

For Registration Sharon A. Davis  
Register of Deeds  
Durham County, NC  
Electronically Recorded  
2018 Dec 18 01:58 PM NC Rev Stamp: \$ 42912.00  
Book: 8565 Page: 126 Fee: \$ 26.00  
Instrument Number: 2018043305  
DEED

Excise Tax: \$42,912.00

**Instrument Prepared by, and  
Recording Requested by:**

Seyfarth Shaw LLP  
601 South Figueroa Street, Suite 3300  
Los Angeles, California 90017  
Attention: Timothy M. Sullivan, Esq.

**After Recording Return to:**

Sidley Austin LLP  
One South Dearborn Street  
Chicago, Illinois 60603  
Attention: Elizabeth McCloy, Esq.

Brief Description for the Index:  
Parcel ID 141741

Transfer of real property in City of Chapel Hill,  
Durham County

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED made this 14<sup>th</sup> day of December, 2018, by and between

GRANTOR:	GRANTEE:
HP Chapel Hill, LLC, a Delaware limited liability company c/o Hammes Partners 1400 North Water Street, Suite 500 Milwaukee, Wisconsin 53202	6011 Farrington Road LLC a Delaware limited liability company c/o Welltower OM Group LLC 4500 Dorr Street Toledo, Ohio 43615

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.

**WITNESS**, that Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS, (\$10.00), the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto Grantee and Grantee's heirs, successors and assigns forever, all the real property, together with any buildings, structures, fixtures and other

submitted electronically by "First American Title Insurance Company - NCS - Milwaukee"  
5018: in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Durham County Register of Deeds.

improvements thereon, located in the County of Durham, State of North Carolina, described on **Exhibit A** attached hereto and made a part hereof.

also known by street address as: 6011 and 6013 Farrington Road, Chapel Hill, North Carolina.

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, including any right, title and interest of Grantor in and to adjacent streets, alleys, rights-of-way, easements or covenants, and the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances and all rights of Grantor in and to any and all strips and gores, tenements and easements pertaining, adjacent or connected thereto, the mineral, air, development and water rights running with or otherwise pertaining thereto, and any streets, alleys and roads adjoining the land.

The above described premises was acquired by Grantor by instrument recorded in Deed Book 7779 Page 213, Durham County Register of Deeds.

The above described premises herein conveyed does not include the primary residence of Grantor.

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances above described, unto Grantee and Grantee's successors and assigns forever. Grantor, for Grantor and Grantor's heirs, successors and assigns, does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises, in the quiet and peaceable possession of Grantee and the heirs, successors and assigns of Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor except and subject only to the matters set forth on **Exhibit B** attached hereto and incorporated herein.

[SIGNATURE PAGE FOLLOWS NEXT]



EXHIBIT A  
LEGAL DESCRIPTION

TRACT 1 – PARCEL ID 141741 (FOR INFORMATIONAL PURPOSES: 6011 AND 6013 FARRINGTON ROAD, CHAPEL HILL, NC)

BEING ALL OF THAT LOT CONTAINING A TOTAL OF 2.915 ACRES, MORE OR LESS, (PARCEL ID 141741, PIN 0708-02-56-1478), AS SHOWN ON PLAT ENTITLED "FINAL PLAT OF SUBDIVISION FOR CAI GROUP IV, LLC, FARRINGTON ROAD PROPERTY, CAROLINA POINTE II", DATED 10/14/2002, PREPARED BY TRIANGLE SURVEYORS, RECORDED IN PLAT BOOK 157, PAGE 75, DURHAM COUNTY REGISTRY.

TOGETHER WITH ALL THOSE BENEFICIAL RIGHTS AND EASEMENTS CONVEYED IN THAT EASEMENT AGREEMENT EXECUTED BY ATMA ENTERPRISES, INC. AND DOLPHIN ASSOCIATES AS RECORDED IN BOOK 2483, PAGE 558, DURHAM COUNTY REGISTRY, AND

TOGETHER WITH ALL THOSE BENEFICIAL RIGHTS AND EASEMENTS CONVEYED IN THAT ACCESS EASEMENT AGREEMENT EXECUTED BETWEEN C.A.I. GROUP AND LRC, LLC AND TRIANGLE BANK, AS RECORDED IN BOOK 2551, PAGE 43, DURHAM COUNTY REGISTRY.

TOGETHER WITH ALL THOSE BENEFICIAL RIGHTS AND EASEMENTS CONVEYED IN THAT CERTAIN CROSS PARKING DECLARATION RECORDED IN BOOK 3763 AT PAGE 181.

EXHIBIT B  
CONDITIONS OF TITLE

1. Taxes for the year 2019, which are a lien, but not yet due and payable, and all subsequent years.
2. Rights of Tenants as tenants only under unrecorded releases without rights of first refusal or options to Purchase.
3. Easements and any other facts as shown on plat recorded in Plat Book 157, Page 75, Plat Book 116, Page 201, Plat Book 131, Page 196, Plat Book 138, Page 25, CD 9, Page 30 and Plat Book 47, Page 37, Durham County Registry. and as shown on the ALTA/NSPS Land Title Survey made by Johnny W. Nobles for American Surveying & Mapping, Inc. dated August 23, 2018, designated as Drawing File Name 8 28 2018 PMCD 1806182 2C Farrington (the "Survey").
4. Easement to Duke Power Company, its successors and assigns recorded in Book 417, Page 536, Durham County Registry.
5. Easement to Public Service Company of North Carolina recorded in Book 121, Page 594, Durham County Registry.
6. Deed of Easement to ATMA Enterprises, Inc., a North Carolina corporation recorded in Book 2483, Page 584 and Plat Book 138, Page 25, Durham County Registry, and as shown on the Survey.
7. Declaration of Rights and Privileges of the City of Durham in Certain Sanitary Sewer Easement to The City of Durham recorded in Book 1510, Page 958, Durham County Registry.
8. Terms, provisions, covenants, conditions, easements and restrictions as provided in Cross-Parking Declaration, recorded in Book 3763, Page 181, Durham County Registry.  
  
Assigned to HP Chapel Hill, LLC, pursuant to Assignment and Assumption of Declarant Rights recorded in Book 7779, Page 219, Durham County Registry, and as shown on the Survey.
9. Deed and Declaration of Easement to Dolphin Associates, a North Carolina general partnership recorded in Book 2483, Page 558, Durham County Registry, and as shown on the Survey.
10. Storm Water Facility Operation and Maintenance Permit Agreement City Maintenance Permit Agreement City Version 2-1195 by and between C.A.I. IV, LLC and the City of Durham, a North Carolina municipal corporation, recorded in Book 3301, Page 731, Durham County Registry.  
  
As supplemented by Supplemental Stormwater Facility Agreement and Covenants, recorded in Book 7825, Page 421, Durham County Registry.

11. Rights of others for ingress and egress purposes in and to the use of any and all access easements located on the Property.
12. Rights of others in and to the use of appurtenant easement(s) set forth in Exhibit A to the Owner's Policy of Title Insurance to be issued to Grantee on or about the date hereof under Policy No. 905104-18 (the "Owner's Policy").
13. Any inaccuracy in the area, square footage or acreage of the Land to be insured hereunder.
14. Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing to Elizabeth W. Voltz for the benefit of PNC Bank, National Association, a national banking association, recorded in Book 7937, Page 484; as affected by Assignment of Leases and Rents between HP Chapel Hill, LLC to PNC Bank, National Association, recorded in Book 7937, Page 514, Durham County Registry.
15. Assignment and Assumption between HP Chapel Hill, LLC and 6011 Farrington Road LLC, a Delaware limited liability company, dated and recorded on or about the date hereof.
16. The following matters as disclosed by the Survey:
  - a.) Building encroaches into the 50' access easement contained in Exception 4 in the Owner's Policy.