

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2022 Jan 25 04:25 PM
Book: 9597 Page: 336
NC Rev Stamp: \$ 10378.00 Fee: \$ 26.00
Instrument Number: 2022003391
DEED

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Stamps: \$10,378.00

Real Estate IDs #: See Attached Exhibit C

The property herein conveyed is not Grantor's primary residence. (NCGS 105-317.2)

After recording: MAIL TO GRANTEE

This instrument was prepared by: Moore & Alphin, PLLC (without benefit of title search or tax advice)

Brief description for the Index: Lots 1-29, 115-122 & 217-240, Ellis Road Townhomes

THIS DEED is made as of the date set forth in the notary acknowledgment hereon, by and between:

GRANTOR	GRANTEE
<p>ELLIS ROAD RESIDENTIAL TWO LP a North Carolina limited partnership</p>	<p>M/I HOMES OF RALEIGH, LLC a Delaware limited liability company</p>
<p><u>Grantor's Address</u> c/o WEH Associates, Inc. 2900 Linden Lane, Suite 300 Silver Spring, MD 20910</p>	<p><u>Grantee's Address</u> 1511 Sunday Drive, Suite 100 Raleigh, NC 27607</p>

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 and sufficiency of which are hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all those certain lots or parcels of land situated in the City of Durham, Oak Grove Township, Durham County, North Carolina and more particularly described as shown on the attached **Exhibit A**.

Submitted electronically by K&L Gates LLP in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Durham County Register of Deeds.

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 is seized of said real property in fee simple, has the right to convey the same in fee simple, that title is marketable and free of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, through or under Grantor, other than the following exceptions:

- 1) See Exhibits B-1 & B-2

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the 7th day of January, 2022, and delivered as of the date indicated on the first page of this Deed.

ELLIS ROAD RESIDENTIAL TWO LP
a North Carolina limited partnership
By: WEH Associates, Inc., a Florida corporation,
Its General Partner

By: 
Eric Rifkin, Assistant Vice President

State of North Carolina – County of Wake:

I certify that the following person personally appeared before me this day and acknowledged to me that he signed the foregoing document for the purposes stated therein: Eric Rifkin, Assistant Vice President

Date: January 7, 2022

(Stamp or Seal)




Signature of Notary

Printed Name: Kathryn Spring Mattson

My commission expires: January 28, 2025

EXHIBIT A
Legal Description

Tract One:

BEING all those certain tracts or parcels of land designated as **Lots 115, 116, 117, 118, 119, 120, 121 & 122, Ellis Road Townhomes** as shown on plat of survey entitled "Final Plat, Ellis Road Townhomes, **Phases 1 & 2**, Subdivision & Right-of-Way Dedication Plat, Oak Grove Township, City of Durham, Durham County, North Carolina" and recorded in **Plat Book 202, Pages 365-372**, Durham County Registry, which plat is referenced for a more particular description.

Tract Two:

BEING all those certain tracts or parcels of land designated as **Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239 & 240, Ellis Road Townhomes** as shown on plat of survey entitled "Final Plat, Ellis Road Townhomes, **Phases 3 & 4**, Subdivision & Right-of-Way Dedication Plat, Oak Grove Township, City of Durham, Durham County, North Carolina" and recorded in **Plat Book 203, Pages 383 through 392**, Durham County Registry, which plat is referenced for a more particular description.

EXHIBIT B-1
Exceptions Lots 1-29

1. Taxes and assessments for the year 2022 and subsequent years, not yet due and payable.
2. Master Declaration of Covenants, Conditions and Restrictions for Ellis Crossing at the Park recorded in Book 8160, Page 707, Durham County Registry, as amended by Amendments recorded in Book 8235, Page 515; Book 8931, Page 777; Book 8931, Page 783; Book 9025, Page 95; and Book 9297, Page 356, Durham County Registry; and Declarations Withdrawing Real Property recorded in Book 9260, Page 15 and Book 9444, Page 155, and as supplemented in Supplemental Declaration recorded in Book 8575, Page 678, Durham County Registry.
3. City of Durham Annexation Plat recorded in Plat Book 198, Page 177, Durham County Registry.
4. Easements to Duke Power Company recorded in Book 938, Page 806 and Book 1400, Page 668, Durham County Registry.
5. Right of Way Easement to Durham Public Service Company recorded in Book 121, Page 176, Durham County Registry.
6. Stormwater Facility Agreement and Covenants with City of Durham recorded in Book 8870, Page 979, Durham County Registry.
7. Easement to Duke Energy Carolinas, LLC recorded in Book 8877, Page 69, Durham County Registry.
8. Matters affecting Lots 1-29 as shown on Subdivision & Right-of-Way Dedication Plat for Ellis Road Townhomes Phases 3 & 4 recorded in Plat Book 203, Pages 383 through 392, Durham County Registry.
9. Grant of Easement Agreement to Charter Communications LLC d/b/a Spectrum recorded in Book 8920, Page 381, Durham County Registry, as amended and restated by Amended and Restated Grant of Easement Agreements recorded in Book 9013, Page 341 and Book 9014, Page 649, Durham County Registry.
10. Declaration of Covenants, Conditions and Restrictions for Ellis Crossing Townes recorded in Book 8931, Page 787, Durham County Registry, as amended in Book 8975, Page 129, and as supplemented by Supplemental Declaration recorded in Book 9248, Page 950, Durham County Registry.
11. Utility Easement to Public Service Company of North Carolina, Incorporated dba Dominion Energy North Carolina recorded in Book 8955, Page 775, Durham County Registry.

EXHIBIT B-2
Exceptions Lots 115-122 & 217-240

1. Taxes and assessments for the year 2022 and subsequent years, not yet due and payable.
2. Master Declaration of Covenants, Conditions and Restrictions for Ellis Crossing at the Park recorded in Book 8160, Page 707, Durham County Registry, as amended by Amendments recorded in Book 8235, Page 515; Book 8931, Page 777; Book 8931, Page 783; Book 9025, Page 95; and Book 9297, Page 356, Durham County Registry; and Declarations Withdrawing Real Property recorded in Book 9260, Page 15 and Book 9444, Page 155, and as supplemented in Supplemental Declaration recorded in Book 8575, Page 678, Durham County Registry.
3. City of Durham Annexation Plat recorded in Plat Book 198, Page 177, Durham County Registry. (Affects Lots 115-118 of the Phases 1 & 2 Lots and Lots 217-240 of the Phases 3 & 4 Lots).
4. Easements to Duke Power Company recorded in Book 938, Page 806 and Book 1400, Page 668, Durham County Registry. (Affects Lots 217-240 of the Phases 3 & 4 Lots).
5. Right of Way Easement to Durham Public Service Company recorded in Book 121, Page 176, Durham County Registry. (Affects Lots 217-240, Phases 3 & 4 Lots).
6. Stormwater Facility Agreement and Covenants with City of Durham recorded in Book 8870, Page 979, Durham County Registry.
7. Easement to Duke Energy Carolinas, LLC recorded in Book 8877, Page 69, Durham County Registry.
8. Matters affecting Lots 115-122 as shown on Subdivision Plat of Ellis Road Townhomes Phases 1 & 2 recorded in Plat Book 202, Pages 365 through 372, Durham County Registry.
9. Matters affecting Lots 217-240 as shown on Subdivision & Right-of-Way Dedication Plat for Ellis Road Townhomes Phases 3 & 4 recorded in Plat Book 203, Pages 383 through 392, Durham County Registry.
10. Grant of Easement Agreement to Charter Communications LLC d/b/a Spectrum recorded in Book 8920, Page 381, Durham County Registry, as amended and restated by Amended and Restated Grant of Easement Agreements recorded in Book 9013, Page 341 and Book 9014, Page 649, Durham County Registry.
11. Declaration of Covenants, Conditions and Restrictions for Ellis Crossing Townes recorded in Book 8931, Page 787, Durham County Registry, as amended in Book 8975, Page 129, and as supplemented by Supplemental Declaration recorded in Book 9248, Page 950, Durham County Registry.
12. Utility Easement to Public Service Company of North Carolina, Incorporated dba Dominion Energy North Carolina recorded in Book 8955, Page 775, Durham County Registry.

Exhibit C
Real Estate IDs

Lot Number	Parcel ID
1	229136
2	229137
3	229138
4	229139
5	229140
6	229141
7	229142
8	229143
9	229144
10	229145
11	229146
12	229147
13	229148
14	229149
15	229150
16	229151
17	229152
18	229153
19	229154
20	229155
21	229156
22	229157
23	229158
24	229159
25	229160
26	229161
27	229162
28	229163
29	229164
115	227766
116	227767
117	227768
118	227769
119	227770
120	227771
121	227772
122	227773
217	229265
218	229266
219	229267
220	229268
221	229269
222	229270
223	229271
224	229272
225	229273
226	229274
227	229275
228	229276

229	229277
230	229278
231	229279
232	229280
233	229281
234	229282
235	229283
236	229284
237	229285
238	229286
239	229287
240	229288