

For Registration Willie L. Covington
Register of Deeds
Durham County, NC
Electronically Recorded
2015 Dec 18 12:47 PM NC Rev Stamp: \$ 2000.00
Book: 7843 Page: 612 Fee: \$ 26.00
Instrument Number: 2015041865
DEED

Prepared by: Ewing Law Center, P.C.
Carey L. Ewing, Esq.
2304 S. Miami Blvd., Ste. 121
Durham, NC 27703

Return to: Grantee

PID # 105281

Excise tax: \$ 2,000.00

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 18th day of December, 2015, between **DUKE UNIVERSITY, a North Carolina Non-Profit Corporation** (hereinafter referred to as "GRANTOR") and **CITY OF DURHAM, a North Carolina Municipal Corporation, 101 City Hall Plaza, Durham, N.C. 27701** (hereinafter referred to as "GRANTEE").

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 and in valuable consideration and other valuable considerations, to them in hand paid by the Grantee, the receipt of which is hereby acknowledged, have granted, bargained and sold to the Grantee, her heirs, successors and assigns forever, the following described land situate, lying and being in the County of DURHAM and State of North Carolina, more particularly described as follows:

BEGINNING at an iron pipe located at the intersection of the northern right-of-way of Trinity Avenue with the western right-of-way of the Norfolk & Western Railroad; running thence with the northern right-of-way of Trinity Avenue North 87° 48' West 662.47 feet to a point where the northern right-of-way of Trinity Avenue begins to curve into the eastern right-of-way of North Duke Street; running thence with a clockwise curve having a radius of 20.00 feet an arc distance of 31.45 feet to a point; running thence along and with the said right-of-way of Duke Street North 02° 12' East 222.47 feet to an iron pipe; running thence South 87° 40' East 130 feet to an iron pipe; running thence North 02° 12' East 115 feet to an iron pipe; running thence South 87° 48' East 230.6 feet to an iron pipe; running thence North 30° 18' East 397.44 feet to an iron pipe

submitted electronically by "Ewing Law Center, PC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Durham County Register of Deeds.

on the southern right-of-way of Dacian Avenue; running thence along and with the said right-of-way South 87° 48' East 412.3 feet to an iron pipe on the western right-of-way of Norfolk and Western Railroad; running thence along and with the natural curvature of the said right-of-way in a southerly direction said curve having a radius of 1,705.57 feet, a distance of 375.3 feet to a point; continuing along with said right-of-way South 20° 12' West 264 feet to a point; thence continuing along and with the natural curvature of said right-of-way in a southerly direction said curve having a radius of 1,914.32 feet a distance of 124 feet to an iron pipe; the place and point of BEGINNING and being that property shown on plat of "Property of Duke University Medical Center" as surveyed by Jerry L. Hunt, Land Surveyor, dated 2/9/82, Job #5356 to which plat reference is hereby made for a more particular description of same.

In addition, Grantor has and by these presents does hereby convey and quitclaim to Grantee, without any representations or covenants, any and all right, title and interest of Grantor in and to that certain lot or parcel of land described as follows:

BEING also the same tract or parcel of land containing 9.188 acres, more or less, as shown on plat of survey entitled "Final Plat For Easement Dedication Of South Ellerbe Creek Trail" dated August 13, 1996, prepared by Triangle Surveyors, bearing Job No. 91002.02, being recorded in Plat Book 136, Page 141, Durham County Registry and being conveyed subject to all matters shown thereon.

This property's address is commonly known as: 808 W. Trinity Avenue, Durham, NC.

The property hereinabove described was acquired by Grantor by instrument recorded in **Book 1076, Page 386**, Durham County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereunto belonging to 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 and through Grantor, except for the exceptions hereinafter stated:

- (1) DEED OF EASEMENT DATED FEBRUARY 21, 1994 IN FAVOR OF THE CITY OF DURHAM RECORDED IN DEED BOOK 1961, PAGE 613 AND AS SHOWN ON PLAT RECORDED AT PLAT BOOK 131, PAGE 80.
- (2) DECLARATION OF RIGHTS AND PRIVILEGES OF CITY OF DURHAM IN SEWER EASEMENTS RECORDED IN BOOK 151, PAGE 958.
- (3) DRAINAGE EASEMENT AS SHOWN ON PLAT REFERRED IN PLAT BOOK 131, PAGE 80 AND PLAT BOOK 136, PAGE 141.
- (4) DEDICATION OF GREENWAY EASEMENT AS SHOWN ON PLAT BOOK 136, PAGE 141.
- (5) SUBJECT TO MATTERS SHOWN ON PLAT BOOK 136, PAGE 141.

[SIGNATURE ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal, the day and year first above written.

DUKE UNIVERSITY,
a North Carolina Non-Profit Corporation

BY: Tallman Trask (SEAL)
TALLMAN TRASK
Executive Vice President

STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Sharon Muzika Adams, a Notary Public for the County and State aforesaid certify that TALLMAN TRASK personally came before me this day and acknowledged that he is EXECUTIVE VICE PRESIDENT of DUKE UNIVERSITY, a North Carolina Non-Profit Corporation, and that he as EXECUTIVE VICE PRESIDENT, being authorized to do so, executed the foregoing on behalf of the Corporation.

Witness my hand and official seal this the 12th day of December, 2015.

Sharon Muzika Adams
_____, Notary Public

My commission expires: July 6, 2018

(NOTARY SEAL)

