

**PREPARED BY AND RETURN TO:**

John H. Nash, PC  
 Attn: Tami Feigl  
 5847 San Felipe, Suite 3600  
 Houston, TX 77057

Tax Parcel Nos.: [ 0785933119 ]

**STATE OF NORTH CAROLINA**

**Excise Tax: \$**20,240.00

**COUNTY OF WAKE**

**NORTH CAROLINA SPECIAL WARRANTY DEED**

**THIS DEED** is made as of the 19<sup>th</sup> day of December, 2018, by and between TBR LAKE BOONE OWNER, LLC, a Georgia limited liability company, as Trustee under the TBR Lake Boone Trust Agreement dated December 20, 2012, having a mailing address at c/o TriBridge Residential 100 Peachtree Street Northwest, Suite 1400, Atlanta, Georgia 30303, Grantor, and RALEIGH LAKE BOONE LLC, a Delaware limited liability company, Grantee, having a mailing address at c/o Hanover Company, 5847 San Felipe, Suite 3600, Houston, Texas 77057; 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 and convey unto the Grantee in fee simple all those certain lots or parcels of land situated in Wake County, 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 15072 at Page 1848 of the Wake County Public Registry.

The above described property  does  does not include the primary residence of the Grantor.

Submitted electronically by "First American - National Commercial Services"  
 in compliance with North Carolina statutes governing recordable documents  
 and the terms of the submitter agreement with the Wake County Register of Deeds.

**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 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.

See Exhibit B attached hereto and incorporated herein by reference.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed the day and year first above written.

**GRANTOR:**

**TBR LAKE BOONE OWNER, LLC**, a Georgia limited liability company, as Trustee under the TBR Lake Boone Trust Agreement dated December 20, 2012

By: TriBridge Co-Invest 10, LLC, a Georgia limited liability company, its Sole Member

By: JLC Southeast Investments, LLC, a Georgia limited liability company, its Manager

By: [Signature]  
Name: Jim Schroder  
Title: Vice President

STATE OF GEORGIA  
Cherokee  
COUNTY OF ~~FULTON~~

I certify that Jim Schroder, in his capacity as the Vice President of JLC Southeast Investments, LLC, a Georgia limited liability company, the Manager of TriBridge Co-Invest 10, LLC, the Sole Member of TBR Lake Boone Owner, LLC, as Trustee under the TBR Lake Boone Trust Agreement dated December 20, 2012, personally appeared before me this day, acknowledging to me that he signed the foregoing document:

Date: December 18, 2018.



[Signature]  
Official Signature of Notary

Alessandra Streetmon  
Notary's printed or typed name

My commission expires: 6/20/22

**EXHIBIT A**

**LEGAL DESCRIPTION OF LAND**

Lots 7, 9 and 12, according to the Subdivision Right-Of-Way Dedication, Slope Easement, Cross Access Easement, Private Drainage Easement, Sight Easement, Sidewalk Easement & Utility Placement Easement Dedication Plat for Villages at Lake Boone Trail recorded December 18, 2018, in Book of Maps 2018, Page 2467-2469, Wake County, North Carolina Registry of Deeds.

**EXHIBIT B**

**PERMITTED EXCEPTIONS**

1. Taxes for the year 2019 due and payable, not yet delinquent, and all subsequent years.
2. Riparian rights at the Property.
3. Easement to Carolina Power & Light Company, its successors and assigns recorded in Book 869, Page 336, Wake County Registry.
4. Easement to Carolina Power & Light Company recorded in Book 976, Page 24, Wake County Registry.
5. Easement to Carolina Power & Light Company, its successors and assigns recorded in Book 1007, Page 171, Wake County Registry.
6. Easement to Carolina Power & Light Company, its successors and assigns recorded in Book 1601, Page 254, Wake County Registry.
7. Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses recorded in Book 16228, Page 204, Wake County Registry.
8. Terms, provisions, covenants, conditions, easements and restrictions as provided in Declaration of Restrictive Covenant for Residential and Commercial Uses, recorded in Book 16228, Page 248, Wake County Registry.
9. Easement to Duke Energy Progress, LLC, a North Carolina limited liability company recorded in Book 16596, Page 2253, Wake County Registry.
10. Declaration of Use Restrictions recorded in Book 16646, Page 1618, Wake County Registry.
11. Easement to BellSouth Telecommunications, LLC, d/b/a AT&T North Carolina, a Georgia limited liability company recorded in Book 16735, Page 1725, Wake County Registry.
12. Villages of Lake Boone Trail Subdivision Plat Recombination Plat, Right of Way, Abandonment Plat, Right of Way Dedication Plat, TCA Plat & Easement Plat recorded in Book of Maps 2015, Pages 2011, 2012 and 2013, Wake County Registry.
13. Easement and Memorandum of Agreement with Time Warner Entertainment-Advance/Newhouse Partnership, a New York general partnership, Raleigh Division, d/b/a Time Warner Cable, its successors and assigns recorded in Book 8844, Page 2348, Wake County Registry.
14. Rights of parties in possession, as tenants only, none of whom have a purchase option or right of first refusal, under unrecorded leases(s) or rental agreement(s).
15. Any rights, interests or claims which may exist or arise by reason of or reflected by the following facts shown on the ALTA Survey prepared by Dan Gregory L-5240, BASS, NIXON & KENNEDY, INC. CONSULTING ENGINEERS dated February 8, 2018, and last revised on December 14, 2018, as Job No. 17103 (the "Survey"):
  - A. Chain link fence 0.20 feet over the westerly property line.

B. 48" concrete pipe crosses the southerly portion of the subject property and the 54" corrugated metal pipe crossing the easterly portion of the subject property.

C. Apparent easements for sanitary sewer lines and other utilities on the subject property.

D. Headwall crosses the southerly property line of Lot 7 of the subject property.

E. Easterly side of Lot 7 and westerly side of Lot 8 are shown on the Survey as future right of way.

F. 20' City of Raleigh Sanitary Sewer easement found crossing the property.

G. 20' and 40' City of Raleigh Drainage and Utility easement found crossing Lot 12 of the property.

H. 50' Neuse River Buffer; the consequences of any past or future change in the location of the bed, and all rights of the state, local government or the public in and to any portion of the land lying within the bed, or below the ordinary high water mark.

16. Easements and restrictions as shown on that certain Subdivision Right-Of-Way Dedication, Slope Easement, Cross Access Easement, Private Drainage Easement, Sight Easement, Sidewalk Easement & Utility Placement Easement Dedication Plat for Villages at Lake Boone Trail recorded December 18, 2018 in Book of Maps 2018, Page 02467.

17. Deed of Easement for Utility Placement Purposes by TBR Lake Boone Owner, LLC, a Georgia limited liability company to the City of Raleigh, a North Carolina municipal corporation, dated December \_\_\_\_, 2018 in Book \_\_\_\_, Page \_\_\_\_ Wake County, Registry.

18. Deed of Easement for Sidewalk Purposes by TBR Lake Boone Owner, LLC, a Georgia limited liability company to the City of Raleigh, a North Carolina municipal corporation, dated December \_\_\_\_, 2018 in Book \_\_\_\_, Page \_\_\_\_ Wake County, Registry.

19. Declaration of Cross Access Easement by TBR Lake Boone Owner, LLC, a Georgia limited liability company dated December \_\_\_\_, 2018 in Book \_\_\_\_, Page \_\_\_\_ Wake County, Registry.

20. Declaration of City of Raleigh Required City Code Provisions for Developments with Common Elements and Common Expenses by TBR Lake Boone Owner, LLC, a Georgia limited liability, dated December \_\_\_\_, 2018 in Book \_\_\_\_, Page \_\_\_\_ Wake County, Registry.

21. Deed of Easement for Slope Purposes by TBR Lake Boone Owner, LLC, a Georgia limited liability company, dated December \_\_\_\_, 2018 in Book \_\_\_\_, Page \_\_\_\_ Wake County, Registry.

**TRUSTEE CERTIFICATION**  
(36C-10-1013)

THIS CERTIFICATION (the "Certificate") made this 17<sup>th</sup> day of December, 2018, by TBR LAKE BOONE OWNER, LLC, a Georgia limited liability company ("Trustee"), as Trustee under the TBR Lake Boone Trust Agreement dated December 20, 2012 ("Trust"), to Raleigh Lake Boone LLC, a Delaware limited liability company ("Purchasers"), any lender financing this transaction and any Title Insurer ("Insurer") insuring title to the property situated in the State of North Carolina and described in Schedule A (Land), their successors and/or assigns, all of whom are relying on the veracity of this certification, witnesseth:

WHEREAS, said Insurer has issued a commitment of title insurance insuring the title to the Land; and

WHEREAS, said Insurer will be requested to issue its policy or policies of title insurance insuring the title to the Land; and

WHEREAS, the Land is owned or to be owned by the Trust; and

WHEREAS, said Insurer will not issue its policy without being provided an acceptable certificate concerning the authority of the Trustee(s) to enter in to the contemplated transaction pursuant to the North Carolina Uniform Trust Code, and

WHEREAS, said Insurer will not issue its policy without exception to matters concerning ownership of the Land by the Trust, unless assured to certain facts as herein set out;

NOW THEREFORE, Trustee(s) certify as follows:

1. The Trust has been lawfully executed, was validly created, is still in existence, and has not been revoked, modified, or amended in any manner which would cause the representations contained herein to be incorrect;
2. The Settlor(s) of the Trust, if revocable, issued no instructions that would limit or restrict the Trustees' authority to enter into or consummate this transaction in accord with this certificate;
3. The identity and address of the currently acting Trustee(s) identified above is:

TBR Lake Boone Owner, LLC, a Georgia limited liability company, as Trustee under the TBR Lake Boone Trust Agreement dated December 20, 2012  
c/o TriBridge Residential  
100 Peachtree Street Northwest  
Suite 1400  
Atlanta, Georgia 30303

4. The Trustee has been granted due authority to enter into and consummate the transaction contemplated by the Insurer's title insurance commitment, the Trust grants all the necessary powers to the Trustee(s) and contains no limitations or restrictions on said authority that would prohibit or limit the trustees authority to enter into and consummate the proposed transaction.
5. The Trust does not limit a Trustee's authority to sign necessary documents, execute this certificate or otherwise authenticate the Trust and all co-trustees required to exercise the powers contained in the Trust have executed this certificate;
6. The Trust's taxpayer identification number is 46-1574458; and
7. The Trust Agreement specifies that the Trust is to take title to any property in the following manner:  
"The Trustee shall hold legal title to the Property for the benefit of the Beneficiaries."

FURTHER, Trustee(s) does/do hereby acknowledge that this Certification may be recorded in the Register of Deeds Office and agrees that this Certification is being executed in duplicate counterparts each of which shall be deemed an original (the counterpart to be recorded may have the taxpayer identification number redacted if it is the social security number of a settlor).

[SIGNATURE PAGE ON FOLLOWING PAGE]

[SIGNATURE PAGE TO NC TRUST CERTIFICATION]

IN WITNESS WHEREOF, the Trustee hereto have duly signed and sealed this instrument in duplicate.

TRUSTEE:

TBR LAKE BOONE OWNER, LLC,  
a Georgia limited liability company,  
as Trustee under the TBR Lake Boone Trust  
Agreement dated December 20, 2012

By: TriBridge Co-Invest 10, LLC,  
a Georgia limited liability company,  
its Sole Member

By: JLC Southeast Investments, LLC,  
a Georgia limited liability company,  
its Manager

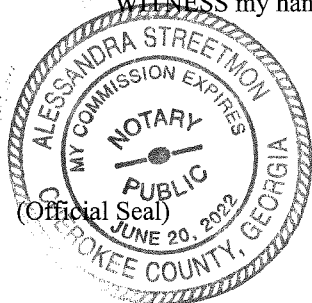
By: [Signature]  
Name: Jim Schroder  
Title: Vice President

STATE OF GEORGIA

COUNTY OF Cherokee

I, Alessandra Streetmon a Notary Public for the County of Cherokee  
and State of Georgia, do hereby certify that Jim Schroder, in his capacity as Vice President of JLC  
Southeast Investments, LLC, a Georgia limited liability company, the Manager of TriBridge Co-Invest 10, LLC, a  
Georgia limited liability company, the Sole Member of TBR Lake Boone Owner, LLC, a Georgia limited liability  
company, as Trustee under the TBR Lake Boone Trust Agreement dated December 20, 2012, either being personally  
known to me or proven by satisfactory evidence (said evidence being \_\_\_\_\_),  
personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument  
by he/she/they for the purposes stated therein.

WITNESS my hand and notarial seal, this 16 day of December, 2018.



Alessandra Streetmon  
Notary Public Alessandra Streetmon  
(Type or Print Name)

My Commission Expires: 6/20/22

NOTE: Revised N.C.G.S. Section 47-18.3 permits a corporation's chairman, president, chief executive officer, a vice president or an assistant vice president, treasurer and chief financial officer to execute conveyance documents without attestation or corporate seal. Also, any other officer, manager or agent may execute such documents provided a signed and attested board of directors resolution authorizing such officer, manager or agent is attached to the instrument or separately recorded.

SCHEDULE A

LEGAL DESCRIPTION

Lots 7, 9 and 12, according to the Subdivision Right-Of-Way Dedication, Slope Easement, Cross Access Easement, Private Drainage Easement, Sight Easement, Sidewalk Easement & Utility Placement Easement Dedication Plat for Villages at Lake Boone Trail recorded December 18, 2018, in Book of Maps 2018, Page 2467-2469, Wake County, North Carolina Registry of Deeds.