

FOR REGISTRATION
Sharon A. Davis
REGISTER OF DEEDS
Durham County, NC
2018 May 08 01:06:30 PM
BK:8419 PG:697-704
DEED
FEE: \$26.00
INSTRUMENT # 2018015340
EXCISE TAX: \$107,000.00



North Carolina Special Warranty Deed

Prepared by:
Johnston, Allison & Hord, P.A. (WCI)
(no title search performed or given by preparer)

After Recording Return to:
Commonwealth Land Title Insurance Company
ATTN: Laura Lamkin
421 Fayetteville St., Ste. 1304
Raleigh, NC 27601

Excise Tax \$ 107,000.00 Recording Time, Book And Page _____

Parcel Identifier No.: 0800-02-55-4898

Mail after recording to: Commonwealth Land Title Insurance Company, 421 Fayetteville Street, Ste. 1304, Raleigh, NC 27601 Attn: Laura Lamkin

This instrument was prepared by Johnston, Allison & Hord, P.A. (WCI) (no title search performed or given by the preparer)

Brief description for the Index: Garrett West Apartments, 4130 Garrett Road, Durham, North Carolina 27707

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 7th day of May, 2018, by and between:

GRANTOR	GRANTEE
<p>GF PROPERTY FUNDING CORP., a Delaware corporation c/o Bentall Kennedy (U.S.) LP 7315 Wisconsin Avenue, Suite 200 West Bethesda, Maryland 20814</p>	<p>BEL GARRETT LIMITED PARTNERSHIP, a Delaware limited partnership c/o Eaton Vance Management, REIG Two International Place Boston, Massachusetts 02110</p>

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 and Grantee's heirs, executors, administrators, successors and assigns forever, in fee simple, all that certain lot or parcel of land situated in the City of Durham, Durham County, North Carolina and more particularly described on **Exhibit A** attached hereto and made a part hereof, together with all buildings, fixtures and other real property improvements located on said real property; and the benefits and appurtenances on or appertaining to said real property and improvements.

All of a portion of the property herein conveyed _____ includes or X (check here) does not include the primary residence of the Grantor..

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 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.

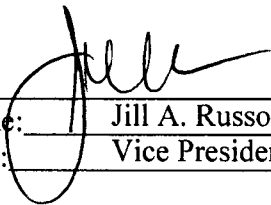
Title to the property hereinabove described is subject to the exceptions affecting the subject property set forth on **Exhibit B** attached hereto and incorporated herein by this reference.

[Remainder of page intentionally blank]

IN WITNESS WHEREOF, Grantor has duly executed and delivered this document on the day and year first above written.

GRANTOR:

GF PROPERTY FUNDING CORP., a Delaware corporation

By: 
Name: Jill A. Russo
Title: Vice President

STATE OF NEW YORK §
 §
COUNTY OF SUFFOLK §

I, the undersigned, a Notary Public in the County of Suffolk, State of New York, certify that Jill A. Russo, personally came before me this day and acknowledged that she is the Vice President of GF Property Funding Corp., a Delaware corporation, and that she as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said company.

Witness my hand and official seal this the 2nd day of May, 2018.

Angelo Clementi, Notary Public

Printed Name Angelo Clementi

(Affix Notary Seal)

My Commission Expires:
ANGELO CLEMENTI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CL6272017
Qualified in Richmond County
My Commission Expires 11-13-2020



Exhibit A

To Special Warranty Deed from GF PROPERTY FUNDING CORP. to BEL GARRETT
LIMITED PARTNERSHIP

Legal Description

Being all of that tract or parcel of land containing approximately 60.790 acres, more or less, depicted on that certain Plat by Riley Surveying, P.A. captioned "Final Plat, Recombination Survey with Public R/W/Greenway/Buffer/Sidewalk/Open Space and Access Easement Dedication, Property of Garrett Farms Apartments, L.P." recorded in Plat Book 183, Page 174, Durham County Registry.

And being more particularly described as follows:

Beginning at NCGS Monument "DUMP" having grid coordinates of N(Y)=802440.058 and E(X)=2008042.706; thence North 42 degrees 29 minutes 05 seconds West 3,837.68 feet to an existing ¾ inch iron pipe, said existing iron pipe being the TRUE POINT AND PLACE OF BEGINNING; thence North 77 degrees 16 minutes 20 seconds West 1,464.74 feet to an existing iron pipe; thence North 04 degrees 11 minutes 06 seconds East 755.30 feet to an existing iron pipe; thence North 89 degrees 40 minutes 55 seconds East 1,421.97 feet to an existing iron pipe; thence North 89 degrees 45 minutes 56 seconds East 1,228.22 feet to an existing iron pipe; thence South 87 degrees 35 minutes 35 seconds East 294.03 feet to an existing iron pipe on the West right-of-way line of Garrett Road; thence with said right-of-way the following seven calls:

- (1) on a curve to the right a distance of 121.12 feet, said curve having a radius of 553.26 feet, a tangent of 60.81 feet and a chord bearing South 11 degrees 22 minutes 00 seconds West for 120.88 feet;
- (2) South 16 degrees 46 minutes 20 seconds West a distance of 161.77 feet;
- (3) on a curve to the left a distance of 141.67 feet, said curve having a radius of 2,904.35 feet, a tangent of 70.85 feet and a chord bearing South 15 degrees 26 minutes 37 seconds West for 141.65 feet;
- (4) South 15 degrees 12 minutes 51 seconds West a distance of 77.97 feet;
- (5) South 13 degrees 27 minutes 49 seconds West a distance of 185.44 feet;
- (6) South 13 degrees 15 minutes 47 seconds West a distance of 100.07 feet;
- (7) South 19 degrees 28 minutes 36 seconds West a distance of 5.74 feet to an iron pipe;

Thence South 77 degrees 21 minutes 05 seconds West 1,407.73 feet to a ¾ inch iron pipe said iron pipe being THE TRUE POINT AND PLACE OF BEGINNING.

Containing 60.790 acres, more or less, and being more particularly described and shown on that certain ALTA/ACSM Land Title Survey for Bentall Kennedy LP, Alexan Garrett Farms, Triangle Township, Durham County, North Carolina dated May 10, 2013, last revised June 4, 2013, certified by James M. Gellenthin, North Carolina Registered Land Surveyor No. L-3860, KCI Associates of N.C., KCI Job # 35133770.

Exhibit B

To Special Warranty Deed from GF PROPERTY FUNDING CORP. to BEL GARRETT LIMITED PARTNERSHIP

Exceptions to Title

1. Taxes for the year 2018, which are a lien, but not yet due and payable, and all subsequent years.
2. Easements and any other facts as shown on plat recorded in Plat Book 183, Page 174; and Plat Book 185, Page 393, Durham County Registry.
3. Easements and any other facts as shown on plat recorded in Plat Book 15, Page 27, Durham County Registry.
4. Right(s) of way to State Highway Commission, its successors and assigns recorded in Book 336, Page 138; and Book 336, Page 198, Durham County Registry.
5. Easement to City of Durham, a municipal corporation recorded in Book 1097, Page 19, Durham County Registry and noted as "sanitary sewer outfall" on Plat Book 101, Page 199, and subject to the Declaration recorded in Book 1510, Page 958, Durham County Registry.
6. Easement to City of Durham, a municipal corporation recorded in Book 1535, Page 109; as shown in Plat Book 121, Page 34; and subject to Declaration in Book 1510, Page 958, Durham County Registry.
7. Easement to Duke Power Company, recorded in Book 219, Page 81 and Book 259, Page 181, Durham County Registry.
8. Easement to GTE South Incorporated, a Virginia corporation, recorded in Book 2830, Page 687; and as shown on Plat Book 147, Page 61, Durham County Registry.
9. Riparian rights of others in and to the continuous and uninterrupted flow of Mud Creek and the wet weather branch bounding or crossing the Real Property.
10. Easement to Duke Energy Carolinas, LLC (formerly Duke Power Company), its successors and assigns recorded in Book 6312, Page 985, Durham County Registry.
11. Stormwater Facility Agreement and Covenants (Commercial Version) by and between Garrett Farms Apartments Limited Partnership, a limited partnership and City of Durham, a North Carolina municipal corporation, recorded in Book 6146, Page 997, Durham County Registry.
12. License Agreement by and between Garrett Farms Apartments, Limited Partnership, a Delaware limited partnership and Time Warner Entertainment -

Advance/Newhouse Partnership d/b/a Time Warner Cable through its East Carolina Division, recorded in Book 6347, Page 544, Durham County Registry.

13. Easement to Verizon South, Inc., its successors and assigns recorded in Book 6503, Page 930, Durham County Registry.

14. Terms, provisions, covenants, conditions, easements and restrictions as provided in North Carolina Special Warranty Deed, recorded in Book 7290, Page 868, Durham County Registry.

15. Rights of parties in possession as residential tenants only, under unrecorded residential leases or residential rental agreements, with no options or other rights to purchase.

16. Matters shown on the ALTA survey of the Property prepared by KCI Associates of N.C. and dated February 26, 2018.