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20161219000265410 DEED
Bk:RB6238 Pg:187
12/19/2016 11:07:58 AM 1/6

FILED Mark Chilton
Register of Deeds, Orange Co, NC
Recording Fee: \$26.00
NC Real Estate TX: \$2550.00

SPECIAL WARRANTY DEED

This instrument prepared by: ROD O'DONOGHUE, JR., ESQ., a N.C. licensed Attorney
PINNA, JOHNSTON & BURWELL, P.A.
(Prepared without title search or opinion, express or implied)

After recording, mail to: Grantee

Excise Tax \$2,550.00

PIN's: ⁹799-04-6951 and 9799-04-7995 *LKB*

Brief Description for Index: 1605 & 1609 E. Franklin St, Chapel Hill, NC

**ORANGE COUNTY
NORTH CAROLINA**

THIS SPECIAL WARRANTY DEED is made this 16th day of December, 2016, by and between:

| <u>GRANTOR</u> | <u>GRANTEE</u> |
|--|--|
| <p>HPW PROPERTIES, LLC, a North Carolina limited liability company</p> <p>1001 Wade Avenue, Suite 100 Raleigh, NC 27605</p> | <p>AZIZ AND GWEN SANCAR FOUNDATION, a North Carolina nonprofit corporation</p> <p>311 West University Drive Chapel Hill, NC 27516</p> |

The property is not the primary residence of the Grantor (N.C.G.S. Section 105-317.2).



As used in this Deed, the terms "Grantor" and "Grantee" include said parties and their respective heirs, successors and assigns, and include the singular, plural, masculine, feminine or neuter as indicated by context.

WITNESSETH, that the Grantor, for a good and valuable consideration, the receipt and sufficiency of which are acknowledged, has granted, bargained, sold, transferred and conveyed and by these presents does grant, bargain, sell, transfer, and convey unto the Grantee in fee simple, all those certain lots, tracts or parcels of land and all improvements and appurtenances thereon and thereto (the "Property") situated in or near the Town of Chapel Hill, Orange County, North Carolina, and more particularly described on attached **Exhibit A**, which is incorporated by reference for a more particular description.

TO HAVE AND TO HOLD the aforesaid Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Property is all of that property conveyed to Grantor by deeds recorded February 20, 2007 in Book 4221, Pages 497 and 501, in the Office of the Register of Deeds of Orange County, North Carolina (the "Orange County Registry").

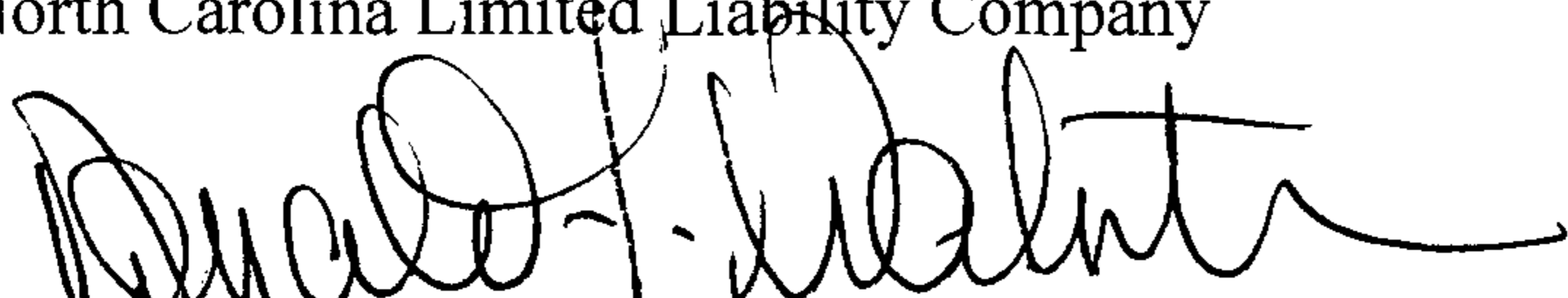
And the Grantor covenants with the Grantee that Grantor has done nothing to impair such title as Grantor received and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor. Title to the Property is specifically subject, without limitation, to the exceptions set forth on attached **Exhibit B**, which is incorporated by reference.

The rest of this page is left blank.
Signature and Notary acknowledgement are on the following page.



IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed and delivered by its Manager as a sealed instrument, adopting as its seal the word "SEAL" appearing at the end of Grantor's name and/or signature line, as of the day and year first above written.

HPW PROPERTIES, LLC, [SEAL]
a North Carolina Limited Liability Company

By: 
Donald F. Walston, Manager

STATE OF NORTH CAROLINA

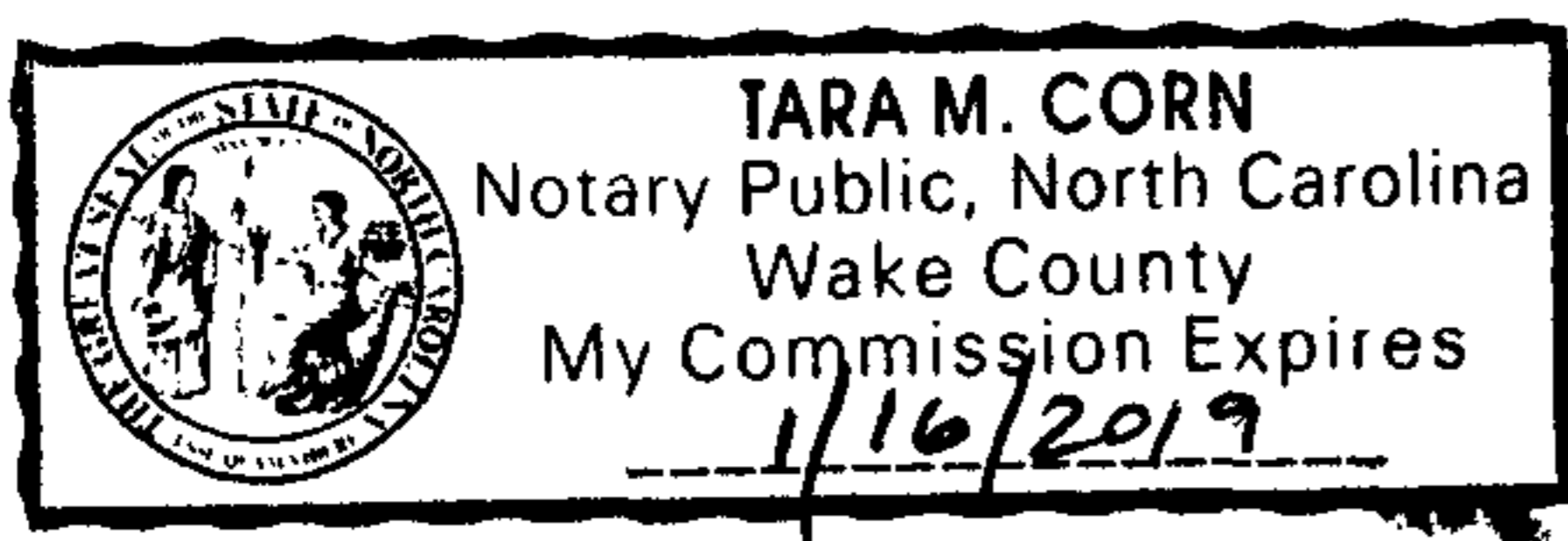
COUNTY OF WAKE
(Place of Acknowledgment)

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that **Donald F. Walston** personally appeared before me this day and acknowledged the due execution of the foregoing instrument by him as Manager of **HPW PROPERTIES, LLC**, a North Carolina limited liability company, for the purposes stated therein.

Witness my hand and official stamp or seal this 16 day of December, 2016.

[SEAL – STAMP]


Notary Public



TARA M. CORN
Printed Name of Notary Public
My commission expires 1/16/2019

[Note: Notary Public must sign exactly as on notary seal]
(NOTARY SEAL MUST BE FULLY LEGIBLE)



EXHIBIT "A"

DESCRIPTION OF PROPERTY

Property Addresses: 1605 & 1609 E. Franklin St, Chapel Hill, NC

PIN's: 0799-04-6951 and 9799-04-7995

All those certain lots, tracts or parcels of land and all improvements and appurtenances thereon and thereto situated in or near the Town of Chapel Hill, Orange County, North Carolina, and more particularly described as follows:

BEGINNING at iron rod found being the point and place of beginning, said point being the southwestern corner of the subject property and lies on the northern right-of-way of East Franklin Street, said point is also the southeastern corner of the property now or formerly of Tendu Investments, LLC;

Thence with the line of said Tendu Investments, LLC the following course and distance:

North 51° 57' 12" West 373.93 feet to an iron rod found at the northwestern corner of said Tendu Investments, LLC;

Thence leaving the line of said Tendu Investments, LLC, the following course and distance:

North 51° 57' 12" West 12.39 feet to an iron rod found in the southern right-of-way of Velma Road;

Thence with the southern right-of-way line of Velma Road the following course and distance:

Along the arc of a curve to the left having a radius of 389.30 feet for a distance of 47.16 feet, said curve having a chord bearing North 27° 53' 11" East and a chord length of 47.13 feet; thence North 24° 24' 56" East, 28.30 feet to an iron rod found on the southern right-of-way of Velma Road, a corner of the property now or formerly of Joel L. Fleishman, Trustee;

Thence with the line of said Joel L. Fleishman the following course and distance:

North 88° 34' 26" East, 234.13 feet to an iron rod found, said corner also being a southeast corner of the property of said Joel L. Fleishman and the western corner of the property now or formerly of Andiamo, LLC;

Thence along the line of said Andiamo, LLC the following course and distance:



South 52° 20' 20" East, 222.14 feet to an iron rod found, said corner being the southeastern corner of said Andiamo, LLC, and a point on the northern right-of-way of East Franklin Street.

Thence with the right-of-way of East Franklin Street the following courses and distances:

South 38° 30' 16" West, 99.42 feet to an iron rod found; thence South 38° 27' 38" West 124.82 feet to the point and place of BEGINNING, containing 1.727 acres, more or less, and compromising two properties known as parcel numbers 9799046951 and 9799047995, which said properties are to remain separate at this time.

PROVIDED HOWEVER, THAT THE GRANTOR MAKES NO WARRANTY, AS TO TITLE TO THE FOLLOWING DESCRIBED PORTION OF THE PROPERTY DESCRIBED ABOVE, DESIGNATED HEREIN AS PART A-2:

BEGINNING at an iron rod found at the northwestern corner of property now or formerly of Tendu Investments, LLC; thence leaving the line of said Tendu Investments, LLC, the following course and distance:

North 51° 57' 12" West 12.39 feet to an iron rod found in the southern right-of-way of Velma Road;

Thence with the southern right-of-way line of Velma Road the following course and distance:

Along the arc of a curve to the left having a radius of 389.30 feet with a chord length of 47.13 feet and chord bearing North 27° 53' 11" East for a distance of 47.16 feet; thence North 24° 24' 56" East, 28.30 feet to an iron rod found on the southern right-of-way of Velma Road, a corner of the property now or formerly of Joel L. Fleishman, Trustee;

Thence the following course and distance:

South 17° 48' 33" West 78.76 feet to the point and place of beginning.

Part A-2 shall remain part of PIN 9799046951. *RF*



EXHIBIT "B"
TO
CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY
PERMITTED EXCEPTIONS

Title to the Property may be subject to the following exceptions only:

1. Ad valorem real property taxes for years subsequent to 2016;
2. Easements and rights-of-way for publicly dedicated roads adjacent to or bordering the Property;
3. Easements, rights-of-way, restrictions and covenants of record affecting the Property; and
4. Matters which would be discovered by an accurate survey and inspection of the Property.