

For Registration Willie L. Covington
Register of Deeds
Durham County, NC
Electronically Recorded
2016 May 02 02:10 PM NC Rev Stamp: \$ 41000.00
Book: 7921 Page: 870 Fee: \$ 26.00
Instrument Number: 2016013401
DEED

Excise Tax: \$ 41,000.00

Tax Lot No. _____; Parcel Identifier No. 135737
Verified by _____ County on the _____ day of _____, 20____
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: BRIDGES AT SOUTHPOINT APARTMENTS, DURHAM, NC

NORTH CAROLINA SPECIAL WARRANTY DEED

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

GRANTOR

FAIRFIELD SOUTHPOINT LLC, a Delaware
limited liability

Mailing address:

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

GRANTEE

MP BRIDGES AT SOUTHPOINT, 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 231-239.

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 SOUTHPOINT 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 Gino A. Barra (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 point located in the eastern margin of the right-of-way of Garrett Road (NC 751) (a 60' public right-of-way), said beginning point being the southwestern corner of the property of Terrell C. Griffiths (now or formerly) as described in Deed Book 1302, Page 14, Durham County Registry; thence with the southern boundary of said Terrell C. Griffiths the following two (2) courses and distances: (1) N. 89-52-09 E. 160.56 feet to an existing iron pipe, and (2) S. 86-48-05 E. 99.36 feet to an existing axle located in the southwest corner of the property of JBW Tridurham Properties, Inc. (now or formerly) as described in Deed Book 4084, Page 473, Durham County Registry; thence with the southern boundary of said JBW Tridurham Properties, Inc. S. 88-32-51 E. 246.03 feet to an existing iron pipe located in the southwest corner of the property of Harris Teeter Properties, LLC (now or formerly) as described in Book 4033, Page 676, Durham County Registry; thence with the southern boundary of said Harris Teeter Properties, LLC S. 88-30-30 E. 185.81 feet to an existing iron pipe located in the northwest corner of the property of United States of America (now or formerly) as described in Deed Book 440, Page 319, Durham County Registry; thence with the western boundary of said United States of America the following two (2) courses and distances: (1) S. 00-52-08 E. 642.85 feet to an existing iron pin, and (2) S. 43-10-58 W. 856.76 feet to an existing iron pipe located in the eastern margin of the right-of-way of the above-referenced Garrett Road; thence with the eastern margin of the right-of-way said Garrett Road the following two (2) courses and distances: (1) N. 04-53-10 W. 724.12 feet to a point, and (2) N. 05-24-32 W. 564.78 feet to the Point or Place of Beginning, containing approximately 14.539 acres.

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. Easement(s) to Duke Power recorded in Book 1315, page 149, Durham County Registry on October 2, 1986.
5. Easement(s) to General Telephone Company of the South pursuant to Deed of Easement recorded in Book 1323, page 54, Durham County Registry on November 6, 1986.
6. Easement and Memorandum Agreement to Time Warner Cable recorded in Book 6577, page 526, Durham County Registry October 11, 2010.
7. Matters contained in the Prohibition Against Condominium Conversion Agreement between Fairfield Southpoint LLC, a Delaware limited Partnership and MP Bridges at Southpoint, LLC, a Delaware limited liability company recorded immediately preceding this deed