

Register of Deeds
Sharon A. Davis
Durham County, NC

09/06/2022 02:43:19PM

BT: OPR B: 9776 P: 712 Pages: 4

DEED - DEED

Fee: \$28,026.00 Excise Tax: \$28000.00

INSTRUMENT #2022035792

Tonya Redfearn

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$28,000.00

Parcel ID Nos. (PINs): 0870-01-34-3416
and 0860-91-11-4776

Prepared by: Stephenson Law, L.L.P. (WITHOUT TITLE EXAM)

Return to/Hold for: Grantee

Brief description for the Index: Tract 1 and New Tract 2 – PB 202, Pg. 276-77

THIS DEED made this 2nd day of Sept, 2022, by and between

GRANTOR

Olive Branch Reserve LLC,
a North Carolina limited liability company
5448 Apex Peakway, Suite 196
Apex, North Carolina 27502

GRANTEE

MCREF SFR 1 BRIER CREEK LLC,
a Delaware limited liability company
1001 Morehead Square Drive, Suite 350
Charlotte, North Carolina 28203

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 Durham County, North Carolina and more particularly described as follows:

All of Tract 1, containing 73.764 acres (Inclusive of Overlap Areas 1+2) as shown on plat of survey entitled, "Exempt Subdivision and Boundary Map The Dees Family, LLC Property Existing Tract 1 and New Tracts 2+3," prepared by Robinson & Plante, P.C. Land Surveying, dated September 18, 2019 and recorded in Map Number 202, Page 276, Durham County Registry, reference to which is hereby made for greater certainty of description.

All of New Tract 2, containing 18.251 acres (Exclusive of Area in R/W) as shown on plat of survey entitled, "Exempt Subdivision and Boundary Map The Dees Family, LLC Property Existing Tract 1 and New Tracts 2+3," prepared by Robinson & Plante, P.C. Land Surveying, dated September 18, 2019 and recorded in Map Number 202, Page 276, Durham County Registry, reference to which is hereby made for greater certainty of description.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 9397, Page 464, Durham County Registry. See also Book 9397, Page 467, Durham County Registry.

Submitted electronically by "Stewart Title Guaranty Company - Commercial Services Charlotte" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Wake County Register of Deeds.

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

A map showing the above-described property is recorded in Plat Book 202, Pages 276 and 277.

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 the exceptions hereinafter stated on **Exhibit A** attached hereto and incorporated herein by reference.

[SIGNATURE PAGE ATTACHED]

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

Olive Branch Reserve LLC,
a North Carolina limited liability company

By: MF Development, LLC,
a North Carolina limited liability company,
its Manager

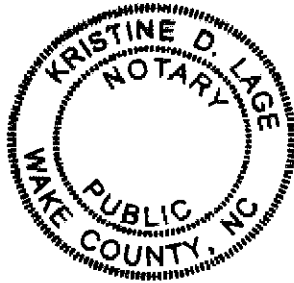
By: Michael Foley
Michael Foley, Manager

State of North Carolina - County of Wake

I, Kristine D. Lage, a Notary Public of the County and State aforesaid, certify that Michael Foley, Manager of MF Development, LLC, a North Carolina limited liability company, the Manager of Olive Branch Reserve LLC, a North Carolina limited liability company, personally came before me this day and acknowledged the due execution of the foregoing instrument, for and on behalf of the said limited liability company.

Witness my hand and Notarial stamp or seal, this 24th day of August, 2022.

(Affix Seal)



Kristine D. Lage
Kristine D. Lage, Notary Public
My Commission Expires: 3/3/23

EXHIBIT A

Permitted Exceptions

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

1. Taxes and assessments for the year 2022 and subsequent years, not yet due and payable.
2. Rights of others including riparian, littoral and drainage in and to the waters of any branch, river, stream, creek, lake, canal, ditch or other watercourse which joins or traverses the property hereinabove described.
3. Right of ingress, egress, and regress to the burial grounds shown as "APPROX. MAY CEMETERY AREA WITH GRAVESTONES" on Plat Book 202, Page 276, Durham County Registry.
4. Easements, setback lines, rights of way and any other matters as shown on plat recorded in Plat Book 202, Pages 276-277, Durham County Registry, including the 50' Neuse Riparian Buffers applicable to the extent shown on the Survey.
5. Right of Way Agreement to the NC Department of Transportation recorded in Book 1612, Page 524, Durham County Registry.
6. Ordinance Annexing to the City of Durham, recorded in Book 9372, Page 316, and shown on Non-contiguous Annexation Map recorded in Plat Book 205, Page 79, Durham County Registry.
7. The ALTA/NSPS Land Title Survey prepared by Stuart E. Plante, III, PLS No. L-4432, of Robinson & Plante, P.C. Land Surveying, dated April 27, 2022, last revised August 31, and designated File Name "DEESALTA3" (the "Survey"), discloses the following:
 - a. Overhead power & phone line, power pole, underground phone line, underground phone line marker, phone box
 - b. Wetland flag, riparian buffer, Martin Branch, Spring Branch, Mill Creek, stream, non buffered jurisdictional intermittent USACE, soil path, gravel path, wire fence, 10' no build, W.J. May cemetery area with gravestones