

FOR REGISTRATION  
Willie L. Covington  
REGISTER OF DEEDS  
Durham County, NC  
2013 MAY 30 02:06:22 PM  
BK: 7278 PG: 316-319  
DEED  
FEE: \$26.00  
EXCISE TAX: \$15,350.00  
INSTRUMENT # 2013020135  
SCEARNEL



*\$7,675,000 / 40,524 SF = \$189.33 / SF*

Excise Tax \$15,350.00

Recording Time, Book and Page

Tax Lot No.: \_\_\_\_\_ Parcel Identifier No. 209287 and 137017

Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_

Mail after recording to: Grantee

This instrument was prepared by: Stephanie Greer Fulcher, Esq., K&L Gates LLP, 214 North Tryon Street, Suite 4700, Charlotte, North Carolina 28202

Brief description for the Index: Hope Valley Square Shopping Center

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED is made as of this 30th day of MAY, 2013, by and between

GRANTOR	GRANTEE
<b>HAWTHORNE SHANNON PLAZA LLC, a North Carolina limited liability company</b>	<b>SHANNON VALLEY LLC, a Delaware limited liability company</b>
<b>200 Providence Road, Suite 105 Charlotte, NC 28207</b>	<b>40 Shore Road Cold Spring Harbor, NY 11724</b>

for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee and other good and valuable consideration, the receipt and sufficiency of which considerations are hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto Grantee the tract or parcel of Land situated in described in Exhibit "A" attached hereto, incorporated herein and made a part hereof for all purposes (the

*Ryan Preston*

"Land"), together with all of Grantor's right, title and interest in and to (but without warranties, whether statutory, express or implied) all rights, privileges, easements, and interests appurtenant thereto, adjacent streets, alleys, rights-of-ways, and any adjacent strips and gores of real estate (the "Appurtenances"), together with all buildings, structures, and improvements by Grantor situated on the Land and all fixtures and other property owned by Seller and affixed thereto (the "Improvements") (the Land, Appurtenances and Improvements being herein collectively referred to as the "Property").

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns, forever, subject to the matters herein stated; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor but not otherwise; provided that this conveyance and the warranty of Grantor herein contained are subject to (a) the matters herein stated, and (b) all: (i) covenants, conditions, restrictions, and other matters of public record, including, without limitation, those certain instruments filed in Book 6826 at Page 41, in Book 6826 at Page 69, and in Book 6826 at Page 80 of the Durham County Public Registry, (ii) applicable zoning and building ordinances and land use regulations, (iii) matters that would be disclosed by an accurate ALTA/ACSM survey or inspection of the Property, (iv) all liens for unpaid taxes and assessments, known or unknown, to the full extent same are valid and pertain to the Property, (v) the rights of the tenants under tenant leases, and (vi) any matters of which Grantee is aware or is deemed to be aware prior to the Closing.

**All ad valorem taxes and assessments for the Property for the current year have been estimated and prorated and Grantee has assumed liability for the payment thereof and for subsequent years. If such proration was based upon an estimate of such taxes and assessments for the current year, then upon demand Grantor and Grantee shall promptly and equitably adjust all such taxes and assessments as soon as actual figures for these items for the current year are available.**

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

*[SIGNATURE PAGE FOLLOWS]*

IN WITNESS WHEREOF, Grantor has hereunto set its hand the day and year first above written.

HAWTHORNE SHANNON PLAZA LLC,  
a North Carolina limited liability company

By: Hawthorne Hope Valley Square, LLC,  
a Delaware limited liability company,  
its Managing Member

By: D. Shoffner Allison  
Name: D. Shoffner Allison  
Title: President

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I, the undersigned Notary Public in and for the aforesaid county and state, certify that D. Shoffner Allison personally appeared before me this day and acknowledged that he is the President of Hawthorne Hope Valley Square, LLC, a Delaware limited liability company, which is the Managing Member of Hawthorne Shannon Plaza LLC, a North Carolina limited liability company and that he executed the foregoing document for the purpose stated therein and in the capacity indicated:

Date: May 17, 2013

Suzanne Rajski  
Notary Public Name: Suzanne Rajski

[Official Seal]

My commission expires: Aug 21, 2017

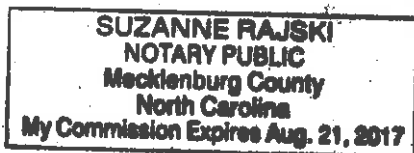


Exhibit "A"

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 and 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 the 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, Page 487, Durham County Registry and 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, Page 152, Durham County Registry; and

TOGETHER WITH AND SUBJECT TO the 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, Page 21, Durham County Registry.