

Register of Deeds

Sharon A. Davis
Durham County, NC

07/29/2022 02:46:41 PM

BT: OPR B: 9752 P: 642 Pages: 4

DEED - DEED

Fee: \$62026.00 Excise Tax: \$62000.00

INSTRUMENT #2022031175

ehammiel



DOCUMENT PREPARED BY: Kennon Craver, PLLC (without benefit of title examination)

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO: Grantee

Revenue Stamps: \$62,000.00

Durham County PID: 124750

SPECIAL WARRANTY DEED

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

THIS INDENTURE, made as of this 29th day of July, 2022 between **EARL POWELL PROPERTIES DURHAM, LLC**, a North Carolina limited liability company (herein called "**Grantor**"), whose address is 3900 Maplefield, Raleigh, NC 27613, and **VA7 MORREENE WEST, LLC**, a Delaware limited liability company (herein called "**Grantee**"), whose mailing address is c/o 2082 Michelson Dr., 4th Fl., Irvine, CA 92612.

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee all that tract or parcel of land described in **Exhibit A**, attached hereto and made a part hereof, together with the buildings and improvements thereon.

TO HAVE AND TO HOLD the said bargained land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining (collectively, the "**Property**"), to the only proper use, benefit and behoof of Grantee, forever, in **FEE SIMPLE**.

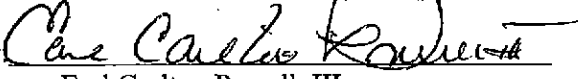
This Special Warranty Deed and the warranty of title contained herein are made expressly subject to the items set forth in **Exhibit B**, attached hereto and made a part hereof.

AND THE SAID GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple, that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant the title to the Property and will forever defend the same unto the Grantee against the claims of all persons claiming by, through or under Grantor, but against none other.

The property herein conveyed is not the primary residence of Grantor.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

EARL POWELL PROPERTIES DURHAM, LLC
a North Carolina limited liability company

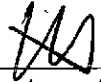
By: 
Name: Earl Carlton Powell, III
Title: Manager

Durham County, North Carolina

I certify that the following person personally appeared before me this day acknowledging to me that he/she signed the foregoing document: Earl Carlton Powell, III

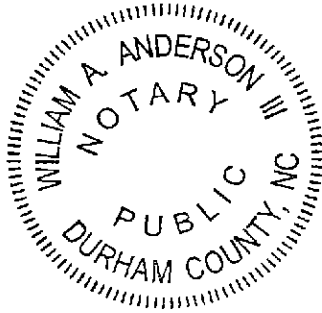
Date: July 27, 2022

(Affix Official Seal below)


Official Signature of Notary Public
Notary Public

Print Name: William A. Anderson, III

My commission expires: 2-13-24



**EXHIBIT A TO WARRANTY DEED
LEGAL DESCRIPTION**

BEGINNING at a concrete monument located in the southeast corner of the property of Jesse E. Roberts and wife, Ellen P. Roberts (Deed Book 311, Page 699, Durham County Registry), as shown on the plat and survey hereinafter referred to, and running thence in a southeasterly direction along and with the property line of Duke University South 38 degrees 51 minutes 35 seconds East 1073.79 feet to a concrete monument; thence in an easterly direction South 88 degrees 08 minutes 17 seconds East 202.66 feet to a point in the western right-of-way line of the southwest access ramp to 15-501 By-Pass; thence in a northerly direction along and with the western right-of-way line of the southwest access ramp to 15-501 By-Pass North 5 degrees 48 minutes 00 seconds East 262.00 feet to a point; thence along and with the arc of a curve having a radius of 459.26 feet to a distance of 211.00 feet to a point located in the western right-of-way line of the southwest access ramp to 15-501 By-Pass; thence in a northerly direction North 7 degrees 58 minutes 00 seconds East 262.00 feet to a point; thence along and with the arc of a curve having a radius of 459.26 feet, a distance of 211.00 feet to a point located in the western right-of-way line of the southwest access ramp to 15-501 By-Pass; thence in a northerly direction North 7 degrees 58 minutes 00 seconds West 118.00 feet to a point in the western right-of-way line of Morreene Road; thence continuing along and with the western right-of-way line of Morreene Road North 35 degrees 20 minutes 00 seconds West 218.56 feet to a concrete monument, thence along and with the arc of a curve having a radius of 100 feet, a distance of 53.44 feet to a concrete monument located in the southern right-of-way line of Crest Street; thence running along and with the southern right-of-way line of Crest Street North 65 degrees 57 minutes 00 seconds West 741.54 feet to a point in the eastern property line of a lot owned by Allenton Realty & Insurance Company, Inc. (Deed Book 339, Page 170, Durham County Registry); thence in a southwesterly direction South 24 degrees 04 minutes 24 seconds West 269.90 feet to the point and place of BEGINNING, and being a tract of land containing 12.61 acres, and same being the PROPERTY OF C. B. NYE, EVELYN V. COONRAD, D. M. WRIGHT, as shown on the plat and survey of Ernest A. Tilley, Registered Land Surveyor, under date of July 15, 1969, which said

plat and survey is duly recorded in the Office of the Register of Deeds of Durham County in Plat Book 63, at Page 72, to which reference is hereby made for a more particular description of same.

EXHIBIT B

Permitted Exceptions

1. Taxes or assessments for the year 2022, and subsequent years, not yet due or payable.
2. Any discrepancy, conflict, matters regarding access, shortage in area or boundary lines, encroachment,
3. encumbrance, violation, variation, overlap, setback, easement or claims of easement, riparian right, and title to land within roads, ways, railroads, watercourses, burial grounds, marshes, dredged or filled areas or land below the mean highwater mark or within the bounds of any adjoining body of water, or other adverse circumstance affecting the Title that would be disclosed by a current inspection and accurate and complete land survey of the Land.
4. Any right, easement, setback, interest, claim, encroachment, encumbrance, violation, variations or other adverse circumstance affecting the Title disclosed by plat(s) recorded in Plat Book 63, Page 72, Durham County Registry.
5. Easements to Duke Power Company recorded in Book 229, Page 623 and Book 362, Page 741, Durham County Registry.
6. Right of Way to Department of Transportation recorded in Book 1263, Page 466, Durham County Registry.
7. Title to any portion of the Land lying within the rights of way of the SW Access Ramp to 15-501 By-Pass; Morreene Road; and Crest Street.
8. Title to any portion of the Land lying within the eastern property line of that certain land described in Deed Book 339, Page 170, Durham County Registry.
9. Access by way of SW access ramp to 15-501 By-Pass, a controlled access highway.
10. Rights of tenants in possession, as tenants only, under unrecorded leases.