

FOR REGISTRATION
Sharon A. Davis
REGISTER OF DEEDS
Durham County, NC
2016 DEC 15 03:31:04 PM
BK:8088 PG:978-982
DEED
FEE: \$26.00
EXCISE TAX: \$1,500.00
INSTRUMENT # 2016044077
TREDFEARN



2016044077

✦ Prepared by and After Recording Return to:
Christopher S. Dwight
Poyner Spruill LLP
Post Office Box 353
Rocky Mount, North Carolina 27802

Parcel Identifier Numbers: 0739-03-34-3788
Real Estate ID: 157051

Revenue Stamps: \$1500.00

NORTH CAROLINA SPECIAL WARRANTY DEED

Grantor states that the Property does not include the primary residence of Grantor.

**NORTH CAROLINA
DURHAM COUNTY**

THIS SPECIAL WARRANTY DEED is made to be effective this the 9th day of December, 2016 (the "Effective Date") by **STALLINGS OIL COMPANY**, a North Carolina corporation ("Grantor"), with a mailing address of 300 South Wesleyan Blvd., Rocky Mount, North Carolina 27804 to **RDI LLC**, a North Carolina limited liability company ("Grantee"), with a mailing address of 300 South Wesleyan Blvd. Suite 202, Rocky Mount, North Carolina 27804.

WITNESSETH:

For good and valuable consideration paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, Grantor has and by these presents 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, which lot or parcel of land is more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property").

TO HAVE AND TO HOLD the aforesaid Property and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And the said 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, other than the following exceptions: (1) the lien of 2016 ad valorem taxes; (2) that certain Lease hereinafter defined; and (3) all easements, covenants and other matters of record in the Durham County Registry affecting the herein described Property.

The Property conveyed hereby is conveyed AS IS and Grantor makes no representations or warranties and has no liability to Grantee with respect to the condition of the said Property and by its acceptance

hereof, Grantee hereby releases Grantor and agrees to hold Grantor harmless of and from any and all liability of every nature arising out of the condition of the Property.

The Property is subject to a certain Lease Agreement described more particularly on **Exhibit B** attached hereto and incorporated herein by reference (the "**Lease**"). Grantor and Grantee acknowledge that Circle K Stores Inc., a Texas corporation as successor-by-merger to The Pantry, Inc., formerly a North Carolina corporation, as tenant under the Lease ("**Tenant**"), owns any of the gasoline and other fuel dispensing equipment on the Property, including without limitation underground and above-ground tanks, lines and dispensers (collectively, the "**Gasoline Equipment**"). Grantor hereby disclaims any and all interest in the Gasoline Equipment. By its acceptance of this deed, Grantee acknowledges the foregoing and ownership by Tenant of any Gasoline Equipment on the Property.

The designations "Grantor" and "Grantee" as used herein shall include said named parties and their respective heirs, personal representatives, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

[The signature page follows.]

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the Effective Date.

STALLINGS OIL COMPANY, a
North Carolina corporation

By: [Signature]
Name: BOYD M. TOLMAN
Title: VICE President

STATE OF NORTH CAROLINA

COUNTY OF Nash

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Boyd M. Tolman, ~~self~~ ^{vice} President of Stallings Oil Company, a North Carolina corporation. cp (Cynthia Proctor)

Date: December 8, 2016

Official Signature of Notary: Cynthia Proctor

Notary's Printed or Typed Name: Cynthia Proctor, Notary Public

My Commission Expires: July 6, 2021

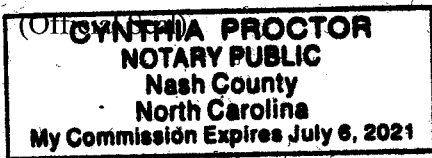


EXHIBIT A**Legal Description**

[3223 N.C. Highway 55 (Cornwallis), Durham, North Carolina 27713]

BEGINNING at an iron stake in the eastern right-of-way line of N.C. Highway No. 55 at the southwest corner of Lot 10, A.J. Pollard Property, (a control corner), all as shown on the plat hereinafter referred to, and running thence along and with the southern property line of said Lot 10, South $78^{\circ} 08' 00''$ East 309.37 feet to an iron stake located in the western right-of-way line of the Southern Railway; thence along and with the western right-of-way line of the Southern Railway South $17^{\circ} 34' 03''$ West 525.23 feet to an iron stake in the northeastern right-of-way line of Cornwallis Road; thence along and with the northeastern right-of-way line of said Cornwallis Road North $23^{\circ} 55' 00''$ West 438.35 feet to an iron stake located at the intersection of the northeastern right-of-way line of Cornwallis Road and the eastern right-of-way line of N.C. Highway No. 55; thence along and with the eastern right-of-way line of N.C. Highway No. 55 North $11^{\circ} 21' 08''$ East 66.39 feet to an iron stake; thence continuing along the eastern right-of-way line of N.C. Highway No. 55 North $11^{\circ} 42' 24''$ East 100.64 feet to an iron stake, the point and place of BEGINNING, containing approximately 2.34 acres, more or less, and shown on the plat and survey entitled "Boundary Survey for Stallings Oil Company" prepared by Autry Land Surveying, dated December 16, 1985, and recorded in the Office of the Register of Deeds of Durham County, North Carolina in Plat Book 110, Page 114, to which plat reference is hereby made for a more particular description of same.

The subject property was conveyed to A. Donald Stallings and June S. Shearin by deed dated January 19, 1987, recorded at Book 1340, Page 700, Durham County Registry.

EXHIBIT B

Lease Description

Lease Agreement by and between Stallings Oil Company, a North Carolina corporation, as landlord, and Circle K Stores Inc., a Texas Corporation, as successor by merger to The Pantry, Inc., a North Carolina corporation, as tenant, dated July 16, 1998, as amended by that certain First Amendment to Lease Agreement, dated on or about February 11, 2011, and further evidenced by that certain Memorandum of Lease recorded in Book 2508, Page 151, Durham County Registry, State of North Carolina.