

For Registration Sharon A. Davis  
Register of Deeds  
Durham County, NC  
Electronically Recorded  
**2021 Nov 09 03:39 PM**  
**Book: 9523 Page: 644**  
NC Rev Stamp: \$ 5550.00 Fee: \$ 26.00  
Instrument Number: 2021057436  
DEED

Excise Tax: \$5,550.00 Recording Time, Book and Page

County Parcel ID: 108522 PIN: 0821-25-89-0349

Return after recording to: GRANTEE

This instrument was prepared by: Douglas J. Short of Manning, Fulton & Skinner, P.A.  
*(WITHOUT THE BENEFIT OF TITLE EXAMINATION)*

Brief description for the Index: The Viceroy Apartments

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED is made as of the 9 day of November, 2021, by and between

GRANTOR	GRANTEE
<b>SOUTHERN CREEK RESIDENTIAL DURHAM I, LLC,</b> a Delaware limited liability company  335 Yadkin Dr. Raleigh, NC 27609	<b>WMI VICEROY, LLC,</b> a North Carolina limited liability company  555 Madison Ave, 5 <sup>th</sup> Floor New York, NY 10022

The property conveyed by this instrument does not include the primary residence of the Grantor.

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 valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged has given, granted, bargained, sold, and conveyed, and by these presents does hereby give, grant, bargain, sell, and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Durham County, North Carolina, and more particularly described as follows:

**See Exhibit A attached hereto and incorporated herein by reference.**

Submitted electronically by "Kennon Craver, PLLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Durham County Register of Deeds.

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: (i) ad valorem taxes for the year 2021 and subsequent years and pending assessments not yet due or payable; (ii) enforceable easements, restrictions, covenants, and rights of way of record; (iii) zoning ordinances, development plans, and site plans affecting the subject property; and (iv) matters which would be revealed by a current and accurate survey of the property.

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

[signature and notary acknowledgment follows]

**GRANTOR:**

**SOUTHERN CREEK RESIDENTIAL DURHAM I, LLC,**  
a Delaware limited liability company

By: SCRDMM I, LLC,  
a Delaware limited liability company, its Managing Member

By: Southern Creek Capital, LLC, a Delaware limited  
liability company, its Managing Member

By: *Thomas Stuart Smith, Jr.*, Managing Member  
Thomas Stuart Smith, Jr., Managing Member

STATE OF NORTH CAROLINA

COUNTY OF WAKE

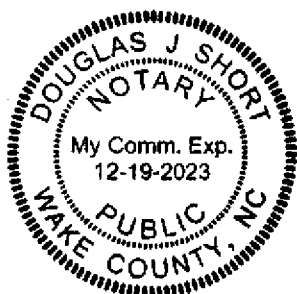
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:  
Thomas Stuart Smith, Jr.

Date: Nov. 8, 2021

Notary Public: *DJS*

Printed Name: Douglas J. Short

My Commission Expires: 12/19/23



**EXHIBIT A**

**Legal Description**

**THE REAL PROPERTY LOCATED AT 1700 CHAPEL HILL ROAD, DURHAM, NORTH CAROLINA 27707, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A STAKE IN THE PROPERTY LINE ON THE NORTHWEST SIDE OF CHAPEL HILL ROAD, AT THE NORTHEAST CORNER OF LOT #5 OF THE W.E. HOLT PROPERTY, AND RUNNING THENCE NORTH 50° 40' WEST 181.14 FEET TO A STAKE; THENCE NORTH 41° 26' EAST 113.52 FEET TO A STAKE IN THE PROPERTY LINE ON THE SOUTH SIDE OF MOREHEAD AVENUE; THENCE ALONG AND WITH THE PROPERTY LINE ON THE SOUTH SIDE OF MORE HEAD AVENUE SOUTH 87° 09' EAST 12.8 FEET TO A STAKE; THENCE CONTINUING ALONG AND WITH THE PROPERTY LINE ON THE SOUTH SIDE OF MOREHEAD AVENUE SOUTH 81° 59' EAST 208.4 FEET TO A STAKE AT THE BEGINNING OF A CURVE; THENCE IN A CURVE WITH A RADIUS OF 12.5 FEET IN A SOUTHEASTERN DIRECTION AS THE PROPERTY LINE ON THE SOUTH SIDE OF MOREHEAD AVENUE TURNS INTO THE PROPERTY LINE ON THE NORTHWEST SIDE OF CHAPEL HILL ROAD 30.72 FEET TO A STAKE; THENCE SOUTH 35° 57' EAST 6.5 FEET TO A STAKE IN THE CURB LINE ON THE NORTHWEST SIDE OF CHAPEL HILL ROAD; THENCE ALONG AND WITH THE CURB LINE ON THE NORTHWEST SIDE OF CHAPEL HILL ROAD IN CURVE WITH A RADIUS OF 494.44 FEET IN A SOUTHWESTERN DIRECTION 111.32 FEET TO A STAKE; THENCE CONTINUING ALONG AND WITH THE CURB LINE ON THE NORTHWEST SIDE OF CHAPEL HILL ROAD SOUTH 42° 14' WEST 50 FEET TO A STAKE; THENCE NORTH 50° 36' WEST 9.3 FEET TO A STAKE IN THE PROPERTY LINE ON THE NORTHWEST SIDE OF CHAPEL HILL ROAD SOUTH 42° 27' WEST 50 FEET TO A STAKE, THE POINT OF BEGINNING AND BEING THE PROPERTY OF LANDMARK INVESTMENT COMPANY AS PER PLAT AND SURVEY OF CREDLE ENGINEERING COMPANY, DATED AUGUST 28, 1967, TO WHICH REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF SAME. ALSO BEING LOTS #6, 7 AND 8 OF THE W.E. HOLT PROPERTY, PLAT BOOK 2 PAGE 31 DURHAM COUNTY REGISTRY.**

**SAVE AND EXCEPT THE PROPERTY CONVEYED TO CITY OF DURHAM BY THAT CERTAIN DEED DATED MAY 17, 2021. RECORDED IN BOOK 9332, PAGE 164, REGISTER OF DEEDS, DURHAM COUNTY, NORTH CAROLINA.**