

FOR REGISTRATION  
Willie L. Covington  
REGISTER OF DEEDS  
Durham County, NC  
2016 APR 05 04:16:29 PM  
BK:7904 PG:235-241  
DEED  
FEE:\$26.00  
EXCISE TAX:\$160,400.00  
INSTRUMENT # 2016010146  
SMMARSH



**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax \$160,400.00

Recording Time, Book and Page

Tax Lot No.: \_\_\_\_\_

Parcel Identifier No.: 0718-04-84-7061; 0718-04-94-4302

Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_

By \_\_\_\_\_

Mail after recording to: Christy L. David, Esquire, 2809 Butterfield Road, Suite 200, Oak Brook, Illinois 60523

This instrument was prepared by: Ronald I. Feldman, Esquire, Husch Blackwell LLP, 736 Georgia Avenue, Suite 300, Chattanooga, Tennessee 37402

Brief description for the Index: Renaissance Center, Phase I, Lot 3 (27.42 acres), Plat Book 160, Pages 11 and 13

THE PROPERTY DESCRIBED HEREIN IS NOT GRANTOR'S PRIMARY RESIDENCE

THIS DEED made as of this 1<sup>st</sup> day of April, 2016, by and between

GRANTOR	GRANTEE
<b>RENAISSANCE RETAIL LLC</b> , a North Carolina limited liability company 2030 Hamilton Place Boulevard Suite 500, CBL Center Chattanooga, Tennessee 37421	<b>IVT RENAISSANCE CENTER DURHAM I, LLC</b> , a Delaware limited liability company 2809 Butterfield Road, Suite 200 Oak Brook, Illinois 60523

Enter in appropriate block for each party: name, 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 by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4437 at Page 349 in the Durham County, North Carolina, Registry (the "Registry").

A map showing the property is recorded in Book 160, Pages 11 and 13 and in Book 171, Page 248 in said 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.

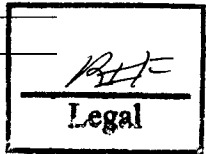
And Grantor covenants with Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions set forth on Exhibit "B" attached hereto and incorporated herein by reference and except for real estate taxes and assessments not yet due and payable.

[Signature appears on the following page.]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and delivered as of the day and year first above written.

RENAISSANCE RETAIL LLC,  
a North Carolina limited liability company,  
By: Renaissance SPE Member, LLC,  
its chief manager,  
By: CBL-TRS Joint Venture II, LLC,  
its chief manager,  
By: CBL-TRS Member II, LLC,  
its managing member,  
By: CBL & Associates Limited Partnership,  
its sole member and chief manager,  
By: CBL Holdings I, Inc,  
its sole general partner

By: *Farzana K. Mitchell*  
Name: Farzana K. Mitchell  
Title: Executive Vice President -  
Chief Financial Officer



STATE OF TENNESSEE  
COUNTY OF HAMILTON

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Farzana K Mitchell, Exec. VP, CFO

Date: March 28, 2016

*Connie D Blair*  
Official Signature of Notary Public

Connie D. Blair  
Notary printed or typed name

My commission expires: 1-21-18

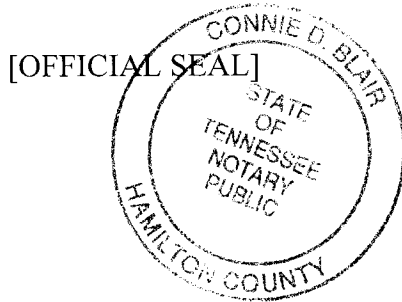


EXHIBIT "A"

Legal Description

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

BEING all of Lot 3 (27.42 acres, more or less) as shown on plat entitled "Final Plat – Minor Subdivision – Right of Way Dedication – Renaissance Center at Southpoint" and recorded in Plat book 160, Page 11 and 13, Durham County Registry, said Lot 3 includes the .59 acres between the traverse line along Crooked Creek and the centerline of Crooked Creek as shown on the aforementioned plat and any other area which may be located between said traverse line and the centerline of Crooked Creek.

Together with that certain Amended and Restated Declaration of Easements Covenants and Restrictions recorded in Book 5028, Page 744, Durham County Registry.

Together with that certain Operating and Easement Agreement and Declaration of Covenants, Conditions and Restrictions for Renaissance Center at Southpoint recorded in Book 3817, Page 970, Durham County Registry, as amended by First Amendment recorded in Book 4299, Page 752, Durham County Registry and re-recorded in Book 4343, Page 503, Durham County Registry, Second Amendment recorded in Book 4429, Page 638, Durham County Registry, Third Amendment recorded in Book 5366, Page 621, re-recorded in Book 5408, Page 763, Fourth Amendment recorded in Book 5710, Page 973, Durham County Registry, and Fifth Amendment recorded in Book 6761, Page 186, Durham County Registry.

The property is further described as Tract "C" and Open Space "C" on the plat entitled "Minor Subdivision Renaissance Center at Southpoint" recorded in Plat Book 171, Page 248, Durham County Registry.

The property is further described by metes and bounds as follows:

Beginning at a point thence SOUTH 65 DEGREES 12 MINUTES 39 SECONDS EAST a distance of 61.87 feet to a point; thence around a curve to the left through a central angle of 41 DEGREES 45 MINUTES 07 SECONDS an arc distance of 258.33 feet a chord bearing of SOUTH 86 DEGREES 05 MINUTES 13 SECONDS EAST a distance of 252.65 feet to a point; thence around a curve to the right through a central angle of 66 DEGREES 29 MINUTES 39 SECONDS an arc distance of 23.21 feet a chord bearing of NORTH 36 DEGREES 49 MINUTES 14 SECONDS EAST a distance of 21.93 feet to a point; thence around a curve to the right through a central angle of 05 DEGREES 22 MINUTES 41 SECONDS an arc distance of 32.10 feet a chord bearing of NORTH 67 DEGREES 22 MINUTES 54 SECONDS EAST a distance of 32.09 feet to a point; thence NORTH 64 DEGREES 41 MINUTES 34 SECONDS EAST a distance of 241.11 feet to a point; thence around a curve to the right through a central angle of 50

DEGREES 24 MINUTES 08 SECONDS an arc distance of 468.87 feet a chord bearing of NORTH 89 DEGREES 53 MINUTES 38 SECONDS EAST a distance of 453.90 feet to a point; thence SOUTH 64 DEGREES 54 MINUTES 18 SECONDS EAST a distance of 43.24 feet to a point; thence SOUTH 23 DEGREES 15 MINUTES 15 SECONDS WEST a distance of 161.11 feet to a point; thence SOUTH 62 DEGREES 12 MINUTES 48 SECONDS WEST a distance of 64.70 feet to a point; thence SOUTH 03 DEGREES 42 MINUTES 00 SECONDS EAST a distance of 166.82 feet to a point; thence SOUTH 45 DEGREES 53 MINUTES 15 SECONDS EAST a distance of 98.08 feet to a point; thence SOUTH 62 DEGREES 43 MINUTES 59 SECONDS WEST a distance of 298.22 feet to a point; thence SOUTH 45 DEGREES 18 MINUTES 47 SECONDS WEST a distance of 260.23 feet to a point; thence SOUTH 38 DEGREES 58 MINUTES 40 SECONDS WEST a distance of 72.04 feet to a point; thence NORTH 70 DEGREES 41 MINUTES 50 SECONDS WEST a distance of 12.98 feet to a point; thence around a curve to the left through a central angle of 11 DEGREES 37 MINUTES 18 SECONDS an arc distance of 201.31 feet a chord bearing of SOUTH 13 DEGREES 29 MINUTES 30 SECONDS WEST a distance of 200.97 feet to a point; thence around a curve to the right through a central angle of 17 DEGREES 06 MINUTES 24 SECONDS an arc distance of 155.26 feet a chord bearing of SOUTH 16 DEGREES 14 MINUTES 10 SECONDS WEST a distance of 154.68 feet to a point; thence SOUTH 24 DEGREES 47 MINUTES 21 SECONDS WEST a distance of 113.09 feet to a point; thence NORTH 65 DEGREES 12 MINUTES 39 SECONDS WEST a distance of 202.68 feet to a point; thence around a curve to the left through a central angle of 30 DEGREES 56 MINUTES 43 SECONDS an arc distance of 24.30 feet a chord bearing of NORTH 40 DEGREES 03 MINUTES 57 SECONDS WEST a distance of 24.01 feet to a point; thence NORTH 55 DEGREES 32 MINUTES 11 SECONDS WEST a distance of 2.48 feet to a point; thence around a curve to the right through a central angle of 77 DEGREES 50 MINUTES 32 SECONDS an arc distance of 27.17 feet a chord bearing of NORTH 16 DEGREES 37 MINUTES 28 SECONDS WEST a distance of 25.13 feet to a point; thence around a curve to the right through a central angle of 89 DEGREES 22 MINUTES 25 SECONDS an arc distance of 273.32 feet a chord bearing of SOUTH 66 DEGREES 58 MINUTES 31 SECONDS WEST a distance of 246.44 feet to a point; thence NORTH 65 DEGREES 12 MINUTES 39 SECONDS WEST a distance of 55.34 feet to a point; thence SOUTH 24 DEGREES 47 MINUTES 21 SECONDS WEST a distance of 535.57 feet to a point; thence NORTH 73 DEGREES 15 MINUTES 46 SECONDS WEST a distance of 50.50 feet to a point; thence NORTH 24 DEGREES 47 MINUTES 21 SECONDS EAST a distance of 86.25 feet to a point; thence NORTH 24 DEGREES 47 MINUTES 21 SECONDS EAST a distance of 448.90 feet to a point; thence NORTH 65 DEGREES 12 MINUTES 39 SECONDS WEST a distance of 360.20 feet to a point; thence NORTH 24 DEGREES 47 MINUTES 23 SECONDS EAST a distance of 573.20 feet to a point; thence NORTH 25 DEGREES 32 MINUTES 41 SECONDS EAST a distance of 441.18 feet to a point; thence NORTH 70 DEGREES 10 MINUTES 01 SECONDS EAST a distance of 56.94 feet to the Point of Beginning. Containing 26.829 acres more or less.

**EXHIBIT "B"**

**Title Exceptions**

1. Operating and Easement Agreement and Declaration of Covenants, Conditions and Restrictions for Renaissance Center at Southpoint, recorded in Book 3817, Page 970; as amended by First Amendment recorded in Book 4299, Page 752, and re-recorded in Book 4343, Page 503; Second Amendment recorded in Book 4429, Page 638; Third Amendment recorded in Book 5366, Page 621 and re-recorded in Book 5408, Page 763; Fourth Amendment recorded in Book 5710, Page 973; and Fifth Amendment recorded in Book 6761, Page 186, Durham County Registry (the "Registry").
2. Plats recorded in Plat Book 160, Pages 11 and 13; Plat Book 161, Page 53; and Plat Book 171, Page 248 in the Registry.
3. Easement to Duke Power Company recorded in Book 177, Page 141 in the Registry.
4. Easements to City of Durham recorded in Book 1223, Page 239 and in Book 1553 Page 57 in the Registry.
5. Right of Way Agreement in favor of Duke Energy recorded in Book 3642, Page 670 in the Registry.
6. Right of Way to Duke Energy recorded in Book 4247, Page 772 in the Registry.
7. Easements for access and to maintain "spur lines" created by Bill of Sale and Agreement for phone lines from the City of Durham to Fayetteville Road sold, assigned and transferred to Durham Telephone Company recorded in Book 145, Page 414 in the Registry.
8. Easement to Duke Power Company recorded in Book 2958, Page 678 in the Registry.
9. Stormwater Facility Operation and Maintenance Permit Agreement recorded in Book 3568, Page 443, as affected by an Assumption of Stormwater Facility Operation and Maintenance Permit Agreement with the City of Durham recorded in Book 4610, Page 354 in the Registry.
10. Memorandum of Ground Lease with Toys "R" US – Delaware, Inc. recorded in Book 5184, Page 388 in the Registry.
11. Memorandum of Lease with Pier 1 Imports (US) recorded in Book 3610, Page 35 in the Registry.
12. Memorandum of Lease with Brinker North Carolina, Inc. recorded in Book 4046, Page 859, and First Amendment to Memorandum of Lease recorded in Book 4360, Page 172 in the Registry.

13. Memorandum of Lease with Cost Plus, Inc. recorded in Book 4133, Page 60 in the Registry.
14. Memorandum of Lease with Recreational Equipment, Inc. recorded in Book 4188 Page 623 in the Registry.
15. Memorandum of Lease with Ulta Salon, Cosmetics & Fragrance, Inc. recorded in Book 5384, Page 147 in the Registry.
16. Matters disclosed by survey entitled "Renaissance Update B&C Project No. 201502841, 001; 6911 Fayetteville Road, Durham, NC, P.L.S." by Jimmy F. Cain, PLS, dated September 16, 2015 as revised March 21, 2016.
17. City of Durham Greenway Easement recorded in Plat Book 156, Page 179 in the Registry.
18. Amended and Restated Declaration of Easements, Covenants and Restrictions recorded in Book 5028, Page 744 in the Registry.
19. Taxes and assessments for the year 2016 and subsequent years.