

Excise Tax: \$**147,300.00**

Parcel Identifier No. 0784822074; 0784728324

Mail after recording to: Goulston & Storrs PC, 400 Atlantic Avenue, Boston, Massachusetts 02110,  
Attention: Paige A. Manning, Esq.

This instrument was prepared by: King & Spalding LLP, 1180 Peachtree Street, NE, Suite 1600, Atlanta,  
Georgia 30309, Attention: Meryl C. See, Esq.

Brief description for the Index

500 and 600 Blue Ridge Road,  
Raleigh, North Carolina  
  
Lot 1 and Lot 2, Book of Maps 2021,  
Pages 1106-07

NORTH CAROLINA SPECIAL WARRANTY DEED	
THIS SPECIAL WARRANTY DEED made this <u>28</u> day of September, 2023, by and between:	
GRANTOR	GRANTEE
<b>NOVO RALEIGH OWNER, LLC,</b> a Delaware limited liability company  999 Peachtree Street NE, Suite 900 Atlanta, Georgia 30309	<b>BEL BLUE RIDGE LIMITED PARTNERSHIP,</b> a Delaware limited partnership  c/o Eaton Vance Management, REIG Two International Place Boston, Massachusetts 02110
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 Raleigh, Wake 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 018166, Page 01531-01537.

A map showing the above described property is recorded in Book of Maps 2021, Page 1106-07.

All or a portion of the property herein conveyed \_\_\_\_\_ includes or ☒ does not include the primary residence of a Grantor.

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 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 described is subject to the following exceptions:

SEE EXHIBIT B ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

(Remainder of page intentionally omitted)

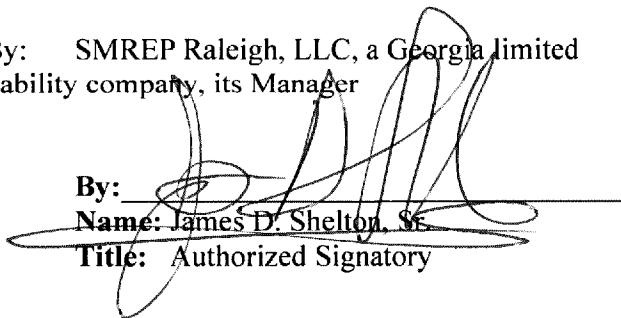
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

**GRANTOR:**

**NOVO RALEIGH OWNER, LLC**, a Delaware limited liability company

By: SMLA Raleigh, LLC, a Delaware limited liability company, its sole member

By: SMREP Raleigh, LLC, a Georgia limited liability company, its Manager

By:   
 Name: James D. Shelton, Sr.  
 Title: Authorized Signatory

STATE OF GEORGIA  
 COUNTY OF Gwinnett

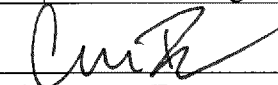
I certify that the following person(s) personally appeared before me this day, and

- ☒ I have personal knowledge of the identity of the principal(s)  
☐ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_  
☐ A credible witness has sworn to the identity of the principal(s);

each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
James D. Shelton, Sr.	Authorized Signatory

Date: 9 | 25 | 23

  
Chelsea Byram, Notary Public  
 (print name)

(official seal)



My commission expires: June 14, 2026

EXHIBIT A  
(Legal Description)

LYING AND BEING SITUATE IN WAKE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1 (FEE SIMPLE):

BEING ALL OF LOT 1, CONTAINING 10.94 ACRES, AND LOT 2, CONTAINING 0.46 ACRES, AS SHOWN ON "RIGHT OF WAY DEDICATION, RECOMBINATION & EASEMENTS PLAT, 500 & 600 BLUE RIDGE ROAD" PREPARED BY THE JOHN R. MCADAMS COMPANY, INC., DATED MARCH 22, 2021 AND RECORDED IN BOOK OF MAPS 2021, PAGES 1106-1107, WAKE COUNTY REGISTRY.

TRACT 2 (EASEMENT):

TOGETHER WITH A PERPETUAL EASEMENT FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND USE OF A SANITARY SEWER LINE TO BE CONSTRUCTED BY OR FOR GRANTEE WITHIN THE TWENTY (20) FOOT WIDE SEWER EASEMENT SPECIFICALLY SHOWN ON PLAT OF SURVEY ENTITLED "PROPERTY OF NATIONSBANK OF NORTH CAROLINA, N.A., SURVEY FOR CARMIKE CINEMAS, INC.", PREPARED BY BOBBITT SURVEYING, P.A., DATED MAY 25, 1993, RECORDED IN BOOK OF MAPS 1993, PAGE 665, WAKE COUNTY REGISTRY (THE "PLAT") AND CROSSING LOT TWO AS SHOWN ON THE PLAT.

TRACT 3 (EASEMENT):

PERPETUAL EASEMENT FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND USE OF SLOPES PROVIDING LATERAL SUPPORT TO LOT ONE SHOWN ON THE PLAT OVER, THROUGH AND ACROSS THOSE PORTIONS OF LOT TWO SHOWN ON THE PLAT ADJACENT TO LOT ONE AND BEING FIFTEEN (15) OR TWENTY FIVE (25) FEET IN WIDTH AS SPECIFICALLY SET FORTH ON THE PLAT.

TRACT 4 (EASEMENT):

PERPETUAL EASEMENT FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND USE OF FACILITIES PROVIDING FOR THE DRAINAGE OF SURFACE WATER FROM LOT ONE SHOWN ON THE PLAT OVER, UPON AND THROUGH THE TWO (2) TWENTY (20) FOOT WIDE STORM EASEMENTS LEADING FROM LOT ONE SHOWN ON THE PLAT AND CROSSING LOT TWO SHOWN ON THE PLAT AS SPECIFICALLY SET FORTH ON THE PLAT.

EXHIBIT B  
(Permitted Exceptions)

1. Any mineral or mineral rights leased, granted or retained by current or prior owners.
2. Taxes for the year 2024 and all subsequent years, a lien not yet due and payable.
3. Easement from J.K. Brickman to Carolina Power & Light Company recorded in Book 1024, Page 254, Wake County Registry.
4. Easement and Release by and between Charles W. Gaddy and Lucy F. Gaddy and Carolina Power & Light Company recorded in Book 2021, Page 385, Wake County Registry.
5. Easement from Joseph C. Matthews, Jr. to Carolina Power & Light Company recorded in Book 3413, Page 957, Wake County Registry.
6. Deed of Easement from Charles W. Gaddy and Lucy F. Gaddy to the City of Raleigh, a municipal corporation of the State of North Carolina recorded in Book 2185, Page 157, Wake County Registry, approximately as shown on that certain ALTA/NSPS Land Title Survey for 500 & 600 Blue Ridge Road, Raleigh Township, Wake County, North Carolina, prepared by The John R. McAdams Company, Inc., bearing the seal of Jay B. Taylor, PLS L-5472, dated August 14, 2023, last revised September 26, 2023 (the “**Survey**”).
7. Sanitary sewer easement as shown on plat recorded in Book of Maps 1973, Page 291, Wake County Registry. Approximately as shown on the Survey.
8. General Permit from J.K. Brickman to Southern Bell Telephone and Telegraph Company, Inc. recorded in Book 1074, Page 142, Wake County Registry.
9. Easements and any other facts as shown on plat recorded in Book of Maps 1993, Page 665, Wake County Registry, approximately as shown on the Survey.
10. Easements and any other facts as shown on plat recorded in Book of Maps 1990, Page 142, Wake County Registry, approximately as shown on the Survey.
11. North Carolina Non-Warranty Deed Easement from NationsBank of North Carolina, N.A. to Carmike Cinemas, Inc., a Delaware corporation recorded in Book 5648, Page 1, Wake County Registry.
12. Right of Way Grant by Carmike Cinemas, Inc. to Carolina Power & Light Company recorded in Book 5867, Page 95, Wake County Registry.
13. Boundary Line Agreement by and between Carmike Cinemas, Inc., a Delaware corporation, and The State of North Carolina, a body politic, recorded in Book 6779, Page 15, Wake County Registry.

14. Easement from Carmike Cinemas, Inc. to Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. recorded in Book 12549, Page 1799, Wake County Registry.
15. Memorandum of Action to the Department of Transportation recorded in Book 17913, Page 2204; Supplemental Memorandum of Action recorded in Book 18135, Page 2026; Supplemental Memorandum of Action recorded in Book 18177, Page 872 and Complaint referenced therein under Civil Action No. 20-CVS-6710 as affected by Consent Judgment recorded in Book 18491, Page 1601, Wake County Registry.
16. Certificate of Merger recorded in Book 18166, Page 1524, Wake County Registry.
17. Use restriction set forth in North Carolina Special Warranty Deed from American Multi-Cinema, Inc. to NOVO Blue Ridge, LLC, recorded in Book 18166, Page 1531, Wake County Registry.
18. Declaration of Maintenance Covenant and Grant of Protection Easements for Stormwater Control Facilities by NOVO Raleigh Owner, LLC for its own benefit and to the City of Raleigh recorded in Book 18386, Page 1694, Wake County Registry, approximately as shown on the Survey.
19. Easements and any other facts as shown on plat recorded in Plat Book 2021, Pages 1106-1107, Wake County Registry, approximately as shown on the Survey.
20. Deed of Easement for Slope Purposes by NOVO Raleigh Owner, LLC to the City of Raleigh recorded in Book 18586, Page 163, Wake County Registry, approximately as shown on the Survey.
21. Deed of Easement for Utility Placement Purposes by NOVO Raleigh Owner, LLC to the City of Raleigh recorded in Book 18586, Page 171, Wake County Registry, approximately as shown on the Survey.
22. Terms, provisions, covenants, conditions and restrictions as provided in Declaration of Restrictive Covenant, recorded in Book 19266, Page 1727, Wake County Registry.
23. Rights of parties in possession as residential tenants only (without options to purchase or rights of first offer or refusal) under unrecorded residential leases.
24. 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.
25. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS Land Title Survey for 500 & 600 Blue Ridge Road, Raleigh Township, Wake County, North Carolina, prepared by The John R. McAdams

Company, Inc. bearing the seal of Jay B. Taylor, PLS L-5472, dated August 14, 2023, last revised, 2023, (Project No. 23470): NONE.