

FOR REGISTRATION
 Sharon A. Davis
 REGISTER OF DEEDS
 Durham County, NC
 2017 Oct 10 04:43:46 PM
 BK:8286 PG:442-446
 DEED
 FEE: \$26.00
 INSTRUMENT # 2017035753
 EXCISE TAX: \$11,858.00
 SMMARSH

 2017035753

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Stamps: \$11,858.00

Parcel ID No. 0749-04-50-7749

The property herein conveyed is not Grantor's primary residence. (NCGS §105-317.2)

After recording: ~~MAIL TO GRANTEE~~ *Blaine Tackabery (KMD) PO Box 25065,
Winston-Salem NC 27114*

This instrument was prepared by: Shannon Parkhurst of Scannell Properties and reviewed by Kelly M. Otis, an attorney licensed to practice in the State of North Carolina

Brief description for the Index: Approximately 6.930 Acres, Triangle Township, Durham County, North Carolina

THIS DEED made this 10th day of October, 2017, by and between:

<p>GRANTOR: Scannell Properties #232, LLC, An Indiana limited liability company 8801 River Crossing Boulevard, Suite 300 Indianapolis, IN 46240</p>	<p>GRANTEE: INTUITIVE SURGICAL, INC., A Delaware corporation 1020 Kifer Road Sunnyvale, CA 94086-5304</p>
--	--

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, Durham County, North Carolina and more particularly described on Exhibit A, attached hereto and made a part hereof (the "Property").

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 7982, Pages 555 and 562, Durham County Register of Deeds.

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


AND THE GRANTOR covenants with the Grantee, that Grantor is seized of its interest in the Property in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances except as listed on Exhibit B attached hereto and made a part hereof, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions listed on Exhibit B. Title to the Property is conveyed subject to those exceptions included on Exhibit B, attached hereto and made a part hereof.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name and delivered as of the date indicated on the first page of this Deed.

GRANTOR:

SCANNELL PROPERTIES #232, LLC,
An Indiana limited liability company

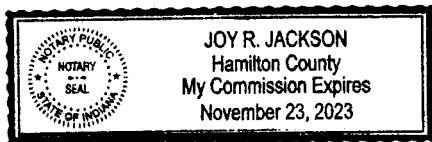
By: 
James C. Carlino, Manager

STATE OF INDIANA

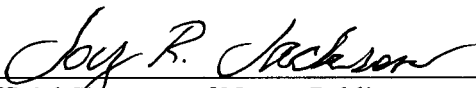
COUNTY OF MARION

I certify that the following person personally appeared before me this day and acknowledged that she/he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: James C. Carlino as the Manager of Scannell Properties #232, LLC, an Indiana limited liability company.

Date: October 4, 2017.



(Official Seal)


Official Signature of Notary Public

Joy R. Jackson
Insert name of Notary, printed or typed

My Commission Expires: 11/23/23

EXHIBIT A**LEGAL DESCRIPTION**

BEGINNING AT A NEWLY SET IRON PIPE LOCATED ON THE EXISTING SOUTHERN RIGHT-OF-WAY LINE OF T. W. ALEXANDER DRIVE AND BEING THE NORTHWESTERN PROPERTY CORNER OF LOT 3B AS RECORDED IN PLAT BOOK 197, PAGE 35, DURHAM COUNTY REGISTRY; THENCE LEAVING SAID RIGHT-OF-WAY ALONG AND WITH SAID WESTERN PROPERTY LINE SOUTH 32°45'25" WEST A DISTANCE OF 67.36 TO A NEWLY SET IRON PIPE; THENCE SOUTH 02°11'48" WEST A DISTANCE OF 253.06 FEET TO A NEWLY SET IRON PIPE LOCATED ON THE NORTHERN PROPERTY LINE OF LANDS NOW OR FORMERLY OWNED BY LC INDUSTRIES INC AS RECORDED IN DEED BOOK 6118, PAGE 697 AND AS SHOWN IN PLAT BOOK 96, PAGE 144, DURHAM COUNTY REGISTRY; THENCE ALONG SAID NORTHERN PROPERTY LINE NORTH 87°48'12" WEST A DISTANCE OF 613.20 FEET TO AN EXISTING IRON PIPE, THE SOUTHEASTERN PROPERTY CORNER OF LANDS NOW OR FORMERLY OWNED BY SHIRLEY HALL BRIGGS AS RECORDED IN DEED BOOK 373, PAGE 144 AND AS SHOWN IN SAID PLAT BOOK 96, PAGE 144, DURHAM COUNTY REGISTRY; THENCE ALONG AND WITH SAID EASTERN PROPERTY LINE NORTH 24°08'06" EAST A DISTANCE OF 316.47 FEET TO AN EXISTING IRON PIPE, THE SOUTHEASTERN PROPERTY CORNER OF LANDS NOW OR FORMERLY OWNED BY BETTY H. & GRAHAM C. LOVITTE AS RECORDED IN DEED BOOK 315, PAGE 611 AND AS SHOWN IN PLAT BOOK 155, PAGE 175, DURHAM COUNTY REGISTRY; THENCE ALONG AND WITH SAID EASTERN PROPERTY LINE NORTH 24°14'50" EAST A DISTANCE OF 200.26 FEET TO AN EXISTING IRON PIPE; THENCE NORTH 65°44'08" WEST A DISTANCE OF 265.42 FEET TO A NEWLY SET IRON PIPE LOCATED ON THE NEWLY DEDICATED EASTERN RIGHT-OF-WAY LINE OF S. MIAMI BOULEVARD; THENCE ALONG AND WITH SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 68.13 FEET, SAID CURVE HAVING A RADIUS OF 28869.14 FEET, A CHORD DIRECTION OF NORTH 27°34'17" EAST AND A CHORD DISTANCE OF 68.13 FEET TO A NEWLY SET IRON PIPE; THENCE NORTH 23°21'32" EAST A DISTANCE OF 19.28 FEET TO A NEWLY SET IRON PIPE; THENCE NORTH 23°35'27" EAST A DISTANCE OF 14.98 FEET TO A NEWLY SET IRON PIPE; THENCE AS SAID RIGHT-OF-WAY TRANSITIONS INTO THE NEW SOUTHERN RIGHT-OF-WAY LINE OF T. W. ALEXANDER DRIVE NORTH 71°15'05" EAST A DISTANCE OF 77.17 FEET TO A NEWLY SET IRON PIPE; THENCE ALONG AND WITH SAID RIGHT-OF-WAY ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 273.96 FEET, SAID CURVE HAVING A RADIUS OF 1566.97 FEET, A CHORD DIRECTION OF SOUTH 62°54'04" EAST AND A CHORD DISTANCE OF 273.61 FEET TO A NEWLY SET IRON PIPE; THENCE SOUTH 55°40'45" EAST A DISTANCE OF 235.20 FEET TO A NEWLY SET IRON PIPE; THENCE SOUTH 54°19'05" EAST A DISTANCE OF 115.81 FEET TO A NEWLY SET IRON PIPE ON SAID EXISTING SOUTHERN RIGHT-OF-WAY LINE OF T. W. ALEXANDER DRIVE; THENCE ALONG AND WITH SAID RIGHT-OF-WAY SOUTH 10°50'20" EAST A DISTANCE OF 70.98 FEET TO AN EXISTING IRON PIPE; THENCE SOUTH 57°14'35" EAST A DISTANCE OF 30.62 FEET TO THE POINT OF BEGINNING, CONTAINING 6.9340 ACRES AND BEING ALL OF LOT 3A AS RECORDED IN SAID PLAT BOOK 197, PAGE 35, DURHAM COUNTY REGISTRY.

EXHIBIT B

PERMITTED ENCUMBRANCES

1. The lien for all city, state and county ad valorem taxes, utility assessments, governmental assessments and similar impositions levied or imposed upon or assessed against the Property not due and payable on or before the date of this instrument.
2. Zoning ordinances affecting the Property.
3. All easements, covenants, restrictions, reservations and rights-of-way of record as of October 6, 2017, including, without limitation, the following:
 - a. Amended and Restated Declaration With Respect to Covenants and Restrictions Affecting Triangle Business Center, dated as of March 17, 1992, and recorded in Deed Book 1721, at Page 125, Durham County Registry, as amended by that certain First Modification to Amended and Restated Declaration With Respect to Covenants and Restrictions Affecting Triangle Business Center dated December 21, 1995 and recorded in Deed Book 2150, at Page 858, Durham County Registry, and affected by that certain Triangle Business Center Property Owners Association – Resignation of Declaration dated December 21, 1995, and recorded in Deed Book 2150, at Page 869, Durham County Registry; as further amended by that certain Second Modification to Amended and Restated Declaration with Respect to Covenants Affecting Triangle Business Center dated as of November 9, 2015 and recorded in Book 7839 Page 568 of the Durham County Registry; as further amended by that certain Second Modification to Declaration to Amended and Restated Declaration with Respect to Covenants and Restrictions Affecting Triangle Business Center dated as of December 9, 2015 and recorded in Book 7852 Page 199; and further amended by that certain Third Modification to Amended and Restated Declaration with Respect to Covenants and Restrictions Affecting Triangle Business Park dated as of July 12, 2016 and recorded in Book 7999 Page 856 of the Durham County Registry.
 - b. Easements, setback lines and any other matters shown on plat recorded in Plat Book 123 at Page 99, Plat Book 127 at Page 38, Plat Book 155 at Page 173, Plat Book 188 at Page 85, and Plat Book 197 at Page 35, Durham County Registry.
 - c. Stormwater Facility Agreement and Covenants recorded in Book 8089 at Page 432, Durham County Registry.
 - d. Easements and/or Right(s) of Way to Duke Power Company recorded in Book 264 at Page 291 and Book 1473 at Page 475, Durham County Registry.
 - e. Easements reserved in Deed to Department of Transportation recorded in Book 1426 at Page 232, Durham County Registry.
 - f. Easement to Duke Energy Carolinas, LLC recorded in Book 8231 at Page 452.
 - g. Stormwater Pond Access and Maintenance Agreement recorded in Book 8286, Page 453, Durham County Registry.