

Excise Tax: \$5,250.00 Recording Time, Book and Page  
Tax Lot No. \_\_\_\_\_ Parcel Identifier No. 0479355

Mail after recording to: Grantee

This instrument was prepared by: David T. Pryzwansky, The Pryzwansky Law Firm, P.A., 507 West Peace Street, Suite 101, Raleigh, NC 27603 (without title examination)

Brief description for the Index: New Outparcel 4 Amberly Place

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED made this 22 day of July, 2021, by and between

GRANTOR	GRANTEE
<p><b>GB Amberly Place, LLC,</b> a Florida limited liability company</p> <p>c/o The Sembler Company 5858 Central Avenue St. Petersburg, FL 33707</p>	<p><b>Fifth Cary Pooh, LLC,</b> a Delaware limited liability company</p> <p>Attn: Daniel F. Sullivan, Esq. 101 West 55th Street New York, NY 10019</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, 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 White Oak Township, Wake County, North Carolina and more particularly described as follows:

The Land referred to herein below is situated in the County of Wake, State of North Carolina, and is described as follows:

New Outparcel 4 as shown on a map titled "Exempt Subdivision Map of Outparcels 2 & 4 Amberly Place GB Amberly Place, LLC Property" and recorded in Book of Maps 2021, Page 681 in the Office of the Register of Deeds for Wake County, North Carolina.

The Property conveyed herein does not include the primary residence of Grantor.

The Property was acquired by Grantor by deed recorded in Book 016831, page 00158, Wake County Registry.

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, but not otherwise, subject to and except for the matters of title hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

This property is conveyed subject to those restrictions, easements and other documents of record affecting said property as set forth in Exhibit A attached hereto and to 2021 ad valorem taxes and taxes for subsequent years.

[Signatures on Following Page]

GB AMBERLY PLACE, LLC,  
a Florida limited liability company

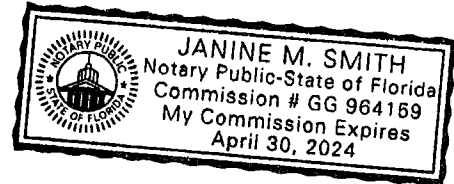
By: The Sembler Company,  
a Florida corporation, its Manager

By: *Gregory S. Sembler*  
Name: Gregory S. Sembler  
Title: President

STATE OF FLORIDA            )  
COUNTY OF PINELLAS        )

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization this 15 day of July, 2021 by Gregory S. Sembler, as President of THE SEMBLER COMPANY, a Florida corporation, as the Manager of GB AMBERLY PLACE, LLC, a Florida limited liability company, on behalf of the company. He [] is personally known to me or [] has produced \_\_\_\_\_ as identification.

*Janine M. Smith*  
Print Name: Janine M. Smith  
NOTARY PUBLIC  
Commission No.: \_\_\_\_\_  
Commission Expires: 4/30/2024



**EXHIBIT "A"****TITLE MATTERS OF RECORD**

1. The lien of all taxes for the year 2021 and thereafter, which are not yet due and payable.
2. Declaration of covenants, conditions, restrictions, easements, charges, assessments, liens, options, rights of or to purchase, and rights of first refusal recorded in Book 16831, Page 186; as amended in Book 18458, Page 19 and any amendments and/or supplements thereto.
3. Agreement(s) Regarding Use Restrictions recorded in Book 16925, Page 1487; Book 18359, Page 1733; and Book 17408, Page 57.
4. Building restriction lines, easements, and any other matters shown on map or plat recorded in Book of Maps 2021, Page 681; Book of Maps 2019, Page(s) 1530-1531; Book of Maps 2018, Page(s) 1831, 1832, 1833, 1834, 1835; 1836; and 1837; and Book of Maps 2016, Page 1411 shown on survey by R. Scott Barrett, P.L.S., dated July 6, 2021.
5. INTENTIONALLY DELETED.
6. Easement(s) or right(s)-of-way in favor of Town of Cary recorded in Book 13968, Page 1906; Book 13968, Page 1925; Book 13968, Page 1935; Book 13968, Page 1901 and Book 15071, Page 777 shown on survey by R. Scott Barrett, P.L.S., dated July 6, 2021.
7. Easement(s) or right(s)-of-way in favor of Carolina Power and Light Company recorded in Book 1418, Page 508; Book 1958, Page 429; and Book 2625, Page 140.
8. Annexation Ordinance recorded in Book 16790, Page 480.
9. Easements contained in instruments recorded in Book 13968, Page 1909 and Book 13968, Page 1931 shown on survey by R. Scott Barrett, P.L.S., dated July 6, 2021.
10. Irrigation Line Easement Agreement recorded in Book 18541, Page 1063.
11. Stormwater Control Structures and Access Easement Agreement recorded in Book 17267, Page 795.
12. Utility Easement(s) recorded in Book 17180, Page 2424 and Book 17204, Page 1288.
13. Outparcel 2 Reciprocal Easement Agreement recorded in Book 18058, Page 1107; as affected by Corrective Notice of Scrivener's Affidavit for Notice of Typographical or Minor Error recorded in Book 18058, Page 2351 shown on survey by R. Scott Barrett, P.L.S., dated July 6, 2021.

14. Easement(s) recorded in Book 17124, Page 2790 and Book 17471, Page 681.
15. Rights or claims of Publix North Carolina LP in possession as tenant under an unrecorded lease, a Memorandum or Short Form evidencing same being recorded in Book 16831, Page 162; as affected by Omnibus Assignment and Assumption Agreement; as affected by Subordination, Non-Disturbance and Attornment Agreement recorded in Book 16831, Page 763; as affected by First Amendment to Memorandum of Lease recorded in Book 16933, Page 2292 and Second Amendment to Memorandum of Lease recorded in Book 18458, Page 30.
16. Rights or claims of parties in possession as tenants under unrecorded leases.
17. Rights or claims of Fifth Third Bank in possession as tenant under an unrecorded lease.
18. Rights or claims of Paradix Development Corporation in possession as tenant under an unrecorded lease.
19. Rights or claims of Avalon Salon Montgomery, LLC in possession as tenant under an unrecorded lease.
20. Riparian rights of others incident to any branches, creeks, streams or other waters coursing the Land.
21. The following matter(s) as shown on survey by R. Scott Barrett, P.L.S., dated July 6, 2021, and any easement(s) or right(s)-of-way associated therewith:
  - a. various utility lines with telephone pedestal; water meters and vaults; catch basins; cleanouts; curb inlets; dropinlets; manholes; electric meters; transformers; light poles; backflow preventers; located on the Land;
  - b. setback lines;
  - c. ATM;
  - d. sign(s).