

For Registration Willie L. Covington  
Register of Deeds  
Durham County, NC  
Electronically Recorded  
2015 May 18 09:49 AM NC Rev Stamp: \$ 32000.00  
Book: 7703 Page: 425 Fee: \$ 26.00  
Instrument Number: 2015014836  
DEED

## NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax \$ 32,000

Tax Lot No. 130724 Parcel Identifier No. 0812-08-89-5619

Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_,

By \_\_\_\_\_

Mail after recording to Grantee

This instrument was prepared by Robinson, Bradshaw & Hinson, P.A. (BAT)

Brief description for the Index

1815 Front Street

THIS DEED made this 15<sup>th</sup> day of May, 2015, by and between

GRANTOR	GRANTEE
<p><b>AWH-BP DURHAM HOTEL, LLC</b>, a Delaware limited liability company</p> <p>1040 Avenue of the Americas, 9th Floor New York, New York 10018 Attn: Jonathan Rosenfeld and Bernard Michael</p>	<p><b>LVP CY DURHAM LLC</b>, a Delaware limited liability company</p> <p>1985 Cedar Bridge Avenue, Suite 1 Lakewood, New Jersey 08701 Attn: Joseph Teichman</p>

**Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.**

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 City of Durham, Durham Township, Durham County, North Carolina and more particularly described as follows:

**SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7377 at Page 488 in the Durham County Public Registry.

A map showing the above described property is recorded in Plat Book 72 page 78 in the Durham County Public Registry.

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

All or a portion of the property herein conveyed  includes or  does not include the primary residence of a Grantor.

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, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions to the extent same are still in force and of effect and without reimposing same by this recitation:


1. Taxes which are due and payable subsequent to the date of this Deed.
2. Restrictions set forth in Deed dated June 3, 1972 and recorded on June 5, 1972 in Book 389 Page 473.
3. Easements contained in Deed dated and recorded on June 5, 1972 in Book 389 Page 475.
4. Thirty foot access easements and twenty-five foot water easement as set forth on plat recorded in Plat Book 72 Page 78.
5. Twenty-five foot water easement as set forth on plat recorded in Plat Book 61 Page 177.
6. All conditions, matters, easements and setback lines as set forth on plat recorded in Plat Book 136 Page 178.
7. Thirty foot access easement and twenty-five foot water easement as set forth on plat recorded in Plat Book 120 Page 170.

*[see attached page for signature block and notary acknowledgment]*

SIGNATURE PAGE  
FOR  
NORTH CAROLINA SPECIAL WARRANTY DEED  
FROM AWH-BP DURHAM HOTEL, LLC  
TO LVP CY DURHAM LLC

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its name by its duly authorized officer(s) the day and year first above written.

**AWH-BP DURHAM HOTEL, LLC**, a Delaware  
limited liability company

By:   
Name: Jonathan C. Rosenfeld  
Title: **Authorized Signatory**

By:   
Name: Bernard J. Michael  
Title: **Authorized Signatory**

*[see attached page for notary acknowledgment]*

STATE OF NEW YORK

COUNTY OF NEW YORK

I, Harley Werner, a Notary Public of the County and State set forth above, do hereby certify that ~~Bernard Sonoma~~ <sup>Barnfield</sup> and Bernard Michael (collectively, "Signatory"), personally came before me this day and acknowledged that each is a Vice President of **AWH-BP DURHAM HOTEL, LLC**, a Delaware limited liability company, and that each, as Vice President, being authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

I certify that the Signatory personally appeared before me this day, and

(check one of the following)

(I have personal knowledge of the identity of the Signatory); or

(I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of:

(check one of the following)

a driver's license or

in the form of \_\_\_\_\_); or

(a credible witness has sworn to the identity of the Signatory).

The Signatory acknowledged to me that he voluntarily signed the foregoing instrument for the purpose stated in the capacity indicated.

Witness my hand and official stamp or seal this 12 day of May, 2015.

[Signature]  
\_\_\_\_\_  
Notary Public

**HARLEY S. WERNER**  
Notary Public, State of New York  
No. 01WE6313276  
Qualified in New York County  
Commission Expires Oct. 14, 2018

\_\_\_\_\_  
Notary's printed or typed name

My Commission Expires: \_\_\_\_\_

[NOTARY SEAL]

(MUST BE FULLY LEGIBLE)

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

All of those or parcels of land located in Durham County, North Carolina and more particularly described as follows:

Beginning at an existing iron pipe with North Carolina Grid Coordinate No- 829,362.40 and E - 2,018,392.03; running thence North 01° 39' 54 East 532.11 feet to an existing iron pipe in the Southern right-of-way line of Front Street; running thence along and with the Southern right-of-way of Front Street South 86° 09' 42" East 358.58 feet to an existing iron pipe in the Southern right-of-way line at Front Street; running thence with the Western property line at BFP Limited Partnership South 01° 39' 31" West 150.00 feet to an existing iron pipe in the Northern property line of TPI Restaurant; running thence with the Northern property line of TPI Restaurant North 88° 43' 03" West 110.51 feet to an existing iron pipe in the Northwestern property line of TPI Restaurant; running thence with the Western property line of TPI Restaurant South 01° 39' 47" West 205.87 feet to an existing iron pipe in the Southwestern property line of TPI Restaurant; running thence North 87° 06' 04" West 13.31 feet to an existing iron pipe on the Northern right-of-way of Croasdaile Drive; running thence with the Northern right-of-way of Croasdaile Drive South 56° 59' 52" West 285.15 feet to the point and place of beginning, and being a tract of land 2.9 acres, more or less, as shown on the survey entitled "Property of SB Motel Durham I-85 Corp.," dated December 18, 1995, surveyed by Thomas T. Bridges, Registered Land Surveyor.

Being the same property described in Plat Book 72, Page 78 Durham County Registry