

FOR REGISTRATION  
Sharon A. Davis  
REGISTER OF DEEDS  
Durham County, NC  
2018 Nov 27 01:50:26 PM  
BK:8552 PG:818-823  
DEED  
FEE: \$26.00  
INSTRUMENT # 2018040913  
EXCISE TAX: \$7,740.00



**Prepared By:**  
Stephanie L. Sanders  
Poyner Spruill LLP  
PO Box 1801  
Raleigh, NC 27602

**After Recording Return To:**  
The Peck Law Firm  
186 Wind Chime Court, Suite 202  
Raleigh, NC 27615  
Attn: Christopher L. Peck

**Revenue Stamps: \$7,740.00**

**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 27<sup>th</sup> day of November, 2018 by INTERNATIONAL BUSINESS MACHINES CORPORATION, a New York corporation (“Grantor”), having an office at 1 New Orchard Road, Armonk, New York 10504, to 3921 S MIAMI LLC, a North Carolina limited liability company (“Grantee”), with a mailing address of 2435 S. Alston Avenue, Durham, North Carolina 27713.

**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.

And Grantor also releases and conveys to Grantee any rights it may have, by prescription or otherwise, to use the parking areas and driveways located within the Property.

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: *Anthony Canonaco*

Name: Anthony Canonaco

Title: Program Director, Asset Management

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: Anthony Canonaco

Date: 15<sup>th</sup> day of November, 2018.

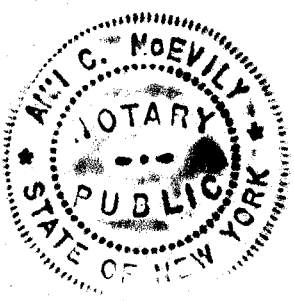
Official Signature of Notary: *Ann C McEvily*

Notary's Printed or Typed Name: Ann C McEvily, Notary Public

My Commission Expires: 8/8/2022

(Official Seal)

ANN C. McEVILY  
NOTARY PUBLIC, State of New York  
No. 4929713  
Qualified in Westchester County  
Commission Expires August 8, 2022



**EXHIBIT A  
ATTACHED TO DEED  
FROM  
INTERNATIONAL BUSINESS MACHINES CORPORATION  
TO  
3921 S MIAMI LLC**

**LEGAL DESCRIPTION**

Being all of that certain tract or parcel of land located in Triangle Township, Durham County, North Carolina and being more particularly described as follows:

Being all of New Tract 2, containing 10.103 acres (440,090 sq. ft.) as shown on plat entitled "Exempt Subdivision and Recombination Plat of South Miami Boulevard, Building 311 Property for International Business Machines Corporation Triangle Township Durham County North Carolina" dated June 27, 2018 and recorded August 28, 2018 in Plat Book 199, Pages 282-283, Durham County Registry.

**EXHIBIT B  
ATTACHED TO DEED  
FROM  
INTERNATIONAL BUSINESS MACHINES CORPORATION  
TO  
3921 S MIAMI LLC**

**PERMITTED EXCEPTIONS**

1. Taxes for the year 2018, and subsequent years, not yet due and payable.
2. Subject to matters shown on recorded Plat Book 199 at Pages 282-283 including 100' Right-of-Way for S. Miami Blvd.
3. Declaration of Easements recorded in Book 7662 at Page 546, Durham County Registry.
4. Declaration of Easements recorded in Book 7662 at Page 556, as amended by Amendment to Declaration of Easement recorded in Book ~~8552~~, Page ~~807~~, Durham County Registry.
5. Beautification Easement recorded in Book 1832 at Page 698, Durham County Registry.
6. NC DOT Construction and Slope Easement recorded in Book 1191 at Page 741, Durham County Registry.
7. Deed of Easement recorded in Book 1191 at Page 691, Durham County Registry.
8. Final Judgment - Annexation into City of Durham recorded in Book 1661 at Page 895, Durham County Registry and related covenants concerning such annexation recorded in Book 1519 at Page 333, Durham County Registry.
9. Sanitary Sewer Easements with Durham County recorded in Book 931 at Page 1006; Book 932 at Page 377; Book 934 at Page 230; Book 934 at Page 441 and Book 1496 at Page 220, Durham County Registry.
10. Duke Energy Carolinas, LLC release of power line easements which were previously recorded in Book 217 at Page 10, Book 1093 at Page 222, Book 1196 at Page 242, such release recorded in Book 8060 at Page 480, Durham County Registry.
11. Right of way Agreements with the NC State Highway Commission recorded in Book 353 at Page 186; Book 353 at Page 202; Book 353 at Page 208 and Book 353 at Page 209, Durham County Registry.
12. Subject to matters shown on recorded Plat Book 141 at Page 91, Plat Book 141 at Page 195, Plat Book 142 at Page 73, Plat Book 143 at Page 123, Plat Book 199 at Page 282 and Plat Book 199 at Page 283.

13. Federal, state and local Laws affecting the Property, including environmental, health and safety Laws, zoning, subdivision, planning, development, use, occupancy and building ordinances, and governmental regulations, provided the same have not been violated by Grantor prior to recording this deed.
14. Declaration of Easement for data and communications line recorded in Book 8552, Page 810, Durham County Registry.