

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2016 JAN 21 02:17:32 PM
BK: 7860 PG: 641-646
DEED
FEE: \$26.00
EXCISE TAX: \$71,602.00
INSTRUMENT # 2016001948
APRILJ



Prepared By and After Recording Return

To:

Poyner Spruill LLP

PO Box 1801

Raleigh, NC 27602

Attn: David Fricke

Revenue Stamps: \$71,602

NORTH CAROLINA SPECIAL WARRANTY DEED

Grantor states that the Property does not include the primary residence of Grantor.

**NORTH CAROLINA
DURHAM COUNTY**

THIS SPECIAL WARRANTY DEED is made this 21st day of January, 2016 by **INTERNATIONAL BUSINESS MACHINES CORPORATION**, a New York corporation (“**Grantor**”), having an office at One New Orchard Road, Armonk, New York 10504 to **GRIFFIN (DURHAM) ESSENTIAL ASSET REIT II, LLC**, a Delaware limited liability company, (“**Grantee**”), with a mailing address of 1520 E. Grand Avenue, El Segundo, California 90245.

WITNESSETH

For and in consideration of \$10.00 cash in hand paid by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Durham County, North Carolina, which lot or parcel of land is more particularly described as follows (the “**Property**”):

See Exhibit A attached.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to 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 exceptions described on **Exhibit B** attached hereto and incorporated by reference.

The designation "Grantor", and "Grantee" as used herein shall include said named parties and their respective heirs, personal representatives, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

[Signature page follows]

IN WITNESS WHEREOF, the Grantor has executed this instrument, under seal, as of the day and year first above written.

INTERNATIONAL BUSINESS MACHINES CORPORATION,
a New York corporation (SEAL)

By: Charles J. Blowe

Name: Charles J. Blowe

Title: Director, REAL Estate Investments

STATE OF NY

COUNTY OF Westchester

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Charles J. Blowe.

Date: 13th day of January, 2016.

Official Signature of Notary: Ann C McEvily

Notary's Printed or Typed Name: ANN C McEVILY, Notary Public

My Commission Expires: 8/8/2018

(Official Seal)

ANN C. McEVILY
NOTARY PUBLIC, State of New York
No. 4929713
Qualified in Westchester County
Commission Expires August 8, 2018

**EXHIBIT A
ATTACHED TO DEED
FROM
INTERNATIONAL BUSINESS MACHINES CORPORATION
TO
GRIFFIN (DURHAM) ESSENTIAL ASSET REIT II, LLC**

LEGAL DESCRIPTION

ALL that certain piece or parcel of property situate, lying and being located in the County of Durham, State of North Carolina and being more particularly described as follows:

BEING all that tract of land containing 24.18 acres, more or less located in Triangle Township, Durham County, North Carolina; said tract being a part of the tract recorded in Deed Book 1080, Page 899 and Plat Book 143, Page 123 of the Durham County Registry and being more particularly described by courses based on North Carolina Grid Coordinate System (NAD83/2011) and distances according to a survey entitled "Boundary Survey of Building 510 Property for IBM Corporation" prepared by McKim & Creed, Inc. dated March 07, 2014 and being more particularly described as follows:

COMMENCING at a rebar and cap set (McKim & Creed 2), said rebar and cap having NC Grid (NAD83/2011) coordinates of Northing = 785,640.27 feet, Easting = 2,044,979.24 feet; thence a tie line north 75 deg. 58 min. 13 sec. west 967.62 feet to an iron pipe found, said iron pipe being in the eastern right-of-way line (allowing 100 feet) of Old Raleigh Durham Road (also known as South Miami Boulevard); said iron pipe also being the southwestern property corner of the Miami Blvd. Warehousing Enterprises, LLC property, the POINT OF BEGINNING; thence with the southern line of the Miami Blvd. Warehousing Enterprises, LLC property south 87 deg. 37 min. 52 sec. east 1,498.24 feet to an iron rod set, said iron rod set being the southeastern corner of the Miami Blvd. Warehousing Enterprises, LLC property, said iron rod set also being a corner in the International Business Machines Corporation property; thence with lines in the International Business Machines Corporation property the following nine calls: (1) south 53 deg. 35 min. 58 sec. east 500.00 feet to an iron rod set, (2) south 36 deg. 24 min. 02 sec. west 32.00 feet to an iron rod set, (3) south 55 deg. 49 min. 58 sec. east 461.85 feet to an iron pipe found, (4) south 36 deg. 24 min. 02 sec. west 386.00 feet to an iron pipe found, (5) south 81 deg. 23 min. 19 sec. west 725.75 feet to an iron rod set, (6) north 89 deg. 39 min. 55 sec. west 197.43 feet to an iron rod set, (7) north 01 deg. 44 min. 14 sec. east 274.13 feet to an iron pipe found, (8) with a curve to the left having a radius of 600.00 feet, an arc length of 935.87 feet and a chord bearing and distance of north 42 deg. 56 min. 49 sec. west 843.84 feet to an iron pipe found, and (9) north 87 deg. 37 min. 52 sec. west 580.30 to an iron pipe found, said iron pipe found being in the eastern right-of-way line (allowing 100 feet) of Old Raleigh Durham Road (also known as South Miami Boulevard); thence with the eastern right-of-way line (allowing 100 feet) of Old Raleigh Durham Road (also known as South Miami Boulevard) north 10 deg. 48 min. 24 sec. east 148.95 feet to an iron pipe found, the BEGINNING iron pipe.

**EXHIBIT B
ATTACHED TO DEED
FROM
INTERNATIONAL BUSINESS MACHINES CORPORATION
TO
GRIFFIN (DURHAM) ESSENTIAL ASSET REIT II, LLC
PERMITTED EXCEPTIONS**

Assessments which are payable in annual installments, which shall become due and payable after delivery of the Deed.

1. Zoning regulations and ordinances.
2. Unpaid installments of assessments not due and payable on or before the Closing Date.
3. Liens pertaining to franchise taxes and federal income taxes, provided Seller shall cause the Title Company to insure against collection of said taxes out the Property.
4. The Lease Agreement dated as of October 1, 2014, by and between International Business Machines Corporation, as landlord, and Toshiba TEC Corporation, as tenant, as evidenced by the Memorandum of Lease dated September 30, 2014, recorded in Book 7580, Page 898, Durham County Registry and as sublet to Toshiba Global Commerce Solutions, Inc. by Sublease dated October 1, 2014.
5. Riparian rights of others in and to the uninterrupted flow of any brooks or streams crossing the Land.
6. Rights and easements acquired by any public utility company to maintain its poles and operate its wire and lines, etc., in, to and over the Property and in, to and over the streets adjacent thereto, together with the rights to trim trees.
7. Easements to Duke Power Company recorded in Book 1219 at Page 403 and Book 1196 at Page 242, Durham County Registry.
8. Subject to matters as shown on recorded plats in Plat Book 141 at Pages 91 and 195 and Plat Book 142 at Page 73, Durham County Registry.
9. Deed of Easement to Department of Transportation recorded in Book 1191 at Page 741, Durham County Registry.
10. Right of Way Agreement to Duke Energy recorded in Book 4260 at Page 162, Durham County Registry.

11. Fee Simple Deed to Department of Transportation recorded in Book 1191 at Page 687, Durham County Registry.

12. Drainage Easement to Department of Transportation recorded in Book 1191 at Page 691, Durham County Registry.

13. Easements, setback, rights of way of other matters as set forth on plat recorded Plat Book 143, Page 123, Durham County Registry.

14. Declaration of Easements executed by International Business Machines Corporation, as declarant, dated March 12, 2015 and recorded in Book 7662, Page 532, Durham County Registry.

15. Declaration of Easements executed by International Business Machines Corporation, as declarant, dated March 12, 2015 and recorded in Book 7662, Page 546, Durham County Registry.

16. Declaration of Easements executed by International Business Machines Corporation, as declarant, dated March 12, 2015 and recorded in Book 7662, Page 556, Durham County Registry.