

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2019 Feb 26 03:23 PM NC Rev Stamp: \$ 2500.00
Book: 8601 Page: 738 Fee: \$ 26.00
Instrument Number: 2019005805
DEED

Excise Tax: \$2,500.00

Tax Lot No. Parcel Identifier No. 140606,
140607, 140608, 140609, 140610, 140611, 140613, 140614, 140615, 140161, 140617

Verified by _____ County on the _____ day of _____, 2019.
by _____

Mail after recording to: Grantee at 9417 Collingdale Way, Raleigh, NC 27617
This instrument was prepared by: Anne Page Watson
Brief description for the Index: Units 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12, 4905 Pine Cone Drive,
Durham, NC 27707

**NORTH CAROLINA SPECIAL WARRANTY DEED
WITHOUT BENEFIT OF TITLE SEARCH**

THIS DEED made this 19th day of February, 2019, by and between

GRANTORS:

Victor J. Musante, and spouse Virginia A. Musante
184 Brompton Road
Garden City, NY 11530

GRANTEE:

Helmuth Properties, LLC, A North Carolina Limited Liability Company
9417 Collingdale Way
Raleigh, NC 27617

Property Address: 4905 Pine Cone Drive, Units 1-5 and 8-12, Durham, NC 27707

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 Grantors, 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:

Being all of Units 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12 of Five Oaks Office Park Condominiums, together with all rights and easements appurtenant to said unit, including an undivided 11/12^{ths} interest as tenant in common in and to the common area and facilities, as defined and described in that certain Declaration of Unit Ownership and bylaws and exhibits attached thereto or referred to therein recorded on June 26, 1985, in Book 1217, at Pages 287-318, and Condominium Drawer 3, at Pages 94-100, to which reference is hereby made for a more particular description. The description in said Declaration of Unit Ownership of the land upon which the units are located is hereby made an integral part of this instrument and is referred to for identification purposes only as required by North Carolina General Statute 47A-14.

The property hereby conveyed is subject to that Declaration recorded in Book 1217, at Pages 287, et seq., Durham County Registry, and is subject to all easements, restrictions and provisions set forth in the Declaration as the same may now exist or hereafter be amended as provided by law or as stated therein, and is subject to all easements of record or portrayed on plat of survey of record including, but not limited to, easements for rights-of way, ingress and egress, sewer lines, water lines and utility lines.

Grantee, by accepting this deed, hereby expressly assumes and agrees to be bound by and comply with all of the covenants, terms, provisions and conditions set forth in the Declaration recorded in Book 1217, at Pages 287, et seq., including, but not limited to, the obligations to make payments of assessments for the maintenance and operation of the Five Oaks Office Park Condominiums Association which may be levied against such property.

The above units are identified by the following Parcel Reference Numbers:

Unit 1: 140606
Unit 2: 140607
Unit 3: 140608
Unit 4: 140609
Unit 5: 140610
Unit 6: 140611
Unit 8: 140613
Unit 9: 140614
Unit 10: 140615
Unit 11: 140616
Unit 12: 140617

For further reference as to the tracts of parcels of land described herein, see Deed Book 1246, Page 239 (Unit #1); Deed Book 1355, Page 297 (Unit #2); Deed Book 1355, Page 453 (Unit #3); Deed Book 1570, Page 833 (Unit #4); Deed Book 1482, Page 393 (Unit #5); Deed Book 1251, Page 631 (Unit #6); Deed Book 1966, Page 825 (Unit #8); Deed Book 1966, Page 825 (Unit #9); Book 1505, Page 293 (Deed of Correction) and Deed Book 1499, Page 440 (Unit #10 and Unite #11); 1534, Page 308 (Deed of Correction) and Deed Book 1522, Page 683 (Unit #12), all of the Durham County Registry.

Does the above described property include the Grantors' primary residence? NO

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 Grantors covenant with the Grantee, that Grantors have done nothing to impair such title as Grantors received, and Grantors will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantors, other than the following exceptions:

1. 2019 and subsequent years' ad valorem taxes.
2. Declaration of Unit Ownership Under the Provisions of Chapter 47A of the North Carolina General Statutes of North Carolina, and of Covenants, Conditions and Restrictions of record at Book 1217, Page 287, Durham County Registry, as amended by the following: (i) Addendum to Declaration of Unit Ownership- Five Oaks Office Park Condominiums of record at Book 1350, Page 707, Durham County Registry; and (ii) First Amendment to Declaration of Unit Ownership for Five Oaks Office Park Condominium of record at Book 1583, Page 841, Durham County Registry.
3. Right of Way Easement granted to General Telephone Co. of the Southeast recorded at Book 418, Page 869, Durham County Registry.
4. Right of Way Easement granted to Duke Power Company recorded at Book 419, Page 546, Durham County Registry.
5. Easement granted to Duke Power Company recorded at Book 1134, Page 451, Durham County Registry.
6. Easement granted to Duke Power Company recorded at Book 1285, Page 416, Durham County Registry.
7. All matters shown on plats of record at Condo Drawer 3, Page 74; Plat Book 119, Page 134; and Plat Book 101, Page 158.
8. Rights of the City of Durham to a certain Sanitary Sewer Easement as shown on Plat Book 101, Page 58, Durham County Registry and also shown Plat Book 119, Page 134, Durham County Registry, including any rights conferred to the City of Durham under that certain Declaration of Rights and Privileges of the City of Durham in Certain Sanitary Sewer Easements recorded at Book 1223, Page 239, Durham County Registry or any rights conferred to the City of Durham in that certain deed recorded at Book 2031, Page 60, Durham County Registry.
9. Rights of others in and to the party walls.
10. Rights of others in and to the common areas.
11. Rights of others in and to the access drive between the property herein described and the property currently or formerly owned by the County of Durham identified as Parcel ID 140603.
12. The following matters as shown on that certain plat and survey entitled "ALTA / NSPS Land title Survey for: Five Oaks Office Park" prepared by Puckett Surveyors, PLLC, Professional Land

Surveyors, dated January 7, 2019, of record in Plat Book 200, Page 235, Durham County Registry: (a) drainage pipe and drainage channel; (b) telephone pedestals, manholes, meters, overhead utility line and utility poles; electric transformer, cleanouts, cable tv pedestals, fire hydrant; (c) 25' and 50' Building Setback Lines; (d) 25' sanitary sewer easement (See Book 2031, Page 60 and Book 1223, Page 239 of the Durham County Registry).

IN WITNESS WHEREOF, the Grantors hereunto set their hands and seals, the day and year first above written.

Victor J. Musante (SEAL)
Victor J. Musante

Virginia A. Musante (SEAL)
Virginia A. Musante

State of North Carolina
County of Granville

I, James C. Wrenn Jr., a Notary Public of the county and state aforesaid, certify that Victor J. Musante and Virginia A. Musante personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal this 26th day of February, 2019.

J. C. Wrenn Jr.
Notary Public
Printed Name: James C. Wrenn Jr.

My commission expires: 9/29/22

