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20180904000170210 DEED  
Bk:RB6517 Pg:396  
09/04/2018 03:46:32 PM 1/5

FILED Mark Chilton  
Register of Deeds, Orange Co, NC  
Recording Fee: \$26.00  
NC Real Estate TX: \$29000.00

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**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax: \$29,000.00

Parcel Identifier Nos. 9874-01-1009 & 9874-00-4474 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 2018  
By: \_\_\_\_\_ 3410 LCB

Mail/Box to: Grantee

This instrument was prepared by: Kennon Craver, PLLC (without benefit of title examination)

Brief description for the Index: Daniel Boone Complex (56.45 acres) & and Daniel Boone Ice Rink (2.1807 acres)

THIS DEED made this 4th day of September 2018, by and between

**GRANTORS**

**GRANTEE**

<p><b>D. B. ICE RINK, INC.,</b> a North Carolina corporation; and</p> <p><b>DANIEL BOONE LLC,</b> a North Carolina limited liability company, the successor in interest to Daniel Boone Ltd., a North Carolina limited partnership</p> <p>ADDRESS:  c/o Nahale Kalfas P.O. Box 765 Hillsborough, NC 27278</p>	<p><b>DANIEL BOONE LANDCO, LLC</b> a North Carolina limited liability company</p> <p>ADDRESS:  9794 Timber Circle, Suite A Daphne, AL 36527</p>
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Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantors 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 Grantors, 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 Hillsborough Township, Orange County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein.

All or a portion of the property herein conveyed  includes or  does not include the primary residence of a Grantor. Maps showing the described properties in Exhibit A are recorded in Plat Book 22, Page 170, and Plat Book 29 Page 197, Orange County Registry.

TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantors covenant with the Grantee, that Grantors have done nothing to impair such title as Grantors received, and Grantors 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. Ad valorem taxes for 2019 and subsequent years;
2. Zoning ordinances affecting the property;
3. Leases affecting the Property;
4. Matters shown on plats of record at Plat Book 22 Page 170, Plat Book 29 Page 197, Plat Book 53 Page 24 and Plat Book 41 Page 41, Orange County Registry;
5. Conditional Use Permits of record at Book 512 Page 718 and Book 787 Page 552, Orange County Registry;
6. Easements to Duke Power Company of record at Book 799 Page 78 and Book 872 Page 595, Orange County Registry;
7. Encroachment Agreement of record at Book 928 Page 135, Orange County Registry;
8. Access easement for Quality Oil Company II of record at Book 621 Page 565, Book 205 Page 527, Book 955 Page 413 and Book 1544 Page 540, Orange County Registry.
9. Sewer Easement of record at Book 928 Page 138, Orange County Registry;
10. Easements of record at Book 799 Pages 370 and 372, Orange County Registry;
11. Memo of Lease of record at Book 796 Page 507 and amended at Book 799 Page 489, and sublease to Freeway Foods, Inc. of record in Book 2141 Page 309, Orange County Registry;
12. Memo of Lease with United Carolina Bank of record at Book 799 Page 367, Orange County Registry;
13. Memo of Lease with GTE Mobilnet of the Southeast Incorporated of record at Book 1361 Page 118, as amended at Book 2102 Page 585, the Assignment and Assumption Agreements of record at Book 2445 Page 394 and 405, and Book 5118 Page 315, Orange County Registry;
14. Those matters as disclosed by that certain survey entitled "Daniel Boone Village ALTA/NSPS Land Title Survey" prepared by The John R. McAdams Company, Inc. bearing the seal and certification of Ronald T. Frederick, PLS, dated August 8, 2018.



D.B. ICE RINK, INC.'s warranty of title is limited to Tract 1 and Daniel Boone LLC's warranty of title is limited to Tract 2.

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

D. B. ICE RINK, INC.  
Nahale Kalfas (SEAL)  
Nahale Kalfas, President

STATE OF NORTH CAROLINA

COUNTY OF DURHAM

I, the undersigned Notary Public of the County of Durham and state aforesaid, certify that the following person personally appeared before me this day, acknowledging to me that (s)he signed the foregoing document in the capacity indicated: Nahale Kalfas

Witness my hand and Notarial stamp or seal this 30 day of August, 2018.

My Commission Expires: 9/11/2020 see this year 9  
Notary Public

[Affix Seal] William Thomas Hutchins, Jr.  
Notary's Printed or Typed Name

DANIEL BOONE LLC  
Nahale Kalfas (SEAL)  
Nahale Kalfas, Manager

STATE OF NORTH CAROLINA

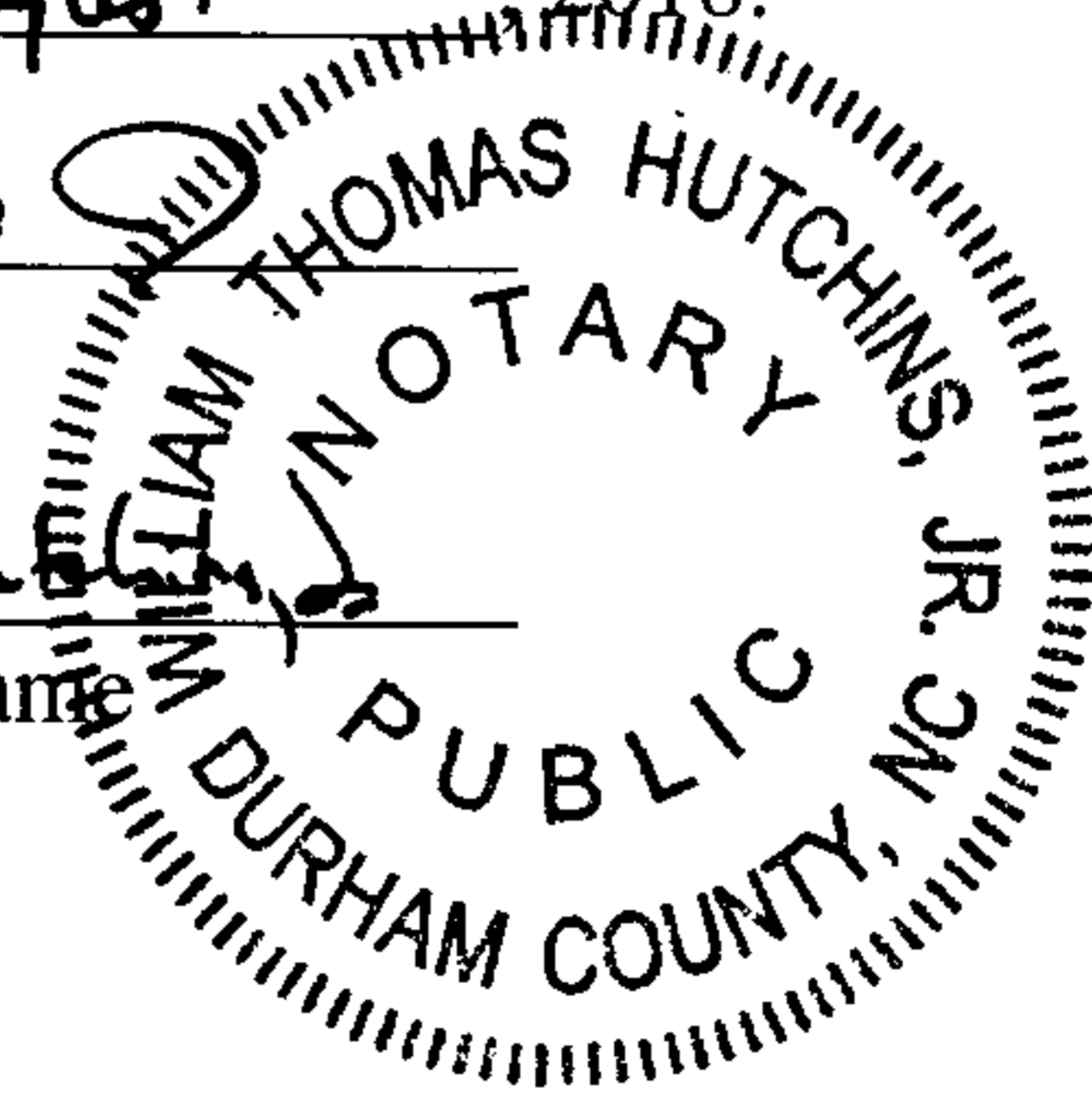
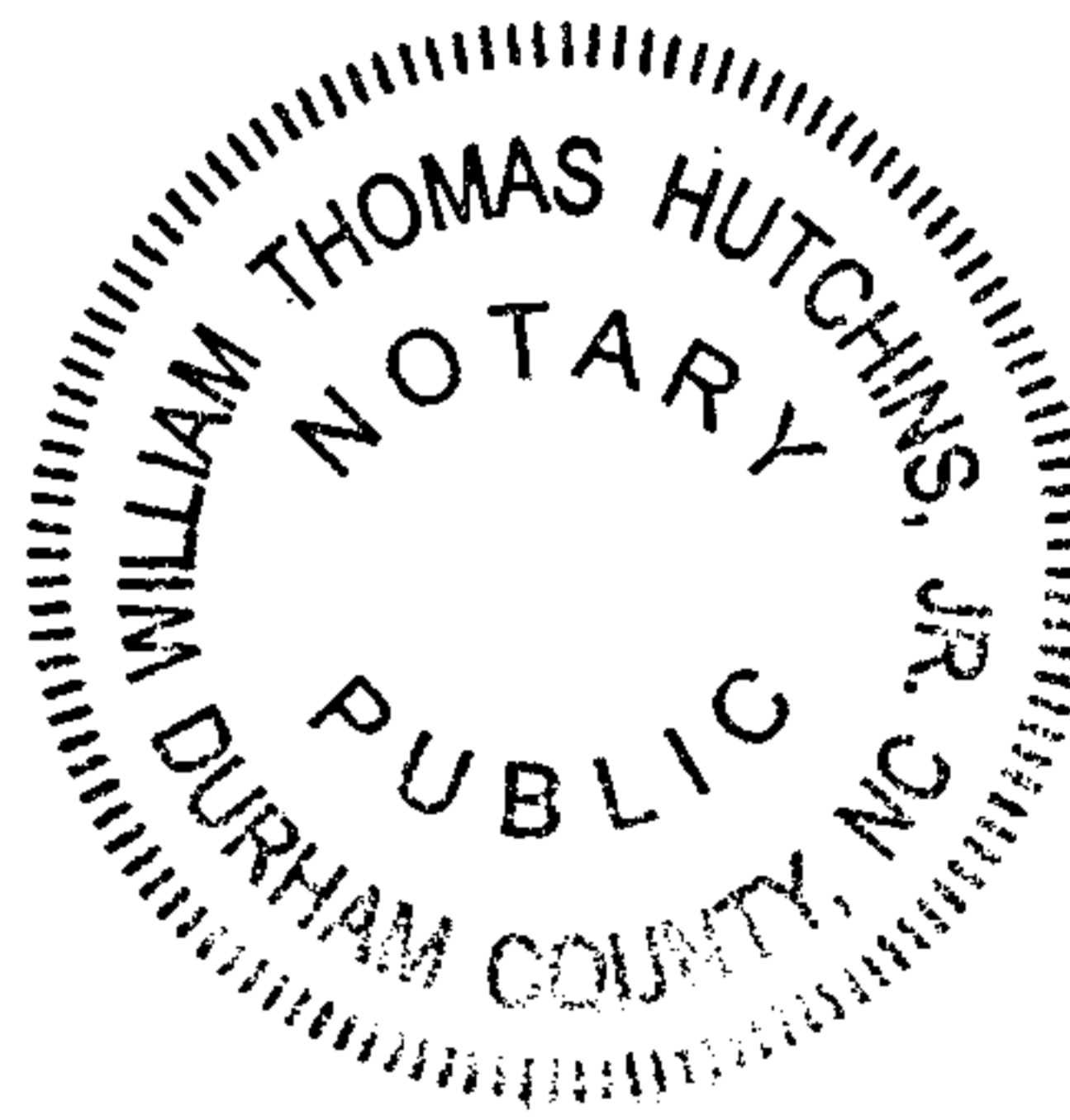
COUNTY OF DURHAM

I, the undersigned Notary Public of the County of Durham and state aforesaid, certify that the following person personally appeared before me this day, acknowledging to me that (s)he signed the foregoing document in the capacity indicated: Nahale Kalfas

Witness my hand and Notarial stamp or seal this 30 day of August, 2018.

My Commission Expires: 9/11/2020 see this year 9  
Notary Public

[Affix Seal] William Thomas Hutchins, Jr.  
Notary's Printed or Typed Name





**EXHIBIT A**

**The Property**

**TRACT ONE**

PIN INFO: 9874-01-1009

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED IN ORANGE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIPE LOCATED IN THE EASTERN RIGHT OF WAY LINE OF REBECCA DRIVE (FORMERLY BOONE SQUARE SERVICE ROAD), A PREVIOUSLY DEDICATED SERVICE ROAD, SAID POINT ALSO BEING SOUTH 82°59'57" EAST 103.93 FEET FROM A POINT IN THE CENTERLINE OF NORTH CAROLINA SECONDARY ROAD NO. 1009; SAID PIPE ALSO REPRESENTING THE SOUTHWEST CORNER OF PROPERTY BELONGING TO FOOD TOWN INC. (NOW OR FORMERLY), ACCORDING TO PLAT BOOK 36, PAGE 52, ORANGE COUNTY REGISTRY, NORTH CAROLINA; RUNNING THENCE ALONG THE SOUTHERN BOUNDARY LINE OF THE FOOD TOWN INC. PROPERTY SOUTH 82°59'57" EAST 138.41 FEET TO AN IRON, THE POINT AND PLACE OF BEGINNING; RUNS THENCE SOUTH 82°59'57" EAST 376.42 FEET TO AN EXISTING IRON PIPE, SAID PIPE BEING LOCATED IN THE SOUTHERN BOUNDARY LINE OF PROPERTY BELONGING TO BOONE SQUARE, INC. (NOW OR FORMERLY), SAID POINT ALSO REPRESENTING THE NORTHWEST CORNER OF PROPERTY BELONGING TO JAMES J. FREELAND (NOW OR FORMERLY); RUNS THENCE ALONG THE WESTERN BOUNDARY LINE OF THE FREELAND PROPERTY SOUTH 14°45'31" WEST 291.63 FEET TO AN EXISTING IRON PIPE; RUNS THENCE ALONG THE NORTHERN BOUNDARY OF PROPERTY BELONGING TO JAMES J. FREELAND (NOW OR FORMERLY) NORTH 83°28'32" WEST 241.58 FEET TO AN IRON; RUNS THENCE NORTH 05°30'31" EAST 102.75 FEET TO A POINT MARKED BY A BOLT SET IN PAVEMENT; THENCE NORTH 84°02'59" WEST 104.00 FEET TO AN IRON; RUNS THENCE NORTH 10°22'01" EAST 190.49 FEET TO THE POINT AND PLACE OF BEGINNING; CONTAINING 2.1807 ACRES, MORE OR LESS, ACCORDING TO THAT SURVEY ENTITLED "JAMES J. FREELAND, SKATING RINKS LOT", DATED DECEMBER 8, 1982 AND PREPARED BY ROBERT A. JONES, REGISTERED SURVEYOR.

TOGETHER WITH THE RIGHT AND PRIVILEGE HEREBY GRANTED TO SAID GRANTEE, ITS SUCCESSORS AND ASSIGNS, FOR THE PURPOSE OF INGRESS AND EGRESS, OVER, ACROSS, AND UPON ANY AND ALL PORTIONS OF THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT AN EXISTING IRON PIPE LOCATED IN THE EASTERN RIGHT OF WAY LINE OF REBECCA DRIVE (FORMERLY BOONE SQUARE SERVICE ROAD), A PREVIOUSLY DEDICATED SERVICE ROAD, SAID POINT ALSO BEING SOUTH 82°59'57" EAST 103.93 FEET FROM A POINT IN THE CENTERLINE OF NORTH CAROLINA SECONDARY ROAD NO. 1009; SAID PIPE ALSO REPRESENTING THE SOUTHWEST CORNER OF PROPERTY BELONGING TO FOOD TOWN INC. (NOW OR FORMERLY), ACCORDING TO PLAT BOOK 36, PAGE 52, ORANGE COUNTY REGISTRY, NORTH CAROLINA; RUNNING THENCE ALONG THE SOUTHERN BOUNDARY LINE OF THE FOOD TOWN INC. PROPERTY SOUTH 82°59'57" EAST 138.41 FEET TO AN IRON PIPE; SAID PIPE MARKING THE NORTHWEST CORNER OF THE 2.1807 ACRE TRACT HEREINBEFORE DESCRIBED; RUNS THENCE ALONG THE WESTERN LINE OF THE HEREINBEFORE DESCRIBED TRACT SOUTH 10°22'01" WEST 30.06 FEET TO A POINT; RUNS THENCE NORTH 82°59'57" WEST 147.84 FEET TO A POINT IN THE LINE OF REBECCA DRIVE (FORMERLY BOONE SQUARE SERVICE ROAD) A PREVIOUSLY DEDICATED SERVICE ROAD, RUNS THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF THE SAID REBECCA DRIVE NORTH 27°36'44" EAST 32.05 FEET TO THE POINT AND PLACE OF BEGINNING.

**TRACT TWO**

PIN INFO: 9874-00-4474

THAT CERTAIN TRACT OR PARCEL OF LAND LYING IN HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

KC: 380940v: 1



CONTAINING 56.45 ACRES, MORE OR LESS; AND BEING THE "DANIEL BOONE RECREATION PARK AND CAMPGROUNDS" PROPERTY (82.00 ACRES) AS SURVEYED BY ROBERT A. JONES, REGISTERED SURVEYOR, MARCH 12, 1974, PLAT OF WHICH IS DULY RECORDED IN THE ORANGE COUNTY REGISTRY IN PLAT BOOK 22, PAGE 170, LESS AND EXCEPT THE 22.55 ACRE TRACT DESCRIBED AND CONVEYED BY WARRANTY DEED RECORDED IN BOOK 281, PAGE 62.

AND

BEGINNING AT A STAKE AT THE SOUTHEAST CORNER OF LOT 1 OF THE PLAT HEREINAFTER REFERRED TO, SAID STAKE, ALSO, BEING THE WESTERN PROPERTY LINE OF DANIEL BOONE VILLAGE PROPERTY; THENCE WITH THE WESTERN PROPERTY LINE OF DANIEL BOONE VILLAGE PROPERTY SOUTH 9° 59' WEST 195.73 FEET TO A STAKE AND CONTROL CORNER IN THE NORTHERN PROPERTY LINE OF JAMES FREELAND; THENCE WITH FREELAND'S NORTHERN LINE NORTH 89° 29' WEST 40.1 FEET TO A STAKE, SOUTHEAST CORNER OF CARO-BAMA ASSOCIATES; THENCE WITH THE EASTERN PROPERTY LINE OF CARO-BAMA ASSOCIATES NORTH 15° 39' EAST 200 FEET TO A STAKE IN THE SOUTHERN LINE OF LOT 1; THENCE WITH THE SOUTHERN LINE OF LOT 1 SOUTH 89° 29' EAST 20.08 FEET TO A STAKE, THE POINT OR PLACE OF BEGINNING.

AND

SITUATE ON THE EAST SIDE OF S. CHURTON STREET IN THE TOWN OF HILLSBOROUGH, NORTH CAROLINA, CONTAINING 0.8193 ACRE, MORE OR LESS, ALL AS SHOWN ON SURVEY ENTITLED "PROPERTY OF JAMES J. FREELAND" DATED MARCH 8, 1979, BY ROBERT A. JONES, REGISTERED SURVEYOR, OF RECORD IN BOOK OF PLATS 29, AT PAGE 197.

LESS AND EXCEPT:

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND LABELED AS "0.70 ACRES" ON PLAT OR SURVEY ENTITLED "SUBDIVISION OF PROPERTY FOR DANIEL BOONE, LTD" PREPARED BY ROBERT S. JONES, PROFESSIONAL LAND SURVEYOR, DATED MAY 31, 2018, AND RECORDED AT PLAT BOOK 119, PAGE 23, ORANGE COUNTY REGISTRY.