

For Registration Sharon A. Davis  
 Register of Deeds  
 Durham County, NC  
 Electronically Recorded  
 2018 Mar 13 03:54 PM NC Rev Stamp: \$ 23000.00  
 Book: 8381 Page: 146 Fee: \$ 26.00  
 Instrument Number: 2018008177  
 DEED

## GENERAL WARRANTY DEED

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| Prepared by:<br>Gary C. Hisiger, Esq.<br>Moritt Hock & Hamroff LLP<br>400 Garden City Plaza<br>Garden City, New York 11530 | Return to:<br>Fidelity National Title Group<br>421 Fayetteville Street<br>Suite 1304<br>Raleigh, NC 27601 |
|--|---|

Attn: Laura Lambert

Revenue: \$ 23,000.00  
 Tax ID#: 0737-01-39-9625

Brief Description for the Index: 5011 South Alston Avenue, Durham County  
 Durham, North Carolina

THIS GENERAL WARRANTY DEED IS MADE AND GIVEN this 12<sup>th</sup> day of March, 2018 from **Triangle Park Apartments, LLC**, a Delaware limited liability company, having an address at 2 West Northfield Road, Suite 202, Livingston, New Jersey 07039 (hereinafter "Grantor"), to **Triangle Park Apts LLC**, a Virginia limited liability company, having an address at 2010 Corporate Ridge Drive, Suite 7029, Mclean, Virginia 22002 (hereinafter "Grantee").

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 Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all of that certain lot or parcel of land situated in the City of Durham, Durham County, North Carolina and more particularly described as follows:

**BEING in all respects that property described in Exhibit A attached hereto and hereby incorporated by reference.**

The property conveyed herein is not the primary residence of Grantor.

Fishbein, Kalman / 5011 S. Alton Avenue, Durham, NC - Sale / Warranty Deed  
 1391920v2

Submitted electronically by Adams Howell Sizemore and Lenfestey - Raleigh in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Durham County Register of Deeds.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor is seized of said property in fee simple; has the right to convey the same in fee simple; that the same is free from encumbrances and that Grantor will warrant and defend the title to the same against the lawful claims of all persons whomsoever, except for the exceptions listed below. Title to the property hereinabove described is subject to the following exceptions:

**ALL exceptions to title set forth on Exhibit B attached hereto and hereby incorporated by reference.**

[execution on following page, remainder of this page intentionally left blank]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name by a person duly authorized to act on its behalf as of the date first recited above.

TRIANGLE PARK APARTMENTS, LLC, a Delaware limited liability company

By: Kalman J. Fishbein  
Name: Kalman J. Fishbein  
Title: Manager

STATE OF NEW JERSEY

COUNTY OF ESSEX

On the 8<sup>th</sup> day of March, in the year of 2018, before me, the undersigned, personally appeared KALMAN J. FISHBEIN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(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 capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the City of Essex, State of New Jersey.

Theresa G. Marone  
Notary Public

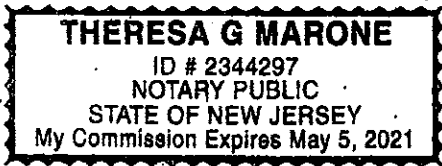


Exhibit A

to General Warranty Deed

LEGAL DESCRIPTION

A parcel of land situated in Triangle Township, Durham County, NC and more particularly described as:

Commencing at the intersection of SR 1945 (Alston Ave.) and NC55 then 6,600 feet northeast along the centerline of SR 1945 to a Railroad spike in the centerline of SR 1945;

Thence N 81° 04' 18" E, 30.00' to a point in the eastern right of way line of SR 1945, the point and place of beginning.

Thence with the eastern right of way of SR 1945:

N 08° 55' 46" W, 51.49' to a point  
N 14° 26' 47" W, 52.98' to a point  
N 20° 17' 13" W, 52.82' to a point  
N 25° 56' 39" W, 52.85' to a point  
N 31° 15' 12" W, 52.61' to a point  
N 36° 16' 58" W, 53.13' to a point  
N 43° 07' 17" W, 53.82' to a point  
N 51° 04' 37" W, 54.09' to a point  
N 58° 44' 56" W, 53.97' to a point  
N 63° 50' 00" W, 52.05' to a point  
N 69° 01' 00" W, 52.99' to a point  
N 71° 52' 41" W, 9.12' to a point  
N 79° 50' 00" W, 242.91' to an existing iron pipe.

Thence leaving the existing iron pipe at the eastern ROW of SR 1945, with Powers, Inc., on N 02° 38' 02" E, 491.86' to an existing iron pipe in the line of Powers, Inc. and Airco, Inc.

Thence with Airco, Inc. and Research Triangle Foundation, S 85° 57' 30" E, 910.11' to an existing iron pipe at the northwest corner of Robert Ward.

Thence with Robert Ward, S 16° 32' 34" W, 320.92' to an existing iron pipe, then S 21° 26' 41" W, 635.43' to an existing iron pipe, thence S 76° 06' 40" W, 16.91' to a point in the eastern right of way line of SR 1945, the point and place of beginning, containing 11.72 acres more or less.

**Exhibit B**

(see attached)

1. The lien of all taxes for the year 2018 and thereafter, which are not yet due and payable.
2. Easement(s) or right(s)-of-way in favor of Duke Power Company (now d/b/a Duke Energy Corporation) recorded in Book 1302, Page 421.
3. Rights of tenants in possession as of the date hereof, as tenants only, under prior unrecorded residential leases without any right of first refusal or option to purchase.
4. Easements for sewer, water and other utility facilities in favor of Durham County recorded in Book 318, Page 162 and Book 1028, Page 870.
5. Easement for the construction, maintenance and operation of gas and petroleum lines and facilities in favor of Public Service Company of North Carolina as set forth in that Right of Way Agreement recorded in Book 259, Page 37.
6. Easement(s) or right(s)-of-way in favor of Time Warner Entertainment-Advance/Newhouse Partnership, d/b/a Time Warner Cable recorded in Book 6819, Page 921.
7. The following matter(s) as shown on survey by Jonathan F. Murphy, dated January 16, 2018; file name "Triangle Park 2018 ALTA 2-6-18.dwg" and any easement(s) or right(s)-of-way associated therewith:
  - a. Various utility facilities for sanitary sewer and electricity located on the Land; and
  - b. 25' street, 8' side and 25' rear zoning setbacks.
8. Riparian rights of others incidental to the creek channel running through the Land.