

Deed Book 39115 Pg 430  
Filed and Recorded Jan-03-2005 01:53pm  
2005-0000786  
Real Estate Transfer Tax \$24,500.00  
Juanita Hicks  
Clerk of Superior Court  
Fulton County, Georgia

After recording return to:  
Calloway Title & Escrow, LLC  
Attn: David Dudley 2-(6428)  
4800 Ashford Dunwoody Rd. Ste. 240  
Atlanta, Georgia 30338

STATE OF GEORGIA

COUNTY OF FULTON

THIS DEED, made this 30<sup>TH</sup> day of DECEMBER, 2004, between NORFOLK SOUTHERN RAILWAY COMPANY, a Virginia corporation, successor to the Georgia Air Line Railway Company, the Atlanta and Richmond Air Line Railway Company, Richmond and Danville Railroad Company, the Atlanta and Charlotte Air Line Railway Company and Southern Railway Company, Grantor, party of the first part; and ANSLEY NORTH BELTLINE, LLC, a Georgia limited liability company, ANSLEY SOUTH BELTLINE, LLC, a Georgia limited liability company, PIEDMONT BELTLINE, LLC, a Georgia limited liability company, NORTH AVENUE BELTLINE, LLC, a Georgia limited liability company, CORRIDOR BELTLINE, LLC, a Georgia limited liability company, and CORRIDOR EDGEWOOD, LLC, a Georgia limited liability company, Grantees, parties of the second part:

WITNESSETH:

THAT the said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does, subject to the reservations as hereinafter set forth, grant, bargain, sell and convey unto Ansley North Beltline, LLC, all right,

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GRANTOR FURTHER RESERVES unto itself and its successors and assigns an easement or right of way ten (10) feet wide, being five (5) feet wide on each side of all existing fiber optic communications occupations existing on the property described on Exhibit A as of the date of this deed together with all rents received by Grantor, or its successors and assigns, for the use of this reserved easement or right of way by third parties. Grantor shall cooperate with Grantees, their successors and assigns, if Grantees determine that any portion of the fiber optic cables or conduits require relocation.

The foregoing conveyance is made SUBJECT to all easements, conditions, reservations, leases, licenses and restrictions as may appear of record or be apparent by an inspection or survey of the property described on Exhibit A and affect the property as of October 5, 2004 (the "Permitted Title Exceptions"). However, the Permitted Title Exceptions shall only be deemed permitted exceptions to the extent the same are currently valid, subsisting, and applicable to the property described on Exhibit A. By acceptance of this deed with the above list of Permitted Title Exceptions, Grantee shall not be deemed to have waived, modified or otherwise released any coverages, remedies or recourse available to Grantee under any current or future policy or policies of title insurance, nor shall Grantee be deemed to have acknowledged that such exceptions are currently valid, subsisting and applicable to the property conveyed hereby; but Grantee shall have no recourse whatsoever to Grantor relative to the Permitted Title Exceptions.

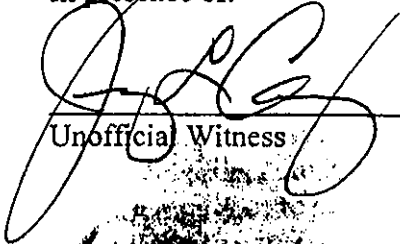
AND the said Grantor for itself, its successors and assigns, will, except as hereinabove provided, warrant and forever defend the right and title to the property described on Exhibit A unto the said Grantees, their successors and assigns, against all persons lawfully claiming, or to claim the same by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, NORFOLK SOUTHERN RAILWAY COMPANY has caused these presents to be executed, and its seal to be hereunto affixed and attested by its officers, thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered

NORFOLK SOUTHERN RAILWAY  
COMPANY  
By

In presence of:

  
\_\_\_\_\_

Unofficial Witness

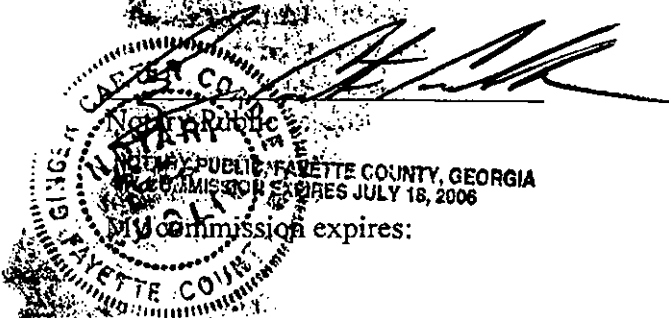


Assistant Vice President - Real Estate

L. S. ATTEST:

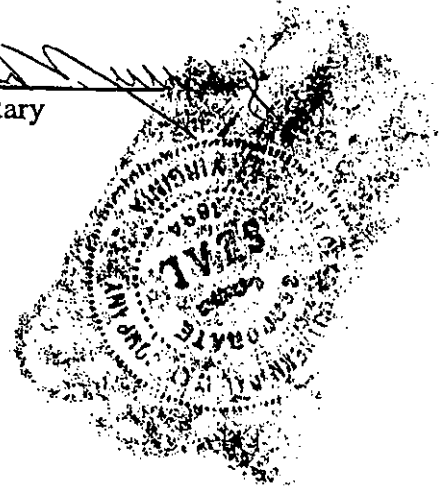
  
\_\_\_\_\_

Assistant Corporate Secretary

  
Notary Public  
FAYETTE COUNTY, GEORGIA  
My commission expires: JULY 18, 2006

This instrument prepared by:

Jerry L. Causey  
Attorney at Law  
Norfolk Southern Corporation  
1200 Peachtree Street, NE  
Atlanta, Georgia 30309





**Parcel 2**  
**Norfolk Southern Railway Company to**  
**Ansley South Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lots 55 and 56 in the 17<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5088+67.5, more or less, said point of beginning also being the centerline of Clear Creek and the point of terminus of Parcel 1;

Thence, along the said original centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of the said centerline for a distance of 858.5 feet, more or less, to a point, said point being the common line between Land Lots 55 and 56 located at Railway Valuation Station 5097+26, more or less;

Thence, continuing along the said original centerline in a general southeasterly direction with a strip of land being 132 feet wide, being 66 feet in width on each side of said centerline a distance of 420 feet, more or less, to the point of terminus, said point being the north line of Piedmont Avenue (Road) located at Railway Valuation Station 5101+46, more or less, and containing 5.21 acres, more or less, and being substantially as shown on Railway Valuation Map V-12a/2, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel being that portion of the property described in Deed Book S, page 381 in the Office of the Clerk of Superior Court of Fulton County lying south of the centerline of Clear Creek and that portion of the property described in a deed from J. J. Thrasher, et al. Georgia Air Line Railway Company dated September 25, 1866 and recorded in Deed Book \_\_\_\_, page \_\_\_\_ in said Clerk's Office which lies north of the north line of Piedmont Avenue (Road).



**Parcel 4**  
**Norfolk Southern Railway Company to**  
**Corridor Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 53 and 54 of the 17<sup>th</sup> District and Land Lot 17 of the 14<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5151+12, more or less, said point of beginning being the west line of Monroe Drive and also being the point of terminus of Parcel 3;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1,166 feet, more or less, to a point, said point being the common line between Land Lots 17 and 53 located at Railway Valuation Station 5162+78, more or less;

Thence, along said centerline in a general southeasterly direction with a strip of land being 100 feet wide, being 50 feet in width on each side of said centerline for a distance of 3,164.9 feet, more or less, to the point of terminus of said strip of land, said point being the common line between Land Lots 17 and 18 located at Railway Valuation Station 5194+42.9, more or less.

Said parcel of land being a portion of that property described in Deed Book M, page 761 and Deed Book 565, page 2 which lies southeast of the northwest line of Monroe Drive, all of that property described in Deed Book M, page 758, Deed Book I, page 176 and Deed Book M, page 757 in the Office of the Clerk of Superior Court of Fulton County

**Also** a strip of land lying on the east side of and adjoining the above-described parcel of land beginning at the south line of Roy Street and ending at the north line of Greenwood Avenue as shown as parcel 5 on Railway Valuation Map V-12a/3.

**LESS AND EXCEPT** the westerly 50 feet wide strip of land lying between the southerly line of Monroe Drive and the common line between Land Lots 53 and 17 located at Railway Valuation Station 5162+78.

Said property being shown on Railway Valuation Maps V-12a/3 and V-12a/4, copies of which are attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.



**Parcel 5**  
**Norfolk Southern Railway Company to**  
**North Avenue Beltline, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 18 in the 14<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline at Railway Valuation Station 5194+42.9, said point of beginning being the common line between Land Lots 17 and 18 and also being the point of terminus of Parcel 4;

Thence, along said centerline in a general southeasterly direction with a strip of land being 200 feet wide, being 100 feet in width on each side of said centerline for a distance of 1602.8 feet, more or less, to a point being at or near the north line of Ralph McGill Boulevard (Forrest Avenue) located at Railway Valuation Station 5210+45.7, more or less:

Thence, continuing along said centerline in a general southerly direction with a strip of land 140 feet wide, being 70 feet in width on each side of said centerline for a distance of 1,070.3 feet, more or less, to a point at Railway Valuation Station 5221+16 and being the point of terminus of said strip of land and being substantially as shown on Railway Valuation Map V-12a/4, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being all of that property described in Deed Book N, page 382, and a portion of that property described in Deed Book N, page 383 and Deed Book S, page 379 in the Office of the Clerk of Superior Court of Fulton County and as acquired by Georgia Air Line Railway Company pursuant to condemnation proceedings against M. E. Dorsey, Executor.





**Parcel 7**  
**Norfolk Southern Railway Company to**  
**Corridor Edgewood, LLC**

All rights, title and interest of Grantor in a parcel of land being a portion of that line of railroad known as the Decatur Street Beltline comprised of land and right of way lying and being in Land Lot 20 in the 14<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

Said parcel of land beginning at a point on the original centerline of said Beltline, said point being at Railway Valuation Station 5261+45, and being 350 feet, more or less north of the north line of Edgewood Avenue as measured along said centerline;

Thence, along said centerline in a general southwesterly direction with a strip of land being 68 feet wide, being 34 feet wide on each side of said centerline for a distance of 410 feet to a point on the south line of Edgewood Avenue located at Railway Valuation Station 5265+55, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline for a distance of 390 feet, more or less, to a point on the northeast line of Airline Street at Railway Valuation Station 5269+45, more or less;

Thence, along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline for a distance of 260 feet, more or less, to the point of terminus, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being substantially as shown on Railway Valuation Map V-12a/5, a copy of which is attached hereto and made a part hereof and on file in the Office of the Archives of Grantor.

Said parcel of land being a portion of that property described in Deed Book M, page 756, Deed Book N, page 141, Deed Book N, page 381 and Deed Book N page 138 and all of that property described in Deed Book N, page 376 in the Office of the Clerk of Superior Court of Fulton County.

Also, that parcel of land labeled parcel 20 on Railroad Valuation Map 12a/5 adjoining and lying east of the above described strip of land conveyed to the Atlanta and Charlotte Air Line Railway Company by deed dated March 14, 1878, and recorded in Deed Book DD, Page 593 in said Clerk's Office.

**Less and except the following parcel of land:**

That parcel of property conveyed by Norfolk Southern Railway Company to Atlanta Metal, Inc. by deed dated October 1, 1998, and shown as parcel 23a on said Railway Valuation Map V-12a/5.





Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 846.7 feet, more or less, to a point, said point being the north line of Highland Avenue located at Railroad Valuation Station 5236+06.7, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1,698.3 feet, more or less, to a point, said point being the north line of Irwin Street or Lake Avenue located at Railroad Valuation Station 5253+05, more or less;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 30 feet wide, being 15 feet in width on each side said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 1,190 feet, more or less, to a point being the north line of Edgewood Avenue located at Railroad Valuation Station 5264+95, more or less, and also being the point of terminus of Parcel 6 on Exhibit A and the point of beginning of Parcel 7 on Exhibit A;

Thence, continuing along said centerline in a general southwesterly direction with a strip of land being 70 feet wide, being 35 feet in width on each side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 450 feet, more or less, to a point on the northeast line of Airline Street at Railway Valuation Station 5269+45, more or less;

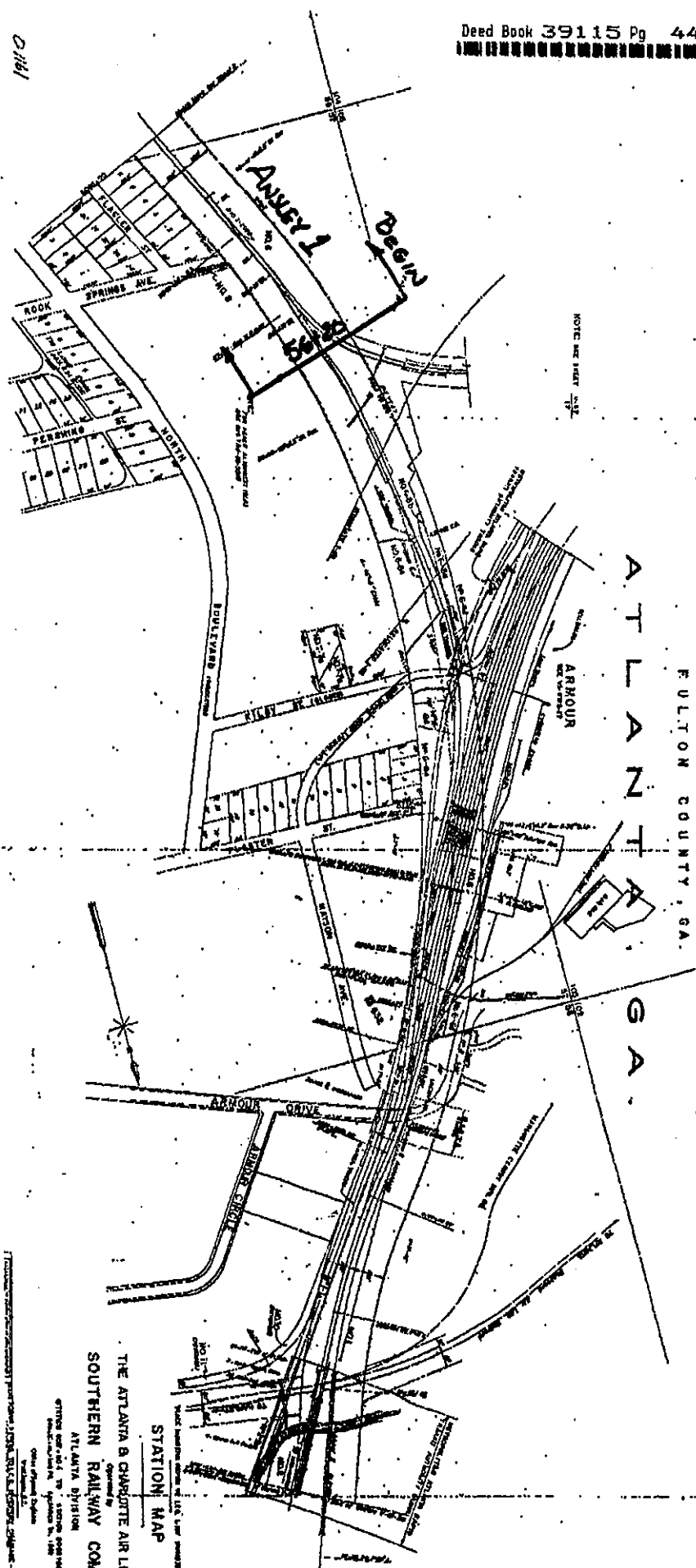
Thence, continuing along said centerline in a general southwesterly direction with a strip of land 40 feet in wide, being 17 feet wide on the north side of said centerline and 23 feet wide on the south side of said centerline and being 23 feet above the top of rail of the railroad track located on the property for a distance of 260 feet, more or less, to the point of terminus of said strip of land, said point being the north line of Decatur Street (DeKalb Avenue), located at Railway Valuation Station 5272+05, more or less, and being the point of terminus of Parcel 7 on Exhibit A and being shown on said Railway Valuation Maps V-12a/1, V-12a/2, V-12a/3, V-12a/4 and V-12a/5, copies of which are attached hereto and made a part hereof.

Grantees agree for themselves and their successors and assigns, as evidenced by the acceptance of the delivery and recordation of this deed that: (a) no railroad tracks or other railroad facilities shall be removed from the easement areas without the written approval of Grantor, or its successors or assigns, and only if authorized by any and all appropriate governmental agencies; (b) no portion of the above-described easement areas will be disturbed without the prior written consent of Grantor, or its successors or assigns; (c) no grade crossings will be constructed by Grantees, or their respective successors, assigns, permittees, lessees or licensees without the consent of Grantor and only after the execution of Grantor's standard grade crossing agreement; (d) no pipelines or wirelines shall be constructed or installed under, over or upon the above-described easement areas

without the prior written consent of the Grantor or its successors or assigns; (e) at the request and/or consent of Grantees, Grantor shall negotiate the joint use of the above-described easement areas, except the easement area over Parcel 1, with an entity qualified to operate rail passenger service, however, Grantor shall not be entitled to compensation for the transfer of said passenger service rights; (f) Grantor shall not negotiate the use of the above-described easement areas, except the easement area over Parcel 1, with any party without the prior written consent of Grantees; and (g) at the request of Grantees, Grantor shall, at no cost to Grantor, file and diligently pursue all appropriate petitions and other documents with the United States Surface Transportation Board and any other agency having jurisdiction for approval or exemption to abandon or discontinue railroad service over the above-described easement areas, except the easement area over Parcel 1.



1911



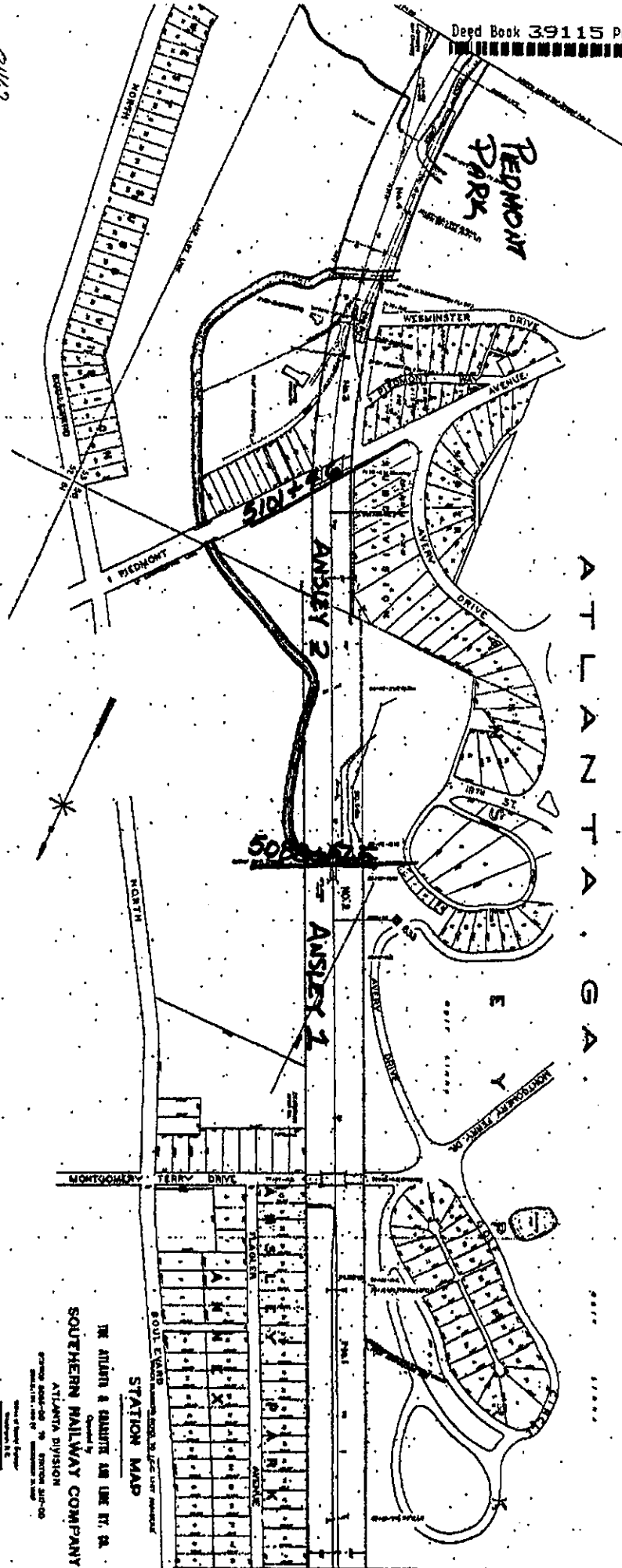
NOTE: SEE MAP 152

FULTON COUNTY, GA.  
ATLANTA  
GA.

STATION MAP  
 THE ATLANTA & CHARLOTTE AIR LINE R.R. CO.  
 Operated by  
 SOUTHERN RAILWAY COMPANY  
 ATLANTA DIVISION  
 OFFICE OF THE GENERAL MANAGER  
 100 N. W. CORNER OF  
 MARKET AND  
 CHURCH STS.  
 ATLANTA, GA.



01162



ATLANTA, GA.

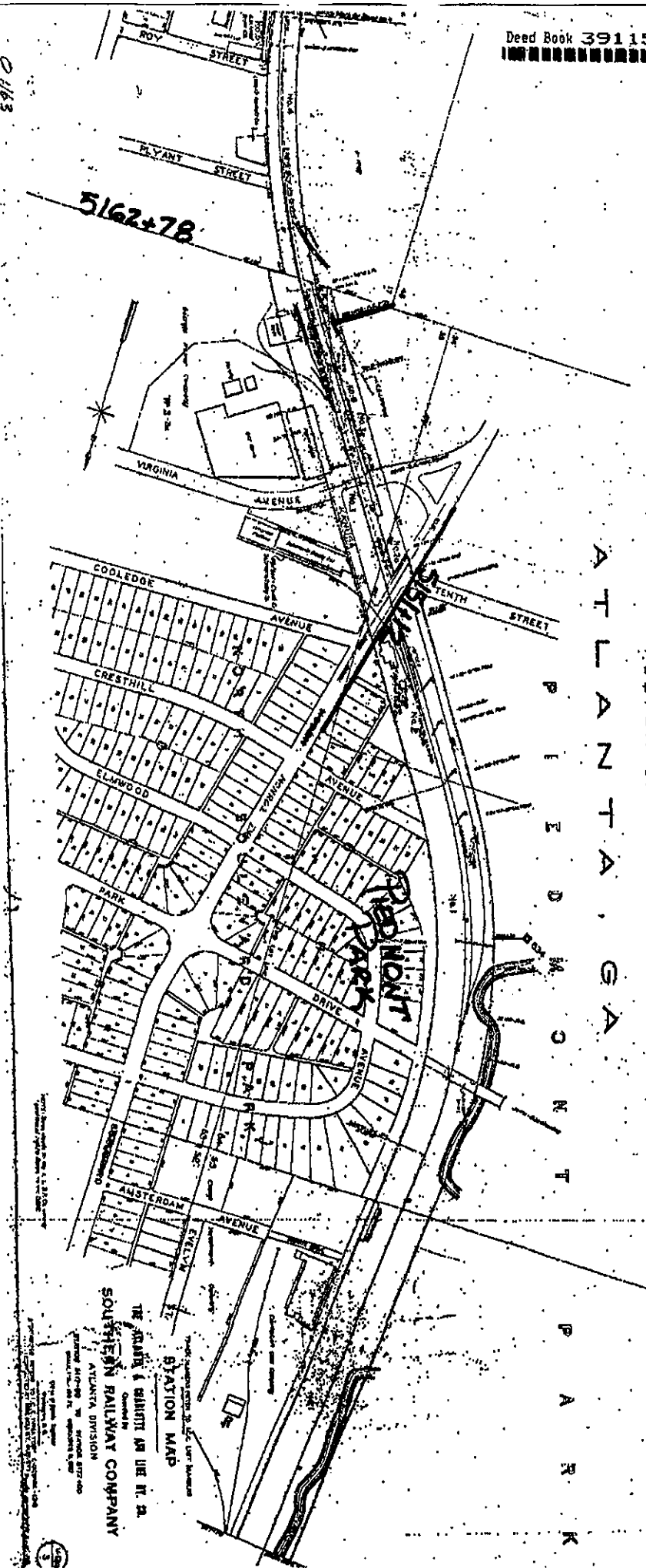
FULTON COUNTY, GA.

STATION MAP  
 THE ATLANTA & COLUMBIA AIR LINE RY. CO.  
 SOUTHERN RAILWAY COMPANY  
 ATLANTA DIVISION  
 FORM 300-100-00  
 REVISED 1-1-00

Copyright 1900 by Southern Railway Company  
 Atlanta, Ga.

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5162+78



ATLANTA, GA.

FULTON COUNTY, GA.

P I E D M O N T

P A R K

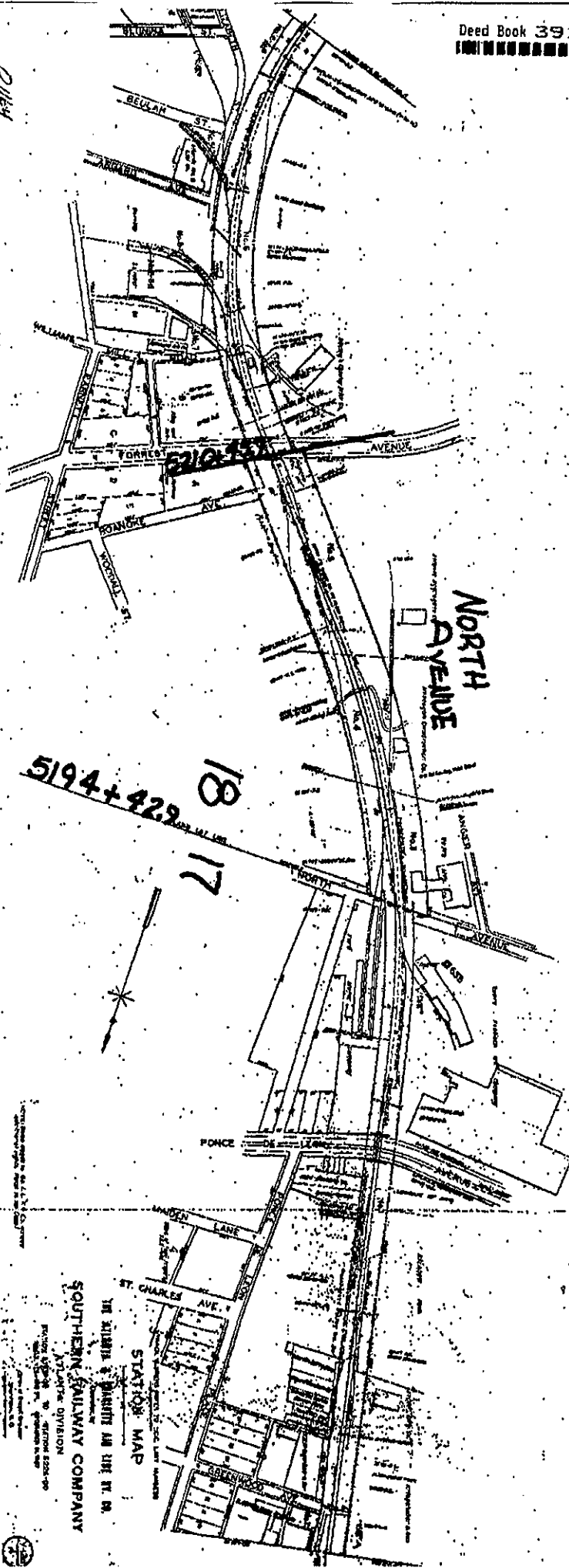
THE ATLANTA & BIRMINGHAM RAILROAD CO.  
 STATION MAP  
 SOUTHERN RAILWAY COMPANY  
 ATLANTA DIVISION

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 Atlanta, Ga.

1914



01/14



ATLANTA, GA.

FULTON COUNTY, GA.

5194+422 18 17

SOUTHERN RAILWAY COMPANY

STATION MAP

ST. CHARLES AVE.

STATION MAP



