

Register of Deeds
 Sharon A. Davis
 Durham County, NC
 01/17/2023 04:29:08PM
 BT: OPR B: 9849 P: 536 Pages: 6
 DEED - DEED
 Fee: \$2,866.00 Excise Tax: \$2840.00
 INSTRUMENT #2023049514
 Tonya Redfearn

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:	\$ 2,840.00
Parcel ID:	0739-03-30-3271
Mail/Box to:	GRANTEE
Prepared by:	Adcock Law Firm, P.A., PO Box 1478, Fuquay-Varina, NC 27526 <i>Without title exam, closing or tax advice. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.</i>
Brief description for the Index:	4015 S. ALSTON AVENUE

THIS SPECIAL WARRANTY DEED ("Deed") is made on the 17TH day of JANUARY, 2023, by and between:

GRANTOR	GRANTEE
Billy Ray Powell and wife, Cynthia Powell and Toney Allen Powell and wife, Lynn Powell and David Reid Powell and wife, Bonney Powell c/o 4808 Tannenhill Trl. Holly Springs, NC 27540	Foundation Building Materials, LLC a California limited liability company 2520 Red Hill Avenue Santa Ana, CA 92705 ATTN: Real Estate Department

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of DURHAM, DURHAM County, North Carolina and more particularly described as follows (the "Property"):

SEE ATTACHED EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Property Address: 4015 S. Alston Ave., Durham, NC 27713

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 9848 page 991.

All or a portion of the Property includes or does not include the primary residence of a Grantor.

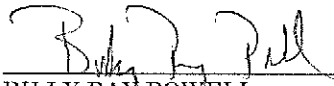
A map showing the Property is recorded in Plat Book 50 page 162.

This page is being executed in duplicate originals to allow for all signatures and notaries of the Grantor.


TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and Grantor shall warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

1. Easements, right of ways, covenants and restrictions of record.
2. Taxes and assessments for the year 2023 and subsequent years.
3. Matters that would be disclosed by a current and accurate survey of the Property.
4. Zoning ordinances affecting the Property.

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina Special Warranty Deed, if an entity by its duly authorized representative.



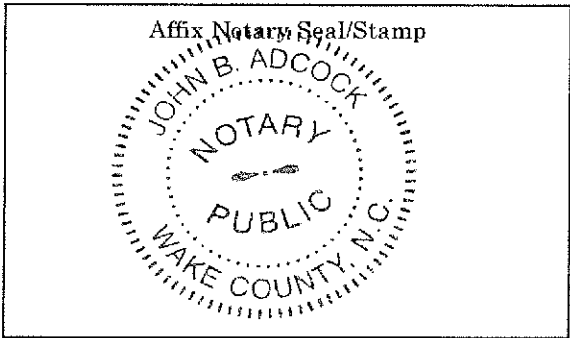
BILLY RAY POWELL




CYNTHIA POWELL

STATE OF NORTH CAROLINA, COUNTY OF WAKE

I, John B. Adcock, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 17th day of JANUARY, 2023 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): BILLY RAY POWELL AND CYNTHIA POWELL.






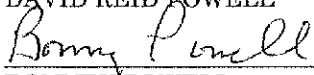
Notary Public (Official Signature)
My commission expires: 01/25/2026

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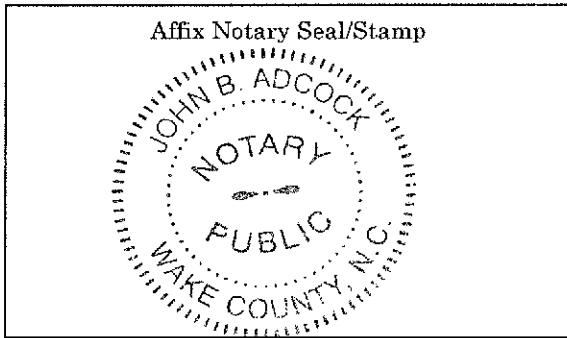
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3. Matters that would be disclosed by a current and accurate survey of the Property.
4. Zoning ordinances affecting the Property.

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina Special Warranty Deed, if an entity by its duly authorized representative.


 DAVID REID POWELL

 BONNEY POWELL

STATE OF NORTH CAROLINA, COUNTY OF WAKE

I, John B. Adcock, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 13 day of JANUARY, 2023 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): DAVID REID POWELL AND BONNEY POWELL.





 Notary Public (Official Signature)
 My commission expires: 01/25/2026

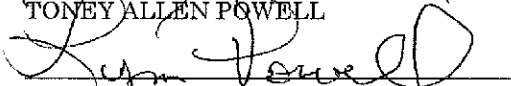
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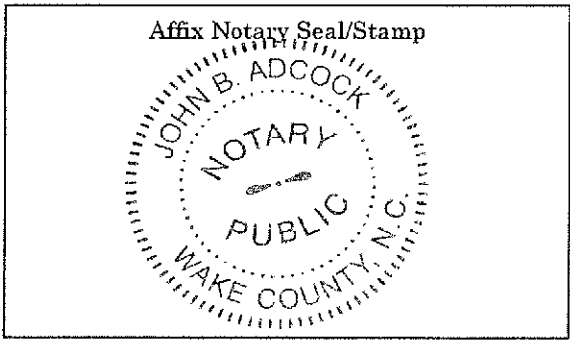


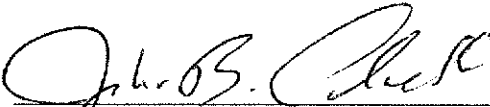
TONEY ALLEN POWELL


LYNN POWELL

STATE OF NORTH CAROLINA, COUNTY OF WAKE

I, John B. Adcock, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 13 day of JANUARY, 2023 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): TONEY ALLEN POWELL AND LYNN POWELL.





Notary Public (Official Signature)
My commission expires: 01/25/2026

EXHIBIT A (page 1 of 2)

LEGAL DESCRIPTION

TRACT ONE:

BEGINNING at a stake in an eastern line of the property of Roger P. Kavanagh, Jr. as shown in Deed Book 323, Page 350; running thence with the said eastern line of Roger P. Kavanagh Jr. North 8 degrees 26 minutes East 250 feet to a stake; thence with a new line South 86 degrees 10 minutes East 164. 78 feet to a stake; thence with another new line South 3 degrees 50 minutes West 249.20 feet to a stake; thence with a new line North 86 degrees 10 minutes West 184.83 feet to the stake at the point and place of **BEGINNING** and being a tract of land containing 1 acre, more or less, and being a portion of that land conveyed to J. Roy King and wife, Fern G. King by deed recorded in Book 416, Page 43 Durham County Registry, and being that one acre tract lying immediately east of the property of Roger P. Kavanagh more particularly described in Deed Book 323, Page 350, Durham County Registry, and also illustrated on Durham County Tax Map 570, Block 2, Lot 11 A.

TRACT TWO:

BEGINNING at a stake in the property line on the east side of South Alston Avenue, 30.1 feet in a northerly direction from the northwest corner of the property of John Shipp, as shown on the plat hereinafter referred to and running thence along and with the property line on the east side of South Alston Avenue, North 8 degrees 26 minutes East 250 feet to a stake; thence South 86 degrees 10 minutes East 349.61 feet to a stake, thence South 8 degrees 26 minutes West 250 feet to a stake; thence North 86 degrees 10 minutes West 349.61 feet to a stake, the place and point of **BEGINNING**, containing 2.0 acres, more or less, according to the survey and plat entitled "Property of A. W. May", dated May, 1966, by Credle Engineering Company, on file in the office of the Register of Deeds of Durham County in Plat Book 50, Page 162, to which survey and plat reference is hereby made for a more particular description.

SAVE AND EXCEPT that certain tract or parcel of land conveyed from Roger P. Kavanagh, Jr. to Jeanette R. Kavanagh dated May 1, 1969, and recorded May 7, 1969, in Deed Book 354, Page 239, Durham County Registry and more particularly described as follows: **BEGINNING** at a point in the northern property line of Roger P. Kavanagh, Jr., said line also being the southern boundary of R.H. Morgan, Jr. and said point being South 86 degrees 10 minutes East 249. 61 feet from the northwestern corner of the property of Roger P. Kavanagh, Jr. as described in Deed Book 323, Page 350, Durham County Registry; and running thence South 86 degrees 10 minutes East 100 feet to a

EXHIBIT A (page 2 of 2)

stake; thence South 08 degrees 26 minutes West 90 feet to a point in the north line of the Roger P. Kavanagh, Jr. tract; thence North 86 degrees 10 minutes West 100 feet to a point; thence North 08 degrees 26 minutes East 90 feet to the point and place of BEGINNING, and being the northeastern corner of that property which was deeded from R. H. Morgan, Jr. and wife, Katie Lee Morgan to Roger P. Kavanagh, Jr. in Deed Book 323, Page 350. Reference is made to Plat Book 50, Page 162, Durham County Registry, and Deed Book 208, Page 412, Durham County Registry.

TRACT THREE:

BEGINNING at a point in the northern property line of Roger P. Kavanagh, Jr., said line also being the southern boundary of R. H. Morgan, Jr. and said point being South 86 degrees 10 minutes East 249.61 feet from the northwestern corner of the property of Roger P. Kavanagh, Jr. as described in Deed Book 323, Page 350, Durham County Registry; and running thence South 86 degrees 10 minutes East 100 feet to a stake; thence South 08 degrees 26 minutes West 90 feet to a point in the north line of the Roger P. Kavanagh, Jr. tract; thence North 86 degrees 10 minutes West 100 feet to a point; thence North 08 degrees 26 minutes East 90 feet to the point and place of BEGINNING, and being the northeastern corner of that property which is deeded from R. H. Morgan, Jr. and wife, Katie Lee Morgan, to Roger P. Kavanagh, Jr. in Deed Book 323, Page 350. Reference is made to Plat Book 50, Page 162 Durham County Registry, and Deed Book 208, Page 412, Durham County Registry.