

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2018 Jun 29 04:11 PM NC Rev Stamp: \$ 19360.00
Book: 8457 Page: 250 Fee: \$ 26.00
Instrument Number: 2018022689
DEED

Excise Tax: \$19,360
Tax ID# 137017

Prepared by:

Kirk Palmer & Thigpen, P.A.
1300 Baxter Street, Suite 300
Charlotte, NC 28204

Return to:

Fairway – Hope Valley, LLC
c/o Fairway Management Group
728 Shades Creek Pkwy, Suite 200
Birmingham, AL 35209

Tax Notice to:

Fairway – Hope Valley, LLC
c/o Fairway Management Group
728 Shades Creek Pkwy, Suite 200
Birmingham, AL 35209

STATE OF NORTH CAROLINA

SPECIAL WARRANTY DEED

DURHAM COUNTY

THIS SPECIAL WARRANTY DEED is made effective as of the 29th day of June 2018, by **OEP HOPE VALLEY, LLC**, a North Carolina limited liability company having an address of 568 Jetton Street, Suite 200, Davidson, North 28036 27405 (Grantor"), and **Fairway – Hope Valley, LLC**, an Alabama limited liability company, having an address of 728 Shades Creek Parkway, Suite 210, Birmingham, AL 35209 (Grantee").

The Property (as defined below) is not the principal residence of Grantor.

WITNESSETH:

00144774.5

00144774.4

00144774.3

That Grantor, for a valuable consideration, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, subject to the Permitted Exceptions hereinafter provided, all of that certain lot or parcel of land located in Durham County, North Carolina being more particularly described on Exhibit A, a copy of which is attached hereto and is incorporated herein by this reference (collectively, the "Property").

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7948, Page 611, in the Office of the Register of Deeds of Durham County, North Carolina.

None of the property herein conveyed includes the primary residence of the Grantor.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple, subject to the Permitted Exceptions hereinafter and hereinabove provided.

And Grantor covenants with Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend said title against the lawful claims of all persons claiming by, under or through Grantor, except for the Permitted Exceptions set forth on Exhibit B attached hereto and incorporated herein.

By its acceptance and recordation of this Deed, Grantee hereby acknowledges that the property conveyed hereby is subject to the restrictions and other terms set forth in that certain Notice of Dry-Cleaning Solvent Remediation recorded in Book 7414 at Page 182 in the Durham County Public Registry.

[Signatures begin on the following page]

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed as of the day and year first above written.

GRANTOR:

OEP HOPE VALLEY, LLC, a North Carolina limited liability company

By: Orlando Equity Partners, LLC, its Member-Manager

By: Piedmont Land Development, Inc., its Manager

By: 
Name: **Ron L. Turner, Jr., President**

STATE OF NORTH CAROLINA
COUNTY OF ~~MECKLENBURG~~ *ROWAN*

I certify that the following person personally appeared before me this day and acknowledged to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Ron L. Turner, Jr..

Date: June *28*, 2018

My Commission Expires:

Trisha O. Belk
Notary Public
Print Name: *Trisha O. Belk*

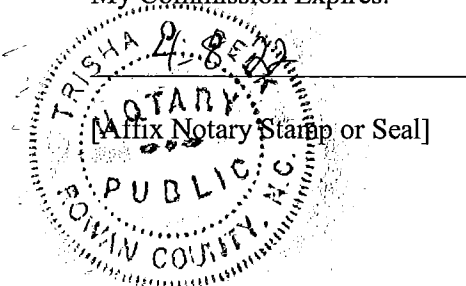


Exhibit A**The Property**

Being a certain tract of land lying in Durham Township, Durham County, North Carolina and being described as follows:

BEGINNING at an iron pin found at the northwest intersection of Shannon Road and Old Chapel Hill Road, said iron also being the southeast corner of the within described tract, thence along the northern right of way of said Old Chapel Hill Road on a curve to the left and having a radius of 1384.58' and a chord bearing and distance of S45°12'57"W 258.30' to an iron pin found, said iron being the southeast corner of a U.S. Postal Lease Agreement as described in deed book 1319 page 527, thence leaving the northern right of way of said Old Chapel Hill Road and with the eastern and northern line of said U.S. Postal Lease Agreement the following two (2) courses: N49°51'35"W 125.00' to an iron pin found, thence S83°59'40"W 41.58' to an iron pin found, said iron being a corner of Durham Section 1 Associates (tax parcel 0810-14-23-5476) see deed book 1863 page 872, said iron also being a corner of a 4.5 acre tract as shown on map titled "Radso-Shannon" as recorded in plat book 94 page 200, thence with the property line of said Durham Section 1 Associates the following five (5) courses: N49°51'35"W 86.47' to an iron pin found, thence N49°57'30"W 205.98' to an found mag nail and cap set in asphalt, thence N04°40'00"E 181.07' to an iron pin found, thence S85°20'00"E 138.00' to an found mag nail cap set in asphalt, thence N03°05'07"E 96.00' to an iron pin found, said iron being the southwest corner of William Hugh Boone and Rebecca Alcorn Boone (tax parcel 0810-14-33-0225) see deed book 2077 page 563, said iron also being the southwest corner of Lot C of plat titled "Radso-Shannon" as recorded in plat book 131 page 206, thence with the southern property line of said William Hugh Boone and Rebecca Alcorn Boone and the southern property line of Lot C of said plat, S85°20'00"E 286.71 to an iron pin found in the western right of way of Shannon Road, said iron being the southeast corner of said William Hugh Boone and Rebecca Alcorn Boone, said iron also being the southeast corner of Lot C of said plat, thence along the western right of way of said Shannon Road the following two (2) courses: on a curve to the left and having a radius of 330.76' and a chord bearing and distance of S11°45'49"E 262.73' to an iron pin found, thence S35°09'53"E 82.08' to the point and place of BEGINNING. Containing 4.10 acres more or less all according to a survey titled "ALTA/ACSM LAND TITLE SURVEY FOR HAWTHORNE SHANNON PLAZA LLC" as performed by Timmons Group dated September 19, 2007 and certified October 31, 2007. Being known as (tax parcel 0810-14-22-9976) see deed book 1068 page 21. Also being a portion of a 4.5 acre tract as shown on map titled "Radso-Shannon" as recorded in plat book 94 page 200;

TOGETHER WITH any and all real estate interest described in those certain easements set forth in that certain Easement Agreement between Marvin Simon and C.G. Harris, Partners Trading as S and H Company, and Radso-Shannon dated May 1, 1978 and recorded in Book 977 at Page 487, Durham County Registry.

TOGETHER WITH any and all real estate interests described in those certain easements set forth in that certain Easement Agreement between William Hugh Boone and Rebecca Alcorn Boone and Renr Associates Limited Partnership dated June 11, 1998, and recorded in Book 2568 at Page 152, Durham County Registry.

TOGETHER WITH AND SUBJECT TO any and all real estate interests described in those certain easements conveyed and the easements reserved in the North Carolina General Warranty Deed from Radso-Shannon, Ltd. to Renr Associates dated September 25, 1981, and recorded in Book 1068 at Page 21, Durham County Registry.

A portion of the above-referenced property has been contaminated with dry-cleaning solvent as set forth in that certain Notice of Dry-Cleaning Solvent Remediation recorded in Book 7414 at Page 182 in the Durham County Public Registry. A No Further Action Letter was issued by the North Carolina Department of Environment and Natural Resources on December 19, 2013 for this contamination.

Exhibit B

Permitted Exceptions

1. Taxes and assessments for the year 2018, and subsequent years, not yet due or payable.
2. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Book of Maps 192, Page 316-317; Book of Maps 140, page 122 and in Book of Maps 94, Page 20, and shown on the Survey.
3. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by survey entitled "ALTA/NSPS LAND TITLE SURVEY PREPARED FOR: FAIRWAY INVESTMENTS, L.L.C." by Andrew B. Baker, P.L.S., of R.B. Pharr & Associates, P.A., dated, signed and sealed May 2, 2018 (the "Survey").
4. Notice of Dry-Cleaning Solvent Remediation recorded in Book 7414, page 182.
5. Easement(s) to Duke Power Company recorded in Book 415, page 415 and Book 980, page 932.
6. Easement Agreement recorded in Book 977, page 487.
7. Easement Agreement recorded in Book 2568, page 152.
8. Easement(s), right(s) of way and reservations set forth in North Carolina General Warranty Deed recorded in Book 1068, page 21 and in North Carolina Special Warranty Deed recorded in Book 5786, page 504.
9. Memorandum of Lease in favor of United States Postal Service, Lessee, recorded in Book 6688, page 42.
10. Rights of tenants in possession, if any, as tenants only, under recorded leases for a duration of less than three (3) years.
11. Zoning ordinances, if any, affecting the Property.