



DML

20130617000145610 DEED
Bk:RB5630 Pg:87
06/17/2013 12:59:19 PM 1/5

FILED Deborah B. Brooks
Register of Deeds, Orange Co., NC
Recording Fee: \$26.00
NC Real Estate TX: \$1900.00

DB

Prepared by: Frank A. Longest, Jr.
Holt, Longest, Wall, Blaetz & Moseley, P.L.L.C.
3453 Forestdale Drive, Burlington, NC 27215
Mail To: Grantee: 4808 Chin Page Road, Durham, NC 27703
Any delinquent taxes to be paid by closing attorney upon disbursement of closing proceeds.

Revenue Stamps: \$1900.00

DEED

This Deed made this 9th day of May, 2013 by

Sellers Properties, Inc. f/k/a Sellers Hosiery, Inc., a North Carolina corporation, Post Office Box 1028, Burlington, NC 27216

hereinafter called Grantor, to **Goodwill Community Foundation, Inc.**, a North Carolina corporation, 4808 Chin Page Road, Durham, NC 27703

hereinafter called Grantee.

The designations Grantor and Grantee as used herein shall include singular, plural, masculine, feminine, or neuter as required by the context.

WITNESSETH: That the Grantor, in consideration of \$10.00 and other valuable consideration to it paid by the Grantee, the receipt of which is acknowledged, has bargained and sold, and by these presents does bargain, sell and convey to the Grantee, its successors and assigns, all of the following described real property:

All that certain tract or parcel of land situated in the City of Chapel Hill, Orange County, North Carolina, and being more particularly described as follows:

PIN: 9980-45-06540B

BEING that tract of land consisting of approximately 1.013 acres labeled as "New Lot 3 (including New Sellers Tract) as shown on that survey entitled "Lot 3 & Timberlyne Village Shopping Center: Recombination, Right-of-Way & Easement Plat" recorded in Plat Book 108, Pages 103-104, Orange County Registry.

The above property is conveyed subject to any restrictions, easements and rights-of-way, including without limitation, proposed temporary construction easements, permanent easements for sewer and utility easements, sidewalk easements, sewer easements, waterline easements, all as shown on and hereby referenced to plat recorded in Plat Book 108 at Page 104 of the Orange County Registry; a Memorandum of Swap Agreement dated October 11, 2010, as recorded in Book 5052 at Page 342 of the Orange County Registry; applicable zoning regulations and codes for the Town of Chapel Hill, requirements for private sewer service to subject lot by connection with OWASA, applicable setback requirements and any applicable governmental regulations and codes affecting the improvements to be erected on subject property; access thereto by means of non-public rights-of-way and driveways; any applicable Lake Jordan buffer authorization certificate or mitigation plan approval; any storm water impact requirements as proposed by any governmental regulatory agency or authority; and 2013 ad valorem property tax liens with the Grantor paying its pro rata part at the time of closing with the Grantee herein agreeing to assume and to pay the balance of said ad valorem property taxes on or before the due date without incurring penalty or interest.

Together with the Grantor's rights pursuant to an Access Easement Agreement with Chapel Hill (Timberlyne), LLC, for a perpetual, non-exclusive easement of ingress, egress and regress over and across two strips of land described on Exhibit "A" attached hereto and shown on Exhibit "B" as "New 24 Foot Ingress and Egress Easement" and "New 28 Foot Ingress and Egress Easement" ("Additional Access Easement Areas") for pedestrian, vehicular, automobile and other means of access, ingress, egress and



regress; a Private Sanitary Sewer Easement Agreement with Chapel Hill (Timberlyne), LLC, a sanitary sewer easement which includes the right, privilege and perpetual easement to go in and upon that area described as "New 30 Foot Private Sanitary Sewer Easement" to replace terminated 30 foot OWASA public sanitary sewer easement recorded in Deed Book 5150 at Page 45 of the Orange County Registry on the sanitary sewer easement area as shown on attached Exhibit "C" to construct, alter, maintain, replace, repair, inspect or remove within such sanitary sewer easement area one or more lines of pipe and manholes for the purpose of transmitting sewage, together with the right to construct and maintain within such Sanitary Sewer Easement Area such mains and manholes as shall be necessary in connection with the proper construction and operation of such sewage line, and together with the non-exclusive parking space easement for the benefit of subject lot for an area consisting of 49,073 square feet as more particularly shown in Plat Book 108 at Page 104 of the Orange County Registry.

The purpose and intent of this instrument is for the Grantor to affect a like-kind exchange pursuant to Section 1031 of the Internal Revenue Code of 1986, as amended, and Investors Title Exchange has been appointed by the Grantor to serve and act as a Tax Intermediary on behalf of the Grantor with regard to the above described property.

The above property was conveyed to the Grantor by _____ See Book No. _____ Page _____
 TO HAVE AND TO HOLD said real property, with all privileges and appurtenances thereunto belonging, to the said Grantee, its successors, and assigns forever.

The Grantor covenants it is seized of said real property in fee, and has the right to convey the same in fee simple; that the same is free from all encumbrances (with any exceptions above stated); and that they will warrant and defend the title to same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals, or if corporate, have caused this Deed to be signed in its corporate name by its duly authorized officer by authority of its Board of Directors, the day and year first above written.

Sellers Properties, Inc.

By: Elizabeth S. Stanfill (SEAL)
 Elizabeth S. Stanfill, President

STATE OF NORTH CAROLINA, COUNTY OF Alamance
 I, Nancy T. Crowder, a Notary Public for Alamance County, North Carolina, do hereby certify that Elizabeth S. Stanfill personally came before me this day and acknowledged that she is President of Sellers Properties, Inc., a corporation, and that she, as President, being authorized to do so, executed the foregoing Deed on behalf of the corporation.

Witness my hands and official seal, this 9th day of May, 2013.

Nancy T. Crowder Notary Public

My Commission Expires: April 10, 2015

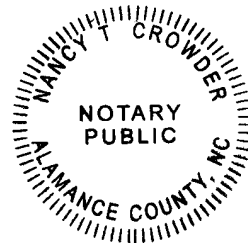




EXHIBIT A

Additional Access Easements

24' Ingress / Egress Easement: Lying and being in Chapel Hill Township, Orange County, North Carolina and being more particularly described as follows:

Commencing at a point, said point being an existing iron pipe at the southeast corner of the Wachovia Bank & Trust tract as recorded in Deed Book 622, Page 283 in the Orange County registry, said point being located S27°17'32"E, 8,518.31 feet from NCGS Monument "Green" and having North Carolina State Plane coordinates of N=805,561.33 and E=1,983,836.17; Thence, along eastern line of said Wachovia tract N01°03'32"E, 145.48 feet to an existing aluminum right-of-way monument; Thence, S89°04'54"E, 77.96 feet to an existing aluminum right-of-way monument; Thence, S00°59'35"W, 145.71 feet to a point, said point being the southwest corner of the Sellers Properties, Inc. tract as recorded in Deed Book 5150, Page 1 in the Orange County registry; Thence, along southern line of said Sellers tract S88°54'36"E, 34.23 feet to the Place and Point of Beginning; Thence, continuing along southern line of said Sellers tract S88°54'36"E, 24.00 feet to a point; Thence, leaving southern line of said Sellers tract S01°04'00"W, 5.00 feet to a point, said point being on the northern line of an existing 33 foot Ingress/Egress easement as recorded in Deed Book 500, Page 14 in the Orange County registry; Thence, along northern line of said existing easement N88°54'36"W, 24.00 feet to a point; Thence, leaving northern line of said existing easement N01°03'59"E, 5.00 feet to the Place and Point of Beginning, containing an area of 120 square feet or 0.003 acres, more or less.

EXHIBIT B

28' Ingress / Egress Easement: Lying and being in Chapel Hill Township, Orange County, North Carolina and being more particularly described as follows:

Commencing at a point, said point being an existing iron pipe at the southeast corner of the Wachovia Bank & Trust tract as recorded in Deed Book 622, Page 283 in the Orange County registry, said point being located S27°17'32"E, 8,518.31 feet from NCGS Monument "Green" and having North Carolina State Plane coordinates of N=805,561.33 and E=1,983,836.17; Thence, along eastern line of said Wachovia tract N01°03'32"E, 145.48 feet to an existing aluminum right-of-way monument; Thence, S89°04'54"E, 77.96 feet to an existing aluminum right-of-way monument; Thence, S00°59'35"W, 145.71 feet to a point, said point being the southwest corner of the Sellers Properties, Inc. tract as recorded in Deed Book 5150, Page 1 in the Orange County registry; Thence, along southern line of said Sellers tract S88°54'36"E, 188.76 feet to a point; Thence, S88°51'56"E, 0.66 feet to the Place and Point of Beginning; Thence, continuing along southern line of said Sellers tract S88°51'56"E, 28.00 feet to a point, said point being located S88°51'56"W, 41.28 feet from the southeastern corner of said Sellers tract; Thence, leaving southern line of said Sellers tract S01°02'44"W, 5.00 feet to a point, said point being on the northern line of an existing 33 foot Ingress/Egress easement as recorded in Deed Book 500, Page 14 in the Orange County registry; Thence, along northern line of said existing easement N88°51'56"W, 28.00 feet to a point; Thence, leaving northern line of said existing easement N01°02'44"E, 5.00 feet to the Place and Point of Beginning, containing an area of 140 square feet or 0.003 acres, more or less.



EXHIBIT C

Sanitary Sewer Easement

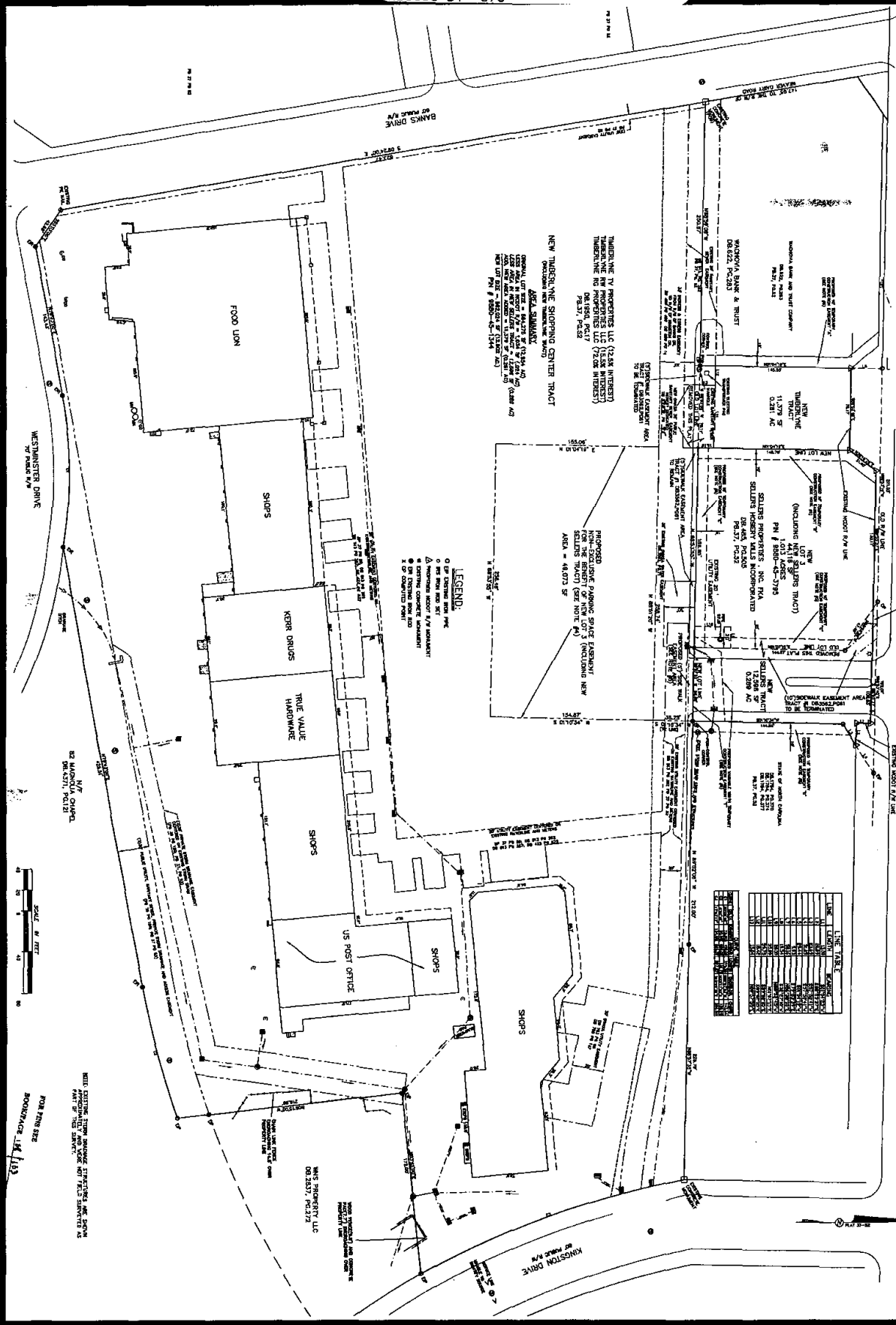
Lying and being in Chapel Hill Township, Orange County, North Carolina and being more particularly described as follows:

Commencing at a point, said point being an existing iron pipe at the southeast corner of the Wachovia Bank & Trust tract as recorded in Deed Book 622, Page 283 in the Orange County registry, said point being located $S27^{\circ}17'32''E$, 8,518.31 feet from NCGS Monument "Green" and having North Carolina State Plane coordinates of $N=805,561.33$ and $E=1,983,836.17$; Thence, along eastern line of said Wachovia tract $N01^{\circ}03'32''E$, 145.48 feet to an existing aluminum right-of-way monument; Thence, $S89^{\circ}04'54''E$, 77.96 feet to an existing aluminum right-of-way monument; Thence, $S00^{\circ}59'35''W$, 130.52 feet to the Place and Point of Beginning; Thence, $S00^{\circ}59'35''W$, 15.19 feet to a point, said point being the southwest corner of the Sellers Properties, Inc. tract (Lot 3) as recorded in Deed Book 5150, Page 1 in the Orange County registry; Thence, $S00^{\circ}59'35''W$, 14.81 feet to a point; Thence, $N89^{\circ}02'47''W$, 59.76 feet to a point; Thence, $N01^{\circ}00'40''E$, 30.00 feet to a point; Thence, $S89^{\circ}02'47''E$, 59.75 feet to the Place and Point of Beginning, containing an area of 1,793 square feet or 0.041 acres, more or less.

20130617000145510
RB5630 91 5/5

THIS MAP IS NOT A CERTIFIED SURVEY
AND HAS NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY FOR
COMPLIANCE WITH ANY APPLICABLE
LAND DEVELOPMENT REGULATIONS.

Book 108 page 104



Book 108 page 104

| REVISIONS | SCALE 1"=20'-0" |
|---|---------------------|
| 1. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWN BY: _____ |
| 2. PLAT REVISIONS FOR COMMENTS 1/16/2011 | CHECKED BY: _____ |
| 3. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DATE: 2/20/2010 |
| 4. PLAT REVISIONS FOR COMMENTS 1/16/2011 | PROJECT NO.: 21010A |
| 5. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWING NO.: 11010A |
| 6. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWING NO.: 11010A |
| 7. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWING NO.: 11010A |
| 8. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWING NO.: 11010A |
| 9. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWING NO.: 11010A |
| 10. PLAT REVISIONS FOR COMMENTS 1/16/2011 | DRAWING NO.: 11010A |

**LOT 3 & TIMBERLYNE VILLAGE
SHOPPING CENTER**
RECOMBINATION, RIGHT-OF-WAY
AND EASEMENT PLAT
CHAPEL HILL, 79-00-000P ORANGE COUNTY, N.C.



**PHILIP
POST
&
ASSOCIATES**
ENGINEERS
PLANNERS
SURVEYORS
401 Providence Rd. # 200
Chapel Hill, NC 27514
(919) 969-1170
435-2000 850-8662
17100 NC-00000000
Greensboro, NC
(336) 577-7771