

BK: R 7650  
PG: 3067-3074  
RECORDED:  
11-13-2014  
02:53:11 PM  
BY: DEBORAH LIGHT  
DEPUTY-G8



2014057722  
GUILFORD COUNTY, NC  
JEFF L. THIGPEN  
REGISTER OF DEEDS

NC FEE \$26.00  
STATE OF NC  
REAL ESTATE  
EXTX \$4070.00

### SPECIAL WARRANTY DEED

Excise Tax: \$4,070.00

Parcel Identifier No. 0035209

Prepared by and return to: Edward T. Shipley, III, Smith Moore Leatherwood, LLP, 300 N. Third St., Suite 301, Wilmington, NC 28401

Brief description for the Index: 2517 Battleground Avenue, Greensboro

THIS DEED made this 13 day of November, 2014, by and between

GRANTOR

GRANTEE

*gl*  
NPC Quality Burgers, Inc.,  
a Kansas corporation

7300 W. 129<sup>th</sup> Street  
Overland Park, KS 66213

East Broadway Apartments, LLC,  
a New York limited liability company

150 Woodbury Road, 2<sup>nd</sup> Floor  
Woodbury, NY 11797

That Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has sold, and by these presents, does grant, bargain, sell and convey unto Grantee, its successors and assigns, that parcel of land lying and being in Guilford County, North Carolina, and more particularly described on EXHIBIT A attached hereto and incorporated herein by reference.

This property was conveyed to Grantor by Deed recorded in the above named County Registry in Book 7619, Page 530.

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

TO HAVE AND TO HOLD the aforesaid 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 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, subject to: ad valorem taxes for the year 2014 and subsequent years; easements, permits, rights of way, and other matters of record; restrictive covenants of record; matters which would be disclosed by an accurate ALTA survey or by physical inspection; and the terms and provisions of all applicable zoning, land use and planning ordinances, statutes and regulations.

The designation Grantor and Grantee as used herein shall include said parties, its successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

[The remainder of this page is intentionally blank. Separate signature page to follow.]

[SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has caused this deed to be duly executed as of the day and year first written above.

GRANTOR:

NPC QUALITY BURGERS, INC., a Kansas corporation

By: Jason Poenitske (SEAL)  
Jason Poenitske, CAO  
(Consent attached as Exhibit B)

Crawford County  
State of KANSAS

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purposes stated therein and in the capacity indicated: Jason Poenitske as the CAO of NPC Quality Burgers, Inc.

Date: November 11, 2014.

Michael Heath Weidert  
[Notary's signature as name appears on seal]

Michael Heath Weidert  
[Notary's printed name as name appears on seal]



My commission expires: 12 - 15, 20 17

[Affix Notary Seal in Space Above]

**EXHIBIT A**  
**TO SPECIAL WARRANTY DEED**

All that certain piece, parcel or tract of land lying and being in the City of Greensboro, Morehead Township, Guilford County, North Carolina, and being more particularly described as follows:

BEGINNING at a two (2) inch iron pipe found in the easternmost corner of the property of Pinedale Associates, LLC, either now or formerly, as described in instrument recorded in Deed Book 4877, Page 1588, in the Guilford County Registry, having Tax Map Number 320-1-1 (the "Pinedale Property") and the westernmost corner of the property of Triad Wenstar Realty, LLC, either now or formerly, as described in instrument recorded in Deed Book 5209, Page 598, as shown on plat recorded in Plat Book 57, Page 146 (Part), in the Guilford County Registry, having Tax Map Number 319-2-3 (the "Wenstar Property"), said iron pipe found also having NC Grid Coordinates (NAD 83) of  $N(y) = 261,634.174$  meters and  $E(x) = 535,104.221$  meters; thence running along and with the northeastern boundary line of the Pinedale Property, North 27 degrees 32 minutes 01 seconds West 174.85 feet to an iron pipe found in the southeastern margin of the right of way of Pinedale Road, a fifty (50) foot public right of way, in the northernmost corner of the Pinedale Property; thence along and with the southeastern margin of the right of way of Pinedale Road the following two (2) courses and distances: (i) along a curve to the left having a radius of 279.38 feet, a arc length of 113.05 feet, and a chord bearing and distance of North 72 degrees 27 minutes 28 seconds East 112.28 feet to a rebar found and (ii) North 60 degrees 51 minutes 55 seconds East 132.66 feet to a rebar found near the southwestern intersection of the southeastern margin of the right of way of Pinedale Road and the southwestern margin of the right of way of Battleground Avenue, an eighty (80) foot public right of way; thence along a curve to the right having a radius of 19.82 feet, an arc length of 31.76 feet, and a chord bearing and distance of South 73 degrees 14 minutes 01 seconds East 28.47 feet to an iron pipe found in the southwestern margin of the right of way of Battleground Avenue; thence along and with the southwestern margin of the right of way of Battleground Avenue, South 27 degrees 19 minutes 58 seconds East 129.39 feet to a "T" Iron found in the northernmost corner of the Wenstar Property; thence leaving the southwestern margin of the right of way of Battleground Avenue along and with the northwestern boundary line of the WENSTAR Property, South 60 degrees 20 minutes 03 seconds West 263.30 feet to the point and place of BEGINNING, containing 0.930 acre, more or less, as shown on that certain survey entitled "ALTA/ACSM Land Title Survey Triad Wenstar Realty, LLC and BMH Battleground, LLC" prepared by Sacks Surveying & Mapping, P.C. Land Surveyors dated and certified May 12, 2008.

Commonly known as 2517 Battleground Avenue, Greensboro, North Carolina.

The property is also known and described as:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE CITY OF GREENSBORO, COUNTY OF GUILFORD, STATE OF NORTH CAROLINA, CONTAINING 0.866 ACRES ACCORDING TO A PLAT ENTITLED "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR CARLISLE CORPORATION", PREPARED BY SITE DESIGN, INC., DATED APRIL 3, 2014, AND HAVING ACCORDING TO SAID PLAT, THE FOLLOWING METES AND BOUNDS TO WIT:

BEGINNING AT AN IRON PIN OLD 1" OPEN TOP LOCATED ON THE SOUTHWESTERN RIGHT OF WAY OF BATTLEGROUND AVENUE AT THE EASTERN END OF A RADIAL

CORNER MARKING THE SOUTHERN RIGHT OF WAY OF PINEDALE ROAD, THENCE RUNNING ALONG SAID SOUTHWESTERN RIGHT OF WAY OF BATTLEGROUND AVENUE S 27-17-18 E, 124.02 FEET TO A POINT LOCATED AT THE COMMON CORNER WITH PIEDMONT PROPERTIES OF NC LLC (LOT 2) PROPERTY NOW OR FORMERLY. THENCE LEAVING SAID RIGHT OF WAY AND RUNNING ALONG THE COMMON LINE WITH SAID PIEDMONT PROPERTIES OF NC LLC (LOT 2) PROPERTY, S 60-20-03 W, 253.29 FEET TO AN IRON PIN OLD 2" OPEN TOP LOCATED ON THE COMMON LINE WITH PINEDALE ASSOCIATES LLC PROPERTY NOW OR FORMERLY. THENCE RUNNING ALONG THE COMMON LINE WITH SAID PINEDALE ASSOCIATES LLC PROPERTY, N 27-32-01 W, 169.45 FEET TO AN IRON PIN OLD 1" OPEN TOP LOCATED ON THE SOUTHERN RIGHT OF WAY OF PINEDALE ROAD. THENCE RUNNING ALONG SAID SOUTHERN RIGHT OF WAY AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 284.38 FEET, AN ARC LENGTH OF 113.22 FEET, A CHORD BEARING AND DISTANCE OF N 72-17-54 E, 112.47 FEET TO AN IRON PIN OLD 1" OPEN TOP. THENCE N 60-54-17 E 122.30 FEET TO A POINT LOCATED ON THE WESTERN END OF THE AFOREMENTIONED RADIAL CORNER. THENCE RUNNING ALONG SAID RADIAL CORNER TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 32.13 FEET, A CHORD BEARING AND DISTANCE OF S 73-08-47 E, 28.79 FEET TO THE POINT OF BEGINNING.

**EXHIBIT B**  
**TO SPECIAL WARRANTY DEED**

(Attached)

Exhibit B

STATEMENT OF UNANIMOUS CONSENT  
IN LIEU OF AN  
ANNUAL MEETING OF THE BOARD OF DIRECTORS  
OF  
NPC QUALITY BURGERS, INC.

In lieu of an annual meeting of the Board of Directors of NPC Quality Burgers, Inc., a Kansas corporation (the "Corporation"), the undersigned, being all of the newly elected directors of the Corporation, do hereby accept the office of director of the Corporation and do hereby consent to the adoption of, and do hereby adopt, the following resolutions:

RESOLVED, that the following persons be, and each hereby is, elected to the office set forth opposite his or her name below, to serve until such officer's successor is duly elected and qualified or until such officer's earlier resignation or removal:

President	James K. Schwartz
Vice President, Treasurer and Secretary	Troy D. Cook
Chief Accounting Officer	Jason Poenitske
Vice President of Operations Accounting	Renee Siebert
Senior Director of Treasury and Investor Relations	Penny Lindemann Smith

\* \* \*

RESOLVED, that all authority previously granted by the Board of Directors to the officers of the Corporation in effect immediately preceding this election of officers shall continue in full force and effect until modified or rescinded by resolution of the Board of Directors.

FURTHER RESOLVED, that those acts, actions and things done in the name and on behalf of the Corporation during the preceding year by its officers disclosed to the Board of Directors be, and they hereby are, in all respects, approved, ratified and confirmed.

FURTHER RESOLVED, that Jason Poenitske, Chief Accounting Officer, Renee Siebert, Vice President of Operations Accounting, and Penny Lindemann Smith, Senior Director of Treasury and Investor Relations of the Corporation, be, and each hereby is, authorized to execute and deliver in the name and on behalf of the Corporation:


Exhibit B cont.

(i) all leases of real and personal property, including any amendments, assignments and assumptions of such leases, regardless of the dollar amount thereof, and

(ii) all other agreements that arise in the ordinary course of the Corporation's business (including agreements for the purchase and sale of real and personal property), including any amendment, assignment or assumption of any such agreement, provided that either (A) the aggregate amounts to be paid or received by the Corporation under any such agreement do not exceed One Million Dollars (\$1,000,000), or (B) the aggregate amounts to be paid or received by the Corporation under any such agreements do not exceed Five Million Dollars (\$5,000,000) and the above-named person signing the agreement has written or electronic (including email) authorization to sign the agreement from James K. Schwartz or Troy D. Cook (which authorization shall be attached to the Corporation's copy of the agreement after signing).

FURTHER RESOLVED, any third party may rely upon these resolutions as evidence of the authority of each of the above-named persons to execute and deliver such agreements in the name and on behalf of the Corporation.

Dated: August 5, 2014.

  
\_\_\_\_\_  
James K. Schwartz

  
\_\_\_\_\_  
Troy D. Cook

Exhibit B cont.

**Ted Shipley**

---

**From:** Ted Shipley  
**Sent:** Tuesday, November 11, 2014 2:57 PM  
**To:** Amy Dunn  
**Subject:** FW: Battleground approval

**From:** Troy Cook  
**Sent:** Tuesday, November 11, 2014 1:34 PM  
**To:** Heath Weidert  
**Cc:** Jason Poenitske  
**Subject:** RE: Battleground approval

approved

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**From:** Heath Weidert  
**Sent:** Tuesday, November 11, 2014 10:05 AM  
**To:** Troy Cook  
**Cc:** Jason Poenitske  
**Subject:** Battleground approval

Jason is executing docs today to transact the sale of Store 6243 Greensboro NC (Battleground).

Please provide your approval of the statement below:

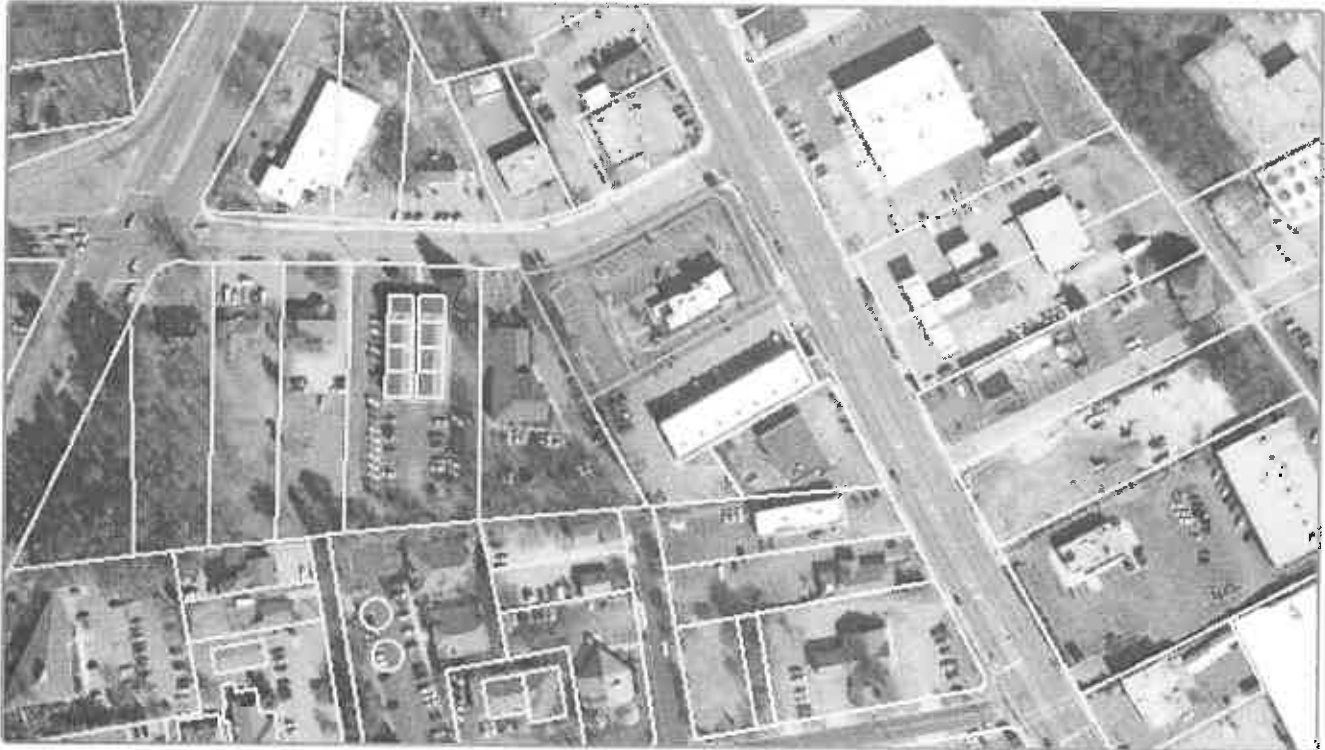
Execution of the special warranty deed and related documents for 2517 Battleground Avenue, Greensboro, North Carolina, by Jason Poenitske, Chief Accounting Officer, is approved. It is noted in this context that the Directors intended that the authority to sign agreements contemplated in the attached Consent includes authority to sign deeds and related documents. -Troy Cook, Vice President

Heath Weidert | Senior Leasing Analyst  
720 West 20th Street | Pittsburg, KS 66762  
Phone: 620.231.3390 | Fax: 620.231.1495 | Email: [Heath.Weidert@naciinternational.com](mailto:Heath.Weidert@naciinternational.com)



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Guilford County, NC



Parcel Number	0035209	Total Land Value	\$788,600
PIN	7855596459	Total Deferred Value	\$0
Owner	EAST BROADWAY APARTMENTS LLC	Bldg Card	1
Mail Address	PO BOX 547	Appraisal Model Code	FASTFOODS
Mail City	WOODBURY	Deed Date	11/13/2014
Mail State	NY	Neighborhood	7855C04
Mail Zip	11797	Property Type	Commercial
Property Address	2517 BATTLEGROUND AVE	Structure Size	3378
Legal Description	1 PB175-17 WENDYS S BATTLEGROUND	Lot Size	0.87
Deed	007650-03067	Year Built	2008
Plat	175-17	Bedrooms	0
Condo	0	Bathrooms	0
Total Assessed Value	\$1,313,400	Grade	A-15 189%
Total Building Value	\$510,400	Short Parcel ID	35209
Total Out Building Value	\$14,400		

Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale  
**1 inch = 227 feet**  
 10/7/2015



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### Guilford County Real Property Data Property Summary

Data last updated on: 10/7/2015  
Ownership current as of: 10/6/2015

Parcel Number <b>0035209</b>		PIN # <b>7855 58 6459</b>	
Location Address <b>2517 BATTLEGROUND AVE</b>		Property Description <b>Lot # 1 PB175-17 WENDYS S BATTLEGROUND</b>	
Parcel	Buildings	Improvements	Land
			Deeds/Ownership
			Notes
			Sales
			Photos
			View Full

Property Owner: <b>EAST BROADWAY APARTMENTS LLC</b>		Owner's Mailing Address <b>PO BOX 547 WOODBURY NY 11797</b>		Property Location Address <b>2517 BATTLEGROUND AVE</b>	
<b>Administrative Data</b>		<b>Transfer Information</b>		<b>Property Value</b>	
Map#	<b>7855.00</b>	Deed Date	<b>11/13/2014</b>	Total Appraised Land Value	<b>\$7</b>
VCS	<b>7855C04</b>	Deed Book	<b>007650</b>	Total Appraised Building Value	<b>\$5</b>
Township	<b>MOREHEAD/GILMER</b>	Deed Page	<b>03067</b>	Total Appraised Outbuilding Value	<b>\$</b>
Planning Jurisdiction	<b>GREENSBORO</b>	Revenue Stamps	<b>4070.00</b>	Total Appraised Value	<b>\$1,3</b>
City	<b>Greensboro</b>	Package Sale Date	<b>11/13/2014</b>	Other Exemptions	
Fire District		Package Sale Price	<b>\$2,035,000</b>	Use Value Deferred	
Spec District 1		Land Sale Date		Historic Value Deferred	
Spec District 2		Land Sale Price		Total Deferred Value	
Land Class	<b>Commercial</b>	<b>Improvement Summary</b>			
History Parcel Number 1		Total Living Area	<b>3,378</b>		
History Parcel Number 2					
Acreage	<b>0.87</b>				
Permit Date					
Permit #				Total Assessed Value	<b>\$1,3</b>

Per North Carolina General Statute 105-285-287 (d), all real property in North Carolina is subject to listing and valuation annually as it exists on January 1. Real Property assessments are based on market value of the date of the last countywide reappraisal in 2012.

Prints best in landscape mode

Wednesday, October 07, 2015



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### Guilford County Real Property Data Building Summary

Data last updated on: 10/7/2015  
Ownership current as of: 10/6/2015

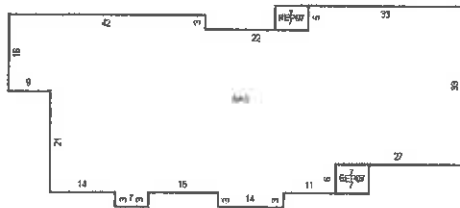
Parcel Number <b>0035209</b>	PIN # <b>7855 58 6459</b>
Location Address <b>2517 BATTLEGROUND AVE</b>	Property Description <b>Lot # 1 PB175-17 WENDYS S BATTLEGROUND</b>
<a href="#">Parcel</a> <a href="#">Buildings</a> <a href="#">Improvements</a> <a href="#">Land</a> <a href="#">Deeds/Ownership</a> <a href="#">Notes</a> <a href="#">Sales</a> <a href="#">Photos</a> <a href="#">Tax Bill</a> <a href="#">Ma</a>	

Building Location Address <b>2517 BATTLEGROUND AVE</b>		Building Description <b>FASTFOODS</b>		Card <input type="text" value="1"/> of 1
Bldg Type <b>COMM CONST</b>	Units <b>0</b>	Year Built <b>2008</b>	Effective Year <b>2008</b>	Base Bldg Value <b>\$21</b>
Total Living Area <b>3378</b>	Style <b>Unknown</b>	Additions <b>1 Remodeled</b>	Interior Adj.	Grade <b>A-15</b>
Foundation <b>SPRDFOOT</b>	Exterior <b>FACE BRK</b>	Other Features		Cond %
Const Type <b>Bar j</b>	Heating <b>Forced air-ducted</b>			Market Adj.
Air Cond <b>CENTRAL</b>	Baths <b>FULL:0 HALF: 0</b>			Market Adj.
Bedrooms <b>0</b>				Accrued %
				Percentage Complete
				Current Card Value <b>\$5:</b>
				All Other Cards
				Assessed Land Value <b>\$7:</b>
				Assessed Total Value <b>\$1,3:</b>

Main and Addition Summary

Story	Type	Code	Area	Inc
1S	/FACE BRK/SPRDFOOT		3301	
1	Porch, Encl Finish	FEPO	77	

Building Sketch



(Click sketch for bigger image)

Photograph

Photos are currently unavailable for this parcel. Please check back later.

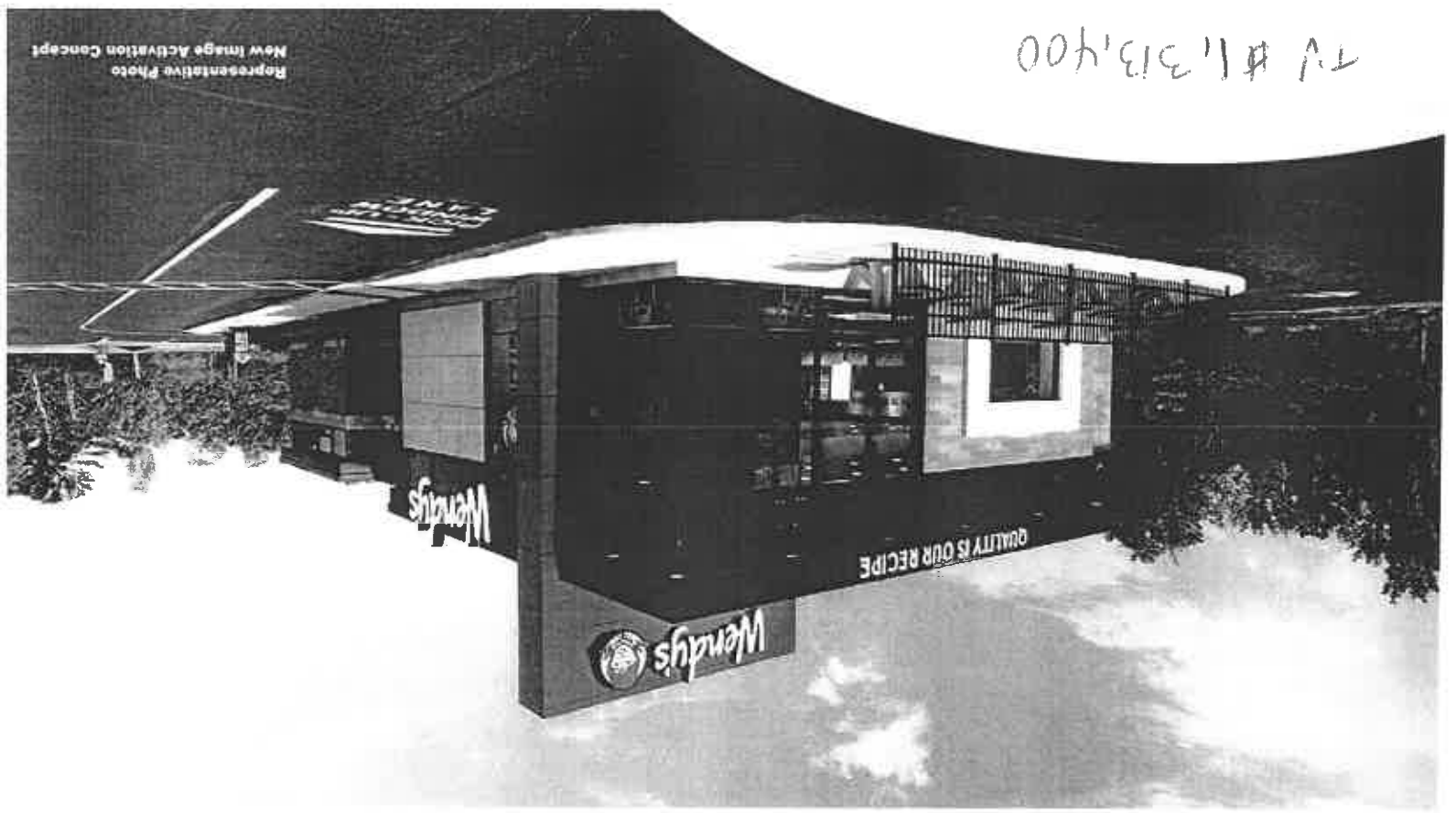
Per North Carolina General Statute 105-285-287 (d), all real property in North Carolina is subject to listing and valuation annually as it exists on January 1. Real Property assessments are based on market value of the date of the last countywide reappraisal in 2012.

Prints best in landscape mode

Wednesday, October 07, 2015

# Wendy's NNN Leased Offering | Greensboro, NC

For Sale | \$2,127,273



TV #11,313,400  
 Offering Highlights

New 20 Year Absolute NNN Lease

Zero Landlord Responsibilities

NPC Corporate Guaranty

Scheduled 10% Increases in Rent Every 5 Years

Well Established and Successful Store

Kase Abusharkh BRE#01311211  
 Managing Director  
 925.348.1844  
 kase@svn.com

Jacob Abusharkh BRE#01385529  
 Managing Director  
 415.269.2474  
 jacob@svn.com