

For Registration Willie L. Covington
Register of Deeds
Durham County, NC
Electronically Recorded
2016 May 02 11:51 AM NC Rev Stamp: \$ 54000.00
Book: 7921 Page: 736 Fee: \$ 26.00
Instrument Number: 2016013383
DEED

Excise Tax: \$ 54,000.00

Tax Lot No. _____; Parcel Identifier No. 135686

Verified by _____ County on the ____ day of _____, 2016

By: _____

Mail after recording to:

Paula Lynch-Griffith
Locke Lord LLP
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201-6776

This instrument was prepared by:

Michelle H. Lord
Fairfield Residential Company, LLC
5510 Morehouse Drive, Suite 200
San Diego, CA 92121

Brief Description for the Index: WOODS EDGE APARTMENTS, DURHAM, NC

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 28 day of April, 2016, by and between

GRANTOR

FAIRFIELD WOODS EDGE LLC, a Delaware limited liability company

Mailing address:

Fairfield Residential Company LLC
5510 Morehouse Drive
Suite 200
San Diego, California 92121
Attn: Gino A. Barra

GRANTEE

MP WOODS EDGE LLC, a Delaware limited liability company

Mailing address:

44 Montgomery Street
Suite 2090
San Francisco, CA 94104
Attn: Kenneth Lee

Enter in appropriate block for each party: name, 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 or parcel of land situated in the City of Durham, Durham County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

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

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7158 Page 175-181.

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 described on Exhibit B attached hereto and made a part hereof.

[signature page to follow]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed and delivered.

FAIRFIELD WOODS EDGE LLC,
a Delaware limited liability company

By: **FFI BSREP GP LLC,**
a Delaware limited liability company,
its Non-Member Manager

By:  _____
Name: Gino A. Barra
Title: Vice President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CALIFORNIA NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On April 22, 2016, before me, Sarah E. Loy, Notary Public (name and title of officer), personally appeared Gina A. Bara (name of signer), who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal,

Sarah E. Loy
Signature (Seal)



EXHIBIT A

Legal Description

Beginning at a concrete monument located in the southeasterly margin of the right-of-way of Hope Valley Road (North Carolina Highway 751) (a 60' public right-of-way), said beginning point having North Carolina Grid Coordinates of Y=791,807.08 and X=2,013,368.98, and being also the southwest corner of the property of Jack Adcock (now or formerly) as described in Book 259, Page 497, Durham County Registry; thence with the property line of Jack Adcock the following two (2) courses and distances: (1) S. 59-56-11 E. 499.68 feet to a concrete monument, and (2) N. 30-0-54 E. 300.28 feet to a concrete monument; thence with the southern property line of Irene M. Ward (now or formerly) as described in Book 309, at Page 109, Durham County Registry, the following two (2) courses and distances: (1) N. 84- 23-58 E. 459.86 feet to a concrete monument, and (2) N. 29-46-18 E. 118.25 feet to a point; thence with the southern property line of Frank K. and John G. Borden (now or formerly) as described in Book 352, at Page 274, Durham County Registry, N. 88-05-57 E. 371.19 feet to an iron pipe; thence leaving said line and running with the meanders of the 245-foot contour of the U.S. Army Corps of Engineers flowage easement, as recorded in Book 1111, at Page 683, Durham County Registry, the following eight (8) courses and distances: (1) S. 60-19-22 W. 227.93 feet to an iron pipe, (2) S. 22-24-28 W. 440.06 feet to an iron pipe, (3) S. 40-15-27 E. 320.06 feet to an iron pipe, (4) S. 06-59-39 W. 230.04 feet to an iron pipe, (5) S. 79-59-45 W. 239.99 feet to an iron pipe, (6) N. 40-30-10 W. 249.96 feet to an iron pipe, (7) S. 74-14-56 W. 389.99 feet to an iron pipe, and (8) S. 14-15-05 W. 269.94 feet to a point located in the northern margin of the right-of-way of Woodcroft Parkway (a 104' public right-of-way); thence continuing along said margin of the right-of-way of Woodcroft Parkway the following six (6) courses and distances: (1) with the arc of a circular curve to the left having a radius of 378 feet, an arc distance of 219.61 feet, and a chord bearing and distance of S. 75-57-08 W. 216.53 feet to an iron pipe, (2) with the arc of a circular curve to the right having a radius of 442 feet, an arc distance of 370.48 feet, and a chord bearing and distance of S. 84-27-33 W. 358.70 feet to an iron pipe; (3) N. 70-23-25 W. 7.28 feet to an iron pipe, (4) with the arc of a circular curve to the left having a radius of 476 feet, an arc distance of 155.59 feet, and a chord bearing and distance of N. 79-45-17 W. 154.90 feet to an iron pipe; (5) N. 89-07-07 W. 106.78 feet to an iron pipe; and (6) with the arc of a circular curve to the right having a radius of 324, feet an arc distance of 0.56 feet, and a chord bearing and distance of S. 89-13-32 W. 0.56 feet to an iron pipe located in the margin of the right-of-way of Woodcroft Parkway; thence running along the northern property line of Woodcroft Company (now or formerly), as recorded in Book 1114, at Page 137, Durham County Registry, N. 39-44-07 W. 223.99 feet to an iron pipe which is located in the southeasterly margin of the right-of-way of Hope Valley Road; thence running with said margin of the right-of-way of Hope Valley Road the following two (2) courses and distances: (1) N. 29-54-32 E. 568.55 feet to an iron pipe, and (2) N. 30-07-03 E. 499.83 feet to the concrete monument at the point of Beginning, containing approximately 32.4360 acres.

Being the same property shown on a survey entitled, "As-Built Survey: Woods Edge Apartments", prepared by Bass, Nixon and Kennedy, Inc., Consulting Engineers, dated July 8, 1985 and last revised December 20, 2005, bearing the seal of Edmund H. Davenport.

Together with those certain nonexclusive, perpetual easements twenty (20) feet in width, granted by Woodcroft Company to Woods Edge Apartments, Ltd. and the City of Durham for the purpose of installation and maintenance of water and sewer lines constituting appurtenances to the above-described premises, which are recorded, respectively, in Book 1229, at Page 539, and Book 1233, at Page 103, Durham County Registry.

EXHIBIT B

Permitted Title Exceptions

1. Taxes or assessments for the year 2016, and subsequent years, not yet due or payable.
2. Matters shown or reflected on any survey made available to, or obtained by, Purchaser.
3. Rights of tenants shown on the rent roll ("Rent Roll") attached to the Rent Roll Certification dated the date of this Deed provided by Grantor to Grantee contemporaneously with the delivery of this Deed, as of the date and time of such Rent Roll, subject to any changes to the Rent Roll between the date and time thereof and the conveyance of the Property to Grantee.
4. Rights of Coinmach Corporation, as a tenant only, to unrecorded lease for a term of 3 years or more, without any options to purchase, rights of first refusal, or similar rights.
5. Easement to Duke Power recorded in Book 1183, Page 484, Durham County Registry, on November 8, 1984.
6. Easement to General Telephone Company of the Southeast recorded in Book 1178, Page 254, Durham County Registry, on October 2, 1984.
7. Easements to the City of Durham recorded in Book 329, Page 42; and Book 1075, Page 19, both Durham County Registry (for sewer line), on February 8, 1967.
8. Water Easement to Windermere Company recorded in Book 1148, Page 272, Durham County Registry, on February 24, 1984.
9. Cable Services Easement and Memorandum of Agreement recorded in Book 6595, Page 833, Durham County Registry, on November 3, 2010.
10. Terms and conditions, if any, in Deed of Easement recorded in Book 1229, Page 539 (on August 30, 1985); and Book 1233, Page 103 (on September 20, 1985), both Durham County Registry.
11. Duke Power Easements recorded in Book 276, Page 299 (on June 8, 1981); and Book 324, Page 403, Durham County Registry.
12. Matters contained in the Prohibition Against Condominium Conversion Agreement between Fairfield Woods Edge LLC, a Delaware limited Partnership and MP Woods Edge, LLC, a Delaware limited liability company recorded immediately preceding this deed.