

For Registration Willie L. Covington
Register of Deeds
Durham County, NC
Electronically Recorded
2016 Mar 10 04:19 PM NC Rev Stamp: \$ 28000.00
Book: 7888 Page: 1 Fee: \$ 26.00
Instrument Number: 2016007228
DEED

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$28,000.00

Parcel Identifiers See attached Exhibit A Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Alison R. Cayton, Manning, Fulton & Skinner, P.A., Post Office Box 20389, Raleigh, NC 27619-0389

This instrument was prepared by: Alison R. Cayton of Manning, Fulton & Skinner, P.A.
Brief description for the Index: 4 tracts on Murray Avenue, Lednum Street, Maynard Avenue, Leon Street, Buchanan Boulevard, Hudson Avenue, Haverford Street, and Broad Street

THIS DEED made this _____ day of March, 2016, by and between

GRANTOR	GRANTEE
OAKS AT NORTHGATE HOLDINGS, LLC, a Nevada limited liability company authorized to do business in North Carolina	1306 LEON STREET LLC, a North Carolina limited liability company
Attention: Otto J. Kumbar 1205 Dorleath Court Raleigh, NC 27614	1000 East Cesar Chavez Austin, TX 78702

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, parcel of land, or condominium unit 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.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 5465, page 978, Durham County Registry.

None of the property herein conveyed includes the primary residence of a Grantor.

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:

This property is conveyed subject to a note and deed of trust from Oaks at Northgate Holdings, LLC, to The Fidelity Company as Trustee for John Hancock Life Insurance Company dated January 3, 2008, in the original principal amount of Ten Million and 00/100 Dollars (\$10,000,000.00), said deed of trust having been recorded in Book 5836, page 365, Durham County Registry. It is expressly agreed between the parties that the Grantee will assume the obligations of Grantor evidenced by said note and deed of trust.

Also see the exceptions listed on Exhibit B attached hereto and made a part hereof.

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

OAKS AT NORTHGATE HOLDINGS, LLC,
a Nevada limited liability company authorized to do
business in North Carolina (SEAL)

By: *Otto J. Kumber* (SEAL)
Otto J. Kumber, Manager

State of North Carolina - County or City of Wake

I, the undersigned Notary Public of the County or City of Wake and State aforesaid, certify that Otto J. Kumber personally came before me this day and acknowledged that he is the Manager of Oaks at Northgate Holdings, LLC, a Nevada limited liability company authorized to do business in North Carolina, 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 10th day of March, 2016.

My Commission Expires: 9-9-2020
(Affix Seal below)

Virginia M. Burrows
Virginia M. Burrows Notary Public
Notary's Printed or Typed Name

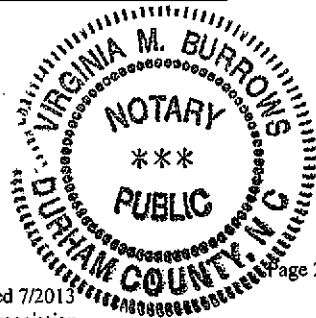


EXHIBIT A**LEGAL DESCRIPTION OF PREMISES****Tract 1**

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 Wilhelmine 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 Lednum 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

PERMITTED EXCEPTIONS

1. Taxes or assessments for the year 2016, and subsequent years, not yet due or 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 1); Plat Book 153, page 283 (Tract 2), Durham County Registry.
3. Any discrepancy, conflict, access, shortage in area or boundary lines, encroachment, encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land.
4. 25-foot sanitary sewer easement recorded in Book 308, page 138, Durham County Registry.
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. Deed of Trust, Assignment of Leases and Rents and Security Agreement to The Fidelity Company, a North Carolina corporation, Trustee for John Hancock Life Insurance Company, recorded in Book 5836, page 365, Durham County Registry.
8. Assignment of Leases recorded in Book 5836, page 416, Durham County Registry.
9. UCC Financing Statement recorded in Book 5836, page 426, Durham County Registry.