

WAKE COUNTY, NC 73
CHARLES P. GILLIAM
REGISTER OF DEEDS
PRESENTED & RECORDED ON
02/02/2018 13:35:28
STATE OF NC REAL ESTATE
EXCISE TAX: \$14,185.00
BOOK:017036 PAGE:01938 - 01943

Excise Tax: \$14,185.00

Parcel ID: 0214751

Prepared By and Return To: Camden C. Betz, Esq., Brooks Pierce, PO Box 1800, Raleigh, NC 27602

Brief Description for the Index

760 SE Maynard Rd

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 2nd day of February, 2018, by and between

GRANTOR	GRANTEE
LG CARY WALNUT, LLC , a Texas limited liability company, whose mailing address is c/o Leon Capital Group, 3500 Maple, Suite 1600, Dallas, Texas 75219	MOMA WALNUT, LLC , North Carolina limited liability company, whose mailing address is 135 E. Martin Street, Suite 201, Raleigh, North Carolina 27601

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, a Texas limited liability company, 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 Cary, 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 015863, Page 01243 of the Wake County Registry.

The property hereinabove described does not include the primary residence of 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, other than as set forth herein.

Title to the property hereinabove described is hereby conveyed subject to those matters described on Exhibit B attached hereto and incorporated herein by reference.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

GRANTOR:

LG CARY WALNUT, LLC, a Texas limited liability company

By: LG Capital, LLC, a Texas limited liability company, its Manager

By: [Signature]

**Will Tolliver
Managing Director**

THE STATE OF TEXAS §
COUNTY OF Dallas §
§

I certify that Will Tolliver, as managing Director of LG Capital, LLC, a Texas limited liability company, in its capacity as Manager of LG Cary Walnut, LLC, a Texas limited liability company, personally appeared before me this day and acknowledged to me that he voluntary signed the foregoing document for the purpose stated therein.

This is the 29th day of January 2018.

By: Nedra Leach

Notary's Printed/Typed Name: Nedra Leach, Notary Public of State of Texas

My commission expires: 6/17/2020

[SEAL]

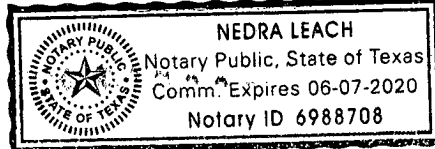


EXHIBIT A

BEING all that tract or parcel of land identified as Tract 5 on a map recorded in Book of Maps 1995, Page 547, Wake County Registry, located in the Town of Cary, Wake County, North Carolina and being more particularly described as follows:

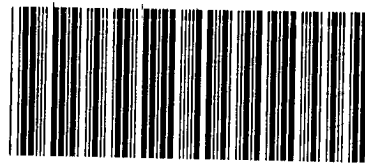
BEGINNING at a Department of Transportation ("DOT") right-of-way monument located on the southwestern right-of-way margin of Walnut Street, said point also being located in the northwestern corner of the property of Ruth H. Lewis (now or formerly) as described in a deed recorded in Book 2026, Page 54, Wake County Registry; thence from said beginning point with a western property line of the aforesaid property of Ruth H. Lewis, South 24 degrees 56 minutes 11 seconds West 179.00 feet to an iron pipe set; thence North 75 degrees 49 minutes 08 seconds West 84.57 feet to a point; thence North 64 degrees 20 minutes 08 seconds West 263 feet to a point; thence South 25 degrees 39 minutes 52 seconds West 13.87 feet to a point; thence North 64 degrees 20 minutes 08 seconds West 228.54 feet to a point; thence with the arc of a circular curve to the right having a radius of 337.50 feet, a chord bearing and distance of North 21 degrees 16 minutes 29 seconds East 51.66 feet, an arc distance of 51.71 feet to a point; thence North 25 degrees 39 minutes 52 seconds East 100.99 feet to a point; thence North 64 degrees 20 minutes 08 seconds West 106.67 feet to a point; thence North 25 degrees 39 minutes 52 seconds East 266.53 feet to a point located on the aforesaid southwestern right-of-way margin of Walnut Street; thence with the aforesaid southwestern right-of-way margin of Walnut Street in three (3) calls as follows: (1) South 46 degrees 14 minutes 48 seconds East 401.97 feet to a DOT right-of-way monument; thence (2) North 43 degrees 45 minutes 12 seconds East 13.00 feet to a DOT right-of-way monument; thence (3) South 46 degrees 14 minutes 48 seconds East 312.06 feet to the point and place of beginning, containing 4.4191 acres or 192,496.00 square feet.

TOGETHER WITH AND SUBJECT TO all rights and easements contained in that certain Declaration of Easements and Restrictions made by CK Cary Commons, LLC, dated May 19, 1995, and recorded May 22, 1995, in Book 6534, Page 21, Wake County Registry.

TOGETHER WITH the right to develop forty thousand (40,000) square feet of building floor area upon the above-described property. This allocation of development rights is made pursuant to Section 2.b. of that certain Declaration of Easements and Restrictions made by CK Cary Commons, LLC, dated May 19, 1995, and recorded May 22, 1995, in Book 6534, Page 21, Wake County Registry.

EXHIBIT B

1. Rights of the following tenant in possession, as tenant only, under unrecorded, unexpired leases:
Barnes & Noble Booksellers, Inc.
2. Matters created by, or with the written consent of, Grantee.
3. Non-delinquent liens for real estate taxes and assessments for the year 2018, and subsequent years, not yet due and payable.
4. Any matter affecting the Property of record in the real property records of Wake County, North Carolina Register of Deeds as of the date hereof.
5. Any matter that would be disclosed by an accurate inspection and/or survey of the Property.



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Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

**Charles P. Gilliam
Register of Deeds**

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

This Customer Group

_____ # of Excessive Entities

_____ # of Time Stamps Needed

This Document

_____ *6* # of Pages *LG*