


FOR REGISTRATION
 Willie L. Covington
 REGISTER OF DEEDS
 Durham County, NC
 2015 NOV 24 09:43:47 AM
 BK:7829 PG:725-730
 DEED
 FEE: \$26.00
 EXCISE TAX: \$3,900.00
 INSTRUMENT # 2015039259
 SCEARNEL



2015039259

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$3,900.00

Parcel ID: 154137/PIN: 0738-04-55-6582 Verified by _____ County on the ____ day of _____, 20____
 By: _____

Prepared by: Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P. (FCB) Post Office Box 2611, Raleigh, North Carolina 27602-2611 (no title opinion is expressed or implied by our preparation of this deed)
 After recording send to: Grantee

Brief description for the Index: Tract 2, BOM 183, Page 112, Durham, North Carolina

THIS DEED made this 18th day of November 2015, by and between

GRANTOR	GRANTEE
Sumitomo Electric Lightwave Corp., a North Carolina corporation 78 T.W. Alexander Drive Research Triangle Park, North Carolina 27709	AVIOQ, INC., a North Carolina corporation 104 T.W. Alexander Drive Research Triangle Park, North Carolina 27709

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, parcel of land or condominium unit situated in the City of Durham, Durham Township, Durham County, North Carolina and more particularly described as follows:

See **Exhibit A** attached hereto and incorporated herein by reference for legal description.

The property hereinabove described was acquired by Grantor by instruments recorded in Book 1132, Page 564 and Book 2070, Page 314, Durham County Registry.

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

A map showing the above described property is recorded in Plat Book 183, Pages 112-113, Durham County Registry.

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.

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, except for the exceptions listed in **Exhibit B**, "Permitted Exceptions" attached hereto and incorporated herein by reference. The inclusion in **Exhibit B** of any instrument of record before the vesting of title to the above described real property in Grantor shall not expand the limited warranty of title in this paragraph.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK
SIGNATURES APPEAR ON THE FOLLOWING PAGE]

[SIGNATURE PAGE TO SPECIAL WARRANTY DEED]

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

SUMITOMO ELECTRIC LIGHTWAVE CORP.,
a North Carolina corporation

By: *Fred McDuffee*
Fred McDuffee, President and CEO

State of North Carolina - Wake County

I, the undersigned Notary Public of the County of Wake and State aforesaid, certify that Fred McDuffee personally came before me this day and acknowledged that he is the President and CEO of Sumitomo Electric Lightwave Corp., a North Carolina corporation, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 18th day of November 2015.

My Commission Expires: August 1, 2020
(Affix Seal)

J. Loren Rapp
J. Loren Rapp Notary Public
Notary's Printed or Typed Name

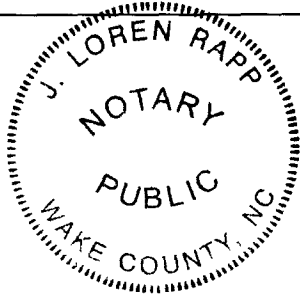


Exhibit A

Legal Description

All that certain tract or parcel of land in the City of Durham, Durham County, North Carolina, being more particularly described as follows: Tract 2 as shown on the plat entitled "Recombination and Exempt Subdivision Map for Sumitomo Electric Lightwave Corp.," dated September 25, 2008, prepared by Withers & Ravenel Kenneth Close Surveying, and recorded in Plat Book 183, Pages 112-113 in the Office of the Register of Deeds of Durham County, North Carolina.

Exhibit B*Permitted Exceptions*

1. Ad valorem real property taxes for 2016, not yet due and payable, taxes for 2015 to be prorated between Grantor and Grantee.
2. The following matters of record:
 - a. Covenants, conditions, restrictions, easements, and liens provided for in instrument(s) filed for record in Book 7559, Page 1, Durham County Registry, and any related maps, plans, bylaws and other document(s) and amendment(s), but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
 - b. 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 183, Pages 112-113; Plat Book 119, Page 175; Plat Book 104, Page 22; and Plat Book 40, Page 29, Durham County Registry.
 - c. Easements in favor of Duke Power Company recorded in Book 170, Page 347; Book 177, Page 182; Book 177, Page 183; Book 177, Page 197; Book 339, Page 99; Book 1136, Page 588; Book 1364, Page 220; Book 2956, Page 966; and Book 6331, Page 357, Durham County Registry.
 - d. Easements in favor of Public Service Company of North Carolina, Inc. recorded in Book 263, Page 57 as amended in Book 1162, Page 770 and Book 6038, Page 400 (see also plat recorded in Plat Book 40, Page 29), Durham County Registry.
 - e. Notice of Residual Petroleum recorded in Book 5437, Page 67, Durham County Registry.
 - f. Access Easement recorded in Book 6108, Page 30, Durham County Registry.
 - g. Declaration of Utility Easements recorded in Book 7829, Page 700, Durham County Registry.
 - h. Declaration of Temporary Access Easement recorded in Book 7829, Page 717, Durham County Registry.
3. Zoning ordinances and other governmental regulations applicable to the real property described herein.
4. The following matters as shown on plat of survey entitled "ALTA/ACSM Land Title Survey for: Avioq, Inc." by Richard Penci, P.L.S., dated October 16, 2015, including:
 - a. Existing fifty foot (50') PSNC easement;
 - b. Existing twenty foot (20') Duke Energy Carolinas easement;
 - c. Existing Private Access easement;
 - d. Proposed telecomm easement (per site design by Stewart, Inc.);
 - e. Proposed waterline easement (per site design by Stewart, Inc.);
 - f. Flood Zone "X";
 - g. Storm drain lines;
 - h. Rip rap areas;
 - i. Gas test stations and witness posts;
 - j. Overhead utility lines and utility poles;

- k. Service utilities, underground utility lines, utility meters and valves; and
- l. Manholes.