



FOR REGISTRATION REGISTER OF DEEDS  
Willie L. Covington  
DURHAM COUNTY, NC  
2010 MAY 28 10:55:34 AM  
BK:6485 PG:461-466 FEE:\$31.00  
NC REV STAMP:\$7,200.00  
INSTRUMENT # 2010015722

**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax: \$7,200.00  
Tax Lot No. \_\_\_\_\_ Parcel Identifier No. 154184

Mail after recording to: Samuel T. Oliver, Jr., Manning, Fulton & Skinner, P.A.  
P. O. Box 20389, Raleigh, NC 27619-0389

This instrument was prepared by: Samuel T. Oliver, Jr. of Manning, Fulton & Skinner, P.A.  
(without title examination)

Brief description for the Index: Triangle Village Shopping Center

THIS DEED made this 27<sup>th</sup> day of May, 2010, by and between

GRANTOR	GRANTEE
<b>MAYBERRY REAL ESTATE HOLDINGS, LLC</b> , a North Carolina limited liability company  3535 Glenwood Avenue Raleigh, NC 27612	<b>ADIRONDACK GARDENS APARTMENTS</b> , a New York partnership  Attn: William A. Chase 13 Crimson Circle Troy, NY 12180

**The property conveyed by this instrument does not include the primary residence of the Grantor.**

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 Durham County, North Carolina and more particularly described as follows:

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

The property hereinabove described was acquired by Grantor by instrument recorded in Book 6485 Page 455.

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.

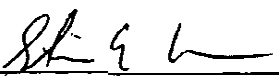
And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.


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

2010 ad valorem taxes. Enforceable easements, covenants and restrictions of record as of the date of recording hereof.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed the day and year first above written.

MAYBERRY REAL ESTATE HOLDINGS, LLC,  
a North Carolina limited liability company

By:   
Name: STEVEN E CRAUSE  
Title: Manager

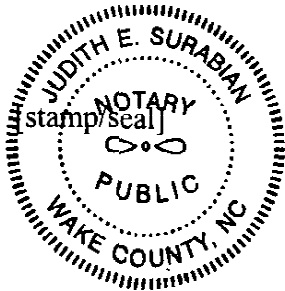
By:   
Name: MATTHEW C DAVIS  
Title: Manager

STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

I, the undersigned Notary Public of the County and State aforesaid, certify that Steve E. Chesney personally came before me this day and acknowledged that he is a Manager of Mayberry Real Estate Holdings LLC, a North Carolina limited liability company and acknowledged the due execution of the foregoing instrument as the act of said company.

Witness my hand and official stamp or seal, this 27<sup>th</sup> day of May, 2010.



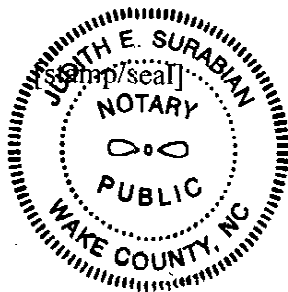
Judith E. Surabian  
Notary Public  
Type/Print Name: Judith E. Surabian  
My Commission Expires: 3-26-2011

STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

I, the undersigned Notary Public of the County and State aforesaid, certify that Matthew C. Davis personally came before me this day and acknowledged that he is a Manager of Mayberry Real Estate Holdings LLC, a North Carolina limited liability company and acknowledged the due execution of the foregoing instrument as the act of said company.

Witness my hand and official stamp or seal, this 27<sup>th</sup> day of May, 2010.



Judith E. Surabian  
Notary Public  
Type/Print Name: Judith E. Surabian  
My Commission Expires: 3-26-2011

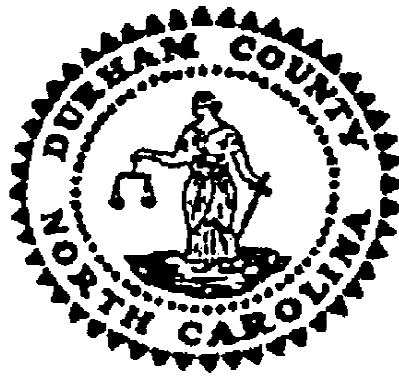
## EXHIBIT A

Lying and being situate in Durham County, North Carolina, and more particularly described as follows:

Being all of that certain 4.42 acre tract, as shown on survey entitled "ALTA/ACSM Land Title Survey, Spencer C. Young Investments, Inc., Township of Triangle, County of Durham, State of N.C.," prepared by S. D. Puckett & Associates, P.C., Professional Land Surveyors, and dated September 16, 2004, said property being more completely and accurately described as follows:

Beginning at an existing concrete right of way monument control corner located in the eastern right of way line of N.C. Highway 55, said control corner being located South 14 degrees 14 minutes 51 seconds West, 4281.09 feet from North Carolina Grid System monument "Elton," said North Carolina Grid System monument "Elton" having grid coordinates of North = 788,017.42 feet and East = 2,032,094.22 feet, and from said existing right of way monument control corner leaving the eastern right of way line of N.C. Highway 55 North 79 degrees 14 minutes 49 seconds East, 487.21 feet along the southern property line of the HPT HSD Properties Trust and Park Forty Plaza as shown on Plat Book 134, Page 133, of the Durham County Registry to an iron pipe in the western right of way line of the Durham and Southern Railroad Property; thence along and with the western right of way line of the Durham and Southern Railroad property South 04 degrees 02 minutes 54 seconds West, 532.20 feet to an iron pipe; thence leaving said western right of way line of Durham and Southern Railroad and running with the line of RTM Development Co., as shown on Plat Box 122, Page 190, Durham County Registry, North 85 degrees 57 minutes 05 seconds West, 174.00 feet to an existing iron pin; thence South 04 degrees 02 minutes 55 seconds West, 10.00 feet to an existing iron pin; thence with a curve to the left having radius of 219.56 feet, an arc length of 107.78 feet and chord length of 106.70 feet bearing South 10 degrees 00 minutes 54 seconds East to an existing iron pin; thence South 24 degrees 04 minutes 42 seconds East, 61.37 feet to an existing iron pin; thence with a curve to the right having a radius of 145.91 feet, an arc length of 31.69 feet and chord length of 31.63 feet bearing South 17 degrees 51 minutes 23 seconds East to an existing iron pin; thence South 69 degrees 03 minutes 11 seconds East, 13.45 feet to an existing iron pin; thence with a curve to the right having a radius of 157.41 feet, an arc length of 27.61 feet and a chord length of 27.57 feet bearing South 03 degrees 58 minutes 27 seconds East, to an existing iron pin in the northern right of way of N.C. Highway 54; thence with said northern right of way line of N.C. Highway 54, North 69 degrees 03 minutes 11 seconds West, 71.88 feet to an existing iron pin; thence leaving said northern right of way line of N.C. Highway 54 and running with the lines of Starwood Investments, as shown on Plat Book 122, Page 190, Durham County Registry, North 24 degrees 04 minutes 42 seconds West, 35.37 feet to an existing iron pin; thence North 65 degrees 55 minutes 18 seconds East, 11.20 feet to an existing iron pin; thence North 24 degrees 04 minutes 42 seconds West, 42.00 feet to an existing iron pin; thence with a curve to the right having a radius of 160.94 feet, an arc length of 79.01 feet and a chord length of 78.22 feet bearing North 10 degrees 00 minutes 54 seconds West to an existing iron pin; thence North 04 degrees 02 minutes 55 seconds East, 57.90 feet to an existing iron pin; thence North 85 degrees 57 minutes 05 seconds West, 78.50 feet to an existing iron pin, a corner with Luihn Four, Inc., as shown on Plat Book 122, Page 190, Durham County Registry; thence with the lines

of Luhn Four, Inc., North 04 degrees 02 minutes 55 seconds East; 75.63 feet to an existing iron pin; thence North 85 degrees 57 minutes 05 seconds West, 196.53 feet to an existing iron pin, thence South 09 degrees 54 minutes 53 seconds West, 8.04 feet to an existing iron pin; thence North 85 degrees 57 minutes 05 seconds West, 25.13 feet to an existing iron pin located in the eastern right of way line of N.C. Highway 55, thence with the eastern right of way line of N.C. Highway 55, North 09 degrees 54 minutes 51 seconds East, 47.25 feet to an existing iron pin; thence leaving said eastern right of way line N.C. Highway 55 and running with the lines of Realty Income Corp., as shown on Plat Book 122, Page 190, Durham County Registry, South 85 degrees 57 minutes 05 seconds East, 25.13 feet to an existing iron pin; thence South 09 degrees 54 minutes 53 seconds West 8.04 feet to an existing iron pin thence South 85 degrees 57 minutes 05 seconds East, 193.35 feet to an existing iron pin; thence North 04 degrees 02 minutes 55 seconds East, 132.00 feet to an existing iron pin; thence North 85 degrees 57 minutes 05 seconds West, 80.48 feet to an existing iron pin thence North 55 degrees 41 minutes 43 seconds West, 55.57 feet to an existing iron pin; thence North 85 degrees 57 minutes 05 seconds West, 48.43 feet to an existing iron pin; thence South 09 degrees 54 minutes 53 seconds West, 8.04 feet to an existing iron pin; thence North 85 degrees 57 minutes 05 seconds West, 25.13 feet to an existing iron pin in the eastern right of way line N.C. Highway 55; thence with said eastern right of way line of N.C. Highway 55, North 09 degrees 54 minutes 51 seconds East, 149.98 feet to the point and place of beginning and containing 4.42 acres more or less.



WILLIE L. COVINGTON  
REGISTER OF DEEDS, DURHAM COUNTY  
DURHAM COUNTY COURTHOUSE  
200 E. MAIN STREET  
DURHAM, NC 27701

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of recorded document, and must be submitted with original for re-recording  
and/or cancellation.

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Filed For Registration: 05/28/2010 10:55:34 AM

Book: RE 6485 Page: 461-466

Document No.: 2010015722

DEED 6 PGS \$31.00

NC REAL ESTATE EXCISE TAX: \$7,200.00

Recorder: APRIL J WILLIAMS



2010015722