

FOR REGISTRATION
 Sharon A. Davis
 REGISTER OF DEEDS
 Durham County, NC
 2016 DEC 30 02:05:07 PM
 BK: 8100 PG: 61-67
 DEED
 FEE: \$26.00
 EXCISE TAX: \$2,300.00
 INSTRUMENT # 2016046044
 SMMARSH

2016046044

Prepared by:
 Samuel W. Johnson
 Poyner Spruill LLP
 Post Office Box 353
 Rocky Mount, North Carolina 27802

Revenue Stamps: \$2,300.00
 Parcel ID Number: 0718-01-19-7806

NO TITLE EXAMINATION PERFORMED
 Return to: Richard M. Hutson, II, Esq., PO Drawer 2252-A
 Durham NC 27702

NORTH CAROLINA SPECIAL WARRANTY DEED

Grantor states that the Property does not include the primary residence of Grantor.

**NORTH CAROLINA
 DURHAM COUNTY**

THIS SPECIAL WARRANTY DEED is made this 28th day of December, 2016 by and between STALLINGS OIL COMPANY, a North Carolina corporation ("Grantor"), with a mailing address of 300 S. Wesleyan Boulevard, Rocky Mount, NC 27804 to M. M. FOWLER, INC., a North Carolina corporation ("Grantee") with a mailing address of 4220 Neal Road, Durham, North Carolina 27705.

WITNESSETH

For and in consideration of \$10.00 cash in hand paid by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor 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, which lot or parcel of land is more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property").

The Property described was acquired by Grantor by Deeds recorded in Book 1606, Page 154 and Book 1627, Page 705, Durham County Registry.

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 Grantor covenants with 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 matters set forth on Exhibit B attached hereto and incorporated herein by reference ("Title Exceptions").

The Property is subject to a certain Lease Agreement between Grantor, as landlord, and The Pantry, Inc. (now Circle K Stores Inc., as successor by merger), as tenant, dated July 16, 1998, as amended (the "Lease"), and Grantor has assigned its rights and interests as landlord under the Lease to Grantee by a separate Assignment and Assumption Agreement between Grantor and Grantee of even date herewith.

The designation "Grantor", and "Grantee" as used herein shall include said named parties and their respective heirs, personal representatives, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

(Signatures are on the following pages.)

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

STALLINGS OIL COMPANY

[Handwritten Signature]

By: _____ (SEAL)

Print Name: BOYD M. TALMAN

Title: VICE-PRES

STATE OF NORTH CAROLINA

COUNTY OF Nash

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Boyd M. Tolman

Date: December 28, 2016

Official Signature of Notary: *[Handwritten Signature]*

Notary's Printed or Typed Name: Teresa M. Murphrey, Notary Public

My Commission Expires: 06-08-2019

(Official Seal)

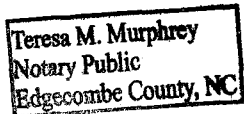


EXHIBIT A

TRACT 1

4830 Hope Valley Road, Durham, NC

BEGINNING at an existing iron pipe at the point where the eastern right of way line of Old Garrett Road begins its curve to intersect the northwestern right of way line of Hope Valley Road (N.C. Highway 751), said iron pipe being located N. 63° 14' 28" E. 1,521.011 feet from City of Durham Grid Monument No. 17 and S. 15° 06' 14" E. 61.08 feet from N.C.G.S. "Hope" (Coordinates for N.C.G.S. "Hope" are X=2011565.325 feet and Y=789714.960 feet [unadjusted]), all as shown on map hereinafter referred to; thence along the eastern right of way line of Old Garrett Road, N. 00° 37' 15" E. 120.33 feet to a concrete monument, and N. 01° 23' 35" W. 99.73 feet to an existing iron pipe; thence continuing along the eastern right of way line of Old Garrett Road which is a curve having a delta of 07° 41' 03", a radius of 1,442.95 feet, an arc distance of 193.52 feet, a tangent of 96.90 feet, and a chord bearing and distance of N. 07° 11' 38" W. 193.37 feet to an existing iron pipe, corner with Ralph A. Atkins (Deed Book 457, Page 461); thence along the southwestern property line of Ralph A. Atkins, S. 68° 42' 31" E. 8.53 feet to an existing iron pipe in the western right of way line of Relocated Garrett Road; thence along the western right of way line of Relocated Garrett Road which is a curve having a delta of 19° 50' 14", a radius of 478.78 feet, an arc distance of 165.76 feet, a tangent of 83.72 feet, and a chord bearing and distance of S. 35° 40' 10" E. 164.94 feet; thence continuing along the western right of way line of Relocated Garrett Road, S. 45° 35' 17" E. 170.00 feet to an existing iron pipe where the western right of way of Relocated Garrett Road begins its curve to intersect the northwestern right of way line of Hope Valley Road, and continuing along a curve to the right having a delta of 90° 00' 00", a radius of 20.00 feet, an arc distance of 31.42 feet, a tangent of 20.00 feet, and a chord bearing and distance of S. 00° 35' 17" E. 28.28 feet to an existing iron pipe in the northwestern right of way line of Hope Valley Road; thence along the northwestern right of way line of Hope Valley Road, S. 44° 24' 43" W. 235.08 feet to the point where the northwestern right of way line of Hope Valley Road begins its curve to intersect the eastern right of way line of Old Garrett Road, and continuing along a curve to the right having a delta of 84° 58' 48", a radius of 40.00 feet, an arc distance of 59.33 feet, a tangent of 36.64 feet, and a chord bearing and distance of N. 41° 46' 48" W. 54.04 feet to the point of beginning, containing 1.083 acres, being Lot 1, all as shown on "Survey for Stallings Oil Company", dated February 2, 1988, last revised November 29, 1993, prepared by Bobblitt Surveying, P.A., to which map reference is made for more particular description.

EXHIBIT A (Page 2)

PARCEL TWO

Located in Durham County, State of North Carolina, 4830 Hope Valley
Road, Durham, NC:

All of Parcel Two containing 12,457 square feet as shown on plat entitled "Closing A Portion of Garrett Road Engineering Department-Street Engineering Division, City of Durham, North Carolina" dated March 23, 1990, prepared by Robert W. Young, recorded July 20, 1990, in Plat Book 123, Page 140 Durham County Registry.

Notwithstanding any provision in this Deed to the contrary, Grantor makes no warranties with respect to this Parcel Two.

**EXHIBIT B
ATTACHED TO SPECIAL WARRANTY DEED
FROM
STALLINGS OIL COMPANY
TO
M.M. FOWLER, INC.**

Title Exceptions

1. Taxes for the year 2017 and all subsequent years.
2. All matters of record affecting the Property, including without limitation the Lease, a Memorandum of Lease for which is recorded at Book 2508, Page 143 and Amendment recorded at Book 4655, Page 270, both of the Durham County Registry, and such matters as would be disclosed by a current survey of the Property.