


REGISTER OF DEEDS
Sharon A. Davis
Durham County, NC
2021 Jul 15 03:33:26 PM
BK:9397 PG:373-379
DEED
FEE: \$26.00
INSTRUMENT # 2021035827
EXCISE TAX: \$780.00
APRILJ


NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$780.00

PIN: 103031 and 103032

Real Estate ID: 0821-08-98-0953 and 0821-08-98-0859

This instrument was prepared (without title examination) by,
and mail after recording to:

Michael J. Ovsievsky, Esq.
Morningstar Law Group
421 Fayetteville St., Suite 530
Raleigh, NC 27601

Brief Description for the Index: 415 and 419 Foster Street

THIS DEED is made the 15th day of July, 2021, by and between:

GRANTOR	GRANTEE
<p>Truist Bank, Successor Trustee Under the Will of Numa D. Bitting fbo Mary Elizabeth Bitting , having a forty-five percent undivided interest, and Truist Bank, Successor Trustee Under the Will of Numa D. Bitting fbo Anthony Bitting et al, having a fifty-five percent undivided interest</p> <p>c/o Truist Bank 100 South Crest Drive Stockbridge, GA 30281 Attention: Lockbox 117508 Attention: Alton Sanderson</p>	<p>328 Roney Street LLC, a North Carolina limited liability company</p> <p>404 Hunt Street, Mailbox #20 Durham, NC 27701 Attention: Dr. Henry H. Scherich</p>

AS

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 unto Grantee in fee simple, all that certain lot or parcel of land situated in Durham County, North Carolina, and more particularly described as follows (the "Property"): **See EXHIBIT A, attached hereto and incorporated herein.**

All or a portion of the Property herein conveyed does NOT include the primary residence of Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And the Grantor covenants with the Grantee, that, as to the Property described above, 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, except for the exceptions hereinafter stated: **See EXHIBIT B, attached hereto and incorporated herein.**

[Signature Page and Acknowledgment Follows]

AS

IN WITNESS WHEREOF, Grantor has executed this Special Deed as of the day and year first above written, under seal.

GRANTOR:

TRUIST BANK, as Successor Trustee Under the Will of Numa D. Bitting fbo Anthony Bitting

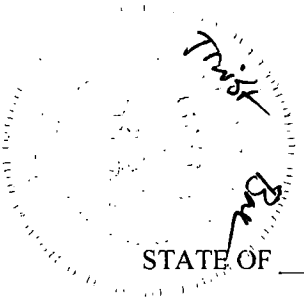
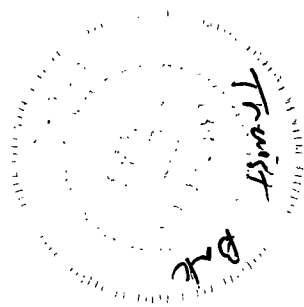
By: Truist Bank, Trustee

By: Alton Sanderson (SEAL)
Name: Alton Sanderson
Title: Vice President

TRUIST BANK, as Successor Trustee Under the Will of Numa D. Bitting fbo Mary Elizabeth Bitting

By: Truist Bank, Trustee

By: Alton Sanderson (SEAL)
Name: Alton Sanderson
Title: Vice President



STATE OF Georgia
COUNTY OF Fulton

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacities indicated, under seal: Alton Sanderson, Vice President, Truist Bank, as Trustee.

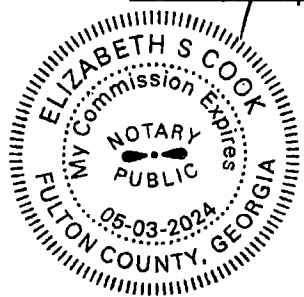
Date: July 14, 2021

Signature of Notary

Elizabeth S. Cook

Notary Printed Name

My Commission Expires: 05/03/2024



(Official Seal)

Exhibit A
Legal Description

Durham County, State of North Carolina

BEING the following described property:

(a) BEGINNING at a stake in the inside line of the sidewalk on the west side of Foster Street 47.11 feet from the intersection of the inside line of the sidewalk on the south side of Hunt Street with the inside line of the sidewalk on the west side of Foster Street, being the southeast corner of Lot No. 3 as shown on plat hereinafter referred to, and running thence along and with the south line of Lot No. 3 North 85° 2' West 82 feet to a stake on the east side of a 10-foot alley; thence along and with the east side of said alley South 6° 42' West 48 feet to a stake, the northwest corner of Lot No. 6; thence along and with the north line of Lot No. 6 South 85° 45' East 82 feet to a stake in the inside line of the sidewalk on the west side of Foster Street; thence along and with the inside line of said sidewalk on the west side of Foster Street in a Northerly direction 47.1 feet to a stake, the place and point of beginning, same being Lots 4 and 5 as shown on plat of the PROPERTY OF THE BANK OF CHAPEL HILL, recorded in Plat Book 11, page 56, Durham County Registry. See deed to N.D. Bitting in Book 114, page 599.

(b) BEGINNING at a stake in the west property line of Foster Street South 6° 25' West 35.22 feet from the southwest intersection of Foster Street and Hunt Street; thence along and with the west line of Foster Street South 6° 25' West 3 feet to a stake; thence North 85° 21' West 82 feet to a stake in the east line of a 10-foot alley; thence along said alley North 6° 25' East 3 feet to a stake; thence South 85° 21' East 82 feet to a stake, the point of beginning. See deed to N. D. Bitting in Book 131, page 377. This deed is given to cure a defect in deed recorded in Book 114, page 599.

(c) BEGINNING at the southwest intersection of Foster and Hunt Streets and running thence South 6° 34' West along the west line of Foster Street about 35.22 feet to the property of the party of the second part; thence North 85° 9' West about 81.99 feet along the line of the property of the party of the second part to an alleyway; thence North 6° 34' East along the east line of said alleyway about 34.33 feet to the intersection of said alleyway with Hunt Street; thence South 85° 47' East along the south line of Hunt Street about 82 feet to the point of beginning. See deed to N. C. Bitting in Book 151, page 75. Saving and excepting from the foregoing the strip of land conveyed to the City of Durham to widen Hunt Street by deed in Book 194, page 18. See map in Plot Book 23, page 17.

Exhibit B
Exceptions

1. Taxes for the year 2021, and subsequent years, not yet due and payable.
2. Matters shown on plats recorded Plat Book 11 at Page 56 and Plat Book 23 at Page 17.
3. Deed to the City of Durham for widening of Hunt Street recorded in Book 194 at Page 18.
4. Matters as disclosed by that certain survey entitled "ALTA/NSPS Land Title Survey Property of 328 Roney, LLC", prepared by NEWCOMB land surveyors, pllc, bearing the seal and certification of Justin L. Luther, PLS, dated 06/14/21, as follows:
 - a) minor encroachment on adjacent property and streets or alley by improvements on the surveyed property, party walls, conflicts or protrusions with building along Hunt Street.
5. Rights or claims of parties in possession not shown by the public records.

TRUSTEE CERTIFICATION
(36C-10-1013)

THIS CERTIFICATION (the "Certificate") made this 14th day of July, 2021, by Truist Bank, Successor Trustee Under the Will of Numa D. Bitting fbo Mary Elizabeth Bitting , having a forty-five percent undivided interest, and Truist Bank, Successor Trustee Under the Will of Numa D. Bitting fbo Anthony Bitting et al, having a fifty-five percent undivided interest (Trust), to 328 Roney Street LLC, a North Carolina limited liability company , (Purchasers), Morningstar Law Group (Law Firm), any lender financing this transaction and any Title Insurer (Insurer) insuring title to the property situated in the State of North Carolina and described in Schedule A (Land), their successors and/or assigns, all of whom are relying on the veracity of this certification, witnesseth:

WHEREAS, said Insurer has issued a commitment of title insurance insuring the title to the Land; and

WHEREAS, said Insurer will be requested to issue its policy or policies of title insurance insuring the title to the Land; and

WHEREAS, the Land is owned or to be owned by the Trust; and

WHEREAS, said Insurer will not issue its policy without being provided an acceptable certificate concerning the authority of the Trustee(s) to enter in to the contemplated transaction pursuant to the North Carolina Uniform Trust Code, and

WHEREAS, said Insurer will not issue its policy without exception to matters concerning ownership of the Land by the Trust, unless assured to certain facts as herein set out;

NOW THEREFORE, Trustee(s) certify as follows:

1. The Trust has been lawfully executed, was validly created, is still in existence, and has not been revoked, modified, or amended in any manner which would cause the representations contained herein to be incorrect;
2. The Settlor(s) of the Trust, if revocable, issued no instructions that would limit or restrict the Trustees' authority to enter into or consummate this transaction in accord with this certificate;
3. The identity and address of the currently acting Trustee(s) identified above is:

Truist Bank
100 South Crest Drive
Stockbridge, GA 30281
Attention: Lockbox 117508
Attention: Alton Sanderson

4. The Trustee has been granted due authority to enter into and consummate the transaction contemplated by the Insurer's title insurance commitment, the Trust grants all the necessary powers to the Trustee(s) and contains no limitations or restrictions on said authority that would prohibit or limit the trustees authority to enter into and consummate the proposed transaction.
5. The Trust does not limit a Trustee's authority to sign necessary documents, execute this certificate or otherwise authenticate the Trust and all cotrustees required to exercise the powers contained in the Trust have executed this certificate;
6. The Trust's taxpayer identification number is:

**Truist Bank, Successor Trustee Under the Will of Numa D. Bitting fbo
Anthony Bitting et al 56-6044274**

**Truist Bank, Successor Trustee Under the Will of Numa D. Bitting fbo
Mary Elizabeth Bitting 56-6044273**

FURTHER, Trustee(s) does/do hereby acknowledge that this Certification may be recorded in the Register of Deeds Office and agrees that this Certification is being executed in duplicate counterparts each of which shall be deemed an original (the counterpart to be recorded may have the taxpayer identification number redacted if it is the social security number of a settlor).

[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Trustee(s) hereto have duly signed and sealed this instrument in duplicate.

TRUIST BANK, as Successor Trustee Under the Will of Numa D. Bitting fbo Anthony Bitting

By: Alton Sanderson (SEAL)
Name: Alton Sanderson
Title: Vice President

Truist Bank, Successor Trustee Under the Will of Numa Mary Elizabeth
D. Bitting fbo Anthony Bitting et al PS

By: Alton Sanderson (SEAL)
Name: Alton Sanderson
Title: Vice President

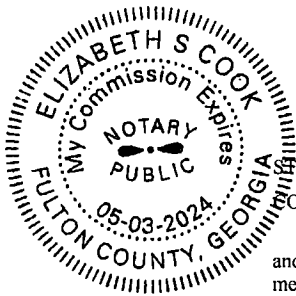
STATE OF Georgia
COUNTY OF Fulton

I, Elizabeth S. Cook, a Notary Public for the County of Fulton
and State of North Carolina, do hereby certify that Alton Sanderson
Trustee, either being personally known to me or proven by satisfactory evidence (said evidence being GA Driver
License), personally appeared before me this day, and acknowledged the voluntary due execution of the
foregoing instrument by he/she/they for the purposes stated therein.

WITNESS my hand and notarial seal, this 17th day of July, 2021

Notary Public Elizabeth S. Cook
(Type or Print Name)
My Commission Expires: 03/03/2024

(Official Seal)



STATE OF _____
COUNTY OF _____

I, _____, a Notary Public of the County of _____
and State of North Carolina, certify that _____, either being personally known to
me or proven by satisfactory evidence (said evidence being _____), personally appeared
before me this day and acknowledged that (s)he is _____ of _____
_____, a North Carolina corporation, which is Trustee of the _____
Trust, and that (s)he, as _____, being authorized to do so, voluntarily executed the foregoing on behalf of the
corporation as the Trustee of the Trust for the purposes stated therein.

WITNESS my hand and official stamp or seal, this ___ day of _____, ___.

Notary Public _____
(Type or Print Name)

My Commission Expires:

NOTE: Revised N.C.G.S. Section 47-18.3 permits a corporation's chairman, president, chief executive officer, a vice president or an assistant vice president, treasurer and chief financial officer to execute conveyance documents without attestation or corporate seal. Also, any other officer, manager or agent may execute such documents provided a signed and attested board of directors resolution authorizing such officer, manager or agent is attached to the instrument or separately recorded.