

FOR REGISTRATION  
J. David Granberry  
REGISTER OF DEEDS  
Mecklenburg County, NC  
2012 JUN 28 03:03:06 PM  
BK: 27454 PG: 434-438  
FEE: \$26.00  
EXCISE TAX: \$31,700.00  
INSTRUMENT # 2012088114  
JONESAW



**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax \$ 31,700.00

Recording Time, Book and Page

Tax Lot No.: 033-01-225

033-01-244

Parcel Identifier No.: \_\_\_\_\_

Verified by Mecklenburg County on the \_\_\_\_ day of, 2012

by \_\_\_\_\_

Mail after recording to: Grantee

This instrument was prepared by: Grantor

Brief description for the Index:

Tract 1 – Coulouk Drive, Charlotte, North Carolina  
Tract 3 – Mt. Holly-Huntersville Road, Charlotte, North Carolina

THIS DEED made as of this 27<sup>th</sup> day of June, 2012, by and between

**GRANTOR**

MOUNTAIN ISLAND (E&A), LLC, a South Carolina limited liability company with an address of:  
c/o EDENS  
1221 Main Street, Suite 1000  
Columbia, South Carolina 29201

**GRANTEE**

Mountain Island Marketplace 1684, LP, a Delaware limited partnership with an address of:  
c/o Kimco Realty Corporation  
3333 New Hyde Park Road, Suite 100  
New Hyde Park, New York 11042

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.

\$31,700

**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 Charlotte, Mecklenburg 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(s) recorded in Book 11564 at Page 61 in the Mecklenburg County, North Carolina, Public Registry (the "Registry").

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, including, without limitation, the following:

1. Grantor's rights as the "Developer" of that certain Declaration of Easements, Covenants, Conditions and Restrictions for Mountain island marketplace Shopping Center recorded in Book 8104, Page 274, of the Mecklenburg County Public Registry, all such rights are hereby assigned by Grantor to Grantee.

And Grantor covenants with 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.

*[Signature on following page]*

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and delivered as of the day and year first above written.

**MOUNTAIN ISLAND (E&A), LLC**, a South Carolina limited liability company

By: Edens Realty, Inc., a South Carolina corporation, its sole member

By: [Signature]  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**JODIE W. MCLEAN**  
PRESIDENT AND  
CHIEF INVESTMENT OFFICER

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: JW McLean

Date: June 26 2012

[Signature]

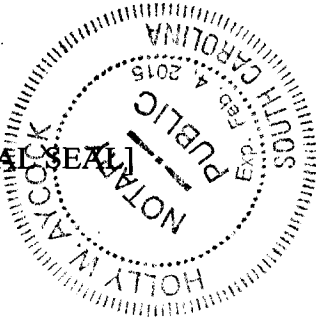
Official Signature of Notary Public

**HOLLY W. AYCOCK**

Notary printed or typed name

My commission expires: 2/4/15

[OFFICIAL SEAL]



## Exhibit A

## Tract 1

Beginning at a 5/8" rebar found located at the intersection of the western right-of-way of Brookshire Blvd. (N.C. Highway 16) and the southern right-of-way of Mt. Holly - Huntersville Road, thence running along the western right-of-way of Brookshire Blvd. (N.C. Highway 16) S 44°01'12" E 392.05 feet to a concrete right-of-way monument found, thence S 43°57'29" E 808.18 feet to a right-of-way disk found at the intersection of the western right-of-way of Brookshire Blvd. (N.C. Highway 16) and the western right-of-way of Interstate 485, thence running along the western right-of-way of Interstate 485, S 41°13'51" W 118.94 feet to a right-of-way disk found, thence running along a curve to the left, having an arc length of 111.18 feet, a radius of 1371.79 feet, a chord bearing and distance of S 39°00'34" W 111.15 feet to a 1/2" rebar found, thence leaving the western right-of-way of Interstate 485, running along the common line of lands owned now or formerly by Mountain Island (E&A) LLC, N 40°33'30" W 183.47 feet to a 1/2" rebar found, thence N 12°05'06" W 105.23 feet to a 1/2" rebar found, thence N 42°24'08" W 202.31 feet to a 1/2" rebar found, thence S 39°05'00" W 660.55 feet to a 1/2" rebar found, thence S 50°56'32" E 116.31 feet to a 1/2" rebar found, thence S 75°34'51" E 446.48 feet to a 1/2" rebar found, located on the western right-of-way of Interstate 485, thence running along the western right-of-way of Interstate 485 along a curve to the left, having an arc length of 47.34 feet, a radius of 1371.79 feet, a chord bearing and distance of S 20°57'24" W 47.33 feet to a right-of-way disk found, thence S 67°22'19" W 189.96 feet to a 1/2" rebar found, thence S 14°01'32" W 208.07 feet to a 5/8" rebar bent found, thence leaving the western right-of-way of Interstate 485, running along the common line of lands owned now or formerly by Mt. Holly-Huntersville Medical II, LLC, N 57°22'03" W 90.65 feet to a 5/8" rebar found, thence N 47°36'38" W 442.69 feet to a 1/2" rebar found, thence N 42°18'39" W 90.08 feet to a 1/2" rebar found, thence running along the common line of lands owned now or formerly by State Employees Credit Union, N 44°05'38" E 105.99 feet to a 1/2" rebar bent found, thence N 45°44'40" W 52.76 feet to a 5/8" rebar found, thence running along the common line of E&A Southeast LP, N 65°32'39" E 62.22 feet to a 5/8" rebar found, thence N 46°56'56" E 73.64 feet to a 1/2" rebar found, thence N 62°51'21" E 152.04 feet to a 1/2" rebar found, thence N 40°14'57" E 73.83 feet to a 1/2" rebar found, thence N 11°39'24" E 60.44 feet to a 5/8" rebar found, thence N 23°20'35" E 71.52 feet to a 5/8" rebar found, thence N 40°21'10" E 125.82 feet to a 5/8" rebar found, thence N 39°01'15" E 158.89 feet to a 1/2" rebar found, thence N 50°10'53" W 410.82 feet to a 1/2" rebar found, thence running along the common line of land owned now or formerly by Lenette Realty & Investment Company, Outparcel "A" as shown in Map Book 26, page 637, N 44°01'32" W 288.52 feet to a 1/2" rebar found located on the southern right-of-way of Mt. Holly - Huntersville Road, thence running along the southern right-of-way of Mt. Holly - Huntersville Road along a curve to the right, having an arc length of 24.17 feet, a radius of 1985.47 feet, a chord bearing and distance of N 41°52'05" E 24.17 feet to a 1/2" rebar found, thence N 53°59'16" E 174.92 feet to a 5/8" rebar found, the point of beginning, containing 9.759 acres or 425,099 square feet, designated as Tract 1 on a plat entitled "ALTA/ACSM Land Title Survey Kimco Carolina Project, Site Name" Mountain Island Market Place, 3540 Mt. Holly - Huntersville Road, Charlotte, NC", dated May 17, 2012,

prepared by R. Scott Barrett, PLS, NC Registration No. L-4513, bearing project no. 201200791-3.

### Tract 3

Beginning at a 1/2" rebar set located on the southern right-of-way of Mt. Holly - Huntersville Road on the common line of lands owned now or formerly by Gray Property 2105 LLC, thence running along the southern right-of-way of Mt. Holly - Huntersville Road, N 67°11'58" E 130.46 feet to a 1/2" rebar set, thence running along the western right-of-way of Couloak Drive along a curve to the right, having an arc length of 55.06 feet, a radius of 30.00 feet, a S 60°24'06" E 47.65 feet to a 1/2" rebar set, thence S 07°18'26" E 17.21 feet to a 5/8" rebar bent found, thence along a curve to the right, having an arc length of 80.13 feet, a radius of 1377.71 feet, a chord bearing and distance of S 05°55'36" E 80.12 feet to a 5/8" rebar bent found, thence S 03°49'20" E 27.06 feet to a 1/2" rebar found, thence along a curve to the left, having an arc length of 71.30 feet, a radius of 831.00 feet, a chord bearing and distance of S 06°36'58" E 71.28 feet to a "x" set in concrete, thence S 13°50'08" E 61.43 feet to a 1/2" rebar set, thence S 16°00'24" E 70.07 feet to a 1/2" rebar set, thence along a curve to the left, having an arc length of 103.98 feet, a radius of 330.00 feet, a chord bearing and distance of S 22°15'19" E 103.55 feet to a 1/2" rebar set, thence S 31°16'55" E 684.26 feet to a 1/2" rebar set, thence running along a curve to the right, having an arc length of 47.70 feet, a radius of 1970.00 feet, a chord bearing and distance of S 30°35'34" E 47.70 feet to a 1/2" rebar set, thence S 29°53'42" E 120.32 feet to a 1/2" rebar set, thence leaving the western right-of-way of Couloak Drive and running along the common line of lands owned now or formerly by Duke Energy Corporation S 68°31'46" W 45.44 feet to a 1/2" rebar found, thence running along the common line of lands owned now or formerly by Gray Property 2105 LLC, N 29°51'12" W 1311.16 feet to a 1/2" rebar, the point of beginning, containing 1.605 acres or 69,934 square feet, designated as Tract 3 on plat entitled "ALTA/ACSM Land Title Survey Kimco Carolina Project, Site Name" Mountain Island Market Place, 3540 Mt. Holly - Huntersville Road, Charlotte, NC", dated May 17, 2012, prepared by R. Scott Barrett, PLS, NC Registration No. L-4513, bearing project no. 201200791-3.