

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$ **133,000 [PAID IN WAKE COUNTY]**

Tax Lot No. _____
Parcel Identifier No. 0756 09 8951 and 0757 00 1338 (Wake) and 0747-90-6642 DW (Durham)
Verified by _____ County on the _____ day of ____ 20____
by _____

Mail after recording to: _____ Grantee

[No title opinion or tax advice is given or implied by reason of preparation of this deed by the preparer or reviewer named below.]

This instrument was prepared by: Allen Matkins Leck Gamble Mallory & Natsis, LLP, 865 S. Figueroa Street, Suite 2800, Los Angeles, California 90017, Attn: David B. Stone, Esq.

This instrument was reviewed for North Carolina compliance by:

Brief Description for the Index: _____
Lot 1 and 7; Wake County BM 2014, page 315 and 316; Durham County Plat Book 193, pages 56 and 57

THIS DEED made this 18th day of July, 2024, by and between

GRANTOR
DD PERIMETER PARK, LP,
f/k/a DD Perimeter Park, LLC
c/o Cortland Partners, LLC
3424 Peachtree Road NE, Suite 300
Atlanta, Georgia 30326
Attention: Corey May

GRANTEE
AVALON PERIMETER PARK, L.P.
4040 Wilson Boulevard, Suite 1000
Arlington, Virginia 22203

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership

submitted electronically by "Moss Woods PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

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 Town of Morrisville, Wake County, North Carolina and partially in 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 the Register of Deeds, Durham County, North Carolina.

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

A map showing the above-described property is recorded in Plat Book 193, Pages 56 and 57, Durham County records and in Book of Maps 2014, Pages 315 and 316, Wake County records.

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.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

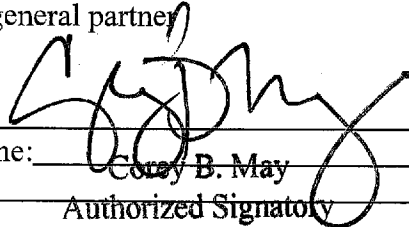
By: _____ REGISTER OF DEEDS FOR _____ COUNTY
Deputy/Assistant - Register of Deeds

[SIGNATURE PAGE FOR SPECIAL WARRANTY DEED]

GRANTOR:

DD PERIMETER PARK, LP,
a Delaware limited partnership

By: **DD PERIMETER PARK GP, LLC,**
a Delaware limited liability company,
its general partner

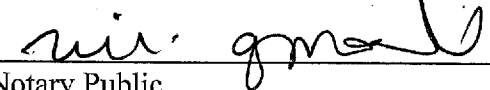
By: 
Name: Corey B. May
Its: Authorized Signatory

STATE OF GEORGIA

COUNTY OF FULTON
(Place of Acknowledgment)

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: COREY MAY
- (Name of signatory)

Date: JULY 16, 2024


Notary Public
Printed or Typed Name NIKI ARJMAND

(Official Seal) Niki Arjmand
NOTARY PUBLIC
Fulton County, GEORGIA
My Commission Expires 05/23/2027

My commission expires: 05/23/2027

EXHIBIT A

Legal Description

All those tracts or parcels of land containing approximately 30.4439 acres and being known as Lots 1 and 7 of the Morrisville Final Plat & Durham Exempt Final Plat Right-of-Way, Easement Dedication and Recombination Plat, prepared by Bass, Nixon & Kennedy, Inc., dated June 6, 2013, recorded March 6, 2014 in Plat Book 193, Pages 56 and 57, Durham County records and recorded March 7, 2014 in Book of Maps 2014, Pages 315 and 316, Wake County records.

EXHIBIT B

Title Exceptions

1. The lien of all taxes for the year 2024 and thereafter, which are not yet due and payable.
2. Declaration of covenants, conditions, restrictions, easements, charges, assessments, liens, options, rights of or to purchase, and rights of first refusal (but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law) recorded in Book 11448, Page 815, Wake County Registry, as affected by First Amendment to Declaration of Protective Covenants, Conditions, Restrictions, Reservations, and Easements recorded in Book 12029, Page 955, Wake County Registry; as affected by that First Supplement to Declaration of Protective Covenants, Conditions, Restrictions, Reservations and Easements recorded in Book 12828, Page 1073, Wake County Registry; as affected by Second Supplement to Declaration of Protective Covenants, Conditions, Restrictions, Reservations, and Easements recorded in Book 12961, Page 2616, Wake County Registry; as affected by Variance to Declaration of Protective Covenants, Conditions, Restrictions, Reservations and Easements recorded in Book 13640, Page 1873, Wake County Registry; as affected by Variance to Declaration of Protective Covenants, Conditions, Restrictions, Reservations and Easements recorded in Book 13661, Page 276, Wake County Registry; as affected by Variance and Amendment to Declaration of Protective Covenants, Conditions, Restrictions, Reservations and Easements recorded in Book 13662, Page 718, Wake County Registry; as affected by Notice of Variance from Declaration recorded in Book 15304, Page 1625, Wake County Registry; as affected by Assignment of Developer's Rights recorded in Book 15980, Page 1140, Wake County Registry, and Book 7681, Page 930, Durham County Registry; as affected by Quit Claim Deed recorded in Book 16206, Page 108, Wake County Registry and Book 7820, Page 276, Durham County Registry, and any amendments and/or supplements thereto.
3. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 193, Pages 54-61, Durham County Registry.
4. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 196, Pages 249-255, Durham County Registry.
5. Building restriction lines, easements, and any other matters shown on map or plat recorded in Book of Maps 2004, Page 2286, Wake County Registry.
6. Building restriction lines, easements, and any other matters shown on map or plat recorded in Book of Maps 2009, Page 369, Wake County Registry.
7. Building restriction lines, easements, and any other matters shown on map or plat recorded in Book of Maps 2014, Pages 313-320, Wake County Registry.

8. Building restriction lines, easements, and any other matters shown on map or plat recorded in Book of Maps 2016, Pages 1812-1818, Wake County Registry.
9. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 2018, Pages 1167 and 1168.
10. Watershed Improvement Easement recorded in Book 1874, Page 323.
11. Easement(s) or right(s)-of-way in favor of Imperial Center Partnership recorded in Book 1139, Page 756, Durham County Registry; as affected by Amendment to Sanitary Sewer Deed recorded in Book 8003, Page 644, Durham County Registry.
12. Easement(s) or right(s)-of-way in favor of Duke Energy Progress, Inc. recorded in Book 15350, Page 487, and Book 15350, Page 490, Wake County Registry.
13. Easement(s) or right(s)-of-way in favor of BellSouth Telecommunications, LLC d/b/a AT&T North Carolina recorded in Book 15376, Page 809; and Book 16633, Page 1614, Wake County Registry; and Book 8085, Page 611, Durham County Registry.
14. Easement(s) or right(s)-of-way in favor of Duke Energy Progress Inc. recorded in Book 7316, Page 706, Durham County Registry.
15. Easement(s) or right(s)-of-way in favor of Town of Cary recorded in Book 13459, Page 2366, Wake County Registry.
16. Ordinance 2015-021 Morrisville Town Council recorded in Book 16045, Page 1450, Wake County Registry; and Book 7723, Page 70, Durham County Registry.
17. Stormwater Operation and Maintenance Agreement and Security recorded in Book 16263, Page 1605; and Book 16263, Page 1614, Wake County Registry.
18. Maintenance Agreement recorded in Book 7953, Page 981, Durham County Registry.
19. Easement(s) or right(s)-of-way in favor of Southern Bell Telephone & Telegraph Company recorded in Book 1380, Page 47, Wake County Registry.
20. Accretion, erosion, reliction, and avulsion associated with, and riparian rights of others incidental to, the unnamed tributaries of Strirrup Iron Creek, and any creeks, streams, branches, or rivers coursing or forming any boundary to the Land.
21. Rights or claims of parties in possession, as tenants only, under written, unrecorded leases with no options to purchase or rights of first refusal.
22. Any discrepancy, conflict, matter affecting access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean high-water mark or within the bounds of any adjoining body of water, or other adverse

circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land.