

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2015 DEC 03 02:39:35 PM
BK:7834 PG:564-569
DEED
FEE:\$26.00
EXCISE TAX: \$1,700.00
INSTRUMENT # 2015040126
SCEARNEL



PREPARED BY: Walter B. Cates, Esquire
P.O. Box 679
Roxboro, NC 27573

MAIL TO: GRANTEE, 5085 MIAMI BLVD, DURHAM NC 27703
NORTH CAROLINA
DURHAM COUNTY

EXECUTOR'S/TRUSTEE'S DEED

THIS DEED, made this the 3 day of December, 2015, by and between George W. Miller, III, Trustee of the Thee C. Dixon Trust; and George W. Miller, III, Executor of the Estate of Thee C. Dixon, *whose mailing address is: P.O. Box 51429, Durham, NC 27717*, Parties of the First Part, to TDK Investment, LLC *whose mailing address is: 5085 Miami Blvd, Durham, NC 27703*, Party of the Second Part;

WITNESSETH:

THAT WHEREAS, the late Thee C. Dixon died as a resident of Durham County, North Carolina, and for details concerning the administration of his Estate, the terms of his Last Will and Testament, see Estate File No. 15 E 287, Office of the Clerk of Superior Court of Durham County, North Carolina; AND WHEREAS, the purpose of this Deed is to carry out the directions set forth in said Will and The Trust Agreement dated December 5, 2014; AND WHEREAS, the said George W. Miller, III Executor of the Estate of Thee C. Dixon executes this Deed for the purpose of complying with the requirements of N.C.G.S. §28A-17-12; AND WHEREAS, the said Trustee and Executor believe it to be in the best interests of the Trust and the Estate that the lands hereinafter described be conveyed to the Parties of the Second Part; AND WHEREAS, the Executor of the Estate of Thee C. Dixon and the Trustee of the Thee C. Dixon Trust dated December 5, 2014, execute this Deed for the purpose of conveying all right, title, and interest in the lands hereinafter described to the Party of the Second Part.

NOW, THEREFORE, said Parties of the First Part, acting as Executor and Trustee, and in that fiduciary capacity, as aforesaid, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, do hereby give, grant, and convey unto the said Party of the Second Part and assigns, all those certain tracts or parcels of land lying and being within Oak Grove Township, Durham County, North Carolina, and being more particularly described as follows:

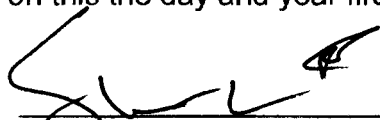
See Exhibit A.

And the said George W. Miller, III, Trustee of the Thee C. Dixon dated December 5, 2014 does hereby covenant that he has not placed or suffered to be placed any presently existing liens or encumbrances on said premises and that he will warrant and defend the title to the same against the lawful claims of all persons claiming by, through, and under him in the capacity set forth hereinabove, but no further.


The above-described property is being conveyed subject to all easements, rights-of-way, and restrictions of record and pertaining to said lands, including those set forth on the attached Exhibit B.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging, or in anyway thereunto appertaining, to the said Party of the Second Part, its assigns, to its only use and behoof in fee simple absolute, in as full and ample a manner as the Parties of the First Part, as Executor and Trustee in the context aforesaid, are authorized and empowered to convey the subject lands.

IN TESTIMONY WHEREOF, the said George W. Miller, III, Executor and Trustee, as aforesaid, has hereunto set his hand and seal on this the day and year first above written.


_____(SEAL)
George W. Miller, III, Trustee of the Thee C. Dixon Trust dated December 5, 2014

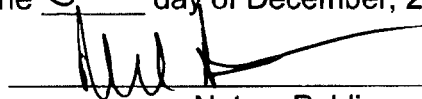
ESTATE OF THEE C. DIXON

BY: 
_____(SEAL)
George W. Miller, III, Executor

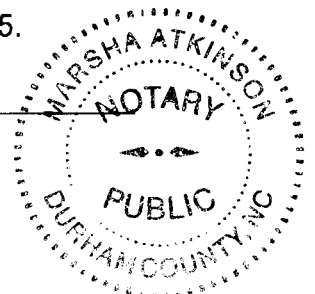
STATE OF NORTH CAROLINA
COUNTY OF DURHAM

I, Marsha Atkinson, a Notary Public of said County and State do hereby certify that George W. Miller, III, Executor of the Estate of Thee C. Dixon, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 3rd day of December, 2015.



Notary Public

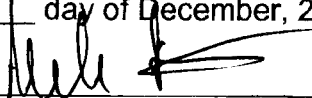


My Commission Expires: 03-08-2020

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

I, Marsha Atkinson, a Notary Public of said County and State do hereby certify that George W. Miller, III, Trustee of the Thee C. Dixon Trust dated December 5, 2014, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 3rd day of December, 2015.



Notary Public

My Commission Expires: 03-08-2020



EXHIBIT A

PARCEL 1: BEING ALL OF LOT 2 OF THE PROPERTY OF ROSELIA, LLC AS SHOWN ON PLAT AND SURVEY BY TRIANGLE SURVEYORS DATED NOVEMBER 18, 2015 AND RECORDED IN PLAT BOOK 195 AT PAGE 170 OF THE DURHAM COUNTY REGISTRY. ALSO BEING THE GREATER PORTION OF LOT 2 AND A SMALLER PORTION OF LOT 1 AS SHOWN ON PLAT RECORDED IN PLAT BOOK 155 AT PAGE 277 OF THE DURHAM COUNTY REGISTRY.

THIS PROPERTY IS KNOWN AS 414 MARLEY DRIVE, DURHAM, NC. (GREATER PORTION OF TM #16482 AND SMALLER PORTION OF TM #164983).

PARCEL 2: CONTAINING 2.689 ACRES AND BEING ALL OF LOT A OF THE PROPERTY OF THEE C. DIXON AND WIFE, FRANCES G. DIXON AS SHOWN ON PLAT RECORDED IN PLAT BOOK 140 AT PAGE 54 OF THE DURHAM COUNTY REGISTRY.

THIS PROPERTY IS KNOWN AS 410 MARLY DRIVE, DURHAM NC. TM #164980.

PARCEL 3: CONTAINING .459 ACRES AND BEING ALL OF LOT B OF THE PROPERTY OF THEE DIXON AND WIFE, FRANCES G. DIXON AS SHOWN ON PLAT RECORDED IN PLAT BOOK 140 AT PAGE 54 OF THE DURHAM COUNTY REGISTRY.

THIS PROPERTY IS KNOWN AS 406 MARLY DRIVE, DURHAM, NC. TM #164981.

PARCEL 4: CONTAINING 1.57 ACRES AS SHOWN ON FINAL RECOMBINATION PLAT FOR ROSELIA, LLC BY S. D. PUCKETT & ASSOCIATES, INC. RECORDED IN PLAT BOOK 175 AT PAGE 88 OF THE DURHAM COUNTY REGISTRY. ALSO BEING ALL OF LOTS A, B, C AND D AS SHOWN ON PLAT RECORDED IN PLAT BOOK 153 AT PAGE 395 OF THE DURHAM COUNTY REGISTRY.

THIS PROPERTY IS KNOWN AS 402 MARLY DRIVE, DURHAM, NC. TM #164977.

PARCEL 5: BEGINNING AT AN EXISTING IRON PIN LOCATED IN THE WESTERN RIGHT-OF-WAY OF MINERAL SPRINGS ROAD AT THE SOUTHEAST CORNER OF THE PROPERTY NOW OR FORMERLY OWNED BY IRMA YATES (DEED BOOK 318 AT PAGE 6 AND PLAT BOOK 51 AT PAGE 20); RUNNING THENCE ALONG AND WITH THE WESTERN RIGHT-OF-WAY OF MINERAL SPRINGS ROAD S 37 DEGREES 97' 21" W 110.59 FEET TO AN EXISTING IRON PIN; THENCE FURTHER ALONG AND WITH THE WESTERN RIGHT-OF-WAY OF MINERAL SPRINGS ROAD IN A GENERAL SOUTHWESTERLY DIRECTION BY THE ARC OF A CURVE HAVING A RADIUS OF 542.13 FEET A DISTANCE OF 165.66 FEET TO AN EXISTING IRON PIN; THENCE N 57 DEGREES 53" 19' W 61.72 FEET TO AN IRON PIN; THENCE N 57 DEGREES 46' 41" W 117.17 FEET TO AN EXISTING IRON PIN; THENCE N 26 DEGREES 15' 0" E 227.30 FEET TO AN EXISTING IRON PIN; THENCE N 26 DEGREES 42' 54" E 46.57 FEET TO AN EXISTING IRON PIN; THENCE S 87 DEGREES 17' 45" E 180.70 FEET TO AN EXISTING IRON PIN LOCATED IN THE WESTERN RIGHT-OF-WAY

OF MINERAL SPRINGS ROAD, THE POINT AND PLACE OF BEGINNING, CONTAINING 1.038 ACRES AS SHOWN ON SURVEY FOR ROSELIA, LLC BY JERRY L. HUNT DATED DECEMBER 14, 2006. SEE ALSO PLAT BOOK 11 AT PAGE 193 OF THE DURHAM COUNTY REGISTRY.

THIS PROPERTY IS KNOWN AS 1914 S. MINERAL SPRINGS ROAD, DURHAM NC. TM #164966.

PARCEL 6:

BEGINNING AT A POINT IN THE CENTER OF OLD MINERAL SPRINGS ROAD, AT THE POINT OF THE INTERSECTION OF OLD SHERRON ROAD, PAUL BARKER'S SOUTHEAST CORNER, RUNNING THENCE AND ALONG WITH THE CENTER OF OLD MINERAL SPRINGS ROAD, SOUTH 19-28-15

WEST 142.59 FEET TO AN IRON PIN SET; THENCE NORTH 61-36-58 WEST 31.50 FEET TO AN IRON PIN SET; THENCE NORTH 61-36-58 WEST 125.04 FEET TO AN EXISTING IRON PIN; THENCE NORTH 61-21-05 WEST 225.23 FEET TO AN EXISTING IRON PIN IN THE NORTHEAST SIDE OF MARLY DRIVE; THENCE LEAVING MARLY DRIVE ALONG THE PROPERTY LINE WITH ROSELIA LLC NORTH 28-53-25 EAST 143.00 FEET TO AN IRON PIN SET; THENCE ALONG THE PROPERTY LINE WITH ROSELIA LLC SOUTH 61-06-37 EAST 144.58 FEET TO AN EXISTING IRON PIN; THENCE WITH THE PROPERTY LINE OF PAUL BARKER SOUTH 61-06-38 EAST 117.00 FEET TO AN IRON PIN SET; THENCE SOUTH 61-06-33 EAST 61.79 FEET TO AN IRON PIN SET; THENCE SOUTH 61-06-33 EAST 35.05 FEET TO THE POINT AND PLACE OF BEGINNING AS SHOWN ON THE SURVEY ENTITLED "SURVEY FOR: THEE C. DIXON & FRANCIS G. DIXON" AS SURVEYED BY JIM MORROW, PROFESSIONAL LAND SURVEYOR, DATED 02-16-2005. SEE ALSO PLAT BOOK 11 AT PAGE 193 OF THE DURHAM COUNTY REGISTRY.

THIS PROPERTY IS KNOWN AS 2002 S. MINERAL SPRINGS ROAD, DURHAM, NC. TM 11164967

Exhibit B

As to Tract 1 only

1. Subject to matters shown on recorded Plat Book 155 at Page 277 and Plat Book 195, Page 170.
2. Subject to matters shown on recorded Plat Book 140 at Page 54.
3. Right of Way and Easement(s) to Duke Power Company recorded in Book 140 at Page 54.

As to Tract 2, 3 & 4 only

4. Right of Way and Easement(s) to Duke Energy Corporation recorded in Book 4216 at Page 129.

As to Tract 4 only

5. Subject to matters shown on recorded Plat Book 175 at Page 88.
6. Right of Way and Easement(s) to Duke Power recorded in Book 147 at Page 240, in Book 153 at Page 395; Book 175 at Page 88 and in Book 159 at Page 273, Book 1083 at Page 688.

As to Tract 6 only

7. Subject to matters shown on recorded Plat Book 11 at Page 193.
8. Title to that portion of the land within the right-of-way of Old Mineral Springs Road.
9. 68' Duke Power line easement.
10. Easement(s) to Public Service Company of North Carolina as recorded in Book 5661 at Page 177.
11. Easement(s) to North Carolina Department of Transportation recorded in Book 2674 at Page 793.