



FOR REGISTRATION REGISTER OF DEEDS
Willie L. Cavinston
DURHAM COUNTY, NC
2008 MAR 24 03:42:21 PM
BK:5905 PG:466-470 FEE:\$23.00
NC REV STAMP:\$4,800.00
INSTRUMENT # 2008011576

Prepared by: William A. Anderson, III (without the benefit of title examination)

Return to: Grantee

Parcel Nos.: 103000 9103003

Excise Stamps: \$ 4,800.00

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS NORTH CAROLINA SPECIAL WARRANTY DEED is made and entered into this 20th day of March, 2008, by **MUTUAL COMMUNITY SAVINGS BANK, INC., SSB** ("Grantor"), to **CREH-MUTUAL, LLC**, a North Carolina limited liability company ("Grantee"), having an address of 7320 Six Forks Road, Suite 100, Raleigh, NC 27615. 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 valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee, in fee simple, all that certain real property described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

The Property was acquired by Grantor by instrument recorded in Book 1773 at Page 112, Durham County Public Registry.

TO HAVE AND TO HOLD the Property and 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 stated in Exhibit B attached hereto and incorporated herein by reference.

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

MUTUAL COMMUNITY SAVINGS BANK, INC.,
SSB

By: *William G. Smith*
William G. Smith
President and CEO

STATE OF NORTH CAROLINA

COUNTY OF Durham

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document: William G. Smith

Date: 3/20/08

William A. Anderson III
Notary Public

Print Name: William A. Anderson III

My commission expires: 10/5/08

[Official Seal]



EXHIBIT A

LEGAL DESCRIPTION

Being all of those certain two lots and parcels designated as the property of Mutual Savings and Loan Association and Mutual Savings and Loan Building on the plat and map of the property of Mutual Savings and Loan Association by Credle Engineering Company, Inc. dated September 4, 1992 and recorded in Plat Book 128 at page 114 of Durham County Registry on September 24, 1992. This being property acquired by Home Savings and Loan Association by deed recorded in Book 313, Page 67, Durham County Registry and Book 321, Page 299, Durham County Registry. Branch Banking and Trust Company is the successor by merger to Home Savings and Loan Association. Also conveyed herewith is any and all right, title and interest of grantor herein to the alleyways adjoining property conveyed herein, provided, however, that no warranties of title are given as to these alleyways.

EXHIBIT B

PERMITTED EXCEPTIONS

1. **Taxes for the year 2008, and subsequent years, not yet due and payable.**
2. **Agreement for Parking Spaces recorded in Book 2323 at Page 410 by and between J. Randolph Coupland, III and Mutual Community Savings Bank, SSB, Durham County Registry.**
3. **Subject to matters shown on recorded Plat Book 128 at Page 114 and in Plat Book 130 at Page 6.**
4. **License Agreement with the City of Durham regarding extension of walls of the basement floor under the sidewalk areas recorded in Book 328 at Page 346, Durham County Registry.**
5. **Agreement regarding alleyway North of insured premises recorded in Book 321 at Page 500, Durham County Registry.**
6. **Rights of others, if any, in and to the alleyways surrounding insured premises.**
7. **Encroachment upon property adjoining on the north by the building appurtenant to the Land, as shown on plat of survey by Jose L. Torres, PLS, dated 3/12/08.**
8. **Encroachment upon property adjoining on the south by the basement appurtenant to the Land, as shown on plat of survey by Jose L. Torres, PLS, dated 3/12/08.**
9. **Encroachment upon property adjoining on the south by the overhang appurtenant to the Land, as shown on plat of survey by Jose L. Torres, PLS, dated 3/12/08.**
10. **Rights of tenants in possession of Property or any portion thereof under unrecorded leases.**
11. **Zoning ordinances affecting the Property.**