

03/25/97 TUE 15:43 FAX 919 981 4300

MAUPIN TAYLOR 2

BK 1940 P 0725

0002

FORSYTH CO, NC 194 FEE: \$ 12.00
PRESENTED & RECORDED: 03/27/1997 3:24PM
DICKIE C. WOOD REGISTER OF DEEDS BY: GORDON
STATE OF NC REAL ESTATE EXTX: \$ 520.00

Kane Doda

Excise Tax \$520.00

Recording Time, Book and Page

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

Mail after recording to Isaacson & Isaacson, P.O. Box 1888, Greensboro, NC 27402This instrument was prepared by MAUPIN TAYLOR & ELLIS, P.A.

Brief description for the Index

Lot 5, Kernersville Shopping Center
Plat Book 39, Page 136, Forsyth County
Registry.

NORTH CAROLINA SPECIAL WARRANTY DEEDTHIS DEED made this 26th day of March, 1997, by and between

GRANTOR

T&M KERNERSVILLE DEVELOPMENT COMPANY,
L.L.C.,
a North Carolina limited liability company
101 Maynard Crossing Court
Cary, NC 27513

GRANTEE

BV ASSOCIATES I LIMITED PARTNERSHIP, a North
Carolina Limited Partnership
P.O. Box 2600
BURLINGTON, NC
27216

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

BEING all of Lot 5 as shown on a plat entitled "Revised Final Plat for a Portion of Kernersville Shopping Center" recorded in Plat Book 39, Page 136, Forsyth County Registry

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

TO HAVE AND TO HOLD the aforesaid lot or parcel of land, the improvements thereon 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:

See Exhibit A attached hereto and incorporated herein by reference.

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.

T&M KERNERSVILLE DEVELOPMENT COMPANY, L.L.C.
a North Carolina limited liability company (SEAL)

By: Midland Kernersville Development Company,
L.L.C., a North Carolina limited
liability company, Member (SEAL)

By: [Signature] (SEAL)
Name: LEE S. WIELANSKY
Title: Administrative Member

STATE OF MISSOURI
COUNTY OF ST. LOUIS

I, CHRISTOPHER M. BLANTON, Notary Public in and for the said State and County, certify that
LEE S. WIELANSKY, an Administrative Member of Midland Kernersville Development Company, L.L.C., a North Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument as his act and deed and as the act and deed of Midland Kernersville Development Company, L.L.C., and as the act and deed of T&M Kernersville Development Company, L.L.C., in which Midland Kernersville Development Company, L.L.C. is a Member.

WITNESS my hand and notarial seal this the 26th day of March, 1997

[Signature]
Notary Public

My Commission Expires: _____

(NOTARIAL SEAL OR STAMP)

STATE OF NC - FORSYTH CO

The foregoing certificate of Christopher M. Blanton

is certified to be correct this the 27th day of March, 1997
Dickie C. Wood, Register of Deeds by: [Signature]

CHRISTOPHER M BLANTON
Notary Public - Notary Seal
STATE OF MISSOURI
ST. LOUIS COUNTY
MY COMMISSION EXP. JAN. 14, 2000

EXHIBIT A
PERMITTED ENCUMBRANCES

BK1940 P0727

1. Ad valorem taxes for 1997 and subsequent years which are not yet due and payable.
2. Terms and conditions of Declaration of Reciprocal Easements and Restrictions recorded in Book 1868, Page 3681, Forsyth County Registry.
3. Easements to Duke Power Company recorded in Book 478, Page 5; Book 793, Page 301, Forsyth County Registry.
4. Right of way to Department of Transportation recorded in Book 1725, Page 260, Forsyth County Registry.
5. Easement to Town of Kernersville for sewer line recorded in Book 1820, Page 3136, Forsyth County Registry.
6. Terms and conditions of Deed of Easement recorded in Book 1868, Page 3663, Forsyth County Registry.
7. Restrictions, reservation of easements and conditions contained in instrument recorded in Book 1915, Page 2085, Forsyth County Registry.
8. Matters shown on map recorded in Plat Book 39, Page 136, Forsyth County Registry.
9. Lease to The Kroger Co. recorded in Book 1868, Page 3696, Forsyth County Registry.