

WAKE COUNTY, NC  
 TAMMY L. BRUNNER  
 REGISTER OF DEEDS  
 PRESENTED & RECORDED ON  
 12-17-2021 AT 13:07:30  
 STATE OF NC REAL ESTATE  
 EXCISE TAX: \$168,000.00  
 BOOK: 018848 PAGE: 00792 - 00797

EXECUTION VERSION

## NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:	\$168,000.00
Parcel ID:	0786474801
Mail/Box to:	Chicago Title Insurance Company, 711 Third Avenue, New York, New York 10017, Attention: Mark Marmer
Prepared by:	Orrick, Herrington & Sutcliffe LLP, 51 West 52 <sup>nd</sup> Street, New York, New York 10019, Attention: Marshall Brozost, Esq.
Brief description for the Index:	

THIS SPECIAL WARRANTY DEED ("**Deed**") is made on the 15<sup>th</sup> day of December 2021, by and between:

GRANTOR	GRANTEE
<b>4800 WP HOLDINGS LLC</b> , a Delaware limited liability company c/o State Street Global Advisors 1600 Summer Street Stamford, CT 06905 Attn: Jeffrey Erenberg	<b>JTJ MORGAN HILL RE, LLC</b> , a California limited liability company, as to an 44% undivided tenant-in-common interest and <b>CCRE RILEY, LLC</b> , a Delaware limited liability company, as to an 66% undivided tenant-in-common interest (collectively, " <b>Grantee</b> ") c/o Braddock & Logan Services, Inc. 4155 Blackhawk Plaza Circle Suite 201 Danville, CA 94506 Attn: Brian Raphael

*Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.*

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Raleigh, Wake County, North Carolina and more particularly described as follows (the "**Property**"):

See **Exhibit A**, attached hereto and incorporated herein.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 17354 page 1324.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor shall warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

See **Exhibit B**, attached hereto and incorporated herein.

[Remainder of Page Intentionally Blank – Signatures Follow]

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina Special Warranty Deed, if an entity by its duly authorized representative.

**4800 WP HOLDINGS LLC**, a Delaware limited liability company

By: Dermot Duraleigh Partners, LLC, a Delaware limited liability company, its managing member

KR Whitman  
Name: Kristan Whitman

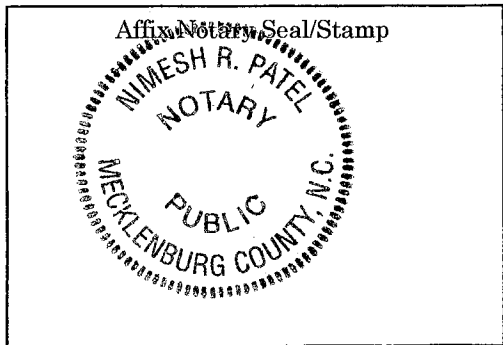
[Signature]  
Name: BRYAN LOOR

By: [Signature]  
Name: Robert R. Kilroy  
Title: Authorized Signatory

STATE OF NORTH CAROLINA,  
COUNTY OF Mecklenburg

I Nimesh R Patel, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 9<sup>th</sup> day of December 2021 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any):

Robert R. Kilroy



[Signature]  
Notary Public (Official Signature)  
My commission expires: Nov 7, 2024

## Exhibit A

### Legal Description

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

#### FEE PARCEL:

BEING all that tract of land containing 21.713 acres more or less, located in House Creek Township, Wake County, North Carolina; and bounded by lands owned by and /or in possession of persons as follows: on the north by southern right-of-way line of Pleasant Valley Road (allowing 60 feet), on the east by the western right-of-way line of Duraleigh Road (right-of-way varies), on the south by RRE Falls at Duraleigh Holdings, LLC, and on the west by Glenwood North Townhome Association, Inc., and being more particularly described by courses based on Book of Maps 1986, Page 1122 and distances according to a survey with an error of closure better than of 1 to 15,000 entitled "ALTA/ACSM Land Title Survey of Pointe at Crabtree for RAPP North Park, LLC, Suncoast North Park, LLC, Crabtree SCG/TBR LLC, CBRE Capital Markets, Inc., Chicago Title Insurance Company and Federal Home Loan Mortgage Corporation, Its Successors and Assigns" by McKim & Creed Inc., dated December 16, 2011, last revised February 20, 2012 as follows:

COMMENCING at a Cotton Spindle found in the intersection of Pleasant Valley Road and Duraleigh Road, thence south 48 deg. 02 min. 45 sec. west 83.15 feet to an iron rod found, The POINT OF BEGINNING, said iron rod being in the western right-of-way line (right-of-way varies) of Duraleigh Road; thence with the western right-of-way line (right-of-way varies) of Duraleigh Road with a curve to the left having a radius of 2346.83 feet, an arc length of 733.27 feet, and a chord bearing and distance of south 01 deg. 49 min. 37 sec. east 730.29 feet to an iron rod set; thence leaving the western right-of-way line (right-of-way varies) of Duraleigh Road and along the northern property line of RRE Falls at Duraleigh Holdings, LLC the following six calls: 1) north 81 deg. 34 min. 25 sec. west 484.08 feet to an iron pipe found, 2) north 65 deg. 15 min. 21 sec. west 168.63 feet to an iron pipe found, 3) north 69 deg. 51 min. 55 sec. west 229.50 feet to an iron pipe found, 4) north 79 deg. 41 min. 17 sec. west 87.84 feet to an iron pipe found, 5) north 70 deg. 38 min. 35 sec. west 183.21 feet to an iron rod found, and 6) north 63 deg. 29 min. 22 sec. west 116.97 feet to an iron rod found in the eastern property line of Glenwood North Townhome Association, Inc.; thence with the eastern property line of Glenwood North Townhome Association, Inc. north 08 deg. 32 min. 22 sec. east 748.28 feet to an iron rod set in the southern right-of-way line (allowing 60 feet) of Pleasant Valley Road; thence with the southern right-of-way line (allowing 60 feet) of Pleasant Valley Road the following five calls: 1) south 85 deg. 43 min. 40 sec. east 479.82 feet to a P.K. Nail found, 2) with a curve to the right having a radius of 270.00 feet, an arc length of 169.28 feet, and a chord bearing and distance of south 67 deg. 45 min. 59 sec. east 166.52 feet to an iron rod found, 3) south 49 deg. 48 min. 18 sec. east 224.16 feet to an iron rod found, 4) with a curve to the left having a radius of 330.00 feet, an arc length of 201.79 feet, and a chord bearing and distance of south 67 deg. 13 min. 50 sec. east 198.66 feet to an iron rod set, and 5) south 85 deg. 09 min. 19 sec. east 63.09 feet to an iron rod found where the southern right-of-way line (allowing 60 feet) of Pleasant Valley Road begins to turn into the western right-of-way line (right-of-way varies) of Duraleigh Road; thence with a curve to the right having a radius of 30.00 feet, an arc length of 48.14 feet, and a chord bearing and distance of south 38 deg. 50 min. 30 sec. east 43.14 feet to an iron rod found, The POINT OF BEGINNING.

**Exhibit B****Exceptions**

1. All general real property taxes and assessments for the year 2021, due or payable, unpaid by not yet delinquent, and subsequent years, which are not due and payable.
2. Zoning and other regulatory laws and ordinances affecting the Property.
3. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title regarding the following matters disclosed by survey entitled "ALTA/NSPS Land Title Survey Prepared For: 4800 WP Holdings LLC" by Jimmy F. Cain, PLS of Cain Surveying, P.C., P.L.S., dated November 22, 2021, last modified December 10, 2021 (the "Survey"):
  - a. Service utilities; and
  - b. Garage encroachments into 20' Drainage Easement.
4. Rights of tenants in possession under unrecorded leases.
5. Matters disclosed by plat(s) recorded in Book of Maps 1985, Page 640; Book of Maps 1987, Page 747; Book of Maps 1994, Page 1278; Book of Maps 2001, Page 1960; Book of Maps 2001, Page 1961; Book of Maps 1985, Page 640, and Book of Maps 1987, Page 747.
6. Easements to Carolina Power and Light Company in Book 3431, Page 659 and Book 3467, Page 573.
7. General Service Permit to Southern Bell Telephone and Telegraph Company recorded in Book 1130, Page 129.
8. Easement to Time Warner Cable recorded in Book 8074, Page 1524.
9. Easement and Memorandum of Agreement to Time Warner Entertainment-Advance Newhouse Partnership d/b/a Time Warner Cable through its East Region recorded in Book 14319, Page 880.
10. Easement to the City of Raleigh recorded in Book 9154, Page 1402, and shown on plats recorded in Book of Maps 2001, Page 1960, and Book of Maps 2001, Page 1961.
11. Deed of Easement recorded in Book 3997, Page 808, as amended by Modification of Deed of Easement and Acceptance and Agreement recorded in Book 4095, Page 578.
12. Prohibition Against Condominium Conversion Agreement by and between MLVI Pointe at Crabtree Apartments, LLC and Crabtree CG/TBR LLC recorded in Book 15806, Page 2528, Wake County Registry, as assigned by that Assignment and Assumption Agreement (Prohibition Against Condominium Conversion Agreement) recorded in Book 17354, page 1332.

13. Declaration of Restrictive Covenants by Grantor, dated on or about the date hereof.