

FOR REGISTRATION
 Willie L. Covington
 REGISTER OF DEEDS
 Durham County, NC
 2015 AUG 26 03:17:38 PM
 BK:7774 PG:286-295
 DEED
 FEE:\$26.00
 EXCISE TAX:\$150,698.00
 INSTRUMENT # 2015028525
 SCEARNEL



Excise Tax \$150,698.00 Recording Time, Book and Page _____
 Tax Lot No. _____ Parcel Identifier No. 154048-Durham/0737-80-0662 Wake
 Verified by _____ County of _____, 2015
 by _____

Mail after recording to:

Laurie C. Nelson, Esq.
 Ropes & Gray LLP
 1211 Avenue of the Americas
 New York, NY 10036-8704

Return To:
 First American Title Insurance-NCS
 1825 Eye Street NW, Suite 302
 Washington DC, 20006

This instrument was prepared by: Attn: Josh Slan 578053
 Covington & Burling LLP
 Heather G. Haberl, Esq.
 One CityCenter
 850 Tenth Street, N.W.
 Washington, D.C. 20001

Brief description for the Index: _____

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made as of August 24, 2015, by and between

GRANTOR

GRANTEE

Eisai Inc., a Delaware corporation
 100 Tice Boulevard
 Woodcliff Lake, NJ 07677

Biogen U.S. Corporation, a Massachusetts corporation
 225 Binney Street
 Cambridge, MA 02142

Enter in appropriate block for each party: Name, address and, if appropriate, character of entity, e.g., corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include the 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 or parcel of land situated in Research Triangle Park, Triangle Township, Durham and Wake Counties, North Carolina, and more particularly described as follows (the "Property"): **See attached Exhibit A incorporated herein; provided, however, that fee simple title to any and all improvements located on the parcel of land more particularly described on Exhibit B incorporated herein shall not be granted, bargained, sold or conveyed hereby.**

The Property hereinabove described was acquired by Grantor by instrument recorded in Book 2667, Page 583, and Book 2177, Page ~~396~~, Durham County Registry, and by instrument recorded in Book 8341, Page 2421, Wake County Registry. 936

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 hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions: **See attached Exhibit C incorporated herein.**

[signature page follows]

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first written above.

EISAI INC., a Delaware corporation

By: *Shawn Gallagher*
Name: Shawn Gallagher
Title: Chief Supply Chain Officer

State of New Jersey ,
County of Bergen ,

I, Kinga Bernath , a Notary Public of said county and state aforesaid, certify that
Shawn Gallagher , Chief Supply Chain Officer of Eisai Inc., personally appeared before me this day and acknowledged to me that he/she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

KINGA BERNATH
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/12/2018

Witness my hand and notarial seal this the 18th day of August, 2015

My commission expires: 3/12/18

Kinga Bernath Notary Public
Typed or Printed Name: Kinga Bernath

The foregoing Certificate(s) of

_____ is/are certified to be correct. This instrument and this certificate are duly registered on _____, 20____, at _____ A.M., P.M., in Book _____, Page _____.
_____ Register of Deeds for _____ County, North Carolina.

By _____ Deputy / Assistant - Register of Deeds.

EXHIBIT "A"

The land with the buildings and improvements thereon, described as Tract 1 and Tract 2, as follows:

Tract 1- Durham County:

As referenced in Deed recorded in Book 2177, Page 936:

All of that property shown as Site 13, containing 52.135 acres, more or less, shown on a Map of a survey entitled "Boundary Survey for Research Triangle Foundation, Triangle Township, Wake, Durham Counties, North Carolina," prepared by WK Dickson, Engineers Raleigh, N.C. dated March 14, 1996, and recorded in Book of Maps Book 135, Page 95, Durham County, and Book of Maps 1996, Page 417 Wake County, North Carolina Registries (the "Property").

As referenced in Deed recorded in Book 2667, Page 583:

Option Tract

54.390 Acre Parcel - RTP Site 13A

Triangle Township, Wake & Durham Counties, North Carolina

Situated in Triangle Township, Wake and Durham Counties, North Carolina, and described as follows:

*.435

Commencing at a 3/4" iron pipe set on the westerly right-of-way of Davis Drive, S.R. 1613, having N.C. Grid Coordinates Y(N)771598.77, X(E)2039069.43. Said point being South 63° 27' 14" West 12565.929 feet (grid distance) from NCGS "Bennie", having N.C. Grid Coordinates Y(N)777214.7086, X(E)2050310.601 (combined grid factor 0.999914). Said iron pipe being the True Place of Beginning for the parcel herein described; thence 707.45 feet along the westerly right-of-way of Davis Drive and the arc of a curve to the left, having a radius of 1328.24 feet and a chord bearing and distance of South 45° 41' 53" West 699.12 feet to 3/4" iron pipe set; thence South 27° 27' 18" West 204.26 feet along the right-of-way of Davis Drive and the chord of a spiral curve to 3/4" iron pipe set; thence South 25° 56' 21" West 548.89 feet along the right-of-way of Davis Drive to a point (a 3/4" iron pipe was found South 67° 38' 23" West 2.04 feet from this point); thence South 67° 57' 18" West 113.28 along the proposed right-of-way of Development Drive to a 3/4" iron pipe found; thence North 70° 05' 02" West 627.78 feet along the proposed northerly right-of-way of Development Drive to a 3/4" iron pipe found; thence 845.38 feet along the proposed northerly right-of-way of Development Drive and the arc of a curve to the left, having a radius or 2375.00 feet and a chord bearing and distance of North 80° 16' 52" West 840.92 feet to 3/4" iron pipe set; thence North 25° 50' 37" East 1691.13 feet along the easterly property line of Durham Wildlife Club, Deed Book 314, Page 110, Durham County Registry, to a 3/4" iron pin set; thence South 67° 29' 06" East 1755.29 feet along a new property line to the True Place of Beginning, containing 54.390 acres of land, of which 5.060 acres are in Wake County and 49.330 acres are in Durham County. Reference is also made to map of survey by W. K. Dickson & Co., Inc. titled "Boundary Survey for Research Triangle Foundation of North Carolina" dated March 14, 1996, recorded in Book of Maps 1996, Page 417, Wake County Registry and Plat Book 135, Page 95, Durham County Registry.

Right-of-Way Tract

26.423 Acre Parcel-RTP Site 13B

Triangle Township, Durham County, North Carolina

Situated in Triangle, Durham County, North Carolina and described as follows:

Commencing at a 3/4" iron pipe set at the intersection of the southerly right-of-way of Hopson Road, S.R. 1978 and proposed Triangle Parkway having N.C. Grid Coordinates Y(N)773863.457, X(E)2039240.671. Said point being South 73° 09' 26" West 11566.08 feet (grid distance) from NCGS "Bennie", having N.C. Grid Coordinates Y(N)777214.7086, X(E)2050310.601 (combined grid factor 0.999914). Said iron pipe the True Place of Beginning for the parcel herein described. Thence 957.30 feet along the proposed westerly right-of-way of Triangle Parkway Drive and the arc of a curve to the right, having a radius of 11309.19 feet and a chord bearing and distance of South 14° 55' 05" East 957.01 feet to a 3/4" iron pipe set on the southerly line of a Duke Power easement as recorded in Book 435, Page 947, Durham County Registry; thence North 85° 37' 11" West 1659.80 feet along a new property line and the southerly line of said Duke Power easement to a 3/4" iron pipe set; thence North 07° 45' 53" West 537.07 feet along a new property line to a 3/4" iron pipe set on the southerly right-of-way of Hopson Road; thence 608.03 feet along the southerly right-of-way of Hopson Road and the arc of a curve to the left, having a radius of 11534.16 feet and a chord bearing and distance of North 80° 43' 30" East 607.96 feet to a concrete monument found; thence North 79° 12' 53" East 896.97 feet along the southerly right-of-way of Hopson Road to the True Place of Beginning containing 26.423 acres of land. Reference is hereby made to a map of survey by W. K. Dickson & Co., Inc. titled "Boundary Survey for Research Triangle Foundation of North Carolina dated March 14, 1996, recorded in Plat Book 135, Page 96 Durham County Registry.

The three tracts described above were recombined into Site 13 as described on that Recombination Map for Eisai (Formerly Sites 13, 13A & 13B) recorded in Durham County Plat Book 143, Page 179 on June 23, 1999.

Less and except those portions of the above described tracts conveyed to North Carolina Department of Transportation Turnpike Authority by that Consent Judgment recorded July 23, 2012 in Deed Book 7019, Page 98, Durham County Registry.

Tract 2- Wake County:

(As referenced in Deed recorded in Book 8341, Page 2421)

Option Tract

54.390 Acre Parcel - RTP Site 13A

Triangle Township, Wake & Durham Counties, North Carolina

Situated in Triangle Township, Wake and Durham Counties, North Carolina, and described as follows:

Commencing at a 3/4" iron pipe set on the westerly right-of-way of Davis Drive, S.R. 1613, having N.C. Grid Coordinates Y(N)771598.77, X(E)2039069.435. Said point being South 63° 27' 14" West 12565.929 feet (grid distance) from NCGS "Bennie", having N.C. Grid Coordinates Y(N)777214.7086, X(E)2050310.601 (combined grid factor 0.999914). Said iron pipe being the True Place of Beginning for the parcel herein described, thence 707.45 feet along the westerly right-of-way of Davis Drive and the arc of a curve to the left, having a radius of 1328.24 feet and a chord bearing and distance of South 45° 41' 52" West 699.12 feet to 3/4" iron pipe set, thence South 27° 27' 18" West 204.26 feet along the right-of-way of Davis Drive and the chord of a spiral curve to 3/4" iron pipe set, thence South 25° 56' 21" West 548.89 feet along the right-of-way of Davis Drive to a point (a 3/4" iron pipe was found South 67°

38' 23" West 2.04 feet from this point), thence South 67° 57' 18" West 113.28 along the proposed right-of-way of Development Drive to a 3/4" iron pipe found, thence North 70° 05' 02" West 627.78 feet along the proposed northerly right-of-way of Development Drive to a 3/4" iron pipe found, thence 845.38 feet along the proposed northerly right-of-way of Development Drive and the arc of a curve to the left, having a radius of 2375.00 feet and a chord bearing and distance of North 80° 16' 52" West 840.92 feet to 3/4" iron pipe set, thence North 25° 50' 37" East 1691.13 feet along the easterly property line of Durham Wildlife Club, Deed Book 314, Page 110, Durham County Registry, to a 3/4" iron pin set, thence South 67° 29' 06" East 1755.29 feet along a new property line, to the True Place of Beginning, containing 54.390 acres of land, of which 5.060 acres are in Wake County and 49.330 acres are in Durham County.

Reference is also made to map of survey by W. K. Dickson & Co, Inc titled "Boundary Survey for Research Triangle Foundation of North Carolina" dated March 14, 1996, recorded in Book of Maps 1996, Page 417, Wake County Registry and Plat Book 135, Page 95, Durham County Registry.

EXHIBIT "B"

All that property containing 2.34 acres, more or less, located at 900 Davis Drive, Research Triangle Park, Durham County, North Carolina; and being more particularly described as follows:

COMMENCING at a nail set (N.C. Grid Coordinates NAD83/CORS96 N=770,036.48 feet, E=2,034,844.42 feet) and runs as a tie line north 37 deg. 54 min. 08 sec. east 2,932.30 feet to the northwesternmost exterior corner a two-story concrete building, said building corner also being the POINT OF BEGINNING; thence with a western wall of the building south 04 deg. 14 min. 37 sec. west 205.44 feet to a building corner; thence with a northern wall north 85 deg. 45 min. 23 sec. west 48.48 feet to a building corner; thence with a western wall south 04 deg. 14 min. 37 sec. west 106.87 feet to a building corner, the southwesternmost exterior corner of the building described herein; thence with a southern wall south 85 deg. 45 min. 23 sec. east 171.61 feet to a building corner; thence with a western wall south 04 deg. 16 min. 57 sec. west 45.65 feet to a building corner; thence with a southern wall south 85 deg. 45 min. 23 sec. east 160.30 feet to a building corner, the southeasternmost exterior corner of the building described herein; thence with an eastern wall north 04 deg. 14 min. 39 sec. east 88.52 feet to a building corner; thence with a southern wall south 85 deg. 45 min. 18 sec. east 11.17 feet to a building corner; thence with an eastern wall north 04 deg. 14 min. 37 sec. east 77.26 feet to a building corner; thence continuing with a line through a passageway connecting the building described herein to a separate building located to the east north 04 deg. 14 min. 37 sec. east 14.37 feet to an exterior wall of the aforementioned passageway; thence with a northern wall north 85 deg. 45 min. 24 sec. west 11.91 feet to a building corner; thence with an eastern wall north 04 deg. 14 min. 38 sec. east 177.81 feet to a building corner, the northeasternmost exterior corner of the building described herein; thence with the northernmost wall north 85 deg. 45 min. 23 sec. west 282.67 feet to a building corner, said corner being the POINT OF BEGINNING.

EXHIBIT "C"

1. Any fact, rights, interests or claims that may exist or arise by reason of the matters disclosed on the ALTA/ACSM Survey prepared by McKim & Creed on July 15, 2015, and designated Job Number 6928-0001, including without limitation:
 - a. Central and northerly portions of the jogging trail protrude undetermined distances outside of the Jogging Trail easement; and
 - b. Subject property contains multiple ditches and wetland areas.
2. (Corrected) Amended and Restated Conditions, Covenants, Restrictions and Reservations Affecting The Research Triangle Park, dated of August 29, 2014, and recorded in the Office of the Register of Deeds, Durham County, in Book 7559, Page 1-64, and recorded in Book 015768, Page 02175 - 02239, Wake County Registry, as amended or amended and restated from time to time.
3. Easements and any other facts as shown in Plat Map Book 125, Page 195; Plat Map Book 135, Page 95-96; Plat Map Book 143, Page 164-166; Plat Map Book 143, Page 179, Durham County Registry.
4. Right of Way Easement recorded in Book 121, Page 283, Durham County Registry.
5. Access Easement Agreement to Research Triangle Foundation of North Carolina, and Eisai Pharmatechnology, Inc. recorded in Book 2177, Page 944, Durham County Registry.
6. Sanitary Sewer Line Easement Agreement by Research Triangle Foundation of North Carolina, Grantor, and Eisai Pharmatechnology, Inc. recorded in Book 2177, Page 956, Durham County Registry.
7. Water Line Easement Agreement by Research Triangle Foundation of North Carolina, Grantor, and Eisai Pharmatechnology, Inc. recorded in Book 2177, Page 966, Durham County Registry.
8. Deed of Easement for Jogging Trail by Research Triangle Foundation of North Carolina, Grantor, and Durham-Wake Counties Research and Production Service District recorded in Book 2664, Page 984, Durham County Registry.
9. Right of Way Agreement by The Research Triangle Foundation of N.C., Grantor, and Public Service Company of North Carolina, Inc. recorded in Book 1111, Page 179, Durham County Registry.
10. Utility Easement by Eisai Inc., Grantor, and Public Service Company of North Carolina, Incorporated recorded in Book 5350, Page 286 and Book 5852, Page 503, Durham County Registry.
11. Right of Way Agreement by Mrs. Audrey Stone, Grantor, and Duke Power Company, Grantee recorded in Book 177, Page 669, Durham County Registry.
12. Right of Way Agreement by Research Triangle Foundation of North Carolina, Grantor, Duke Power Company, Grantee, recorded in Book 1760, Page 308, Durham County Registry.
13. Right of Way Agreement by Eisai Inc., Grantor, and Duke Power Company LLC d/b/a Duke Energy Carolinas, LLC, Grantee, recorded in Book 5419, Page 1 and Page 5551, Page 955, Durham County Registry.

14. Consent Judgment in favor of North Carolina Department of Transportation Turnpike Authority recorded in Book 7019, Page 98, Durham County Registry.
15. Easement Agreement by Eisai, Grantor, and Level 3 Communications, LLC recorded in Book 6674, Page 534, Durham County Registry.
16. Restrictions contained in vesting deed recorded by Research Triangle Foundation of North Carolina, Grantor, and Eisai Pharmatechnology, Inc., Grantee, recorded in Book 2177, Page 936, Durham County Registry.
17. Restrictions for Surface Cover Maintenance contained in vesting deed recorded by Research Triangle Foundation of North Carolina, Grantor, and Eisai Inc., Grantee, recorded in Book 2667, Page 583, Durham County Registry.
18. Right of Way Agreement by Research Triangle Foundation of North Carolina, Grantor, and Duke Power Company, Grantee, recorded in Book 435, Page 947, Durham County Registry.
19. Easements and any other facts as shown in Plat Map Book 1991, Page 1091; Plat Map Book 1996, Page 1057; Plat Map Book 1996, Page 417; Plat Map Book 1999, Page 265; Plat Map Book 1999, Page 1159, Wake County Registry.
20. Restrictions for Surface Cover Maintenance Area recorded in Book 8341, Page 2421, Wake County Registry.
21. Deed of Easement for Jogging Trail by Research Triangle Foundation of North Carolina, Grantor and Durham-Wake Counties Research and Production Service District recorded in Book 8340, Page 1149, Wake County Registry.
22. Drainage Easement by Eisai Inc., Grantor, and Department of Transportation recorded in Book 11567, Page 1196, Wake County Registry.
23. Memorandum of Action by North Carolina Department of Transportation Turnpike Authority, Plaintiff and Eisai Inc., Defendant recorded in Book 13885, Page 2246, Durham County Registry.
24. Terms and provisions of unrecorded Amended and Restated Lease and Purchase Option by and between EISAI Inc., and Biogen U.S. Corporation as evidenced by Memorandum of Lease and Option to Purchase and Ground Lease recorded in Book 7165, Page 328, Durham County Registry, as amended and restated by the Amended and Restated Memorandum of Amended and Restated Lease and Purchase Option.
25. Terms and provisions of unrecorded Lease by and between EISAI Inc., and Biogen U.S. Corporation as evidenced by Memorandum of Lease and Option to Purchase and Ground Lease recorded in Book 7165, Page 328, Durham County Registry.