

Register of Deeds  
Sharon A. Davis  
Durham County, NC  
08/03/2022 04:28:09PM  
BT: OPR B: 9755 P: 622 Pages: 5  
DEED - DEED  
Fee: \$18,026.00 Excise Tax: \$18000.00  
INSTRUMENT #2022031748  
Sharon Marsh

**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax: \$18,000.00

Parcel Identifier No. 153970

Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 2022

By: \_\_\_\_\_

Mail/Box to: Grantee

This instrument was prepared by: Ragsdale Liggett PLLC (Spence), 2840 Plaza Place, Suite 400, Raleigh, NC 27612

Brief description for the Index:

2327 Englert Dr., Durham, N.C.

THIS DEED made this 2nd day of August, 2022, by and between

GRANTOR	GRANTEE
<b>COLORADO BANKERS LIFE INSURANCE COMPANY,</b> a North Carolina insurance company  325 North Salisbury St. Raleigh, NC 27603	<b>ASPIDA HOLDINGS, LLC,</b> a Delaware limited liability company,  2327 Englert Drive Durham, NC 27713

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 situated in the Township of Durham, Durham County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO.

Submitted electronically by "Ragsdale Liggett PLLC"  
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 8592, Page 194, Durham County Registry.

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 except as hereinafter set forth, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:


Such matters set forth as Permitted Exceptions on Exhibit B attached hereto and incorporated herein by reference.

[Signature Page Follows]

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

**COLORADO BANKERS LIFE INSURANCE COMPANY**

By: Mike Dinius, in his capacity as Special Deputy Rehabilitator acting on behalf of the Commissioner of Insurance of North Carolina in his role as court appointed Rehabilitator

By:   
Mike Dinius


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State of Indiana

County Marion

I, a Notary Public of the County and State aforesaid, certify that the following person(s) personally appeared before me this the 2<sup>nd</sup> day of August, 2022, each acknowledging that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Mike Dinius, Special Deputy Rehabilitator.**

My Commission Expires: Feb. 16, 2028

  
Notary Public  
Print Name: Dianne Deitch

(Affix Seal)

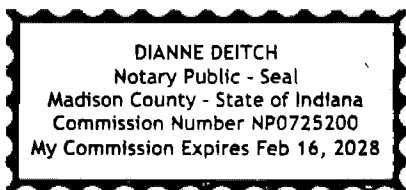


Exhibit A

Legal Description

**PARCEL 1:**

Lying and being situate in Durham County, NC, and being more particularly described as follows:

BEGINNING at the southwestern corner of the intersection of the western right-of-way line of Alston Avenue (existing variable width public right-of-way) and the northern right-of-way line of Englert Drive (existing 60' public right-of-way); thence along the northern line of Englert Drive N 89 degrees 53' 07" W 455.12 feet to a point; thence N 0 degrees 04' 38" E 237.27 feet to a Control Corner (NC SPC NAD 83, N 781078.58, E 2032374.16); thence S 89 degrees 56' 37" E 57.85 feet to a point; thence along the eastern line of the or formerly OLP Durham LLC property as described in a deed recorded in Book 6774, page 828, Durham County Registry three (3) calls as follows: (1)N 0 degrees 05' 53" E 132.64 feet; (2) N 0 degrees 05' 53" E 42.60 feet to a point and (3) N 0 degrees 05' 53" E 58.25 feet to a point; thence along the eastern line of the now or formerly Jubilee Christian Church property as described in a deed recorded in Book 5395, page 955, Durham County Registry, the following two (2) calls as follows: (1)N 0 degrees 12' 03" E 145.82 feet to a point; and (2) N 69 degrees 28' 32" E 125.97 feet to a point; thence along the southern line of the now or formerly MSRE LLC property as described in a deed recorded in Book 6665, page 956, Durham County Registry the following two (2) calls as follows: (1)S 88 degrees 27' 25" East 75.86 feet to a point; and (2) S 88 degrees 32' 40" E 211.82 feet to a point in the western right-of-way line of Alston Avenue; thence along the western right-of-way line of Alston Avenue the following eleven calls as follows: 1) S 0 degrees 16' 27" W 6.40 feet; 2) S 5 degrees 41' 32" E 47.45 feet; 3) S 3 degrees 59' 47" E 49.05 feet; 4) S 3 degrees 34' 29" E 50.24 feet; 5) S 2 degrees 50' 32" E 16.54 feet; 6) S 0 degrees 06' 10" W 203.34 feet; 7) S 5 degrees 58' 39" W 50.33 feet; 8) S 8 degrees 54' 06" W 50.36 feet; 9) S 1 degree 53' 20" W 49.47 feet; 10) S 3 degrees 1' 55" W 50.37 feet; and 11) S 2 degrees 42' 12" W 82.16 feet to the POINT AND PLACE OF BEGINNING, being all of that tract of land containing 6.469 acres as shown on a survey entitled "REALMARK COMMERCIAL LLC 2327 ENGLERT DRIVE TRIANGLE TWSP., DURHAM COUNTY, NC" prepared by Jonathan Murphy Professional Land Surveying, dated August 24, 2016.

**PARCEL 2:**

Together with real estate interests created by and contained in those certain easements recorded in Book 1308, page 406, and Book 1382, page 422, Durham County Registry.

Exhibit B  
Permitted Exceptions

1. Taxes or assessments for the year 2022, and subsequent years, not yet due or payable.
2. Covenants, conditions, restrictions, easements, and liens provided for in instrument(s) filed for record in Book 1112, page 249; Book 1265, page 224; Book 1308, page 278; and Book 1382, page 395, and any related maps, plans, bylaws and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
3. Boundary and property lines reflected on plats recorded in Plat Book 123, page 85; and Plat Book 125, page 86; and the matters disclosed by plats as follows:
  - a) Plat Book 151, pages 359-360: 25' sanitary sewer easement and Ingress/Egress easement;
  - b) Plat Book 175, pages 49-51: right of way dedication;
  - c) Plat Book 175, pages 52-54: right of way dedication, plottable matters shown on The Survey.
4. Access and Utility Easement(s) recorded in Book 1308, page 406, shown on The Survey.
5. Easement(s) to Duke Power Company recorded in Book 177, page 533; Book 177, page 540; Book 230, page 159; and Book 1175, page 201.
6. Declaration of Easement(s) recorded in Book 1112, page 245, shown on The Survey.
7. Cross-Access Easement Agreement recorded in Book 1382, page 422, shown on The Survey.
8. Order Granting Motion to Approve Real Estate Sale filed with Superior Court of Wake County, North Carolina as File No. 19 CVS 8664 recorded in Book \_\_\_\_\_, page \_\_\_\_\_.
9. Terms and conditions of Order of Rehabilitation, Order Appointing Receiver and Order Granting Injunctive Relief filed in Book 8692, page 952.
10. Rights of tenants in possession, as tenants only, under unrecorded leases for a duration of less than three (3) years.
11. The correctness of the square footage/acreage computation contained in the description of the Land is not insured.
12. Any impact on Seller's authority to sell or any other effect on title in the following pending litigation filed in Wake County: 19 CVS 017191 and 19 CVS 013093.
13. Matters disclosed by survey entitled "ALTA/NSPS Land Title Survey 2327 Englert Drive, City of Durham, Durham County, NC" by Jonathan F. Murphy, PLS, dated January 24, 2020, signed and sealed March 12, 2020, "The Survey".