

For Registration Sharon A. Davis  
Register of Deeds  
Durham County, NC  
Electronically Recorded  
2018 Feb 16 04:25 PM NC Rev Stamp: \$ 44402.00  
Book: 8366 Page: 943 Fee: \$ 26.00  
Instrument Number: 2018005331  
DEED

EXCISE TAX: \$44,402.00      RECORDING TIME, BOOK AND PAGE

Tax Lot Nos. 106303, 106374, 106392, 106395, 106397 Parcel Identifier Nos. 0822-07-58-9012,  
0822-07-68-8803, 0822-07-59-7136,  
0822-07-68-1802 and 0822-07-59-7159

Mail after recording to: Cedar Grove Capital, 888 Woodmere Place, Suite C  
Woodmere, NY, 11598, Attn: Aaron Gorin

This instrument was prepared by: Michael Cohodes, Stephenson Fournier, PLLC

Brief description for the Index: 4 tracts on Murray Avenue, Lednum Street, Maynard Avenue, Leon  
Street, Buchanon Boulevard, Hudson Avenue, Haverford Street, and  
Broad Street

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED made this 16<sup>th</sup> day of February, 2018, by and between

GRANTOR	GRANTEE
<b>1306 LEON STREET LLC,</b> a North Carolina limited liability company  1000 East Cesar Chavez Street Austin, Texas 78702	<b>OAKS NORTHGATE CGC LLC,</b> a Delaware limited liability company  888 Woodmere Place, Suite C Woodmere, NY, 11598

Submitted electronically by "Riverside Abstract National"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Durham County Register of Deeds.

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 the City of Durham, Durham County, North Carolina and more particularly described as follows:

See **Exhibit A** attached hereto and made a part hereof.

This property does not include the primary residence of Grantor.

The Property was acquired by Grantor by deed recorded in Book 7886, Page 1, Durham County Registry.

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, except for the exceptions hereinafter stated.

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

See **Exhibit B** attached hereto and made a part hereof.

**[Signature Page to Follow]**

IN WITNESS WHEREOF, the Grantor has hereto set his hand and seal the day and year first above written.

**1306 LEON STREET LLC,**  
a North Carolina limited liability company

By: ARE Ventures LLC,  
its Manager

By: Colin Brothers  
Colin Brothers, Manager

STATE OF TEXAS  
COUNTY OF TRAVIS

I 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: Manager of ARE Ventures LLC, the Manager of 1306 Leon Street LLC.

Witness my hand and official seal, this 13th day of February, 2018.

Jamie Smith  
Notary Public

My Commission Expires:  
10/25/2020

Affix Seal

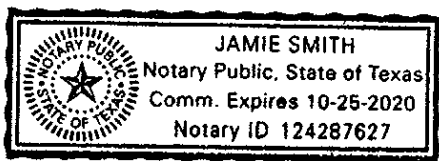


EXHIBIT ATract 1

Beginning at an existing iron pin on the eastern right of way of Lednum Street, said point being the southwestern corner of Norman J. Whitaker; thence, leaving the eastern right of way of Lednum Street, along the southern line of Norman J. Whitaker, S 86deg. 25' 06" E, 164.05 ft. to a concrete monument; thence, along the western line of Wihelmine H. Kirwin, S 02deg. 07' 42" W, 205.61 ft. to an iron pin; thence, along the western line of Nicholas G. Bourbous, S 02deg. 11' 22" W, 157.64 ft. to an iron pin on the northern right of way of Maynard Avenue; thence, along the northern right of way of Maynard Avenue, N 88deg. 28' 59" W, 136.04 ft. to an iron pin; thence, along a curve to the right having a radius of 20.00 ft., a delta of 89deg 22' 36", a length of 31.20 ft., and a chord of N 43deg. 47' 59" West, 28.13 ft to an iron pin on the eastern right of way of Lednum Street; thence, along the eastern right of way of Lednum Street, N 00deg. 53' 01" E, 349.38 ft. to an existing iron pin; said point being the point and place of Beginning; containing 58,481 S.F. or 1.343 Acres.

A map showing the above described property is recorded in Plat Book 154, page 15, Durham County Registry, and is known on the Durham County tax records as Parcel 106374.

Tract 2

Beginning at an iron pin on the eastern right of way of Broad Street; said point being the northwestern corner of Herschel A. Caldwell; thence, along the eastern right of way of Broad Street, N 42deg. 03' 40" E, 90.23 ft. to an iron pin; thence, leaving the eastern right of way of Broad Street, S 88deg. 52' 33" E, 150.46 ft. to a nail set in asphalt; thence, S 02deg. 04' 53" W, 72.99 ft. to an iron pin at the northeastern corner of James R. Elkin; thence, along the northern line of James R. Elkin and Herschel A. Caldwell, N 87deg. 33' 00" W, 208.41 ft. to an iron pin on the eastern right of way of Broad Street; said point being the point and place of Beginning; containing 12,733 S.F. or 0.292 Acres.

A map showing the above described property is recorded in Plat Book 153, page 283, Durham County Registry, and is known on the Durham County tax records as Parcels 106392 and 106397.

Tract 3

Beginning at an iron point at the southwestern intersection of the right of way of Broad Street and Murray Avenue; thence, leaving the southwestern intersection of the right of way of Broad Street and Murray Avenue and along the southern right of way of Murray Avenue, S 86deg. 01' 32" E, 176.70 ft. to an iron pin; thence, leaving the southern right of way of Murray Avenue, along the western line of Carol Diane Pendleton, S 00deg. 54' 08" W, 195.82 ft. to an iron pin; thence, along the southern line of Carol Diane Pendleton, S 88deg. 24' 19" E, 100.52 ft. to an iron pin; thence, along the southern line of Tiffanie Person Holliday, Gerald L. Riggsbee, S 84deg. 44' 53" E, 209.37 ft. to an iron pin at the northwestern corner of Greater Faith Holiness Church; thence, along the western line of Greater Faith Holiness Church, S 03deg. 15' 11" W, 263.60 to an iron pin; thence, along the southern line of Greater Faith Holiness Church, S 86deg 36' 22" E, 312.03 ft. to an iron pin on the western right of way of Ledum Street; thence, along the western right of way of

Lednum Street, S 00deg. 53' 01" W, 350.24 ft. to an iron pin; thence, along a curve to the right, having a radius of 20.00 ft., a delta of 90deg. 37' 58" , a length of 31.64 ft., and a chord of S 46deg. 12' 01" W, 28.44 ft. to an iron pin on the northern right of way of Maynard Avenue; thence, N 88deg. 28' 59" W, 68.34 ft. to an iron pin; thence, S 59deg. 39" 59" E, 102.23 ft. to an iron pin; thence, S 17deg. 57" 02" W, 12.92 ft. to an iron pin; thence, along the northern line of Brogden 64, LLC, N 87deg. 29' 00" W, 545.15 ft. to an iron pin; thence, along the eastern line of Brogden, 64, LLC, S 09deg. 17' 00" W, 309.97 ft. to an iron pin on the northern right of way of Leon Street; thence, along the northern right of way of Leon Street, N 88deg. 09' 00" W, 590.88 ft. to an iron pin; thence, along a curve to the right, having a radius of 20.00 ft., a delta of 89deg. 15' 13", a length of 31.16 ft., and a chord of N 43deg. 40' 42" W, 28.10 ft. to an iron pin on the eastern right of way of Haverford Street; thence, along the eastern right of way of Haverford Street, N 00deg. 45' 40" E, 95.33 ft. to an iron pin; thence, leaving the eastern right of Haverford Street, along the southern line of Plantation Road (alley), N 54deg. 14' 34" E, 186.22 ft. to an iron pin; thence, along said alley and the eastern line of Eleanor S. Bergman, N 00deg. 10' 21" E, 78.81 ft. to an iron pin; thence, along the eastern line of Jeffrey D. Courville & Robin M. Hopwood, Shelba H. Perry, and Elanor S. Bergman, N 00deg. 17' 42" E, 348.61 ft. to an iron pin on the southern line of Herschel A. Caldwell; thence, along the southern line of Herschel A. Caldwell and James R. Elkins, S 87deg. 57' 44" E, 225.87 ft. to an iron pin; thence, along the eastern line of James R. Elkins, N 01deg. 23' 13" E, 148.58 ft. to an iron pin; thence, along the eastern line of the Lands of Oaks at Northgate Holdings LLC., N 02deg. 04' 53" E, 72.99 ft. to an nail in asphalt; thence, along the northern line of the Lands of Oaks at Northgate Holdings LLC., N 88deg 52' 33"W, 150.46 ft. to an iron pin on the eastern right of way of Broad Street; thence along the eastern right of way of Broad Street S 39 deg. 57' 54" W 310.82 ft to the point being the point and place of Beginning; containing 836,385 S.F. or 19.201 Acres.

A map showing the above described property is recorded in Plat Book 154, page 15, Durham County Registry, and is known on the Durham County tax records as Parcel 106395.

#### Tract 4

Beginning at an iron pin at the southeastern corner of the right of ways of Leon Street and Haverford Street; said point being located S 85deg 15' 59" E, 802.94 ft. from Durham LEC monument #164; thence, leaving the point of Beginning along the southern right of way of Leon Street, and along a curve to the right having a radius of 20.00 ft., a delta of 89deg. 16' 47", a length of 31.16 ft., and a chord of N 46deg. 21' 42" E, 28.11 ft. to an iron pin; thence, still along said southern right of way, S 88deg. 09' 00"E, 613.18 ft. to an iron pin; thence, along a curve to the right having a radius of 20.00 ft., a delta of 88deg. 52' 33", a length of 31.02 ft., and a chord of S 43deg. 45' 08" E, 28.01 ft. to an iron pin on the western right of way of Buchanan Boulevard; thence, along the western right of way of Buchanan Boulevard, S 00deg. 38' 46" W, 402.10 ft. to a iron pin on the northern right of way of Hudson Avenue; thence, along the northern right of way of Hudson Avenue, N 85 42 26 W, 173.11 ft. to an iron pin at the southeastern corner of Sandra E. Carlton; thence, along the eastern line of Sandra E. Carlton, N 04 deg. 18' 21" E, 164.42 ft. to an iron pin; thence, along the northern line of Sandra E. Carlton, Janis Holland, William J. Ferrel, Lisa E. Simms, and Spencer Baldwin, N 88deg. 07' 31" W, 299.87 ft. to an iron pin; thence, along the eastern line of Eugene F. Vincent, N 04deg. 05' 11" E, 49.99 ft. to an iron; thence, along the northern line of Eugene F. Vincent, N 88deg. 07' 31" W, 34.95 ft. to an iron pin; thence, along the eastern line of Ruby C. Rome and Arthur Rauschert, N 32deg. 47' 20" W, 104.99 ft. to an iron pin; thence, along the northern line of Arthur Rauschert, N 89deg. 05' 59" W, 101.11 ft. to an iron pin on the eastern right of way of Haverford Street; thence, along the eastern right of way of Haverford Street, N 00 deg. 46' 16" E, 95.12 ft. to an iron pin; said point being the point and place of Beginning; containing 170,412 S.F. or 3.912 acres.

A map showing the above described property is recorded in Plat Book 154, page 17, Durham County Registry, and is known on the Durham County tax records as Parcel 106303.

EXHIBIT B

1. Taxes for the year 2018 and subsequent years not yet due and payable.
2. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 154, pages 15 & 17 (Tract I); Plat Book 153, page 283 (Tract II), Durham County Registry.
3. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title regarding the following matters disclosed by survey entitled "ALTA/ACSM Land Title Survey for 1306 Leon Street LLC, Tract 1, 2, 3 & 5, Oaks at Northgate Holdings LLC" by Jeffrey H. Davis, P.L.S., dated March 7, 2016, hereinafter referred to as The Survey.
  - a. Service utilities;
  - b. Utility lines, utility poles and manholes;
  - c. Light poles, water valves, fire hydrants, cleanouts;
  - d. Fence encroachment(s);
  - e. Overhang encroachment(s);
  - f. Retaining wall encroachment(s).
4. 25-foot sanitary sewer easement recorded in Book 308, page 138, Durham County Registry, and shown on The Survey.
5. Right(s) of Way to General Telephone Company of the Southeast recorded in Book 314, page 144, Durham County Registry.
6. Rights of tenants in possession, as tenants only, under unrecorded leases for a duration of less than three (3) years.
7. That certain Parking Easement Agreement between 1306 Leon Street LLC and 1200 Leon Street LLC recorded under Book 8042, Page 30 of the Durham County Deed Records.