in Katherine L. Poe's southern line, said point bearing North Carolina Coordinates Y=715,545.615 and X=2,034,703.897, runs thence South 00° 30' 42" West 2481.01 feet to a stake, a new corner for Danny C. Stallings in said Belvin's line; runs thence North 89° 29' 18" West 4.93 feet to a stake; thence North 44° 11' 30" West 230.91 feet to an existing iron pipe; thence South 48° 25' 31" West 269.73 feet to a railroad spike set in the center line of S.R. 1163, also known as Kelly Road; thence with the center line of S.R. 1163, North 34° 34' 05" West 212.11 feet; North 33° 27' 18" West 228.81 feet; and North 33° 14' 04" West 482.04 feet to a railroad spike located in the eastern line for Charlie C. Tunstall; thence North 00° 30' 42" East with said Tunstall's line 867.90 feet to an iron pipe; thence South 85° 00' 07" West 510.29 feet to a railroad spike set in the center line of said S.R. 1163; thence continuing with the center line of said S.R. 1163, North 22° 25' 46" West 188.99 feet; North 21° 33' 50" West 129.09 feet; North 21° 04' 42" West 244.28 feet to an existing railroad spike, the southwest corner for George Leshner; thence South 82° 51' 10" East 330.30 feet to an existing iron pipe; thence North 89° 53' 30" East 235.37 feet to an existing iron pipe; thence North 00° 06' 30" West 422.01 feet to an existing iron pipe in the line of William T. Mills; thence North 89° 53' 30" East 493.69 feet to an existing iron stake, a common corner for William T. Mills and Katherine L. Poe in Iola Reams' northern line; thence South 89° 42' 17" East 552.53 feet to the POINT AND PLACE OF BEGINNING, containing 53.569 acres, according to map and survey entitled "Property of Mrs. G.A. Reams" by Smith and Smith, Surveyors, dated December 2, 1976.

SAVE AND EXCEPT those certain conveyances to the North Carolina Department of Transportation Turnpike Authority, an agency of the State of North Carolina, as described in those deeds dated September 16, 2010 and recorded in Book 14075, Page 2434 and Book 14075, Page 2437, Wake County Registry, to which deeds reference is hereby made for a more particular description.

TOGETHER WITH any right the Grantor may have in that certain fifteen-foot strip of land as described in those deeds to George R. Leshner recorded in Book 2275, Page 246 and Book 2417, Page 180, Wake County Registry, to which deeds reference is hereby made for a more particular description.

EXHIBIT B - EXCEPTIONS

1. Ad valorem real estate taxes for 2017 and subsequent years not yet due and payable
2. All land use and environmental control rules, regulations, and statues now in effect established by governmental agencies affecting the Property.
3. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by survey entitled "ALTA/NSPS Land Title Survey, Property of Fahey Family Farm, LLC, Town of Apex, Wake County, NC" by Dan Gregory, P.L.S., dated March 10, 2015, last revised October 18, 2017.
4. Utility and drainage easements along right of way to Department of Transportation Turnpike Authority, an agency of the State of North Carolina recorded in Book 14075, page 2437, Wake County Registry.
5. Right of way to State Highway Commission recorded in Book 1600, page 499; and Book 1600, page 501, Wake County Registry.
6. Utility Easements to Carolina Power and Light Company recorded in Book 760, page 430; Book 978, page 294; and Book 11942, page 2029, Wake County Registry.
7. Terms and conditions set forth in those certain deeds recorded in Book 2275, page 246; and Book 2417, page 180, Wake County Registry.
8. Title to that portion of the subject property lying within the bounds of the right of way of State Road No. 1163, and rights of others in and to the use thereof.