

Register of Deeds  
Sharon A. Davis  
Durham County, NC

07/13/2022 04:21:54PM

BT: OPR B: 9740 P: 382 Pages: 6

DEED - DEED

Fee: \$51,576.00 Excise Tax: \$51550.00

INSTRUMENT #2022028894

Tonya Redfearn

**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax: \$51,550.00

Parcel Identifier No. 226406 Verified by \_\_\_\_\_ County on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Grantee

This instrument was prepared by: David D. Duncan, Counsel, 8801 River Crossing Blvd., Suite 300, Indianapolis, IN 46240

Brief description for the Index: 865 South Briggs Avenue, Durham, NC

THIS DEED made this 8th day of July, 2022 by and between

GRANTOR	GRANTEE
SCANNELL PROPERTIES #462, LLC, an Indiana limited liability company 8801 River Crossing Blvd., Suite 300 Indianapolis, IN 46240	USPP REGIONAL COMMERCE CENTER FOUR, L.L.C., a Delaware limited liability company c/o Principal Real Estate Investors, LLC 711 High Street Des Moines, IA 50392

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 situated in the City of Durham, Durham County, North Carolina and more particularly described as follows:

See Legal Description attached hereto as **Exhibit A** and hereby made a part hereof.

The property hereinabove described was originally acquired by Grantor by instrument recorded in

Book 9499, Page 187 in the 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 201, pages 9 through 13, Durham County Registry, and Plat Book 205, Pages 231 through 234, 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, other than the matters specifically listed on **Exhibit B** attached hereto.

*[Signature Page to Follow]*

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

**GRANTOR:**

SCANNELL PROPERTIES #462, LLC,  
an Indiana limited liability company

By: *Marc D. Pfleging*  
Marc D. Pfleging, Manager

STATE OF INDIANA                    )  
COUNTY OF MARION                ) ss.

Before me, a Notary Public, in and for said County and State, personally appeared Marc D. Pfleging, known by me to be the Manager of Scannell Properties #462, LLC, an Indiana limited liability company, who acknowledged execution of the foregoing instrument for and on behalf of said limited liability company.

Witness my hand and Notary stamp or seal, this *7th* day of July, 2022.

My Commission Expires: *Dec. 29, 2023*

*Jennifer N. Price* Notary Public



JENNIFER N. PRICE, Notary Public  
Marion County, State of Indiana  
Commission Number NP0677239  
My Commission Expires December 29, 2023

Notary's Printed or Typed Name

**EXHIBIT A**

**LEGAL DESCRIPTION**

LOT 4 OF THE FINAL SUBDIVISION, RECOMBINATION AND EASEMENT PLAT OF REGIONAL COMMERCE CENTER LOTS 3, 4 & 5, AS SHOWN ON THAT PLAT RECORDED IN PLAT BOOK 205, PAGES 231 THROUGH 234, DURHAM COUNTY REGISTRY, AS PREPARED BY DAN GREGORY, P.L.S. OF BASS, NIXON & KENNEDY, INC.

**EXHIBIT B**

**PERMITTED EXCEPTIONS**

1. This item has been intentionally deleted.
2. This item has been intentionally deleted.
3. This item has been intentionally deleted.
4. This item has been intentionally deleted.
5. Any mineral or mineral rights leased, granted or retained by current or prior owners.
6. Taxes for the year 2022, which are a lien, but not yet due and payable, and all subsequent years.
7. Private storm easements, SDTs, private utility easements, private access easements, access and maintenance easement, private sewer easements, private waterline easements, and any other facts as shown on plat recorded in Plat Book 205, Pages 231-234, Durham County Registry.
8. Private storm bypass easements, SDTs, private utility easements, private access easements, access and maintenance easement, and any other facts as shown on plat recorded in Plat Book 203, Pages 206-207, Durham County Registry.
9. Private storm bypass easements, SDTs, private utility easement, and any other facts as shown on plat recorded in Plat Book 201, Pages 9-13, Durham County Registry.
10. This item has been intentionally deleted.
11. Waterline easement and any other facts as shown on plat recorded in Plat Book 179, Page 61, Durham County Registry.
12. 20' road and any other facts as shown on plat recorded in Plat Book 122, Page 148, Durham County Registry.
13. Sanitary sewer easement, private drainage easement, and any other facts as shown on plat recorded in Plat Book 121, Page 87, Durham County Registry.
14. Easements and any other facts as shown on plat recorded in Plat Book 8, Page 197, Durham County Registry.
15. Terms, provisions, covenants, conditions, easements and restrictions as provided in Declaration of Easements, Covenants and Restrictions for Regional Commerce Center, recorded in Book 8700, Page 477; as amended in Book 8755, Page 576; as further amended in Book 8861, Page 827; as further amended in Book 9033, Page 948; and as further amended in Book 9503, Page 401; and as affected by Assignment of Developer's Rights Under Declaration of Easements, Covenants and Restrictions in Book 9503, Page 584, Durham County Registry.
16. Utility Easement to Public Service Company of North Carolina, Incorporated, a South Carolina corporation, dba Dominion Energy North Carolina recorded in Book 9048, Page 907, Durham County Registry.
17. Terms, provisions, covenants, conditions, easements and restrictions as provided in Stormwater Facility Agreement and Covenants (Commercial Version), recorded in Book 8672, Page 674, Durham County Registry.
18. Agreement by and between The American Tobacco Company, a corporation and State Highway Commission of the State of North Carolina, recorded in Book 352, Page 244, Durham County Registry.
19. Easement to Duke Power Company recorded in Book 300, Page 105, Durham County Registry.
20. Access and Sanitary Sewer Easement Agreement to Scannell Properties #462, LLC, an Indiana limited liability company and Scannell Properties #502, LLC, an Indiana limited liability company recorded in Book 9503, Page 591 and re-recorded in Book 9514, Page 793, Durham County Registry.
21. Easement to Duke Energy Carolinas, LLC, a North Carolina limited liability company recorded in Book 9530, Page 572, Durham County Registry.
22. Rights of CEVA Freight, LLC, as tenant, under and subject to the terms and provisions of an unrecorded lease dated April 28, 2022.

23. Rights of Costco Wholesale Corporation, as tenant, under and subject to the terms and provisions of an unrecorded lease dated February 10, 2022.
24. The facts, rights, interests or claims arising out of the following matters shown on ALTA/NSPS Land Title Survey prepared by Dan Gregory of Bass, Nixon & Kennedy, Inc., dated June 13, 2022, last revised July 6, 2022, and designated Job No. 17150: evidence of utilities outside of known easements.