

REGISTER OF DEEDS
Sharon A. Davis
Durham County, NC
2022 Mar 04 10:39:06 AM
BK:9631 PG:768-772
DEED
FEE: \$26.00
INSTRUMENT # 2022009363
EXCISE TAX: \$650.00
TREDFEARN



NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$650.00

Parcel Identifier No. 109728, 109720 and 109726

Verified by _____ County on the ____ day of _____, 20_____

Mail/Box to: Kelly J. Mackay, Attorney, Walker Lambe, PLLC, P.O. Box 51549, Durham, NC 27717-1549

This instrument was prepared by: Kelly J. Mackay, Attorney, Walker Lambe, PLLC

Post Office Box 51549, Durham, NC 27717-1549

(WITHOUT BENEFIT OF TITLE EXAMINATION)

Brief description for the Index: 1303 and 1305 Avondale Drive and 615 E. Geer Street

THIS DEED made this 2nd day of March, 2022, by and between

GRANTOR

GRANTEE

FOGLEMEN FAMILY LIMITED PARTNERSHIP
a North Carolina Family Limited Partnership

UNITED LUMBER, INC.
a North Carolina Corporation

PO BOX 510
BUTNER, NC 27509

PO BOX 510
BUTNER, NC 27509

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 situated in Durham County, North Carolina, and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" WHICH IS INCORPORATED BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7084, Page 66.

All or a portion of the property herein conveyed _____ includes or x does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____, Page _____.

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, other than the following exceptions:

1. All recorded restrictions, easements, encumbrances and rights of way affecting the property.
2. Ad valorem taxes for the year 2022 and subsequent years, which are not yet due and payable.

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

FOGLEMAN FAMILY LIMITED PARTNERSHIP, a North Carolina Family Limited Partnership

(SEAL)

By: Anthony C. Fogleman (Entity Name)

Print/Type Name:

Print/Type Name & Title: Anthony C. Fogleman, General Partner

(SEAL)

Print/Type Name:

By: _____
Print/Type Name & Title: _____

(SEAL)

Print/Type Name:

By: _____
Print/Type Name & Title: _____

(SEAL)

Print/Type Name:

State of North Carolina - County of Granville

I, the undersigned Notary Public of the County of Granville and State aforesaid, certify that Anthony C. Fogleman personally came before me this day and acknowledged that he is the General Partner of Fogleman Family Limited Partnership, a North Carolina family limited partnership, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 3rd day of March, 2022.

My Commission Expires: 10-16-2023

Kimberly S Cozart
Notary Public

(Affix Seal) **KIMBERLY S COZART**
NOTARY PUBLIC
GRANVILLE COUNTY, NC
My Commission Expires 10-16-2023

Kimberly S Cozart
Notary's Printed or Typed Name

EXHIBIT "A"

TRACT ONE: BEGINNING at a stake in the northwest corner of Lot 8 in Block 2, of the property of T. E. Cheek, as shown on plat and survey thereof on file in the office of the Register of Deeds of Durham County in Plat Book 12, at page 21, which beginning point is North 2 degrees 59 minutes West 150 feet from the north side of Geer Street, running thence North 2 degrees 59 minutes West 81.4 feet to a point; thence North 80 degrees 01 minute East 70.7 feet to a point; thence South 22 degrees 23 minutes East 97 feet to a point; thence South 87 degrees 32 minutes West 104.5 feet to the point and place of BEGINNING, and being part of the property described in Deed Book 174, at page 130.

TRACT TWO: BEGINNING at an iron stake on the eastern property line of Alston Avenue-Avondale Drive Connection, said stake being 139.66 feet as measured in a northerly direction along the eastern property line of Alston Avenue and Alston Avenue-Avondale Drive Connection from the intersection of the eastern property line of Alston Avenue, extended, and the northern property line of Geer Street, extended, said beginning point also being the northwest corner of Tract 416, Property of the City of Durham; and running in a northeasterly direction along the eastern property line of said Alston Avenue-Avondale Drive Connection along an arc to the right, said arc having a radius of 685.79 feet, a distance of 81.32 feet to an iron stake, the southwest corner of Tract 418, formerly the property of the City of Durham; thence North 77 degrees 19 minutes East along the southern property line of Tract 418 a distance of 61.82 feet to an iron stake; thence South 5 degrees 38 minutes East, a distance of 61.21 feet to an iron stake, the northeast corner of Lot No. 9; thence South 85 degrees 22 minutes West a distance of 99.18 feet to the point and place of BEGINNING, and being Tract 417 as shown on map showing Tracts 416, 417, 418 and 491, Property of the City of Durham, Alston Avenue and Avondale Connection. Said map dated September 5, 1961, and recorded in the office of the Register of Deeds of Durham County in Plat Book 43, page 72, to which map reference is hereby made for a more particular description.

TRACT THREE: BEGINNING at an iron pin on the western property line of parcel #2 (E. P. Sauls) which is shown on map showing portions of a 25 foot alley leading southeast from Alston Avenue Connection and west from Avondale Drive, dated February 22, 1961, and recorded in Plat Book 41, page 118, Durham County Registry, said iron pin also being 10 feet southeastwardly from the southeast curb line of Alston Avenue Connection, and running South 26 degrees 24 minutes East along said western property line of parcel #2 (E. P. Sauls) a distance of 81.33 feet to an iron pin; thence South 77 degrees 19 minutes West a distance of 94.58 feet to an iron pin on the existing property line of Alston Avenue Connection; thence in a northern direction along an arc to the right, said arc having a radius of 685.79 feet, for a distance of 109.27 feet to the BEGINNING, and being City Tract 418 as shown in Plat Book 43, page 72, together with Parcel #1 as shown in Plat Book 41, page 118.

TRACT FOUR: BEGINNING at a stake in the property line on the western side of Avondale Drive, said stake being the southeast corner of Lot No. 17, and running thence South 62 degrees 08 minutes West 193.5 feet to a stake in the property line on the eastern side of a 25 foot alley; thence along and with the property line on the eastern side of the said 25 foot alley 85.1 feet to a stake, the beginning of an arc; thence along and with said arc as the property line on the eastern side of said 25 foot alley turns in a southeasterly direction, said arc having a radius of 30 feet for a distance of 51.86 feet to a stake in the property line on

the northern line of said 25 foot alley; thence North 57 degrees 20 minutes East 170.5 feet to a stake on the western side of Avondale Drive; thence along and with the property line on the western side of Avondale Drive as the same runs in a northerly direction following an arc, said arc having a radius of 988.4 feet for a distance of 100 feet to a stake, the point and place of BEGINNING, and being Lots No. 13, 14, 15 and 16 in Block 2 of the Property of the Central Development Company, Inc., as per plat and survey of S. M. Credle, C.E., dated August 1947 and now on file in the Office of the Register of Deeds of Durham County in Plat Book 18, page 123. There is excepted from this Parcel those portions thereof conveyed to the City of Durham by E. P. Sauls and wife for the Alston Avenue-Avondale Drive Connection by deed recorded in Deed Book 206, page 277, Durham County Registry.

TRACT FIVE: BEGINNING at a stake in the property line on the western side of Avondale Drive, said stake being the point of intersection of the property line on the western side of Avondale Drive and the property line on the southern side of a 25 foot alley, and running thence along and with the southern property line of the said 25 foot alley South 57 degrees 20 minutes West 185 feet to a stake; thence South 23 degrees 25 minutes East 97 feet to a stake; thence North 87 degrees 53 minutes East 146.4 feet to a stake; thence North 46 degrees 03 minutes East 89.7 feet to a stake in the property line on the western side of Avondale Drive; thence along and with the property line on the western side of said Avondale Drive as it follows an arc in a northerly direction, said arc having a radius of 988.4 feet for a distance of 153.1 feet to the point and place of BEGINNING, and being Lots 8, 9, 10, 11 and 12 in Block 2 of the Property of Central Development Company, Inc. as per plat dated August, 1947, and now on file in the Durham County Registry in Plat Book 18, page 123.

TRACT SIX: BEGINNING at an iron pin on the southeastern property line of Alston Avenue Connection, said pin being 203.67 feet as measured in a southwesterly direction along said property line of Alston Avenue Connection from the intersection of the western property line of Avondale Drive, extended, and the southeastern property line of Alston Avenue Connection, extended; and running South 26 degrees 24 minutes East, a distance of 91.08 feet to an iron pin on the southern property line of the 25 foot alley to be closed; thence South 77 degrees 19 minutes West along said southern property line a distance of 12.83 feet to an iron pin on the eastern property line of Parcel #1; thence North 26 degrees 24 minutes West along said eastern property line a distance of 81.33 feet to an iron pin on the southeastern property line of Alston Avenue Connection; thence along an arc to the right, said arc having a 685.79 foot radius, a distance of 14.164 feet to the BEGINNING, and being Parcel #2 as shown on Map Showing Portions of a 25-foot Alley Leading Southeast from Alston Avenue Connection and West from Avondale Drive to be Quitclaimed to City of Durham and E. P. Sauls.

TRACT SEVEN: That certain area shown as "25' Alley To Be Closed" which is designated on Map Showing Portions of 25' Alley Leading Southeast From Alston Avenue Connection and West from Avondale Drive to be Quitclaimed to City of Durham and E. P. Sauls, prepared by Department of Public Works, dated February 22, 1961, and of record in Plat Book 41, at page 118. For further reference and description, that portion of the aforementioned 25' alley to be closed is also located between Lots 1 and 12 on the South and Lot 13 on the North as shown on the plat of PROPERTY OF CENTRAL DEVELOPMENT COMPANY, INC. recorded in Plat Book 18B, page 123, Durham County Registry.

Tracts One through Seven are identified as Durham County Tax Parcel ID 109720

TRACT EIGHT: BEGINNING at an iron pin in the eastern line of Lot 4 in Block 2 of the T. E. Cheek Property as shown in Plat Book 12, page 21, and in the present northern property line of Geer Street, and running thence along and with the east line of said Lot 4 North 2 degrees 40 minutes West 142.6 feet to a stake in the south line of Lot 8 as shown on the plat of Property of Central Development Company recorded in Plat Book 18, page 123; thence with the southeast line of said Lot North 46 degrees 00 minutes East 89.7 feet to an iron pin in the present southwestern line of Avondale Drive; thence with the same along an arc in a southeasterly direction, a distance of 57.64 feet to a stake in the west line of Lot 2 on the plat hereinafter referred to; thence with the western line of said Lot 2 the following courses and distances: South 22 degrees 07 minutes West 67.61 feet to a stake; South 15 degrees 45 minutes West 50 feet to a stake; and South 8 degrees 13 minutes West 51.58 feet to an iron pin in the present northern property line of Geer Street; thence along and with the same along an arc in a westerly direction, a distance of 51.52 feet to an iron pin, the point of BEGINNING, and being Tract No. I as shown on the plat of the Property of J. E. Burroughs and Ed Davis surveyed by Hunter Jones, C. E., dated January, 1948, and recorded in Plat Book 18, page 140, Durham County Registry, with the exception of those parcels conveyed by E. P. Sauls and wife to the City of Durham for the widening of Geer Street and Avondale Drive, by deed recorded in Deed Book 275, page 640, Durham County Registry, and which said parcels acquired by the City of Durham are shown in Plat Book 43, page 9.

The above described property is subject to an easement over and upon a strip of land 15 feet in width along the eastern line of the aforementioned Lot #I, which together with a strip of like width along the western line of Lot 2 is dedicated for a driveway for the use and benefit of the owners of said Lots I and 2 in perpetuity and free of obstruction, with the maintenance to be equally shared by the owners of said lots.

Tract Eight is identified as Durham County Tax Parcel ID 109726 and 109728

For further reference, see Book 3643, page 312, Durham County Registry.