

Register of Deeds
Sharon A. Davis
Durham County, NC

12/28/2022 10:29:51AM

BT: OPR B: 9840 P: 717 Pages: 4

DEED - DEED

Fee: \$2,426.00 Excise Tax: \$2400.00

INSTRUMENT #2022047779

Evelyn Hammiel

Excise Tax \$2,400.00

Recording Time, Book and Page

Tax Parcel Identifier No. 0823-08-88-1586

Mail after recording to: ~~G~~antee

This instrument was prepared by Kirk Palmer & Thigpen, P.A. (BH) [NO TITLE EXAMINATION PERFORMED OR REQUESTED]

Brief Description for the index

3915 N. Duke Street, Durham, NC

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made as of this 22nd day of December, 2022 by and between

GRANTOR

QUICK LUBE OF CAROLINA LAND, LLC,
a North Carolina limited liability company

200 Queens Road, Suite 300
Charlotte, NC 28204

GRANTEE

3915 NORTH DUKE STREET LLC
a North Carolina limited liability company

696 San Ramon Valley Blvd., #401
Danville, CA 94526

Enter in appropriate block for each party: name, 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 or parcel of land situated in the City of Durham, Durham County, North Carolina and more particularly described on Exhibit A attached hereto and incorporated herein by reference.

Mail after recording to:

Harbor City Title Insurance Agency of NC, Inc.
6201 Fairview Road, Suite 325
Charlotte, NC 28210 File # 2011 2484

00290602.3

00290602.1

Submitted electronically by "Harbor City Title Insurance Agency of NC, Inc." in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Durham County Register of Deeds.

The property does NOT include the primary residence of the Grantor. (NCGS §105-317.2)

The property hereinabove described was acquired by Grantor by instrument recorded in Book 9443, Page 800 of the Durham County Register of Deeds.

A map showing the above described property is recorded in Plat Book 76, Page 5 of the Durham County Register of Deeds.

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, subject to the exceptions described below in this Deed.

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, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

- (i) The follow matters disclosed by survey entitled "ALTA/NSPS Land Title Survey for : Quick Lube of Carolinas, LLC" by David K. Alley, P.L.S. of Allied Associates, P.A. dated May 17, 2021:
 - a. Water lines, gas lines and gas meter, underground electric lines and electric meter, sewer cleanout, guy wire, underground tank;
 - b. Block wall and reinforced concrete pipe projects over northern boundary;
 - c. Curb and gutter projects over northern boundary; and
 - d. Overhead billboard projects over southern boundary.
- (ii) The lien of ad valorem property taxes for the year 2023 and subsequent years not yet due and payable;
- (iii) Deeds of Easement to the Department of Transportation recorded in Book 1010, page 414, Durham County Registry;
- (iv) Easements to Duke Power Company recorded in Book 1230, page 774, Durham County Registry;
- (v) Matters shown on plat recorded in Plat Book 76, Page 5, Durham County Registry;
- (vi) Memorandum of Lease by and between Quick Lube of Carolina Land, LLC, as Lessor, and Quick Lube of Carolina N. Duke, LLC, as Lessee, recorded in Book 9443, Page 838, Durham County Registry, as affected by that Assignment of Memorandum of Lease dated as of even date herewith and recorded in the Durham County Registry contemporaneous with this Deed.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed, under seal, by authority duly given by its duly authorized officers or manager as of the day and year first above written.

QUICK LUBE OF CAROLINA LAND, LLC, a North Carolina limited liability company

By: Quick Lube of Carolina, LLC, a North Carolina limited liability company

By: EB Partners, LLC, a North Carolina limited liability company, Manager

By: Tom CB (SEAL)
Name: Tom CB
Manager

STATE OF NC
COUNTY OF Mecklenburg

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Thomas C. Ewing

Date: December 19, 2022

Cynthia L. Dinan
Official Signature of Notary

Cynthia L. Dinan
Notary's printed or typed name, Notary Public

My commission expires: 7/27/25

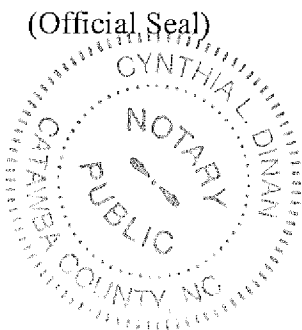


EXHIBIT A

LEGAL DESCRIPTION

Lying and being situate in Durham County, NC, and being more particularly described as follows:

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, J.R., R.L.S. of record in the Office of the Register of Deeds of Durham County, North Carolina in Plat Book 76, Page 5.

BEING ALSO DESCRIBED AS FOLLOWS:

COMMENCING at an existing 1/2" pipe having NC Grid NAD 83/2011 coordinates of Northing 838,509.47 feet, Easting 2,028,106.55 feet and being a common corner with Roger E. Hill and Gloria T. Hill (Deed Book 2406, Page 402) and said 1/2" pipe being in the eastern right-of-way of Holt School Road and said 1/2" pipe being the POINT OF BEGINNING; THENCE with the eastern right-of-way of Holt School Road with a curve to the right having an Arc Length: 77.08 feet, Radius: 814.41 feet and a chord bearing and distance of N 15°35'54" W, 77.06 feet to an iron rebar set (5/8") and being a common corner with Rebecca S. Gibson (Deed Book 280, page 517); THENCE with the common line of Rebecca S. Gibson (Deed Book 280, page 517) N 88°40'01" E, 196.59 feet to an existing 3/8" pipe being in the western right-of-way of N. Duke Street; THENCE with the western right-of-way of N. Duke Street S 18°12'52" W, 80.59 feet to an existing 3/8" pipe being a common corner with Roger E. Hill and Gloria T. Hill (Deed Book 2406, Page 402); THENCE with the common line of Roger E. Hill and Gloria T. Hill (Deed Book 2406, Page 402) S 89°08'59" W, 150.65 feet to the POINT OF BEGINNING containing 13,125 Square feet or 0.301 Acres more or less.