

**2016013476 00145**FORSYTH CO. NC FEE \$26.00  
STATE OF NC REAL ESTATE EXT  
**\$5643.00**

PRESENTED &amp; RECORDED

04/15/2016 02:11:15 PM

**C. NORMAN HOLLEMAN**

REGISTER OF DEEDS

BY: RANDY L SMITH

DPTY

**BK: RE 3281****PG: 38 - 42**Excise Tax: **\$5,643.00**Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of April, 2016  
by \_\_\_\_\_Mail after recording to:  
250 Gibraltar Road  
Horsham, PA 19044  
Attention: Roger BrushPrepared by:  
Skadden, Arps, Slate, Meagher & Flom LLP  
4 Times Square  
New York, NY 10036Brief Description for the Index: Clemmons Town Center**NORTH CAROLINA SPECIAL WARRANTY DEED**THIS DEED made this 14<sup>th</sup> of April, 2016, by and between:**GRANTOR****Gibraltar Commercial IV, LLC,  
a Delaware limited liability company****Grantor's Address:  
c/o Gibraltar Asset Management Services LLC  
250 Gibraltar Road  
Horsham, PA 19044****GRANTEE****GCAM Clemmons LLC,  
a Delaware limited liability company****Grantee's Address:  
250 Gibraltar Road  
Horsham, PA 19044**Submitted electronically by "Nexsen Pruet LLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Forsyth 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 those certain lots or parcels of land situated in Forsyth 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 3071 at Page 1035 and in Book 3160 at Page 3691, in Forsyth County, North Carolina.

All or a portion of the property herein conveyed \_\_\_\_\_ includes or X 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:

1. Ad valorem real property taxes and assessments for the current year and for subsequent years;
2. All valid and enforceable easements, covenants, conditions, liens, encumbrances, restrictions and other agreements of record encumbering the property conveyed hereby and created or conveyed by the Grantor; .
3. All matters that would be disclosed by a recent and accurate survey and/or inspection of the property conveyed hereby; and
4. Zoning, land use, building laws, regulations, ordinances and public rights-of-way.

*[Signature Page Follows]*



**Exhibit A****Legal Description****Parcel 1**

BEING all of Tract 2A (0.920 Acres), Tract 2B (0.812 Acres), Tract 4 (1.064 Acres), Phase II (6.210 Acres) and the 50' Private Access & Utility Easement, all as shown on that certain subdivision plat entitled "Clemmons Village-Phase One Second Revision" recorded in Plat Book 47, 120, Forsyth County Register of Deeds.

LESS AND EXCEPT the Pond Maintenance Easement area containing 0.857 acres and further described as follows: BEGINNING at a point in the 25' Pond Maintenance Private Access Easement; thence N 16 degrees 52' 31" E a distance of 20.44' to a point; thence N 00 degrees 40' 25" E a distance of 4.52' to a point; thence N 00 degrees 40' 25" E a distance of 117.43' to a point; thence N 32 degrees 44' 06" W a distance of 47.53' to a point; thence N 82 degrees 43' 13" W a distance of 73.58' to a point; thence S 46 degrees 23' 52" W a distance of 53.41' to a point; thence S 05 degrees 45' 29" W a distance of 188.56' to a point; thence S 14 degrees 47' 36" E a distance of 45.26' to a point; thence S 75 degrees 03' 46" E a distance of 109.04' to a point; thence N 16 degrees 52' 31" E a distance of 110.25' to a point; which is the point of beginning, having an area of 37,333.52 square feet, 0.857 acres. Being the same property conveyed in Special Warranty Deed dated 1/19/07 and recorded in Book 2727, Page 906, Forsyth County Register of Deeds.

TOGETHER with all right, title and interest in that certain Declaration of Comprehensive Reciprocal Easement and Operation Agreement recorded in Book 2450, Page 1016, Forsyth County Registry, as amended by that First Amendment to Declaration of Comprehensive Reciprocal Easement and Operation Agreement recorded in Book 2512, Page 3035, Forsyth County Registry; and as further amended by that Second Amendment to Declaration of Comprehensive Reciprocal Easement and Operation Agreement recorded in Book 2727, Page 893, Forsyth County Registry.

SAVE AND EXCEPT the 0.079-acre parcel conveyed to Village Pointe, LLC via the deed recorded in Book 3160, Page 3694 of the Forsyth County Register of Deeds. This parcel was a portion of Tract 2A described above.

**Parcel 2**

BEGINNING at a new iron pipe located North 86° 13' 39" East 101.93 feet from an existing iron pipe marking the southwest corner of Tract 2B as shown in Plat Book 47, Page 120 of the Forsyth County Register of Deeds, said new iron pipe being located in the north margin of a future public right of way, and running thence from said BEGINNING point along the south lines of Tract 2B and 2A of Plat Book 47, Page 120 North 86° 13' 39" East 188.41 feet to a new iron pipe in the south line of said Tract 2A; thence along a curve to the right having a radius of 136.50 feet, an arc length of 81.38 feet, and a chord bearing and distance of South 22° 05' 11" West 80.18 feet to a new iron pipe; thence South 39° 09' 57" West 6.06 feet to a new iron pipe in the north margin of the aforementioned future public right of way; thence along said north margin North 50° 50' 03" West 43.61 feet to a new iron pipe, and along a curve to the left having a radius of 175.00 feet, an arc length of 129.33 feet, and a chord bearing and distance of North 72° 00' 19" West 126.40 feet to the point of BEGINNING, containing 0.129 acre, more or less, and being shown as Tract A on a Survey for Village Pointe LLC, dated August 28, 2013, by Sgroi Land Surveying, PLLC.

Parcel 1 and Parcel 2, described above, were conveyed TOGETHER WITH AND SUBJECT TO the Reciprocal Access Easement between Village Point, LLC and Gibraltar Commercial IV, LLC, recorded in Book 3183, Page 3815 of the Forsyth County Registry.

SAVE AND EXCEPT from Parcel 1 and Parcel 2, described above, the property contained in the following instruments:

1. Non-Warranty Deed from Gibraltar Commercial IV LLC to Village Pointe, LLC, recorded in Book 3160, Page 3694 of the Forsyth County Registry;
2. Agreement to Dedicate Streets between Village Pointe, LLC and Gibraltar Commercial IV LLC, recorded in Book 3116, Page 2556 of the Forsyth County Registry, as supplemented by that Agreement recorded in Book 3116, Page 2546 of the Forsyth County Registry;
3. Offer of Dedication of Streets, Roads or Right of Way for Public Uses; Acknowledgement of Acceptance by Village of Clemmons, recorded in Book 3131, Page 425 of the Forsyth County Registry, as amended by the Corrective Affidavit recorded in Book 3132, Page 2657 and the Correction Deed to Dedication of Street recorded in Book 3225, Page 3488 of the Forsyth County Registry;

4. Offer of Dedication of Streets, Roads or Right of Way for Public Uses; Acknowledgment of Acceptance by Village of Clemmons, recorded in Book 3131, Page 418 of the Forsyth County Registry.
5. All portions of the above-described property now owned in fee simple by the State of North Carolina or the Village of Clemmons, used for roadway purposes.