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BT: OPR B: 9763 P: 557 Pages: 7

DEED - DEED

Fee: \$169,026.00 Excise Tax: \$169000.00

INSTRUMENT #2022033350

Tonya Redfearn

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:	\$169,000 ⁰⁰
Parcel ID:	0747-14-27-5499
Mail/Box to:	Hopson Fee Owner LLC c/o Hawthorne Davis Park GP, LLC 300 South Tryon Street, Suite 410 Charlotte, North Carolina 28202
Prepared by:	Douglas Selph, Esq. Morris, Manning & Martin, LLP 3343 Peachtree Road, NE, Suite 1600 Atlanta, Georgia 30326 **No Title Examination Performed, Title Opinion Rendered Nor Closing Conducted by Preparer**
Brief description for the Index:	4407 Hopson Rd, Morrisville, North Carolina 27560

THIS SPECIAL WARRANTY DEED ("DEED") IS MADE ON THE 11th DAY OF
AUGUST 2022, BY AND BETWEEN:

GRANTOR	GRANTEE
HOPSON NC PARTNERS, LP a Delaware limited partnership c/o Cortland Partners, LLC 3424 Peachtree Road, NE, Suite 300 Atlanta, Georgia 30326	HOPSON FEE OWNER LLC a Delaware limited liability company c/o Hawthorne Davis Park GP, LLC 300 South Tryon Street, Suite 410 Charlotte, North Carolina 28202

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 or parcel of land in Durham County, North Carolina and more particularly described as follows (the "Property"):

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

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 8568, Page 696 of the Durham County Registry.

All or a portion of the Property includes or does not include the primary residence of a 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, except for the exceptions hereinafter stated.

Title to the Property hereinabove described is subject to the exceptions described on **Exhibit B** attached hereto and made a part hereof.

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

[Signature page to follow]

EXHIBIT "A"
LEGAL DESCRIPTION

Lying and being in Durham County, North Carolina, and more particularly described as follows:
BEING all that certain tract or parcel of land known as Tract 2 containing an area of 12.97 acres, more or less, as particularly shown and described on plat entitled "Final Plat of Triangle Metro Center Exempt Subdivision Survey for Woods Partners," dated April 24, 2003 and recorded in Plat Book 166, Page 370, Durham County Registry, reference to which is hereby made for a more particular description of the said property.

LESS AND EXCEPT all of that certain tract or parcel of land as conveyed by and described in that deed recorded in Book 5347, Page 671, containing approximately 0.99 acres, more or less, as particularly shown and described as "Storm Water and Open Space" on plat recorded in Plat Book 173, Pages 321 and 324, Durham County Registry, reference to which is hereby made for a more particular description of the said property.

The above described property being more particularly described as follows:

Surveyor's Metes and Bounds Description:

Being all of that certain parcel of land located in the City of Durham, Durham County, North Carolina and more particularly described as follows:

Beginning at a point in the northern right of way line of Hopson Road (SR 1978), a variable width public right of way, said point being the southeast corner of Robert H. and Nancy C. Mallet, as shown on Plat Book 83, Page 10; thence along said northern right of way line of Hopson Road South 79° 17' 51" West 148.36 feet to a point; thence South 79° 19' 24" West 215.41 feet to a right of way monument at the southern end of the intersection line of the northern right of way line of said Hopson Road and the eastern right of way line of Davis Drive (SR 1999), a variable width public right of way; thence along said intersection line North 50° 55' 06" West 102.36 feet to an iron pipe on the eastern right of way line of said Davis Drive; thence along Davis Drive North 03° 03' 53" West 281.55 feet to an iron pipe at the southern corner of the TMC Associates, LLC, recorded in Book 5347, Page 671; thence leaving Davis Drive and following the eastern line of said TMC Associates, LLC North 58° 15' 29" East 29.01 feet to an iron pipe; thence North 42° 27' 32" East 160.06 feet to an iron pipe; thence along a curve to the right, having a radius of 71.60 feet, an arc length of 58.58 feet and a chord of North 65° 59' 11" East 56.94 feet to an iron pipe; thence North 02° 32' 28" West 157.75 feet to an iron pipe on the southern right of way line of Keating Street, a 60-foot private street, recorded in Plat Book 173, Page 321; thence along said southern line of Keating Street North 87° 27' 32" East 735.57 feet to an iron pipe; thence along a curve to the left having a radius of 330.00 feet, and arc length of 101.19 feet and a chord of North 78° 40' 27" East 100.80 feet to an iron pipe; thence North 69° 53' 22" East 55.76 feet to a point near the centerline of a creek forming the western line of TMC Associates, LLC, shown as Tract-1 on Plat Book 166, Page 370; thence following the centerline of said creek approximately described the following nine (9) calls: (1) South 21° 38' 27" East 32.32 feet; (2) South 39° 25' 16" East 41.15 feet; (3) South 76° 47' 37" East 43.15 feet; (4) South 55° 10' 21" East 73.01 feet; (5) South 36° 57' 45" East 50.61 feet; (6) South 77° 31' 24" East 45.44 feet; (7) North 88° 48' 53" East 33.75 feet; (8) South 27° 34' 15" East 28.04 feet; and (9) North 72° 33' 35" East 38.14 feet; thence leaving said creek South 00° 52' 03" East 131.78 feet to an iron pipe at the northeast corner of Gerald E. Searles, recorded in Book 1615, Page 358; thence along the northern line of said Searles South 89° 46' 46" West 99.92 feet to an iron pipe at the northeast corner of Ronald Keith Maynor, recorded in Book 1080, Page 151; thence along the northern line of said Maynor North 82° 55' 58" West 139.49 feet to an iron pipe at the northeast corner of Charles and Jane W. Kennedy, recorded in Book 1275, Page 424; thence along the northern line of said Kennedy South 87° 43' 05" West 138.45 feet to an iron pipe at the northeast corner of Agatha L. Hurst, recorded in Book 233, Page 85; thence along the northern and western lines of said Hurst South 87° 45' 25" West 137.21 feet to an iron pipe; thence South 01° 50' 02" East 127.08 feet to an iron pipe at the northeast corner of Susan S. O'Brien, recorded in Book 1822, Page 237; thence with the Northern line of said O'Brien South 79° 07'

17" West 192.13 feet to an iron pipe at the northeast corner of the aforementioned Robert H. and Nancy C. Mallet; thence with the Northern and Western lines of said Mallet South 79° 07' 17" West 208.96 feet to an iron pipe; thence South 03° 35' 45" West 167.73 feet to the point of beginning, containing 11.93 acres, more or less.

Together with a perpetual, non-exclusive easement for the flow and detention of surface water and/or sediment as reserved in the Non-Warranty Deed from Southern Oaks Apartments, LLC to TMC Associates, LLC recorded in Book 5347, Page 671, Durham County Registry.

Together with a non-exclusive easement for perpetual ingress, egress and regress and for the installation, repair and maintenance of utilities, over, on, through and under Keating Street as conveyed in that certain Declaration of Restrictions and Provisions for Private Road Maintenance recorded in Book 6750, Pages 381-391, Durham County Registry.

Being the same land conveyed to BES Southern Oaks Fund X, LLC, a Delaware limited liability company, as tenant in common as to an undivided 35.1365% interest; BES Southern Oaks Fund XI, LLC, a Delaware limited liability company, as tenant in common as to an undivided 50.2233% interest and AGE Morrisville, LLC, a North Carolina limited liability company, as tenant in common as to an undivided 14.6402% interest, by virtue of Deed from Prisa Southern Oaks NC, LLC, a Delaware limited liability company, dated December 18, 2014, recorded December 23, 2014 in Book 7622 Page 594 in Durham County, North Carolina Registry.

Being the same land conveyed to Hopson NC Partners, LLC, a Delaware limited liability company by virtue of North Carolina Special Warranty Deed from BES Southern Oaks Fund X, LLC, a Delaware limited liability company, as to an undivided 35.1365% tenant in common interest; BES Southern Oaks Fund XI, LLC, a Delaware limited liability company, as to an undivided 50.2233% tenant in common interest and AGE Morrisville, LLC, a North Carolina limited liability company, as to an undivided 14.6402% tenant in common interest, dated December 20, 2018 recorded December 21, 2018 in Book 8568 Page 696 Durham County, North Carolina Registry.

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Taxes or assessments for the year 2022, and subsequent years, not yet due and payable.
2. Declaration of covenants, conditions, restrictions, easements, charges, assessments, liens, options, rights of or to purchase, and rights of first refusal (but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law) recorded in Book 6750, Page 415 and any amendments and/or supplements thereto.
3. Building restriction lines, easements, and any other matters shown on map or plat recorded in Plat Book 165 at Page 368; Plat Book 166 at Page 370; Plat Book 173 at Page 321; Plat Book 173 at Page 324; Plat Book 175 at Page 291; and Plat Book 175 at Page 294 shown on survey by Jimmy F. Cain, P.L.S., dated June 21, 2022.
4. Easement in favor of Durham Public Service Company recorded in Book 121 at Page 282.
5. Annexation Ordinances recorded in Book 5463, Page 585 and Book 5463, Page 594.
6. Right of Way Agreement recorded in Book 5477, Page 349.
7. License and Memorandum of Agreement from Southern Oaks Apartments, LLC et al to Time Warner Entertainment - Advance/Newhouse Partnership recorded in Book 5609, Page 148.
8. Deed of Easement from Southern Oaks Apartments, LLC to Verizon South, Inc. recorded in Book 5694, Page 760.
9. Easement(s) contained in instrument recorded in Book 5347, Page 671 shown on survey by Jimmy F. Cain, P.L.S., dated June 21, 2022.
10. Deed for Turnpike Project Right of Way recorded in Book 6618, Page 821 shown on survey by Jimmy F. Cain, P.L.S., dated June 21, 2022.
11. Rights of parties in possession as tenants only, without options to purchase or rights of first offer or refusal under unrecorded residential leases.
12. Shortages in acreages.

13. Accretion, erosion, reliction, and avulsion associated with, and riparian rights of others incidental to, any creeks, streams, branches, or rivers coursing or forming any boundary to the Land with stream shown on survey by Jimmy F. Cain, P.L.S., dated June 21, 2022.
14. The following matter(s) as shown on survey by Jimmy F. Cain, P.L.S., dated June 21, 2022, and any easement(s) or right(s)-of-way associated therewith:
 - a. various utility lines with storm sewer lines; manholes; drain inlets; hydrants; security lights; power poles & lines; water meters and valves; water lines; sewer lines; power boxes; telephone pedestals; cleanouts; located on the Land;
 - b. fence encroaches into the public right of way;
 - c. sign(s);
 - d. sign encroaches into the public right of way; and
 - e. setback lines with building #1, #2, #7 and #8 encroaching therein.