

Parcel Reference No.: _____ Parcel Identifier No: 1711116838

Drawn by: Grantor

Mail to:

Parker Poe Adams & Bernstein LLP (BMM), 401 S. Tryon St., Ste. 3000, Charlotte, NC 28202

Deed stamps: \$15,300.00

Brief Description For The Index: **Forest Hills Apartments**

North Carolina Special Warranty Deed

This Deed is made this 10th day of February, 2017 ("Effective Date").

Grantor	Grantee
SFIII 917 7th Avenue, LLC 767 Fifth Avenue, 12 th Floor New York, NY 10153	ECP Garner Apartments, LLC 1480 Environ Way Chapel Hill, NC 27517

The designations Grantor and Grantee as used in this Deed include the parties and their successors and assigns.

For valuable consideration paid by Grantee, Grantor grants, bargains, sells and conveys to Grantee in fee simple the real property described on **Exhibit A** ("Property"), together with all rights and appurtenances belonging to the Property.

The Property does not include the primary residence of Grantor.

To have and to hold the Property, and all rights and appurtenances belonging to the Property, to Grantee in fee simple.

Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title to the Property against the lawful claims of all persons claiming by, under or through Grantor, except as follows:

1. Taxes or assessments for the year 2017, and subsequent years, not yet due or payable.
2. The following matters disclosed by survey entitled "ALTA/NSPS 2016 Survey Eastway Plaza" by Harold A. Yelle, II, P.L.S., of Aiken & Yelle Associates, PA, dated December 6, 2016, last revised January 2, 2017 (the "Survey"): (a) Service Utilities; and (b) Fences along property lines.
3. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Book of Maps 1981, page 831, and as shown on the Survey.
4. Easement(s) to Carolina Power & Light Company recorded in Book 949, page 257; Book 1007, page 174; and Book 2960, page 263.
5. Deed of Easement to Town of Garner recorded in Book 1990, page 455, and as shown on the Survey; and Book 3048, page 536, and as shown on the Survey.
6. Deed of Easement to Forest Hills Apartments recorded in Book 2997, page 661, and as shown on the Survey.
7. Rights of others in and to the continuous and uninterrupted flow of the waters bounding or crossing the Land and riparian and/or littoral rights incident to the Land, and as shown on the Survey.
8. Rights of tenants in possession under residential apartment leases, as tenants only, under unrecorded leases.

[see signature page attached]

Grantor executes this Deed as of the Effective Date.

SFIII 917 7th Avenue, LLC

By: *Joseph J. Tusso*
Name: Joseph J. Tusso

Title: Authorized Signatory

State of New York

County of Nassau

I, Karen K. Duong, a Notary Public of Nassau County, State of New York, certify that Joseph J. Tusso ("Signatory"), personally came before me this day and acknowledged the due execution of the foregoing instrument in the capacity indicated: as Authorized Signatory.

I certify that Signatory personally appeared before me this day, and
(check one of the following)

- (I have personal knowledge of the identity of Signatory); or
- (I have seen satisfactory evidence of Signatory's identity, by a current state or federal identification with Signatory's photograph in the form of:
(check one of the following)
 a driver's license or
 in the form of _____); or
- (a credible witness has sworn to the identity of Signatory).

The Signatory acknowledged to me that he/she voluntarily signed the foregoing instrument for the purpose stated and in the capacity indicated in the instrument.

Witness my hand and official stamp or seal this 9th day of February, 2017.

Karen K. Duong
Notary Public

Print: Name: Karen K. Duong
[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 10/15/2017

[Notary Seal] (Must Be Fully Legible)

KAREN K DUONG
Notary Public - State of New York
NO. 02DU6290896
Qualified in Nassau County
My Commission Expires Oct 15, 2017

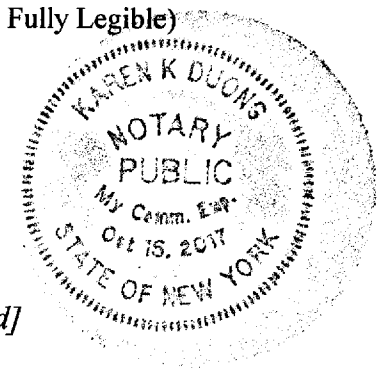


EXHIBIT A

Being the following tract and parcel of land located in Wake County, North Carolina and being more particularly described as follows:

BEGINNING at an iron pipe found in the southern right of way of Seventh Avenue and having North Carolina grid coordinates of N=712,526.7613, E=2,111,444.7188 (North American Datum 83); running thence from the point and place of BEGINNING along the southern right of way of Southern Avenue the following four courses and distances: (i) South 46°10'32" East, a distance of 97.39 feet to an iron pin; (ii) South 53°44'34" East, a distance of 99.90 feet to an iron pin; (iii) South 56°09'56" East, a distance of 200 feet to an iron pin; and (iv) South 56°19'56" East 171.94 feet to an iron pin; thence leaving said southern right of way line of Seventh Avenue proceeding South 30°02'41" West, a distance of 395.35 feet to an iron pin; thence South 15°20'22" East, a distance of 692.02 feet to an iron pin; thence South 75°05'11" West, a distance of 162.59 feet to an iron pin; thence North 59°52'53" West, a distance of 275.85 feet to an iron pin; thence North 74°53'21" West, a distance of 142.43 feet to an iron pin; thence North 00°21'28" West, a distance of 361.95 feet to an iron pin; thence North 31°55'54" East, a distance of 284.27 feet to an iron pin; thence North 26°15'19" West, a distance of 222.89 feet to spike; thence North 78°57'01" West, a distance of 33.17 feet to an iron pin; thence North 11°02'59" East, a distance of 60.04 feet to an iron pin; thence North 17°52'29" West, a distance of 117.14 feet to an iron pin; thence along a curve to the right having a radius of 777.46 feet and a length of 228.81 feet for a chord bearing and distance of North 24°51'37" East, a distance of 227.99 feet to an iron pin; thence along a curve to the left having a radius of 20.00 feet and a length of 23.75 feet for a chord bearing and distance of North 00°42'52" West, a distance of 22.38 feet to an iron pin and the place of BEGINNING, being known and designated as Forest Hills Apartments as shown on a survey prepared by Aiken & Yelle containing 11.065 acres, more or less.