

WAKE COUNTY, NC 192
CHARLES P. GILLIAM
REGISTER OF DEEDS
PRESENTED & RECORDED ON
12/21/2018 16:11:44
STATE OF NC REAL ESTATE
EXCISE TAX: \$20,778.00
BOOK:017325 PAGE:01007 - 01012

*Prepared by &
Return to:*

Elizabeth J. Zook, Esq.
Carruthers & Roth, P.A.
P.O. Box 540
Greensboro, NC 27402
(without title exam, as counsel only to Grantor)

Excise Tax \$ 20,778

NORTH CAROLINA

SPECIAL WARRANTY DEED

WAKE COUNTY

Tax Parcel Identification Nos. 1732150043, 1732062346, 1732032738, 1722937105, 1722845383, 1732372599, 1732372031, 1732358928 (partial), 1732253288, 1732451391 (partial), 1732355214, 1732346981, 1732344507, 1722849976 (partial), 1722939573, 1732133268, 1732064655, and 1732255970

THIS SPECIAL WARRANTY DEED is made as of the 21st day of December, 2018, by and between LAND HOLDING, LLC, a Delaware limited liability company ("Grantor"), whose address is 1900 E. 9th Street, 22nd Floor, Mail Stop B7-YB13-22-1, Cleveland, Ohio, 44114, Attn: Charles Buttle, Vice President-Senior Asset Manager, and OLDE TOWNE WEH LP, a North Carolina limited partnership ("Grantee"), having an address of 56 Hunter Street, Apex, North Carolina 27502. 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.

This is not the personal residence of Grantor.

WITNESSETH:

That Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all those certain lots or parcels of land situated in Wake County, North Carolina as more

particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to 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 hereinafter stated.

Title to the Property hereinabove is subject to the exceptions set forth on Exhibit B, attached hereto and incorporated herein by this reference.

[signatures appear on the following page]

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

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

LAND HOLDING, LLC, a Delaware limited liability company, its sole manager (successor by merger with Capstone Realty, Inc.)

By: PNC BANK, NATIONAL ASSOCIATION, its sole manager

By: Charles Buttle

Name: Charles Buttle

Title: Vice President

Cuyahoga County, State of Ohio

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Charles Buttle.

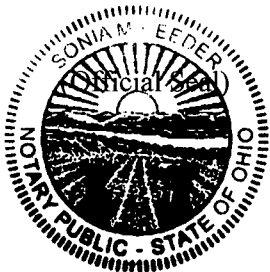
Date: 12/18/2018

Sonia M Reeder

Print Name: Sonia M. Reeder

Notary Public

My Commission expires: 11/3/2023



Sonia M Reeder
Notary Public
In and For the State of Ohio
Recorded in Cuyahoga County
My Commission Expires
03 November 2023

Exhibit A

Legal Description

Tract A

BEING all of Tract 1 (containing 396.37 acres) as shown on a plat entitled "Recombination Map of the Property now or formerly owned by Frances H. Wynne et al and Robert H. Brown et al" recorded in Book of Maps 2005, Page 2074, Wake County Registry.

Together with all of Grantor's right, title and interest in and to that certain Comprehensive Declaration of Easements recorded in Book 11642, Page 310, Wake County Registry.

Tract B

BEING all of Tract 2 (containing 43.30 acres) as shown on a plat entitled "Recombination Map of the Property now or formerly owned by Frances H. Wynne et al and Robert H. Brown et al" recorded in Book of Maps 2005, Page 2074, Wake County Registry.

Together with all of Grantor's right, title and interest in and to that certain Comprehensive Declaration of Easements recorded in Book 11642, Page 310, Wake County Registry.

SAVE AND EXCEPT from the above described Tract 2 all of Lot 5017, containing 17 acres, as shown on a Recombination Map recorded in Book of Maps 2018, Page 2190, Wake County Registry.

Tract C

BEING all of Tract 1 (containing 3.00 acres) as shown on a plat entitled "Property of Charles L. Grantham" recorded in Book of Maps 2005, Page 2071, Wake County Registry.

Tract D

BEING all of Tract 2 (containing 79.92 acres) as shown on a plat entitled "Property of Charles L. Grantham" recorded in Book of Maps 2005, Page 2071, Wake County Registry.

Tract E

BEING all of Tract 4 (containing 3.86 acres) as shown on a plat entitled "Property of Charles L. Grantham" recorded in Book of Maps 2005, Page 2071, Wake County Registry.

Tract G

BEING all of that tract containing 1.64 acres as shown on "Possible Gore" on a plat entitled "Property of Charles L. Grantham" recorded in Book of Maps 2005, Page 2071, Wake County Registry.

This tract is located adjacent to the western property line of Tract 1 (containing 3.0 acres) and Tract 2 (containing 79.92 acres) as shown on the above-referenced plat, and is adjacent to the eastern property line of Tract 1 (containing 300.95 acres) as shown on the plat recorded in Book of Maps 2005, Page 2072, Wake County Registry.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. Taxes for the year 2019, and subsequent years, not yet due and payable.
2. Easements and restrictions, of record.
3. Unrecorded easements, discrepancies, or conflicts in boundary lines, shortages in area and encroachments which an accurate and complete survey would disclose, or which are not shown by the public records.
4. Rights, public and private, in and to any portion of the Property that lies within the right of way of any public street or alley abutting the Property.
5. Zoning and building laws, ordinances, and regulations.
6. Such additional exceptions to title as are reflected in that certain Owner's Policy of Title Insurance issued by First American Title Insurance Company bearing Policy No. FA-83-148711.
7. Memorandum of Cooperative Development Agreement with OT Retail East Company, LLC recorded in Book 11325, Page 817, Wake County Registry.
8. Memorandum of Cooperative Development Agreement with LOBRO, LLC recorded in Book 11325, Page 937, Wake County Registry.



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Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

**Charles P. Gilliam
Register of Deeds**

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

This Customer Group

_____ # of Excessive Entities

_____ # of Time Stamps Needed

This Document

_____ # of Pages *AP*