

BOOK 2120 PAGE 467

DURHAM COUNTY

SEP 15 95

400.00



Real Estate Excise Tax

400.00

\$200.00

Excise Tax

FILED
BOOK 2120 PAGE 467-468

'95 SEP 15 PM 2 56

RUTH G. GARRETT
REGISTER OF DEEDS
DURHAM COUNTY, N.C.

Recording Time, Book and Page

Tax Lot No. 435-01-001A Parcel Identifier No.
Verified by County on the day of 19
by

Mail after recording to GRANTEE.

This instrument was prepared by RONALD G. COULTER, ATTORNEY AT LAW

Brief description for the Index 1.019 AC. W/S SANDY CREEK DR.

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 14TH day of SEPTEMBER, 1995, by and between

GRANTOR

SANDY CREEK, LTD, A NORTH CAROLINA
GENERAL PARTNERSHIP

GRANTEE

SANDY CREEK, L.L.C., A NORTH CAROLINA
LIMITED LIABILITY COMPANY
3200 SANDY CREEK DRIVE
DURHAM, NC 27707

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 as follows:

SEE ATTACHED EXHIBIT A, WHICH IS INCORPORATED HEREIN BY REFERENCE.

26959

13.10

BOOK 2120 PAGE 468

The property hereinabove described was acquired by Grantor by Instrument recorded in DEED BOOK 928

PAGE 749 AND DEED BOOK 928 PAGE 751 OF THE DURHAM COUNTY REGISTRY

A map showing the above described property is recorded in Plat Book 74 page 80

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 is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Corporate Name: SANDY CREEK, LTD. By: CHARLES S. ATWATER, MANAGING PARTNER. President: ATTEST: Secretary (Corporate Seal)

USE BLACK INK ONLY



NORTH CAROLINA, Granville County. I, a Notary Public of the County and State aforesaid, certify that CHARLES S. ATWATER, MANAGING PARTNER FOR SANDY CREEK, LTD. personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 15th day of September, 1995. My commission expires: July 20, 1996. Dave Currier, Notary Public

SEAL-STAMP

NORTH CAROLINA, Granville County. I, a Notary Public of the County and State aforesaid, certify that Charles S. Atwater, Managing Partner, personally came before me this day and acknowledged that he is Managing Partner of Sandy Creek, Ltd. a North Carolina corporation, and that he is the President, seated with its corporate seal and attested by its Managing Partner, Charles S. Atwater. Witness my hand and official stamp or seal, this 15th day of September, 1995. My commission expires: July 20, 1996. Dave Currier, Notary Public

The foregoing Certificate(s) of David Currier, Notary Public of Granville Co. NC

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

RUTH C. GARRETT REGISTER OF DEEDS FOR Durham COUNTY

By Hancock, Arthur 9-15-95 Deputy/Assistant - Register of Deeds

EXHIBIT A

SANDY CREEK L.L.C. LEGAL DESCRIPTION

BEGINNING at an iron pin in the western right-of-way line for Sandy Creek Drive, which said pin is situated in the northeast corner of land now or formerly owned by Gerald J. Musante; from thence running North 63° 54' 34" West 13.59 feet to a pin; thence running South 24° 33' 10" West 0.71 feet to a pin; thence running North 65° 51' 00" West 286.41 feet to a pin; thence North 22° 22' 43" East 93.69 feet to a pin; thence South 85° 25' 00" East 159.91 feet to a pin; thence South 84° 55' 00" East 159.66 feet to a pin in the western right-of-way line for Sandy Creek Drive; thence with the said right-of-way line as it runs to the right along a curve having a radius of 7303.32 feet for an arc length of 119.12 feet, a chord bearing South 23° 46' 19" West 199.12 feet to the point and place of BEGINNING, containing 1.019 acres, more or less, according to a plat of survey by Freehold Land Survey, Inc. dated August 3, 1995, and recorded in Platbook 134 Page 93 of the Durham County Registry, to which plat reference is made for a more particular description. Being also known as Lots 1 and 2 of the Property of Plaza Associates, Inc., as set out in Platbook 74 Page 80 of the Durham County Registry.

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134-93

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH. BEARING
C-1	7303.32'	188.12'	1°33'44"	198.12'	N 23°48'18"E

FILED
 '85 SEP 15 PM 2 54
 RUTH G. BARRETT
 REGISTER OF DEEDS
 DURHAM COUNTY, N.C.

RICHARD W. HAWKINS
 D.B. 1332-34
 P.B. 112-168

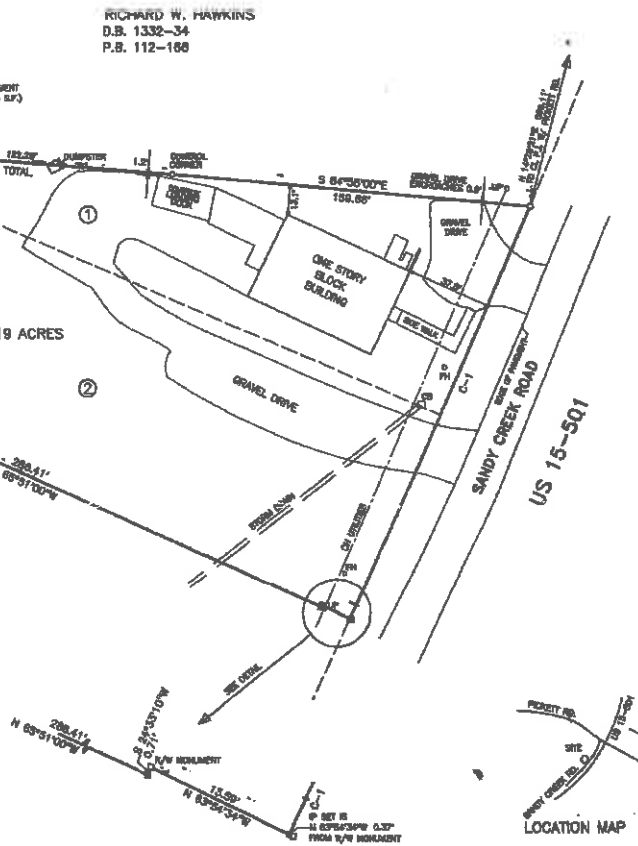
GERALD J. MUSANTE
 D.B. 1511-840
 P.B. 105-95

TOTAL AREA = 1.019 ACRES

- LEGEND:
- IRON FOUND
 - ⊙ IRON SET
 - △ CALC. CORNER
 - CONCL. MGMT.

27034

RATIO OF CLOSURE 1:10,000+



I, CHARLES R. BELLING, HEREBY CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION THIS LINE WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (EXCEPT FOR AS NOTED HEREON), THAT THE METHOD OF CLOSURE CALCULATED BY LATITUDES AND LONGITUDES IS 1:10,000+, THAT THE RECOVERIES NOT SURVEYED ARE SHOWN AS DOTTED LINES PLOTTED FROM INFORMATION AS NOTED AND THAT THIS MAP WAS PROVIDED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY THAT THIS IS A BOUNDARY SURVEY OF AN EXISTING PARCEL OF LAND WHICH LIES WITHIN THE CITY OF DURHAM, WHICH HAS AN ORDINANCE REGULATING PARCELS OF LAND, ENACTED BY 1960 AND 2012, THE 3RD DAY OF AUGUST, 2006.

Charles R. Belling
 CHARLES R. BELLING, REGISTERED LAND SURVEYOR L-1711

NORTH CAROLINA, ORANGE COUNTY

I, A HISTORY PUBLIC OF THE COUNTY AND HERE APPROVED, CERTIFY THAT CHARLES R. BELLING, A REGISTERED LAND SURVEYOR, PROFESSIONALLY APPROVED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT.

BEFORE MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 3RD DAY OF AUGUST, 2006.
 HENRY PUBLIC - BY COMMISSION EXPIRES DECEMBER 8, 1999.



State of North Carolina, Orange County
 The Property is Situated in
Charlotte, N.C.
 A History Public for the Registered Land Surveyor
 under his hand and official seal of office, this 15th day of August, 2006.
 Ruth G. Barrett
 Register of Deeds

BOUNDARY SURVEY FOR
 SANDY CREEK L.L.C.
 3200 SANDY CREEK ROAD
 LOTS 1 & 2, PROPERTY OF PLAZA ASSOCIATES, INC.
 TAX MAP REFERENCE: 435-01-01A
 PLAT BOOK REFERENCE: 74-80
 DEED BOOK REFERENCE: 928-749
 928-448

TRIANGLE TOWNSHIP
 DURHAM COUNTY
 NORTH CAROLINA

SCALE: 1"=30'
 AUGUST 3, 1996

FREEHOLD LAND SURVEYS, INC.

115 W. MAIN STREET
 P.O. BOX 1084, CHARLOTTE, NC 27810
 PHONE 919-333-8888
 FAX 919-333-8888

STEPHEN E. WILSON REGISTERED LAND SURVEYOR L-1370
 CHARLES R. BELLING REGISTERED LAND SURVEYOR L-1711 1829



Tax Maps are not to be used to establish boundaries and/or size. Use for such is solely the responsibility of the user.



PIN	0810-01-18-2810	Parcel ID	137062
Acreage	1.01800000	Land Use	COM/ OFFICE BLDG
Deed Book	002120	Deed Page	000467
Plat Book	000134	Plat Page	000093
Subdivision	N/A - NO SUBDIVISION	Site Address	3200 SANDY CREEK DR
Owner Name	SANDY CREEK LLC	Owner Address	3200 SANDY CREEK DRIVE
			DURHAM , NC 27705-6017
Land Value	\$312,369.00	Building Value	\$201,519.00
Total Value	\$513,888.00	Sale Price	\$0.00

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FILED
BOOK 2144 PAGE 424-428

'95 DEC 1 PM 3.02

Prepared by and Return to: Ronald G. Coulter, Attorney at Law

State of: North Carolina
County of: Durham

RUTH C. CARRETT
REGISTER OF DEEDS
DURHAM COUNTY, N.C.

DEED OF EASEMENT

THIS DEED OF EASEMENT, made and entered into this the 15th day of September, 1995 by and between Richard W. Hawkins and wife Trena G. Hawkins, Central Carolina Bank & Trust Company, and Southland Associates, Inc., parties of the first part, and Sandy Creek, L.L.C., a North Carolina Limited Liability Company, party of the second part;

WITNESSETH

THAT, WHEREAS, Richard W. Hawkins is the record owner of a certain lot located on the West side of Sandy Creek Drive, and known as Parcel C, containing 1.0579 acres, more or less, as shown on the survey for Colson & Colson, Inc., by George C. Love, Jr., dated June 12, 1986, recorded in Durham County Registry in Plat book 112, at page 166.

THAT, WHEREAS, Trena G. Hawkins is presently married to Richard W. Hawkins and needs to execute this Deed of Easement to convey any marital interest which she may have acquired in the subject property;

THAT, WHEREAS, Southland Associates, Inc. has been named as Trustee on behalf of Central Carolina Bank & Trust Company in a Deed of Trust recorded in Deed Book 1877 page 197 and secured by the above-described Parcel C;

WHEREAS, the party of the second part is the owner of a certain lot or parcel of land which abuts the property of the parties of the first part on the South side and which is described in the attached Exhibit A;

WHEREAS, the party of the second part desires to extend a sanitary sewer lateral from the existing sewer main which runs through and across the property of the first part to serve the property of the parties of the second part located on the West side of Sandy Creek Drive as described in Exhibit A herein so that they may connect with the general sewage system of the City of Durham;

WHEREAS, in so doing it is necessary that the said sewer lateral be laid across the lands of the parties of the first part, and the parties of the first part are agreeable to having this done and are willing to execute and deliver this easement deed for the purpose of granting the necessary easement for said purposes.

NOW, THEREFORE, in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLAR and other good and valuable considerations paid to the parties of the first part by the party of the second part, the receipt of which is hereby fully acknowledged, the said parties of the

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18⁰⁰

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first part do hereby give, grant, and convey to said party of the second part and their successors and assigns a perpetual right and easement to locate, construct, and maintain through and across said lands of the parties of the first part at the place and to the extent as hereinafter described, an underground sanitary sewer easement extending from the existing sewer easement of the City of Durham to the property of the party of the second part and more particularly described in the attached Exhibit B, which is incorporated herein by reference.

AND, the parties of the first part do further grant and convey unto the party of the second part and its successors and assigns the right, privilege, and easement to go upon said land hereinbefore referred to and described whenever the same is reasonably necessary for the purpose of inspecting, maintaining, and repairing said sanitary sewer line.

PROVIDED, in constructing, repairing, and maintaining said sanitary sewer line, the party of the second part and its successors and assigns shall remove all surplus earth and make level the surface of the ground about said sanitary sewer line and will interfere as little as is reasonably possible with any improvements upon the lands of the parties of the first part and with the rights and privileges incident to the enjoyment of the use and ownership of said lands by the parties of the first part and their heirs and assigns. Trena G. Hawkins enters into this Deed of Easement for the purpose of releasing any and all of her marital interest to the extent necessary to convey this easement to the party of the second part.

Southland Associates, Inc. and Central Carolina Bank and Trust Company execute this Deed of Easement releasing their lien interest only to the extent necessary to convey this easement to party of the second part. Their lien remains valid and binding in all other respects.

TO HAVE AND HOLD said right and easement unto the said party of the second part and their successors and assigns, it being agreed that the right and easement hereby granted is appurtenant to and runs with the land now owned by the parties of the first part hereinabove specifically described.

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Richard W. Hawkins (SEAL)
RICHARD W. HAWKINS

Trena G. Hawkins (SEAL)
TRENA G. HAWKINS

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SOUTHLAND ASSOCIATES, INC.

CORPORATE SEAL:



By: *Barbara C. Gatten*
President

Attest: *James E. Howard*
Secretary

CENTRAL CAROLINA BANK & TRUST COMPANY

CORPORATE SEAL:



By: *W. G. [Signature]*
President

Attest: *[Signature]*
Secretary

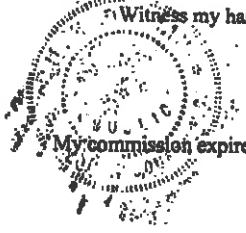
SANDY CREEK, L.L.C., A NORTH CAROLINA LIMITED LIABILITY COMPANY

By: *Leon Meyer*
Manager

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

I, *Neil A. Duncan*, Notary Public of Durham County, North Carolina, do hereby certify that RICHARD W. HAWKINS and TRENA G. HAWKINS personally appeared before me this day and acknowledged the due execution of the foregoing easement deed for the purpose therein expressed. Let the said instrument with this certificate be registered.

Witness my hand and notarial seal this 2 day of October, 1995.



My commission expires: 11/30/98

Neil A. Duncan
Notary Public

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NORTH CAROLINA
DURHAM COUNTY

I, a Notary Public of the County and state aforesaid, certify that _____

Bonnie E. Johnson
personally appeared before me this day and acknowledged that she is Asst.
Secretary of SOUTHLAND ASSOCIATES, INC. a North Carolina corporation, and that by
authority duly given and as an act of the corporation, the foregoing instrument was signed in its
name by its _____ President, sealed with its corporate seal and attested by
herself as its Asst. Secretary,

Witness my hand and official stamp or seal, this 6 day of October, 1995.

My commission expires: 9-22-98 Mylo C. Little Notary Public

NORTH CAROLINA
DURHAM COUNTY

I, a Notary Public of the County and state aforesaid, certify that _____

Eric C. Scott
personally appeared before me this day and acknowledged that he is Asst.
CENTRAL CAROLINA BANK AND TRUST COMPANY a North Carolina corporation, and
that by authority duly given and as an act of the corporation, the foregoing instrument was signed
in its name by its Vice President, sealed with its corporate seal and attested by
himself as its Asst. Secretary,

Witness my hand and official stamp or seal, this 6 day of October, 1995.

My commission expires: 9-22-98 Mylo C. Little Notary Public

NORTH CAROLINA, DURHAM COUNTY

I, a Notary Public of the County and state aforesaid, certify that LEON C. MEYERS
MANAGER FOR SANDY CREEK, L.L.C. Grantor, personally appeared before me this day and
acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or
seal, this 15 day of November, 1995.

My commission expires: 11-11-97 _____ Notary Public

State of North Carolina

The foregoing certificate of _____

A Notary (Notarial) Public for the Designated Government
units is (are) certified to perform.

This the _____ day of _____
Ruth C. Garrett
Register of Deeds

By: _____
Assistant, Deputy
Register of Deeds



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EXHIBIT A

SANDY CREEK L.L.C. LEGAL DESCRIPTION

BEGINNING at an iron pin in the western right-of-way line for Sandy Creek Drive, which said pin is situated in the northeast corner of land now or formerly owned by Gerald J. Musante; from thence running North 63° 54' 34" West 13.59 feet to a pin; thence running South 24° 33' 10" West 0.71 feet to a pin; thence running North 65° 51' 00" West 286.41 feet to a pin; thence North 22° 22' 43" East 93.69 feet to a pin; thence South 85° 25' 00" East 159.91 feet to a pin; thence South 84° 55' 00" East 159.66 feet to a pin in the western right-of-way line for Sandy Creek Drive; thence with the said right-of-way line as it runs to the right along a curve having a radius of 7303.32 feet for an arc length of 119.12 feet, a chord bearing South 23° 46' 19" West 199.12 feet to the point and place of **BEGINNING**, containing 1.019 acres, more or less, according to a plat of survey by Freehold Land Survey, Inc. dated August 3, 1995, and recorded in Platbook 134 Page 93 of the Durham County Registry, to which plat reference is made for a more particular description. Being also known as Lots 1 and 2 of the Property of Plaza Associates, Inc., as set out in Platbook 74 Page 80 of the Durham County Registry.

EXHIBIT B

SANDY CREEK L.L.C. EASEMENT DESCRIPTION

18428

BEGINNING at an iron pin in the northwestern corner of the Sandy Creek L.L.C. property, as set out in the below-described plat of the Sandy Creek L.L.C. Property (see also Platbook 74 page 80); thence running North 43° 46' 11" West 7.67 feet to a pin in the southeastern boundary of an existing sanitary sewer line; thence running North 46° 13' 49" East 25 feet with said line to a pin; thence running South 43° 46' 11" East 35.79 feet to a pin in the northern line of the Sandy Creek L.L.C. property; thence running with the said northern line North 85° 25' 00" West 37.62 feet to a pin, the point and place of **BEGINNING**, and being that easement described on a plat of survey by Freehold Land Surveys, Inc. recorded in Platbook 134 Page 93 of the Durham County Registry, to which reference is made for a more particular description.