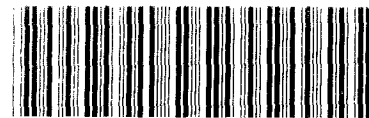


FOR REGISTRATION  
Willie L. Covington  
REGISTER OF DEEDS  
Durham County, NC  
2016 JAN 13 02:18:31 PM  
BK:7856 PG:298-304  
DEED  
FEE:\$26.00  
EXCISE TAX: \$3,000.00  
INSTRUMENT # 2016001094  
SMMARSH



2016001094

**NORTH CAROLINA  
GENERAL WARRANTY DEED**

Excise Tax: **\$3,000.00**

Recording Time, Book and Page:

Tax Map No.

Parcel Identifier No: **0812-15-64-9709; 0812-15-74-2635  
0812-15-64-3890**

Mail after recording to: **Chad W. Essick, Poyner Spruill, PO Box 1801, Raleigh, NC 27602-1801**

This instrument was prepared by: **Anne Page Watson without benefit of title search**

THIS DEED made this 28th day of October, 2015 by and between

**GRANTOR**

**B.H.W., LTD., a North Carolina General Partnership**

**Mailing Address: c/o Anne Page Watson, 3400 Croasdaile Dr. Ste. 205 Durham, NC 27705**

**GRANTEE**

**Capital City Development, Inc., a North Carolina corporation**

**Property Address: 107 S. Lasalle St. (was 2815 Pettigrew St.), Durham, NC 27705**

**Mailing Address: 3930 Durham Chapel Hill Blvd. Durham NC 27707**

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 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 and more particularly described as follows:

**See Exhibit A attached hereto**

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 1368, Page 781, Durham County Registry. See also: DB 1423-816; DB 1426-182

A map showing the above described property is recorded in Plat Book \_\_, Page \_\_, and referenced within this instrument.

Does the above described property include the primary residence (yes/no)? **No**

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 the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

See Exhibit B attached hereto.

See attached signature page

~~IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.~~

\_\_\_\_\_  
(Entity Name)

\_\_\_\_\_  
B.H.W., LTD., a North Carolina General Partnership

(SEAL)

By: \_\_\_\_\_

\_\_\_\_\_

(SEAL)

Title: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

(SEAL)

Title: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(SEAL)

NORTH CAROLINA \_\_\_\_ COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: B.H.W., LTD., a North Carolina General Partnership. Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Print Notary Name: \_\_\_\_\_

NORTH CAROLINA \_\_\_\_ COUNTY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: \_\_\_\_\_, \_\_\_\_\_. Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Print Notary Name: \_\_\_\_\_

IN WITNESS WHEREOF, BHW, LTD. has caused this instrument to be signed in its partnership name by its duly authorized Managing Partner this the 17 day of November, 2015.

BHW, LTD.

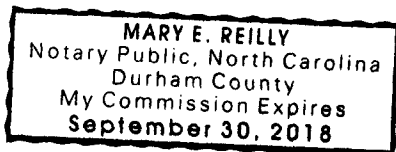
*Russell N. Barringer, Jr.*  
By: ~~Russell N. Barringer, Jr.~~  
Managing Partner

North Carolina  
Durham County

I, *Mary E. Reilly*, a Notary Public of the county and state aforesaid, do hereby certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated <sup>Russell N. Barringer, Jr.</sup> / Managing Partner. Witness my hand and seal this the 17 day of November, 2015.

*Mary E. Reilly*  
Notary Public

My commission expires:  
9-30-2018



**EXHIBIT A****TRACT 1**

ALL THAT PIECE, PARCEL OR TRACT OF LAND LOCATED, LYING, SITUATE IN THE CITY OF DURHAM, DURHAM COUNTY, STATE OF NORTH CAROLINA, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" OPEN TOP PIPE FOUND, LOCATED ON THE EASTERN RIGHT OF WAY OF LASALLE STREET AND THE NORTHERN RIGHT OF WAY OF DURHAM FREEWAY (NC HIGHWAY 147), THENCE RUNNING ALONG THE EASTERN RIGHT OF WAY OF LASALLE STREET, N 01°29'32" E 25.86 FEET TO A "X" FOUND, THENCE LEAVING THE EASTERN RIGHT OF WAY OF LASALLE STREET AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY BUNN PROPERTIES II LLC (LOT A PLAT BOOK 189 PAGE 377) S 73°34'24" E 148.91 FEET TO A POINT, THENCE S 79°19'57" E 33.64 FEET TO A POINT, THENCE S 72°35'43" E 298.56 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY B H W LTD. (LOT D PLAT BOOK 190-217, DEED BOOK 1423-816) S 18°33'03" W 14.98 FEET TO A "X" FOUND, THENCE S 18°24'47" W 25.09 FEET TO 5/8" REBAR FOUND, LOCATED ON THE NORTHERN RIGHT OF WAY OF DURHAM FREEWAY (NC HIGHWAY 147), THENCE RUNNING ALONG SAID NORTHERN RIGHT OF WAY OF DURHAM FREEWAY, THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 274.14 FEET, A RADIUS OF 11,599.15 FEET, A DELTA OF 001°21'15", A CHORD BEARING AND DISTANCE OF N 74°12'22" W 274.13 FEET TO A NAIL FOUND, THENCE N 03°17'40" E 20.61 FEET TO A 3/4" REBAR FOUND CAPPED, THENCE N 73°39'01" W 194.00 FEET TO A 1/2" OPEN TOP PIPE FOUND, THE POINT OF BEGINNING, CONTAINING 0.393 ACRES OR 17,117 SQUARE FEET, MORE OR LESS, DESIGNATED AS "NOW OR FORMERLY B H W LTD., TAX PARCEL 0812-15-64-3890, DEED BOOK 1426-182, LOT B - PLAT BOOK 189-377, TRACT 1 TITLE COMMITMENT, 105 S. LASALLE STREET, DURHAM, NC" ACCORDING TO A PLAT ENTITLED "ALTA/ACSM LAND TITLE SURVEY FOR W PETTIGREW STREET, 105 S LASALLE STREET & 107 S LASALLE STREET & 2719 W. PETTIGREW STREET, DURHAM, NC", DATED 06/01/2015, PREPARED BY R. SCOTT BARRETT, PLS, NC REGISTRATION NO. L-4513, BEARING PROJECT NO. 201500809-001.

**TRACT 2**

ALL THAT PIECE, PARCEL OR TRACT OF LAND LOCATED, LYING, SITUATE IN THE CITY OF DURHAM, DURHAM COUNTY, STATE OF NORTH CAROLINA, BEING DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 1/2" OPEN TOP PIPE FOUND, LOCATED ON THE EASTERN RIGHT OF WAY OF LASALLE STREET AND THE NORTHERN RIGHT OF WAY OF DURHAM FREEWAY (NC HIGHWAY 147), THENCE RUNNING ALONG THE EASTERN LASALLE STREET, N 01°29'32" E 25.86 FEET TO A "X" FOUND, THENCE LEAVING THE EASTERN RIGHT OF WAY OF LASALLE STREET AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY BUNN PROPERTIES II LLC (LOT A PLAT BOOK 189 PAGE 377) S 73°34'24" E 148.91 FEET TO A POINT, THENCE S 79°19'57" E 33.64 FEET TO A POINT, THENCE S 72°35'43" E 298.56 FEET TO A 1" OPEN TOP PIPE FOUND, THE POINT OF BEGINNING, THENCE RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY CHARLITO HOLDINGS LLC (LOT C - PLAT BOOK 190-217, DEED BOOK 7536-903) S 72°47'36" E 42.99 FEET TO A 1" OPEN TOP PIPE

FOUND, THENCE N 36°50'20" E 23.33 TO A 1" OPEN TOP PIPE FOUND, THENCE N 60°22'11" E 25.29 FEET TO A NAIL FOUND, THENCE N 17°12'43" E 31.06 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE S 71°54'38" E 83.38 FEET TO A MAG NAIL FOUND, THENCE N 18°24'05" E 150.82 FEET TO A "X" FOUND, LOCATED ON THE SOUTHERN RIGHT OF WAY OF SOUTHERN RAILROAD (200' TOTAL WIDTH) AND W. PETTIGREW STREET (RIGHT OF WAY WITHIN SOUTHERN RAILROAD RIGHT OF WAY), THENCE RUNNING ALONG SAID RIGHT OF WAY OF SOUTHERN RAILROAD AND W. PETTIGREW STREET, S 72°13'22" E 329.19 FEET TO A 3/4" OPEN TOP PIPE FOUND, THENCE LEAVING SAID RIGHT-OF-WAY OF SOUTHERN RAILROAD AND W. PETTIGREW STREET AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY WEST DURHAM KNIGHTS OF PYTHIAS LODGE #130 (DEED BOOK 325 PAGE 596), S 18°31'44" W 81.20 FEET TO A 3/4" OPEN TOP PIPE FOUND, THENCE RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY B H W LTD. (PLAT BOOK 114-84, DEED BOOK 1368-781) S 18°22'20" W 180.66 FEET TO A 1/2" OPEN TOP PIPE FOUND, LOCATED ON THE NORTHERN RIGHT OF WAY OF DURHAM FREEWAY (NC HIGHWAY 147), THENCE RUNNING ALONG SAID NORTHERN RIGHT OF WAY OF DURHAM FREEWAY, ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 329.16 FEET, A RADIUS OF 11,599.15 FEET, A DELTA OF 001°37'33", A CHORD BEARING AND DISTANCE OF N 71°56'23" W 329.15 FEET TO A 5/8" REBAR FOUND, THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 150.05 FEET, A RADIUS OF 15,599.15 FEET, A DELTA OF 000°33'04", A CHORD BEARING AND DISTANCE OF N 73°07'31" W 150.05 FEET TO A 5/8" REBAR FOUND, THENCE LEAVING THE NORTHERN RIGHT OF WAY OF SAID DURHAM FREEWAY AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY B H W LTD. (LOT B - PLAT BOOK 189-377, DEED BOOK 1426-182) N 18°24'47" E 25.09 FEET TO A "X" FOUND, THENCE N 18°33'03" E 14.98 FEET TO THE POINT OF BEGINNING, CONTAINING 2.251 ACRES OR 98,055 SQUARE FEET, MORE OR LESS, DESIGNATED AS "NOW OR FORMERLY B H W LTD., TAX PARCEL 0812-15-64-9709, DEED BOOK 1423-816, LOT D - PLAT BOOK 190-217, TRACT 2 TITLE COMMITMENT, 2815 W. PETTIGREW STREET, DURHAM, NC" ACCORDING TO A PLAT ENTITLED "ALTA/ACSM LAND TITLE SURVEY FOR W PETTIGREW STREET, 105 S LASALLE STREET & 107 S LASALLE STREET & 2719 W. PETTIGREW STREET, DURHAM, NC", DATED 06/01/2015, PREPARED BY R. SCOTT BARRETT, PLS, NC REGISTRATION NO. L-4513, BEARING PROJECT NO. 201500809-001.

### **TRACT 3**

ALL THAT PIECE, PARCEL OR TRACT OF LAND LOCATED, LYING, SITUATE IN THE CITY OF DURHAM, DURHAM COUNTY, STATE OF NORTH CAROLINA, BEING DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE BEGINNING AT A 1/2" OPEN TOP PIPE FOUND, LOCATED ON THE EASTERN RIGHT OF WAY OF LASALLE STREET AND THE NORTHERN RIGHT OF WAY OF DURHAM FREEWAY (NC HIGHWAY 147), THENCE RUNNING ALONG THE EASTERN RIGHT OF WAY LASALLE STREET, N 01°29'32" E 25.86 FEET TO A "X" FOUND, THENCE LEAVING THE EASTERN RIGHT OF WAY OF LASALLE STREET AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY BUNN PROPERTIES LLC (LOT A PLAT BOOK 189 PAGE 377) S 73°34'24" E 148.91 FEET TO A POINT, THENCE S 79°19'57" E 33.64 FEET TO A POINT, THENCE S 72°35'43" E 298.56 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE S 72°47'36" E 42.99 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE N 36°50'20" E 23.33 TO A 1" OPEN TOP PIPE FOUND, THENCE N 60°22'11" E 25.29 FEET TO A NAIL FOUND, THENCE N 17°12'43" E 31.06 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE S 71°54'38" E 83.38 FEET TO A MAG NAIL FOUND,

THENCE N 18°24'05" E 150.82 FEET TO A "X" FOUND, LOCATED ON THE SOUTHERN RIGHT OF WAY OF SOUTHERN RAILROAD (200' TOTAL WIDTH) AND W. PETTIGREW STREET (RIGHT OF WAY WITHIN SOUTHERN RAILROAD RIGHT OF WAY), THENCE RUNNING ALONG SAID RIGHT OF WAY OF SOUTHERN RAILROAD AND W. PETTIGREW STREET, S 72°13'22" E 329.19 FEET TO A 3/4" OPEN TOP PIPE FOUND, THENCE LEAVING SAID RIGHT-OF-WAY OF SOUTHERN RAILROAD AND W. PETTIGREW STREET AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY WEST DURHAM KNIGHTS OF PYTHIAS LODGE #130 (DEED BOOK 325 PAGE 596), S 18°31'44" W 81.20 FEET TO A 3/4" OPEN TOP PIPE FOUND, THE POINT OF BEGINNING, THENCE RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY WEST DURHAM KNIGHTS OF PYTHIAS LODGE #130 (DEED BOOK 325-596) S 57°50'15" E 136.63 FEET TO A 3/4" OPEN TOP PIPE FOUND, THENCE S 11°10'30" W 34.46 FEET TO A 3/4" OPEN TOP PIPE FOUND, THENCE S 56°35'34" E 290.84 FEET TO A 1/2" REBAR SET, THENCE RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY NEW BETHEL BAPTIST CHURCH CEMETERY (DEED BOOK 1386 PAGE 481), S 17°11'59" W 48.64 FEET TO A 3/4" REBAR FOUND CAPPED, LOCATED ON THE NORTHERN RIGHT OF WAY OF DURHAM FREEWAY (NC HIGHWAY 147), THENCE RUNNING ALONG SAID RIGHT OF WAY OF DURHAM FREEWAY, ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 419.03 FEET, A RADIUS OF 11,599.15 FEET, A DELTA OF 002°04'12", A CHORD BEARING AND DISTANCE OF N 70°14'12" W 419.01 FEET TO A 1/2" OPEN TOP PIPE FOUND, THENCE LEAVING THE NORTHERN RIGHT OF WAY OF SAID DURHAM FREEWAY AND RUNNING ALONG THE COMMON LINE OF PROPERTY OWNED NOW OR FORMERLY BY B H W LTD. (LOT D - PLAT BOOK 190-217, DEED BOOK 1423-816) N 18°22'20" E 180.66 FEET TO A 3/4" OPEN TOP FOUND, POINT OF BEGINNING, CONTAINING 1.042 ACRES OR 45,391 SQUARE FEET, MORE OR LESS, DESIGNATED AS "NOW OR FORMERLY B H W LTD., TAX PARCEL 0812-15-74-2635, DEED BOOK 1368-781, PLAT BOOK 114-84, TRACT 3 TITLE COMMITMENT, 2719 W. PETTIGREW STREET, DURHAM, NC" ACCORDING TO A PLAT ENTITLED "ALTA/ACSM LAND TITLE SURVEY FOR W PETTIGREW STREET, 105 S LASALLE STREET & 107 S. LASALLE STREET & 2719 W. PETTIGREW STREET, DURHAM, NC", DATED 06/01/2015, PREPARED BY R. SCOTT BARRETT, PLS, NC REGISTRATION NO. L-4513, BEARING PROJECT NO. 201500809-001.

**EXHIBIT B**  
**ATTACHED TO GENERAL WARRANTY DEED**  
**FROM B.H.W., LTD.**  
**TO**  
**CAPITAL CITY DEVELOPMENT, INC.**

**PERMITTED EXCEPTIONS**

1. Taxes for the year 2016 and subsequent years, not yet due and payable.
2. Declaration of Joint Driveway Easement and Maintenance Agreement recorded in Book 6992, Page 473, Durham County Registry, and Administrative Notice of Correction recorded in Book 7467, Page 435, Durham County Registry, and as shown on survey by R. Scott Barrett, dated June 1, 2015.
3. Declaration of Easements recorded in Book 7679, Page 153, Durham County Registry, and as shown on survey by R. Scott Barrett, dated June 1, 2015.
4. Easement(s), Right(s) of way, and/or Permit(s) to Duke Energy (fka Duke Power Company) as recorded in Book 1423, Page 167 and Book 1292, Page 615, Durham County Registry.
5. Easement(s), Right(s) of way, and/or Permit(s) to the City of Durham as recorded in Book 1566, Page 805, Durham County Registry.
6. Declaration of Rights and Privileges of the City of Durham in Certain Sanitary Sewer Easements as recorded in Book 1223, Page 239, Durham County Registry, and as shown on survey by R. Scott Barrett, dated June 1, 2015. (Tract 1).
7. Easements, setback lines and any other matters shown on plat recorded in Plat Book 194, Page 64, Durham County Registry. (Tracts 1& 2)
8. Easements, setback lines and any other matters shown on plat recorded in Plat Book 108, Page 181; Plat Book 119, Page 130; Plat Book 122, Page 43; Plat Book 189, Page 377; Plat Book 190, Page 217 and Plat Book 194, Page 64, Durham County Registry.
9. Easement(s), Right(s) of way, and/or Permit(s) to General Telephone and Telegraph Company of the South as recorded in Book 1297, Page 217, Durham County Registry.
10. Private Water and Sewer Maintenance Agreement recorded in Book 7815, Page 45, Durham County Registry and re-recorded in Book 7835, Page 361, Durham County Registry.