

06/30/2022 04:11:08PM

BT: OPR B: 9732 P: 306 Pages: 5

DEED - DEED

Fee: \$22,806.00 Excise Tax: \$22780.00

**INSTRUMENT #2022027166**

Sharon Marsh

Excise Tax \$ 22,780.00

Recording Time, Book and Page

Tax Parcel IDs.: 126423

Prepared by: Williams Mullen, Chris Trusk, 301 Fayetteville Street, Suite 301, Raleigh, NC 27601

Mail after recording to: Grantee

Brief description for the Index: 1700 North Pointe Drive, Durham, NC 27705

## NORTH CAROLINA SPECIAL WARRANTY DEED

1. THIS DEED made as of this \_\_\_ day of June, 2022, by and between

<u>GRANTOR</u>	<u>GRANTEE</u>
<b>North Pointe PH. I Limited Partnership</b> a Virginia limited partnership 222 Central Park Avenue, Suite 2100 Virginia Beach, Virginia 23462	<b>RKS HD LLC</b> a Delaware limited liability company 600 Lexington Avenue, 14 <sup>th</sup> Floor New York, New York 10022

2. 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.
3. **WITNESSETH**, that Grantor, for a valuable consideration paid by 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 (the "**Property**") situated in the County of Durham, North Carolina, and more particularly described as follows:

In fee, all of the Property, more particularly described in **Exhibit A** attached hereto and made a part hereof for all purposes.

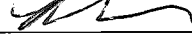
4. TO HAVE AND TO HOLD the Property and all privileges and appurtenances, including without limitation all easements, thereto belonging to Grantee and its successors and assigns in fee simple forever.
5. Grantor does hereby warrant the title to said Property, will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but not otherwise.
6. The Property does not contain the primary residence of Grantor.
7. Title to the Property and the warranties herein are subject to the matters more particularly described in **Exhibit B** attached hereto and made a part hereof.
8. The Property was acquired by Grantor by deed recorded in Book 2615, at Page 197, in Book 2615, at Page 200, in Book 2615, at Page 203, in Book 2615, at Page 206, in Book 2615, at Page 209, in Book 2615, at Page 212, in Book 2615, at Page 216, in Book 2615, at Page 219, in Book 2615, at Page 222, in Book 2615, at Page 225, in Book 2615, at Page 228, in Book 2615, at Page 231, and in Book 2615, at Page 234, all of the Official Records, Register of Deeds, Durham County, North Carolina.

[SIGNATURE FOLLOWS]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date provided in the notary block below.

**GRANTOR:**

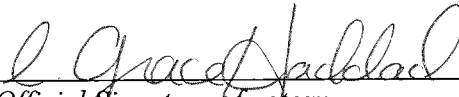
NORTH POINTE PH. I LIMITED PARTNERSHIP,  
a Virginia limited partnership

By:   
Louis S. Haddad, its Authorized Signatory

COMMONWEALTH OF VIRGINIA  
CITY OF VIRGINIA BEACH

I certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Louis S. Haddad, the Authorized Signatory of North Pointe PH. I Limited Partnership, a Virginia limited partnership.

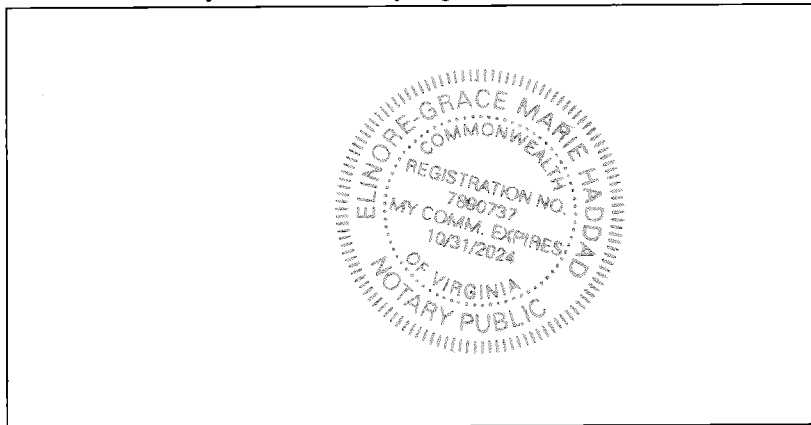
Date: June 28, 2022

  
Official Signature of notary

7890737  
My Commission Expires

Elinore Haddad  
Notary's printed or typed name, Notary Public

**NOTE TO NOTARY PUBLIC:** Ensure that entire notary seal fits within the box below and that all characters in the notary seal are clearly legible.



**Exhibit A**

**Property Description**

ALL that certain lot or parcel of land situate, lying, and being in Durham County, North Carolina, and more particularly described as follows:

BEING all of Lot 3 shown on that certain plat entitled "Final Plat of: North Pointe" recorded in Plat Book 138, at Pages 9 and 10 in the Office of the Register of Deeds for Durham County, North Carolina.

TOGETHER WITH Grantor's interest in the benefits and burdens of the provisions contained in the Declaration of Restrictive Covenants, Easements and Conditions dated August 3, 2000, recorded August 28, 2000 in the Register's Office in Book 2898, Page 710.

TOGETHER WITH Grantor's interest in the benefits and burdens of the provisions of the Reciprocal Easement and Operating Agreement dated February 4, 1997 recorded in Book 2302, Page 606 in the Register's Office.

**Exhibit B**

**Permitted Exceptions**

1. Non-delinquent real property taxes, water and sewer charges and all assessments which are not yet due and payable;
2. Any matter (including any lien, encumbrance or easement) voluntarily imposed or consented to in writing by Purchaser prior to or as of the date hereof;
3. Laws and governmental regulations governing the use, operation and maintenance of the Property;
4. Such state of facts as may be shown on an accurate and current survey or by inspection of the Property;
5. Easements, setback lines, and any other matters shown on plat(s) recorded in Plat Book 138, Pages 9 and 10, Durham County Registry.
6. Declaration of Rights and Privileges of the City of Durham in Certain Sanitary Sewer Easements, recorded in Book 1510, Page 958, Durham County Registry.
7. Declaration of Restrictive Covenants, Easements and Conditions, recorded in Book 2898, Page 710, Durham County Registry.
8. Easement(s) to the City of Durham, recorded in Book 269, Page 505; Book 269, Page 690; and Book 270, Page 53, Durham County Registry.
9. Lease Agreement by and between Northpointe Development Associates, L.P. (as "Landlord") and Home Depot U.S.A., Inc. (as "Tenant"), as evidenced by that Memorandum of Lease recorded in Book 2291, Page 600, Durham County Registry. As affected by Assignment and Assumption of Lease recorded in Book 2384, Page 442, and further affected by Assignment and Assumption of Lease recorded in Book 2615, Page 237, Durham County Registry.
10. Reciprocal Easement and Operation Agreement, recorded in Book 2302, Page 606, Durham County Registry.
11. Deed of Perpetual Easement (Remote) to GTE South Incorporated, recorded in Book 2438, Page 963, Durham County Registry.