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ASHE COUNTY
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REGISTER OF DEEDS

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STATE OF NORTH CAROLINA

CONSERVATION EASEMENT DEED AND ASSIGNMENT

ASHE COUNTY
SPO File Number 005-AV
Prepared by: Office of the Attorney General
Property Control Section
Return to: NC Department of Administration
State Property Office
1321 Mail Service Center
Raleigh, NC 27699-1321

THIS CONSERVATION EASEMENT DEED AND ASSIGNMENT, made this 16th day of December, 2008, by Michael N. Tate and spouse Virginia B. Tate, whose mailing address is 510 29th Avenue Drive NW, Hickory, NC 28601, ("**Grantor**") and by the Blue Ridge Rural Land Trust, a North Carolina nonprofit corporation, whose mailing address is Post Office Box 2557 Boone, NC 28607, ("**Assignor**"), to the State of North Carolina, ("**Grantee**" or "**Assignee**"), whose mailing address is State of North Carolina, Department of Administration, State Property Office, 1321 Mail Service Center, Raleigh, NC 27699-1321. The designations 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:

Grantor and Assignor (collectively, the "**Parties**") have agreed to grant or assign portions of the land areas that were included a previous deed of a conservation easement as recorded in **Deed Book 305, Page 1753, and Deed Book 357, Page 2273, of the Ashe County Registry** (the "**Deed**").. Areas which the **Parties** now agree should be encumbered by this conservation easement should be assigned to the **Grantee** and the conservation easement on all areas which the parties agree should not be encumbered will continue to be subject to the conservation easement conveyed to the **Assignor**. To this end, the Parties, individually and through their authorized representatives signing below, grant and assign to the **Grantee** all property interests in the easement area defined in the easements recorded at **Deed Book 305, Page 1753, and Deed Book 357, Page 2273 Ashe County Registry**, that are not hereafter included within the new conservation easement area defined in this deed.

WHEREAS, pursuant to the provisions of N.C. Gen. Stat. § 143-214.8 et seq., the State of North Carolina has established the Ecosystem Enhancement Program (formerly known as the Wetlands Restoration Program) within the Department of Environment and Natural Resources for the purposes of acquiring, maintaining, restoring, enhancing, creating and preserving wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, aquatic habitat, wildlife habitat, and recreational opportunities; and

WHEREAS, The State of North Carolina is qualified to be the Grantee of a Conservation Easement pursuant to N.C. Gen. Stat. § 121-35; and

WHEREAS, the Ecosystem Enhancement Program in the Department of Environment and Natural Resources has approved acceptance of this instrument; and

WHEREAS, the Department of Environment and Natural Resources, the North Carolina Department of Transportation and the United States Army Corps of Engineers, Wilmington District entered into a Memorandum of Agreement, (MOA) duly executed by all parties in Greensboro, NC on July 22, 2003. This MOA recognizes that the Ecosystem Enhancement Program is to provide for compensatory mitigation by effective protection of the land, water and natural resources of the State by restoring, enhancing and preserving ecosystem functions; and

WHEREAS, the acceptance of this instrument for and on behalf of the State of North Carolina was granted to the Department of Administration by resolution as approved by the Governor and Council of State adopted at a meeting held in the City of Raleigh, North Carolina, on the 5th day of June 2007; and

WHEREAS, Grantor owns in fee simple certain real property situated, lying, and being in Hurricane Township, Ashe County, North Carolina (the "**Property**"), and being more particularly described as those certain parcels of land containing approximately **700** acres and being conveyed to the Grantor by deed as recorded in **Deed Book 213 at Page 1085, Deed Book 247 at Page 1792, Deed Book 311 at Page 759, Deed Book 312 at Page 726, Deed Book 316 at Page 846,** of the Ashe County Registry, North Carolina; and

WHEREAS, Grantor is willing to grant a Conservation Easement over the herein described areas of the Property, thereby restricting and limiting the use of the included areas of the Property to the terms and conditions and purposes hereinafter set forth, and Grantee is willing to accept such Conservation Easement. This Conservation Easement shall be for the protection and benefit of the waters of **Ripshin Branch**.

WHEREAS, pursuant to the funding, the **Assignor** has, on the 10 day of December, 2003 and on the 12 day of December, 2006 acquired a Conservation Easement, over the **Property** of **Grantor**, which easements are recorded in Deed Book 305, Page 1753 and Deed Book 357, Page 2273 of the Ashe County Registry: and

WHEREAS, in furtherance of the terms and conditions of the Grant Agreement, the **Assignor** desires to assign its right, title, and interest in the herein described areas of the Conservation Easement to the **Assignee**, and the **Assignee** has agreed to this Assignment.

NOW, THEREFORE, in consideration of the mutual covenants, terms, conditions, and restrictions hereinafter set forth, **Grantor** along with **Assignor**, unconditionally and irrevocably hereby grants, assigns and conveys unto **Grantee**, its successors and assigns, forever and in perpetuity, a Conservation Easement of the nature and character and to the extent hereinafter set forth, over a described area of the Property, referred to hereafter as the "**Easement Area**", for the benefit of the people of North Carolina, and being all of the tracts of land as identified as Area 1 Tract 1, Area 1 a Portion of Tracts 2 & 3, Area 1 Tracts 4 -5 & a Portion of 2 & 3, Area 2 Tracts 1 – 3, Area 2 Tracts 4 – 5, Area 3 Tracts 1 – 4, Area 3 Tracts 5 – 8, Area 4 Tracts 1 – 2 (& a Portion of Tract 3), Area 4 Tracts 4 – 6 (& a Portion of Tract 3) as shown on a plat of survey entitled " Conservation Easement For The State Of North Carolina, NC Department of Administration Ecosystem Enhancement Program, Ripshin Branch (EEP ID# 372, SPO# 005-AV – Ripshin Restoration Branch Site)" dated 7-11-2008, certified by Richard C. Current, PLS, No. L-756, and **recorded in Map Book 7, Page 278,** Ashe County Registry, said Easement Area being more particularly described as follows:

SEE EXHIBITS A, B, C, D, E

The purposes of this Conservation Easement are to maintain, restore, enhance, create and preserve wetland and/or riparian resources in the Easement Area that contribute to the protection and improvement of water quality, flood prevention, fisheries, aquatic habitat, wildlife habitat, and recreational opportunities; to maintain permanently the Easement Area in its natural condition, consistent with these purposes; and to prevent any use of the Easement Area that will significantly impair or interfere with these purposes. To achieve these purposes, the following conditions and restrictions are set forth:

I. DURATION OF EASEMENT

This Conservation Easement shall be perpetual. It is an easement in gross, runs with the land, and is enforceable by Grantee against Grantor, their personal representatives, heirs, successors, and assigns, lessees, agents, and licensees.

II. GRANTOR RESERVED USES AND RESTRICTED ACTIVITES

The Easement Area shall be restricted from any development or usage that would impair or interfere with the purposes of this Conservation Easement. Unless expressly reserved as a compatible use herein, any activity in, or use of, the Easement Area by the Grantor is prohibited as inconsistent with the purposes of this Conservation Easement. Any rights not expressly reserved hereunder by the Grantor have been acquired by the Grantee. The following specific uses are prohibited, restricted, or reserved as indicated:

A. Recreational Uses. Grantor expressly reserves the right to undeveloped recreational uses, including hiking, bird watching, hunting and fishing, and access to the Easement Area for the purposes thereof. Usage of motorized vehicles in the Easement Area is prohibited, except as they are used exclusively for management, maintenance, or stewardship purposes, and on existing trails, paths or roads.

B. Educational Uses. The Grantor reserves the right to engage in and permit others to engage in educational uses in the Easement Area not inconsistent with this Conservation Easement, and the right of access to the Easement Area for such purposes including organized educational activities such as site visits and observations. Educational uses of the property shall not alter vegetation, hydrology or topography of the site.

C. Vegetative Cutting. Except as related to the removal of non-native plants, diseased or damaged trees, and vegetation that obstructs, destabilizes or renders unsafe the Easement Area to persons or natural habitat, all cutting, removal, mowing, harming, or destruction of any trees and vegetation in the Easement Area is prohibited.

D. Industrial, Residential and Commercial Uses. All are prohibited in the Easement Area.

E. Agricultural Use. All agricultural uses within the Easement Area including any use for cropland, waste lagoons, or pastureland are prohibited.

F. New Construction. There shall be no building, facility, mobile home, antenna, utility pole, tower, or other structure constructed or placed in the Easement Area.

G. Roads and Trails. There shall be no construction of roads, trails, walkways, or paving in the Easement Area. Existing roads or trails located in the Easement Area may be maintained by Grantor in order to minimize runoff, sedimentation and for access to the interior of the Property for management, maintenance, stewardship purposes, or undeveloped recreational and educational uses of the Easement Area. Existing roads, trails or paths may be maintained with loose gravel or permanent vegetation to stabilize or cover the surfaces.

H. Signs. No signs shall be permitted in the Easement Area except interpretive signs describing restoration activities and the conservation values of the Easement Area, signs identifying the owner of the Property and the holder of the Conservation Easement, signs giving directions, or signs prescribing rules and regulations for the use of the Easement Area may be allowed.

I. Dumping or Storing. Dumping or storage of soil, trash, ashes, garbage, waste, abandoned vehicles, appliances or machinery, or other material in the Easement Area is prohibited.

J. Grading, Mineral Use, Excavation, Dredging. There shall be no grading, filling, excavation, dredging, mining, or drilling; no removal of topsoil, sand, gravel, rock, peat, minerals, or other materials.

K. Water Quality and Drainage Patterns. There shall be no diking, draining, dredging, channeling, filling, leveling, pumping, impounding or diverting, causing, allowing or permitting the diversion of surface or underground water. No altering or tampering with water control structures or devices, or disruption or alteration of the restored, enhanced, or created drainage patterns. All removal of wetlands, polluting or discharging into waters, springs, seeps, or wetlands, or use of pesticide or biocides is prohibited. In the event of an emergency interruption or shortage of all other water sources, water from within the Easement Area may

temporarily be used for good cause shown as needed for the survival of livestock and agricultural production.

L. Subdivision and Conveyance. Grantor voluntarily agrees that no subdivision, partitioning, or dividing of the underlying fee that is subject to this Easement is allowed. Unless agreed to by the Grantee in writing, any future conveyance of the underlying fee for the Easement Area and the rights as conveyed herein shall be as a single block of property. Any future transfer of the fee simple shall be subject to this Conservation Easement. Any transfer of the fee is subject to the Grantee's right of ingress, egress, and regress over and across the Property to the Easement Area for the purposes set forth herein.

Development Rights. All development rights are removed from the Easement **Area** and shall not be transferred.

M. Disturbance of Natural Features. Any change, disturbance, alteration or impairment of the natural features of the Easement Area or any intentional introduction of non-native plants, trees and/or animal species by Grantor is prohibited.

The Grantor may request permission to vary from the above restrictions for good cause shown, provided that any such request is consistent with the purposes of this Conservation Easement. The Grantor shall not vary from the above restrictions without first obtaining written approval from the N.C. Ecosystem Enhancement Program, whose mailing address is 1652 Mail Services Center, Raleigh, NC 27699-1652.

III. GRANTEE RESERVED USES

A. Ingress, Egress, Regress and Inspection. The Grantee, its employees and agents, successors and assigns, receive the perpetual right of general ingress, egress, and regress to the Easement Area over the Property at reasonable times to undertake any activities to restore, manage, maintain, enhance, and monitor the wetland and riparian resources of the Easement Area, in accordance with restoration activities or a long-term management plan. Unless otherwise specifically set forth in this Conservation Easement, the rights granted herein do not include or establish for the public any access rights.

B. Restoration Activities. These activities include planting of trees, shrubs and herbaceous vegetation, installation of monitoring wells, utilization of heavy equipment to grade, fill, and prepare the soil, modification of the hydrology of the site, and installation of natural and manmade materials as needed to direct in-stream, above ground, and subterraneous water flow.

IV. ENFORCEMENT AND REMEDIES

A. Enforcement. To accomplish the purposes of this Conservation Easement, Grantee is allowed to prevent any activity within the Easement Area that is inconsistent with the purposes of this Easement and to require the restoration of such areas or features of the Easement Area that may have been damaged by such activity or use. Upon any breach of the terms of this Conservation Easement by Grantor, their successors or assigns, that comes to the attention of the Grantee, the Grantee shall, except as provided below, notify the Grantor, their successors or assigns in writing of such breach. The Grantor shall have ninety (90) days after receipt of such

notice to correct the conditions constituting such breach. If the breach remains uncured after ninety (90) days, the Grantee may enforce this Conservation Easement by appropriate legal proceedings including damages, injunctive and other relief. The Grantee shall also have the power and authority, consistent with its statutory authority: (a) to prevent any impairment of the Easement Area by acts which may be unlawful or in violation of this Conservation Easement; (b) to otherwise preserve or protect its interest in the Property; or (c) to seek damages from any appropriate person or entity. Notwithstanding the foregoing, the Grantee reserves the immediate right, without notice, to obtain a temporary restraining order, injunctive or other appropriate relief if the breach of the term of this Conservation Easement is or would irreversibly or otherwise materially impair the benefits to be derived from this Conservation Easement. The Grantor and Grantee acknowledge that under such circumstances damage to the Grantee would be irreparable and remedies at law will be inadequate. The rights and remedies of the Grantee provided hereunder shall be in addition to, and not in lieu of, all other rights and remedies available to Grantee in connection with this Conservation Easement.

B. Inspection. The Grantee, its employees and agents, successors and assigns, have the right, with reasonable notice, to enter the Easement Area over the Property at reasonable times for the purpose of inspection to determine whether the Grantor, their successors or assigns are complying with the terms, conditions and restrictions of this Conservation Easement.

C. Acts Beyond Grantor's Control. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor, their successors or assigns, for any injury or change in the Easement Area caused by third parties, resulting from causes beyond the Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken in good faith by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to life, damage to property or harm to the Property resulting from such causes.

D. Costs of Enforcement. Beyond regular and typical monitoring, any costs incurred by Grantee in enforcing the terms of this Conservation Easement against Grantor, their successors or assigns, including, without limitation, any costs of restoration necessitated by Grantor's acts or omissions in violation of the terms of this Conservation Easement, shall be borne by Grantor.

No Waiver. Enforcement of this Easement shall be at the discretion of the Grantee and any forbearance, delay or omission by Grantee to exercise its rights hereunder in the event of any breach of any term set forth herein shall not be construed to be a waiver by Grantee.

V. MISCELLANEOUS

a. This instrument sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Easement. If any provision is found to be invalid, the remainder of the provisions of the Conservation Easement, and the application of such provision to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

b. Any notices shall be sent by registered or certified mail, return receipt requested to the parties at their addresses shown above or to other address(es) as either party establishes in writing upon notification to the other.

c. Grantor shall notify Grantee in writing of the name and address and any party to whom the Property or any part thereof is to be transferred at or prior to the time said transfer is made. Grantor further agrees to make any subsequent lease, deed, or other legal instrument by which any interest in the Property is conveyed subject to the Conservation Easement herein created.

d. The Grantor and Grantee agree that the terms of this Conservation Easement shall survive any merger of the fee and easement interests in the Property or any portion thereof.

e. This Conservation Easement may be amended, but only in writing signed by all parties hereto, and provided such amendment does not affect the qualification of this Conservation Easement or the status of the Grantee under any applicable laws, and is consistent with the purposes of the Conservation Easement.

f. The parties recognize and agree that the benefits of this Conservation Easement are in gross and assignable provided, however, that the Grantee hereby covenants and agrees, that in the event it transfers or assigns this Conservation Easement, the organization receiving the interest will be a qualified holder under N.C. Gen. Stat. § 121-34 et seq. and § 170(h) of the Internal Revenue Code, and the Grantee further covenants and agrees that the terms of the transfer or assignment will be such that the transferee or assignee will be required to continue in perpetuity the conservation purposes described in this document.

VI. QUIET ENJOYMENT

Grantor reserves all remaining rights accruing from ownership of the Property, including the right to engage in or permit or invite others to engage in only those uses of the Easement Area that are expressly reserved herein, not prohibited or restricted herein, and are not inconsistent with the purposes of this Conservation Easement. Without limiting the generality of the foregoing, the Grantor expressly reserves to the Grantor, and the Grantor's invitees and licensees, the right of access to the Easement Area, and the right of quiet enjoyment of the Easement Area.

TO HAVE AND TO HOLD the said rights and easements perpetually unto the State of North Carolina for the aforesaid purposes.

AND Grantor covenants that Grantor is seized of said premises in fee and has the right to convey the permanent Conservation Easement herein granted; that the same are free from encumbrances and that Grantor will warrant and defend title to the same against the claims of all persons whomsoever.

AND the **Assignor** covenants that it is properly vested with the Conservation Easement; has the right to assign the same to the **Assignee**; that the Easement is free from encumbrances except as may be expressly excepted to by the terms and conditions of the Conservation

Easement; and that the **Assignor** will warrant and defend title to the same against the claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

_____ (SEAL)
Michael N. Tate

_____ (SEAL)
Virginia B. Tate

_____ (SEAL)
Blue Ridge Rural Land Trust

NORTH CAROLINA

COUNTY OF Catawba

I, Cynthia G. Walker, a Notary Public of Catawba County, North Carolina, do hereby certify that Michael N. Tate, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 10th day of December, 2008.

Cynthia G. Walker
Notary Public

My commission expires:

August 18, 2009

NORTH CAROLINA

COUNTY OF Catawba

I, Cynthia G. Walker, a Notary Public of Catawba County, North Carolina, do hereby certify that Virginia B. Tate, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 10th day of December, 2008.

Cynthia G. Walker
Notary Public

My commission expires:

August 18, 2009

NORTH CAROLINA

COUNTY OF ~~Catawba~~ ASHE

I, ~~Cynthia G.~~ ANNA MARIA REMBERT WHALEY, a Notary Public of ASHE County, North Carolina, do hereby certify that William Herring personally appeared before me this day and acknowledged that he/she is the President of Blue Ridge Rural Land Trust, a North Carolina nonprofit corporation, and that by authority duly given and as act of the corporation the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by himself/herself as its President.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 11th day of DECEMBER, 2008.

Notary Public

My commission expires:

12-19-2012

"EXHIBIT A "
Legal Description for Conservation Easement
On Tax Parcel ID # 08098-001
Hurricane Township, Ashe County
As shown in Ashe County, North Carolina
Deed Book 213 Page 1085

AREA 1 TRACT 1

A certain tract or parcel of land containing 0.47 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 969) on the Eastern side of SR 1339 Wheelin Ridge Road, said rebar being the Northwest corner of Area # 1 Tract # 1 recorded in Plat Bk. _7_, Pg. _278_, (Page 1 of 9) thence North 81 degrees 49 minutes 10 seconds East 225.12 feet to a 5/8" capped rebar, thence South 46 degrees 53 minutes 40 seconds East 48.14 feet to a 5/8" capped rebar, thence South 25 degrees 35 minutes 58 seconds West 64.70 feet to a 5/8" capped rebar, thence South 64 degrees 03 minutes 44 seconds West 97.57 feet to a 5/8" capped rebar, thence North 62 degrees 59 minutes 55 seconds West 80.13 feet to a 5/8" capped rebar, thence North 47 degrees 15 minutes 13 seconds West 96.52 feet to the point of Beginning. Containing 0.47 Acre by Coordinate Computation.

AREA 1 TRACT 2

A certain tract or parcel of land containing 16.21 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 948), said rebar being the Northwest corner of Area # 1 Tract # 2 recorded in Plat Bk. _7_, Pg. _278_, (Page 1, 2 & 3 of 9) said rebar also being located South 59 degrees 52 minutes 53 seconds West 955.80 feet from a chestnut stump found in place, said stump being a corner of Michael & Virginia Tate (Bk. 213, Pg. 1085), said stump also being a corner of Rufus Taylor (D-4, Pg. 361), said stump being referenced by a ½" pipe found in place at North 64 degrees 23 minutes 13 seconds West 1.40 feet, said beginning corner also being located North 59 degrees 52 minutes 53 seconds East 582.00 feet from a ½" pipe found in place on the east side of SR 1339 (Wheelin Ridge Road), thence from the TRUE POINT OF BEGINNING North 73 degrees 26 minutes 04 seconds East 107.65 feet to a 5/8" capped rebar, thence South 85 degrees 50 minutes 59 seconds East 103.64 feet to a 5/8" capped rebar, thence North 86 degrees 01 minute 53 seconds East 150.06 feet to a 5/8" capped rebar, thence South 86 degrees 24 minutes 30 seconds East 185.58 feet to a 5/8" capped rebar, thence South 88 degrees 14 minutes 25 seconds East 149.58 feet to a 5/8" capped rebar, thence South 72 degrees 03 minutes 55 seconds East 327.00 feet to a 5/8" capped rebar, thence South 76 degrees 54 minutes 45 seconds East 235.59 feet to a 5/8" capped rebar, thence South 87 degrees 29 minutes 29 seconds East 192.50 feet to a 5/8" capped rebar, thence South 88 degrees 33 minutes 34 seconds East 81.69 feet to a 5/8" capped rebar, thence South 72 degrees 40 minutes 05 seconds East 125.90 feet to a 5/8" capped rebar, thence South 59 degrees 56 minutes 21 seconds East 130.74 feet to a 5/8" capped rebar, thence South 78 degrees 32 minutes 07 seconds East 128.94 feet to a 5/8" capped rebar, thence North 76 degrees 09 minutes 03 seconds East 271.83 feet to a 5/8" capped rebar, thence South 75 degrees 44 minutes 36 seconds East 270.94 feet to a 5/8" capped rebar, thence South 56 degrees 16 minutes 11 seconds East 129.77 feet to a 5/8" capped rebar, thence South 17 degrees 34 minutes 24 seconds West crossing the creek 65.16 feet to a 5/8" capped rebar, thence North

58 degrees 37 minutes 07 seconds West 135.91 feet to a 5/8" capped rebar, thence North 83 degrees 59 minutes 21 seconds West 96.12 feet to a 5/8" capped rebar, thence North 72 degrees 47 minutes 58 seconds West 89.31 feet to a 5/8" capped rebar, thence South 73 degrees 45 minutes 14 seconds West 285.27 feet to a 5/8" capped rebar, thence South 10 degrees 38 minutes 43 seconds West 81.42 feet to a 5/8" capped rebar, thence South 50 degrees 17 minutes 29 seconds West 84.23 feet to a 5/8" capped rebar, thence South 02 degrees 47 minutes 05 seconds West 51.24 feet to a 5/8" capped rebar, thence South 10 degrees 37 minutes 46 seconds East 186.91 feet to a 5/8" capped rebar, thence South 03 degrees 59 minutes 51 seconds East 62.79 feet to a 5/8" capped rebar, thence South 39 degrees 42 minutes 26 seconds East 101.20 feet to a 5/8" capped rebar, thence South 15 degrees 55 minutes 11 seconds West 97.20 feet to a 5/8" capped rebar, thence South 29 degrees 40 minutes 06 seconds West 202.36 feet to a 5/8" capped rebar, thence South 35 degrees 20 minutes 28 seconds West 168.94 feet to a 5/8" capped rebar, thence South 62 degrees 29 minutes 18 seconds West 134.19 feet to a 5/8" capped rebar, thence South 04 degrees 10 minutes 02 seconds West 106.86 feet to a 5/8" capped rebar, thence South 03 degrees 54 minutes 12 seconds East 89.07 feet to a 5/8" capped rebar, thence South 22 degrees 23 minutes 49 seconds West 205.25 feet to a 5/8" capped rebar, thence South 27 degrees 17 minutes 55 seconds East 160.88 feet to a 5/8" capped rebar, thence South 71 degrees 22 minutes 09 seconds West 105.29 feet to a ½" rebar found in place in the Michael & Virginia Tate's division property line, said rebar being located North 29 degrees 25 minutes 16 seconds West 250.32 feet from a ½" rebar found in place, thence with said division line the next three (3) calls and distances North 29 degrees 25 minutes 16 seconds West 127.64 feet to a ½" rebar found in place, thence North 63 degrees 12 minutes 38 seconds West 199.66 feet to a ½" rebar found in place, thence North 33 degrees 12 minutes 30 seconds West 50.00 feet to a 5/8" capped rebar, said rebar being located South 33 degrees 12 minutes 30 seconds East 144.77 feet from a ½" rebar found in place, thence leaving said division line North 65 degrees 50 minutes 46 seconds East 184.21 feet to a 5/8" capped rebar, thence North 56 degrees 22 minutes 21 seconds East 131.09 feet to a 5/8" capped rebar, thence North 01 degree 13 minutes 35 seconds East 149.23 feet to a 5/8" capped rebar, thence North 38 degrees 21 minutes 10 seconds East 216.73 feet to a 5/8" capped rebar, thence North 48 degrees 52 minutes 52 seconds East 133.10 feet to a 5/8" capped rebar, thence North 27 degrees 07 minutes 16 seconds East 158.45 feet to a 5/8" capped rebar, thence North 16 degrees 36 minutes 21 seconds East 91.77 feet to a 5/8" capped rebar, thence North 22 degrees 55 minutes 40 seconds West 82.72 feet to a 5/8" capped rebar, thence North 01 degree 38 minutes 26 seconds West 69.47 feet to a 5/8" capped rebar, thence North 10 degrees 43 minutes 55 seconds West 171.60 feet to a 5/8" capped rebar, thence North 05 degrees 24 minutes 47 seconds East 96.74 feet to a 5/8" capped rebar, thence North 39 degrees 32 minutes 36 seconds East 63.11 feet to a 5/8" capped rebar, thence North 21 degrees 42 minutes 19 seconds East 89.50 feet to a 5/8" capped rebar, thence North 78 degrees 46 minutes 06 seconds West 186.04 feet to a 5/8" capped rebar, thence North 52 degrees 55 minutes 25 seconds West 111.26 feet to a 5/8" capped rebar, thence North 69 degrees 33 minutes 56 seconds West 86.64 feet to a 5/8" capped rebar, thence North 85 degrees 32 minutes 12 seconds West 60.85 feet to a 5/8" capped rebar, thence South 84 degrees 59 minutes 05 seconds West 95.45 feet to a 5/8" capped rebar, thence South 54 degrees 21 minutes 00 seconds West 41.76 feet to a 5/8" capped rebar, thence South 85 degrees 18 minutes 13 seconds West 81.36 feet to a 5/8" capped rebar, thence South 23 degrees 10 minutes 40 seconds West 98.41 feet to a 5/8" capped rebar, thence South 36 degrees 42 minutes 37 seconds West 138.11 feet to a 5/8" capped rebar, thence South 42 degrees 30 minutes 53 seconds West 117.32 feet to a 5/8" capped rebar, thence South 30 degrees 31 minutes 42 seconds West 97.46 feet to a 5/8" capped rebar, thence South 16 degrees 49 minutes 50 seconds East 243.01 feet to a 5/8" capped rebar, thence South 33

degrees 58 minutes 23 seconds West 137.99 feet to a 5.8" capped rebar, thence South 38 degrees 22 minutes 19 seconds West 110.72 feet to a 5/8" capped rebar, thence South 41 degrees 30 minutes 24 seconds West 134.51 feet to a 5/8" capped rebar, thence South 41 degrees 26 minutes 52 seconds West 175.50 feet to a 5/8" capped rebar, thence South 18 degrees 17 minutes 57 seconds West 109.03 feet to a 5/8" capped rebar in the division property boundary line of Michael & Virginia Tate (Bk. 213 Pg. 1085) and Robert L. Cox, thence with the division property line the next two (2) calls and distances North 72 degrees 48 minutes 42 seconds West 35.01 feet to a ½" rebar found in place in a fence post, thence North 69 degrees 20 minutes 13 seconds West 50.50 feet to a 5/8" capped rebar, said capped rebar being located South 69 degrees 20 minutes 13 seconds East 333.73 feet from a ½" rebar found in place, thence leaving said division line North 27 degrees 33 minutes 53 seconds East 140.56 feet to a 5/8" capped rebar, thence North 40 degrees 39 minutes 18 seconds East 243.51 feet to a 5/8" capped rebar, thence North 47 degrees 41 minutes 11 seconds East 61.53 feet to a 5/8" capped rebar, thence North 24 degrees 54 minutes 48 seconds East 83.81 feet to a 5/8" capped rebar, thence North 41 degrees 45 minutes 52 seconds East 114.23 feet to a 5/8" capped rebar, thence North 22 degrees 58 minutes 01 second West 152.41 feet to a 5/8" capped rebar, thence North 76 degrees 31 minutes 47 seconds West 92.77 feet to a 5/8" capped rebar, thence North 72 degrees 37 minutes 07 seconds West 102.52 feet to a 5/8" capped rebar, thence North 83 degrees 08 minutes 08 seconds West 224.16 feet to a 5/8" capped rebar, thence North 78 degrees 54 minutes 54 seconds West 61.80 feet to a 5/8" capped rebar, thence South 61 degrees 32 minutes 58 seconds West 88.40 feet to a 5/8" capped rebar, thence South 62 degrees 09 minutes 40 seconds West 236.27 feet to a 5/8" capped rebar, thence South 28 degrees 10 minutes 15 seconds West 163.91 feet to a 5/8" capped rebar, thence South 73 degrees 31 minutes 23 seconds West 131.80 feet to a 5/8" capped rebar, thence North 49 degrees 12 minutes 36 seconds West crossing the creek at 79.85 feet to a 5/8" capped rebar, thence North 13 degrees 08 minutes 13 seconds East 216.08 feet to a 5/8" capped rebar, thence North 53 degrees 22 minutes 49 seconds East 64.28 feet to a 5/8" capped rebar, thence North 71 degrees 32 minutes 43 seconds East 237.46 feet to a 5/8" capped rebar, thence North 78 degrees 54 minutes 13 seconds East 234.68 feet to a 5/8" capped rebar, thence South 81 degrees 00 minutes 34 seconds East 94.16 feet to a 5/8" capped rebar, thence North 80 degrees 20 minutes 48 seconds East 129.62 feet to a 5/8" capped rebar, thence South 55 degrees 46 minutes 19 seconds East 91.73 feet to a 5/8" capped rebar, thence South 69 degrees 48 minutes 47 seconds East 52.54 feet to a 5/8" capped rebar, thence North 83 degrees 10 minutes 56 seconds East 117.18 feet to a 5/8" capped rebar, thence North 38 degrees 36 minutes 12 seconds East 121.97 feet to a 5/8" capped rebar, thence North 30 degrees 17 minutes 12 seconds East 137.06 feet to a 5/8" capped rebar, thence North 50 degrees 12 minutes 27 seconds East 80.63 feet to a 5/8" capped rebar, thence North 25 degrees 13 minutes 34 seconds East 107.77 feet to a 5/8" capped rebar, thence North 74 degrees 19 minutes 02 seconds West 154.20 feet to a 5/8" capped rebar, thence North 73 degrees 00 minutes 25 seconds West 299.37 feet to a 5/8" capped rebar, thence South 86 degrees 59 minutes 03 seconds West 120.83 feet to a 5/8" capped rebar, thence North 86 degrees 15 minutes 31 seconds West 279.45 feet to a 5/8" capped rebar, thence North 85 degrees 51 minutes 10 seconds West 127.29 feet to a 5/8" capped rebar, thence South 70 degrees 39 minutes 43 seconds West 109.40 to a 5/8" capped rebar, thence South 68 degrees 29 minutes 59 seconds West 109.28 feet to a 5/8" capped rebar, thence North 57 degrees 27 minutes 55 seconds West 134.95 feet to a 5/8" capped rebar in the division property boundary line in the division property line of Michael & Virginia Tate and Rufus Taylor, said rebar being located North 59 degrees 52 minutes 53 seconds East 325.00 feet from a ½" pipe found in place on the East side of SR 1339 (Wheelin Ridge Road) thence with said

division line North 59 degrees 52 minutes 53 seconds East 157.00 feet to the point of Beginning. Containing 16.21 Acres by Coordinate Computation.

AREA 1 TRACT 3

A certain tract or parcel of land containing 1.05 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 118), said rebar being the Northwest corner of Area # 1 Tract # 3 recorded in Plat Bk. _7_, Pg. _278_, Page 2 of 9, thence South 70 degrees 46 minutes 30 seconds East 60.53 feet to a 5/8" capped rebar, thence South 24 degrees 26 minutes 01 second West 115.83 feet to a 5/8" capped rebar, thence South 22 degrees 36 minutes 30 seconds West 71.51 feet to a 5/8" capped rebar, thence South 33 degrees 54 minutes 28 seconds West 117.43 feet to a 5/8" capped rebar, thence South 39 degrees 27 minutes 35 seconds West 155.26 feet to a 5/8" capped rebar, thence South 15 degrees 13 minutes 23 seconds West 129.39 feet to a 5/8" capped rebar, thence South 66 degrees 40 minutes 00 seconds West 62.85 feet to a 5/8" capped rebar, thence North 66 degrees 13 minutes 13 seconds West 70.12 feet to a 5/8" capped rebar, thence North 54 degrees 37 minutes 47 seconds East 84.75 feet to a 5/8" capped rebar, thence North 18 degrees 06 minutes 11 seconds East 170.62 feet to a 5/8" capped rebar, thence North 40 degrees 30 minutes 26 seconds East 145.87 feet to 5/8" capped rebar, thence North 32 degrees 36 minutes 40 seconds East 93.50 feet to a 5/8" capped rebar, thence North 28 degrees 46 minutes 43 seconds East 147.52 feet to the point of Beginning. Containing 1.05 Acres by Coordinate Computation.

AREA 1 TRACT 4

A certain tract or parcel of land containing 0.72 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 112), said rebar being the Northwest corner of Area # 1 Tract # 4 recorded in Plat Bk. _7_, Pg. _278_, Page 3 of 9, thence South 80 degrees 08 minutes 45 seconds East 128.71 feet to a 5/8" capped rebar, thence South 07 degrees 07 minutes 56 seconds West 116.62 feet to a 5/8" capped rebar, thence South 40 degrees 07 minutes 03 seconds West 226.13 feet to a 5/8" capped rebar, thence North 65 degrees 34 minutes 57 seconds West 26.53 feet to a 5/8" capped rebar, thence North 10 degrees 51 minutes 57 seconds East 305.17 feet to the point of Beginning. Containing 0.72 Acre by Coordinate Computation.

AREA 1 TRACT 5

A certain tract or parcel of land containing 4.08 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 110), said rebar being the Northwest corner of Area # 1 Tract # 5 recorded in Plat Bk. _7_, Pg. _278_, Page 3 of 9, thence South 71 degrees 53 minutes 12 seconds East 58.83 feet to a 5/8" capped rebar, thence South 37 degrees 20 minutes 10 seconds West 213.51 feet to a 5/8" capped rebar, thence South 23 degrees 27 minutes 07 seconds West 163.54 feet to a 5/8" capped rebar, thence South 03 degrees 43 minutes 08 seconds West 193.83 feet to a 5/8" capped rebar, thence South 27 degrees 56 minutes 46 seconds East 173.77 feet to a 5/8" capped rebar, thence South 33 degrees 58 minutes 16 seconds East 131.64 feet to a 5/8" capped rebar, thence North 74 degrees 30 minutes 02 seconds West 78.93 feet to a 5/8" capped rebar, thence North 61 degrees 44 minutes 03 seconds West 97.78 feet to a 5/8" capped rebar, thence South 69 degrees 41 minutes 57 seconds West 161.56 feet to a 5/8" capped rebar, thence South 47 degrees 07

minutes 44 seconds West 175.99 feet to a 5/8" capped rebar, thence South 57 degrees 03 minutes 03 seconds West 133.91 feet to a 5/8" capped rebar, thence South 03 degrees 10 minutes 39 seconds East 100.58 feet to a 5/8" capped rebar, thence South 06 degrees 58 minutes 31 seconds East 254.30 feet to a 5/8" capped rebar, thence South 24 degrees 07 minutes 58 seconds East 99.98 feet to a 5/8" capped rebar, thence South 60 degrees 29 minutes 59 seconds West 136.16 feet to a 5/8" capped rebar, thence North 00 degrees 37 minutes 57 seconds West 147.75 feet to a 5/8" capped rebar, thence North 06 degrees 54 minutes 08 seconds West 226.26 feet to a 5/8" capped rebar, thence North 47 degrees 08 minutes 11 seconds West 95.79 feet to a 5/8" capped rebar, thence North 89 degrees 26 minutes 28 seconds West 109.88 feet to a 5/8" capped rebar, thence North 71 degrees 38 minutes 52 seconds East 101.55 feet to a 5/8" capped rebar, thence North 31 degrees 05 minutes 05 seconds East 183.12 feet to a 5/8" capped rebar, thence North 68 degrees 13 minutes 48 seconds East 107.80 feet to a 5/8" capped rebar, thence North 58 degrees 44 minutes 55 seconds East 174.74 feet to a 5/8" capped rebar, thence North 50 degrees 09 minutes 53 seconds East 142.49 feet to a 5/8" capped rebar, thence North 09 degrees 45 minutes 03 seconds East 165.15 feet to a 5/8" capped rebar, thence North 07 degrees 11 minutes 55 seconds West 133.48 feet to a 5/8" capped rebar, thence North 29 degrees 03 minutes 19 seconds East 188.94 feet to a 5/8" capped rebar, thence North 32 degrees 52 minutes 09 seconds East 119.19 feet to a 5/8" capped rebar, thence North 47 degrees 31 minutes 47 seconds East 113.67 feet to the point of Beginning. Containing 4.08 Acres by Coordinate Computation.

Actual field survey done under the direction and supervision of Richard C. Current, Pro. L-756. This description is subject to all Notes on the plat of Survey for Conservation Easement for the State of North Carolina NC Department of Administration Ecosystem Enhancement Program, Ripshin Branch (EEP ID# 372, SPO# 005 AV-Ripshin Restoration Branch Site (Job # ASHE0801) dtd May 16, 2008 prepared by Current Surveying & Mapping, P.A.

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"EXHIBIT B "
Legal Description for Conservation Easement
On Tax Parcel ID # 08098-123
Hurricane Township, Ashe County
As shown in Ashe County, North Carolina
Deed Book 247 Page 1792

AREA 2 TRACT 1

A certain tract or parcel of land containing 4.56 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 200) on the Eastern side of SR 1361 (Rip Shin Road), said rebar being the Northwest corner of Area # 2 Tract # 1 recorded in Plat Bk. _7_, Pg. _278_, Page 4 of 9, thence leaving said road South 74 degrees 08 minutes 32 seconds East 100.95 feet to a 5/8" capped rebar, thence North 61 degrees 40 minutes 20 seconds East 63.40 feet to a 5/8" capped rebar, thence North 85 degrees 40 minutes 36 seconds East 130.30 feet to a 5/8" capped rebar, thence South 77 degrees 58 minutes 36 seconds East 100.37 feet to a 5/8" capped rebar, thence South 72 degrees 14 minutes 53 seconds East 131.67 feet to a 5/8" capped rebar, thence South 66 degrees 14 minutes 50 seconds East 115.76 feet to a 5/8" capped rebar, thence South 68 degrees 28 minutes 27 seconds East 104.02 feet to a 5/8" capped rebar, thence North 89 degrees 11 minutes 27 seconds East 65.90 feet to a 5/8" capped rebar, thence North 88 degrees 49 minutes 38 seconds East 32.00 feet to a 5/8" capped rebar, thence South 09 degrees 14 minutes 16 seconds West 34.94 feet to a 5/8" capped rebar, thence South 40 degrees 31 minutes 10 seconds West 38.19 feet to a 5/8" capped rebar, thence South 10 degrees 43 minutes 35 seconds East 42.73 feet to a 5/8" capped rebar, thence South 00 degrees 04 minutes 14 seconds West 57.96 feet to a 5/8" capped rebar, thence South 29 degrees 44 minutes 19 seconds East 41.30 feet to a 5/8" capped rebar, thence South 45 degrees 38 minutes 00 seconds East 39.40 feet to a 5/8" capped rebar, thence South 00 degrees 58 minutes 58 seconds East 27.10 feet to a 5/8" capped rebar, said rebar being located North 89 degrees 58 minutes 58 seconds East 101.46 feet from a ½" rebar found in place, thence North 86 degrees 35 minutes 30 seconds West 203.72 feet to a 5/8" capped rebar, thence North 60 degrees 53 minutes 02 seconds West 317.34 feet to a 5/8" capped rebar, thence North 82 degrees 21 minutes 11 seconds West 292.59 feet to a 5/8" capped rebar, thence South 61 degrees 34 minutes 28 seconds West 178.61 feet to a 5/8" capped rebar on the Eastern side of SR 1361 (Rip Shin Road), thence on the Eastern side of said road the next three (3) calls and distances North 23 degrees 43 minutes 06 seconds West 64.41 feet to a 5/8" capped rebar, thence North 10 degrees 10 minutes 14 seconds East 37.21 feet to a 5/8" capped rebar, thence North 33 degrees 43 minutes 29 seconds East 204.23 feet to the point of Beginning. Containing 4.56 Acres by Coordinate Computation.

AREA 2 TRACT 2

A certain tract or parcel of land containing 1.31 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 229), said rebar being the most Northern corner of Area # 2 Tract # 2 recorded in Plat Bk. _7_, Pg. _278_, Page 4 of 9, thence South 36 degrees 18 minutes 47 seconds East 181.82 feet to a 5/8" capped rebar, thence South 12 degrees 08 minutes 45 seconds West 191.62 feet to a 5/8" capped rebar, thence South 02 degrees 27 minutes 22 seconds West 182.77 feet to a

5/8" capped rebar, thence South 39 degrees 12 minutes 01 second West 123.23 feet to a 5/8" capped rebar, thence South 49 degrees 47 minutes 40 seconds West 100.99 feet to a 5/8" capped rebar, thence South 56 degrees 08 minutes 00 seconds West 42.04 feet to a 5/8" capped rebar, thence South 80 degrees 21 minutes 37 seconds West 36.46 feet to a 5/8" capped rebar, thence North 10 degrees 52 minutes 45 seconds East 62.21 feet to a 5/8" capped rebar, thence North 59 degrees 42 minutes 19 seconds East 90.53 feet to a 5/8" capped rebar, thence North 30 degrees 04 minutes 11 seconds East 150.97 feet to a 5/8" capped rebar, thence North 02 degrees 30 minutes 18 seconds West 310.76 feet to a 5/8" capped rebar, thence North 21 degrees 46 minutes 00 seconds West 81.60 feet to a 5/8" capped rebar, thence North 28 degrees 16 minutes 12 seconds East 94.24 feet to the point of Beginning. Containing 1.31 Acres by Coordinate Computation.

Area 2 Tract 3

A certain tract or parcel of land containing 2.27 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 243), said rebar being the most Northern corner of Area # 2 Tract # 3 recorded in Plat Bk. _7_, Pg. _278_, Page 4 of 9, said rebar being located South 49 degrees 34 minutes 27 seconds West 38.17 feet from a ½" rebar found in place, thence from the TRUE POINT OF BEGINNING South 23 degrees 18 minutes 40 seconds East 108.74 feet to a 5/8" capped rebar, thence South 51 degrees 04 minutes 52 seconds East 89.11 feet to a 5/8" capped rebar, thence South 04 degrees 29 minutes 56 seconds East 293.80 feet to a 5/8" capped rebar, thence South 05 degrees 16 minutes 57 seconds East 99.00 feet to a 5/8" capped rebar, thence South 52 degrees 15 minutes 35 seconds East 100.87 feet to a 5/8" capped rebar, thence South 02 degrees 01 minute 14 seconds West 29.67 feet to a 5/8" capped rebar, thence North 87 degrees 39 minutes 44 seconds West 98.09 feet to a 5/8" capped rebar, thence South 39 degrees 36 minutes 04 seconds West 131.04 feet to a 5/8" capped rebar, thence South 29 degrees 24 minutes 58 seconds West 204.58 feet to a 5/8" capped rebar, thence North 15 degrees 45 minutes 55 seconds West 140.96 feet to a 5/8" capped rebar, thence North 02 degrees 08 minutes 17 seconds West 53.17 feet to a 5/8" capped rebar, thence North 21 degrees 05 minutes 28 seconds East 37.00 feet to a 5/8" capped rebar, thence North 61 degrees 58 minutes 42 seconds East 114.35 feet to a 5/8" capped rebar, thence North 06 degrees 51 minutes 44 seconds East 285.09 feet to a 5/8" capped rebar, thence North 23 degrees 41 minutes 04 seconds West 309.30 feet to a 5/8" capped rebar, thence North 46 degrees 46 minutes 28 seconds East 102.97 feet to the point of Beginning. Containing 2.27 Acres by Coordinate Computation.

AREA 2 TRACT 4

A certain tract or parcel of land containing 1.68 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 260) on the Southern side of SR 1361 (Rip Shin Road), said rebar being the Northwest corner of Area # 2 Tract # 4 recorded in Plat Bk. _7_, Pg. _278_, Page 5 of 9, thence with the Southern side of said road the next four (4) calls and distances North 73 degrees 29 minutes 30 seconds East 168.24 feet to a 5/8" capped rebar, thence North 63 degrees 56 minutes 28 seconds East 234.42 feet to a 5/8" capped rebar, thence South 83 degrees 53 minutes 58 seconds East 91.50 feet to a 5/8" capped rebar, thence South 41 degrees 09 minutes 05 seconds East 214.35 feet to a 5/8" capped rebar, thence leaving said road South 30 degrees 36 minutes 42 seconds West 89.20 feet to a 5/8" capped rebar, thence North 51 degrees 12 minutes 18 seconds

West 92.45 feet to a 5/8" capped rebar, thence North 37 degrees 47 minutes 44 seconds West 85.12 feet to a 5/8" capped rebar, thence North 80 degrees 21 minutes 23 seconds West 49.67 feet to a 5/8" capped rebar, thence South 68 degrees 11 minutes 25 seconds West 82.96 feet to a 5/8" capped rebar, thence South 65 degrees 40 minutes 04 seconds West 116.36 feet to a 5/8" capped rebar, thence South 58 degrees 29 minutes 02 seconds West 118.50 feet to a 5/8" capped rebar, thence South 70 degrees 24 minutes 38 seconds West 112.99 feet to a 1/2" rebar found in place, thence North 02 degrees 05 minutes 58 seconds East 142.29 feet to the point of Beginning. Containing 1.68 Acres by Coordinate Computation.

AREA 2 TRACT 5

A certain tract or parcel of land containing 0.32 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a ½" rebar found in place (point # 266), said rebar being the most Northern corner of Area # 2 Tract # 5 recorded in Plat Bk. _7_, Pg. _278_, Page 5 of 9, thence South 28 degrees 50 minutes 59 seconds East 45.32 feet to a 5/8" capped rebar, thence South 26 degrees 32 minutes 51 seconds West 208.39 feet to a 5/8" capped rebar, thence North 65 degrees 29 minutes 53 seconds West 86.15 feet to a ½" rebar found in place, thence North 38 degrees 10 minutes 19 seconds East 242.17 feet to the point of Beginning. Containing 0.32 Acre by Coordinate Computation.

Actual field survey done under the direction and supervision of Richard C. Current, Pro. L-756. This description is subject to all Notes on the plat of Survey for Conservation Easement for the State of North Carolina NC Department of Administration Ecosystem Enhancement Program, Ripshin Branch (EEP ID# 372, SPO# 005 AV-Ripshin Restoration Branch Site (Job # ASHE0801) dtd May 16, 2008 prepared by Current Surveying & Mapping, P.A.

[Remainder of page left blank intentionally.]

"EXHIBIT C "
Legal Description for Conservation Easement
On Tax Parcel ID # 08098-123, 08098-026, 08098-042
Hurricane Township, Ashe County
As shown in Ashe County, North Carolina
Deed Book 247 Page 1792
Deed Book 311 Page 759
Deed Book 312 Page 726
Deed Book 316 Page 846

AREA 3 TRACT 1

A certain tract or parcel of land containing 0.85 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 1101), said rebar being the most Northern corner of Area # 3 Tract # 1 recorded in Plat Bk. _7_, Pg. _278_, Page 6 of 9, thence South 72 degrees 25 minutes 19 seconds East 109.13 feet to a 5/8" capped rebar, thence South 61 degrees 08 minutes 22 seconds East 47.58 feet to a 5/8" capped rebar, thence South 55 degrees 24 minutes 05 seconds East 91.72 feet to a 5/8" capped rebar, thence South 37 degrees 39 minutes 27 seconds East 31.87 feet to a 5/8" capped rebar, thence South 22 degrees 39 minutes 42 seconds East 26.27 feet to a 5/8" capped rebar, thence South 22 degrees 49 minutes 00 seconds West 21.48 feet to a 5/8" capped rebar, thence South 47 degrees 19 minutes 14 seconds West 23.72 feet to a 5/8" capped rebar, thence South 07 degrees 38 minutes 24 seconds West 40.97 feet to a 5/8" capped rebar on the Western side of the cattle path, thence North 42 degrees 25 minutes 53 seconds West 95.76 feet to a 5/8" capped rebar on the Northern side of SR 1361 (Rip Shin Road), thence with the Northern side of said road the next five (5) calls and distances North 49 degrees 43 minutes 59 seconds West 63.45 feet to a 5/8" capped rebar, thence North 65 degrees 12 minutes 12 seconds West 40.84 feet to a 5/8" capped rebar, referenced by a ½" rebar found in place at North 10 degrees 09 minutes 19 seconds West 11.06 feet, thence North 87 degrees 56 minutes 29 seconds West 88.06 feet to a 5/8" capped rebar, thence South 87 degrees 54 minutes 54 seconds West 133.42 feet to a 5/8" capped rebar, thence North 79 degrees 51 minutes 03 seconds West 75.92 feet to a 5/8" capped rebar, thence leaving the Northern side of said road North 18 degrees 14 minutes 22 seconds East 11.25 feet to a 5/8" capped rebar, thence North 69 degrees 38 minutes 28 seconds East 237.92 feet to the point of Beginning. Containing 0.85 Acre by Coordinate Computation.

AREA 3 TRACT 2

A certain tract or parcel of land containing 6.44 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a ½" rebar found in place, said rebar being the Northeast corner of Area # 3 Tract # 2 and a corner of Area # 3 Tract # 3 recorded in Plat Bk. _7_, Pg. _278_, Page 6 of 9, thence South 00 degrees 56 minutes 18 seconds West 234.87 feet to a 5/8" capped rebar, thence South 64 degrees 55 minutes 24 seconds West 250.25 feet to a 5/8" capped rebar, thence South 75 degrees 00 minutes 27 seconds West 99.61 feet to a 5/8" capped rebar, thence South 67 degrees 45 minutes 22 seconds West 59.38 feet to a 5/8" capped rebar, thence South 89 degrees 54 minutes 15 seconds West 84.68 feet to a 5/8" capped rebar on the Northern side of the cattle path and on the Northern side of SR 1361 (Rip Shin Road), thence with the Northern side of the cattle path and the Northern side of said road the next six (6) calls and distances North 61 degrees 53 minutes 43 seconds West 68.58

feet to a 5/8" capped rebar, thence North 50 degrees 03 minutes 45 seconds West 106.51 feet to a 5/8" capped rebar, thence North 35 degrees 07 minutes 26 seconds West 61.93 feet to a 5/8" capped rebar, thence North 22 degrees 21 minutes 42 seconds West 64.66 feet to a 5/8" capped rebar, thence North 25 degrees 02 minutes 42 seconds West 132.11 feet to a 5/8" capped rebar, thence North 27 degrees 47 minutes 52 seconds West 74.30 feet to a 5/8" capped rebar, thence leaving the Northern side of said road and continuing with the North and East side of the cattle path the next eight (8) calls and distances North 03 degrees 59 minutes 43 seconds East 33.07 feet to a 5/8" capped rebar, thence North 45 degrees 32 minutes 05 seconds East 22.96 feet to a 5/8" capped rebar, thence North 26 degrees 18 minutes 39 seconds East 29.63 feet to a 5/8" capped rebar, thence North 24 degrees 14 minutes 05 seconds West 37.59 feet to a 5/8" capped rebar, thence North 38 degrees 55 minutes 10 seconds West 33.37 feet to a 5/8" capped rebar, thence North 55 degrees 22 minutes 56 seconds West 91.68 feet to a 5/8" capped rebar, thence North 61 degrees 09 minutes 24 seconds West 47.32 feet to a 5/8" capped rebar, thence North 72 degrees 12 minutes 38 seconds West 113.83 feet to a 5/8" capped rebar, thence leaving said cattle path North 46 degrees 28 minutes 18 seconds East 67.17 feet to a 5/8" capped rebar, thence North 52 degrees 59 minutes 15 seconds East 52.71 feet to a 5/8" capped rebar, thence North 02 degrees 59 minutes 25 seconds East 59.88 feet to a 5/8" capped rebar, thence North 61 degrees 07 minutes 55 seconds East 72.11 feet to a 5/8" capped rebar, thence South 01 degree 22 minutes 35 seconds East 73.15 feet to a 5/8" capped rebar, thence South 03 degrees 20 minutes 47 seconds West 58.18 feet to a 5/8" capped rebar, thence North 59 degrees 02 minutes 15 seconds East 197.13 feet to a 5/8" capped rebar on the Southern side of a farm road, thence with the Southern and Western side of said road the next fifteen (15) calls and distances North 88 degrees 09 minutes 45 seconds East 59.53 feet to a 5/8" capped rebar, thence North 47 degrees 53 minutes 19 seconds East 48.35 feet to a 5/8" capped rebar, thence North 40 degrees 21 minutes 48 seconds East 89.50 feet to a 5/8" capped rebar, thence South 54 degrees 47 minutes 13 seconds East 54.56 feet to a 5/8" capped rebar, thence South 28 degrees 19 minutes 14 seconds East 21.77 feet to a 5/8" capped rebar, thence South 30 degrees 03 minutes 15 seconds West 122.01 feet to a 5/8" capped rebar, thence South 16 degrees 09 minutes 28 seconds West 36.76 feet to a 5/8" capped rebar, thence South 11 degrees 04 minutes 54 seconds West 63.77 feet to a 5/8" capped rebar, thence South 01 degree 06 minutes 40 seconds West 42.96 feet to a 5/8" capped rebar, thence South 23 degrees 21 minutes 35 seconds West 60.95 feet to a 5/8" capped rebar, thence South 09 degrees 48 minutes 52 seconds West 57.28 feet to a 5/8" capped rebar, thence South 07 degrees 33 minutes 16 seconds East 63.36 feet to a 5/8" capped rebar, thence South 06 degrees 03 minutes 50 seconds West 74.17 feet to a 5/8" capped rebar, thence South 09 degrees 43 minutes 25 seconds East 74.20 feet to a 5/8" capped rebar, thence South 40 degrees 39 minutes 41 seconds East 44.05 feet to a 5/8" capped rebar, thence leaving said farm road and with the North side of the creek the next three (3) calls and distances South 76 degrees 43 minutes 34 seconds East 151.18 feet to a 5/8" capped rebar, thence North 56 degrees 06 minutes 06 seconds East 176.30 feet to a 5/8" capped rebar, thence North 69 degrees 14 minutes 57 seconds East 256.27 feet to the point of Beginning. Containing 6.44 Acres by Coordinate Computation.

AREA 3 TRACT 4

A certain tract or parcel of land containing 3.51 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a ¾" pipe found in place, said pipe being the Northwest corner of Area # 3 Tract # 4 recorded in Plat Bk. _7_, Pg. _278_, Page 6 of 9 and the Southwest corner of Bk. 310, Pg. 1688, said pipe also being located

South 08 degrees 14 minutes 48 seconds West 194.78 feet from a ¾" pipe found in place, thence from the TRUE POINT OF BEGINNING North 86 degrees 03 minutes 44 seconds East 258.30 feet to a 1-1/2" pipe found in place, thence North 03 degrees 35 minutes 25 seconds West 94.00 feet to a 5/8" capped rebar, thence North 04 degrees 30 minutes 16 seconds West 14.70 feet to a point in the creek, thence with said creek the next three (3) calls and distances North 19 degrees 33 minutes 47 seconds East 44.19 feet to a point, thence North 31 degrees 25 minutes 37 seconds East 168.05 feet to a point, thence North 69 degrees 15 minutes 57 seconds East 5.22 feet to a point, thence leaving said creek South 26 degrees 07 minutes 12 seconds East passing through a 5/8" capped rebar at 56.75 feet a total distance of 250.17 feet to a 5/8" capped rebar on the Western side of SR 1361 (Rip Shin Road), thence with the Western side of said road the next fourteen (14) calls and distances South 35 degrees 31 minutes 24 seconds West 39.78 feet to a 5/8" capped rebar, thence South 31 degrees 17 minutes 20 seconds West 50.26 feet to a 5/8" capped rebar, thence South 26 degrees 15 minutes 43 seconds West 42.88 feet to a 5/8" capped rebar, thence South 24 degrees 46 minutes 58 seconds West 49.81 feet to a 5/8" capped rebar, thence South 17 degrees 48 minutes 21 seconds West 40.79 feet to a 5/8" capped rebar, thence South 11 degrees 30 minutes 45 seconds West 37.85 feet to a 5/8" capped rebar, thence South 05 degrees 30 minutes 21 seconds West 37.23 feet to a 5/8" capped rebar, thence South 04 degrees 05 minutes 44 seconds West 41.84 feet to a 5/8" capped rebar, thence South 11 degrees 46 minutes 50 seconds West 39.26 feet to a 5/8" capped rebar, thence South 23 degrees 48 minutes 14 seconds West 39.50 feet to a 5/8" capped rebar, thence South 26 degrees 38 minutes 36 seconds West 57.63 feet to a 5/8" capped rebar, thence South 23 degrees 55 minutes 53 seconds West 40.60 feet to a 5/8" capped rebar, thence South 19 degrees 24 minutes 36 seconds West 49.41 feet to a 5/8" capped rebar, thence South 14 degrees 49 minutes 24 seconds West 86.81 feet to a 5/8" capped rebar, thence leaving the Western side of said road North 25 degrees 30 minutes 04 seconds West passing through a 5/8" capped rebar at 187.55 feet a total distance of 574.97 feet to the point of Beginning. Containing 3.51 Acres by Coordinate Computation.

Actual field survey done under the direction and supervision of Richard C. Current, Pro. L-756. This description is subject to all Notes on the plat of Survey for Conservation Easement for the State of North Carolina NC Department of Administration Ecosystem Enhancement Program, Ripshin Branch (EEP ID# 372, SPO# 005 AV-Ripshin Restoration Branch Site (Job # ASHE0801) dtd May 16, 2008 prepared by Current Surveying & Mapping, P.A.

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"EXHIBIT D "
Legal Description for Conservation Easement
On Tax Parcel ID # 08098-123
Hurricane Township, Ashe County
As shown in Ashe County, North Carolina
Deed Book 247 Page 1792

AREA 3 TRACT 5

A certain tract or parcel of land containing 0.87 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 1184), said rebar being the most Northern corner of Area # 3 Tract # 5 recorded in Plat Bk. _7_, Pg. _278_, Page 7 of 9, thence South 45 degrees 45 minutes 22 seconds East 117.90 feet to a 5/8" capped rebar, thence South 38 degrees 11 minutes 14 seconds East 242.62 feet to a 5/8" capped rebar, thence South 08 degrees 04 minutes 04 seconds East 93.64 feet to a 5/8" capped rebar, thence South 31 degrees 42 minutes 44 seconds East 117.66 feet to a 5/8" capped rebar, thence South 05 degrees 23 minutes 23 seconds East 72.87 feet to a 5/8" capped rebar, thence South 64 degrees 40 minutes 20 seconds West 53.84 feet to a 5/8" capped rebar, thence North 35 degrees 32 minutes 40 seconds West 75.33 feet to a 5/8" capped rebar, thence North 15 degrees 24 minutes 37 seconds West 126.16 feet to a 5/8" capped rebar, thence North 41 degrees 11 minutes 57 seconds West 214.17 feet to a 5/8" capped rebar, thence North 10 degrees 12 minutes 29 seconds West 104.25 feet to the point of Beginning. Containing 0.87 Acre by Coordinate Computation.

AREA 3 TRACT 6

A certain tract or parcel of land containing 0.92 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 1190), said rebar being the most Northern corner of Area # 3 Tract # 6 recorded in Plat Bk. _7_, Pg. _278_, Page 7 of 9, thence South 29 degrees 25 minutes 01 second East 219.45 feet to a 5/8" rebar, thence South 05 degrees 09 minutes 11 seconds East 163.64 feet to a 5/8" capped rebar, thence South 02 degrees 32 minutes 18 seconds West 181.81 feet to a 5/8" capped rebar, thence South 85 degrees 17 minutes 42 seconds West 72.30 feet to a 5/8" capped rebar, thence North 37 degrees 21 minutes 54 seconds West 53.06 feet to a 5/8" capped rebar, thence North 24 degrees 47 minutes 56 seconds East 85.17 feet to a 5/8" capped rebar, thence North 02 degrees 12 minutes 56 seconds East 91.77 feet to a 5/8" capped rebar, thence North 00 degrees 39 minutes 46 seconds West 77.31 feet to a 5/8" capped rebar, thence North 28 degrees 19 minutes 22 seconds West 102.81 feet to a 5/8" capped rebar, thence North 18 degrees 07 minutes 53 seconds West 111.59 feet to a 5/8" capped rebar, thence North 31 degrees 40 minutes 13 seconds East 66.56 feet to the point of Beginning. Containing 0.92 Acre by Coordinate Computation.

AREA 3 TRACT 7

A certain tract or parcel of land containing 0.74 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 1201), said rebar being the Northwest corner of Area # 3 Tract # 7 recorded in Plat Bk. _7_, Pg. _278_, Page 7 of 9, thence South 88 degrees 51 minutes 30 seconds East 54.84 feet

to a 5/8" capped rebar, thence South 50 degrees 17 minutes 49 seconds East 95.15 feet to a 5/8" capped rebar, thence South 42 degrees 50 minutes 54 seconds East 177.94 feet to a 5/8" capped rebar, thence South 42 degrees 14 minutes 15 seconds East 84.49 feet to a 5/8" capped rebar, thence South 02 degrees 50 minutes 28 seconds West 49.07 feet to a 5/8" capped rebar, thence South 71 degrees 21 minutes 58 seconds West 63.21 feet to a 5/8" capped rebar, thence North 33 degrees 43 minutes 55 seconds West 130.88 feet to a 5/8" capped rebar, thence North 48 degrees 59 minutes 21 seconds West 124.81 feet to a 5/8" capped rebar, thence North 42 degrees 20 minutes 03 seconds West 127.58 feet to a 5/8" capped rebar, thence North 13 degrees 21 minutes 22 seconds East 40.12 feet to the point of Beginning. Containing 0.74 Acre by Coordinate Computation.

AREA 3 TRACT 8

A certain tract or parcel of land containing 1.77 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a ¾" pipe found in place on the Southern side of a soil road, said pipe being the Northeast corner of Area # 3 Tract # 8 recorded in Plat Bk. _7_, Pg. _278_, Page 7 of 9, and the Northwest corner of Bk. 310, Pg. 1688, thence leaving said road South 00 degrees 30 minutes 54 seconds West 278.39 feet to a 5/8" capped rebar, thence North 15 degrees 32 minutes 27 seconds West 14.96 feet to a 5/8" capped rebar, thence North 59 degrees 27 minutes 33 seconds West 175.51 feet to a 5/8" capped rebar, thence North 78 degrees 01 minute 18 seconds West 78.51 feet to a 5/8" capped rebar, thence South 70 degrees 55 minutes 42 seconds West 70.18 feet to a 5/8" capped rebar on the Eastern side of a soil road, thence with the Eastern side of said road the next six (6) calls and distances North 15 degrees 12 minutes 37 seconds West 33.94 feet to a 5/8" capped rebar, thence North 30 degrees 10 minutes 50 seconds West 20.83 feet to a 5/8" capped rebar, thence North 40 degrees 26 minutes 10 seconds West 45.46 feet to a 5/8" capped rebar, thence North 42 degrees 03 minutes 40 seconds West 82.37 feet to a 5/8" capped rebar, thence North 36 degrees 48 minutes 00 seconds West 20.42 feet to a 5/8" capped rebar, thence North 20 degrees 57 minutes 41 seconds East 25.49 feet to a 5/8" capped rebar, thence with the Southern side of said road the next ten (10) calls and distances North 80 degrees 22 minutes 54 seconds East 79.50 feet to a 5/8" capped rebar, thence North 59 degrees 26 minutes 02 seconds East 35.63 feet to a 5/8" capped rebar, thence North 39 degrees 56 minutes 52 seconds East 48.84 feet to a 5/8" capped rebar, thence North 79 degrees 22 minutes 38 seconds East 17.36 feet to a 5/8" capped rebar, thence South 66 degrees 14 minutes 13 seconds East 13.01 feet to a 5/8" capped rebar, thence South 49 degrees 55 minutes 46 seconds East 86.46 feet to a 5/8" capped rebar, thence South 59 degrees 45 minutes 34 seconds East 26.16 feet to a 5/8" capped rebar, thence South 72 degrees 40 minutes 20 seconds East 31.70 feet to a 5/8" capped rebar, thence South 89 degrees 57 minutes 28 seconds East 38.89 feet to a 5/8" capped rebar, thence North 85 degrees 34 minutes 13 seconds East 80.91 feet to the point of Beginning. Containing 1.77 Acres by Coordinate Computation.

Actual field survey done under the direction and supervision of Richard C. Current, Pro. L-756. This description is subject to all Notes on the plat of Survey for Conservation Easement for the State of North Carolina NC Department of Administration Ecosystem Enhancement Program, Ripshin Branch (EEP ID# 372, SPO# 005 AV-Ripshin Restoration Branch Site (Job # ASHE0801) dtd May 16, 2008 prepared by Current Surveying & Mapping, P.A.

"EXHIBIT E "

Legal Description for Conservation Easement
On Tax Parcel ID # 08098-026
Hurricane Township, Ashe County
As shown in Ashe County, North Carolina
Deed Book 311 Page 759

AREA 4 TRACT 1

A certain tract or parcel of land containing 3.39 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a ½" pipe found in place, said pipe being the Southeast corner of Area # 4 Tract # 1 recorded in Plat Bk. _7_, Pg. _278_, Page 8 of 9 and a corner of Bk. 172, Pg. 651, thence South 63 degrees 40 minutes 50 seconds West 142.06 feet to a ½" pipe found in place, thence South 40 degrees 37 minutes 15 seconds West 292.19 feet to a 5/8" capped rebar, thence North 17 degrees 07 minutes 52 seconds West 281.92 feet to a 5/8" capped rebar, thence North 23 degrees 12 minutes 18 seconds East 151.09 feet to a 5/8" capped rebar, thence North 09 degrees 03 minutes 45 seconds East 168.36 feet to a 5/8" capped rebar, thence North 14 degrees 31 minutes 08 seconds West 128.87 feet to a 5/8" capped rebar, thence North 08 degrees 21 minutes 56 seconds West 93.77 feet to a 5/8" capped rebar, thence North 81 degrees 21 minutes 41 seconds East crossing two branches 161.30 feet to a 5/8" capped rebar, thence South 01 degree 57 minutes 29 seconds East 154.34 feet to a 5/8" capped rebar, thence South 15 degrees 25 minutes 05 seconds East 169.85 feet to a 5/8" capped rebar, thence South 08 degrees 35 minutes 56 seconds East 113.63 feet to a 5/8" capped rebar, thence South 45 degrees 53 minutes 27 seconds East 103.21 feet to a 5/8" capped rebar, thence South 63 degrees 45 minutes 10 seconds East 66.35 feet to the point of Beginning. Containing 3.39 Acres by Coordinate

AREA 4 TRACT 2

A certain tract or parcel of land containing 0.61 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 414), said rebar being the Northwest corner of Area # 4 Tract # 2 recorded in Plat Bk. _7_, Pg. _278_, Page 8 of 9, thence South 81 degrees 26 minutes 32 seconds East 64.56 feet to a 5/8" capped rebar, said rebar being located South 88 degrees 56 minutes 54 seconds West 31.08 feet from a ½" rebar found in place, thence South 17 degrees 55 minutes 26 seconds East 86.41 feet to a 5/8" capped rebar, thence South 21 degrees 51 minutes 28 seconds East 82.60 feet to a 5/8" capped rebar, thence South 25 degrees 51 minutes 54 seconds East 173.94 feet to a 5/8" capped rebar, thence South 22 degrees 46 minutes 12 seconds West 62.67 feet to a 5/8" capped rebar, thence North 53 degrees 42 minutes 55 seconds West 74.79 feet to a 5/8" capped rebar, thence North 12 degrees 20 minutes 27 seconds West 109.87 feet to a 5/8" capped rebar, thence North 32 degrees 09 minutes 24 seconds West 148.36 feet to a 5/8" capped rebar, thence North 05 degrees 27 minutes 26 seconds West 106.07 feet to the point of Beginning. Containing 0.61 Acre by Coordinate Computation.

AREA 4 TRACT 3

A certain tract or parcel of land containing 6.49 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped rebar (point # 421), said rebar being the most Northern corner of Area # 4 Tract # 3 recorded in Plat Bk. _7_, Pg. _278_, Page 8 of 9, thence South 50 degrees 38 minutes 02 seconds East 114.74 feet to a 5/8" capped rebar, thence South 48 degrees 53 minutes 37 seconds East 47.57 feet to a 5/8" capped rebar, thence South 74 degrees 05 minutes 44 seconds East 47.88 feet to a 5/8" capped rebar, thence South 52 degrees 55 minutes 25 seconds East 109.14 feet to a 5/8" capped rebar, thence South 60 degrees 46 minutes 33 seconds East 191.04 feet to a 5/8" capped rebar, thence South 66 degrees 29 minutes 55 seconds East 127.54 feet to a 5/8" capped rebar, thence South 84 degrees 55 minutes 16 seconds East 227.76 feet to a 5/8" capped rebar, thence South 72 degrees 39 minutes 09 seconds East 110.77 feet to a 5/8" capped rebar, thence South 58 degrees 08 minutes 39 seconds East 67.16 feet to a 5/8" capped rebar, thence South 83 degrees 54 minutes 45 seconds West 58.59 feet to a 5/8" capped rebar, thence North 78 degrees 19 minutes 39 seconds West 107.66 feet to a 5/8" capped rebar, thence South 66 degrees 23 minutes 28 seconds West 90.48 feet to a 5/8" capped rebar, thence South 56 degrees 04 minutes 55 seconds East 105.40 feet to a 5/8" capped rebar, thence South 29 degrees 01 minute 12 seconds East 63.79 feet to a 5/8" capped rebar, thence South 31 degrees 22 minutes 20 seconds East 83.25 feet to a 5/8" capped rebar, thence North 76 degrees 11 minutes 22 seconds East 60.55 feet to a 5/8" capped rebar, thence South 00 degrees 58 minutes 19 seconds East 100.37 feet to a 5/8" capped rebar North of an old farm road, thence with the Northern side of said road the next nine (9) calls and distances North 76 degrees 40 minutes 07 seconds West 135.17 feet to a 5/8" capped rebar, thence North 60 degrees 19 minutes 45 seconds West 82.70 feet to a 5/8" capped rebar, thence North 77 degrees 33 minutes 39 seconds West 107.67 feet to a 5/8" capped rebar, thence South 85 degrees 47 minutes 07 seconds West 97.07 feet to a 5/8" capped rebar, thence North 83 degrees 38 minutes 38 seconds West 51.65 feet to a 5/8" capped rebar, thence North 56 degrees 02 minutes 50 seconds West 36.87 feet to a 5/8" capped rebar, thence North 49 degrees 22 minutes 26 seconds West 100.91 feet to a 5/8" capped rebar, thence North 56 degrees 34 minutes 58 seconds West 47.08 feet to a 5/8" capped rebar, thence North 72 degrees 18 minutes 10 seconds West 53.42 feet to a 5/8" capped rebar, thence leaving said farm road North 41 degrees 33 minutes 12 seconds West 271.87 feet to a 5/8" capped rebar, thence South 02 degrees 35 minutes 57 seconds East 70.68 feet to a 5/8" capped rebar, thence South 05 degrees 58 minutes 59 seconds West 114.40 feet to a 5/8" capped rebar, thence South 15 degrees 08 minutes 33 seconds West 148.92 feet to a 5/8" capped rebar on the Western side of said old farm road, thence South 45 degrees 50 minutes 58 seconds West 117.82 feet to a 5/8" capped rebar on the Western side of said old farm road, thence North 48 degrees 28 minutes 14 seconds West 99.86 feet to a 5/8" capped rebar, thence North 28 degrees 59 minutes 02 seconds East 209.61 feet to a 5/8" capped rebar, thence North 08 degrees 28 minutes 48 seconds East 279.97 feet to a 5/8" capped rebar, thence North 08 degrees 25 minutes 14 seconds West 70.11 feet to a 5/8" capped rebar, thence North 19 degrees 46 minutes 00 seconds West 55.76 feet to a 5/8" capped rebar, thence North 25 degrees 21 minutes 30 seconds East 48.79 feet to the point of Beginning. Containing 6.49 Acres by Coordinate Computation.

AREA 4 TRACT 4

A certain tract or parcel of land containing 1.40 Acres lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 5/8" capped

rebar (point # 465), said rebar being the Northeast corner of Area # 4 Tract # 4 recorded in Plat Bk. _7_, Pg. _278_, Page 9 of 9, said rebar also being located South 00 degrees 10 minutes 19 seconds East 249.85 feet from a ½" rebar found in place, said ½" rebar being the Northwest corner of Bk. 205, Pg. 341, thence from the TRUE POINT OF BEGINNING South 00 degrees 10 minutes 19 seconds East 66.16 feet to a 5/8" capped rebar, thence South 82 degrees 51 minutes 07 seconds West 89.29 feet to a 5/8" capped rebar, thence North 47 degrees 37 minutes 02 seconds West 123.34 feet to a 5/8" capped rebar, thence North 61 degrees 38 minutes 06 seconds West 318.54 feet to a 5/8" capped rebar, thence North 71 degrees 05 minutes 37 seconds West 78.25 feet to a 5/8" capped rebar, thence North 38 degrees 52 minutes 02 seconds West 153.07 feet to a 5/8" capped rebar, thence North 85 degrees 55 minutes 02 seconds East 49.56 feet to a 5/8" capped rebar on the Southern side of an old farm road, thence with the Southern side of said road the next two (2) calls and distances South 59 degrees 04 minutes 26 seconds East 90.62 feet to a 5/8" capped rebar, thence South 79 degrees 13 minutes 26 seconds East 75.73 feet to a 5/8" capped rebar, thence leaving said road South 65 degrees 24 minutes 46 seconds East 85.98 feet to a 5/8" capped rebar, thence South 58 degrees 01 minute 55 seconds East 140.23 feet to a 5/8" capped rebar, thence South 62 degrees 05 minutes 25 seconds East 115.39 feet to a 5/8" capped rebar, thence South 58 degrees 04 minutes 23 seconds East 152.22 feet to the point of Beginning. Containing 1.40 Acres by Coordinate Computation.

AREA 4 TRACT 5

A certain tract or parcel of land containing 0.32 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 1/2" rebar found in place, said rebar being the Southeast corner of Area # 4 Tract # 5 and the Southwest corner of Area 4 Tract # 6 recorded in Plat Bk. _7_, Pg. _278_, Page 9 of 9, and also being a corner of Bk. 280, Pg. 729 (Doris Miller), thence South 86 degrees 45 minutes 13 seconds West 215.27 feet to a 5/8" capped rebar, thence North 61 degrees 08 minutes 39 seconds West 59.39 feet to a 5/8" capped rebar, thence North 41 degrees 08 minutes 48 seconds East 50.80 feet to a 5/8" capped rebar, thence North 86 degrees 18 minutes 38 seconds East 150.92 feet to a 5/8" capped rebar, thence South 52 degrees 08 minutes 42 seconds East 105.00 feet to the point of Beginning. Containing 0.32 Acre by Coordinate Computation.

AREA 4 TRACT 6

A certain tract or parcel of land containing 0.33 Acre lying in Hurricane Township, Ashe County, N.C. and being more particularly described as follows: Beginning on a 1/2" rebar found in place, said rebar being the Southeast corner of Area # 4 Tract # 5 and the Southwest corner of Area 4 Tract # 6 recorded in Plat Bk. _7_, Pg. _278_, Page 9 of 9, and also being a corner of Bk. 280, Pg. 729 (Doris Miller), thence North 05 degrees 45 minutes 21 seconds East 53.50 feet to a 5/8" capped rebar, thence North 89 degrees 43 minutes 34 seconds East 83.84 feet to a 5/8" capped rebar, thence North 68 degrees 38 minutes 52 seconds East 75.26 feet to a 5/8" capped rebar, thence North 79 degrees 09 minutes 49 seconds East 64.29 feet to a 5/8" capped rebar, thence South 57 degrees 50 minutes 20 seconds East 88.89 feet to a 5/8" capped rebar, thence South 82 degrees 25 minutes 06 seconds West 138.82 feet to a 5/8" capped rebar, thence South 19 degrees 45 minutes 02 seconds East 34.53 feet to a 5/8" capped rebar, thence North 71 degrees 57 minutes 11 seconds West 52.28 feet to a 5/8" capped rebar, thence South 84 degrees 45 minutes 48 seconds West 122.56 feet to the point of Beginning. Containing 0.33 Acre by Coordinate Computation.

Actual field survey done under the direction and supervision of Richard C. Current, Pro. L-756. This description is subject to all Notes on the plat of Survey for Conservation Easement for the State of North Carolina NC Department of Administration Ecosystem Enhancement Program, Ripshin Branch (EEP ID# 372, SPO# 005 AV-Ripshin Restoration Branch Site (Job # ASHE0801) dtd May 16, 2008 prepared by Current Surveying & Mapping, P.A.

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