

Register of Deeds
Sharon A. Davis
Durham County, NC

09/19/2022 04:19:06PM

BT: OPR B: 9784 P: 381 Pages: 7

DEED - DEED

Fee: \$10,026.00 Excise Tax: \$10000.00

INSTRUMENT #2022037325

James Tabron

NORTH CAROLINA SPECIAL WARRANTY DEED

GRANTOR:

ESA P Portfolio, LLC, a Delaware limited liability company

Mailing Address:

11525 N. Community House Road, Suite 100, Charlotte, NC 28277

GRANTEE:

RP RX Housing, LLC, a North Carolina limited liability company

Mailing Address:

110 E. Greer Street, Durham, NC 27701

Once recorded, please return to:

RP RX Housing, LLC, a North Carolina limited liability company

110 E. Greer Street,

Durham, NC 27701

submitted electronically by "Stewart Title Guaranty Company - Commercial Services Charlotte"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham County Register of Deeds.

**NORTH CAROLINA
SPECIAL WARRANTY DEED**

Excise Tax: \$10,000.00
Tax Map No. 153984

Recording Time, Book and Page
Parcel Identifier No., 0738-32-65-1685

Mail after recording to: RP RX Housing, LLC, a North Carolina limited liability company,
110 E. Geer Street, Durham, NC 27701

This instrument was prepared by: Jackson Walker LLP and reviewed by Kennon Craver, PLLC (LAW) for
compliance with NC law

THIS DEED made this 14 day of September, 2022 by and between

GRANTOR

ESAP Portfolio, LLC, a Delaware limited liability company

Mailing Address:

11525 N. Community House Road, Suite 100, Charlotte, NC 28277

GRANTEE

RPRX Housing, LLC, a North Carolina limited liability company

Mailing Address:

110 E. Geer Street, Durham, NC 27701

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, Township, Durham County, North Carolina, and more particularly described on Exhibit "A" attached hereto.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 8482, Page 188.

A map showing the above described property is recorded in Plat Book 42, Pages 96, Durham County Registry.

The above described property does NOT include the primary residence of the 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 that 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 hereby conveyed subject to the following exceptions:


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

[remainder of page intentionally blank – signature page follows]

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or, if corporate, has caused this Deed to be executed by its duly authorized officers and its seal to be hereunto affixed, the day and year first above written.

GRANTOR:


ESA P PORTFOLIO, LLC
a Delaware limited liability company

By: 
Name: Christopher Dekle
Title: Vice President and Secretary

NORTH CAROLINA
Mecklenburg COUNTY

I, certify that the following person 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: Christopher Dekle, Vice President and Secretary of Grantor. Witness my hand and official stamp or seal, this the 12 day of September, 2022.

My Commission Expires: 3/25/23


Notary Public
Print Notary Name: Aimee E. Brockington

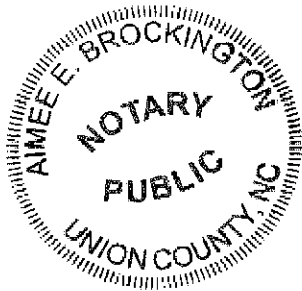


EXHIBIT A

Legal Description

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE CITY OF DURHAM, COUNTY OF DURHAM, AND STATE OF NORTH CAROLINA.

BEGINNING AT A POINT LOCATED IN THE SOUTHERLY BOUNDARY OF THE RIGHT-OF-WAY OF NORTH CAROLINA HIGHWAY 54, WHICH POINT IS LOCATED SOUTH 54 DEGREES 29 MINUTES 37 SECONDS EAST A DISTANCE OF 140.14 FEET FROM DURHAM LEC 67 (THE ELEVATION OF WHICH IS 322.765; THE Y COORDINATE OF WHICH IS 782,670.065; THE X COORDINATE OF WHICH IS 2,033,648.302), AND FROM THE SAID IRON STAKE IN THE SOUTHERN RIGHT-OF- WAY OF NORTH CAROLINA HIGHWAY 54, MARKING THE POINT AND PLACE OF BEGINNING, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 18 DEGREES 49 MINUTES 39 SECONDS WEST ALONG AND WITH THE BOUNDARY LINE OF PROPERTY OWNED NOW OR FORMERLY BY DICKERSON, INC. FOR A DISTANCE 199.63 FEET TO AN IRON STAKE;

THENCE NORTH 70 DEGREES 52 MINUTES 09 SECONDS WEST ALONG AND WITH THE SAID DICKERSON LINE A DISTANCE OF 100.23 FEET TO AN IRON STAKE;

THENCE SOUTH 18 DEGREES 47 MINUTES 58 SECONDS WEST ALONG AND WITH THE SAID DICKERSON LINE FOR A DISTANCE OF 111.69 FEET TO AN IRON STAKE;

THENCE CONTINUING WITH THE DICKERSON LINE NORTH 89 DEGREES 48 MINUTES 03 SECONDS WEST A DISTANCE OF 74.05 FEET TO AN IRON STAKE WHICH MARKS A CORNER WITH PROPERTY OWNED NOW OR FORMERLY BY THE RESEARCH TRIANGLE FOUNDATION;

THENCE ALONG AND WITH THE RESEARCH TRIANGLE FOUNDATION LINE NORTH 89 DEGREES 48 MINUTES 03 SECONDS WEST A DISTANCE OF 108.45 FEET TO AN IRON STAKE;

THENCE CONTINUING WITH THE SAID FOUNDATION LINE NORTH 01 DEGREES 23 MINUTES 09 SECONDS EAST A DISTANCE OF 199.73 FEET TO AN IRON STAKE;

THENCE NORTH 01 DEGREES 23 MINUTES 09 SECONDS EAST A DISTANCE OF 120.87 FEET TO A POINT MARKED BY THE PRESENCE OF A CONCRETE MONUMENT LOCATED 1.29 FEET IN AN EASTERLY DIRECTION OFF THE SAID LINE;

THENCE NORTH 01 DEGREES 23 MINUTES 09 SECONDS EAST A DISTANCE OF 10.64 FEET TO A POINT IN THE SOUTHERN BOUNDARY OF THE RIGHT-OF-WAY OF NORTH CAROLINA HIGHWAY 54;

THENCE ALONG AND WITH THE SAID SOUTHERN RIGHT-OF-WAY BOUNDARY SOUTH 89 DEGREES 02 MINUTES 54 SECONDS EAST A DISTANCE OF 82.32 FEET;

THENCE CONTINUING WITH THE SAID RIGHT-OF-WAY BOUNDARY SOUTH 87 DEGREES 07 MINUTES 34 SECONDS EAST A DISTANCE OF 66.42 FEET; THENCE SOUTH 00 DEGREES 46 MINUTES 12 SECONDS EAST A DISTANCE OF 10.0 FEET;

THENCE CONTINUING ALONG AND WITH SAID RIGHT-OF-WAY SOUTH 87 DEGREES 07 MINUTES 34 SECONDS EAST A DISTANCE OF 14.30 FEET;

Exhibit A

THENCE SOUTH 82 DEGREES 44 MINUTES 49 SECONDS EAST A DISTANCE OF 76.67 FEET; THENCE SOUTH 77 DEGREES 29 MINUTES 36 SECONDS EAST A DISTANCE OF 77.73 FEET; THENCE SOUTH 72 DEGREES 29 MINUTES 41 SECONDS EAST A DISTANCE OF 57.80 FEET TO THE POINT AND PLACE OF BEGINNING.

BEING ALL OF LOTS NOS. 1, 2 AND 3 OF THE PROPERTY OF CORINA HERNDON ESTATE AS PER PLAT AND SURVEY THEREOF RECORDED IN PLAT BOOK 42, AT PAGE 96, DURHAM COUNTY REGISTRY, AND ALSO BEING ALL OF LOTS NOS. 175, 176, 177 AND 178 OF TRACT N ACCORDING TO A MAP OF THE SUBDIVISION OF THE A. M. RIGSBEE ESTATE MADE BY C. L. MANN, ENGINEER, NOVEMBER, 1937, AND RECORDED IN PLAT BOOK 12, AT PAGES 26-27, OF THE DURHAM COUNTY REGISTRY, AND BEING THAT 2.10-ACRE TRACT AS SHOWN ON THE PLAT AND SURVEY BY DUANE K. STEWART & ASSOCIATES, INC., DATED FEBRUARY 20, 1985, TO WHICH PLATS AND SURVEYS REFERENCE IS MADE FOR A MORE PARTICULAR DESCRIPTION OF SAME.

LESS AND EXCEPT THAT PORTION OF PROPERTY REFERENCED IN MEMORANDUM OF ACTION BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DATED OCTOBER 7, 1991 RECORDED IN BOOK 1684, PAGE 970; AS AFFECTED BY CONSENT JUDGMENT IN FAVOR OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DATED NOVEMBER 18, 1992 RECORDED IN BOOK 1796, PAGE 607, DURHAM COUNTY REGISTRY.

THE ABOVE DESCRIBED PROPERTY BEING ALSO DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF DURHAM, COUNTY OF DURHAM, AND STATE OF NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET NAIL IN THE SOUTHERN RIGHT-OF-WAY OF N.C. HIGHWAY #54 (80' PUBLIC RIGHT-OF-WAY), SAID POINT BEING A COMMON CORNER OF THE TWO TRIANGLE DRIVE LLC PROPERTY AS FOUND IN DEED BOOK 4630 PAGE 892 OF THE DURHAM COUNTY REGISTRY, THENCE LEAVING THE POINT OF BEGINNING AND RUNNING ALONG THE SAID TWO TRIANGLE DRIVE LLC PROPERTY, SOUTH 18 DEGREES 54 MINUTES 56 SECONDS WEST 185.22 FEET TO A FOUND IRON PIPE; THENCE NORTH 70 DEGREES 40 MINUTES 23 SECONDS WEST 100.30 FEET TO A FOUND IRON PIPE; THENCE SOUTH 18 DEGREES 50 MINUTES 32 SECONDS WEST 111.86 FEET TO A FOUND IRON PIPE; THENCE NORTH 89 DEGREES 43 MINUTES 01 SECONDS WEST 182.53 FEET TO A FOUND IRON PIPE; THENCE NORTH 01 DEGREES 23 MINUTES 09 SECONDS EAST 302.10 FEET TO A FOUND IRON PIPE ON THE SOUTHERN RIGHT-OF-WAY OF N.C. HIGHWAY #54; THENCE RUNNING ALONG THE SOUTHERN RIGHT-OF-WAY OF N.C. HIGHWAY #54 SOUTH 88 DEGREES 13 MINUTES 37 SECONDS EAST 11.75 FEET TO THE POINT OF CURVATURE; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 1592.79 FEET AND A CHORD OF SOUTH 81 DEGREES 13 MINUTES 45 SECONDS EAST 358.49 FEET TO THE POINT AND PLACE OF BEGINNING.

Exhibit A

EXHIBIT B

Permitted Exceptions

1. Taxes for the year 2023 and subsequent years, not yet due and payable.
2. Rights of the public, county, state or municipality in and to that portion of the land taken or used for N.C. Highway 54.
3. Easements, setback lines, and any other matters shown on plat(s) recorded in Plat Book 12, Pages 26 and 27; and Plat Book 42, Page 96, Durham County Registry.
4. Condemnation Action filed in 91-CVS-4081, as evidenced by that Memorandum of Action recorded in Book 1684, Page 970 and Consent Judgment recorded in Book 1796, Page 607, Durham County Registry.
5. The ALTA/NSPS survey prepared by Jimmy F. Cain, PLS L-2498, of Cain Surveying, P.C., dated June 28, 2022, last revised August 24, 2022, entitled "ALTA/NSPS Land Title Survey Prepared for RP RX Housing, LLC" discloses the following: a) Power poles, power boxes, security lights, water meters, drainage inlets

Exhibit B