

FOR REGISTRATION

Sharon A. Davis

REGISTER OF DEEDS

Durham County, NC

2018 Jan 10 03:11:59 PM

BK:8345 PG:538-542

DEED

FEE: \$26.00

INSTRUMENT # 2018001060

EXCISE TAX: \$9.048.00

APRILJ



2018001060

|                               |                               |
|-------------------------------|-------------------------------|
| Excise Tax \$ <u>9,048.00</u> | Recording Time, Book and Page |
|-------------------------------|-------------------------------|

Tax Lot No.: \_\_\_\_\_ Parcel Identifier No. 121533  
 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20  
 by \_\_\_\_\_

Mail after recording to Grantee

This instrument was prepared by: Bagwell Holt Smith P.A. (without title examination)

Brief Description For The Index:

Tract B on Plat Book 129, Page 218

**NORTH CAROLINA GENERAL WARRANTY DEED**

**THIS DEED** made this 9th day of January, 2018 ~~2017~~, by and between:

| GRANTOR   | GRANTEE  |
|---|--|
| PHD @ CHAPEL HILL, LLC,<br>a Florida limited liability company<br>c/o PH Developers, LLC<br>3930 Max Place<br>Boynton Beach, FL 33436 | VF2 CHP, LLC,<br>a Delaware limited liability company<br>3659 NE 201 Street<br>Aventura, Florida 33180 |

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 Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey, subject to the easements, restrictions, reservations, covenants, conditions and other exceptions set forth below, unto Grantee in fee simple, all that certain lot or parcel of land situated in Durham County, North Carolina, as more particularly described in **Exhibit A** attached hereto (“**Property**”).

The Property was acquired by Grantor by instruments recorded in Book 7515 at Page 219, Durham County Public Registry.

A map showing the Property is recorded in Plat Book 129 Page 218, Durham County Public Registry.

The Property does not include the primary residence of Grantor.

The Property is conveyed subject to the matters particularly described in **Exhibit B** attached hereto (the “**Exceptions**”).

**TO HAVE AND TO HOLD**, subject to the above referenced Exceptions, the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple.

Subject to the above referenced Exceptions, Grantor covenants with Grantee, that Grantor is seized of the Property in fee simple, has the right to convey the Property in fee simple, that title of the Property is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title of the Property against the lawful claims of all persons whomsoever.

[SIGNATURE PAGE FOLLOWS]

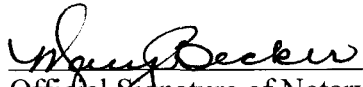
IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal, the day and year first above written.

PHD @ CHAPEL HILL, LLC,  
a Florida limited liability company

By:   
Kimberly Hill, Manager

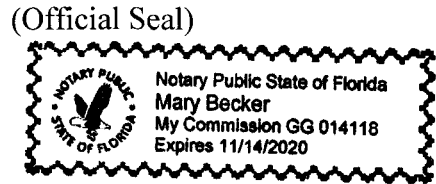
STATE OF FLORIDA  
COUNTY OF PALM BEACH

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document on behalf of PHD @ CHAPEL HILL, LLC, a Florida limited liability company: Kimberly Hill.

  
Official Signature of Notary Public

Date: 12/28/17

MARY BECKER  
Notary's Printed or Typed Name, Notary Public



My commission expires: 11/14/20

**Exhibit A**  
**to**  
**Deed**

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

**FEE PARCEL:**

Being all of Tract B as shown in plat of record at Plat Book 129, Page 218, Durham County Registry.

**EASEMENT PARCEL:**

TOGETHER WITH those appurtenant easements contained in that certain Mutual Easement and Use Agreement recorded in Book 2151, page 231, Durham County Registry.

**Exhibit B**  
**to**  
**Deed**

1. Ad valorem taxes of 2018 and all subsequent years, not yet due or payable.
2. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting title disclosed by plat of record in Plat Book 129, Page 218, Durham County Registry.
3. Easement(s) to Duke Power Company of record in Book 119, Page 272; Book 1268, Page 297; Book 1315, Page 147, Durham County Registry.
4. Declaration of Easement made by T.F. Stone Companies, Inc. of record in Book 1266, Page 717, Durham County Registry.
5. Mutual Easement and Use Agreement of record in Book 2151, Page 231, Durham County Registry.
6. Rights of tenants in possession, as tenants only, under unrecorded leases for a duration of less than three (3) years.
7. Title to, and easements in, any portion of the Property lying within any highways, roads, streets, alleys or other ways.
8. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting title regarding the following matters disclosed by preliminary survey entitled "ALTA/NSPS LAND TITLE SURVEY, 4010 Durham Chapel Hill Boulevard, Durham County, Durham, North Carolina" by John W. Nobles, P.L.S., dated December 4, 2017.
9. Memorandum of Lease by and between PHD @ CHAPEL HILL, LLC ("Landlord") and Mattress Firm, Inc. ("Tenant"), dated October 20, 2014, of record in Book 7600, Page 524, Durham County Registry.
10. Memorandum of Lease by and between PHD @ CHAPEL HILL, LLC ("Landlord") and Starbucks Corporation ("Tenant"), dated October 30, 2015, of record in Book 7815, Page 344, Durham County Registry.