

BK014712PG01851

WAKE COUNTY, NC 491
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/02/2012 AT 14:33:52
STATE OF NORTH CAROLINA
REAL ESTATE EXCISE TAX: \$9000
BOOK:014712 PAGE:01851 - 01856

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$9,000.00

Parcel Identifier No. 0379274 Verified by _____ County on the ___ day of _____, 2012
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Kayne Law Group, 612 Park Street, Suite 200, Columbus, Ohio 43215; 614-223-8800

Brief description for the Index: Lot 6, Book of Maps 2010, Page 787

THIS DEED made this 30th day of MARCH, 2012, by and between

GRANTOR

GRANTEE

MORRISVILLE PARTNERS, LLC,
a Delaware limited liability company

**PR III/WOOD CARY PARKWAY
APARTMENTS, LLC,** a Delaware
limited liability company

Mailing Address:

Morrisville Partners, LLC
Attn: Legal Department
c/o Casto Southeast LLC
191 W. Nationwide Blvd., Suite 200
Columbus, Ohio 43215

Mailing Address:

c/o Parker Poe Adams & Bernstein LLP
Three Wells Fargo Center
401 S. Tryon Street, Suite 3000
Attn: Brent M. Milgrom, Jr.

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, being seized of the property hereinafter described in fee simple, 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 or parcel of land situated in the Town of Morrisville, County of Wake, State of North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference

The property hereinabove described was acquired by Grantor by instrument recorded in Book 012336 at Page 2201 in the Wake County North Carolina Register of Deeds.

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 2010 page 787.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all rights, privileges, easements and appurtenances thereto belonging to the Grantee and its successors and assigns, in fee simple and together with all improvements of whatever kind, character or description currently located on the above described property.

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, except for the exceptions set forth on Exhibit B attached hereto and incorporated herein by this reference, but only to the extent that they currently encumber the above described property.

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

GRANTOR:

MORRISVILLE PARTNERS, LLC,
a Delaware limited liability company

By: Casto Park West Village Investors, LLC
an Ohio limited liability company, its manager

By: Casto Community Realty Holdings LLC
an Ohio limited liability company
Its manager

By: _____
Paul G. Lukeman
Operating Manager

By: J. Brett Hutchens
J. Brett Hutchens
Operating Manager

[Acknowledgments on following page]

~~STATE OF OHIO)
COUNTY OF FRANKLIN) ss:~~

~~The foregoing was acknowledged before me, a Notary Public in and for said County, by Paul G. Lukeman, who is~~

~~personally known to me, and who is Operating Manager of Casto Community Realty Holdings LLC, Manager of Casto Park West Village Investors, LLC, an Ohio limited liability company, Manager of MORRISVILLE PARTNERS, LLC, a Delaware limited liability company on behalf of the company, this ____ day of _____, 2012.~~

Notary Public

STATE OF FLORIDA)
COUNTY OF SARASOTA) ss:

The foregoing instrument was acknowledged before me, a Notary Public in and for said County, by J. Brett Hutchens, who is personally known to me, and who is Operating Manager of Casto Community Realty Holdings LLC, Manager of Casto Park West Village Investors, LLC, an Ohio limited liability company, Manager of MORRISVILLE PARTNERS, LLC, a Delaware limited liability company on behalf of the company, this 19 day of March, 2012.



Sheila S. Cowan
Notary Public

EXHIBIT A

Lying and being in the City of Morrisville, County of Wake, State of North Carolina and more particularly described as follows:

Being all of Lot 6 containing 14.605 acres as shown on plat entitled "Right of Way Dedication map of Park West Village" by Withers & Ravenel dated June 23, 2010 and recorded in Book of Maps 2010, page 787 Wake County Registry.

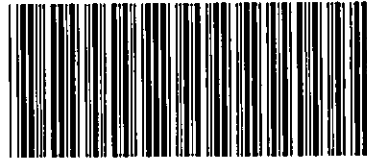
Also being described by metes and bounds as follows:

Beginning at an existing iron pipe, said pipe being North 55°19'55" West 28,111.60 feet from NCGS Survey Monument "SOUTHILLS", said monument having NC grid coordinates (NAD 83) of N=732,540.644, E=2,075,571.593, thence from said Beginning point, North 50°30'32" East 737.55 feet to a new iron pipe, thence South 39°54'56" East 884.65 feet to a new iron pipe, thence South 50°05'04" West 670.59 feet to an existing iron pipe on the northern right of way of Southern Railroad (200' R/W), thence with said right of way along a curve to the right having a radius of 1,809.86 feet, an arc length of 356.67 feet, and a chord bearing and distance of North 47°36'48" West 356.10 feet to an existing iron pipe, thence North 41°58'03" West 537.57 feet to the point and place of Beginning containing 14.605 acres more or less.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes or assessments for the year 2012, and subsequent years, not yet due or payable.
2. Easements(s) to Carolina Power & Light Company recorded in Book 2679, page 61.
3. Easement(s) to Carolina Power & Light Company D/B/A Progress Energy Carolinas, Inc. recorded in Book 13095, page 2501.
4. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title regarding the following matters disclosed by survey entitled "ALTA/ACSM Land Title Survey for Wood Partners" by Frank G. Mundy, P.L.S., dated 8/10/11, and last revised March 20, 2012.
 - a. Fifty (50') foot type A landscape buffer;
 - b. Rip rap in various locations;
 - c. Twenty (20') foot private storm drainage easement;
 - d. Twenty (20') foot Zone 2 and thirty (30') foot Zone 1;
 - e. Fifty (50') foot neuse river buffer;
 - f. Various width RCPs;
 - g. Variable width sidewalk easement;
 - h. Top of Bank. Rights of others in and to the continuous and uninterrupted flow of the waters bounding or crossing the Land and riparian and/or littoral rights incident to the Land;
 - i. Brick Retaining wall and variable width wall easement extending beyond boundary line;
 - j. Vertical PVCs;
 - k. Sanitary sewer manhole;
 - l. Silt/protection fence extend beyond boundary line;
 - m. Pedestrian Lighting Easement.
5. Declaration of Easements and Restrictions – Residential Tract by Morrisville Partners, LLC recorded in Book 14055, Page 1042, as amended in Book 14712, Page 1833 and rights of others in and to the use of the appurtenant easements contained therein.
6. Easement(s) to BellSouth Telecommunications, Inc. recorded in Book 14409, Page 1399.
7. Easement(s) to BellSouth Telecommunications, Inc. recorded in Book 14409, Page 1391.



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**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
_____ # of Pages

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