

For Registration Sharon A. Davis
Register of Deeds
Durham County, NC
Electronically Recorded
2017 Dec 28 12:17 PM NC Rev Stamp: \$ 4298.00
Book: 8337 Page: 738 Fee: \$ 26.00
Instrument Number: 2017045620
DEED

Prepared by:
Moore & Van Allen PLLC (MAD)
100 N. Tryon Street, Suite 4700
Charlotte, North Carolina 28202
No Title Examination Conducted by Preparer

After Recording Return to:
Robert Brinkley, Esq.
Womble Bond Dickinson (US) LLP
One Wells Fargo Center, Suite 3500
301 South College Street
Charlotte, North Carolina 28202

Tax Stamps: \$4,298.00

Parcel ID/Tax Map No.: PIN 0831-13-04-2968 (Parcel 218420)

STATE OF NORTH CAROLINA

COUNTY OF DURHAM

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of this 28th day of December, 2017 by and between **HENDRICK AUTOMOTIVE GROUP**, a New York general partnership, having an address of 6000 Monroe Road, Suite 100, Charlotte, North Carolina 28212-6178, hereinafter called "**Grantor**", and **DURHAM PARTNERSHIP GROUP, LLC**, a North Carolina limited liability company, having an address of 1435 West Morehead Street, Suite 130, Charlotte, North Carolina 28208, hereinafter called "**Grantee**". The words "Grantor" and "Grantee" include the neuter, masculine and feminine genders, and the singular and the plural.

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at and before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, and the successors, legal representatives

CHAP²1066375v2
Submitted electronically by "Chicago Title-NC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham County Register of Deeds.

and assigns of Grantee all that tract or parcel of land lying and being in Durham County, North Carolina, being more particularly described on Exhibit A, attached hereto and incorporated herein by reference (the "Property").

TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple, the intent being that the Grantee shall own fee simple title to the aforesaid property.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and together with any estate, right, title, interest or claim of Grantor, either in law or equity, to the Property; and

GRANTOR SHALL WARRANT and forever defend the right and title to the Property unto Grantee, and the successors, legal representatives and assigns of Grantee, against the claims of all persons whomsoever, claiming by, through or under Grantor, but not otherwise; provided, however, that the warranties of title made by Grantor herein shall not extend to any claims arising solely under any matter set forth on Exhibit B attached hereto and incorporated herein by reference (the "Permitted Exceptions").

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 2129, Page 762 of the Durham County Public Registry.

In addition, Grantor, for a valuable consideration paid by Grantee, the receipt of which hereby is acknowledged, has and by these presents does convey to Grantee any and all of Grantor's right, title and interest in that certain parcel of land and any improvements thereon situated Durham County, North Carolina and more particularly described in Exhibit C attached hereto and incorporated herein by reference, but without any covenant or warranty whatsoever.

No portion of the property herein conveyed includes the primary residence of Grantor.

[signature on following page]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed, and delivered this Special Warranty Deed to Grantee, on the day and year first written above.

GRANTOR:

HENDRICK AUTOMOTIVE GROUP,
a New York general partnership

By: *A. Scott Ennis*
Name: A. Scott Ennis
Title: Vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document: A. Scott Ennis

Date: Dec 21, 2017 *Deanna Milito*

DEANNA MILITO, Notary Public
(Print or Type Name)

[NOTARIAL STAMP OR SEAL]

My commission expires: 3.22.2019

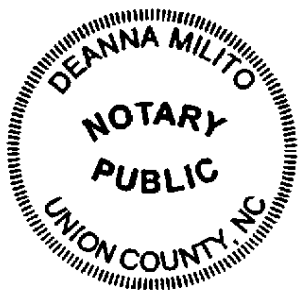


EXHIBIT A

LEGAL DESCRIPTION

PIN 0831-13-04-2968 (Parcel ID 218420)

BEING ALL OF TRACT 3, CONTAINING 2.166 ACRES, MORE OR LESS, AS SHOWN ON A PLAT ENTITLED "FINAL PLAT (GATEWAY CENTER), 409 S. ROXBORO STREET, PARCEL ID 103374" DATED MARCH 30, 2015 AND RECORDED IN PLAT BOOK 194, PAGE 383 OF THE DURHAM COUNTY, NORTH CAROLINA REGISTRY, REFERENCE TO WHICH IS HEREBY MADE FOR A FURTHER AND MORE PARTICULAR METES AND BOUNDS DESCRIPTION.

The above property is also shown as that certain tract containing 2.166 acres on a plat entitled "Storm Drainage & Public Access Easement Exempt Plat, Gateway Center Apartments" dated October 19, 2016 and recorded in Plat Book 197, Page 260 of the Durham County, North Carolina Registry, reference to which is hereby made for a further and more particular metes and bounds description.

Site Address: 510 E. Pettigrew Street

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes or assessments for the year 2018 and for subsequent years, not yet due or payable.
2. Such state of facts as would be disclosed by a current, accurate, physical survey and/or inspection of the subject property.
3. All easements, covenants, conditions, restrictions and other matters of record.
4. Zoning and building laws or ordinances.

EXHIBIT C**QUITCLAIMED PROPERTY****Gateway Center Parcel C Metes and Bounds Legal Description**

BEING all of that certain piece, parcel or tract of land lying, situate and being in the City of Durham, County of Durham, State of North Carolina and identified as PIN 0831-13-04-2968 on the Durham County Geographic Information System (GIS), and being more particularly described as follows, to wit:

COMMENCING at North Carolina Geodetic Survey (NCGS) monument "FAY", having North Carolina State Plane NAD 83(2001 adjustment) Coordinates of X = 2,030,343.14 feet and Y = 814,447.46 feet and thence running North 04° 31' 37" East, a distance of 352.44 feet to a concrete monument found on the northern right-of-way of Jackie Robinson Drive at the intersection with the western right-of-way of East Pettigrew Street, said concrete monument being the point and place of BEGINNING;

thence from said point of beginning and running along and with the northern right-of-way of Jackie Robinson Drive North 67° 21' 50" West, a distance of 350.37 feet to a #5 rebar iron pin set, said iron pin marking the southwestern corner of the property described herein, and being a common corner with the property now or formerly owned by CRP/WF Gateway Owner, LLC, as described in Deed Book 7740, Page 110 of the Durham County Register of Deeds (the Registry), and being Tract 2 as shown on a plat recorded in Plat Book 195, Page 165 of the Registry; thence turning and running along and with common lines between the property described herein and the said CRP/WF Gateway Owner, LLC property the following six (6) calls: (1) North 21° 17' 41" East, a distance of 141.74 feet to a mag nail set; (2) with the arc of a curve to the right having a radius of 100.00 feet, an arc length of 94.07 feet, and being subtended by a chord bearing North 48° 14' 33" East for a distance of 90.64 feet to a mag nail set; (3) North 75° 11' 26" East, a distance of 67.19 feet to a mag nail set; (4) South 62° 00' 59" East, a distance of 53.16 feet to a mag nail set; (5) with the arc of a curve to the left having a radius of 100.00 feet, an arc length of 20.40 feet, and being subtended by a chord bearing North 74° 31' 18" East for a distance of 20.36 feet to a mag nail set; (6) North 68° 40' 39" East, a distance of 85.71 feet to a #5 rebar iron pin set on the western right-of-way of East Pettigrew Street; thence turning and running along and with the western right-of-way of East Pettigrew Street the following six (6) calls: (1) North 68° 40' 21" East, a distance of 13.50 feet to a #5 rebar iron pin set; (2) South 21° 19' 39" East, a distance of 63.00 feet to a #5 rebar iron pin found; (3) South 67° 24' 24" West, a distance of 6.79 feet to a #5 rebar iron pin found; (4) South 11° 57' 47" East, a distance of 93.23 feet to a #4 rebar iron pin found; (5) South 02° 32' 44" East, a distance of 149.06 feet to a concrete monument found; (6) South 46° 14' 30" West, a distance of 86.18 feet to a concrete monument found, said concrete monument being the point and place of BEGINNING; and containing 2.166 acres, more or less, and being the same property shown as the now or formerly Hendrick Automotive Group property on a plat recorded in Plat Book 197, Page 260 of the Registry, to which plat reference is hereby made for a more particular description of the Subject Property and as shown on that certain survey entitled "City of Durham, Durham Township, Durham County, North Carolina, 510 East Pettigrew Street, PIN 0831-13-04-2968, ALTA/NSPS Land Title Survey prepared by Matthew D. Rowles, PLS L-4961 of Evans, Mechwart, Hambleton & Tilton, Inc. dated November 24, 2017 (Job No. 20170400).