

Deed Book 57260 Pg 528
 Filed and Recorded Mar-08-2017 02:13pm
 2017-0048326
 Georgia Intangible Tax Paid \$0.00
Cathelene Robinson
 Clerk of Superior Court
 Fulton County, Georgia

AFTER RECORDING, RETURN TO:

R. Robinson Plowden
 Eversheds Sutherland (US) LLP
 999 Peachtree Street, N.E.
 Suite 2300
 Atlanta, Georgia 30309

After recording return to:
 Calloway Title & Escrow, LLC
David W. Dudley 2-32908
 4170 Ashford Dunwoody Rd. Ste. 525
 Atlanta, Georgia 30319

MEMORANDUM OF PURCHASE AND SALE AGREEMENT

This MEMORANDUM OF PURCHASE AND SALE AGREEMENT ("Memorandum") is executed this 7th day of March, 2017 (the "Effective Date"), by **CRP/NAP EDGEWOOD OWNER, L.L.C.**, (hereinafter referred to as "Seller") and **AIRLINE TRAIL, LLC** (hereinafter referred to as "Purchaser").

Seller and Purchaser have executed that certain Agreement for the Purchase of Real Property dated March 7th, 2017, (the "Agreement"), pursuant to which Seller has granted Purchaser the right to purchase the Retail Property (as defined in the Agreement), which is a portion of that certain property identified and described in **Exhibit "A"** attached hereto and made a part hereof, at the price and under terms and conditions described in the Agreement.

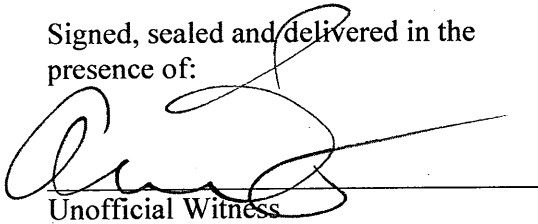
The terms and conditions of the Agreement are incorporated herein by reference. It is understood that the purpose of this Memorandum is to give notice to all parties of the right of Purchaser to purchase the Retail Property pursuant to the terms of the Agreement and the terms thereof, and that all rights, titles, interests and obligations of the parties are to be governed by and subject to the terms of the Agreement.

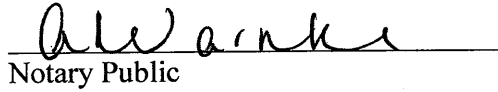
This Memorandum shall automatically terminate and be of no further force or effect upon the earlier to occur of (a) the Closing (as defined in the Agreement); or (b) the termination of the Agreement pursuant to the terms and conditions thereof.

[SIGNATURES BEGIN ON NEXT PAGE]

IN WITNESS WHEREOF, Seller and Purchaser have executed this Memorandum as of the date first above written.

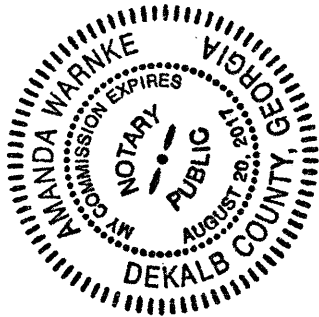
Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public

My Commission Expires: 8/20/17

[NOTARY SEAL]




SELLER:

CRP/NAP EDGEWOOD OWNER, L.L.C.,
a Delaware limited liability company

By: CRP/NAP EDGEWOOD VENTURE,
L.L.C., a Delaware limited liability
company, its sole member


By: CRP Edgewood Member, L.L.C., a
Delaware limited liability company, its
managing member

By:  (SEAL)
Name: Mark C. Taro
Title: Authorized Representative

PURCHASER:

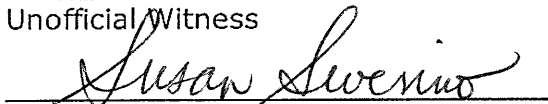
AIRLINE TRAIL, LLC, a Georgia limited liability company

Signed, sealed and delivered in the presence of:



Unofficial Witness

Unofficial Witness



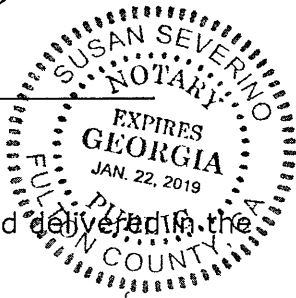
Notary Public

Notary Public


My Commission

Expires: _____

[NOTARY SEAL]

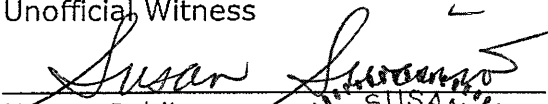


Signed, sealed and delivered in the presence of:



Unofficial Witness

Unofficial Witness



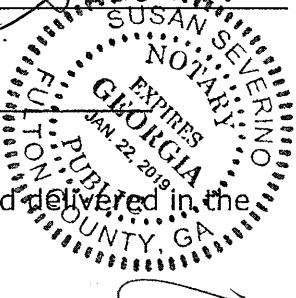
Notary Public

Notary Public


My Commission

Expires: _____

[NOTARY SEAL]

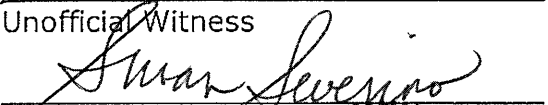


Signed, sealed and delivered in the presence of:



Unofficial Witness

Unofficial Witness



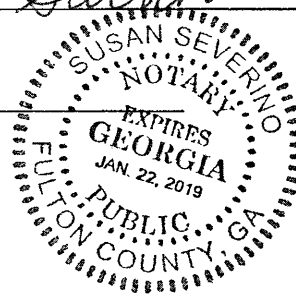
Notary Public

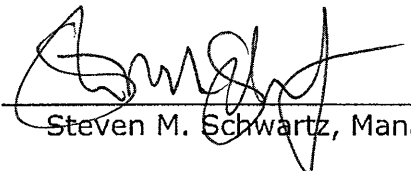
Notary Public

My Commission

Expires: _____

[NOTARY SEAL]

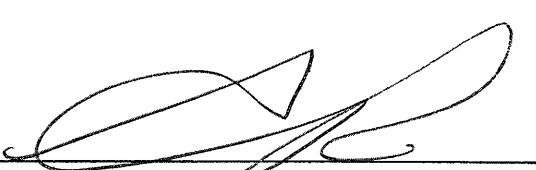


By: 

Steven M. Schwartz, Manager

By: 

Chris Carter, Manager

By: 

Gene Rice, Manager

EXHIBIT A
LEGAL DESCRIPTION

TRACT 1

All that tract or parcel of land lying and being in Land Lot 20 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a scribe found at the intersection of the northerly Right of Way of DeKalb Avenue (Variable R/W) and the easterly Right of Way of Airline Street (40' R/W); thence running along the Right of Way of Airline Street (40' R/W) the following courses: North $13^{\circ} 36' 20''$ West a distance of 69.22 feet to a rebar with cap found; thence North $12^{\circ} 56' 15''$ West a distance of 76.26 feet to a $\frac{1}{2}$ " rebar set; thence North $12^{\circ} 50' 44''$ West a distance of 298.22 feet to a $\frac{1}{2}$ " rebar and cap set on the southerly Right of Way of Edgewood Avenue (Variable R/W); thence running along said Right of Way of Edgewood Avenue the following courses: North $89^{\circ} 52' 06''$ East a distance of 172.38 feet to a point; thence South $01^{\circ} 18' 39''$ West a distance of 1.25 feet to a point; thence running along a curve to the left an arc length of 52.27 feet, (said curve having a radius of 931.00 feet, with a chord bearing of North $89^{\circ} 42' 09''$ East, and a chord length of 52.26 feet) to a point; thence along a curve to the left an arc length of 3.75 feet, (said curve having a radius of 986.26 feet, with a chord bearing of North $18^{\circ} 51' 42''$ East, and a chord length of 3.75 feet) to a $\frac{1}{2}$ " rebar and cap set; thence along a curve to the left an arc length of 50.52 feet, (said curve having a radius of 1008.31 feet, with a chord bearing of North $85^{\circ} 09' 42''$ East, and a chord length of 50.51 feet) to a point at the westerly side of the Atlanta Beltline Trail (20' wide); thence running along said westerly property line of Atlanta Beltline Trail the following courses: along a curve to the left an arc length of 147.12 feet, (said curve having a radius of 180.89 feet, with a chord bearing of South $20^{\circ} 11' 33''$ East, and a chord length of 143.10 feet) to a point; thence South $43^{\circ} 29' 35''$ East a distance of 22.33 feet to a point; thence running along a curve to the right an arc length of 68.99 feet, (said curve having a radius of 122.22 feet, with a chord bearing of South $27^{\circ} 19' 20''$ East, and a chord length of 68.08 feet) to a point; thence South $11^{\circ} 09' 06''$ East a distance of 124.24 feet to a point; thence South $73^{\circ} 07' 45''$ West a distance of 5.03 feet to a point; thence South $11^{\circ} 09' 06''$ East a distance of 16.63 feet to a point on the northerly Right of Way of DeKalb Avenue; thence running along said Right of way along a curve to the left an arc length of 308.06 feet, (said curve having a radius of 13560.50 feet, with a chord bearing of South $73^{\circ} 13' 22''$ West, and a chord length of 308.06 feet) to the TRUE POINT OF BEGINNING. Said tract contains 2.724 Acres (118,660 Square Feet).

TRACT 2

All that tract or parcel of land lying and being in Land Lot 20 of the 14th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

To reach the True Point of Beginning, commence at a scribe found at the intersection of the northerly Right of Way of DeKalb Avenue (Variable R/W) and the easterly Right of Way of Airline Street (40' R/W); thence running along the Right of Way of DeKalb Avenue the following courses: thence running along a curve to the right an arc length of 308.06 feet, (said curve having a radius of 13560.50 feet, with a chord bearing of North 73° 13' 22" East, and a chord length of 308.06 feet) to a point; thence along a curve to the right an arc length of 23.31 feet, (said curve having a radius of 13560.50 feet, with a chord bearing of North 73° 55' 22" East, and a chord length of 23.31 feet) to a scribe found; thence North 75° 40' 25" East a distance of 31.94 feet to a ½" rebar found; thence running along a curve to the right an arc length of 219.53 feet, (said curve having a radius of 13110.84 feet, with a chord bearing of North 74° 19' 22" East, and a chord length of 219.53 feet) to a ½" rebar found; thence leaving said Right of Way and running North 11° 00' 40" West a distance of 21.15 feet to a point lying on the north side of the Atlanta Beltline Trail and the TRUE POINT OF BEGINNING, from point thus established and continuing along said Atlanta Beltline Trail South 74° 14' 06" West a distance of 137.56 feet to a point; thence running along a curve to the right an arc length of 160.34 feet, (said curve having a radius of 97.10 feet, with a chord bearing of North 58° 27' 30" West, and a chord length of 142.74 feet) to a point; thence North 11° 09' 06" West a distance of 13.41 feet to a point; thence running along a curve to the left an arc length of 52.09 feet, (said curve having a radius of 149.22 feet, with a chord bearing of North 21° 09' 08" West, and a chord length of 51.83 feet) to a point; thence North 11° 28' 29" West a distance of 19.03 feet to a point at the end of Gunby Street Right of Way; thence along said Right of Way North 78° 10' 30" East a distance of 30.78 feet to a point; thence running along easterly Right of Way of Gunby Street North 11° 33' 11" West a distance of 57.54 feet to a magnetic nail found; thence North 76° 35' 10" East a distance of 171.83 feet to a magnetic nail found; thence South 10° 57' 19" East a distance of 72.02 feet to a ½" rebar and cap found; thence North 74° 06' 24" East a distance of 49.89 feet to a ½" rebar and cap found; thence South 11° 00' 40" East a distance of 165.99 feet to the TRUE POINT OF BEGINNING. Said tract contains 1.182 Acres (51,487 Square Feet).