

REGISTER OF DEEDS
 Sharon A. Davis
 Durham County, NC
 2021 Dec 20 04:29:07 PM
 BK:9566 PG:519-525
 DEED
 FEE: \$26.00
 INSTRUMENT # 2021064746
 EXCISE TAX: \$12,244.00
 SMMARSH



SPECIAL WARRANTY DEED

Excise Tax: \$ 12,244.00
 Tax Parcel Identifier No.: 103127

Mail after recording to:

Latham & Watkins LLP
 330 N. Wabash Avenue, Suite 2800
 Chicago, Illinois 60611
 Attn: Rachel Bates, Esq.

This instrument was prepared without
 title examination by:

Dinsmore & Shohl LLP
 255 East 5th Street, Suite 1900
 Cincinnati, Ohio 45202
 Attn: Natalie H. Rauf

Brief description for the Index:

700 W Main Street and 115 Fuller Street,
 Durham, NC

THIS DEED made this 16th day of December, 2021, by and between:

GRANTOR	GRANTEE
West Village Durham II, LLC, a Delaware limited liability company 10510 Springboro Pike, Miamisburg, Ohio 45342	700 W Main 115 Fuller (NC) Owner LP, a Delaware limited partnership 345 Park Avenue New York, New York 10154

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 for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged West Village Durham II, LLC, a Delaware limited liability company ("Grantor"), have and by these presents does grant, bargain, sell and convey to 700 W Main 115 Fuller (NC) Owner LP, a Delaware limited partnership ("Grantee"), in fee simple, the property more fully described in Exhibit "A".

The property hereinabove described was acquired by Grantor by instrument recorded in Book 7871, Pages 440 - 445, of the Durham County, North Carolina Registry.

The property does not include the primary residence of Grantor.

TO HAVE AND TO HOLD the aforesaid undivided interest in said lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND, SUBJECT TO the title matters expressly set forth on Exhibit "B" attached hereto and made a part hereof, Grantor will warrant and forever defend the right and title to the Property unto the Grantee against the claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has executed this Deed on the day and year first written above.

WEST VILLAGE DURHAM II, LLC,
a Delaware limited liability company (SEAL)

By: [Signature]
Lawrence S. Connor, President

STATE OF OHIO)
MONTGOMERY COUNTY)

The foregoing instrument was acknowledged before me this 14 day of December 2021, by Lawrence S. Connor, the President of West Village Durham II, LLC, a Delaware limited liability company on behalf of the company.



MOLLIE COURTNEY
Notary Public, State of Ohio
My Commission Expires:
June 01, 2025

[Signature]
Notary Public
Notary's Printed or Typed Name
Mollie Courtney

[NOTARIAL SEAL]

EXHIBIT A

Parcel 2 – Parcel ID: 103127 – 700 W. Main Street and 115 Fuller Street

TRACT 1 – MAIN STREET OFFICE PARCEL

All that certain tract or parcel of land situated in the City of Durham, County of Durham, State of North Carolina, bounded on the north by West Morgan Street, on the east by Fuller Street, on the south by West Main Street and on the west by The Property now or formerly WV Lab, LLC described as Tract 1 on the subdivision plat recorded in Plat Book 170, Page 218 of the Durham County Registry, being more particularly described as follows:

Beginning at a PK-Nail set in the intersection of the northerly right-of-way line of West Main Street and the westerly right-of-way line of Fuller Street, said iron pipe being located the following courses and distances from NCGS monument "Lark";

North 83°44;00" East 1,350.23 feet; south 11°56'02" East 12.56 feet; South 50°58'24" East 237.91 feet; And proceeding from said point of beginning along and with said northerly right-of-way line of West Main Street North 50°58'24" West 79.73 feet to a PK-Nail; thence leaving said right-of-way line and proceeding along the line of the aforementioned Tract 1 North 36°00'39" East 91.45 feet to a 5/8" rebar with cap; thence along the line of Tract 1 north 54°00'39" West 95.61 feet to a 5/8" rebar with cap; thence along the line of Tract 1 north 27°07'44" East 229.94 feet to a PK-nail set in the southerly right-of-way line of West Morgan Street; thence with said right-of-way line south 63°34'31" east 210.59 feet to a PK-Nail set in the intersection of southerly right-of-way line of West Morgan Street and the westerly right-of-way line of Fuller Street; thence with said westerly right-of-way line of Fuller Street south 35°59'04" west 321.27 feet to a PK-Nail, the point and place of beginning;

Said tract containing 1.173 acres or 51,100 square feet as calculated by the coordinate method and shown on survey by Taylor Wiseman & Taylor Recorded in Plat Book 170, Page 218 of the Durham County Registry.

Appurtenant Easement:

Together with the cross access easements contained in the Declaration of Reciprocal Easements and Covenants dated February 27, 2014 and recorded in Book 7450, Page 219, Durham County Registry.

EXHIBIT B

Permitted Exceptions

AS TO FEE PARCEL TWO:

1. Taxes or assessments for the year 2022, and subsequent years, not yet due or payable.
2. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Durham County Registry:
 - a. Plat Book 170, Page 218:
 - i. Two (2) cross access easements;
 - ii. Canopy encroachment; and
 - b. Plat Book 171, Page 293:
 - i. Building encroachments;
 - ii. Shared parking and cross access easements;
 - iii. Easements retained by the City of Durham over former Cigarette Street in Book 1144, Page 681, Durham County Registry.
3. Easements in favor of American Telephone and Telegraph Company recorded in Book 109, Page 317; Book 112, Page 436; and Book 124, Page 311, Durham County Registry.
4. Right(s) of way to Duke Energy Carolinas, LLC recorded in Book 6425, Page 42, Durham County Registry.
5. Right(s) of way to Duke Power Company dba Duke Energy Carolinas, LLC recorded in Book 5416, Page 355, Durham County Registry.
6. Stormwater Facility Agreements with the City of Durham recorded in Book 5685, Page 418; and Book 5685, Page 427, Durham County Registry.
7. Access and Walkway Easement Agreement recorded in Book 6782, Page 92, Durham County Registry.
8. Supplemental Stormwater Facility Agreement and Covenants by and between Fuller Street Development LLC and the City of Durham, recorded in Book 7870, Page 372, Durham County Registry.
9. Supplemental Stormwater Facility Agreement and Covenants by and between Fuller Street Development LLC and the City of Durham, recorded in Book 7870, Page 381, Durham County Registry.
10. Supplemental Stormwater Facility Agreement and Covenants, recorded in Book 7885, Page 717, Durham County Registry.
11. Supplemental Stormwater Facility Agreement and Covenants, recorded in Book 7885, Page

726, Durham County Registry.

12. Ordinance designating historic landmark status recorded in Book 6477, Page 502, Durham County Registry.
13. Declaration of Cross Access Easements recorded in Book 5092, Page 599, Durham County Registry.
14. Declaration of Reciprocal Easements and Covenants, by and among FCP West Village Phase I Owner, LLC, a Delaware limited liability company; Fuller Street Development, LLC, a North Carolina limited liability company; and FCP West Village Phase III, LLC, a North Carolina limited liability company recorded in Book 7450, Page 219, Durham County Registry.
15. Easement to Spectrum Southeast recorded in Book 9460, Page 907, Durham County Registry.
16. Memorandum of Parking Lease by and among Fuller Street Development, LLC; FSD Master Tenant, LLC; Walker CST, LLC and HCP/LFREP Durham, LLC, recorded in Book 6782, Page 82, Durham County Registry.
17. Rights of tenants in possession, as tenants only, under unrecorded leases.
18. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by survey entitled "ALTA/NSPS Land Title Survey Prepared for The Connor Group, Durham Township, Durham County, N.C." by Riley Surveying, P.A., P.L.S., dated October 12, 2021, last revised December 9, 2021.
 - a. Service utilities;
 - b. River rock walls and brick wall encroach onto property adjoining to the northwest;
 - c. Back of curb encroaches onto right-of-way of West Morgan Street, Fuller Street and West Main Street;
 - d. Concrete pad and brick wall encroach onto property adjoining to the southwest;
 - e. Canopy encroaches onto right-of-way of Fuller Street;
 - f. Rights of others in and to the sidewalks affecting the Land;
 - g. Storm pipe(s) without benefit of easement;
 - h. Natural gas and fiber optics with no benefit of easements.

AS TO PARCEL TWO APPURTENANT EASEMENT:

1. Taxes or assessments for the year 2022, and subsequent years, not yet due or payable.
2. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Durham County Registry:
 - a. Plat Book 112, Page 141:
 1. Street rights of way;

- b. Plat Book 170, Page 218:
 - i. Cross access easements;
- c. Plat Book 171, Page 293:
 - i. Building encroachments;
 - ii. Shared parking and cross access easements;
 - iii. Easement retained by the City of Durham over Cigarette Street in Book 1144, Page 681, Durham County Registry.
- 3. Party Wall Agreement recorded in Book 2291, at Page 34, Durham County Registry.
- 4. Right(s) of way to Duke Power Company LLC d/b/a Duke Energy Carolinas, LLC recorded in Book 5416, Page 355, Durham County Registry.
- 5. Right(s) of way to Duke Energy Carolinas, LLC recorded in Book 6425, Page 42, Durham County Registry.
- 6. Easement(s) and/or right(s) of way in favor of American Telephone and Telegraph Company recorded in Book 109, Page 317; Book 112, Page 436; and Book 124, Page 311, Durham County Registry.
- 7. Order Permanently Closing Cigarette Street Between Main Street and the Southern Railroad Right of Way recorded in Book 1144, Page 681, Durham County Registry, as affected by that certain Deed recorded in Book 1427, Page 256, Durham County Registry.
- 8. Declaration of Cross Access Easement(s) recorded in Book 5092, Page 599, Durham County Registry.
- 9. Declaration of Cross Access Easement(s) recorded in Book 5150, Page 957, Durham County Registry.
- 10. Stormwater Facility Agreement recorded in Book 5685, Page 418, Durham County Registry.
- 11. Stormwater Facility Agreement recorded in Book 5685, Page 427, Durham County Registry.
- 12. Terms and conditions of that Declaration of Reciprocal Easements and Covenants recorded in Book 7450, Page 219, Durham County Registry.
- 13. An Ordinance Providing for the Designation of the Former Liggett and Meyers Tobacco Complex - West Village Expansion, recorded in Book 6477, Page 502, Durham County Registry.
- 14. Access and Walkway Easement Agreement recorded in Book 6782, Page 92, Durham County Registry.
- 15. Prohibition Against Condominium Conversion Agreement recorded in Book 7871, Page 530, Durham County Registry.
- 16. Exception is taken to the rights of others in and to use of the land underneath the bridge

described in Book 2291, Page 34, as traversing (West) Morgan Street, which land is dedicated as a public road; to the rights of utility companies to use (West) Morgan Street for placement of utilities; to loss or damage as a result of the failure of said bridge to have been established as a recognized property right by compliance with state and local condominium and/or air rights laws; and to any other such rights of others in, to and over same.

17. Lease by and between Fuller Street Development, LLC and VV Durham, LLC, a memorandum of which is recorded in Book 7670, Page 539, Durham County Registry.
18. Memorandum of Parking Lease by and among Fuller Street Development, LLC; FSD Master Tenant, LLC; Walker CST, LLC and HCP/LFREP Durham, LLC, recorded in Book 6782, Page 82, Durham County Registry.
19. Rights of tenants in possession, as tenants only, under unrecorded leases.
19. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variation, or other adverse circumstance affecting the Title disclosed by survey entitled "ALTA/NSPS Land Title Survey Prepared for The Connor Group, Durham Township, Durham County, N.C." by Riley Surveying, P.A., P.L.S., dated October 12, 2021, last revised December 9, 2021.
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