



FOR REGISTRATION REGISTER OF DEEDS  
Willie L. Covington  
DURHAM COUNTY, NC  
2012 DEC 04 03 17 13 PM  
BK 7134 PG 440-445 FEE \$26 00  
NC REV STAMP \$10,950 00  
INSTRUMENT # 2012043120

Prepared by  
and Return to MOORE & VAN ALLEN PLLC (CJC)  
100 North Tryon Street, Suite 4700  
Charlotte, North Carolina 28202

Grantee s Address c/o Faison & Associates, LLC  
121 West Trade Street, 27<sup>th</sup> Floor  
Charlotte, North Carolina 28202

**Parcel No. 113586**

**STATE OF NORTH CAROLINA**

**Excise Stamps: \$10,950.00**

**COUNTY OF DURHAM**

**No Title Search Performed By, Opinion Given By or Closing Conducted By Preparer**

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is made as of the 4th day of December, 2012 by and between **MADISON WASHBURN COURT, LLC**, a Delaware limited liability company, having an address of 5955 Carnegie Boulevard, Suite 145, Charlotte, North Carolina 28209 (“Grantor”), and **SWIFT AVENUE-FCA, LLC**, a Delaware limited liability company (“Grantee”) 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 Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these present does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Durham County, North Carolina, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”)

The Property was acquired by Grantor by instrument recorded in Book 6905 at Page 640, Book 6905 at Page 645, Book 7124 Page 938 and Page 7124 Page 944 of the Durham County Public Registry

**TO HAVE AND TO HOLD** the Property, together with all privileges and appurtenances thereto belonging to Grantee in fee simple

**AND GRANTOR** covenants with 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 is subject to the exceptions set forth on Exhibit B attached hereto and incorporated herein by reference

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Grantor has executed this Deed as of the day and year first above written

MADISON WASHBURN COURT, LLC, a Delaware limited liability company

By *Ryan L Hanks*  
Name Ryan L Hanks  
Title Manager

STATE OF North Carolina

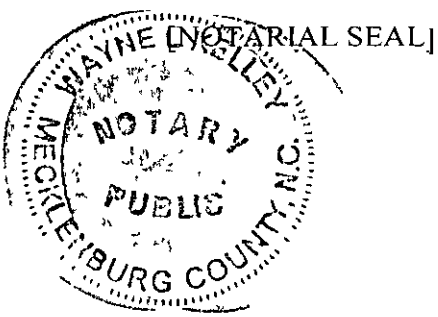
COUNTY OF Mecklenburg

I, Wayne L. Kelley, a Notary Public of the aforesaid County and State, do hereby certify that Ryan L Hanks, personally appeared before me this day and acknowledged the execution of the foregoing instrument in his capacity as Manager of Madison Washburn Court, LLC, a Delaware limited liability company

Witness my hand and notarial seal this 3<sup>rd</sup> day of December, 2012

*Wayne L. Kelley*  
Notary Public

My Commission Expires  
December 10, 2014



## Exhibit A

### Legal Description

Being all that certain tract or parcel of land lying and being in the City of Durham, Durham County, North Carolina, and being more particularly described as follows

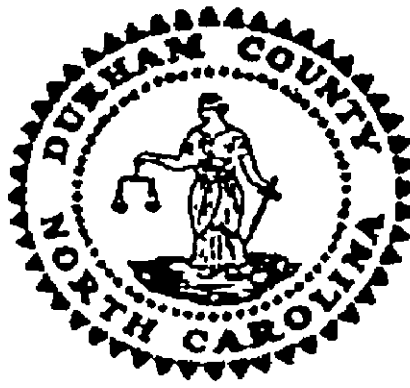
BEGINNING at a point on or near the northern margin of Hull Avenue, which point is located the following three (3) courses and distances from NCGS Control Monument "Swift" (1) S-25-39-09 W 774 60' (GRID) to an iron rod set, which iron rod is located at N C Grid Coordinates (NAD83) N 819657 220' E 2023125 873', (2) N 59-09-18 W 451 70' to a point, and (3) N 64-33-15 W 2 73' to a point, thence, from said POINT OF BEGINNING, the following twenty-eight (28) courses and distances (1) N 33-26-22 E 49 43' to a point, (2) N 33-26-22 E 27 52' to a point, (3) N 29-39-36 E 51 69' to a point, (4) N 29-39-36 E 0 78' to a point, (5) N 60-02-33 W 0 97' to a point, (6) N 60-02-33 W 7 57' to a point, (7) N 30-06-23 E 85 92' to a point, (8) N 59-34-58 W 0 04' to a point, (9) N 59-34-58 W 0 09' to a point, (10) N 59-34-58 W 16 01' to a point, (11) N 59-34-58 W 24 60' to a point, (12) N 59-34-58 W 4 59' to a point, (13) N 29-14-45 E 86 27' to a point, (14) N 29-14-45 E 67 01' to an existing iron pin on or near the southern margin of Caswell Place, (15) S 52-53-45 E 0 75' to a point, (16) S 52-53-45 E 3 42' to a point, (17) S 52-53-45 E 44 84' to a point, (18) S 58-06-45 E 89 12' to a point, (19) S 58-31-45 E 119 54' to a point, (20) N 27-01-15 E 9 89' to a point, (21) S 62-19-15 E 139 75' to a point, (22) S 26-19-45 E 57 32' to a point, (23) S 23-16-40 W 133 50' to a point, (24) S 30-15-15 W 173 87' to a point, (25) N 78-08-45 W 6 68' to a point, (26) N 64-33-15 W 391 30' to a point, (27) N 64-33-15 W 8 35' to a point, (28) N 64-33-15 W 2 73' to the POINT OF BEGINNING, containing a total of 3 3854 acres, more or less, as shown on that Boundary Sketch for Washburn Apts & Duke University, prepared by Richard W Pencir, PLS L-5023

**Exhibit B**

**PERMITTED EXCEPTIONS**

Without re-establishing or giving any more force or effect than currently exists to any of the following

- 1 Taxes or assessments for the year 2013, and subsequent years, not yet due or payable
- 2 Rights of tenants in possession, as tenants only, under unrecorded leases
- 3 All matters disclosed by PRELIMINARY survey entitled "ALTA/ACSM Land Title Survey for Corning Road, LLC" by Richard W Penc, P L S , of Stewart. dated September 28, 2012, last revised \_\_\_\_\_, 2012 including, without limitation, the following (a) Service utilities and (b) Zoning setbacks listed
- 4 Right of Way Easement in favor of General Telephone Co of the Southeast recorded in Book 386, page 812
- 5 Easement(s) to the State Highway Commission recorded in Book 392, pages 144, 146 and 148
- 6 All matters disclosed by Plat Book 92, Page 38



WILLIE L COVINGTON  
REGISTER OF DEEDS, DURHAM COUNTY  
DURHAM COUNTY COURTHOUSE  
200 E MAIN STREET  
DURHAM, NC 27701

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of recorded document, and must be submitted with original for re-recording  
and/or cancellation

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Filed For Registration.	12/04/2012 03:17:13 PM
Book	RE 7134 Page: 440-445
Document No..	2012043120
	DEED 6 PGS \$26 00
NC REAL ESTATE EXCISE TAX:	\$10,950 00
Recorder	SHARON M CEARNEL



2012043120