

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2013 JUN 24 02:26:50 PM
BK:7298 PG:239-244
DEED
FEE: \$26.00
EXCISE TAX: \$1,405.00
INSTRUMENT # 2013023871
SCEARNEL



2013023871

NORTH CAROLINA
SPECIAL WARRANTY DEED

Excise Tax: \$1,405.00

Recording Time, Book and Page:

Tax Lot No.: _____

Parcel Identifier No. 172355

Brief Description for the Index: 3500 N. Duke Blvd., Durham, NC

After Recording, Mail to: K&L Gates LLP,
214 North Tryon Street, 47th Floor,
Charlotte, North Carolina 28202
Attn: Patrick L. Ridinger, Esq.

This instrument prepared by: Otten, Johnson, Robinson, Neff & Ragonetti, P.C.
950 17th Street, Suite 1600
Denver, Colorado 80202

THIS DEED made this 18th day of June, 2013, by and between

GRANTOR

BLOCKBUSTER L.L.C., a Colorado limited liability company, formerly known as BBI Operating L.L.C.

Mailing Address: 9601 South Meridian Boulevard,
Englewood, Colorado 80112

GRANTEE

C4 ELION, LLC, a Delaware limited liability company

Mailing Address: c/o Crosland Southeast,
201 South College Street, Suite 130,
Charlotte, North Carolina 28244

This 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 and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, transferred, conveyed and confirmed and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain tract or parcel of land situated in the City of Durham, Durham County, North Carolina and more particularly 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 7032 at page 621 (Instrument No. 2012026460), Durham County Registry.

All or a portion of the Property herein conveyed does not include the primary residence of Grantor.

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

And Grantor covenants with Grantee, that Grantor has 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 hereinafter stated.

Title to the Property is subject to those exceptions listed on Exhibit B attached hereto and incorporated herein by this reference (the "**Permitted Exceptions**").

[Grantor's signature on following page]

EXHIBIT A

(Attached to and forming a part of
the Special Warranty Deed
from Blockbuster L.L.C., as grantor
to C4 Elion, LLC, as grantee)

Description of the Property

The following described property located in the City of Durham, County of Durham, State of North Carolina, more particularly described as follows:

BEGINNING at an iron pin at the northeast intersection of North Duke Boulevard and Fairfield Road, and running thence along and with the east side of North Duke Boulevard (a 60 foot right of way) North $03^{\circ}53'13''$ East 174.70 feet to an iron pin; thence with the line of North Duke Plaza, Inc., South $88^{\circ}58'$ East 200.03 feet to an iron pin; thence with another line of North Duke Plaza, Inc., South $04^{\circ}02'30''$ West 199.93 feet to an iron pin on the north side of Fairfield Road (a 53 foot right of way said right of way having 23 feet to the north of the center line of Fairfield Road and 30 feet to the south of said center line); thence along and with the north side of Fairfield Road North $89^{\circ}08'37''$ West 176.70 feet to a stake, thence North $38^{\circ}54'$ West 33.55 feet to the point of BEGINNING,

containing 0.9103 acres, more or less, and shown on that plat by George C. Love, Jr., dated April 28, 1983, as Job No. 19149.

EXHIBIT B

(Attached to and forming a part of
the Special Warranty Deed
from Blockbuster L.L.C., as grantor
to C4 Elion, LLC, as grantee)

List of Permitted Exceptions

1. Taxes and assessments for the year 2013 and subsequent years, a lien not yet due or payable.
2. Exceptions affecting title created by, on behalf of or with the consent of C4 Molior, LLC, a North Carolina limited liability company, Grantee or both.
3. All matters of record, but excluding liens securing consensual debt and mechanics liens.
4. Conditions that may be shown by a current, accurate survey.
5. Easements, variances, encroachments, restrictions, rights of way and any other non-monetary title defects.
6. Zoning, building and similar restrictions.