



FOR REGISTRATION REGISTER OF DEEDS
Willie L. Covington
DURHAM COUNTY, NC
2008 FEB 29 03:36:20 PM
BK:5884 PG:478-488 FEE:\$41.00
NC REV STAMP:\$4,983.00
INSTRUMENT # 2008008119

Excise Tax \$ 4,983.00	Recording Time, Book and Page
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Tax Lot No.: _____ Parcel Identifier No. 0729-03-10-7482, 0729-03-10-6614, 0729-03-10-3298, 0729-03-20-1311

Verified by _____ County on the _____ day of _____, 2008
by _____

Mail after recording to _____
This instrument was prepared by Parker Poe Adams & Bernstein LLP, Three Wachovia Center, Suite 3000, 401 South Tryon Street, Charlotte, NC 28202 (AGD)

Brief description for the Index:

Approximately 11.075 acres on Fayetteville Road

North Carolina General Warranty Deed

This Deed is made this 25 day of February, 2008.

Grantor	Grantee
Dennis W. Massey a/k/a Dennis Warren Massey, and wife Donna G. Massey a/k/a Donna Gordon Massey, Elwood C. Massey, Sr. a/k/a Elwood Clayton Massey, Sr., and wife Joanne M. Massey, Joyce M. Ellis a/k/a Joyce Massey Ellis, Executor under the Will of Vallie Cooke Massey, and husband Ralph W. Ellis	WS Walk Senior Apartments, LLC, a Delaware limited liability company c/o Wood Partners 1001 Morehead Square Drive, Suite 250 Charlotte, NC 28203

The designations Grantor and Grantee as used in this deed shall include the parties, their heirs, successors and assigns, and shall include singular or plural.

The following Grantors of Tract 1 ("**Tract 1 Grantors**"), for valuable consideration paid by Grantee, the receipt of which the Tract 1 Grantors acknowledge, grant, bargain, sell and convey to Grantee in fee simple Tract 1 described in Exhibit A, together with all rights and appurtenances belonging to Tract 1. The Tract 1 Grantors are as follows:

Dennis W. Massey, and wife
Donna G. Massey
Elwood C. Massey, Sr., and wife
Joanne M. Massey,
Joyce M. Ellis, and husband
Ralph W. Ellis

The Tract 1 Grantors acquired Tract 1 by instrument recorded in Book 312, Page 688, Durham County Public Registry. Dennis W. Massey, Elwood C. Massey, Sr. and Joyce M. Ellis covenant with Grantee that they are the sole devisees under the Will of Vallie Cook Massey.

To have and to hold Tract 1 and all rights and appurtenances belonging to Tract 1 to Grantee in fee simple.

The Tract 1 Grantors covenant with Grantee that the Tract 1 Grantors are seized of Tract 1 in fee simple, that the Tract 1 Grantors have the right to convey Tract 1 in fee simple, that title to Tract 1 is marketable and free and clear of all encumbrances, except for the exceptions stated below, and that the Tract 1 Grantors will warrant and defend the title against the lawful claims of all persons, excepts for the exceptions stated below.

Title to Tract 1 is subject to the following exceptions:

- (1) Ad valorem taxes for the year 2008 and subsequent years.
- (2) Easement to H & H Associates recorded in Book 1424, Page 362.
- (3) Easement to Duke Power Company recorded in Book 1420, Page 729.

The following Grantors of Tract 2 ("**Tract 2 Grantors**"), for valuable consideration paid by Grantee, the receipt of which the Tract 2 Grantors acknowledge, grant, bargain, sell and convey to Grantee in fee simple Tract 2 described in Exhibit A, together with all rights and appurtenances belonging to Tract 2. The Tract 2 Grantors are as follows:

Dennis W. Massey, and wife
Donna G. Massey

The Tract 2 Grantors acquired Tract 2 by instruments recorded in Book 385, Page 518 and Book 432, Page 818, Durham County Public Registry.

To have and to hold Tract 2 and all rights and appurtenances belonging to Tract 2 to Grantee in fee simple.

The Tract 2 Grantors covenant with Grantee that the Tract 2 Grantors are seized of Tract 2 in fee simple, that the Tract 2 Grantors have the right to convey Tract 2 in fee simple, that title to Tract 2 is marketable and free and clear of all encumbrances, except for the exceptions stated below, and that the Tract 2 Grantors will warrant and defend the title against the lawful claims of all persons, excepts for the exceptions stated below.

Title to Tract 2 is subject to the following exceptions:

- (1) Ad valorem taxes for the year 2008 and subsequent years.
- (2) Easement to Duke Power Company recorded in Book 1420, Page 729.

The following Grantors of Tract 3 ("**Tract 3 Grantors**"), for valuable consideration paid by Grantee, the receipt of which the Tract 3 Grantors acknowledge, grant, bargain, sell and convey to Grantee in fee simple Tract 3 described in Exhibit A, together with all rights and appurtenances belonging to Tract 3. The Tract 3 Grantors are as follows:

Elwood C. Massey, Sr., and wife
Joanne M. Massey,

The Tract 3 Grantors acquired Tract 3 by instruments recorded in Book 1689, Page 837, and Book 432, Page 816, Durham County Public Registry.

To have and to hold Tract 3 and all rights and appurtenances belonging to Tract 3 to Grantee in fee simple.

The Tract 3 Grantors covenant with Grantee that the Tract 3 Grantors are seized of Tract 3 in fee simple, that the Tract 3 Grantors have the right to convey Tract 3 in fee simple, that title to Tract 3 is marketable and free and clear of all encumbrances, except for the exceptions stated below, and that the Tract 3 Grantors will warrant and defend the title against the lawful claims of all persons, excepts for the exceptions stated below.

Title to Tract 3 is subject to the following exceptions:

- (1) Ad valorem taxes for the year 2008 and subsequent years.
- (2) Easement to Duke Power Company recorded in Book 1420, Page 729.

The following Grantors of Tract 4 ("**Tract 4 Grantors**"), for valuable consideration paid by Grantee, the receipt of which the Tract 4 Grantors acknowledge, grant, bargain, sell and convey to Grantee in fee simple Tract 4 described in Exhibit A, together with all rights and appurtenances belonging to Tract 4. The Tract 4 Grantors are as follows:

Dennis W. Massey, and wife
Donna G. Massey

Elwood C. Massey, Sr., and wife
Joanne M. Massey,
Joyce M. Ellis, and husband
Ralph W. Ellis

The Tract 4 Grantors acquired Tract 4 by instrument recorded in Book 4668, Page 477, Durham County Public Registry.

To have and to hold Tract 4 and all rights and appurtenances belonging to Tract 4 to Grantee in fee simple.

The Tract 4 Grantors covenant with Grantee that the Tract 4 Grantors are seized of Tract 4 in fee simple, that the Tract 4 Grantors have the right to convey Tract 4 in fee simple, that title to Tract 4 is marketable and free and clear of all encumbrances, except for the exceptions stated below, and that the Tract 4 Grantors will warrant and defend the title against the lawful claims of all persons, *excepts for the exceptions stated below.*

Title to Tract 4 is subject to the following exceptions:

- (1) Ad valorem taxes for the year 2008 and subsequent years.
- (2) Easement to H & H Associates recorded in Book 1424, Page 362.
- (3) Easement to Duke Power Company recorded in Book 1420, Page 729.

[Signature Pages Follow]

Each of the individuals constituting Grantor has executed this deed as of the day and year first written above in the indicated capacities.

Grantor:

Dennis W. Massey (SEAL)
Dennis W. Massey, individually and as Devisee
under the Will of Vallie Cooke Massey

Donna G. Massey (SEAL)
Donna G. Massey

STATE OF NORTH CAROLINA

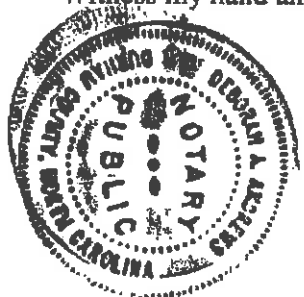
COUNTY OF Wake

I, Deborah A. Andrews, a Notary Public of Wake County, State of North Carolina, do hereby certify that Dennis W. Massey and spouse, Donna G. Massey (the "Signatory") personally appeared before me this day and acknowledged the execution of the foregoing instrument.

I certify that the Signatory personally appeared before me this day, and
(check one of the following and mark through all blank lines or spaces in the certificate)
 I have personal knowledge of the identity of the Signatory; or
 I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of:
(check one of the following)
 a driver's license; or
 in the form of _____; or
 a credible witness has sworn to the identity of the Signatory.

The Signatory acknowledged to me that he/she voluntarily signed the foregoing instrument for the purpose stated and in the capacity indicated.

Witness my hand and official stamp or seal this 25 day of February, 2008.



Deborah A. Andrews
Notary Public

Print Name: Deborah A. Andrews
[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 6/8/12
[NOTARY SEAL] (MUST BE FULLY LEGIBLE)

Elwood C. Massey, Sr. (SEAL)
Elwood C. Massey, Sr., individually and as Devisee
under the Will of Vallie Cooke Massey

Joanne M. Massey (SEAL)
Joanne M. Massey

STATE OF NORTH CAROLINA

COUNTY OF DeWitt

I, Deborah A. Andrews, a Notary Public of DeWitt County,
State of North Carolina, do hereby certify that Elwood C. Massey, Sr. and spouse, Joanne M.
Massey (collectively, the "Signatory") personally appeared before me this day and
acknowledged the execution of the foregoing instrument.

I certify that the Signatory personally appeared before me this day, and
(check one of the following and mark through all blank lines or spaces in the certificate)

- I have personal knowledge of the identity of the Signatory; or
- I have seen satisfactory evidence of the Signatory's identity, by a current state
or federal identification with the Signatory's photograph in the form of:

(check one of the following)

- a driver's license; or
- in the form of _____; or
- a credible witness has sworn to the identity of the Signatory.

The Signatory acknowledged to me that each voluntarily signed the foregoing instrument
for the purpose stated and in the capacity indicated.

Witness my hand and official stamp or seal this 25 day of February, 2008.



Deborah A. Andrews
Notary Public

Print Name: Deborah A. Andrews
[Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 6/8/12

[NOTARY SEAL] (MUST BE FULLY LEGIBLE)

Joyce M. Ellis (SEAL)
 Joyce M. Ellis, individually, as Executor and
 Devisee under the Will of Vallie Cooke Massey

Ralph W. Ellis (SEAL)
 Ralph W. Ellis

STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Deborah A. Andrews, a Notary Public of Durham County, State of NC, do hereby certify that Joyce M. Ellis and spouse, Ralph W. Ellis (the "Signatory") personally appeared before me this day and acknowledged the execution of the foregoing instrument.

I certify that the Signatory personally appeared before me this day, and
 (check one of the following and mark through all blank lines or spaces in the certificate)

I have personal knowledge of the identity of the Signatory; or

I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of:
 (check one of the following)

a driver's license; or

in the form of _____; or

a credible witness has sworn to the identity of the Signatory.

The Signatory acknowledged to me that he/she voluntarily signed the foregoing instrument for the purpose stated and in the capacity indicated.

Witness my hand and official stamp or seal this 25 day of February, 2008.



Deborah A. Andrews

 Notary Public

Print Name: Deborah A. Andrews
 [Note: Notary Public must sign exactly as on notary seal]

My Commission Expires: 6/8/12

[NOTARY SEAL] (MUST BE FULLY LEGIBLE)

Exhibit A

Description of Property

Tract 1

Lying in the City of Durham, Durham County, North Carolina, and described as follows:

Commence at an existing iron pipe at the intersection of the western boundary of the Woodcroft Parkway, the variable width public right-of-way as shown on Plat Book 108, Page 156, Durham Registry, and at the northeastern corner of the property acquired by Innesbrook Investment Group, Inc. in Book 2398, Page 699 and shown on Plat Book 155, Page 259, Durham Registry; then North 79-38-59 West 13.64 feet to an existing iron pipe, which marks the **Point of Beginning**; then with the northern boundary of the Innesbrook property North 79-41-17 West 649.94 feet to an existing iron pipe marking the southeastern corner of the property acquired by Elwood C. Massey Sr. and wife, Joanne M. Massey in Book 1689, Pages 837 and 838, Book 432, Page 816 and shown on Plat Book 155, Page 261, Durham Registry; then with the boundary of the Elwood Massey property as follows: (1) North 30-48-56 East 229.55 feet (passing an existing iron pipe inline at 219.71 feet) to an existing iron pipe; and (2) North 80-41-48 West 212.49 feet to a calculated point in the eastern boundary of Fayetteville Road, the variable width public right-of-way as shown on Plat Book 155, Pages 261 and 263; then with the eastern boundary of Fayetteville Road as follows: (1) North 30-53-37 East 211.72 feet to an existing iron pipe; and (2) North 30-07-04 East 46.31 feet to a calculated point marking the southwestern corner of the property acquired by Dennis W. Massey in Book 385, Page 518, Book 432, Page 818 and shown on Plat Book 155, Page 263, Durham Registry; then with the boundary of the Dennis Massey property as follows: (1) South 59-12-56 East 197.73 feet to a calculated point; (2) North 30-49-04 East 188.00 feet to an existing iron pipe; and (3) North 59-12-56 West 200.05 feet to a calculated point in the eastern boundary of Fayetteville Road; then with the eastern boundary of Fayetteville Road as follows: (1) North 30-07-04 East 6.53 feet to an existing iron pipe; and (2) with the arc of a circular curve to the right having a radius of 4,522.66 feet, an arc length of 128.21 feet and a chord bearing and distance of North 30-54-46 East 128.20 feet to a right-of-way monument at the western corner of the property acquired by Woodlake Homeowners Association, Inc. in Book 1931, Page 891 and shown on Plat Book 108, Page 156, Durham Registry; then with the southern boundary of the Woodlake HOA property as follows: (1) South 60-49-53 East 200.25 feet to an existing iron pipe; and (2) North 30-51-37 East 45.29 feet to an existing iron pipe in the southern boundary of Woodcroft Parkway; then with the southern boundary of Woodcroft Parkway as follows: (1) South 62-25-38 East 28.43 feet to an existing iron pipe; and (2) with the arc of a circular curve to the right having a radius of 620.00 feet, an arc length of 355.78 feet and a chord bearing and distance of South 39-21-36 East 350.92 feet to an existing iron pipe at the northern corner of the property acquired by Elwood, Joyce and Dennis Massey in Book 4668, Page 477 and shown on Plat Book 129, Page 156, Durham Registry; then with the western boundary of the Elwood, Joyce and Dennis Massey property South 01-06-18 West 504.75 feet, to the **Point of Beginning**; containing 8.751 acres, more or less, and designated as "Tract 1 Vallie Cooke Massey PIN# 0729-03-10-7482 DB 312, PG 688 8.751 acres" on survey titled "ALTA/ACSM Land Title Survey for WS Walk Senior Apartments, LLC" prepared by Edmund H. Davenport, North Carolina Professional Land

Surveyor L-2832, of Bass, Nixon & Kennedy, Inc., dated February 19, 2008, job number 03-06666.

Tract 2

Lying in the City of Durham, Durham County, North Carolina, and described as follows:

Commence at a right-of-way monument on the eastern boundary of Fayetteville Road, the variable width public right-of-way shown on Map Book 155, Pages 261 and 263, Durham Registry, and at the western corner of the property acquired by Woodlake Homeowners Association, Inc. in Deed Book 1931, Page 891 and shown on Map Book 108, Page 156, Durham Registry; then with the eastern boundary of Fayetteville Road as follows: (1) with the arc of a circular curve to the left having a radius of 4522.66 feet, arc length of 128.21 feet and a chord bearing and distance South 30-54-46 West 128.20 feet to an existing iron pin; and (2) South 30-07-04 West 6.53 feet to a calculated point, which marks the **Point of Beginning**; then with the eastern boundary of Fayetteville Road as follows: (1) South 30-07-04 West 78.01 feet to a calculated point; 2) South 30-07-04 West 100.01 feet to a calculated point; and 3) South 30-07-04 West 10.00 feet to a calculated point in the boundary of the property acquired by Vallie Cooke Massey in Deed Book 312, Page 688, Durham Registry; then with the boundary of the Vallie Massey property as follows: (1) South 59-12-56 East 197.73 feet to a calculated point; (2) North 30-49-04 East 188.00 feet to an existing iron pipe; and (3) North 59-12-56 West 200.05 feet, to the **Point of Beginning**; containing 0.858 acres, more or less, and designated as "Tract 2 Dennis W. Massey PIN# 0729-03-10-6614 DB 385, PG 518 PB 155, PG 263 0.858 acres" on survey titled "ALTA/ACSM Land Title Survey for WS Walk Senior Apartments, LLC" prepared by Edmund H. Davenport, North Carolina Professional Land Surveyor L-2832, of Bass, Nixon & Kennedy, Inc., dated February 19, 2008, job number 03-06666.

Tract 3

Lying in the City of Durham, Durham County, North Carolina, and described as follows:

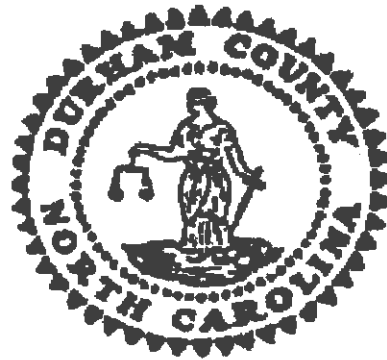
Commence at an existing iron pipe located at the intersection of the eastern boundary of Fayetteville Road, the variable width public right-of-way, shown on Map Book 155, Pages 261 and 263, Durham Registry, and the northern boundary of the property acquired by Innesbrook Investment Group, Inc. in Book 2398, Page 699 and shown on Plat Book 155, Page 259, Durham Registry, which iron pipe marks **Point of Beginning**; then with the eastern boundary of Fayetteville Road North 30-53-37 East 225.63 feet to a calculated point in a western corner of the property acquired by Vallie Cooke Massey by instrument in Book 312, Page 688, Durham Registry; then with the Vallie Massey property as follows: (1) South 80-41-48 East 212.49 feet to an existing iron pipe; and (2) South 30-48-56 West 229.55 feet (passing an existing iron pipe inline at 9.84 feet) to an existing iron pipe in the northern boundary of the Innesbrook property; then with the northern boundary of the Innesbrook property North 79-40-33 West 211.37 feet, to the **Point of Beginning**; containing 1.033 acres, more or less, and designated as "Tract 3 Elwood C. Massey Sr and wife, Joanne M. Massey PIN# 0729-03-10-3298 DB 1689, PG 837-838 DB 432, PG 816 PB 155, PG 261 1.033 acres" on survey titled "ALTA/ACSM Land Title Survey for WS Walk Senior Apartments, LLC" prepared by Edmund H. Davenport, North Carolina

Professional Land Surveyor L-2832, of Bass, Nixon & Kennedy, Inc., dated February 19, 2008, job number 03-06666.

Tract 4

LYING in the City of Durham, Durham County, North Carolina, and described as follows:

Commence at an existing iron pipe located at the intersection of the western boundary Woodcroft Parkway, the variable width public right-of-way shown on map recorded in Map Book 108, Page 156, Durham Registry; and at the northeastern corner of the property acquired by Innesbrook Investment Group, Inc. in Book 2398, Page 699 and shown on Plat Book 155, Page 259, Durham Registry, which iron pipe marks **Point of Beginning**; then with the northern boundary of the Innesbrook property North 79-38-59 West 13.64 feet to an existing iron pipe marking the southeastern corner of the property acquired by Vallie Cooke Massey by instrument in Book 312, Page 688, Durham Registry; then with the eastern boundary of the Vallie Massey property North 01-06-18 East 504.75 feet to an existing iron pipe in the western boundary of Woodcroft Parkway; then with the western boundary of Woodcroft Parkway as follows: (1) with the arc of a circular curve to the right having a radius of 620.00 feet, an arc length of 389.82 feet and a chord bearing and distance of South 04-54-29 E. 383.44 feet to a existing iron pipe; and (2) S. 13-06-16 W. 128.42 feet, to the **Point of Beginning**; containing 0.432 acres, more or less, and designated as "Tract 4 Elwood C. Massey Sr. Joyce Massey Ellis Dennis W. Massey PIN# 0729-03-20-1311 DB 4686, PG 477 PB 129, PG 156 0.432 acres" on survey titled "ALTA/ACSM Land Title Survey for WS Walk Senior Apartments, LLC" prepared by Edmund H. Davenport, North Carolina Professional Land Surveyor L-2832, of Bass, Nixon & Kennedy, Inc., dated February 19, 2008, job number 03-06666.



WILLIE L. COVINGTON
REGISTER OF DEEDS, DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

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and/or cancellation.

Filed For Registration: 02/29/2008 03:36:20 PM
Book: RE 5884 Page: 478-488
Document No.: 2008008119
DEED 11 PGS \$41.00
NC REAL ESTATE EXCISE TAX: \$4,983.00
Recorder: SHARON A DAVIS



2008008119