

Land Sale

For Registration Willie L. Covington
Register of Deeds
Durham County, NC
Electronically Recorded
2014 Jan 16 03:50 PM NC Rev Stamp: \$ 950.00
Book: 7429 Page: 754 Fee: \$ 26.00
Instrument Number: 2014001442
DEED

\$475,000 / 742/SF.
1.46Ac →

CG (D) zone

SPECIAL WARRANTY DEED

Prepared by: Michael Kersting
Lowe's Home Centers, LLC
1000 Lowe's Blvd
 Mooresville, NC 28115
Attention: Legal Dept. (NB6LG)

Return to: DT RETAIL PROPERTIES, LLC
500 Volvo Parkway
Chesapeake, Virginia 23320
Attention: _____

Excise Tax: \$950.00
Brief description for Index: 1.46 acre tract, Fayetteville Road, Durham, NC

NORTH CAROLINA)
)
DURHAM COUNTY)

This SPECIAL WARRANTY DEED made this 16 day of January, 2014, by and between LOWE'S HOME CENTERS, LLC, a North Carolina limited liability company f/k/a LOWE'S HOME CENTERS, INC., a North Carolina corporation, whose mailing address is PO Box 1000, Mooresville, NC 28115, Attention: Legal Department (NB6LG), hereinafter referred to as "GRANTOR" and DT RETAIL PROPERTIES, LLC, an Virginia limited liability company, whose mailing address is 500 Volvo Parkway, Chesapeake, Virginia 23320 Attention: Damon Osborne, hereinafter referred to as "GRANTEE". 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. All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it in hand paid by GRANTEE, the receipt and sufficiency of which is

Submitted electronically by "Wyatt Early Harris Wheeler LLP"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham County Register of Deeds.

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hereby acknowledged, does hereby forever grant, bargain, sell and convey unto the GRANTEE, and its successors and assigns, a certain tract of land, containing 1.46 acres, more or less, situated, lying and being in the City of Durham, Durham County, North Carolina and more particularly described in Exhibit A attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD said land unto GRANTEE, and its successors and assigns, forever, with all tenements, appurtenances, and hereditaments thereunto belonging, subject to easements, conditions, restrictions and other matters of record:

AND SAID GRANTOR does hereby warrant title to said Property and will defend the same against the lawful claims of all person claiming by, through or under GRANTOR, but none other, subject to (i) the easements, encumbrances, restrictions, and other matters of record or that would be disclosed by a current American Land Title Association ("ALTA") survey of the Property, (ii) all reservations of oil, gas and mineral rights of any kind and nature, (iii) the covenants, conditions and restrictions as stated herein, and (iv) the lien of ad valorem taxes for the current and subsequent years.

[Signature page follows]

IN WITNESS WHEREOF, the GRANTOR has caused this instrument to be executed in its name by its Senior Vice President, of the GRANTOR the day and year first above written.

LOWE'S HOME CENTERS, LLC
a North Carolina limited liability company

By: *Gary E. Wyatt*
Gary E. Wyatt
Senior Vice President
*make TCS
VC*

STATE OF NORTH CAROLINA)

COUNTY OF WILKES)

I, *Tanya C. Benfield*, a Notary Public for *Wilkes* County, North Carolina, certify that Gary E. Wyatt personally came before me this day and acknowledged that he is Senior Vice President of Lowe's Home Centers, LLC, a North Carolina limited liability company, and that he, as Senior Vice President, being authorized to do so, executed the foregoing on behalf of the company.

Witness my hand and official seal this *15th* day of *January*, 2014.

My commission expires: _____

Tanya C. Benfield
Notary Public

Tanya C. Benfield
Notary Public
Surry County, NC
Commission Expires October 9, 2018

EXHIBIT A to Special Warranty Deed

LEGAL DESCRIPTION OF THE PROPERTY

All of that parcel of land containing approximately 1.46 acres in the City of Durham, County of Durham, State of North Carolina and more particularly described as follows:

BEGINNING AT A POINT, said point being a point along the Eastern right of way of Fayetteville Road. Said point also having a NC Grid NAD 83 coordinate of N. 797828.20 E. 2027774.42 Thence N 72°07'13" W a distance of 206.66 feet to a point; Thence N 04°23'42" E a distance of 229.53 feet to a point; Thence N 49°23'42" E a distance of 50.83 feet to a point; Thence with a curve turning to the right an arc length of 63.68 feet, radius of 570.00 feet, chord bearing of S 75°09'33" E, chord length of 63.64 feet; thence S 71°57'29" E a distance of 170.06 feet to a point; thence S 17°52'47" W a distance of 269.43 feet to the **POINT OF BEGINNING**, Containing 1.46 acres more or less.

LESS AND EXCEPT all oil, gas and other mineral rights appurtenant to the Property which Grantor reserves unto Grantor, its successors and assigns, forever. However, neither GRANTOR nor GRANTOR's successors or assigns shall have the right for any purpose whatsoever to enter upon, into or through the surface of the Property in connection therewith, or to undermine the lateral and subjacent support of the surface of the Property or any improvements located thereon. GRANTOR shall have no right to place or maintain any structures, improvements, equipment, or pipelines in, on, under or across the Property or to install any fixtures or facilities on the surface of the Property; provided, however, that such surface waiver shall not prohibit subterranean underground activities that begin upon and are conducted from the surface of real property other than the Property, provided that such activities at all times are sufficiently below the surface of the Property such that they do not interfere with or disturb in any manner the present or future use to which the owner of the Property desires to devote the Property or undermine the lateral subjacent support of the surface of the Property or any improvements located thereon.

Parcel Report:



Quick Information with 2010 Orthophoto

PIN Number: 0729-02-77-7909

Acreage: 1.45700000

Deed Book: 007429

Plat Book: 000192

Subdivision: N/A - NO SUBDIVISION

Owner Name: DT RETAIL PROPERTIES LLC

Parcel ID: 215542

Land Use: VACANT COMMERCIAL

Deed Page: 000754

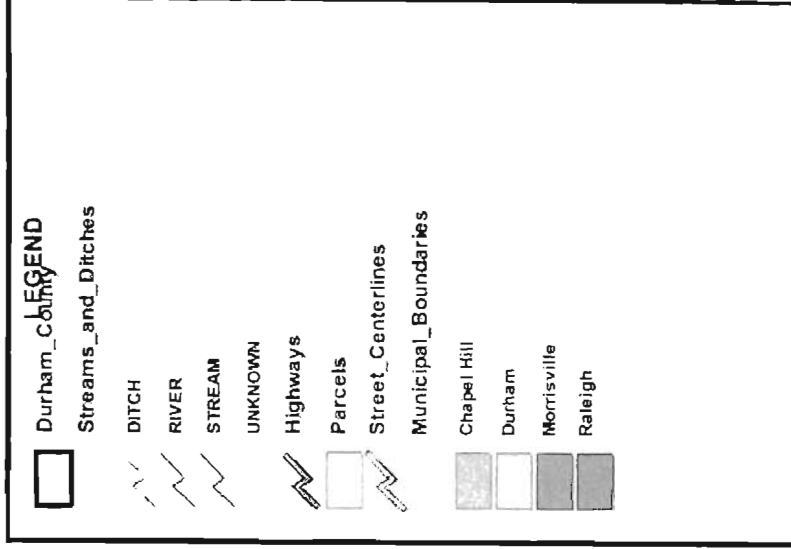
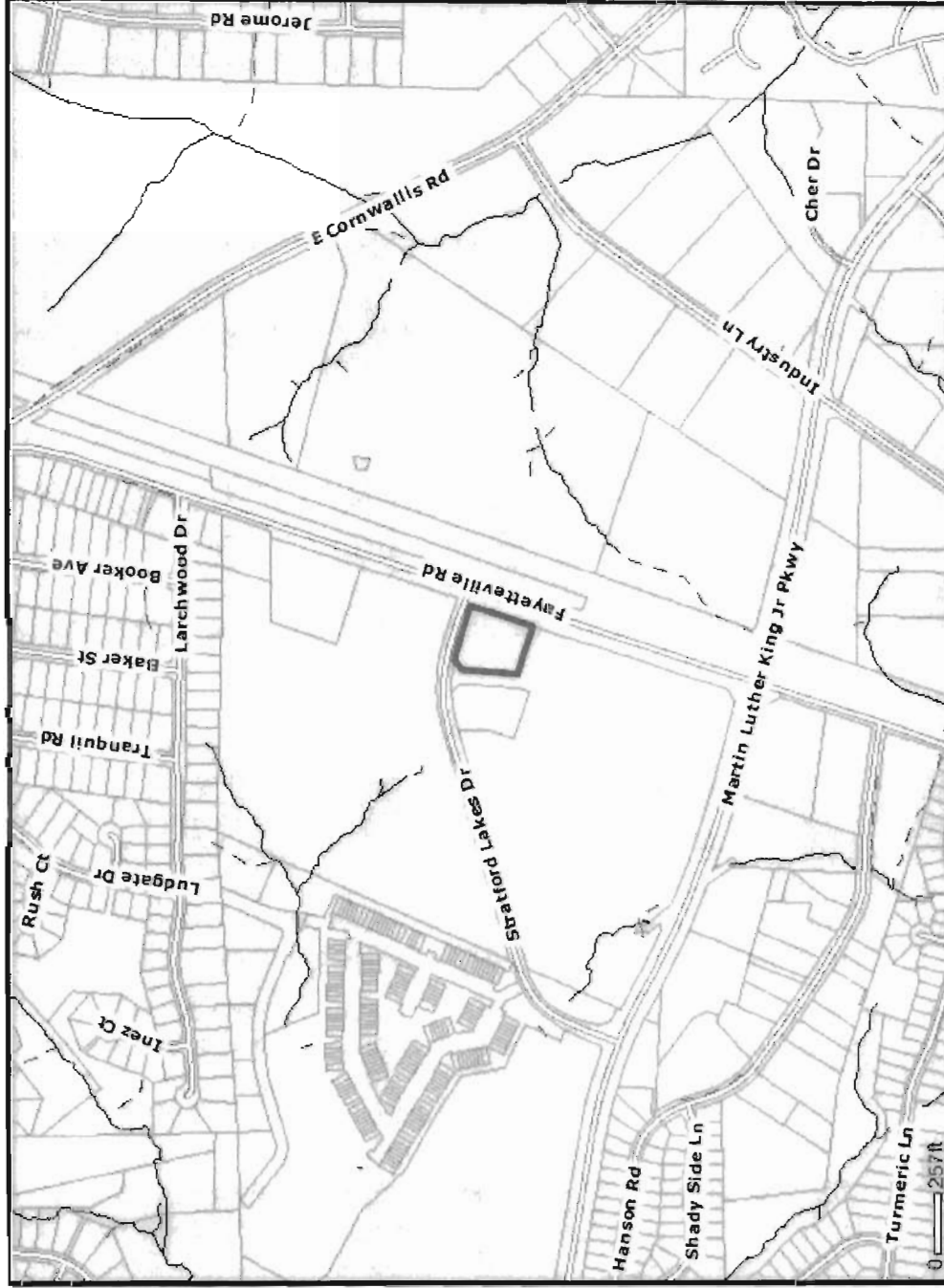
Plat Page: 000375

Site Address: 4004 FAYETTEVILLE RD

Owner Address: DAMON OSBORNE

500 VOLVO PARKWAY
CHESAPEAKE , VA, 23320

GoMAPS - Durham County NC Public Access



Thursday, June 19 2014

