

REGISTER OF DEEDS  
Sharon A. Davis  
Durham County, NC  
2022 Feb 24 02:21:47 PM  
BK:9624 PG:148-152  
DEED  
FEE: \$26.00  
INSTRUMENT # 2022008062  
EXCISE TAX: \$21,000.00  
TREDFEARN



Excise Tax \$ 21,000.00

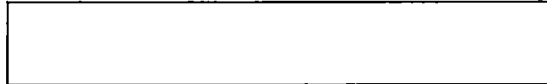
Recording Time, Book and Page

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. \_\_\_\_\_  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

This instrument was prepared by Snell & Wilmer, LLP., *Leeza Evensen, attorney*

Mail after recording to: Kestrel Heights Facilities, LLC, 4700 South Alston Avenue, Durham, North Carolina 27713.

Brief Description for the index



**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED is dated February 24, 2022, by and between

GRANTOR

GRANTEE

**KESTREL HEIGHTS PROJECT DEVELOPMENT, LLC,**  
a Utah limited liability company  
c/o Highmark School Development, LLC  
10808 S River Front Pkwy #3126B  
South Jordan, UT 84095

**KESTREL HEIGHTS FACILITIES, LLC,**  
a North Carolina limited liability company  
4700 South Alston Avenue  
Durham, North Carolina 27713

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 those certain lots or parcels of land situated in the City of Durham, County of Durham, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

If initialed \_\_\_\_\_, the property hereinabove described includes the primary residence of at least one of the Grantors.  
(NCGS § 105-317.2)

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 easements, restrictions, matters, and rights-of-way of record and ad valorem taxes for the current year.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers, the day and year first above written.

KESTREL HEIGHTS PROJECT DEVELOPMENT, LLC,  
a Utah limited liability company

By: HIGHMARK SCHOOL DEVELOPMENT, LLC,  
a Utah limited liability company

Its: MANAGER

By: [Signature]  
Name: Glenn Hileman  
Title: President and CEO

STATE OF UTAH

) ss.

COUNTY OF SALT LAKE

I, a Notary Public of the County and State aforesaid, certify that Glenn Hileman personally appeared before me this day and acknowledged that he is the President and CEO of Highmark School Development, LLC, a Utah limited liability company, the manager of Kestrel Heights Project Development, LLC, a Utah limited liability company, and that as such officer being authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official stamp or seal this 22 day of February, 2022.

[Signature]

Notary Public

(Place Stamp or Seal below)

My Commission Expires: 09-03-2025

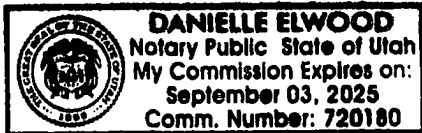


EXHIBIT A

## LEGAL DESCRIPTION

Being Lot 3 as shown on that certain plat drawn by S.D. Puckett & Assocs. Inc., drawn January, 1989, entitled "Subdivision South Alston Partners Property" and recorded in Plat Book 120, Page 69, Durham County Registry.

TOGETHER WITH, all of that parcel of land labeled "R/W Area=0.63 AC" and "60' R/W PROSPECTUS DR. (PUBLIC STREET)" as shown on the plat recorded in Plat Book 120, Page 69, Durham County Registry.

AND BEING THE SAME PROPERTY AS FURTHER DESCRIBED BELOW:

Tract 1:

BEGINNING at a control corner in the western right of way of South Alston Avenue (SR 1945), said control corner being the northeastern corner of the property hereinafter described, and running thence along and with the western right of way of South Alston Avenue (SR 1945) South 00 deg. 16 min. 27 sec. West 511.50 feet to an existing iron pipe; thence North 87 deg. 56 min. 55 sec. West 928.39 feet to a point in the eastern right of way of Prospectus Drive; thence along the eastern right of way of said Prospectus Drive 58.56 feet along a curve to the right having a radius of 386.37 feet, a chord bearing and distance of North 04 deg. 00 min. 00 sec. East 58.50 feet to a point; thence continuing on said right of way 19.15 feet along a curve to the right having a radius of 25.00 feet, a chord bearing and distance of North 30 deg. 38 min. 13 sec. East 18.69 feet to a point; thence continuing along said right of way 67.20 feet along a curve to the left having a radius of 46.50 feet, a chord bearing and distance of North 11 deg. 02 min. 15 sec. East 61.50 feet to a point, the beginning of the closed road right of way of Prospectus Drive; thence continuing along the said closed road right of way 122.42 feet along a curve to the right having a radius of 328.10 feet, a chord bearing and distance of North 33 deg. 16 min. 52 sec. East 121.71 feet to a point; thence continuing along the said closed road right of way North 43 deg. 59 min. 34 sec. East 183.29 feet to a point; thence leaving the said closed road right of way and running North 80 deg. 11 min. 49 sec. East 94.28 feet to a point; thence North 27 deg. 15 min. 04 sec. East 69.98 feet to a point; thence North 45 deg. 11 min. 12 sec. East 94.87 feet to a point; thence North 89 deg. 46 min. 54 sec. East 105.12 feet to a point; thence South 85 deg. 03 min. 46 sec. East 414.94 feet to the place and point of BEGINNING, and being the Schoolhouse Finance, LLC property, containing 9.36 acres, more or less, as shown on the plat and survey titled "Recombination and Right of Way Dedication Plat for South Alston Ltd. Partnership," by Murphy Geomatics, Professional Land Surveying, dated July, 2006 and now on file in the Office of The Register of Deeds of Durham County in Plat Book 173, Page 327, and as also shown on an unrecorded plat and survey titled "Kestrel Heights Project Development, LLC," by S.D. Puckett & Associates, Professional Land Surveyors, dated July 11, 2008, to which reference is hereby made for a more particular description of same.

## Tract 2:

Commencing at point on the eastern right of way of Prospectus Drive at the common corner of Prospectus Drive and the property of Schoolhouse Finance, LLC as shown on the plat hereinafter referred to, and running thence along the eastern right of way of said Prospectus Drive 58.56 feet along a curve to the right having a radius of 386.37 feet, a chord bearing and distance of North 04 deg. 00 min. 00 sec. East 58.50 feet to a point; thence continuing on said right of way 19.15 feet along a curve to the right having a radius of 25.00 feet, a chord bearing and distance of North 30 deg. 38 min. 13 sec. East 18.69 feet to a point; thence continuing along said right of way 67.20 feet along a curve to the left having a radius of 46.50 feet, a chord bearing and distance of North 11 deg. 02 min. 15 sec. East 61.50 feet to a point, the beginning of the closed road right of way of Prospectus Drive, the point and place of BEGINNING, and running thence along the said closed road right of way 122.42 feet along a curve to the right having a radius of 328.10 feet, a chord bearing and distance of North 33 deg. 16 min. 52 sec. East 121.71 feet to a point; thence continuing along the said closed road right of way North 43 deg. 59 min. 34 sec. East 183.29 feet to a point; thence South 80 deg. 11 min. 49 sec. West 12.90 feet to a point; thence North 35 deg. 01 min. 28 sec. West 30.0 feet to a point; thence North 54 deg. 0 min. 56 sec. West 23.46 feet to a point on the western side of the closed road right of way of Prospectus Drive, the common corner of said closed road right of way and the property of Durham Headquarters Park Operating Associates Limited Partnership; thence along the said closed road right of way South 44 deg. 46 min. 39 sec. West 19.52 feet to a point; thence continuing along the said closed road right of way South 43 deg. 54 min. 02 sec. West 156.02 feet to a point; thence continuing along the said closed road right of way 80.59 feet along a curve to the left having a radius of 364.93 feet, a chord bearing and distance of South 38 deg. 01 min. 16 sec. West 80.43 feet to a point; thence continuing along the said closed road right of way 67.52 feet along a curve to the left having a radius of 388.27 feet, a chord bearing and distance of South 27 deg. 05 min. 21 sec. West 67.43 feet to a point where the said closed road right of way meets the western right of way of Prospectus Drive; thence 65.79 feet along a curve to the right having a radius 46.50 feet and a chord bearing and distance of South 70 deg. 34 min. 41 sec. East 60.44 feet to the point and place of BEGINNING, and bring that parcel of land labeled "Prospectus Drive, 60 ft. R/W to be closed," as shown on the plat and survey titled "Recombination and Right of Way Dedication Plat for South Alston Ltd. Partnership," by Murphy Geomatics, Professional Land Surveying, dated July, 2006 and now on file in the Office of The Register of Deeds of Durham County in Plat Book 173, Page 327, and as also shown on an unrecorded plat and survey titled "Kestrel Heights Project Development, LLC," by S.D. Puckett & Associates; Professional Land Surveyors, dated July 11, 2008, to which reference is hereby made for a more particular description of same.

The property hereinabove described was acquired by Grantor by North Carolina Special Warranty Deed recorded on August 11, 2008 in Book 6035, Page 301-305 of the Durham County Registry.