

For Registration Sharon A. Davis  
Register of Deeds  
Durham County, NC  
Electronically Recorded  
2019 Mar 13 02:32 PM NC Rev Stamp: \$ 8648.00  
Book: 8611 Page: 693 Fee: \$ 26.00  
Instrument Number: 2019007709  
DEED

PREPARED BY:

Nelson Mullins  
4140 Parklake Avenue  
Suite 200  
Raleigh, NC 27612

RETURN TO:

Grantee

Parcel Id No. 0821-16-94-8293

Excise tax: \$8,648

**NORTH CAROLINA SPECIAL WARRANTY DEED**

**HERITAGE SQUARE INVESTMENTS, LLC** ("**Grantor**") with an address of Post Office Box 496, Hillsborough, NC 27278, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, and CONVEY unto **606 FAYETTEVILLE LLC**, a North Carolina limited liability company with an address of 201 West Fifth Street, 11<sup>th</sup> Floor, Austin, Texas 78701 ("**Grantee**") the tracts or parcels of land in Durham County, North Carolina, described in Exhibit A, together with all rights, titles, and interests appurtenant thereto including, without limitation, Grantor's interest, if any, in any and all adjacent streets, alleys, rights of way and any adjacent strips and gores (such land and interests are hereinafter collectively referred to as the "**Property**").

This Special Warranty Deed and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject to all easements, rights of ways, restrictions, reservations and covenants now of record, zoning and subdivision ordinances, building codes and other legal requirement applicable to the Property conveyed hereby, and further subject to all matters that a current, accurate survey of the Property would show, together with the matters described in Exhibit B attached hereto and incorporated herein by this reference, to the extent the same are validly existing and applicable to the Property (hereinafter referred to collectively as the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns, in fee simple forever, and Grantor covenants with Grantee that Grantor has done nothing to impair such title as Grantor received, and does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the title to the Property unto the said Grantee, its successors and assigns against

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.

every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor but not otherwise, except for the Permitted Exceptions.

The property conveyed hereby is NOT the primary residence of Grantor.



**EXHIBIT A****Property Description**

Being all of certain parcel of land lying in Durham Township, Durham County, North Carolina bounded on the north by NC 147 (variable width public right-of-way), on the east by Fayetteville Street (variable width public right-of-way), on the south by Lakewood Avenue (80' public right-of-way) and on the west by Heritage Square Associates Tract 1 (PIN 0821-16-94-6419) and being more particularly described as follows:

Beginning at an existing iron pipe (5/8") "POB2" on the northern right-of-way of Lakewood Avenue, said pipe being located N 32°30'28"W 74.85' from the centerline intersection of Lakewood Avenue and Fayetteville Street; thence, with said northern right-of-way the following two calls: N 65°32'13"W 89.64' to an existing iron pipe (5/8") and with the arc of a curve to the right having a radius of 1643.17'(chord N 61°50'40"W 211.94') for a length of 212.08' to an existing iron pipe (5/8") a corner common to Heritage Square Associates Tract 1; thence, leaving said right-of-way and with the eastern line of said Heritage Square N 30°50'42"E 492.72' to a set iron pipe in the southern right-of-way of NC 147; thence, with said southern right-of-way, the following three calls: with the arc of a curve to the right having a radius of 1875.18' (chord S 51°59'05"E 160.33') for a length of 160.38' to an existing iron pipe, S 49°32'10"E 114.56' to an existing concrete monument, and S 11°17'05"E 61.96' to an existing concrete monument in the western right-of-way of Fayetteville Street; thence, with said western right-of-way, the following four calls: with the arc of a curve to the left having a radius of 2140.31' (chord S32°09'30"W 307.34') for a length of 307.61' to an existing iron pipe (5/8"), S 61°13'30"E 11.94' to an existing iron pipe (5/8"), S 27°11'26"W 55.40' to a set iron pipe (5/8"); and S 70°30'50"W 33.25' to the point and/or place of beginning containing 3.286± acres, as shown on a survey by Riley Surveying, P.A. and dated October 15, 2007 and being the same property shown as NCR-54, Block C, Parcel 9B on that plat recorded in Plat Book 108, Page 40, Durham County Registry.

**EXHIBIT B**

Permitted Exceptions

1. Taxes and assessments for the year 2019 and subsequent years, not yet due and payable.
2. Covenants, conditions, and restrictions as set forth in instruments recorded Book 1213, Page 495; Book 1179, Page 870, Durham County Registry. (Certificate of Completion recorded in Book 1268, Page 104, Durham County Registry).
3. Easements, setback lines and any other matters shown on plat recorded in Plat Book 108, Page 40 and Plat Book 103, Page 10, Durham County Registry
4. Easement(s) in favor of GTE as recorded in Book 1225, Page 945, of the Durham County Registry
5. Easement(s) in favor of Duke Power Company as recorded in Book 1236, Page 668, of the Durham County Registry.
6. Rights of tenants in possession, as tenants only.