

FOR REGISTRATION
 Willie L. Covington
 REGISTER OF DEEDS
 Durham County, NC
 2015 DEC 22 04:29:08 PM
 BK:7845 PG:992-998
 DEED
 FEE: \$26.00
 EXCISE TAX: \$7,932.00
 INSTRUMENT # 2015042366
 SMMARSH



2015042366

Excise Tax \$7,932.00 Recording Time, Book and Page _____
 Tax Lot No. _____ Parcel Identifier No. out of 0737-03-95-9189
 Verified by _____ County on the ____ day of _____, 20____
 by _____

Mail after recording to: Sutherland Asbill & Brennan LLP, 999 Peachtree Street NE, Suite 2300,
 Atlanta, GA 30309, Attn: D. Clayton Howell

This instrument was prepared by: Charles E. Nichols, Jr. of Nichols Law PA (without title
 examination)

Brief description for the Index: Parcel A, Plat Book 195, Page 20, Durham, North Carolina

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 18th day of December, 2015, by and between

GRANTOR

GRANTEE

Davis-Rodwell TMC LLC,
 A North Carolina limited liability company

 8000 Weston Parkway, Suite 360
 Cary, NC 27513

PSREG Davis Owner, LLC,
 a Delaware limited liability company

 One Premier Plaza
 5605 Glenridge Drive, Suite 775
 Atlanta, GA 30342

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 of that certain lot or parcel of land situated in Durham County,
 North Carolina and more particularly described as follows (the "Property"):

See **Exhibit A** attached hereto.

The Property hereinabove described was part of a larger tract acquired by Grantor by instruments recorded in Book 4627, Page 220, Book 4883, Page 28, and Book 5556, Page 566, Durham County Registry.

The Property is not the primary residence of Grantor.

The conveyance of the Property by this Special Warranty Deed is accordance with the terms of that certain Third Amended Chapter 11 Plan filed and entered on August 28, 2014, as confirmed by the Order Confirming Plan of Reorganization filed and entered on August 28, 2014.

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 on **Exhibit B**.

[Signature appears on following page]

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the day and year first above written.

Davis-Rodwell TMC LLC, a North Carolina limited liability company

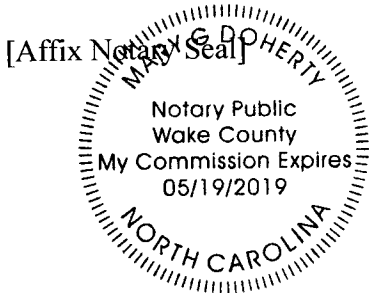
By: *Lucie M. Davis*
Name: *Lucie M. Davis*
Its: *MANAGER*

STATE OF *NORTH CAROLINA* :

COUNTY OF *WAKE* :

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

Date: *December 16, 2015*



Notary Public: *Mary G. Doherty*
Printed Name: *MARY G. DOHERTY*
My Commission Expires: *May 19, 2019*

Exhibit A

Lying and being situate in Durham County, North Carolina, and being more particularly described as follows:

BEING all of Parcel A containing approximately 15.49 net acres as shown on the plat entitled "Exempt Plat: Davis-Rodwell TMC LLC" prepared by Stewart-Proctor, PLLC, dated July 16, 2015, and recorded July 22, 2015 in Plat Book 195, Page 20, Durham County Registry.

TOGETHER WITH those easement rights contained in that Declaration of Easements, Covenants, Conditions and Restrictions recorded in Book 6750, Page 415, Durham County Registry.

TOGETHER WITH that 80' Private R/W Access/Utility Easement shown on that plat recorded in Plat Book 170, Page 176, Durham County Registry.

TOGETHER WITH those beneficial easements contained in that Declaration Regarding Use Restrictions recorded in Book 7845, Page 999, Durham County Registry.

TOGETHER WITH those beneficial easements contained in that Declaration of Master Protective Covenants for Davis Park recorded in Book 7846, Page 1, Durham County Registry.

Exhibit B

1. Taxes or assessments for the year 2015 due or payable, unpaid but not yet delinquent; and taxes or assessments for subsequent years, not yet due or payable.
2. Terms, provisions, options, right of first refusal, covenants, conditions, restrictions, easements, charges, assessments, and liens provided for in instrument filed for record in Book 6750, Page 415, Durham County Registry.
3. Matters affecting Title disclosed by plat(s) recorded in Plat Book 167, Page 67; Plat Book 167, Page 70; Plat Book 170, Page 176; and Plat Book 170, Page 179, all Durham County Registry.
4. The following matters disclosed by survey entitled "Pollack Shores Development, LLC" by Herbert H. Proctor, Jr. PLS of Stewart - Proctor, PLLC, dated October 27, 2014, last revised October 8, 2015:
 - a. Sanitary sewer lines and manholes;
 - b. Drop inlet water service stubs;
 - c. Ponds;
 - d. Underground and overhead electric lines (Plat Book 177, Page 124; Plat Book 195, Page 20), guy wires, electric boxes, and power poles;
 - e. Varying width reinforced concrete pipes;
 - f. 12" CPP slope drain;
 - g. Cable pedestal and telephone box;
 - h. 40' private R/W Access/Utility Easement, also shown on Plat Book 170, Page 176; and Plat Book 195, Page 20; Plat Book 170, Page 176; and Plat Book 170, Page 179);
 - i. 24" DIP (Plat Book 195, Page 20); and
 - j. Merrion Ave. West 80' Private R/W Access/Utility (Plat Book 170, Page 176; Plat Book 195, Page 20; Plat Book 170, Page 179).
5. Rights-of-Way Agreement to Duke Power Company LLC recorded in Book 5296, Page 122, Durham County Registry.
6. Declaration of Right and Privileges recorded in Book 1626, Page 145, Durham County Registry.
7. Ordinances recorded in Book 6001, Page 705; and Book 5463, Page 594, both Durham County Registry.
8. Access/Utility Easement Agreement between Davis Park Group, LLC; Finsbury Property Owners Association, Inc.; and Davis-Rodwell TMC LLC recorded in Book 6948, Page 14, as affected by that Affidavit of Correction recorded in Book 6950, Page 680, both Durham County Registry.

9. Rights of Way to Duke Power Company recorded in Book 1031, Page 1013; Book 1076, Page 503; Book 1760, Page 308, all Durham County Registry.
10. Right of Way to the Department of Transportation recorded in Book 1074, Page 398, Durham County Registry.

11. Deeds of Right of Way to the Department of Transportation recorded in Book 1112, Page 410; Book 1143, Page 837, both Durham County Registry.

12. Deeds of Easement to the Department of Transportation recorded in Book 1797, Page 366; and Book 1797, Page 372, both Durham County Registry.

13. Drainage Easements recorded in Book 1797, Page 370; and Book 4484, Page 232, both Durham County Registry.

14. Terms and Conditions set forth in that Declaration Regarding Use Restrictions recorded in Book ~~7845~~, Page ~~997~~, Durham County Registry, and the rights of others in and to the use thereof. (Fee and Easement Tracts)

15. Terms and conditions set forth in that Declaration of Master Protective Covenants for Davis Park recorded in Book ~~7846~~, Page 1, Durham County Registry, and the rights of others in and to the use thereof. (Fee and Easement Tracts)

THE FOLLOWING EXCEPTIONS APPLY TO THE EASEMENT TRACTS:

16. Taxes or assessments for the year 2015 due or payable, unpaid but not yet delinquent; and taxes or assessments for subsequent years, not yet due or payable.

17. Terms, provisions, options, right of first refusal, covenants, conditions, restrictions, easements, charges, assessments, and liens provided for in instrument(s) filed for record in Book 6750, Page 415, Durham County Registry, and any related maps, plans, bylaws and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

18. Matters affecting title disclosed by plat(s) recorded in Plat Book 36, Pages 26-27; Plat Book 52, Pages 71-72; Plat Book 165, Page 368; Plat Book 166, Page 73; Plat Book 167, Page 67; Plat Book 167, Page 70; Plat Book 169, Page 238; Plat Book 170, Page 176; Plat Book 170, Page 179; Plat Book 175, Page 291; Plat Book 177, Page 124; Plat Book 177, Page 127; and Plat Book 182, Page 122, all Durham County Registry.

19. Rights-of-Way Agreement to Duke Power Company LLC recorded in Book 5296, Page 122 all Durham County Registry.

20. Declaration of Right and Privileges recorded in Book 1626, Page 145, Durham County Registry.
21. Access/Utility Easement Agreement between Davis Park Group, LLC; Finsbury Property Owners Association, Inc.; and Davis-Rodwell TMC LLC recorded in Book 6948, Page 14, as affected by that Affidavit of Correction recorded in Book 6950, Page 680, both Durham County Registry.
22. Temporary Grading and Construction Easement Agreement recorded in Book 6950, Page 692, Durham County Registry.
23. Deed for Highway Right of Way recorded in Book 4562, Page 852, Durham County Registry.
24. Deed for Turnpike Project Right of Way and grant of various easements recorded in Book 6433, Page 476; and Book 6433, Page 480, both Durham County Registry.
25. Deed of Easement to the Department of Transportation recorded in Book 1124, Page 936, Durham County Registry.
26. Matters affecting title recorded in Book 5556, Page 566, Durham County Registry.
27. Matters that would be disclosed by a current inspection and accurate and complete land survey of the Property.