

Register of Deeds
Sharon A. Davis
Durham County, NC

10/14/2022 04:24:55PM

BT: OPR B: 9801 P: 048 Pages: 7

DEED - DEED

Fee: \$13,410.00 Excise Tax: \$13384.00

INSTRUMENT #2022040333

Evelyn Hammiel

Return to:
Von Crook
First National Financial Title Services, LLC
3301 Windy Ridge Parkway, Suite 300
Atlanta, GA 30339
770-916-4347- NC252208045V

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$13,384.⁰⁰

Tax Parcel Number: 113770 / 0831-86-41-7511

This instrument was prepared by: Christopher Khan, Esq., 1055 East Colorado Blvd., Suite 310, Pasadena, CA 91106. Delinquent taxes, if any, shall be paid to the county tax collector upon disbursement of closing proceeds. Deed preparation only – no title opinion rendered.

Return to: EXCHANGERIGHT NET-LEASED PORTFOLIO 59 DST, a Delaware statutory trust, 1055 East Colorado Blvd., Suite 310, Pasadena, CA 91106.

Mail Tax Bill to: P.O. Box 60308, Pasadena, CA 91106

Property Address: 1812 Holloway Street, Durham, NC 27703

Brief description for the Index: 1.83 acres, Holloway Street

THIS DEED made this 13 day of October, 2022 by and between

GRANTOR	GRANTEE
THE SILVEIRA FAMILY COMPANY, LLC, a California limited liability company 3120 Knottwood Way Fallbrook, CA 92028	EXCHANGERIGHT NET-LEASED PORTFOLIO 59 DST, a Delaware statutory trust 1055 East Colorado Blvd., Suite 310 Pasadena, CA 91106

Submitted electronically by "First National Financial Title Services, LLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham County Register of Deeds.

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 the County of **DURHAM**, State of North Carolina and more particularly described as follows:

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

The above referenced legal description does not include the primary residence of Grantor.

For back title reference, see the deed recorded in Book 8145, Page 654, Durham County Registry.

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 Grantor covenants with 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 permitted exceptions listed on Exhibit "B" attached hereto and incorporated herein by reference.

[SIGNATURE PAGE TO FOLLOW]

SEPARATE SIGNATURE PAGE FOR SPECIAL WARRANTY DEED.

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

THE SILVEIRA FAMILY COMPANY, LLC, a California limited liability company

By:  (SEAL)
GINA LAFEY, Manager

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of the County of _____ and State of _____, certify that GINA LAFEY, either being personally known to me or proven by satisfactory evidence (said evidence being _____), who is the Manager of THE SILVEIRA FAMILY COMPANY, LLC, a California Limited Liability Company, personally appeared before me this day and acknowledged that she is Manager of THE SILVERIA FAMILY COMPANY, LLC and that as Manager being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said company for the purposes stated therein.

WITNESS my hand and notarial seal, this ____ day of _____, 2022.

See Attached

Notary Public
Name: _____
My Commission Expires: _____

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

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 San Diego)

On 10/08/2022 before me, Michael T. Pounds Notary
Date Insert Name and Title of the officer

Public, personally appeared Gina Lafey

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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: _____

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document North Carolina
Title or Type of Document: Special Warranty Deed Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signers Name: _____	Signers Name: _____
<input type="checkbox"/> Corporate Officer – Title(s) _____	<input type="checkbox"/> Corporate Officer – Title(s) _____
<input type="checkbox"/> Partner - <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner - <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Signer is Representing: _____	Signer is Representing: _____

EXHIBIT "A"
PROPERTY DESCRIPTION

Tract 1

Being all of New Lot 2, containing 79,771 SF or 1.83 acres, as shown on the map entitled "Property of: Kerr Drug & Biscuitville - Holloway Street" prepared by Commercial Site Design dated July 14, 2014 and recorded in Plat Book 165, Page 284, Durham County Registry to which Plat reference is hereby made for a more particular description of same.

Being the same property conveyed to The Silveira Family Company, LLC, by virtue of Warranty Deed from Lindley Avenue Properties, LLC, dated March 20, 2017 and recorded in Book 8145 Page 654, Durham County Registry, North Carolina.

Tract 2

Together with benefitting easements as set forth in that certain Easement Agreement recorded in Book 4700, Page 927, Durham County Registry.

For informational purposes only:

Parcel ID 113770 / PIN 0831-86-41-7511

Commonly known as 1812 Holloway St., Durham, NC

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. All taxes for the fiscal year 2023 and subsequent years, not yet due and payable.
2. The following matters shown on plat recorded in Plat Book 165, Page 284, Durham County Registry and shown on Survey:
 - a. 20' sign easement;
 - b. Setback lines;
 - c. Tree coverage area; and
 - d. 68' Duke power Company Easement.
3. Southern Power Co. Line as shown on plat recorded in Plat Book 9, Page 19, Durham County Registry and shown on Survey.
4. Electric Power Line as shown on plat recorded in Plat Book 30, Page 7, Durham County Registry.
5. Duke Power Co. Transmission Line as shown on plat recorded in Plat Book 31B, Page 108, Durham County Registry and shown on Survey.
6. 64' Duke Power Co. Electric Line as shown on plat recorded in Plat Book 93, Page 157, Durham County Registry and shown on Survey.
7. 68' Duke Power Co. right of way as shown on plat recorded in Plat Book 133, Page 73, Durham County Registry and shown on Survey.
8. Easement to Duke Power Company recorded in Book 1033, Page 58, Durham County Registry.
9. Terms and provisions of that certain unrecorded Lease executed by KD Durham NC Landlord, LLC, a Delaware limited liability company to Kerr Drug, Inc., a Delaware corporation dated May 25, 2007 as evidenced by a Memorandum of which is recorded in Book 5631, Page 412, Durham County Registry as subsequently assigned by unrecorded assignments to The Silveira Family Company, LLC, a California limited liability company as lessor and Walgreens of North California, Inc., a Delaware corporation as lessee, as further affected by Assignment of Memorandum of Lease from The Silveira Family Company, LLC, a California limited liability company, to ExchangeRight Net-Leased Portfolio 59 DST, a Delaware statutory trust, dated ____ and recorded on ____ in Book ____, Page ____, Durham County Registry. Said lease does not contain any rights of first refusal or options to purchase the subject property.
10. Easement Agreement with rights of others therein recorded in Book 4700, Page 927, Durham County Registry.
11. The following matters shown on ALTA/NSPS Land Title Survey prepared by Jimmy F. Cain, NC PLS No. L-2498 of Cain Surveying, P.C. on behalf of American Surveying & Mapping Inc., dated ____, last revised _____, Job. 2216825 Durham, (the "Survey"):
 - a. Building and canopy overhang cross setback lines.
 - b. Improvements constructed within the boundary lines of power line easement.

c. Cross access with adjointer.

12. Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing from ExchangeRight Net-Leased Portfolio 59 DST, a Delaware statutory trust, to ___ as Trustee for the benefit of Wells Fargo Bank National Association, dated ___ and recorded on ___ in Book ___, Page ___, Durham County Registry, North Carolina.