

FOR REGISTRATION
 Willie L. Covington
 REGISTER OF DEEDS
 Durham County, NC
 2016 FEB 10 04:56:00 PM
 BK: 7871 PG: 484-487
 DEED
 FEE: \$26.00
 EXCISE TAX: \$147,330.00
 INSTRUMENT # 2016004017
 SMMARSH



NORTH CAROLINA SPECIAL WARRANTY DEED

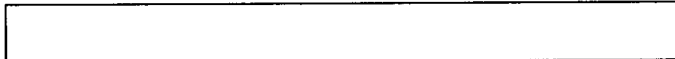
Excise Tax: *9 147,330⁰⁰*
 Tax Parcel Identifier Nos.: 104891, 103124 and 217725

Mail after recording to: This instrument was prepared without title examination by:

The Connor Group
 10510 Springboro Pike
 Miamisburg, Ohio 45342
 Attn: Sam Dowse

Thomas H. Johnson Jr., Esq.
 Nexsen Pruet, PLLC
 4141 Parklake Avenue, Suite 200
 Raleigh, NC 27612

Brief description for the Index:



THIS DEED made this 10th day of February, 2016, by and between

GRANTOR	GRANTEE
FCP WEST VILLAGE PHASE I OWNER, LLC a Delaware limited liability company c/o Federal Capital Partners 5425 Wisconsin Avenue, Suite 202 Chevy Chase, Maryland 20815	WEST VILLAGE DURHAM I, LLC, a Delaware limited liability company, as to a 23.28% undivided interest as tenant in common 10510 Springboro Pike Miamisburg, Ohio 45342 WEST VILLAGE DURHAM I RETREAT, LLC, a Delaware limited liability company, as to a 44.85% undivided interest as tenant in common 10510 Springboro Pike Miamisburg, Ohio 45342 WEST VILLAGE DURHAM I STARWOOD, LLC, a Delaware limited liability company, as to a 31.87% undivided interest as tenant in common 10510 Springboro Pike Miamisburg, Ohio 45342

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 Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey in fee simple unto West Village Durham I, LLC, a Delaware limited liability company an undivided 23.28% tenant in common interest in all that piece of land situate, lying, and being in the State of North Carolina, and being more particularly described in **Exhibit A** attached hereto (the "Property"), unto West Village Durham I Retreat, LLC, a Delaware limited liability company an undivided 44.85% tenant in common interest in the Property, and to West Village Durham I Starwood, LLC, a Delaware limited liability company an undivided 31.87% tenant in common interest in the Property.

TOGETHER WITH all the buildings and improvements on the Property, erected, made or being; and all and every rights-of-way, alleys, ways, waters, easements, privileges, appurtenances, and advantages, to the same belonging or in anywise appertaining; and all the estate, title, right, interest and claim, either at law or in equity, or otherwise, of the Grantor of, in, to or out of the above-described land and premises, and all right, title and interest of the Grantor in and to the land lying in the bed of any street, road or highway (open or proposed) in front of, adjoining or servicing the above-described land, including condemnation awards or payments in lieu thereof as a result of a change of grade, alignment or access rights.

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 6870, Page 828, Durham County Registry (the "Deed").

The Property herein above described does not contain the primary residence of Grantor.

A map showing the above-described property is recorded in Plat Book 141, Page 123 and Plat Book 142, Page 14, 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 the 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 following exceptions:

1. Easements, restrictions, rights of way and other matters of record, governmental regulations, and ad valorem taxes for the current year.
2. The property which is the subject of this instrument is subject to the Brownfields Agreement attached as Exhibit A to the Notice of Brownfields Property recorded in the Durham County land records, Book 7367, Page 44.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned have duly executed this Deed as of the date set forth above.

GRANTOR:

FCP WEST VILLAGE PHASE I OWNER, LLC, a Delaware limited liability company (SEAL)

By: FCP West Village Phase I Owner Member, LLC, a Maryland limited liability company, its Manager

By: FCP Fund II Trust, a Maryland real estate investment trust, its Sole Member

By: [Signature]
Name: Alex J. Marshall
Title: Vice President

STATE OF MARYLAND

*

* to wit:

COUNTY OF MONTGOMERY

*

I HEREBY CERTIFY that on this 4TH day of February 2016, before me, a Notary Public in and for the State of Maryland, County of Montgomery, personally appeared ALEX J. MARSHALL, known to me (or satisfactorily proven) to be the VICE PRESIDENT of FCP Fund II Trust, the Sole Member of FCP West Village Phase I Owner Member, LLC, the Manager of FCP West Village Phase I Owner, LLC, and that such person, being authorized to do so, executed the foregoing and annexed instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public

My Commission Expires: 11/7/19

[NOTARIAL SEAL]

Desiree Noel Hyson
NOTARY PUBLIC
Montgomery County, Maryland
My Commission Expires 11/7/2019

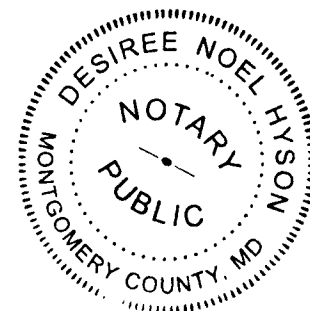


Exhibit ALegal DescriptionParcel One

Beginning at an existing railroad spike located in the centerline of a paved road formerly known as Fuller Street, City of Durham, North Carolina, said spike being located approximately 23 feet south of the centerline of the intersection of former Fuller Street and Fernway Street; thence along the centerline of the asphalt road formerly known as Fuller Street, S. 36° 16' 48" W. 297.93 feet to an existing railroad spike located in the centerline of the street formerly known as Fuller Street and in the northern margin of West Morgan Street; thence along the northern margin of West Morgan Street, N. 53° 41' 00" W. 310.69 feet to a tack in lead; thence along the eastern margin of North Duke Street, N. 27° 06' 30" E. 304.07 feet to an existing railroad spike in the southern margin of the Fernway Street right of way; thence along the Fernway Street right of way, S. 53° 27' 30" E. 359.15 feet to a railroad spike; thence S. 53° 40' 38" E. 24.97 feet to an existing railroad spike, the point and place of beginning, and being 2.472 acres, more or less. Parcel ID 104891

Parcel Three:

Beginning at a tack in lead located in the centerline of an asphalt road, which was formerly used as Fuller Street, City of Durham, North Carolina, which said tack in lead is also located in the southern right of way of Fernway Street in the centerline of the intersection of the northern portion of the asphalt road formerly used as Fuller Street and the southern margin of Fernway Street; thence from said point and place of beginning, S 53° 40' 38" E. 24.97 feet to a SIP; thence S. 53° 42' 09" E. 181.64 feet; thence N. 10° 10' 51" E. 8.62 feet to a tack in lead; thence S. 53° 33' 37" E. 86.69 feet to a tack in lead; thence S. 11° 31' 24" E. 163.93 feet to a SIP; thence along a curve having a chord bearing of S. 05° 49' 53" E. a radius of 607.16 feet and a length of 152.25 feet for a distance of 151.85 feet to a SIP; thence along a curve having a chord bearing of S. 07° 41' 57" W. and a radius of 508.78 feet and a length of 94.47 feet for a distance of 94.33 feet to a SIP in the northern margin of the West Morgan Street right of way; thence along the northern margin of the West Morgan Street right of way the following six calls: N. 52° 20' 35" W. 0.17 feet to a SIP, N. 53° 37' 36" W. 133.35 feet to a tack in lead, N. 53° 37' 36" W. 58.83 feet to a tack in lead, N. 53° 37' 36" W. 35.90 feet to a tack in lead, N. 53° 36' 01" W. 120.15 feet to a tack in lead, N. 53° 35' 42" W. 184.55 feet to a tack in lead; thence N. 55° 31' 47" W. 24.97 to a tack in lead located in the northern margin of the West Morgan Street right of way as it intersects with the asphalt road formerly used as Fuller Street, City of Durham, North Carolina; thence N. 36° 16' 48" E. 297.93 feet to a tack in the lead in the southern margin of the Fernway Street right of way as it intersects with the asphalt road formerly known as Fuller Street, City of Durham, North Carolina, the point and place of beginning and being 3.07 acres, more or less. Parcel ID 103124

TOGETHER WITH the second floor extension bridge traversing Morgan Street, Durham, North Carolina, connecting the north side wall of O'Brien Building and the second floor of Cooper Shop, being the same bridge conveyed by Liggett Group, Inc. to The Trackside Group, LLC by General Warranty Deed dated March 11, 1997, filed in Book 2290 at Page 996 et seq., Durham County Registry. Parcel ID 103124