

2023013476 00079

FORSYTH COUNTY NC FEE \$26.00
 STATE OF NC REAL ESTATE EXTX
\$5710.00

PRESENTED & RECORDED

04/26/2023 01:18:09 PM

LYNNE JOHNSON

REGISTER OF DEEDS

BY: CARLA B FLEMING, DPTY

BK: RE 3750

PG: 3654 - 3658

Excise Tax \$5,710.00

Recording Time, Book and Page

Tax Parcel Identifier No. 6824-60-1348

Mail after recording to: Grantee

This instrument was prepared by Kirk Palmer & Thigpen, P.A. (RMT) [NO TITLE
 EXAMINATION PERFORMED OR REQUESTED]

Brief Description for the index

Salisbury Court Apartments

NORTH CAROLINA SPECIAL WARRANTY DEEDTHIS DEED made as of this 26th day of April, 2023 by and between

GRANTOR

GRANTEE

MH CCIG HOLDINGS, LLC,
 a North Carolina limited liability company
 4601 Park Road, Suite 450
 Charlotte, NC 28209

ECA SALISBURY COURT, LLC,
 a Delaware limited liability company
 4208 Pleasant Valley Road
 Raleigh, NC 27612

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.

Submitted electronically by "Brooks Pierce"
 in compliance with North Carolina statutes governing recordable documents
 and the terms of the submitter agreement with the Forsyth County Register of Deeds.

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 Winston-Salem, Forsyth County, North Carolina and more particularly described on Exhibit A attached hereto and incorporated herein by reference.

The property does NOT include the primary residence of at least one of the Grantors. (NCGS §105-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3555, Page 4406.

A map showing the above-described property is recorded in Plat 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 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:

- (i) Zoning ordinances affecting the property;
- (ii) The lien of ad valorem property taxes for the year 2023 and subsequent years not yet due and payable;
- (iii) Additional Permitted Exceptions listed on Exhibit B attached hereto and made a part hereof; and
- (iv) All other valid and enforceable easements, covenants, restrictions and other matters of record.

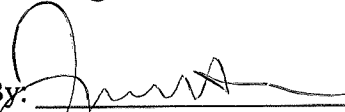
[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its company name by its duly authorized officers and its seal to be hereunto affixed by authority of its Manager, the day and year first above written.

MH CCIG HOLDINGS, LLC,
a North Carolina limited liability company

By: Grubb Fund Management, LLC,
a North Carolina limited liability company,
its Manager

By: Grubb Management, LLC,
a North Carolina limited liability company,
its Manager

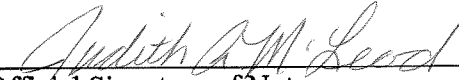
By: 
Name: James M. Hochman
Title: Chief Financial Officer

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: James M. Hochman.

Date: April 21, 2023


Official Signature of Notary

Judith A. McLeod
Notary's printed or typed name, Notary Public
My commission expires: September 14, 2023

(Official Seal)

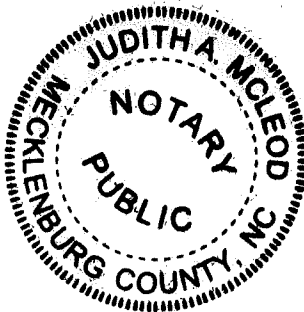


EXHIBIT A

LEGAL DESCRIPTION

BEGINNING at an existing iron pipe within the right-of-way of Old Salisbury Road, said iron pipe being located South 88 deg. 21' 13" West 3.50 feet from a point in the northwest corner of property now or formerly owned by Marie Kimel (Tax Lot 113-B) and in the eastern right-of-way line of Old Salisbury Road; running thence from said beginning point North 00 deg. 40' 34" East 138.39 feet to a point in the southerly right-of-way line of Old Salisbury Court; running thence along the right-of-way of Old Salisbury Court (a) South 88 deg. 56' 16" East 99.58 feet; (b) along a curve to the right having a chord bearing of South 57 deg. 50' 49" East a chord distance of 5.82 feet; (c) along a curve to the left having a chord bearing North 77 deg. 09' 10" East a chord distance of 97.07 feet; (d) North 01 deg. 03' 44" East 50.00 feet to a point; running thence along the southern line of South Bend Townhomes South 88 deg. 56' 16" East approximately 606.43 feet (incorrectly referred to as 818.99 feet in Deed Book 3131, Page 588) to an old existing iron pipe; running thence South 03 deg. 13' 16" West 107.28 feet to an old existing iron pipe; thence South 81 deg. 38' 44" East 119.44 feet to a 12-inch concrete monument found in a branch; thence South 01 deg. 53' 21" East 60.56 feet to a point; thence North 82 deg. 33' 44" West 56.36 feet to a point; thence North 74 deg. 10' 13" West 65.96 feet to a point; thence South 88 deg. 21' 12" West 411.94 feet to a point; thence South 88 deg. 20' 56" West 404.39 feet to an iron pin in the right-of-way line of Old Salisbury Road, the point and place of beginning, in accordance with a survey by Kenneth C. Foster, R.L.S., dated October 9, 1996.

This property has street address 1501 Old Salisbury Road. PIN 6824-60-1348.000

EXHIBIT B

Permitted Exceptions

1. Rights of tenants in possession, as tenants only, under unrecorded leases for a duration of less than three (3) years.
2. Easement(s) and/or right(s) of way to Duke Power Company recorded in Book 1364, page 1160.
3. Easement(s) and/or right(s) to City of Winston-Salem recorded in Book 1353, page 658 (shown on the Survey); Book 1371, page 913 (shown on the Survey); and Book 1623, page 801.
4. Consent to Dedicate Streets and Roads to Public Use recorded in Book 1353, page 1670.
5. Rights of others in and to the continuous and uninterrupted flow of the waters bounding or crossing the Land and riparian and/or littoral rights incident to the Land.
6. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, boundary line overlap or other adverse circumstance affecting the Title regarding the following matters disclosed by survey entitled "ALTA/NSPS LAND TITLE SURVEY FOR: EMERALD CITY ASSOCIATES, LLC" by PETER E. GLUD, P.L.S., dated March 22, 2023, and last revised April 14, 2023.
 - (a) service utilities;
 - (b) sanitary sewer lines and manholes, cleanouts, yard inlets, and sewer pipe is above ground;
 - (c) parking spaces and curb and gutter go into the Access, Utility, and Drainage Easement recorded in Book 1353, page 658 and into 20' Sanitary Sewer & Water Main Easement recorded in Book 1371, page 913;
 - (d) Fence Encroachment;
 - (e) creek;
 - (f) 15', 20', and 25' minimum building setback lines;
 - (g) sign goes into the right of way of Old Salisbury Court