

For Registration Sharon A. Davis  
Register of Deeds  
Durham County, NC  
Electronically Recorded

2022 Jan 28 10:50 AM

Book: 9600 Page: 286

NC Rev Stamp: \$ 5300.00 Fee: \$ 26.00

Instrument Number: 2022003854  
DEED

**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax: \$5,300.00

Parcel Identifier No. 0800-03-00-8959

Verified by Durham County on the 18 day of January, 2022

By: \_\_\_\_\_

Mail/Box to: Grantee

This instrument was prepared by: Kennon Craver, PLLC (without benefit of title examination)

Brief description for the Index: 5517 Durham Chapel Hill Road, Durham

THIS DEED made this 18 day of January, 2022, by and between

GRANTOR	GRANTEE
Acatenango Properties, LLC, a Delaware limited liability company	Southern Coalition for Social Justice, a North Carolina nonprofit corporation
ADDRESS: 3104 Surrey Road Durham, NC 27707	ADDRESS: 1415 West Highway 54, Suite 101 Durham, NC 27707

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, 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 that certain lot or parcel of land situated in Durham County, North Carolina and more particularly described as follows:

**SEE EXHIBIT A ATTACHED HERETO.**

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

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.

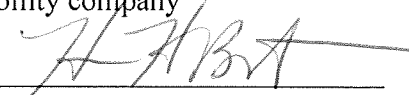
Submitted electronically by Ellis & Winters LLP in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Durham County Register of Deeds.

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, other than the exceptions listed on Exhibit B attached hereto and incorporated herein.

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

GRANTOR:

Acatenango Properties, LLC, a Delaware limited liability company

By:   
Hunter H. Bost, Manager

STATE OF NORTH CAROLINA

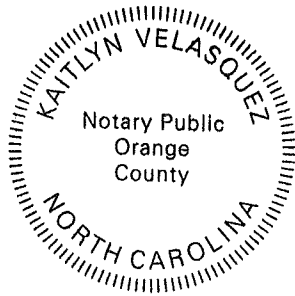
COUNTY OF Durham

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he signed the foregoing document: Hunter H. Bost

Date: 1-26-2022

  
Notary Public

[Official Seal]



Print Name: Kaitlyn Velasquez

My Commission Expires: 12-6-2026

Exhibit A

Legal Description

BEING all of the tract of land totaling 1.47 acres, originally comprised of two tracts as described in those two deeds to Faison Hall, LLC recorded at Book 2282, Page 422 and Book 2282, Page 424 of the Durham County Registry, such combined tract being shown in that plat prepared by Philip Post & Associates, titled "Recombination Plat-Faison Hall, LLC," and recorded at Plat Book 137, Page 65 of the Durham County Registry.

TOGETHER WITH the following easements (collectively, the "Easement Tracts"):

Declaration of Cross Access and Parking Agreement between Winn Limited Partnership, Wachovia Bank NA, Moriah LLC, Donald M. Penny and Faison Hall, LLC recorded in Book 3860, Page 788, and amended in Book 4690, Page 139, Durham County Registry. The Cross Access and Parking Agreement grants, among other things, easements appurtenant to the subject property across the following tracts:

Easement Tr. 1

BEING all of Tract "B-R" containing 1.733 acres, more or less, as shown on plat entitled "Recombination Map Terry Chronaki Winn Limited Partnership" dated May 9, 2000 and recorded in Plat Book 149, Page 39, Durham County Registry.

Easement Tr. 2

Beginning at an existing iron rod (disturbed) located in the northwest corner of the property herein described North 61 deg. 07' 04" East 72.52 feet from a NC right-of-way monument which is located North 88 deg. 36' 00" East, 412.63 feet from an NCGS monument "straw" NC Grid coordinates N-801,147.652, E-2,000,422.994; thence from the point and place of beginning North 61 deg. 07' 02" East, 299.52 feet to an iron pipe set; thence South 28 deg. 50' 59" East, 349.97 feet to a light pole, the southeast corner of the property herein described; thence South 61 deg. 07' 38" West, 299.94 feet to an iron pipe set; thence North 28 deg. 46' 49" West, 349.92 feet to the Point and Place of Beginning, being the lands of Martha S. Penny as per plat and survey by S.D. Puckett and Associates, Inc. dated April 15, 2009, containing 104,888 square feet, or 2.408 acres.

Easement Tr. 3

All that certain tract or parcel of land located in Triangle Township, Durham County, North Carolina and being more particularly described as follows:

BEING ALL of Lot CI containing 3.824 acres as shown on that certain plat of survey entitled "Recombination Plat Terry Chronaki - WINN Limited Partnership" recorded in Plat Book 149, Page 39, Durham County Registry, to which recorded plat of survey reference is hereby made for a more accurate description of the metes, bounds, courses and distances of such Lot CI containing 3.824 acres.

AND ALSO TOGETHER WITH the Easement Agreement of record in Book 3860, Page 773, Durham County Registry. (Across Easement Tracts 1 & 2 above)

**Exhibit B**  
**Exceptions**

1. Taxes for the year 2022, and subsequent years, not yet due and payable.
2. Restrictions contained in that General Warranty Deed to Faison Hall, LLC recorded in Book 2282 at Page 424, Durham County Registry.
3. Matters shown on recorded in Plat Book 137 at Page 65, Durham County Registry.
4. Easement(s) and/or Right(s) of Way to Duke Power recorded in Book 199 at Page 60, Book 238 at Page 67, Book 965 at Page 845, and Book 2298 at Page 368, Durham County Registry.
5. Easement(s) and/or Right(s) of Way to City of Durham recorded in Book 2164 at Page 758, Durham County Registry.
6. Easement Agreement between Winn Limited Partnership, Wachovia Bank, NA; Moriah, LLC; Donald M. Penny; and Faison Hall, LLC recorded in Book 3860 at Page 773; as amended by First Amendment to Declaration of Cross Access and Parking Easement recorded in Book 4690 at Page 139, Durham County Registry.
7. Declaration of Cross Access Agreement and Parking Easement between Moriah, LLC; Donald M. Penny; Faison Hall, LLC; Paragon Commercial Bank; and Bank of America recorded in Book 3860 at Page 788, Durham County Registry.
8. Matters as disclosed by that certain survey entitled "ALTA/ASCM for Plat Book 139, Page 115", prepared by Credle Engineering Company, Inc., bearing the seal and certification of William C. Credle, NCPLS, dated 10/15/21.

THE FOLLOWING EXCEPTIONS APPLY TO EASEMENT TR. 1:

9. Matters shown on recorded plat in Plat Book 149 at Page 39, Durham County Registry.
10. Easement(s) and/or Right(s) of Way to North Carolina Department of Transportation recorded in Book 1105 at Page 506, Durham County Registry.
11. Easement(s) and/or Right(s) of Way to North Carolina State Highway Commission and Public Roads Commission recorded in Book 204 at Page 422, Durham County Registry.
12. Easement(s) and/or Right(s) of Way to Duke Power Company recorded in Book 199 at Page 60, Book 238 at Page 67, Book 1564 at Page 260, and Book 3078 at Page 93, Durham County Registry.
13. Easement(s) and/or Right(s) of Way to GTE South, Incorporated recorded in Book 1599 at Page 607 and Book 1641 at Page 594, Durham County Registry.
14. Dedication by Easement recorded in Book 1852 at Page 404, Durham County Registry.
15. Easement Agreement recorded in Book 2040 at Page 893, Durham County Registry.
16. Easement Agreement and Use Restriction Agreement by and between Winn Limited Partnership and Moriah, LLC, recorded in Book 2882 at Page 519, Durham County Registry.
17. Easement Agreement recorded in Book 3860 at Page 773, Durham County Registry.
18. Declaration of Cross Access and Parking Easement recorded in Book 3860 at Page 788; and First Amendment to Declaration of Cross Access and Parking Easement recorded in Book 4690 at Page 139, Durham County Registry.
19. Rights of others for ingress and egress purposes in and to the use of the Access-Parking easement located on the Land.

THE FOLLOWING EXCEPTIONS APPLY TO EASEMENT TR. 2:

20. Matters shown on plat recorded in Plat Book 61 at Page 87, Durham County Registry.
21. Easement(s) and/or Right(s) of Way to Duke Power Company recorded in Book 965 at Page 845, Durham County Registry.
22. Special Use Permit recorded in Book 1671 at Page 468, Durham County Registry.
23. City Service Road recorded in Book 2164 at Page 758, Durham County Registry.
24. Easement Agreement recorded in Book 2275 at Page 157, Durham County Registry.

25. Easement Agreement recorded in Book 3860 at Page 773, Durham County Registry.
26. Cross Access & Parking Agreement recorded in Book 3860 at Page 788; amended in Book 4690 at Page 139, Durham County Registry.

THE FOLLOWING EXCEPTIONS APPLY TO EASEMENT TR. 3:

27. Deed of Easement to GTE South recorded in Book 1599 at Page 607, Durham County Registry.
28. Dedication of Easement by P&S Properties Limited Partnership and Outback Steakhouse of Florida, Inc. recorded in Book 1852 at Page 404, Durham County Registry.
29. Easement Agreement recorded in Book 2040 at Page 893, Durham County Registry.
30. Easement(s) and/or Right(s) of Way to Duke Power Company recorded in Book 1564 at Page 260, Durham County Registry.
31. Easement(s) and/or Right(s) of Way to GTE South Incorporated recorded in Book 1641 at Page 594, Durham County Registry.
32. Special Use Permit recorded in Book 1671 at Page 468, Durham County Registry.
33. Easement Agreement recorded in Book 2249 at Page 141, Durham County Registry.
34. Subject to matters shown on plat recorded in Plat Book 141 at Page(s) 39 and 147 and Plat Book 149 at Page 39, Durham County Registry.
35. Dedication of Cross Access Water and Sewer Easements recorded in Book 2519 at Page 166, Durham County Registry.
36. Declaration of Cross Access Water and Sewer Easements recorded in Book 2526 at Page 260, Durham County Registry.
37. Easement and Use Restriction Agreement between Moriah, LLC and Winn Limited Partnership recorded in Book 2882 at Page 519, Durham County Registry.
38. Declaration of Parking and Cross Access Easements recorded in Book 2882 at Page 538; as amended by that First Amendment to Declaration of Parking and Cross Access Easement recorded in Book 6438 at Page 382, Durham County Registry.
39. Easement Agreement recorded in Book 3860 at Page 773, Durham County Registry.