

FOR REGISTRATION  
Willie L. Covington  
REGISTER OF DEEDS  
Durham County, NC  
2015 NOV 13 12:58:17  
BK:7823 PG:258-263  
DEED  
FEE:\$26.00  
EXCISE TAX:\$67,738.00  
INSTRUMENT # 2015037984  
MDEGREE



Excise Tax: \$67,738.00

Parcel ID No: 196352, 209094, 209095, 209096, 219214 (51.6% allocated interest in and to Common Elements), 219215 (common area to Land Unit 1)

Return to: Grantee

This instrument was prepared by: Ragsdale Liggett PLLC (Bolton)

Brief Description For The Index:

Units 1-3 Pavilion East, Condominium Book 9, Pages 306-347

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**NORTH CAROLINA SPECIAL WARRANTY DEED**

**THIS DEED** made as of November 12, 2015, by and between:

**Pavilion East, LLC, a North Carolina limited liability company**, with offices at 702 Oberlin Road, Raleigh, North Carolina 27605, hereinafter referred to as the Grantor, and **RRPIII Lakeview Durham Retail LLC, a North Carolina limited liability company**, with offices at 4801 PGA Boulevard, Palm Beach Gardens, Florida 33418, hereinafter referred to as the 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.

The property herein conveyed does not include the primary residence of Grantor.

**WITNESSETH**, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple all of their right, title and interest in and to that certain lot or parcel of land situated in City of Durham, Durham County, North Carolina and more particularly described as follows:

**See Exhibit A attached hereto**

Being the same property as conveyed to the Grantor by deed recorded in Book 5762 at Page 620, Durham County Registry.

**TO HAVE AND TO HOLD** the aforesaid lot or parcel of land and all improvements thereon and all privileges and appurtenances thereto belonging to Grantee in fee simple.

And Grantor covenants with 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 permitted exceptions listed on Exhibit B attached hereto:

Signature Page to Special Warranty Deed  
Pavilion East

Grantor has caused this deed to be duly executed as of the date first above written.

**GRANTORS:**

**Pavilion East, LLC**  
**A North Carolina limited liability company**

By: *[Signature]*  
*James I. Anthony, Jr.*  
*Manager*

STATE OF North Carolina  
COUNTY OF *Wake*

I, a Notary Public of the County and State aforesaid, certify that the following person(s) personally appeared before me this day, each acknowledging that they voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

*James I. Anthony, Jr., Manager*, of Pavilion East, LLC, a North Carolina limited liability company

Date: *Oct 24*, 2015

[STAMP OR SEAL]

*Noreen L Tompkins*  
Notary Public  
My commission expires: *Dec. 2, 2017*

NOREEN L TOMPKINS  
NOTARY PUBLIC  
WAKE COUNTY, NC  
My Commission Expires *12/2/2017*

Exhibit A  
Legal Description

All those pieces, parcels, or tracts of land lying and being in the City of Durham, Durham Township, Durham County, North Carolina, and being more particularly described as follows:

**Units 1-3, Pavilion East Condominiums**

BEING all of Units 1, 2, and 3 (the "Pavilion Condominiums"), as per plats and plans entitled "The Pavilion East at Lakeview Park Condominium" recorded in Condominium Book 9, Pages 306 through 347, and re-recorded in Condominium Book 9, Pages 348 through 389, in the Office of the Register of Deeds of Durham County Registry, North Carolina, as designated and described in that certain Declaration Creating Unit Ownership and Establishing Restrictions, Covenants, and Conditions for The Pavilion East at Lakeview Park Condominium recorded in Book 5762, Page 625, and re-recorded in Book 5768, Page 231, as amended by amendment recorded in Book 6091, Page 793 and as amended by the Amendment to Declaration of Condominium of Pavilion East at Lakeview Park Condominium recorded in Book 6296, Page 787, in the Office of the Register of Deeds of Durham County, North Carolina, as such plats, plans and declarations have been reaffirmed by that certain Amendment and Reaffirmation dated October 10, 2011, and recorded in Book 6818, Page 94, in the Office of the Register of Deeds of Durham County, North Carolina (collectively, the "Pavilion Declaration"), creating the Pavilion Condominiums under the provisions of Chapter 47C of the North Carolina General Statutes. The Condominium Act, the Pavilion Declaration and the plats and plans on file in Condominium Book 9, Pages 306 through 347, and rerecorded in Condominium Book 9, Pages 348 through 389, in the Durham County Registry, are incorporated by reference for, among other reasons, a more particular description of each of the Pavilion Condominiums, the allocated interests, the common elements and the land on which the Pavilion Condominiums and the common elements are located.

TOGETHER WITH all rights and easements benefitting Lot 4, of which the Pavilion Condominiums are a part, contained in that certain Master Declaration of Covenants, Conditions, and Restrictions and Reciprocal Easement Agreement for Lakeview Park Master Development recorded in Book 3958, Page 468, in the Office of the Register of Deeds of Durham County, North Carolina. For the purposes hereof, "Lot 4" refers to Lot 4 as per plat entitled "Recombination & Subdivision of Lakeview Park" recorded in Plat Book 158, Pages 335 through 338, in the Office of the Register of Deeds of Durham County, North Carolina.

**TOGETHER WITH** all right, title, and interest benefitting Land Unit 1 (as defined below), including, without limitation, all right, title, and interest to all or any portion of the common elements, limited common elements, and general common elements benefitting Land Unit 1, pursuant to the terms of the Land Unit Declaration (as defined below) and all other rights and easements benefitting Land Unit 1, of which the Pavilion Condominiums are a part, contained in that certain Master Declaration of Covenants, Conditions, and Restrictions and Reciprocal Easement Agreement for Lakeview Park Master Development dated June 18, 2003, executed by

Lake View Partners, LLC, and recorded in Book 3958, Page 468, in the Office of the Register of Deeds of Durham County, North Carolina. For the purposes hereof, "Land Unit 1" refers to Land Unit 1 as per plats and plans entitled "The Pavilion at Lakeview Park Land Condominium" recorded in Condominium Book 9, Pages 270 through 281, in the Office of the Register of Deeds of Durham County, North Carolina, as designated and described in that certain Declaration Creating Unit Ownership and Establishing Restrictions, Covenants, and Conditions for The Pavilion at Lakeview Park Land Condominium recorded in Book 5762, Page 576, in the Office of the Register of Deeds of Durham County, North Carolina, as such Land Unit Declaration was reaffirmed by that certain Amendment and Reaffirmation dated October 10, 2011, and recorded in Book 6818, Page 94, in the Office of the Register of Deeds of Durham County, North Carolina (collectively, the "Land Unit Declaration"), creating Land Unit 1 under the provisions of Chapter 47C of the North Carolina General Statutes. The Condominium Act, the Land Unit Declaration and the plats and plans on file in Condominium Book 9, Pages 270 through 281, in the Durham County Registry, are incorporated by reference for, among other reasons, a more particular description of Land Unit 1, the allocated interests, the common elements and the land on which Land Unit 1 and the common elements are located.

TOGETHER WITH all right, title, and interest benefitting the Pavilion Condominiums or any of them, including, without limitation, all right, title, and interest to all or any portion of the common elements, limited common elements, and general common elements benefitting the Pavilion Condominiums or any of them, pursuant to the terms of the Pavilion Declaration and all other rights and easements benefitting the Pavilion Condominiums contained in the Pavilion Declaration, and the plats recorded in Condominium Book 9, Pages 306 through 347 and re-recorded in Condominium Book 9, Page 348 through 389, in the Office of the Register of Deeds of Durham County, North Carolina.

TOGETHER WITH all right, title and interest of Pavilion East, LLC, as Declarant or otherwise, pursuant to the Pavilion Declaration, as may be heretofore or hereafter amended, supplemented, restated or otherwise modified from time to time.

Exhibit B  
Permitted Exceptions

1. 2016 ad valorem taxes.
2. Easements to Duke Power Company recorded in Book 288, Page 450, Book 426, Page 670 and Book 1000, Page 205, Durham County Registry.
3. Right of Way Easement to General Telephone Company of the Southeast recorded in Book 1275, Page 327, Durham County Registry.
4. Declaration of Rights and Privileges of the City of Durham in certain Sanitary Sewer Easements recorded in Book 1510, Page 958, Durham County Registry.
5. Master Declaration of Covenants, Conditions and Restrictions and Reciprocal Easement Agreement for Lakeview Park Master Development recorded in Book 3958, Page 468, Durham County Registry.
6. Subject to matters as shown on recorded plat in Plat Book 158 at Page 335 and 337; Plat Book 86, Page 23; Plat Book 137, Page 34, Plat Book 158, Page 27 and Plat Book 174, Page 86, Durham County Registry.
7. Easements as described in Right of Way Agreement to Duke Power Company LLC recorded in Book 5433 at Page 457, Durham County Registry.
8. Utility Easement to PSNC Energy recorded in Book 5298, Page 262, Durham County Registry.
9. Declaration creating unit ownership and Establishing Restrictions, Covenants and Conditions for the Pavilion East at Lakeview Park Condominium recorded in Book 5762, Page 625 and re-recorded in Book 5768, Page 23, as affected by Amendment to Bylaws recorded in Book 6091, Page 793 and as amended by Amendment to Declaration of Condominium of Pavilion East at Lakeview Park Condominium recorded in Book 6296, Page 787, Durham County Registry.
10. All matters as shown on Condominium Book 9, Pages 270-281, as amended by Amendment and Reaffirmation recorded in Book 6818, Page 94; Condominium Book 9, Pages 306-347 and re-recorded in Condominium Book 9, Page 348-389; and Condominium Book 12, Page 161, Durham County Registry.