

FOR REGISTRATION
Sharon A. Davis
REGISTER OF DEEDS
Durham County, NC
2016 JUN 03 02:35:29 PM
BK:7945 PG:725-729
DEED
FEE:\$26.00
EXCISE TAX:\$13,600.00
INSTRUMENT # 2016017809
SMMARSH



NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax \$13,600.00

PARCEL ID: 113770

Instrument Prepared by: David S. Kennett, Esquire, P.O. Box 52394, Durham, NC 27717-2394
Return to: Grantee

THIS DEED is made this 3rd day of June, 2016, by and between:

GRANTOR: KD DURHAM NC LANDLORD, LLC
Address: c/o Peter W. Kraus
1653 Blue Jay Way
Los Angeles, CA 90069

GRANTEE: LINDLEY AVENUE PROPERTIES, LLC
Address: c/o Starpoint Properties
450 N. Roxbury Drive, Suite 1050
Beverly Hills, CA 90210

(The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by the context.)

WITNESSETH: THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and 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 land, lying and being in Durham County, North Carolina, and being more particularly described as follows (and hereinafter being referred to as the "Property"):

See Exhibit A which is attached hereto and incorporated herein by reference.

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 the Property in fee simple, has the right to convey the same in fee simple, that the title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the following exceptions:

1. Ad valorem property taxes for 2016 and subsequent years.
2. The permitted exceptions shown on Exhibit B which is attached hereto and incorporated herein by reference

This is not the principal residence of Grantor.

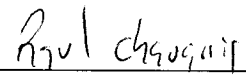
IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed the day and year first above written.

KD DURHAM NC LANDLORD, LLC

By: 
PETER W. KRAUS, Sole member and Manager

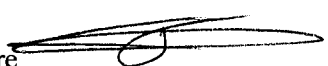
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Florida)
County of Miami-Dade)

On June 2nd, 2016 before me, , a Notary Public, personally appeared Peter W. Kraus, manager of KD Durham NC Landlord, LLC, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as manager of KD Durham NC Landlord, LLC, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Florida that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



RAUL CHAVARRIA
MY COMMISSION # FF 962231
EXPIRES: March 6, 2020
Bonded Thru Budget Notary Services

EXHIBIT A

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.

TOGETHER WITH all rights and privileges under that certain Easement Agreement recorded in Book 4700, Page 927, Durham County Registry.

EXHIBIT B

[Exceptions from owner's pro forma policy to be attached]

EXHIBIT B

1. Taxes or assessments for the year 2016, and subsequent years, not yet due or payable.
2. Easement(s) to Duke Power Company as shown on plats recorded in Plat Book 93, page 157; Plat Book 133, page 73; Plat Book 31, page 108; Plat Book 30, page 7; and Plat Book 9, Page 19, Durham County Registry. (ALTA 28.1-06)
3. Easement(s) to Duke Power Company recorded in Book 1033, page 458, Durham County Registry. (ALTA 28.1-06)
4. Easement(s) to Southern Power Company recorded in Book 44, page 225, Durham County Registry. (ALTA 28.1-06)
5. Easement Agreement recorded in Book 4700, page 927, Durham County Registry. (ALTA 28.1-06)
6. Rights of Walgreens of North Carolina, Inc., a Delaware Corporation, as tenant only, without options to purchase or rights of first refusal.
7. Memorandum of Lease to Kerr Drug, Inc., recorded in Book 5631, page 4121, Durham County Registry.
8. The correctness of the square footage/acreage computation contained in the description of the Land is not insured.
9. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 165, Page 284, Durham County Registry.
10. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title regarding the following matters disclosed by survey entitled "Kerr Drug #405 - Holloway Street - City of Durham, Durham County, North Carolina" by Clifford C. Byrd, P.L.S., dated May 14, 2007.
 - a. generator encroaches into 15' building setback line;
 - b. dumpster enclosure encroaches into 25' building setback line;
 - c. 50' buffer;
 - d. parking easement;
 - e. 15" RCPs with storm drainage manhole and catch basins;
 - f. rights of others in and to the concrete sidewalks;
 - g. 20' sign easement;
 - h. sight triangles;
 - i. wood buffer fence; and
 - j. service utilities.