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Fee Amt: $26.00 Page 1 of 5
EDGECOMBE COUNTY, NORTH CAROLINA
Robin W Carpenter Register of Deeds
BK 1561 PG 124-128

STATE OF NORTH CAROLINA

COUNTY OF EDGECOMBE

PARTIAL RELEASE OF EASEMENT

SPO 33-E, 33-26.2
EEP #123

(DB 1457 PG 1107)

THIS PARTIAL RELEASE OF EASEMENT, is made as of the date set forth in the notary acknowledgement below, by the STATE OF NORTH CAROLINA, hereinafter Party of the First Part and Town of Tarboro, hereinafter Party of the Second Part,

WITNESSETH:

THAT, WHEREAS Town of Tarboro conveyed a 8.86 +/- acre Conservation Easement (Reaches 1 and 2) to the State in an instrument dated February 14, 2006, and recorded in Deed Book 1457, Page 1107, and Map Book 8 Pages 293, 294, and 295, Edgecombe County Registry for the East Tarboro Canal Project, and

WHEREAS, the parties hereto desire to release a portion of the property from the Conservation Easement conveyed in Deed Book 1457 Page 1107 because this area of the property will not satisfy the regulatory mitigation requirements provided for in the Conservation Easement.

NOW, THEREFORE, the Party of the First Part in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby releases and forever quitclaims unto the Party of the Second Part, their heirs and assigns, all right, title, claim and interest in and to that certain 1.83+/- acres (Reach 1, lying between East and West Canal Streets) portion of the tract or parcel of land lying in No. 1 Township, Edgecombe County, North Carolina upon which the Conservation Easement was placed as more particularly described below as "TOT1" and "TOT2" on "**Exhibit A**" attached hereto.

TO HAVE AND TO HOLD the aforesaid portion of the tract or parcel of land free from the restrictions and covenants previously placed on the property by the Conservation Easement recorded in Deed Book 1457 Page 1107, Edgecombe County Registry.

IN TESTIMONY WHEREOF, the STATE OF NORTH CAROLINA has caused this instrument to be executed in its name by BEVERLY E. PERDUE, Governor, attested by ELAINE F. MARSHALL, Secretary of State, and the Great Seal of the State of North Carolina to be hereto affixed by virtue of the power and authority aforesaid.

STATE OF NORTH CAROLINA

By: Bev Perdue

Governor

ATTEST:

By: Elaine F. Marshall

Secretary of State

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, Jennell Baughman, a Notary Public in and for the County of Johnston and State of North Carolina, do hereby certify that ELAINE F. MARSHALL, Secretary of State of North Carolina, personally came before me this day and acknowledged that she is the Secretary of State of North Carolina , and that by authority duly given and as the act of the State, the foregoing instrument was signed in its name by BEVERLY E. PERDUE, Governor of the State of North Carolina, sealed with the Great Seal of the State of North Carolina, and attested by herself as Secretary of State of North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the 19 day of October, 2010.

JENNELL BAUGHMAN
Notary Public
Johnston County
State of North Carolina
My Commission Expires Nov 21, 2011

Jennell Baughman
Notary Public
Print Name: Jennell Baughman

My Commission Expires: 11/21/2011

APPROVED AS TO FORM:

ROY COOPER

ATTORNEY GENERAL

By: _____
Assistant Attorney General

"Exhibit A"

Reach One being 1.83 acres total

Description for TOT1

Said **0.78 acre** parcel being more fully described as follows:

BEGINNING AT A POINT, said point being N 72°10'49" W 80.97' from control disk #9 thence S 46°23'00" E, 940.84 feet to a point; thence N 43°37'00" E, 36.00 feet to a point; thence N 46°23'00" W, 940.84 feet to a point; thence S 43°36'58" W, 36.00 feet to a point; to the **POINT OF BEGINNING**.

DESCRIPTION of a **0.78 acre** parcel of land located in the Township No. 1, County of Edgecombe, State of North Carolina in accordance with a plan entitled Conservation Easement Town of Tarboro, NC Ecosystem Enhancement Program dated November 28, 2005 and containing 33870 square feet or 0.78 acres of land, more or less.

Description for TOT2

Said **1.05 acre** parcel being more fully described as follows:

BEGINNING AT A POINT, said point being N 65°09'16" E from control disk #8, thence N 62°30'00" E, 40.00 feet to a point; thence S 27°30'00" E, 748.79 feet to a point; thence S 60°43'27" W, 4.92 feet to a point; thence S 27°49'22" E, 100.26 feet to a point; thence S 66°34'41" E, 77.05 feet to a point; thence S 23°07'37" W, 76.03 feet to a point; thence N 64°02'28" W, 110.90 feet to a point; thence N 27°28'19" W, 129.01 feet to a point; thence N 62°42'17" E, 40.53 feet to a point; thence N 27°30'00" W, 739.28 feet to a point; to the **POINT OF BEGINNING**.

DESCRIPTION of a **1.05 acre** parcel of land located in the Township No. 1, County of Edgecombe, State of North Carolina in accordance with a plan entitled Conservation Easement Survey Town of Tarboro, NC Ecosystem Enhancement Program, dated November 28, 2005 and containing 45,636 square feet or 1.05 acres of land, more or less.

(5) 26-M- NC Dept of Adm
1321 MSC
Raleigh, NC 27699-1321