

For Registration Sharon A. Davis  
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Durham County, NC  
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DEED

**NORTH CAROLINA SPECIAL WARRANTY DEED**

PIA: 163726, 163790, 163791, 163793, 164576, 164577, 164751,  
163857 and 163858

Excise tax \$11,330.00

Prepared by: **Richard M. Hutson, II, Esq., PO Drawer 2252-A, Durham, NC 27702**

Mail to: **Benjamin H. Hervey, Esq., 1151 Executive Circle, Suite 102, Cary, NC 27511**

THIS DEED made March 22, 2018, by and between

GRANTOR	GRANTEE
<b>Lakeshore Golf Course, a North Carolina general partnership 4621 Lumley Road Durham NC 27703</b>	<b>Pulte Home Company, LLC, a Michigan limited liability company 3350 Peachtree Road Northeast, Ste 150 Atlanta GA 30326</b>

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 the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell, and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in **Oak Grove** Township, **Durham** County, North Carolina, and more particularly described as follows:

**See Exhibit A attached hereto and incorporated herein by reference.**

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

Submitted electronically by Hervey & Hervey, P.A. in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Durham County Register of Deeds.

And the Grantor covenants with the Grantee, that 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.

Title to the property hereinabove referenced is subject to the following exceptions:

**See Exhibit B attached hereto and incorporated by reference.**

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its name by its duly authorized Managing Partner, the day and year first above written.

LAKESHORE GOLF COURSE, a North Carolina general partnership

By: J. Marvin Utley III  
J. Marvin Utley, III, Managing Partner

STATE OF NORTH CAROLINA  
COUNTY OF DURHAM

I, the undersigned, a Notary Public of the County and State aforesaid, certify that **J. MARVIN UTLEY, III**, Managing Partner of Lakeshore Golf Course, a North Carolina general partnership, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 22<sup>nd</sup> day of March, 2018.

Janis P. Wade  
Notary Public

Print Name: JANIS P. WADE



My commission expires: 2/23/2020

## Exhibit A

### *Lakeshore Golf Course*

#### *Utley Property*

***PIDs 163726, 163790, 163791, 163793, 164576, 164577, 164751***

All that tract, piece or parcel of land lying and being situated in the Township of Oak Grove, City of Durham, County of Durham and State of North Carolina; being more particularly bounded and described as follows:

BEGINNING at a point marked by an iron pipe set at the intersection of the northern right-of-way margin of Lumley Road (an existing 67.5' public right-of-way) and the western right-of-way margin of Azalea Drive (an existing public right-of-way); said point also being the POINT OF BEGINNING, having an NAD83(2011) NC state plane coordinate of N 792,758.61', E 2,049,751.34'; thence, along the northern right-of-way margin of Lumley Road, the following four courses: 1) N 77°-41'-36" W 140.98' to an iron pipe set; 2) through the arc of a curve to the right, having a radius of 1,215.56', an arc length of 401.14', and a chord course of N 68°-14'-22" W 399.32' to an iron pipe set; 3) N 58°-47'-08" W 301.22' to an existing iron pipe; 4) through the arc of a curve to the left, having a radius of 2,648.21', an arc length of 292.19', and a chord course of N 61°-56'-47" W 292.03' to an existing 1" iron pipe marking a southeastern corner of lands of Utley (Deed Book 5655, page 523); thence, along said lands of Utley, the following four courses: 1) N 26°-51'-37" E 96.09' to an iron pipe set; 2) N 22°-58'-23" W 126.00' to an iron pipe set; 3) N 73°-13'-23" W 70.85' to an iron pipe set; 4) S 20°-43'-37" W 175.14' to an existing iron pipe on the northern right-of-way margin of Lumley Road; thence, along the northern right-of-way margin of Lumley Road, the following five courses: 1) through the arc of a curve to the left, having a radius of 2,648.21', an arc length of 156.34', and a chord course of N 69°-59'-34" W 156.32' to a point on the northern right-of-way margin of Lumley Road; said point

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being N 41°-21'-27" E 3.19' from an existing ½" iron pipe; 2) through the arc of a curve to the left, having a radius of 2,648.21', an arc length of 48.00', and a chord course of N 72°-12'-12" W 48.00' to an existing ½" iron pipe; 3) N 72°-43'-19" W 623.88' to an existing ¾" iron pipe; 4) N 72°-43'-19" W 113.33' to an iron pipe set; 5) N 72°-43'-19" W 118.91' to an existing 1" iron pipe (pipe is disturbed; top is sheared off) on the northern right-of-way margin of Lumley Road, marking a southeastern corner of lands of Utley (Deed Book 1258, page 536; Plat Book 87, page 15); thence, along said lands of Utley, the following three courses: 1) N 08°-35'-29" E 100.34' to an iron pipe set; 2) N 15°-49'-12" W 127.64' to an iron pipe set; 3) N 87°-29'-00" W 116.02' to an iron pipe set in an eastern line of the Mrs. Mattie E. Chandler Estate subdivision (Plat Book 36, page 32); thence, along said eastern line of said Chandler Estate subdivision, N 02°-31'-32" E 1,297.15' to an existing 1" pinched iron pipe marking a southwestern corner of lands of Utley (Deed Book 2946, page 355; Deed Book 2878, page 507; Plat Book 153, page 199); thence, along said lands of Utley, the following four courses: 1) S 87°-53'-40" E 199.89' to an iron pipe set; 2) N 02°-32'-37" E 220.05' to an iron pipe set; 3) N 87°-54'-55" W 197.24' to an iron pipe set; 4) N 71°-39'-53" W 212.27' to an iron pipe set on the eastern right-of-way margin of Rolling Pines Avenue (an existing 60' public right-of-way); thence, along the eastern right-of-way margin of Rolling Pines Avenue; N 21°-46'-48" E 20.00' to an iron pipe set; said point being a western corner of land of, now or formerly, Lakeshore Golf Course (Deed Book 3702, page 808, "Parcel No. 1"); thence, along said lands of Lakeshore Golf Course, the following five courses: 1) S 71°-39'-17" E 204.33' to an iron pipe set; 2) S 88°-49'-23" E 148.77' to an iron pipe set; 3) N 01°-10'-37" E 20.00' to an iron pipe set; 4) S 88°-48'-45" E 50.00'

*Lakeshore Golf Course*

*Utley Property*

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to an iron pipe set; 5) N 02°-14'-40" E 199.75' to an iron pipe set in a southern line of lands of, now or formerly, W.J. Holdings, LLC (Deed Book 4455, page 673; Plat Book 36, page 32); thence, along said lands of W.J. Holdings, LLC, S 88°-51'-26" E 200.00' to an existing iron pipe; thence, S 02°-14'-38" W 199.86' to a point; thence, S 01°-24'-40" W 29.90' to an existing iron pipe; thence, N 02°-28'-32" E 229.79' to a point; said point being a southeastern corner of said lands of W.J. Holdings, LLC; thence, along said lands of W.J. Holding, LLC, and lands of, now or formerly, Johnson (Deed Book 5022, page 412; Plat Book 118, page 126), and the eastern terminus of Ambassador Drive (an existing 60' public right-of-way, formerly named "Rochelle Drive"), N 02°-28'-32" E 428.80' to an existing broken concrete monument; thence, along the eastern terminus of Ambassador Drive, and an eastern line of lands of, now or formerly, Tolley (Deed Book 314, page 691; Plat Book 36, page 32), and an eastern line of lands of, now or formerly, Ward (Deed Book 7732, page 644; Plat Book 155, page 75), N 02°-05'-33" E 268.74' to an existing 2" galvanized iron pipe on the southern margin of Clayton Road (a 25' wide unimproved road, shown on plats recorded in Plat Book 39, page 133 and Plat Book 47, page 56); thence, along the southern margin of Clayton Road, S 88°-47'-14" E 696.00' to an existing 1" iron rod marking a northwestern corner of lands of, now or formerly, Tamiasov (Deed Book 1476, page 267; Plat Book 6A, page 34); thence, along a western line of said lands of Tamiasov, S 00°-01'-22" W 279.24' to an existing machine gear; thence, continuing along said lands of Taimasov, S 88°-00'-57"E 186.30' to an existing concrete monument with stamped plate marking a northwestern corner of Triangle Development (Plat Book 45, pages 33 & 34); thence, along a western line of said Triangle Development, S 01°-31'-25" W

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654.30' to an existing 1" iron pipe marking a southwestern corner of lands of, now or formerly, Reed (Deed Book 5022, page 344); thence, along a southern line of said lands of Reed, S 88°-34'-46" E 12.00' to an existing concrete marker with stamped plate marking a northwestern corner of lands of, now or formerly, Thomas (Deed Book 1613, page 433); thence, along said lands of Thomas, the following two courses: 1) S 01°-20'-54" W 210.09' to an existing concrete monument with stamped plate; 2) S 87°-37'-38" E 188.58' to an existing concrete monument with stamped plate in the western right-of-way margin of Glenco Road (an existing 60' public right-of-way) (note: this portion of Glenco Road is currently unimproved); thence, along the right-of-way margin of Glenco Road, S 01°-31'-25" W 98.56' to an iron pipe set at the southern terminus of Glenco Road; thence, along the southern terminus of Glenco Road, and lands of, now or formerly, Thomas (Deed Book 5338, page 1), and lands of, now or formerly, Roycroft (Deed Book 2495, page 971), S 87°-58'-57" E 290.00' to an existing iron pipe; thence, along an eastern line of said lands of Roycroft, N 01°-44'-15" E 200.09' to an existing concrete monument with stamped plate on the southern right-of-way margin of Holloman Road (an existing 60' public right-of-way); thence, along the southern right-of-way margin of Holloman Road, S 88°-18'-45" E 100.00' to an iron pipe set; thence, continuing along the southern right-of-way margin of Holloman Road, S 88°-18'-45" E 100.00' to an iron pipe set; thence, along the southern right-of-way margin of Holloman Road, S 88°-18'-45" E 533.00' to an existing ½" iron pipe marking a northwestern corner of lands of, now or formerly, Dominguez (Deed Book 7401, page 718; Plat Book 145, page 129); thence, along said lands of Dominguez, the following two courses: 1) S 01°-40'-14" W 204.32' to an existing

*Lakeshore Golf Course*

*Utley Property*

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concrete monument with stamped plate; 2) S 87°-58'-57" E 97.56' to an existing concrete monument with stamped plate marking a northwestern corner of lands of, now or formerly, K&R Scenic Properties, LLC (Deed Book 7036, page 195; Plat Book 50, page 163); thence, along said lands of K&R Scenic Properties, LLC, the following two courses: 1) S 01°-54'-17" W 200.00' to an existing concrete monument with stamped plate; 2) S 88°-05'-43" E 39.13' to an iron pipe set on the northwestern right-of-way margin of Azalea Drive; thence, along the western right-of-way margin of Azalea Drive, S 11°-15'-16" W 488.32' to an existing 1" pinched iron pipe in concrete marking a northeastern corner of lands of, now or formerly, Hackney (Deed Book 2250, page 908; Plat Book 42, page 21); thence, along said lands of Hackney, the following three courses: 1) N 78°-44'-44" W 200.00' to an existing iron pipe; 2) S 11°-15'-16" W 200.00' to an iron pipe set; 3) S 78°-44'-44" E 200.00' to an existing 1" iron pipe on the western right-of-way margin of Azalea Drive; thence, along the western right-of-way margin of Azalea Drive, S 11°-15'-16" W 285.06' to an existing 1" pinched iron pipe marking a northeastern corner of lands of, now or formerly, Utley (Deed Book 1644, page 25; Plat Book 125, page 34); thence, along said lands of Utley, the following three courses: 1) N 83°-04'-44" W 111.60' to an iron pipe set; 2) S 11°-15'-16" W 200.00' to an iron pipe set; 3) S 83°-04'-44" E 111.60' to an existing 1" iron pipe on the western right-of-way margin of Azalea Drive; thence, along the western right-of-way margin of Azalea Drive, S 11°-15'-16" W 112.00' to an iron pipe set; thence, through the public right-of-way of Azalea Drive, S 11°-15'-16" W 768.95' to an existing 1" iron pipe; thence, continuing through the public right-of-way, N 77°-41'-36" W 10.00' to the point of beginning, containing 5,847,821 square feet, or 134.25 acres of land,

***Lakeshore Golf Course***

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more or less, according to a survey by MSS Land Consultants, PC, titled "ALTA/NSPS LAND TITLE SURVEY of the Lands of J. MARVIN UTLEY, III and wife, BILLIE JO UTLEY & LAKESHORE GOLF COURSE", dated July 1, 2016.

*Lakeshore Golf Course*

*PIDs 163857 and 163858*

All that tract, piece or parcel of land lying and being situated in the Township of Oak Grove, City of Durham, County of Durham and State of North Carolina; being more particularly bounded and described as follows:

BEGINNING at a point marked by an iron pipe set on the eastern right-of-way margin of Azalea Drive (an existing 60' public right-of-way); said point also being a northwestern corner of lands of Lakeshore Golf Course (Deed Book 2346, page 526; Plat Book 44, page 4); said point also being the POINT OF BEGINNING, having an NAD83(2011) NC state plane coordinate of N 793,064.69', E 2,049,875.63'; thence, along the eastern right-of-way margin of Azalea Drive, N 12°-15'-56" E 335.72' to an existing 1" iron pipe marking a southwestern corner of land of, now or formerly, Bordo (Deed Book 7727, page 139; Plat Book 48, page 53); thence, along said lands of Bordo, S 77°-33'-53" E 191.47' to an existing 1" iron pipe in a western line of Block F, Lot 3, of the J. Marvin Utley subdivision as shown on a plat recorded in Plat Book 36, page 1; thence, along western lines of Block F, Lots 3, 4, 5, 6 and 7 as shown on said plat, S 11°-11'-34" W 460.00' to an iron pipe set in a northern line of lands of, now or formerly, Utley (Deed Book 944, page 511); thence, along said lands of Utley, and other lands of, now or formerly, Utley (Deed Book 944, page 509), and lands of, now or formerly Bashaw (Deed Book 5437, page 137), N 77°-48'-04" W 200.08' to an existing pinched iron pipe on the eastern right-of-way margin of Azalea Drive; thence, along the eastern right-of-way margin of Azalea Drive, N 12°-15'-56" E 125.00' to the point of beginning, containing 90,116 square feet, or 2.07 acres of land, more or less, according to a survey by MSS Land Consultants, PC, titled "ALTA/NSPS LAND TITLE SURVEY of the Lands of J. MARVIN UTLEY, III and wife, BILLIE JO UTLEY & LAKESHORE GOLF COURSE", dated July 1, 2016.

**EXHIBIT B**  
**ATTACHED TO SPECIAL WARRANTY DEED**  
**FROM**  
**LAKESHORE GOLF COURSE**  
**PULTE HOME COMPANY, LLC**

**Title Exceptions**

1. Taxes for the year 2018, and subsequent years, not yet due and payable.
2. Building restriction lines, easements and any other facts shown on plat recorded in Plat Book 87, Page 15, Durham County Registry.
3. Building restrictions, easements and any other facts shown on plat recorded in Plat Book 36, Page 32; Plat Book 39, Page 168; Plat Book 44, Page 4, Pages 33 & 34; Plat Book 47, Page 56; and Plat Book 153, Page 199, Durham County Registry.
4. Rights of way to Duke Power Company recorded in Book 199, Page 429; and Book 244, Page 189, Durham County Registry.
5. Right of Way Agreement to the State Highway Commission recorded in Book 305, Page 676, Durham County Registry.
6. Right of Way Agreement to the State Highway Commission recorded in Book 294, Page 719, Durham County Registry.
7. Fifty (50) foot easement recorded in Book 276, Page 8, Durham County Registry.
8. Easement for water system recorded in Book 359, Page 286, Durham County Registry.
9. Easements to Durham County for sewage system recorded in Book 1401, Page 806; Book 1401, Page 810; and depicted on plat recorded in Plat Book 115, Pages 6-11, Durham County Registry.
10. Restrictive Covenants for Triangle Development Subdivision recorded in Book 284, Page 107, Durham County Registry.
11. Easements and any other facts shown on that survey by MSS Land Consultants, PC, entitled "ALTA / NSPS Land Title Survey of the Lands of J. Marvin Utley, III and wife, Billie Joe Utley & Lakeshore Golf Course, dated July 1, 2016.
12. Encroachment of concrete slab and well house roof by owners of the property designated as 1100 Glenco Road.
13. Right of way for Azalea Drive as shown on plat recorded in Plat Book 44, Page 4, Durham County Registry.