

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2022 Apr 07 03:45 PM
Book: 9663 Page: 483
NC Rev Stamp: \$ 5200.00 Fee: \$ 26.00
Instrument Number: 2022014767
DEED

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$5,200

Parcel Identifier No. 0718-54-30-0157; Parcel ID 149672 Verified by _____ County on the
____ day of _____, 2022.
By: _____

Mail/Box to: Grantee _____

This instrument was prepared by: Bruce A. Buckley, a NC licensed attorney (without examination of title)

Brief description for the Index: THE STREETS AT SOUTHPOINT/ PARCEL #05

THIS DEED made as of this 6 day of April, 2022, by and between

GRANTOR

GRANTEE

Transform Saleco LLC,
a Delaware limited liability
c/o Transform Midco LLC
3333 Beverly Road, Dept. D766
Hoffman Estates, Illinois 60179

Southpoint Phase A Development LLC,
a Delaware limited liability company
c/o Brookfield Properties
350 North Orleans St., Suite 300
Chicago, Illinois 60654-1607
Attn: Legal – Real Estate

Enter in appropriate block for each Grantor and Grantee: name, mailing 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.

submitted electronically by "Kennon Craver, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham County Register of Deeds.

The property hereinabove described was acquired by Grantor by instruments recorded in Book 8608, page 995, Office of the Register of Deeds for Durham County, North Carolina (the "**Durham County Registry**").

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

A map showing the above-described property is recorded in Plat Book 151, Pages 171, 173, 175, 177 and 179, Durham 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, other than the matters set forth on Exhibit B attached hereto.

[Signatures on Next Page]

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

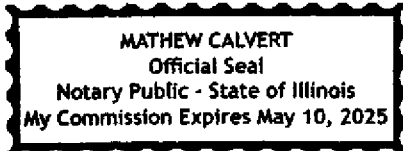
TRANSFORM SALECO LLC,
a Delaware limited liability company

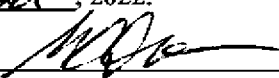
By: 
D. Scott Carr, Authorized Representative

STATE OF ILLINOIS)
) ss
COUNTY OF COOK)

I, MATHEW CALVERT, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that D. Scott Carr, an authorized representative of TRANSFORM SALECO LLC, a Delaware limited liability company, is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged s/he signed and delivered said instrument as her/his free and voluntary act and the free and voluntary act of said company, for the uses and purposes therein set forth.

Given under my hand and seal this 30th day of March, 2022.





Notary Public
Printed Name: MATHEW CALVERT
Commission Expires: 5/10/25

EXHIBIT A TO DEED

LEGAL DESCRIPTION

The Land is described as follows:

Lying and being situate in Durham County, NC, and being more particularly described as follows:

TRACT ONE: FEE PARCEL

BEING all of Parcel 5, The Streets at Southpoint, the final plat of which is duly recorded in Plat Book 151, Pages 171, 173, 175, 177 and 179, Durham County Registry.

TRACT TWO: EASEMENT PARCEL

Together with the easements to the common areas as set forth in the certain easement agreement entitled "Construction, Operating and Reciprocal Easement Agreement" by and among Landam Raleigh-Durham #1, LLC; Belk, Inc.; The May Department Stores Company; JCP Realty, Inc.; EPC Holdings 517, LLC; Sears Roebuck and Co.; Nordstrom, Inc. and Southpoint Mall, LLC, recorded in Book 3100, Page 437, as amended by First Amendment to Construction, Operating and Reciprocal Easement Agreement between SOUTHPOINT MALL, LLC, a Delaware limited liability company ("Developer"), BELK, INC., a Delaware corporation ("Belk"), MACY'S RETAIL HOLDINGS, INC., a New York corporation ("Macy's"), NORDSTROM, INC., a Washington corporation ("Nordstrom"), J.C. PENNEY CORPORATION, INC., a Delaware corporation ("Penney"), and SEARS, ROEBUCK AND CO., a New York corporation ("Sears") in Book 6858 Page 834 of the Durham County Registry.

EXHIBIT B TO DEED

PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 2022, and subsequent years, a lien not yet due and payable.
2. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 142, Pages 129; Plat Book 142, Page 130; Plat Book 147, Page 79; Plat Book 151, Page 171; Plat Book 151, Page 173; Plat Book 151, Page 175; Plat Book 151, Page 177; and Plat Book 151, Page 179, Durham County Registry.
3. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by survey entitled "ALTA/NSPS Land Title Survey Prepared For: Brookfield Properties" by L Nathan Dubose, P.L.S., dated February 18, 2022.
4. Easement(s) to Duke Power Company recorded in Book 177, Page 141; and in Book 199, Page 143, Durham County Registry. (As to Tract Two)
5. Easement(s) to Duke Power recorded in Book 348, Page 500; and Book 359, Page 657, Durham County Registry. (As to Tract Two)
6. Easement(s) to Duke Power recorded in Book 2875, Page 139, Durham County Registry.
7. Easement(s) to Duke Power recorded in Book 3272, Page 657, Durham County Registry.
8. Easement(s) to Durham Telephone Company recorded in Book 147, Page 184, Durham County Registry. (As to Tract Two)
9. Easement(s) to General Telephone Co. of the Southeast, recorded in Book 348, Page 499, Durham County Registry. (As to Tract Two)
10. Easement(s) to Public Service Company recorded in Book 199, Page 320, Durham County Registry. (As to Tract Two)
11. Right of Way in favor of American Telephone and Telegraph Company recorded April 13, 1988 in Book 1443, Page 292 of the Durham County Registry. (As to Tract One)
12. Right of way Agreement between and among Southpoint Mall, LLC, Midland 751 Development Company, L.L.C., Southpoint Investors, LLC, Southpoint Developer LLC, together doing business as Southpoint Associates, Southpoint Office Developers LLC, Lodge at Southpoint, L.P., Chastain Country Partners, and Renaissance Parkway, LLC, recorded in Book 3021, Page 408, Durham County Registry. (As to Tract Two)
13. Right(s) of way to Public Service Company of North Carolina, Incorporated recorded in Book 199, Page 319, Durham County Registry.

14. Construction, Operating and Reciprocal Easement Agreement between Belk, Inc and Landam Raleigh-Durham #1 LLC; The May Department Stores Company; Nordstrom, Inc.; JCP Realty, Inc. and EPC Holdings 517, LLC; Sears, Roebuck and Co. and Southpoint Mall, LLC recorded May 31, 2001 in Book 3100 Page 437; as amended by First Amendment to Construction, Operating and Reciprocal Easement Agreement between Belk, Inc and Landam Raleigh-Durham #1 LLC; The May Department Stores Company; Nordstrom, Inc.; JCP Realty, Inc. and EPC Holdings 517, LLC; Sears, Roebuck and Co. and Southpoint Mall, LLC recorded December 7, 2011 in Book 6858 Page 834 of the Durham County Registry.
15. Operating and Easement Agreement by and among Midland 751 Development Company, LLC, Southpoint Investors, LLC, Southpoint Developer, LLC, and Southpoint Mall, LLC, recorded in Book 2681, Page 779, Durham County Registry. (As to Tract Two)
16. Rights of others in and to the concurrent use of the easements described as Tract 2 in Schedule A. (As to Tract Two)
17. Nothing contained herein shall be construed as insuring the exact location or dimensions of the easements described as Tract Two in Schedule A. (As to Tract Two)