

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2016 Nov 08 01:20 PM NC Rev Stamp: \$ 5325.00
Book: 8061 Page: 866 Fee: \$ 26.00
Instrument Number: 2016039123
DEED

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$ 5,325.00

Parcel Identifier No. 124836

Verified by _____ County on the ____ day of _____, 2016

By: _____

Mail/Box to: Cookson Law, 6604 Six Forks Road, Suite 101, Raleigh, NC 27615

This instrument was prepared by: Mallory M. Oates

Brief description for the Index: 3536 Hillsborough Road, Durham, NC

THIS DEED made this 8th day of November, 2016, by and between

GRANTOR

Chateau Benyay Durham, LLC, a North Carolina limited liability company
301 N. Main Street, Suite 2300
Winston-Salem, NC 27101

GRANTEE

Lahaina Management Corp., a New York corporation
535 Broadhollow Road, Suite A-30
Melville, New York 11747

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 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, parcel of land situated in the Durham Township, Durham County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by this reference

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7548, Page 394 Durham County Registry.

All or a portion of the property herein conveyed ____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ page _____, Forsyth County Registry.

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 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:

Easements, restrictions and rights-of-way of record, if any; ad valorem taxes for the current year and each year subsequent thereto; matters visible from an inspection of the property or reflected on an accurate survey of the property; and any local, county, state or Federal laws, ordinances or regulations relating to zoning, environment, subdivision, occupancy, use, construction or development of the property, including existing violations of said laws, ordinances, or regulations.

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

CHATEAU BENYAY DURHAM, LLC, a North Carolina limited liability company

By: **JDL CASTLE CORPORATION**, its Manager

By: W. David Shannon
W. David Shannon, President

STATE OF NORTH CAROLINA - COUNTY OF Forsyth

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated herein and in the capacity indicated: *W. David Shannon, President of JDL Castle Corporation, Manager of Chateau Benyay Durham, LLC*

Date: 11-03-2016

Crystal Boyd
Official Signature of Notary

Crystal Boyd
Notary's printed or typed name

My commission expires: 08-18-2021

(Official Seal)

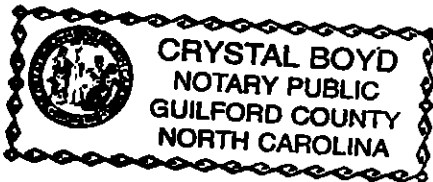


Exhibit A

[Legal Description of Property]

BEING the certain tract or parcel of land located in Durham Township Durham County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe in the northern right-of-way line of Hillsborough Road, said existing iron pipe marking the southeastern corner of Lot 21 as shown on plat entitled Property of H.W. Miller Incorporated recorded in Plat Book 43, Page 70, Durham County Registry, the point and place of beginning; running thence from said beginning point North $31^{\circ} 35' 16''$ East 280.14 feet to an existing iron pipe in the southern right-of-way line of Wortham Street, said existing iron pipe marking the northwestern corner of Lot 42 as shown on Plat of Property of H.W. Miller Incorporated as recorded in Plat Book 43, page 70, Durham County Registry; thence along the southern right-of-way line of Wortham Street South $58^{\circ} 22' 00''$ East 149.92 feet to an existing iron pipe marking the northwestern corner of Lot 48 as shown on plat of H.W. Miller Incorporated as recorded in Plat Book 43, page 70, Durham County Registry; thence South $31^{\circ} 35' 27''$ West 279.99 feet to an existing iron pipe in the northern right-of-way line of Hillsborough Road; thence along the northern right-of-way line of Hillsborough Road North $58^{\circ} 25' 28''$ West 149.91 feet to an existing iron pipe marking the southeastern corner of Lot 21, as shown on plat entitled Property of H.W. Miller Incorporated, as recorded in Plat Book 43, page 70, Durham County Registry, the point and place of beginning, containing 0.96386 acres, more or less, in accordance with a survey prepared for JDL Castle Corporation by Thomas A. Riccio, Professional Land Surveyor, L-2615, dated February 4, 2014.