

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2021 Aug 05 10:18 AM
Book: 9419 Page: 555
NC Rev Stamp: \$ 157011.00 Fee: \$ 26.00
Instrument Number: 2021039596
DEED

PREPARED BY ~~AND AFTER~~
~~RECORDING RETURN TO:~~

Mayer Brown LLP
214 North Tryon Street, Suite 3800
Charlotte, North Carolina 28202
Attn: David B. H. Saye, Esq.

Return to:
Von Crook
First National Financial Title Services, LLC
3301 Windy Ridge Parkway, Suite 300
Atlanta, GA 30339
NC252105008V

Tax Parcel Number: Portion of Parcel ID 157260

STATE OF NORTH CAROLINA

Excise Stamp Tax: \$157,011.00

COUNTY OF DURHAM

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made as of the 30 day of July 2021, by and between **TKC - 3029 HOLDINGS, LLC**, a North Carolina limited liability company, having an address of 4500 Cameron Valley Parkway, Suite 400, Charlotte, North Carolina 28202 ("**Grantor**"), and **ARE-NC REGION NO. 24 HOLDING, LLC**, a Delaware limited liability company, having an address of 26 North Euclid Avenue, Pasadena, California 91101 (Attn: Corporate Secretary) ("**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:

WHEREAS, Grantor has heretofore filed for record that certain Declaration of Condominium for Genesis Durham Condominium recorded in Book 9167 at Page 456 of the Durham County Public Registry (the "**Declaration**") and that certain plat of survey related to the condominium recorded in Condominium Plat Book 13, Pages 187-191 of the aforesaid Public Registry (the "**Plan**"), and has adopted the Bylaws of Genesis Durham Condominium Association, Inc., a North Carolina nonprofit corporation (the "**Bylaws**"); and

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

WHEREAS, Grantor has thereby submitted the property located in Durham County, North Carolina and described in Exhibit "A" attached to the Declaration to a condominium regime in accordance with the North Carolina Condominium Act (Chapter 47C of the North Carolina General Statutes).

NOW, THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration in hand paid to Grantor by Grantee, the receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee the following described property:

All of Condominium Unit 1, Unit 2, Unit 3, Unit 4, Unit 5, and Unit 7 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 1, Unit No. 2, Unit No 3, Unit No. 4, Unit No. 5, and Unit No. 7 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with

TRACT I: All of Condominium Unit 1 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 1 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with an undivided 8.56% interest in and to the Common Elements as described in the Declaration, to which reference is hereby made.

TRACT II. All of Condominium Unit 2 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 2 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with an undivided 7.32% interest in and to the Common Elements as described in the Declaration, to which reference is hereby made.

TRACT III. All of Condominium Unit 3 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 3 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with an undivided 14.63% interest in and to the Common Elements as described in the Declaration, to which reference is hereby made..

TRACT IV. All of Condominium Unit 4 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 4 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with an undivided 14.63% interest in and to the Common Elements as described in the Declaration, to which reference is hereby made.

TRACT V. All of Condominium Unit 5 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 5 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with an undivided 18.29% interest in and to the Common Elements as described in the Declaration, to which reference is hereby made.

TRACT VII. All of Condominium Unit 7 of GENESIS DURHAM CONDOMINIUM, as described in the Declaration and designated as Unit No. 7 in the Plan, which Declaration and Plan are incorporated hereby by reference; and together with an undivided 7.32% interest in and to the Common Elements as described in the Declaration, to which reference is hereby made.

TO HAVE AND TO HOLD the aforesaid condominium unit and undivided interest in the Common Elements (which said undivided interest in the Common Elements shall be appurtenant

to and pass with the title to the corresponding Unit described in Tracts I-V and VII above) and all privileges and appurtenances thereunto belonging unto Grantee in fee simple forever.

And the Grantor covenants with Grantee that Grantor has done nothing to impair such title to the above described premises as Grantor received, and Grantor will warrant and defend the title to same against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the above described premises is subject to the following exceptions (collectively, the "Permitted Exceptions"):

See Exhibit A attached hereto and incorporated herein by reference.

The above described premises has been classified and/or cleaned up, as applicable, as a brownfields property under the Brownfields Property Reuse Act. The above described premises is subject to the Brownfields Agreement attached as Exhibit A to the Notice of Brownfields Property recorded in Book 9014 at Page 228 of the Durham County Public Registry.

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

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed by its duly authorized officer as of the day and year first above written.

(Remainder of page intentionally left blank)
(Signature page follows)

(Signature page to Special Warranty Deed)

GRANTOR:

TKC – 3029 HOLDINGS, LLC,
a North Carolina limited liability company

By: TKCI – 3029 Partners, LLC,
a North Carolina limited liability company,
its Manager

By: [Signature]
Name: Kenneth R. Beuley
Title: Authorized Member

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

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: Kenneth R. Beuley, Authorized Member of TKCI – 3029 Partners, LLC, Manager of TKC – 3029 HOLDINGS, LLC, a North Carolina limited liability company.

Date: July 27, 2021.

[AFFIX NOTARY SEAL BELOW]

[Signature]
Official Signature of Notary

Jennifer D Deming

Notary's printed or typed name

My Commission Expires: 09-10-2022

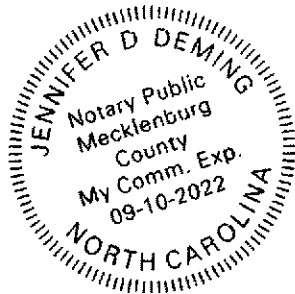


EXHIBIT A**PERMITTED EXCEPTIONS**

1. All taxes for the fiscal year 2021 and subsequent years, not yet due and payable.
2. Notice of Land Use Restrictions recorded in Book 7597, Page 858, Durham County Registry and plottable matters approximately shown on Survey.
3. Declaration of covenants, conditions, restrictions, easements, charges, assessments, repurchase rights, and liens (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) contained in (Corrected) Amended and Restated Conditions, Covenants, Restrictions and Reservations Affecting the Research Triangle Park recorded in Book 7559, Page 1; affected by Waiver of Right of First Refusal recorded in Book 7622, Page 298; affected by Waiver of Right of First Refusal recorded in Book 7658, Page 728; Declaration of Approval of Uses recorded in Book 7658, Page 747; Declaration of Approval of Uses recorded in Book 7658, Page 761; Waiver of Right of First Refusal recorded in Book 7774, Page 277; Waiver of Right of First Refusal recorded in Book 7829, Page 696; Waiver of Repurchase Rights recorded in Book 7846, Page 187; Waiver of Repurchase Rights recorded in Book 7853, Page 935; and Declaration of Removal of Territory from the Service District and from RTP Declaration of Covenants recorded in Book 7961, Page 358, Waiver of Right of First Refusal recorded in Book 8196, Page 633, Durham County Registry, Waiver of Right of First Refusal recorded in Book 8309 Page 917, Durham County Registry, as amended by First Amendment dated October 29, 2018 and recorded in Book 8564 Page 575, as further affected by Waiver of Right of First Refusal recorded in Book 8938 Page 499, as affected by Waiver of Right of First Refusal recorded in Book 9045 Page 88, as affected by Waiver of Right of First Refusal recorded in Book 9306 Page 112, as affected by Waiver of Right of First Refusal recorded in Book _____, Page _____, and any amendments and/or supplements thereto.
4. Easement(s) to Duke Power Company, recorded in Book 269, Page 599, Durham County Registry and approximately shown on Survey.
5. Deed of Easement to State Highway Commission, recorded in Book 374, Page 404, Durham County Registry.
6. Easement to Durham County recorded in Book 427, Page 725, Durham County Registry and approximately shown on Survey.
7. Beautification Easement recorded in Book 1746, Page 350, Durham County Registry and approximately shown on Survey.
8. Terms, conditions, and provisions set forth in Declaration of Easement recorded in Book 1882, Page 738 and as shown on map recorded in Plat Book 130, Page 39, Durham County Registry and approximately shown on Survey.

9. Compliance Boundary Easement Agreement recorded in Book 6871, Page 577, Durham County Registry and approximately shown on Survey.
10. AS TO COMMON AREA: As to any streams and wetlands on subject property:
 - (a) All right, Title or Claim or any character by the United States, State, Local Government or by the Public Generally in and to any portion of the land lying within the current or former bed, or below the ordinary high water mark, or between the cut banks of a stream navigable in fact or in law.
 - (b) Right of riparian water rights owners to the use and flow of the water.
 - (c) The consequence of any past or future change in the location of the bed.
11. Right of Entry and Access Agreement by and between GlaxoSmithKline LLC and TKC - 3029 Holdings, LLC dated as of December 13, 2018 and recorded December 18, 2018, in Book 8564, Page 974, Durham County Registry.
12. All matters shown on plat of survey recorded in Plat Book 204 Page 273 and Condo Plat Book 13 Page 187-191, Durham County Registry and approximately shown on Survey.
13. Notice of Brownfields Property dated July 24, 2020 and recorded in Book 9014 Page 228, Durham County Registry and associated plat of survey recorded in Plat Book 203 Page 165-173, Durham County Registry.
14. Easement from TKC-3029 Holdings, LLC to Duke Energy Carolinas, LLC, dated August 14, 2020 and recorded in Book 9045 Page 475, Durham County Registry.
15. Declaration of covenants, conditions, restrictions, easements, charges, assessments, and liens set forth in Declaration of Condominium for Genesis Durham Condominium by TKC-3029 Holdings, LLC, dated November 30, 2020 and recorded in Book 9167 Page 456, Durham County Registry.
16. The ALTA/NSPS survey prepared by Ronald T. Frederick, P.L.S. L-4720, of the John R. McAdams Company, Inc., dated May 7, 2021 last revised July 26, 2021, under Project No. 2021110476 discloses the following:
 - (a) Rights both public and private in and to: overhead utility lines, underground electric lines, water lines, sanitary sewer pipes, fiber optic lines, gas lines, storm drain pipes, utility poles, light poles, guy wires, Electric Transformers, electric boxes, gas valves, manholes, clean outs, drop inlets, water valves, water meters, fire hydrants, monitoring wells, streams and riparian rights thereto, and wetlands.
 - (b) Water, sewer, storm water drainage, and electric lines not in defined easement areas.
 - (c) Rights of others in and to the use of all common areas affecting the insured land.
 - (d) Per surveyor, site under active land grading and construction at the time of field survey.
 - (e) Subject property is vacant and undeveloped.
 - (f) Survey shows common access drive between the condo units is yet to be constructed.