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FORSYTH CO, NC FEE \$26.00

STATE OF NC REAL ESTATE EXTX

\$12480.00

PRESENTED & RECORDED:

11-01-2018 02:19:03 PM

LYNNE JOHNSON

REGISTER OF DEEDS

BY: SYLVIA TILLEY

DPTY

BK: RE 3432

PG: 2470-2477

SPECIAL WARRANTY DEED

NORTH CAROLINA)
FORSYTH COUNTY)

Drafted by: Scott T. Horn, Esq.
Return to: Blanco Tackaberry Box 52

Excise Tax: \$12,480.00

Tax PINs: 6835-24-3428.00 and 6835-24-1591

Street Address: 119 and 0 Brookstown Avenue, Winston-Salem, NC

THIS SPECIAL WARRANTY DEED made this 30th day of October, 2018, by and between:

BROOKSTOWN TOWER, LLC,
a North Carolina limited liability company, (hereinafter "Grantor"),
having an address of P.O. Box 20822, Winston-Salem, NC 27120,
and

DTWS1, LLC,
a North Carolina limited liability company (hereinafter "Grantee"),
having an address of 290 Central Avenue, Lawrence, NY 11559

W I T N E S S E T H:

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

See **Exhibit A** attached hereto and incorporated herein by reference

The property herein conveyed does not include the primary residence of the Grantor.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3350, Page 1853, and Book 3372, Page 1196.

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, but no further, and subject to the exceptions set forth on **Exhibit B** attached hereto and incorporated herein by reference.

Attached hereto and incorporated herein by reference as **Exhibit C** is a current legal description of the property herein conveyed based off of survey entitled "Survey Prepared for DTWS1, LLC" drawn by Thomas A. Riccio and Associates, dated September 21, 2018, said survey being procured by the Grantee in connection with the acquisition of the property hereinabove described. The current survey legal description is attached hereto to provide record notice thereof. The Grantor hereby releases, quitclaims and conveys unto the Grantee any interest the Grantor may have in and to the property as described on **Exhibit C**; provided, however, the Grantor makes no warranty, express or implied, with respect to the title of the property as described on **Exhibit C**.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed in its name by its duly authorized officer on the day and year set forth below.

[SIGNATURE AND ACKNOWLEDGEMENT FOLLOWS]

Signature page to
Special Warranty Deed
by and between
BROOKSTOWN TOWER, LLC
and
DTWS1, LLC

BROOKSTOWN TOWER, LLC

By: Stephen T. Williams Jr. (SEAL)
S. Taylor Williams, Jr., Manager

STATE OF NORTH CAROLINA
COUNTY OF FORSYTH

I certify that the following person(s) personally appeared before me this day, acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: S. Taylor Williams, Jr.

Date: OCT. 30, 2018

ST. T. HORN _____ Notary Public
SCOTT T. HORN _____ Printed Name

My commission expires: 10-6-21

(seal)

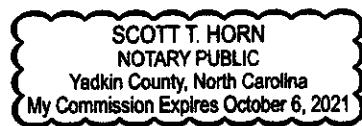


Exhibit A
Legal Description

All that tract or parcel of land lying and being in the City of Winston-Salem, County of Forsyth, State of North Carolina, being more particularly described as follows:

BEGINNING at a point located in the northern right-of-way line of Brookstown Avenue, said point also being located South 82° 47' 30" West 144.0 feet from a point marking the intersection of the western right-of-way line of Liberty Street with the northern right-of-way line of Brookstown Avenue; running thence with the northern right-of-way line of Brookstown Avenue South 82° 47' 30" West 233.0 feet to an existing iron, a corner with the property of Winsalem, Inc. (now or formerly); running thence on an east line with said Winsalem, Inc.; North 07° 59' 30" West 90 feet to a point, a new corner with the property of the City of Winston-Salem; running thence on eight (8) new lines with the property of the City of Winston-Salem as follows: (1) North 82° 00' 30" East 10 feet to a point, (2) North 07° 59' 30" West 20 feet to a point, (3) North 82° 00' 30" East 5 feet to a point, (4) North 07° 59' 30" West 39 feet to a point, (5) North 82° 00' 30" East 10 feet to a point, (6) North 7° 59' 30" West 244.36 feet to a point, (7) North 82° 00' 30" East 5 feet to a point, and (8) North 07° 59' 30" West 4.23 feet to a point; running thence on eleven (11) lines with the property of Salem Plaza, Inc., as follows: (1) North 82° 00' 30" East 37.0 feet to a point, (2) South 07° 59' 30" East 68.0 feet to a point, (3) North 82° 00' 30" East 55 feet to a point, (4) South 07° 59' 30" East 17.8 feet to a point, (5) North 83° 04' 40" East 118.88 feet to a point, (6) South 61° 11' 20" East 6.39 feet to a point, (7) South 07° 59' 30" East 60.94 feet to a point, (8) North 82° 00' 30" East 15.0 feet to a point; (9) South 07° 59' 30" East 116.0 feet to a point, (10) South 82° 00' 30" West 28.0 feet to a point, and (11) South 07° 59' 30" East 132.0 feet to a point, the place of beginning, and containing 1.760 acres, more or less. This description was taken from a plat of survey prepared for One Salem Tower Partnership by Michael E. Gizinski, Registered Land Surveyor, dated April 1987.

AND INCLUDING all of those tracts or parcels of land described and conveyed to One Salem Tower, LLC, by the deed recorded in Deed Book 2579, Page 198, Forsyth County Registry.

TOGETHER WITH perpetual easements heretofore reserved and described as follows: (a) perpetual easements and air rights over, across, and under that portion of the above-described property on which has recently been constructed a new building (known as One Salem Tower), including (without limitation) any and all foundations, caissons, pilings, and improvements located on, below or above the present elevation of the surface of the above-described property and (b) perpetual easements over and across the entire above-described property for pedestrian access (ingress, egress and regress) and entry into and exit from said building and the parking and access areas incidental to the use of said building.

SAVE AND EXCEPT THEREFROM the property known as the "Strollway" which has been conveyed to the City of Winston-Salem (by deed recorded in Book 1606 at page 1969 of the Forsyth County Registry) and described as follows: Beginning at a point in the north right-of-way line of Brookstown Avenue, said point being located at the base of the exterior of a foundation of a building known as One Salem Tower and being South 82° 47' 30" West 287.45

feet from the intersection of the west right-of-way line of Liberty Street with the north right-of-way line of Brookstown Avenue; running thence with said right-of-way line of Brookstown Avenue South $82^{\circ} 47' 30''$ West 13 feet, more or less, to a point at the base of the exterior of a foundation of said building; running thence underneath the building and adjacent to foundation walls within said building the five (5) following courses and distances: (1) North $07^{\circ} 10' 15''$ West 4.48 feet to a point, (2) South $82^{\circ} 49' 45''$ West 6.5 feet to a point, (3) North $07^{\circ} 10' 15''$ West 115 feet to a point, (4) North $82^{\circ} 49' 45''$ East 6.5 feet to a point, and (5) North $07^{\circ} 10' 15''$ West 4.5 feet to a point outside the building and at or near the exterior of a foundation; running thence at or near the exterior of said foundation South $82^{\circ} 49' 45''$ West 8.5 feet to a point; running thence North $07^{\circ} 10' 15''$ West 206.58 feet to a point in a south line of the property of Salem Plaza, Inc.; running thence with such south line of Salem Plaza, Inc., North $82^{\circ} 0' 30''$ East 30 feet to a point; running thence South $07^{\circ} 10' 15''$ East 207 feet to a point at or near the exterior foundation wall of said building; running thence with said foundation wall South $82^{\circ} 49' 45''$ West 8.5 feet to a point; running thence underneath the building and adjacent to foundation walls within the building the five (5) following courses and distances: (1) South $07^{\circ} 10' 15''$ East 4.5 feet to a point, (2) North $82^{\circ} 49' 45''$ East 6.5 feet to a point, (3) South $07^{\circ} 10' 15''$ East 115 feet to a point, (4) South $82^{\circ} 49' 45''$ West 6.5 feet to a point, and (5) South $07^{\circ} 10' 15''$ East 4.47 feet to the point and place of beginning and being a Strollway generally 30 feet in width except to the extent that such Strollway passes beneath said building and then its width narrows to approximately 13 feet at the entry and exit to such Strollway as it passes beneath the building and a width of approximately 26 feet underneath the major portion of said building, as taken from a plat of survey prepared by Michael E. Gizinski dated April, 1987.

AND FURTHER SAVE AND EXCEPT THEREFROM the property described and conveyed to The Children's Museum of Winston-Salem, Inc., by the deed recorded in Deed Book 2579, Page 202, Forsyth County Registry.

EXHIBIT B
Exceptions to Title

1. Taxes and assessments for the year 2018, and subsequent years, not yet due and payable.
2. Zoning ordinances affecting the subject property.
3. Rights of tenants and other in possession, as tenants only.
4. All matters or adverse circumstances affecting title that would be disclosed by a current inspection and accurate and complete survey of the subject property.
5. Easement to the Children's Museum of Winston-Salem, Inc., recorded in Deed Book 2579, Page 205.
6. Rights of others in and to the easement(s) described in the instrument recorded in Deed Book 1606, Page 1969.

EXHIBIT C

lying and being in Forsyth County, North Carolina and being more particularly described as follows:

Tract 1:

BEGINNING at an iron pin being located in the northern right of way line of Brookstown Avenue 60' Public Right-of-Way also being in the eastern line of property owned, now or formerly, by HTBT Properties, LLC (Deed Book 2984, Page 4467); thence North 07 degrees 53 minutes 45 seconds West 89.91 feet to an iron pin in the eastern line of said HTBT; thence the following five (5) courses and distances: (1) North 81 degrees 55 minutes 17 seconds East 9.84 feet; (2) North 07 degrees 55 minutes 27 seconds West 20.01 feet; (3) North 81 degrees 50 minutes 24 seconds East 4.95 feet; (4) North 07 degrees 43 minutes 55 seconds West 38.99 feet and (5) North 81 degrees 57 minutes 06 seconds East 9.83 feet to an existing rod in the eastern line of property owned, now or formerly, by the City of Winston-Salem (Deed Book 1517, Page 1517); thence North 07 degrees 56 minutes 14 seconds West 244.41 feet to an iron pin; thence the following four (4) courses and distances: (1) North 81 degrees 19 minutes 07 seconds East 4.96 feet; (2) North 07 degrees 45 minutes 23 seconds West 4.21 feet; (3) North 82 degrees 09 minutes 37 seconds East 36.72 feet and (4) South 85 degrees 13 minutes 06 seconds East 16.10 feet to an iron pin in the western line of an asphalt strollway; thence on a curve to the right, having a radius of 165.00 feet, an arc length of 53.62 feet and a chord bearing and distance of South 02 degrees 31 minutes 36 seconds West 53.38 feet to a point in the western line of said strollway; thence South 06 degrees 56 minutes 24 seconds East 11.96 feet; thence continuing along the strollway, South 07 degrees 16 minutes 14 seconds East 206.62 feet to a point; thence the following six (6) courses and distances: (1) North 82 degrees 45 minutes 01 seconds East 8.50 feet; (2) South 07 degrees 14 minutes 59 seconds East 4.50 feet; (3) South 82 degrees 44 minutes 01 seconds West 6.50 feet; (4) South 07 degrees 14 minutes 59 seconds East 115 feet; (5) North 82 degrees 45 minutes 01 second East 6.50 feet and (6) South 07 degrees 14 minutes 59 seconds East 4.28 feet to a point in the northern line of Brookstown Avenue; thence South 82 degrees 43 minutes 22 seconds West 76.94 feet to the point and place of BEGINNING, containing 0.49747 acres more or less as shown on that survey entitled, "DTWS1, LLC", drawn by Thomas A. Riccio and Associates, dated September 21, 2018, Drawing number 18283.

Tract 2:

BEGINNING at a point being located in the northern right of way line of Brookstown Avenue 60' Public Right-of-Way and the eastern corner of a strollway; thence the following seven (7) courses and distances: (1) North 07 degrees 14 minutes 59 seconds West 4.28 feet; (2) North 82 degrees 45 minutes 01 seconds East 6.50 feet; (3) North 07 degrees 14 minutes 59 seconds West 115 feet; (4) South 82 degrees 45 minutes 01 seconds West 6.50 feet; (5) North 07 degrees 14 minutes 59 seconds West 4.50 feet; (6) North 82 degrees 45 minutes 01 seconds East 8.50 feet and (7) North 07 degrees 16 minutes 14 seconds West 206.99 feet to an iron pin; thence North 07 degrees 25 minutes 08 seconds West 11.43 feet to a point in a curve to the right, having a radius of 135.00 feet, an arc length of 42.73 feet and a chord bearing and distance of North 02 degrees 15 minutes 47 seconds East 42.55 feet to an iron pin located in the strollway also being located in the western line of property owned, now or formerly, by Children's Museum of WS, Inc. (Deed Book 2148, Page 1024); thence South 61 degrees 14 minutes 43 seconds East 59.89 feet to

a point in the property line of said Children's Museum; thence on a curve to the right having a radius of 46.38 feet, an arc length of 9.88 feet and a chord bearing and distance of South 01 degree 11 minutes 03 seconds East 9.86 feet to a point in the eastern line of said Children's Museum; thence the following nine (9) courses and distances: (1) South 07 degrees 15 minutes 43 seconds East 89.95 feet; (2) North 82 degrees 38 minutes 17 seconds East 89.89 feet; (3) South 07 degrees 57 minutes 23 seconds East 4.53 feet; (4) North 81 degrees 59 minutes 27 seconds East 15 feet; (5) South 08 degrees 00 minutes 33 seconds East 113.0 feet; (6) South 82 degrees 05 minutes 14 seconds West 0.47 feet; (7) South 06 degrees 57 minutes 23 seconds East 101.28 feet; (8) South 82 degrees 50 minutes 37 seconds West 22 feet and (9) South 06 degrees 59 minutes 33 seconds East 30.75 feet to a point in the northern right of way of Brookstown Avenue; thence along the right of way line, South 82 degrees 43 minutes 22 seconds West 146.17 feet to the POINT AND PLACE OF BEGINNING, containing 1.05313 acres more or less as shown on that survey entitled, "DTWS1, LLC", drawn by Thomas A. Riccio and Associates, dated September 21, 2018, Drawing number 18283.

TOGETHER WITH those perpetual easements reserved in Book 1606, Page 1969, Forsyth County Registry, and being more particularly described as follows: (a) perpetual easements and air rights over, across, and under that portion of the above-described property on which has recently been constructed a new building (known as One Salem Tower), including (without limitation) any and all foundations, caissons, pilings, and improvements located on, below or above the present elevation of the surface of the above-described property, and (b) perpetual easements over and across the entire Strollway for pedestrian access (ingress, egress and regress) and entry into and exit from said building and the parking and access areas incidental to the use of said building.