BK 2115 PG 0762

FORSYTH CO,NC 245 FEE:\$ 14.00 PRESENTED & RECORDED: 05/01/2000 2:58PM DICKIE C. WOOD REGISTER OF DEEDS BY:POINDE

STATE OF NC REAL ESTATE EXTX:6
BK2115 P 762 - P 765

This Instrument Prepared by:

Howard A. Adelstein, Esq. Jones, Day, Reavis & Pogue 77 West Wacker Drive, Suite 3500 Chicago, Illinois 60601-1692

After Recording, Return to:

Steven M. Zuckerman, Esq.
Brandwein Cohen Grossman
and Rosenson, LLC
233 N. Michigan Avenue, Suite 1720
Chicago, Illinois 60601

Tax Lots 3 and 4B in Tax Block 2119

SPECIAL WARRANTY DEED

STATE OF NORTH CAROLINA)
) SS
COUNTY OF FORSYTH)

THIS DEED, made this the day of April, 2000 by SARA LEE SOCK COMPANY, a Delaware corporation, whose principal address is c/o Sara Lee Corporation, Three First National Plaza, Chicago, Illinois 60602-4260 (herein "Grantor"), to NELSON PROPERTIES, LLC, an Illinois limited liability company, whose address is 1849 Trails Edge Drive, Northbrook, Illinois 60062, Attn: Richard Nelson (herein "Grantee");

WITNESSETH, that the Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all those certain premises situated in Forsyth County, North Carolina and more particularly described on Exhibit A attached hereto and made a part hereof by this reference, together with all appurtenant rights, privileges and easements thereunto belonging (all of the foregoing hereinafter referred to as the "Premises").

TO HAVE AND TO HOLD the aforesaid Premises and all privileges and appurtenances thereto belonging to the Grantee in fee simple forever.

And the Grantor covenants with the Grantee, that it is lawfully seized in fee simple of said Premises, that the Premises are free from all encumbrances except as otherwise noted below, that it has a good right to sell and convey the same as aforesaid, that Grantor has done nothing to impair such title as Grantor received, and that it will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, and no other, except for the exceptions hereinafter stated.

Title in the Premises is SUBJECT, HOWEVER, to the items listed on $\underline{\text{Exhibit B}}$ attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Grantor has hereunto 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.

a Delaware corpo	•		
By: \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	, C		(SEAL)
Name:R. Henry Kleeman Its: Vice President			(SEAL)
ATTEST:			
Assistant Secretar	R. O		(SEAL)
	Υ		(SEAL)
(Concorate Seal)			
SEALSTAMP	Henry Kleeman person acknowledged that he Company, a Delaware and as the act of the consigned in its name by its seal and attested by Tr	y of Cook. e County and State aforesaid, certainly came before me this day and is Vice President of Sara Lee Societorporation, and that by authority corporation, the foregoing instruments Vice President, sealed with its cracy Birmingham as its Assistant Sofficial stamp or seal, this 27 to compare the control of the cont	k duly given ent was corporate Secretary.
My commission ex	opires: <u>+/13/62</u>	Notary Public	

STATE OF NC - FORSYTH CO

The foregoing certificate(s) of:

"OFFICIAL SEAL"

NATALIE MILLER

NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 7/13/2002

Is/are certified to be correct at the date of recorration above on the first page thereof.

Dickie C. Wood, Register of Deeds by:

Deputy/Asst

EXHIBIT A

Tax Lot 3 of Block 2119 and a portion of Tax Lot 4B of Block 2119 Southeast side of Burke Street

Lying and being in the Kenersville Township of Forsyth County North Carolina, being known as Tax Lots 3 and a portion of Tax Lot 4B of Tax Block 2119, and beginning at an existing right of way monument located at the intersection of the Northeast right of way of Bodenhamer Street and the Southeast right of way of Burke Street. Said right of way monument being the point of BEGINNING.

Running thence from said right of way monument along a curve to the right at the intersection of the Northeast right of way of Bodenhamer Street and the Southeast right of way of Burke Street with an arc of 30.76', a radius of 25' and a chord with a bearing and distance of N 31°24'09" E 28.85' to an iron found in the Southeast right of way of Burke Street; thence with the Southeast right of way of Burke Street: N 66°28'24" E 139.34' to an iron found in the Southeast right of way of Burke Street: continuing thence with the Southeast right of way of Burke Street N 69°33'40" E 48,98' to an iron found in the Southeast right of way of Burke Street; thence with the Southeast right of way of Burke Street N 69°59'47" E 210.38' to an iron found in the Southeast right of way of Burke Street; thence continuing with the Southeast right of way of Burke Street N 70°48'12" E 243.19' to an iron found in the Southeast right of way of Burke Street; thence leaving the right of way of Burke Street S 34°59'40" E 149.93' to an iron found shared by Tax Lot 4F of Tax Block 2119, Tax Lot 1F of Tax Block 2119, and Tax Lot 4B of Tax Block 2119; thence S 45°48'33" W 391.33' to an iron found in a common line of Tax Lot 2 Block 2119, Tax Lot 1E of Tax Block 2119, and Tax Lot 4B of Tax Block 2119; thence with a common line of Tax Lot 2 of Tax Block 2119 N 33°08'26" W 100.50' to an iron found also being a common corner of Tax Lot 2 and Tax Lot 4B; thence with another common line of Tax Lot 2 S 47°03'52" W 276.87' to an iron found at a common corner with Tax Lot 2 and Tax Lot 4B; thence S 47°03'52" W 5.00' to a point in the Northeast right of way of Bodenhamer Street; thence with the Northeast right of way of Bodenhamer Street N 32°21'38" W 258.61' to anytound in the Northeast right of way of Bodenhamer Street; thence along a curve in the Northeast right of way of Bodenhamer Street with an arc distance of 41.81', a radius of 696.197' and a chord bearing and distance of N 31°17'14" W 41.80' to the right of way monument at the point and place of beginning.

The above described property comains 163,247 square feet (3,7476 Acres) and is known as Tax Lot 3 of Tax Block 2119 and the portion of Tax Lot 4B of Block 2119 located on the Southeast side of Burke Street.

Portion of Tax Lot 4B of Block 2119 North East side of Burke Street

Lying and being in the Kenersville Township of Forsyth County North Carolina and known as a portion of Tax Lot 4B of Tax Block 2119 beginning at an pk nail placed in the East right of way of King Street and the Northwest right of way of Burke Street, said pk nail placed also being known as the point and place of BEGINNING.

Running thence with the East right of way of King Street N 25°30'47" W 49.55' to an iron found in a common corner with Tax Lot 12 of Tax Block 2119 and Tax Lot 4 of Tax Block 2119; thence with the common line of Tax Lot 12 N 65°35'26" E 187.41' to an iron found at the common corner of Tax Lot 12 of Tax Block 2119, Tax Lot 1J of Tax Block 2119 and Tax Lot 4B of Tax Block 2119; thence S 25°48'09" E 58.90' to an iron found in a common line of the Tax Lots 1J and Tax Lot 4B of Tax Block 2119; thence S 25°47'18" E 5.55' to an iron found in the Northwest right of way of Burke Street; thence with the Northwest right of way of Burke Street S 70°07'07" W 188.61' to an iron found at the point and place of Beginning.

The above described property contains 10,687 square feet (0.2453 Acres) and is known as the portion of Tax Lot 4B of Tax Block 2119 that is located on the Northwest side of Burke Street.

The above given descriptions are based on a map prepared by Kale Engineering, titled Boundary Survey For Nelson Properties, LLC, dated 5/1/00, and numbered 2000030.

EXHIBIT B

Permitted Exceptions

- 1. Taxes and dues for the year 2000, and subsequent years, not yet due and payable.
- 2. General and special assessments against the Premises which are not yet due and payable.
- 3. Exceptions to title pertaining to any zoning, rezoning, variance, site plan, concept plan, or use restrictions relating to the Premises.
- 4. Exceptions to title relating to any matters created by, through, or under the acts (or omissions to act) of Grantee, its successors and/or assigns, directors, officers, employees, agents, contractors, licensees, or engineers, or any of them, or any party acting by, through or under any of them, including, without limitation, any acts or omissions in connection with Grantee's investigations of the Premises.
- 5. All easements, road right-of-way agreements, restrictions, and encumbrances of record.
- 6. Right(s) of Way to Southern Public Utilities Company recorded in Book 359, Page 239.
- 7. Temporary construction easement for Bodenhamer Street to State Highway Commission recorded in Book 1020, Page 810.
- 8. Perpetual easement for highway purposes to State Highway Commission recorded in Book 1035, Page 28.
- Title to any portion of the Premises lying within the right of way of Bodenhamer Street, King Street, and Burke Street.