

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2016 APR 18 12:16:53
BK:7910 PG:828-830
DEED
FEE:\$26.00
EXCISE TAX:\$8,551.00
INSTRUMENT # 2016011443
SMMARSH



Return to: Wyatt Early Harris Wheeler, LLP (David N. Woods) PO Drawer 2086, High Point, NC 27261

GENERAL WARRANTY DEED

Excise Tax: \$8551.00
Tax Parcel ID No. 0800-03-11-5317 _____ Verified by Durham County
on the ____ day of March, 2016 By: _____

Mail/Box to: 11995 El Camino Real, San Diego, CA 92130 _____

This instrument was prepared by: Buchanan Ingersoll & Rooney PC Carillon Building, 227 West Trade Street, Suite 1920, Charlotte, NC 28202

Brief description for the Index: _____

THIS DEED, made this the 30 day of March, 2016, by and between

GRANTOR: New Private Restaurant Properties, LLC, a Delaware limited liability company whose mailing address is 2202 N. West Shore Boulevard, Suite 500, Tampa, Florida 33607
(Grantor) and

GRANTEE: MDC Coast 4, LLC, a Delaware limited liability company whose mailing address is 11995 El Camino Real, San Diego, California 92130
(Grantee) and

WITNESSETH:

For valuable consideration from Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby gives, grants, bargains, sells and conveys unto Grantee in fee simple, subject to the Exceptions and Reservations hereinafter provided, if any, the following described property located in the City of Durham, County of Durham, State of North Carolina, more particularly described as follows:

Please see Exhibit "A" attached hereto.

Said property having been previously conveyed to Grantor by instrument(s) recorded in Book 6946, Page 429, and being reflected on plat(s) recorded in Map/Plat Book 000129, page/slide 000175.

All or a portion of the property herein conveyed ____ includes or X does not include the primary residence of a Grantor. TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple, subject to the Exceptions and Reservations hereinafter and hereinabove provided, if any.

And Grantor hereby warrants that Grantor is seized of the premises in fee and has the right to convey same in fee simple,

that title is marketable and is free and clear of encumbrances other than as set forth herein, and that Grantor will forever warrant and defend the title against the lawful claims of all persons or entities whomsoever.

This conveyance is made subject to the following Exceptions and Reservations:

All real estate taxes not yet delinquent, covenants, conditions, restrictions, easements, rights of way and other matters of record, applicable zoning, land use, and similar laws and regulations, and any and all matters which would be disclosed by an accurate survey of the real estate.

All references to Grantor and Grantee as used herein shall include the parties as well as their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

GRANTOR:

New Private Restaurant Properties, LLC, a Delaware limited liability company

By: NEW PRP MEZZ, I, LLC, its Managing Member

By: Ronda L. Stoker
Ronda L. Stoker, Authorized Agent

State of Florida
County of Hillsborough

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Ronda L. Stoker, as Authorized Agent of NEW PRP MEZZ I, LLC, as Managing Member of New Private Restaurant Properties, LLC, a Delaware limited liability company, on behalf of the company.

Date: March 29, 2016

Kathryn A. Davis
Kathryn A. Davis Notary Public
Notary's Printed or Typed Name

My Commission Expires:
10/5/18

(Official/Notarial Seal)



EXHIBIT A

Lying and being in Durham County, North Carolina, and more particularly described as follows:

Site 3446

Lying and being in Durham County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron pipe located in the southern right-of-way of US Highway 15-501, said iron pipe being a Control Corner having NC Grid Coordinates of N=801,559.951 and E=2,001,558.859; thence along a curve to the right having a radius of 19.30 feet and a chord bearing North 82-55-53 East, an arc distance of 14.06 feet to an existing iron pipe located in the western right-of-way of Mt. Moriah Road thence running with the western right-of-way of Mt. Moriah Road South 00-03-23 East 328.56 feet to an existing iron pipe; thence South 00-11-56 East 2.01 feet to an existing iron pipe; thence with a curve to the right having a radius of 25 feet and a chord bearing of South 44-48-04 West, an arc distance of 39.27 feet to an existing iron pipe in the northern right-of-way of Ladle Drive; thence continuing with the right-of-way of Ladle Drive South 89-48-04 West 16.87 feet to an existing iron pipe; thence along a curve to the right having a radius of 100 feet and chord bearing of North 59-31-53 West, an arc distance of 107.05 feet to an existing iron pipe; thence North 28-51-49 West 183.86 feet to an existing iron pipe; thence along a curve to the right having a radius of 25 feet and a chord bearing of North 16-08-01 East, an arc distance of 39.27 feet to an existing iron pipe located in the southern right-of-way of US Highway 15-501; thence with the southern right-of-way of US Highway 15-501 North 61-07-52 East 222.28 feet to the POINT AND PLACE OF BEGINNING, and being all of Tract A, containing 1.371 acres, as shown on plat entitled "Final Plat for P&S Properties, Ltd. Partnership," prepared by Triangle Surveyors, dated May 10, 1993, recorded in Book of Maps 129, page 175, Durham County Registry.

TOGETHER WITH all rights, title and interest in the easements created pursuant to the certain Dedication of Easement dated May 27, 1993 and recorded in Book 1852, Page 404, Durham County Registry.