

For Registration Sharon A. Davis  
Register of Deeds

Durham County, NC

Electronically Recorded

2021 Apr 12 10:24 AM

Book: 9292 Page: 797

NC Rev Stamp: \$ 700.00 Fee: \$ 26.00

Instrument Number: 2021017874

DEED

Prepared by:  
Kirk Carson  
AVP, Senior Legal Counsel  
Realty Income Corporation

EXCISE TAX \$700.00

Recording requested by, and  
After recording return to:

When Recorded Return To: *D Malveau*  
First American Title Insurance Company  
National Commercial Services  
601 Travis, Suite 1876  
Houston, TX 77002  
File No: NCS *1053644*

STATE OF NORTH CAROLINA     §  
   §  
   §  
COUNTY OF DURHAM           §

**SPECIAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

THAT, MDC NC1, LP, a Delaware limited partnership ("Grantor"), for and in consideration of the sum of TEN DOLLARS (\$10) and other good and valuable consideration in hand paid to the undersigned by Y & N INVESTMENT GROUP, LLC, a North Carolina limited liability company ("Grantee," whose mailing address is 310 North Roxboro Street, Durham, NC 27704), the receipt and sufficiency of such consideration being hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL, CONVEY and CONFIRM unto Grantee that certain real property being more particularly described on Exhibit "A," attached hereto and made a part hereof for all purposes, together with all improvements and fixtures situated thereon (collectively, the "Property"); SUBJECT TO all real estate taxes not yet delinquent; covenants, conditions, restrictions, easements, rights of way and other matters of record; applicable laws, ordinances, statutes, orders, requirements and regulations to which the Property is subject, including, without limitation, all building, zoning and environmental laws and requirements; and any state of facts which a new or updated survey or physical inspection of the Property might disclose.

Submitted electronically by "First American Title Insurance Company - NCS Houston" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Durham County Register of Deeds.

TO HAVE AND TO HOLD the Property, together with all and singular the rights, hereditaments, and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, and Grantor hereby agrees to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or claim the same, or any part thereof, by, through, or under Grantor but not otherwise.

BY ACCEPTANCE OF THIS SPECIAL WARRANTY DEED, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES AS TO THE PHYSICAL CONDITION, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). BY ACCEPTANCE OF THIS SPECIAL WARRANTY DEED, GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS, WHERE IS, WITH ALL FAULTS," AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE, BY ACCEPTANCE OF THIS SPECIAL WARRANTY DEED, ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED), CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (ii) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE OR ANYONE ELSE MAY CONDUCT THEREON, (iii) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND (iv) THE COMPLIANCE OF THE PROPERTY WITH APPLICABLE LAWS AND REGULATIONS.

EXECUTED this 8th day of April, 2021.

GRANTOR:

MDC NC1, LP,  
a Delaware limited partnership

By: MDC NC Holding GP, LLC,  
a Delaware limited liability company  
its General Partner

By: MDC NC Holding Corp.,  
a Delaware corporation  
its Sole and Managing Member

By:   
Name: Shannon Jensen

Title: Senior Vice President,  
Associate General Counsel & Assistant Secretary

Address: 11995 El Camino Real  
San Diego, CA 92130  
Attn: Legal Department

Approved As To Form  
Legal Department  
  
K. Carson

ACKNOWLEDGMENT

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On April 8<sup>th</sup>, 2021 before me, Arianna McGowen, Notary Public, personally appeared Shannon Jensen, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public



(Notary Seal)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF REAL PROPERTY**

LOCATION: 3915 N DUKE STREET  
DURHAM, NC 27704

Being all of Lot 2 as shown on plat and survey entitled "Property of Lloyd W. Gardner and wife, Mary Moore Gardner" dated April 16, 1968 by George C. Love, Jr., R. L. S., of record in the Office of the Register of Deeds of Durham County in Plat Book 76 at Page 5, to which reference is hereby made for a more particular description of same.