

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2021 Dec 29 01:00 PM
Book: 9575 Page: 462
NC Rev Stamp: \$ 107700.00 Fee: \$ 26.00
Instrument Number: 2021066103
DEED

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax \$ 107,700

Parcel Identifier No. 108609, 108607, 108608, 108601, 108611, 108612, 108626, 108610, 108599, 108600, and 113654

Verified by _____ County on the ____ day of _____, 2021

By _____

Mail after recording to: Bourland, Wall & Wenzel, P.C, 301 Commerce Street, Suite 1500, Fort Worth, Texas, Attn: Bryon R. Hammer

This instrument was prepared by: Polsinelli LLP, 2049 Century Park East, Suite 2900, Los Angeles, California, Attn: Jesse Nichols

Reviewed for compliance with North Carolina law by: David T. Pryzwansky - The Pryzwansky Law Firm, P.A.

Brief description for the Index: 1500 and 1505 Duke University Road, Durham, North Carolina

THIS DEED made this 22nd day of December, 2021, by and between:

GRANTOR

University Durham Owner LLC,
a Delaware limited liability company

912 Manhattan Ave, C4
Manhattan Beach, CA 90262
Attention: Ryan T. Hall

GRANTEE

Durham Holdings 360 LLC,
a Delaware limited liability company

300 Frank W. Burr Boulevard, Suite 68
Teaneck, NJ 07666
Attention: Nathan Friedman

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, as of the 22 day of December, 2021, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to it in hand paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, has TRANSFERRED, GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does TRANSFER, GRANT, BARGAIN, SELL and CONVEY unto Grantee in fee simple, the real property situated in the City of Durham, County of Durham, North Carolina and more particularly described on **Exhibit "A"** attached hereto and made part hereof, together with all of Grantor's right, title and interest in and to adjacent streets, alleys and rights-of-way (the "**Property**").

The property hereinabove described was acquired by Grantor by a Special Warranty Deed recorded in Book 9395, Page 511, Durham County Public Registry.

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


This conveyance is expressly made and accepted subject to (1) all taxes and general or special assessments that are not delinquent as of the date of this Special Warranty Deed, and (2) the matters described on **Exhibit "B"** attached hereto.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee in fee simple forever, its successors and assigns forever, and Grantor hereby warrants title to the Property only against the acts of Grantor and none other, subject to the matters set forth above.

[Signature Page to Follow]

GRANTOR:

UNIVERSITY DURHAM OWNER LLC,
a Delaware limited liability company

By: 
Name: Ryan T. Hall
Title: Authorized Signatory

NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California
COUNTY OF Los Angeles

On 12/16/2021, ^{BR}2021 before me, **Beth Rotondo, Notary Public**, a Notary Public, personally appeared Ryan T. Hall, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Beth Rotondo (Seal)



EXHIBIT A**LEGAL DESCRIPTION**

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Durham, County of Durham, State of North Carolina.

Tract One - Parcel 1

UNIVERSITY COMMONS (FORMERLY DUKE COURT APARTMENTS), SECTION I BEING ALL THAT CERTAIN TRACT OF LAND, LOCATED IN THE TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE LOCATED ON THE NORTHEAST CORNER OF THE PROPERTY NOW OR FORMERLY MAPLE WOOD CEMETERY, SAID IRON BEING LOCATED ON THE SOUTHERN RIGHT-OF-WAY OF DUKE UNIVERSITY ROAD (A 70 FOOT PUBLIC RIGHT-OF-WAY); THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4,535 FEET, AN ARC LENGTH OF 64.83 FEET, A CHORD BEARING OF SOUTH 77°09'21" EAST, AND A CHORD DISTANCE OF 64.83 FEET TO A REBAR IN THE PAVEMENT LOCATED ON THE NORTHWESTERN CORNER OF NOW OR FORMERLY PIN# 0821-06-27-8681; THENCE SOUTH 23°31'35" WEST, A DISTANCE OF 416.21 FEET TO AN IRON PIPE; THENCE NORTH 80°11'23" WEST, A DISTANCE OF 44.80 FEET TO A RAILROAD SPIKE IN THE PAVEMENT; THENCE ALONG SAID LINE A DISTANCE OF 20.05' TO AN IRON PIPE LOCATED ON THE EASTERN LINE OF MAPLE WOOD CEMETERY; THENCE ALONG THE EASTERN PROPERTY LINE OF THE AFOREMENTIONED CEMETERY, NORTH 23°25'43" EAST A DISTANCE OF 419.57 FEET TO THE POINT AND PLACE OF BEGINNING.

Tract One - Parcel 2

UNIVERSITY COMMONS (FORMERLY DUKE COURT APARTMENTS), SECTION II BEING ALL THAT CERTAIN TRACT OF LAND, LOCATED IN THE TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AT THE SOUTHWEST INTERSECTION OF DUKE UNIVERSITY ROAD (A 70' PUBLIC RIGHT-OF-WAY) AND UNDERWOOD AVENUE (A 38' PUBLIC RIGHT-OF-WAY), SOUTH 18°09'07" WEST, A DISTANCE OF 221.82 FEET TO AN IRON PIPE SET AT THE NORTHEAST CORNER OF THE PROPERTY NOW OR FORMERLY OF FROST CECIL C FRANTZ VONDA L; THENCE NORTH 78°29'56" WEST, A DISTANCE OF 86.83 FEET TO AN IRON PIPE LOCATED AT THE NORTHWESTERN CORNER OF THE AFOREMENTIONED LOT; THENCE SOUTH 23°04'38" WEST, A DISTANCE OF 188.34 FEET TO A CALCULATED POINT LOCATED ON THE NORTHEASTERN CORNER OF NOW OR FORMERLY PIN# 0821-10-27-6310; THENCE NORTH 79°46'01" WEST, A DISTANCE OF 123.00 FEET TO AN IRON PIPE LOCATED ON THE NORTHWESTERN CORNER OF THE AFOREMENTIONED LOT; THENCE SOUTH 22°08'30" WEST A DISTANCE OF 110.43 FEET TO AN IRON PIPE LOCATED ON THE NORTHERN RIGHT OF-WAY OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY); THENCE NORTH 82°36'16" WEST A DISTANCE OF 59.36 FEET TO AN IRON PIPE LOCATED ON THE EASTERN LINE OF A 20' ALLEY D.B. 5A, PG 10; THENCE NORTH 21°12'44" EAST A DISTANCE OF 112.48 FEET TO A RAILROAD SPIKE IN THE PAVEMENT LOCATED ON THE SOUTHERN LINE OF PIN# 0821-06-27-6672; THENCE SOUTH 80°11'23" EAST A DISTANCE OF 44.80 FEET TO AN IRON PIPE LOCATED ON THE SOUTHEASTERN CORNER OF THE AFOREMENTIONED LOT; THENCE

NORTH 23°31'35" EAST A DISTANCE OF 416.21 FEET TO AN IRON PIPE LOCATED ON THE SOUTHERN RIGHT-OF-WAY OF DUKE UNIVERSITY ROAD (A 70' PUBLIC RIGHT-OF-WAY); THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 4535.00 FEET, AN ARC LENGTH OF 166.96', A CHORD BEARING OF SOUTH 78°37'12" EAST, A DISTANCE OF 166.95 TO AN IRON PIPE SET; THENCE SOUTH 79°40'29" EAST A DISTANCE OF 35.47 FEET TO THE POINT AND PLACE OF BEGINNING.

UNIVERSITY COMMONS (FORMERLY DUKE COURT APARTMENTS), SECTION III BEING ALL THAT CERTAIN TRACT OF LAND, LOCATED IN THE TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE NORTHERN RIGHT-OF-WAY OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY), AND BEING THE SOUTHWESTERN CORNER OF NOW OR FORMERLY SCANLON REALTY CORPORATION, THENCE NORTH 82°36'16" WEST A DISTANCE OF 122.69 FEET TO AN IRON PIPE LOCATED ON THE SOUTHWESTERN CORNER OF NOW OR FORMERLY PIN# 0821-06-27-8681; THENCE NORTH 22°08'30" EAST A DISTANCE OF 110.43 FEET TO A IRON PIPE; THENCE SOUTH 79°46'01" EAST A DISTANCE OF 123.00 FEET TO AN IRON PIPE SET ON THE SOUTHEASTERN CORNER OF THE AFOREMENTIONED LOT; THENCE ALONG THE WESTERN PROPERTY LINE OF NOW OR FORMERLY LIZAMA HUGO ADIEL, SOUTH 23°04'38" WEST A DISTANCE OF 104.60 FEET TO THE POINT AND PLACE OF BEGINNING.

Tract One- Parcel 3

UNIVERSITY COMMONS (FORMERLY DUKE COURT APARTMENTS), SECTION IV BEING ALL THAT CERTAIN TRACT OF LAND, LOCATED IN THE TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE LOCATED ON THE SOUTHERN RIGHT-OF-WAY OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY), AND SAID IRON BEING THE NORTHEAST CORNER OF NOW OR FORMERLY PIN# 0821-10-27-5153, THENCE ALONG THE SOUTHERN RIGHT-OF-WAY OF JACKSON STREET, SOUTH 82°36'16" EAST A DISTANCE OF 109.26 FEET ALONG SAID RIGHT-OF-WAY TO AN IRON PIPE LOCATED AT THE INTERSECTION OF UNDERWOOD AVENUE (A 38' PUBLIC RIGHT-OF-WAY) AND JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY); THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 24.50, AN ARC LENGTH OF 19.81, AND CHORD BEARING OF SOUTH 10°55'57" EAST A DISTANCE OF 19.27 FEET TO AN IRON PIPE SET; THENCE SOUTH 18°09'07" WEST A DISTANCE OF 235.65 FEET TO AN IRON PIPE LOCATED ON THE NORTHEASTERN CORNER OF NOW OR FORMERLY CRESTVIEW ASSOCIATES; THENCE ALONG A LINE COMMON WITH SAID PROPERTY, NORTH 82°21'27" WEST A DISTANCE OF 158.62 FEET TO AN IRON PIPE SET LOCATED ON THE EASTERN PROPERTY LINE OF THE AFORMENTIONED LOT; THENCE NORTH 22°11'33" EAST A DISTANCE OF 102.34 FEET TO AN IRON PIPE SET LOCATED ON THE SOUTHERN LINE OF NOW OR FORMERLY PIN# 0821-10-27-5153; THENCE SOUTH 82°28'57" EAST A DISTANCE OF 34.89 FEET TO AN IRON PIPE SET; THENCE NORTH 17°18'33" EAST A DISTANCE OF 152.52 FEET TO AN IRON PIPE AND BEING THE POINT AND PLACE OF BEGINNING.

Tract One- Parcel 4

UNIVERSITY COMMONS (FORMERLY DUKE COURT APARTMENTS), SECTION V BEING ALL THAT CERTAIN TRACT OF LAND CONTAINING 0.45 ACRES, LOCATED IN THE TRIANGLE

TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AT THE SOUTHEAST INTERSECTION OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY) AND UNDERWOOD AVENUE (A 38' PUBLIC RIGHT-OF-WAY); THENCE SOUTH 82°36'16" EAST A DISTANCE OF 90.59 FEET TO AN IRON PIPE SET LOCATED ON THE NORTHWEST CORNER OF NOW OR FORMERLY UW LLC; THENCE SOUTH 14°21'38" WEST A DISTANCE OF 201.45 FEET TO AN IRON PIPE SET; THENCE NORTH 82°38'21" WEST A DISTANCE OF 104.16 FEET TO AN ANGLED IRON LOCATED ON THE EASTERN RIGHT-OF-WAY OF UNDERWOOD AVENUE (A 38' PUBLIC RIGHT-OF-WAY); THENCE NORTH 18°09'07" EAST A DISTANCE OF 203.61 TO THE POINT AND PLACE OF BEGINNING.

Tract One - Parcel 5

UNIVERSITY COMMONS (FORMERLY DUKE COURT APARTMENTS), SECTION VI BEING ALL THAT CERTAIN TRACT OF LAND, LOCATED IN THE TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY) AND BEING THE NORTHWESTERN PROPERTY CORNER OF PIN# 0821- 06-27-7102; THENCE SOUTH 17°18'33" WEST A DISTANCE OF 152.52 FEET TO AN IRON PIPE SET; THENCE NORTH 82°28'57" WEST A DISTANCE 34.89 FEET TO AN IRON PIPE SET LOCATED ON THE NORTHEASTERN CORNER OF NOW OR FORMERLY CRESTVIEW ASSOCIATES; THENCE NORTH 82°28'38" WEST A DISTANCE OF 154.92 FEET TO AN IRON PIPE SET LOCATED ON THE EASTERN LINE OF A TWENTY FOOT ALLEY (D.B. 5A, PG. 10); THENCE NORTH 21°12'44" A DISTANCE EAST 154.29 FEET TO AN IRON PIPE IN THE PAVEMENT, LOCATED ON THE SOUTHERN RIGHT-OF-WAY OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY); THENCE SOUTH 82°36'16" EAST A DISTANCE OF 179.22 FEET TO AN EXISTING IRON PIPE, BEING THE POINT AND PLACE OF BEGINNING.

Tract One - Parcel 6

UNIVERSITY COMMONS (FORMERLY DUKE VILLA APARTMENTS) BEING ALL THAT CERTAIN TRACT OF LAND LOCATED IN THE TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE SET LOCATED ON THE SOUTHEAST INTERSECTION OF DUKE UNIVERSITY ROAD (A 70' PUBLIC RIGHT-OF-WAY) AND UNDERWOOD AVENUE (A 38' PUBLIC RIGHT-OF-WAY); THENCE SOUTH 79°22'23" EAST A DISTANCE OF 54.19 TO AN IRON PIPE SET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1270.00 FEET, AN ARC LENGTH 184.71, A CHORD BEARING OF SOUTH 83°32'23" EAST A DISTANCE OF 184.55 FEET TO AN IRON PIPE SET; THENCE SOUTH 87°42'23" EAST A DISTANCE OF 33.59 FEET TO AN IRON PIPE, THENCE DEPARTING FROM SAID RIGHT-OF-WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 43.43 FEET, AND A CHORD BEARING OF SOUTH 37°56'33" EAST A DISTANCE OF 38.17 FEET TO AN IRON PIPE SET LOCATED ON THE WESTERN RIGHT-OF-WAY CHAPEL HILL ROAD (AN 80' PUBLIC RIGHT-OF-WAY); THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 960.00 FEET AN ARC LENGTH OF 117.33 FEET, AND A CHORD BEARING OF SOUTH 15°19'21" WEST A DISTANCE OF 117.26 FEET TO AN IRON PIPE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1243.49 FEET, AN ARC LENGTH OF 287.43 FEET AND A CHORD BEARING OF SOUTH 12°12'06" WEST A DISTANCE OF 286.79 FEET TO AN IRON PIPE, THENCE

SOUTH 5°34'47" WEST A DISTANCE OF 45.23 FEET TO AN IRON PIPE SET; THENCE DEPARTING FROM THE WESTERN RIGHT-OF-WAY OF CHAPEL HILL ROAD (AN 80' PUBLIC RIGHT-OF-WAY), AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, AN ARC LENGTH OF 32.05 FEET, AND A CHORD BEARING OF SOUTH 51°29'16" WEST A DISTANCE OF 28.73 TO AN IRON PIPE, LOCATED ON THE NORTHERN RIGHT-OF-WAY OF JACKSON STREET (A 46' PUBLIC RIGHT-OF-WAY); THENCE NORTH 82°36'16" WEST A DISTANCE OF 333.88 FEET TO AN IRON PIPE LOCATED ON THE EASTERN RIGHT-OF-WAY OF UNDERWOOD AVENUE (A 38' PUBLIC RIGHT-OF-WAY); THENCE NORTH 18°09'07" EAST A DISTANCE OF 500.44 FEET TO AN IRON PIPE, BEING THE POINT AND PLACE OF BEGINNING

Tract Two

UNIVERSITY APARTMENTS BEING ALL THAT CERTAIN TRACT OF LAND LOCATED IN TRIANGLE TOWNSHIP, DURHAM COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE AT THE MOST NORTHEASTERN INTERSECTION CORNER OF SWAN STREET (A 30' PUBLIC RIGHT-OF-WAY) AND DUKE UNIVERSITY ROAD (A 70' PUBLIC RIGHT-OF-WAY); THENCE WITH THE EASTERN RIGHT-OF-WAY OF SWAN STREET (A 30' PUBLIC RIGHT-OF-WAY), NORTH 8°03'39" EAST, A DISTANCE OF 250.94 FEET TO AN EXISTING IRON PIPE AT THE SOUTHEAST CORNER OF SWAN STREET (A 30' PUBLIC RIGHT-OF-WAY) AND BURCH AVENUE (A 40' PUBLIC RIGHT-OF-WAY); THENCE WITH THE SOUTHERN RIGHT-OF-WAY OF BURCH AVENUE (A 40' PUBLIC RIGHT-OF-WAY), SOUTH 87°54'34" EAST, A DISTANCE OF 446.80 FEET TO AN IRON PIPE SET AT THE NORTHWEST CORNER OF LANDS OWNED NOW OR FORMERLY BY RAND A NEYLAND (DB 1105, PG 311); THENCE WITH THE PROPERTY LINES OF NEYLAND, SOUTH 2°5'26" WEST, A DISTANCE OF 100.55 FEET TO AN "X" MARKED IN THE CURB; THENCE SOUTH 84°42'17" EAST, A DISTANCE OF 221.47 FEET TO AN EXISTING IRON PIPE ON THE WESTERN RIGHT-OF-WAY OF MAPLEWOOD AVENUE, A 46' WIDE PUBLIC RIGHT-OF-WAY; THENCE WITH THE WESTERN RIGHT-OF-WAY OF MAPLEWOOD AVENUE, SOUTH 03°04'22" WEST, A DISTANCE OF 222.50 FEET TO AN EXISTING IRON PIPE AT THE NORTHWEST INTERSECTION OF DUKE UNIVERSITY ROAD (A 70' PUBLIC RIGHT-OF-WAY) AND MAPLEWOOD AVENUE (A 46' PUBLIC RIGHT-OF-WAY); THENCE WITH THE NORTHERN RIGHT-OF-WAY OF DUKE UNIVERSITY ROAD, NORTH 88°33'46" WEST, A DISTANCE OF 80.07 FEET TO A POINT; THENCE NORTH 85°27'18" WEST, A DISTANCE OF 97.72 FEET TO A POINT; THENCE NORTH 81°24'48" WEST, A DISTANCE OF 98.16 FEET TO A POINT; THENCE NORTH 79°51'55" WEST, A DISTANCE OF 99.09 FEET TO A POINT; THENCE NORTH 78°48'07" WEST, A DISTANCE OF 99.19 FEET TO A POINT; THENCE NORTH 77°45'43" WEST, A DISTANCE OF 99.09 FEET TO A POINT; THENCE NORTH 76°49'04" WEST, A DISTANCE OF 99.21 FEET TO A POINT; THENCE NORTH 75°24'27" WEST, A DISTANCE OF 24.62 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. All statutes, laws, ordinances, codes, orders, rules, restrictions, requirements and regulations (including, without limitation, zoning, building, rent and environmental statutes, laws, ordinances, codes, orders, rules, restrictions, requirements and regulations) of all federal, state, municipal, or other governmental departments, authorities or other entities having jurisdiction over the Property and the use thereof including, but not limited to, those relating to the environmental condition of the Property and/or the presence, use, storage, handling, introduction, abatement, disposal or removal thereon or therein of any hazardous or toxic materials, substances or contaminants.
2. Rights, if any, of any utility company to construct and/or maintain lines, pipes, wires, cables, poles, conduits and distribution boxes and equipment in, over, under, and/or upon the Property or any portion thereof existing as of the date of this Special Warranty Deed.
3. Right, lack of right or restricted right of any owner of the Property to construct and/or maintain fuel chutes, sidewalk elevators, gratings, cellar steps, manholes, hoists or excavations under, in, upon or over the sidewalks abutting the Property.
4. Possible variation between tax maps and boundary lines or record descriptions of title.
5. Rights of tenants as tenants only under unrecorded leases.
6. Taxes for the year 2022, and subsequent years, none now due or payable.

AS TO TRACT ONE:

7. Order Permanently Closing (Old) Maplewood Avenue Between the Southern Right-of-Way of Duke University Road and Western Right-of-Way of (New) Maplewood Avenue in favor of City of Durham recorded on December 30, 1982 in Book 1101, Page 309, in the Durham County Records.
8. Easement and Memorandum Agreement granted to Time Warner Entertainment-Advance/Newhouse Partnership recorded on August 12, 2008 in Book 6035, Page 802, in the Durham County Records.
9. Easement and Memorandum of Agreement granted to Time Warner Entertainment-Advance/Newhouse Partnership recorded on August 12, 2008 in Book 6035, Page 832, in the Durham County Records.
10. All conditions, matters, easements and setback lines as set forth on plat recorded in Plat Book 65, Page 42, in the Durham County Records.
11. All conditions, matters, easements and setback lines as set forth on plat recorded in Plat Book 101, Page 5, in the Durham County Records.

12. All conditions, matters, easements and setback lines as set forth on plat recorded in Plat Book 5A, Page 10, in the Durham County Records.
13. All conditions, matters, easements and setback lines as set forth on plat recorded in Plat Book 18A, Page 103, in the Durham County Records.

AS TO TRACT TWO:

14. Easement granted to Duke Power Company recorded on November 6, 1981 in Book 1070, Page 656, in the Durham County Records.
15. Easement and Memorandum Agreement made by and between CDC-Durham, LLC and Time Warner Entertainment - Advance/Newhouse Partnership recorded on April 19, 2010 in Book 6457, Page 132, in the Durham County Records.