

FOR REGISTRATION
Willie L. Covington
REGISTER OF DEEDS
Durham County, NC
2015 NOV 13 03:49:52 PM
BK:7823 PG:704-707
DEED
FEE:\$26.00
EXCISE TAX:\$49,200.00
INSTRUMENT # 2015038067
MDEGREE



2015038067

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$49,200.00

Parcel Identifier No. 141437 Verified by Durham County on the _____ day of November, 2015

By: _____

Mail to: Bryson M. Filbert, Esq., Linowes and Blocher LLP, 7200 Wisconsin Avenue, Suite 800, Bethesda, Maryland 20814

This instrument was prepared by: Patrick A. Scheiderer, Attorney at Law, Faegre Baker Daniels LLP, 110 West Berry Street, Suite 2400, Fort Wayne, Indiana 46802.

Brief description for the Index: Level 51ten Apartments, Old Chapel Hill Road

THIS DEED made as of this 11 day of November, 2015, by and between

GRANTOR

BLUE ATLANTIC DURHAM, LLC,
a Delaware limited liability company
c/o Blue Vista Capital Management, LLC
353 North Clark Street, Suite 730
Chicago, Illinois 60654

GRANTEE

LEVEL 51 TEN, LLC,
a Delaware limited liability company
5425 Wisconsin Avenue, Suite 202
Chevy Chase, Maryland 20815

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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:

For valuable consideration from Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby gives, grants, bargains, sells and conveys unto the Grantee in fee simple, subject to those matters hereinafter provided, all that certain lot or parcel of land situated in Triangle Township, Durham County, North Carolina, being more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property").

This conveyance is made subject to those matters set forth on Exhibit "B" attached hereto and made a part hereof.

The Property was previously conveyed to Grantor by instrument recorded in Book 6942, pages 928-932.

A map showing the above described property is recorded in Plat Book 156 page 25, Durham County Registry.

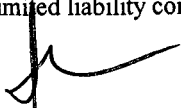
All or a portion of the Property ___ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple, subject to those matters hereinafter and hereinabove provided.

And the Grantor hereby specially warrants the title to the Property and will defend the same against the lawful claims of any persons claiming by, under or through Grantor, but against none other.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

BLUE ATLANTIC DURHAM, LLC,
a Delaware limited liability company


By: 
Irene Moroko, Secretary

STATE OF ILLINOIS, COUNTY OF COOK) SS:

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that IRENE MOROKO, personally known to me to be the Secretary of BLUE ATLANTIC DURHAM, LLC, a Delaware limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Secretary she signed and delivered the said instrument as Secretary of said limited liability company, having been fully empowered by resolution, as his/her free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 11th day of November, 2015.

My Commission Expires: 02/22/16
(Affix Seal)


Carrie D Thomas Notary Public
Notary's Printed or Typed Name

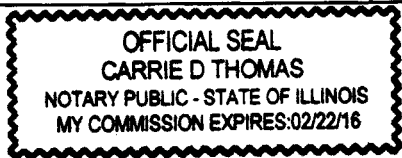


EXHIBIT "A"

Property Description

All that parcel or parcels of real property located in Durham County, North Carolina and more particularly described as follows:

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

BEING all of the 19.91 acre tract entitled "Watkins Park, LLC" as shown on that plat recorded in Plat Book 156, Page 25, Durham County Registry.

EXHIBIT "B"

Permitted Exceptions

1. All taxes and assessments for the year 2015, a lien now due and payable, and subsequent years, a lien not yet due and payable.
2. Rights of tenants in possession, as tenants only, under unrecorded leases.
3. Matters revealed by the recorded Plat in Book 156, page 25, Durham County Registry.
4. Grant of Easement (Sewer Connection) recorded in Book 3483, Page 22, as assigned and assumed by Assignment and Assumption of Agreements recorded in Book 3483, Page 170, Durham County Registry.
5. Easement reserved in North Carolina Special Warranty Deed recorded in Book 3483, Page 106, Durham County Registry.
6. Declaration of Wetlands Notification recorded in Book 3483, Page 176, Durham County Registry.
7. Stormwater Facility Operation and Maintenance Permit Agreement to the City of Durham recorded in Book 3568, Page 416, as assumed by Assumption of Stormwater Facility Operation and Maintenance Permit Agreement recorded in Book 4696, Page 807, as affected by Supplemental Stormwater Facility Agreement and Covenants recorded in Book 6980, Page 965.
8. Stormwater Facility Operation and Maintenance Permit Agreement to the City of Durham recorded in Book 3568, Page 425, as assumed by Assumption of Stormwater Facility Operation and Maintenance Permit Agreement recorded in Book 4696, Page 812, as affected by Supplemental Stormwater Facility Agreement and Covenants recorded in Book 6980, Page 965.
9. Road Dedication, Construction and Maintenance Agreement recorded in Book 2741, Page 728, as amended by First Amendment to Road Dedication, Construction and Maintenance Agreement recorded in Book 3482, Page 995, as assigned and assumed by Assignment and Assumption of Agreements recorded in Book 3483, Page 170, Durham County Registry.
10. Agreement recorded in Book 2741, Page 748, as amended by First Amendment to Agreement recorded in Book 3482, Page 967, Durham County Registry, as assigned and assumed by Assignment and Assumption of Agreements recorded in Book 3483, Page 170, Durham County Registry.
11. Water Detention and Pond Easement Agreement recorded in Book 2741, Page 767, as assigned and assumed by Assignment and Assumption of Agreements recorded in Book 3483, Page 170, Durham County Registry.
12. Grant of Easement and Agreement to Dedication (Sewer Facilities) recorded in Book 3483, Page 9, as assigned and assumed by Assignment and Assumption of Agreements recorded in Book 3483, Page 170, Durham County Registry.
13. Reciprocal Easement and Operation Agreement recorded in Book 2759, Page 201, Durham County Registry.
14. Drainage Easement to NC Department of Transportation recorded 3-17-2015 in Book 7664, Page 358, Durham County Registry.