

101
FORSYTH CO. NC FEE: \$ 28.00
PRESENTED & RECORDED: 01/12/1998 1:57PM
DICKIE C. WOOD REGISTER OF DEEDS BY: WILLIA
NO TAXABLE CONSIDERATION
EK1981 P 480 - P 490

Excise Tax \$

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19____
by _____

RETURN TO GLAZE BOX

Mail after recording to Underwood Kinsey Warren & Tucker, P.A., 201 S. College Street Suite 2020, Charlotte, NC 28214-2020
This instrument was prepared by Underwood Kinsey Warren & Tucker, P.A.

Brief Description for the index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made January 8, 1998, by and between

GRANTOR

Carolina Restaurant Limited Liability Company,
a North Carolina limited liability company

GRANTEE

CREH, LLC,
a Delaware limited liability company

8040 Arrowridge Blvd
Suite 100
Charlotte, NC 28273

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 _____ Township, Forsyth County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property conveyed hereby is being transferred by Grantor to Grantee without consideration for business convenience.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____, Page _____.

A map showing the above described property is recorded in Map Book _____, Page _____.

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 is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Ad valorem taxes for the current year.
2. All valid and enforceable easements, restrictions and other conditions of record.
3. Rights of First Refusal from Carolina Restaurant Limited Liability Company in favor of Wendy's International, Inc., recorded in Book 1905, Pages 2051, 2058, 2064, 2077, 2083, 2089 and 2095, Forsyth County Public Registry.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By: _____

President

ATTEST:

Secretary (Corporate Seal)

Carolina Restaurant Limited Liability Company

By: _____ (SEAL)

Joseph H. Drury, Managing Member

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

SEAL STAMP

NORTH CAROLINA, Watauga County.

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Joseph H. Drury, Managing Member of Carolina Restaurant Limited Liability Company, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 2 day of Jan, 1998.

My commission expires:
11-23-2002

Thy C. Ether Notary Public

SEAL STAMP

NORTH CAROLINA, _____ County.

I, the undersigned, a Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he/she is Secretary of, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by him/her as its Secretary. Witness my hand and official stamp or seal, this _____ day of _____, _____.

My commission expires: _____ Notary Public

The foregoing Certificate(s) of Mary C. Ether, N.P.

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.

DICKIE C. WOOD, REGISTER OF DEEDS

REGISTER OF DEEDS FOR

FORSYTH

COUNTY

By: [Signature] Deputy/Assistant-Register of Deeds

E-1991 F8-31

Exhibit A

Property Located at
1375 Peters Creek Parkway,
Winston-Salem, Forsyth County,
North Carolina

Beginning at an iron located on the easterly margin of the right-of-way of Peters Creek Parkway, said Beginning Point also marking the northwesterly corner of the property of Nancy Lumley (nor or formerly) as described in a deed recorded in Book 821, Page 300, Forsyth County Public Registry; thence from Beginning Point with the easterly margin of the right-of-way at Peters Creek Parkway N. 02-30-50 W. 211.28 feet to an iron marking the southwesterly corner of the property of J. M. Hedrick, et. al. (now or formerly) as described in a deed recorded in Book 1696, Page 1245, Forsyth County Public Registry; thence with the southerly line of the aforesaid property of Hedrick N. 87-16-07 E. 163.17 feet to an iron located on the westerly margin of the right-of-way of Churton Street; thence with the westerly margin of the right-of-way of Churton Street S. 01-53-07 W. 57.72 feet to a nail found in a brick wall; thence continuing with the westerly margin of the right-of-way of Churton Street S. 01-50-06 W. 150.05 feet to an iron; thence with the northerly line of the aforesaid property of Lumley S. 85-38-48 W. 147.44 feet to the point or place of BEGINNING, containing 32,461 square feet or 0.75 acre as shown on a survey entitled "Physical Survey - Wendy's Store #362", prepared by F. Donald Lawrence & Associates, P.A. and dated May 9, 1996, to which survey reference is hereby made for a more particular description of the aforesaid property.

Exhibit A

Property Located at
827 South Main Street,
Kernersville, Forsyth County,
North Carolina

Beginning at an iron on the southerly margin of the right-of-way of South Main Street (NC Highway 150), said iron marking the northeasterly corner of the property of Rex Peddycord (now or formerly) as described in a deed recorded in Book 1633, Page 238, Forsyth County Public Registry; thence from said Beginning Point with the southerly margin of the right-of-way of South Main Street N. 66-25-55 E. 143.44 feet to iron marking the northwesterly corner of the property of Mabel S. Dillon, et. als. (now or formerly) as described in a deed recorded in Book 1855, Page 2180, Forsyth County Public Registry; thence with the westerly line of the aforesaid property of Dillon S. 05-23-44 W. 316.93 feet to an iron; thence continuing with the line of the property of Dillon N. 83-26-48 W. 128.39 feet to an iron; thence with the easterly line of the aforesaid property Peddycord N. 06-04-00 E. 244.90 feet to the point or place of BEGINNING, containing 35,607 square feet or 0.82 acre as shown on a survey entitled "Physical Survey - Wendy's Store #544", prepared by F. Donald Lawrence & Associates, P.A. and dated May 22, 1996, to which survey reference is hereby made for a more particular description of the aforesaid property.

TOGETHER WITH: that certain easement for a sanitary sewer line as contained in a General Warranty Deed dated August 18, 1980, from Alvin A. Sturdivant to Wendy's International, Inc. and recorded in the Office of the Register of Deeds of Forsyth County, North Carolina in Deed Book 1311, Page 1071.

#514

Exhibit A

Property Located at
528 Akron Drive,
Winston-Salem, Forsyth County,
North Carolina

BEGINNING at an iron pipe marking the intersection of the southern right of way of Akron Drive and the western right of way of Hemlock Drive and running thence with the western right of way of Hemlock Drive, South 08 deg. 08' 26" West 131.81 feet to an iron; thence continuing with the western right of way of Hemlock Drive South 08 deg. 14' 51" West 61.00 feet to an iron; thence with the northern line of C. C. Potts, South 85 deg. 22' 07" West 74.15 feet to an iron thence continuing with the northern line of C. C. Potts, South 51 deg. 14' 39" West 41.77 feet to an iron; thence with the eastern line C. J. Hondros, North 26 deg 45' 39" West 175.97 feet to an iron; thence with the southern right of way Akron drive North 68 deg. 21' 49" East 232.33 feet to an iron, the point of BEGINNING .

URWT: 19106-1

EX1991 P2081

Exhibit A

Property Located at
5713 University Parkway,
Winston-Salem, Forsyth County,
North Carolina

Beginning at an iron stake in the eastern right-of-way line of University Parkway, said iron stake being North 05° 25' East a chord distance of 274.62 feet from the northeast intersection of the right-of-way of Robinwood Road (formerly Rural Hall Road) and the eastern right-of-way line of University Parkway, and said beginning point being further known and designated as the northwest corner of the 1.062-acre tract conveyed to Circle K General, Inc. in Book 1530, page 19, Forsyth County Registry, and thence from said beginning point with the eastern right-of-way line of University Parkway on a continuous, counterclockwise curve to the left a chord bearing and distance of North 03° 13' West 175.00 feet (said curve having a radius of 1512.39 feet) to an iron stake; thence leaving the said eastern right-of-way line of University Parkway, North 82° 27' East 186.80 feet to a point; thence South 52° 03' East 201.47 feet to a point in the northwestern right-of-way line of Robinwood Road (formerly Rural Hall Road); thence along the northwestern right-of-way line of Robinwood Road, South 38° 17' West 104.00 feet to an iron stake, said iron stake being the northeast corner of the said Circle K General property hereinabove referred to; thence with the northern boundary line of the said Circle K General property, North 88° 40' West 269.90 feet to the point and place of beginning, and containing 1.238 acres as shown on an unrecorded survey dated March 11, 1986 and entitled "Wendy's International, Inc." by Marvin L. Borum and Associates.

The above-described property being a portion of the 15.065-acre tract conveyed to Allmanspry, Inc. in Deed Book 1488, page 1505, Forsyth County Registry.

CONVEYED HERewith is a non-exclusive easement for the continued use and maintenance of the storm drainage system as it presently exists across the remaining property of Allmanspry, Inc. described on Exhibit "A-1" attached hereto. The Grantor herein specifically reserves an easement for the continued use and maintenance of said storm drainage system for itself and its successors and assigns for such portion of the storm drainage system as is located on the above-described property, and further reserves the right for itself and its successors and assigns to relocate said storm drainage system on its remaining property so long as such relocation does not interfere with the drainage on the adjoining properties. These easements shall be perpetual and shall run with the land.

TOGETHER WITH: That certain perpetual easement for storm drainage system as contained in that certain Deed by Allmanspry, Inc. to Circle K, Inc. dated February 27, 1986, recorded in the Office of the Register of Deeds for Forsyth County, North Carolina in Deed Book 1530, Page 19.

Exhibit A-1

Property Located at
5713 University Parkway,
Winston-Salem, Forsyth County,
North Carolina

Beginning at an iron stake in the western right-of-way line of Robinwood Road at North Carolina Grid Coordinates 886,560.77 1,624,168.703, said iron stake being in the southern right-of-way line of US Highway 52 and said beginning point being the northeast corner of a 15.065-acre tract conveyed to Allmanspry, Inc. in Deed Book 1488, page 1501, Forsyth County Registry, and thence with the western right-of-way line of Robinwood Road, South 02° 19' 53" East 552.36 feet to an iron stake; thence continuing with the said western right-of-way line on a continuous, clockwise curve to the right a chord bearing and distance of South 13° 40' 48" West 299.47 feet (said curve having a radius of 543.18 feet) to an iron stake; thence continuing with said western right-of-way line of Robinwood Road in a southwestwardly direction approximately 297 feet to an iron stake; thence continuing with said western right-of-way line South 36° 18' 50" West 30.0 feet to an iron stake, said iron stake being the northeast corner of the property described on Exhibit A herein; thence with the northern boundary line of the property described on Exhibit A herein, North 54° 01' 09" West 201.47 feet to an iron stake; thence continuing with said northern boundary line, South 80° 28' 51" West 186.80 feet to an iron stake in the eastern right-of-way line of University Parkway; thence with the said eastern right-of-way line a chord bearing and distance of North 09° 10' 49" West 36.28 feet (radius equals 1512.39 feet) to an iron stake; thence continuing with said eastern right-of-way line a spiral chord bearing and distance of North 12° 23' 50" West 135.57 feet to an iron stake; thence continuing with said eastern right-of-way line in a northwardly direction an approximate distance of 233 feet to an iron stake; thence with the said eastern right-of-way line of University Parkway a chord bearing and distance of North 15° 34' 39" West 36.10 feet to an iron stake; thence continuing with the said eastern right-of-way line of University Parkway a chord bearing and distance of North 12° 50' 52" West 210.14 feet to an iron stake, said iron stake being the southwest corner of the Victor I. Flow and Rodgers R. Flow property; thence with the southern boundary line of the Flow property South 74° 45' East 91.25 feet to an iron stake; thence continuing with said southern boundary line South 86° 04' East 110 feet to an iron stake; thence continuing with said southern boundary line North 54° 03' East 140 feet to an iron stake; thence continuing with the said southern boundary line, North 37° 27' 26" East 149.0 feet to an iron stake; thence continuing with the said southern boundary line, North 23° 39' 57" East 143.94 feet to an iron stake; thence continuing with said southern boundary line North 27° 19' 07" East 202.02 feet to an iron stake in the southern right-of-way line of US Highway 52; thence with the said southern right-of-way line of Highway 52 on a continuous, counterclockwise curve to the left a chord bearing and distance of South 61° 04' 49" East 218.0 feet to the point and place of beginning.

Exhibit A

#522

Property Located at
600 Jonestown Road,
Winston-Salem, Forsyth County,
North Carolina

(Remaining Property)

Beginning at an iron marking the intersection of the westerly margin of the right-of-way of Jonestown Road with the southerly margin of the right-of-way of U.S. Highway 421, said Beginning Point also marking the northeasterly corner of the property conveyed to Wendy's International, Inc. by deed recorded in Book 1838, Page 2920, Forsyth County Public Registry; thence from said Beginning Point with the westerly margin of the right-of-way of Jonestown Road S. 21-26-00 W. 220.92 feet to an iron pin; thence leaving the westerly margin of the right-of-way of Jonestown Road with the following three (3) lines crossing the aforesaid property conveyed to Wendy's International: (1) N. 71-50-34 W. 40.96 feet to an iron, (2) N. 16-12-12 E. 38.05 feet to an iron, and (3) N. 80-38-33 W. 231.22 feet to iron on the easterly line of the property of Burmowell, Inc. (now or formerly) as described in a deed recorded in Book 952, Page 394, Forsyth County Public Registry, said property line also being the westerly line of the aforesaid property conveyed to Wendy's International; thence with the easterly line of the aforesaid property of Burmowell, Inc. N. 09-19-20 E. 202.37 feet to an iron on the southerly margin of the right-of-way of Kirk Road; thence with the southerly margin of the right-of-way of Kirk Road S. 81-00-00 E. 168.69 feet to an iron on the southerly margin of the right-of-way of U.S. Highway 421; thence with the southerly margin of the right-of-way of U.S. Highway 421 S. 68-22-50 E. 148.00 feet to an iron marking the point or place of BEGINNING, containing 60,010 square feet or 1.38 acres, more or less, as shown on a survey entitled "Physical Survey - Wendy's Store No. 1850", prepared by F. Donald Lawrence & Associates, P.A. and dated May 16, 1996, to which survey reference is hereby made for a more particular description of the aforesaid property.

Being a portion of the property conveyed to Wendy's International, Inc. by deed recorded in Book 1838, Page 2920, Forsyth County Public Registry.

Exhibit A

Property Located at
2218 Cloverdale Avenue,
Winston-Salem, Forsyth County,
North Carolina

Being a 0.746 acre, more or less, tract
or parcel of real property lying in the Winston Township, Forsyth
County, North Carolina, which is more particularly described as
follows:

BEGINNING AT AN EXISTING IRON STAKE, SAID STAKE BEING THE
SOUTHWESTERN CORNER OF LOT 2 AS RECORDED IN PLAT BOOK 15, PAGE 31
OF THE FORSYTH COUNTY REGISTRY, SAID POINT ALSO BEING IN THE
~~SOUTHERN MARGIN~~ OF A 20 FOOT PRIVATE ALLEY; THENCE ALONG AND WITH
THE WESTERN MARGIN OF SAID ALLEY NORTH 37° 35' 07" WEST 211.51
FEET TO A NEW IRON STAKE, SAID POINT BEING THE SOUTHERN
RIGHT-OF-WAY OF CLOVERDALE AVENUE; THENCE ALONG SAID RIGHT-OF-WAY
OF CLOVERDALE AVENUE ALONG A CURVE TO THE RIGHT HAVING A RADIUS
OF 426.45 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 70° 53'
02" EAST 20.90 FEET TO AN EXISTING IRON STAKE; THENCE CONTINUING
ALONG SAID CURVE A CHORD BEARING AND DISTANCE OF NORTH 79° 14'
11" EAST 103.18 FEET TO A NEW IRON STAKE; THENCE NORTH 86° 37'
00" EAST 106.00 FEET TO AN EXISTING IRON STAKE; THENCE LEAVING
SAID RIGHT-OF-WAY SOUTH 00° 10' 00" WEST 205.99 FEET TO AN
EXISTING IRON STAKE, SAID IRON STAKE BEING IN THE SOUTHERN MARGIN
OF A 20 FOOT PRIVATE ALLEY; THENCE ALONG AND WITH THE SOUTHERN
MARGIN OF SAID ALLEY NORTH 86° 27' 56" WEST 97.51 FEET TO THE
POINT AND PLACE OF BEGINNING, CONTAINING 0.746 ACRES, MORE OR
LESS, AND BEING ALL OF LOT #2 (LESS A 10 FOOT STRIP CONVEYED BY
DEED RECORDED IN DEED BOOK 617, PAGE 361, OFFICE OF REGISTER OF
DEEDS, FORSYTH COUNTY, NORTH CAROLINA) AS SHOWN ON A MAP RECORDED
IN PLAT BOOK 15, PAGE 31 IN THE OFFICE OF REGISTER OF DEEDS,
FORSYTH COUNTY, NORTH CAROLINA.

The above-described property is the same property as that
property described in Book 1683 at Page 2319.

The above-described property is known as Tax Lot 8, Block 2400,
on the Forsyth County Tax Maps.

Exhibit A

Property Located at
3182 Peters Creek Parkway,
Winston-Salem, Forsyth County,
North Carolina

BEGINNING at an iron stake in the western right-of-way line of N.C. Highway 150 (Peters Creek Parkway), said iron being located in the southern line of Southpark Boulevard (proposed extension); said iron also being located South 2° 44' 00" West 246.60 feet from an existing iron, southeast corner of the property of J.C. Faw described in Deed Book 1423, Page 693, Forsyth County Registry (also the northeast corner of Tax Lot 8R, Block 3856, Forsyth County Tax Maps, and of the property described in Deed Book 1660, Page 2771); an running thence from said point of beginning with the western right of way of N.C. Highway 150, South 2° 44' 00" 180.00 feet to an iron stake; thence North 87° 16' 00" West 209.41 feet to an iron in the eastern line of Oak Crossin Partnership (see Deed Book 1506, Page 1853); thence with the line of said partnership North 0° 01' 20" West 180.21 feet to an iron stake in the southern line of Southpark Boulevard (proposed extension); thence with the southern line of said proposed extension of Southpark Boulevard South 87° 16' 00" East 218.07 feet to the point of beginning, containing 0.883 acres, more or less.

Together with sanitary sewer easement and access easement as created in Declaration of easements and covenants recorded in Book 1834, Page 1816, Forsyth County Registry.

Together with drainage easement as created in Declaration of easements and covenants recorded in Book 1834, Page 1824, Forsyth County Registry.

#526

Exhibit A

Property Located at
2735 Reynolda Road,
Winston-Salem, Forsyth County,
North Carolina

BEGINNING at a R/W monument on the Northern R/W of Reynolda Road on the line between Lots 17 and 18 of Block "B" of Mrs. L.M. Hall as recorded in Plat Book 10, Page 3, thence on the line between said Lots 17 and 18 North 59 degrees 49 minutes 20 seconds East 175.96 feet to an iron, the Northernmost corner of said Lot 17, thence crossing a 12.5 feet alley and following the line between Lots 19 and 20 of Block "E" of Mrs. L.M. Hall as recorded in Plat Book 16, Page 86, North 59 degrees 34 minutes 40 seconds East 86.68 feet to an iron, thence on a new line South 29 degrees 40 minutes 20 seconds East 148.78 feet to an iron on the line between Lots 13 and 14 of said Plat Book 16, Page 86, thence on the line between said lots South 59 degrees 06 minutes 40 seconds West 80.74 feet to an iron, thence crossing the 12.5 feet alley and following the line between Lots 11 and 12 of said Plat Book 10, Page 3 South 59 degrees 26 minutes West 179.26 feet to an iron on the R/W of Reynolda Road, thence with said R/W North 30 degrees 41 minutes West 150.62 to the place of BEGINNING and containing 0.898 acres, more or less.

The above described property lying in Winston Township, Forsyth County, North Carolina is Lots 12-B through 17B, portions of Lots 80 through 85, and Lots 302, and 303 of Tax Block 2254. See Deed Book 707, Page 88, Deed Book 709, Page 263, and Deed Book 1141, Page 1059

TOGETHER WITH:

Those certain easements for access, ingress and egress as contained in that certain Grant of Easement for the City of Winston-Salem to Wendy's International, Inc. dated August 22, 1995 and recorded in the Office of the Register of Deeds of Forsyth County, North Carolina in Book 1902, Page 3045.

UKMT: 19122-1

EK1981 P0198