

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2021 Aug 27 04:31 PM
Book: 9444 Page: 161
NC Rev Stamp: \$ 19500.00 Fee: \$ 26.00
Instrument Number: 2021043862
DEED

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$19,500.00

Parcel Identifier No. 222525; 226856; 226857; 222524 Verified by _____ County on the _____ day of _____, 20____ By: _____

This instrument was prepared by: Jordan Price Wall Gray Jones & Carlton, PLLC (HDC)

Mail After Recording to: Grantee

Brief description for the Index: 29.70 acres ± Ellis Road Commercial Property

THIS DEED made this 27th day of August, 2021, by and between

GRANTOR

ELLIS ROAD COMMERCIAL LP,
a North Carolina limited partnership
2900 Linden Lane, Suite 300
Silver Spring, MD 20910

GRANTEE

ELLIS RD DURHAM NC, LLC
a Delaware limited liability corporation
901 Wabash Avenue, Suite 300
Terre Haute, IN 47807

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, parcel of land or condominium unit situated in the Township of Oak Grove, Durham County, North Carolina and more particularly described as follows:

See attached Exhibit A which is incorporated herein by reference.

Submitted electronically by "Chicago Title Company, 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 property hereinabove described was acquired by Grantor by instrument recorded in Book 7586, Page 427 Durham County Registry.

All or a portion of the property herein conveyed ___ includes or X 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, other than the exceptions listed on Exhibit B.

[SIGNATURES ON FOLLOWING PAGE]

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Grantor has hereunto set their hand and seal the day and year first above written.

GRANTOR:

ELLIS ROAD COMMERCIAL LP,

a North Carolina limited partnership

By: WEH Associates, Inc., a Florida corporation

Its General Partner

By: 

Name: Eric Rifkin

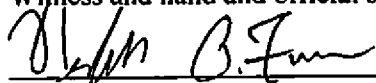
Title: Assistant Vice President

STATE OF NORTH CAROLINA

COUNTY OF WAKE

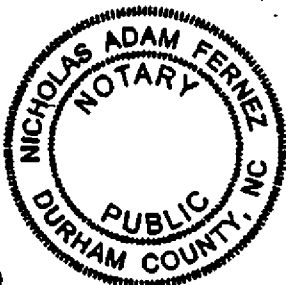
I, the undersigned, a Notary Public of the County and State aforesaid, certify that certify that Eric Rifkin, Assistant Vice President of WEH Associates, Inc., personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated.

Witness and hand and official seal this 23 day of August 2021.


NOTARY PUBLIC

Nicholas A. Fernez
PRINTED NOTARY NAME

My commission expires: 6-8-2024



(Notary Seal)

EXHIBIT A

All that tract, piece or parcel of land lying and being situated in the Township of Oak Grove, County of Durham and State of North Carolina; being more particularly bounded and described as follows:

BEGINNING at the Southeast Corner of Future Development Tract 2 as shown on the plat of Ellis Crossing, Phases 2A, 2E, 2I, 2J & 2M, recorded in Plat Book 198, Page 19, Durham County Registry, North Carolina; said point lying and being a point on the northerly right-of-way margin of Ellis Road, (State Road 1954), an existing variable width public right-of-way; thence along said northerly right-of-way margin of Ellis Road the following fourteen (14) courses; (1)N54°39'44"W 12.25'; (2)N54°17'45"W 92.12'; (3)N53°56'45"W 34.74'; (4)N54°44'12"W 33.23'; (5)N53°31'00"W 155.31' to a point on a curve to the left having a radius of 1055.27', a chord bearing N65°16'04"W and a chord length of 81.47'; (6) thence along the arc of said curve a distance of 81.49' to a point on a curve to the left having a radius of 1055.27', a chord bearing of N68°38'17"W and a chord length of 42.65'; (7) thence along the arc of said curve a distance of 42.65' (8) thence N81°38'23"W 80.96' to a point on a curve to the left having a radius of 954.38', a chord bearing of N82°04'20"W and a chord length of 177.31'; (9) thence along the arc of said curve a distance of 177.57' to a point on a curve to the left having a radius of 7674.40', a chord bearing of N87°16'09"W and a chord length of 97.96'; (10) thence along the arc of said curve a distance of 97.96'; (11) thence N87°26'57"W 97.19'; (12) thence N89°07'02"W 243.19'; (13) thence N87°48'24"W 8.34'; (14) thence N88°19'51"W 19.52' to a point on a curve to the right having a radius of 40.00', a chord bearing of N44°11'10"W and a chord length of 55.72'; thence departing the northerly right-of-way margin of Ellis Road run along the arc of said curve a distance of 61.64' to a point on the easterly right-of-way margin of Watchorn Street, an existing 66' public right-of-way; thence along said easterly right-of-way margin of Watchorn Street the following three (3) courses: (1) N00°02'28"W 750.04' to a point on a curve to the left having a radius of 833.00', a chord bearing of N09°07'35"W and a chord length of 263.07'; (2) thence along the arc of said curve a distance of 264.17'; (3) thence N18°12'42"W a distance of 70.07'; thence departing said easterly right-of-way margin of Watchorn Street, run S86°26'23"E a distance of 383.40'; thence S02°51'04"E a distance of 84.14'; thence N89°22'15"E a distance of 206.32'; thence N00°55'30"E a distance of 115.00'; thence N49°11'57"E a distance of 260.74'; thence S80°08'05"E a distance of 73.07'; thence S40°21'55"E a distance of 67.18'; thence N78°10'02"E a distance of 11.66'; thence S50°24'15"E a distance of 97.67'; thence S18°01'10"E a distance of 40.13'; thence S52°40'32"E a distance of 97.44'; thence N64°58'29"E a distance of 56.14'; thence N80°10'14"E a distance of 40.85'; thence N65°13'34"E a distance of 53.06' to the Northeast Corner of aforesaid Future Development Tract 2; thence S00°49'34"W along said East line of Development Tract 2 a distance of 1,420.66' to the point or place of beginning. (LESS Public Right-of-Way for Yunus Street and Feeney Street recorded in Plat Book 203, Pages 216 and 217, Durham County Registry)

Subject parcel containing 29.70 acres, more or less.

EXHIBIT B

(Exceptions to Title)

1. Taxes or assessments for the year 2022, and subsequent years, not yet due or payable.
2. 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 "ALTA/NSPS Land Title Survey Ellis Road Commercial Property" by Mark I. Luke, P.L.S. of MSS Land Consultants, PC, dated August 28, 2021 (the "Survey"):

(a) Service utilities; (b) Signal box; (c) Electric boxes; (d) Fiber optic cable warning post; (e) Transformer; (f) Stormwater pond; (g) Rights of others in and to the use of the concrete walk(s); (h) Noted ongoing construction activities (i) Right of Way of Feeney Street; and (j) Right of Way of Yunus Street.
3. The correctness of the square footage/acreage computation contained in the description of the Land is not insured.
4. 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 8, page 190; Plat Book 44, page 65; Plat Book 130, page 165; Plat Book 170, page 347; Plat Book 180, page 40; Plat Book 196, page 363; and Plat Book 197, pages 89 and 90, and as shown on the Survey.
5. 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 176, page 205; and Plat Book 180, page 254, and as shown on the Survey.
6. 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 182, page 182, and as shown on the Survey, and Plat Book 139, page 45.
7. 4840-1864-7544, v. 1