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CHEROKEE COUNTY NC
DAPHNE DOCKERY
REGISTER OF DEEDS

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SPO File Number 020-ZA
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Raleigh, NC 27699-1321

STATE OF NORTH CAROLINA
CHEROKEE COUNTY

CONSERVATION EASEMENT
AND RIGHT OF ACCESS

THIS CONSERVATION EASEMENT DEED AND RIGHT OF ACCESS, is made this 10th day of September, 2010 by Barbara H. Lutz and Ann Rohrbacher, Co-Trustees of the 1991 Francis C. Bourne, Sr. Trust for Barbara H. Lutz and others; Susan H. Mahoney and Patrick Crago, Co- Trustees of the Francis C. Bourne, Sr. Trust for Susan H. Mahoney and others; and Kathleen Hounsom formerly known as Kathleen H. Rowland and Patrick Crago, Co-Trustees of the Francis C. Bourne, Sr. Trust for Kathleen H . Rowland and others ("Grantor"), whose mailing address is 100 Pinebrook Road, East Hampton, CT 06424 to the State of North Carolina, ("Grantee"), 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:

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

B.L.

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 8th day of February 2000; and

WHEREAS, Grantor owns in fee simple certain real property situated, lying, and being in Cherokee County, North Carolina (the "Property"), and being more particularly described as that certain parcel of land containing approximately 438.94 acres and being conveyed to the Grantor by deed as recorded in Deed Book 835 at Page 165 of the Cherokee 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 Martin's Creek, Right Prong Creek, and unnamed tributaries located in Cherokee County.

NOW, THEREFORE, in consideration of the mutual covenants, terms, conditions, and restrictions hereinafter set forth, Grantor unconditionally and irrevocably hereby grants and conveys unto Grantee, its successors and assigns, forever and in perpetuity, a Conservation Easement along with a general Right of Access. The Easement Area consists of the following: Easement Areas A, B, C, D, E, G, and H containing a total of 93.87 acres as shown on the plats of survey entitled "Martin's Creek II, SPO File Number: 020-ZA, NC EEP Project Number: 92633, dated February 2, 2010, certified by Bentley Robison, PLS #L-4742 of Joel Johnson Land Surveying, Inc., and recorded in Plat Cabinet G, Slides 150, 151, 152, Cherokee County Registry. The Conservation Easement being more particularly described in "Exhibit A" attached and incorporated herein.

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:

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I. DURATION OF EASEMENT

Pursuant to law, including the above referenced statutes, this Conservation Easement shall be perpetual and it shall run with, and be a continuing restriction upon the use of, the Property, and it shall be enforceable by the Grantee against the Grantor and against Grantor's heirs, successors and assigns, personal representatives, agents, lessees, 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. Without limiting the generality of the foregoing, 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 except as reserved in section O. Stream Crossings. Existing roads, crossings, or trails located in the Easement Area after the stream restoration construction is complete may be maintained by Grantor in order to minimize runoff, sedimentation and for

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access to the interior of the Property for management, maintenance, stewardship purposes, or undeveloped recreational and educational uses of the Easement Area.

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 unlimited and repeated ingress and egress over and across the Property to the Easement Area for the purposes set forth herein.

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

N. 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.

O. Stream Crossings. Grantor reserves the right to construct, maintain, and gain access to, at Grantor's expense, up to six (6) stream crossings, each being no greater than fifty (50) feet in width, and each of which shall conform to all applicable federal, state and local laws, rules and regulations, as permitted. Crossings shall be constructed across the conservation easement and the stream in a perpendicular manner, and in a manner that maintains water quality and minimizes disturbance. All crossings shall be located in Conservation Easement Area H and

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Area D, depicted on the plat titled "Martin's Creek II, SPO File Number: 020-ZA, NC EEP Project Number: 92633 dated February 2, 2010, certified by Bentley Robison, PLS #L-4742 of Joel Johnson Land Surveying, Inc. Grantor shall obtain approval from EEP in writing upon initiation of the plan for each crossing; such approval shall not be unreasonably withheld and shall be given within ninety (90) days of the date requested by Grantor. The width of each crossing plus the limits of disturbance for the construction of the crossings shall not exceed fifty (50) feet in width. Upon consultation and approval of EEP, said roads and crossings shall not be incompatible with, nor will the Grantor be in violation of, the terms of this conservation easement.

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, and Inspection. In order to perform the restoration activities contemplated by this easement, the Grantee, its employees and agents, successors and assigns, receive the perpetual right of ingress and egress to the Easement Area over the Property as set forth in Exhibit A, upon ten (10) days notice to Grantee. After restoration activities have been completed, Grantee, its employees and agents and its successors and assigns, have the right, with ten (10) days prior written notice to Grantors, to enter the Property at reasonable times, but no more frequently than once per year, to inspect the Property to determine whether the Grantors, their agents, personal representatives, successors or assigns are complying with the terms, conditions and restrictions of this Conservation Easement. Notwithstanding the foregoing, in cases where Grantee determines that immediate entry is required to prevent, terminate, or mitigate a violation of this Easement, such entry shall be upon prior reasonable notice to Grantors and may be made with such frequency as is reasonably necessary for the prevention, termination, or mitigation of the violation; but Grantee shall not in any case unreasonably interfere with Grantors' use and quiet enjoyment of the Property that is consistent with this Easement, and Grantee, its employees and agents, successors and assigns. 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

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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.

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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.

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

BL.

GRANTOR

By: Barbara H. Lutz (SEAL)
Barbara H. Lutz, Co-Trustee of the 1991
Francis C. Bourne, Sr. Trust for Barbara H. Lutz and others

STATE OF CONNECTICUT
COUNTY OF Middlesex

I, Robert L. Flood, a Notary Public in and for the County and State aforesaid, do hereby certify that Barbara H. Lutz, Co-Trustee of the 1991 Francis C. Bourne, Sr. Trust for Barbara H. Lutz and others, 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 21 day of July, 2010.

Notary Public

My commission expires:

ROBERT L. FLOOD
State of Connecticut
My Commission Expires 04/30/2013

ROBERT L. FLOOD NOTARY PUBLIC CONNECTICUT

GRANTOR

By: Ann Rohrbacher (SEAL)
Ann Rohrbacher, Co-Trustee of the 1991
Francis C. Bourne, Sr. Trust for Barbara H. Lutz and others

STATE OF WASHINGTON
COUNTY OF Klickitat

I, Carol Desmarais, a Notary Public in and for the County and State aforesaid, do hereby certify that Ann Rohrbacher, Co-Trustee of the 1991 Francis C. Bourne, Sr. Trust for Barbara H. Lutz and others 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 July 22 day of July, 2010.

Carol Desmarais
Notary Public

My commission expires:
5/27/2013

D.L.

GRANTOR

By: Susan H. Mahoney (SEAL)
Susan H. Mahoney, Co- Trustee of the Francis C. Bourne, Sr. Trust
for Susan H. Mahoney and others

STATE OF GEORGIA
COUNTY OF Georgia

I, Patrick K Jensen a Notary Public in and for the County and State aforesaid, do hereby certify that Susan H. Mahoney, Co-Trustee of the Francis C. Bourne, Sr. Trust for Susan H. Mahoney and others, 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 19th day of July, 2010.

Notary Public

My commission expires:

PATRICK K. JENSEN
NOTARY
MY COM. EXP - OCT 31, 2011
PUBLIC
CLAYTON COUNTY, GA

R.L.

GRANTOR

By: _____(SEAL)
Patrick Crago, Co- Trustee of the Francis C. Bourne, Sr. Trust
for Susan H. Mahoney and others

STATE OF VIRGINIA
COUNTY OF FAIRFAX

I, LOUIE S. ATANGAN, a Notary Public in and for the state and county aforesaid, do hereby certify that Patrick Crago, Co-Trustee of the Francis C. Bourne, Sr. Trust for Susan H. Mahoney and others, 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 9TH day of AUGUST, 2010.

Notary Public

My commission expires:
4/30/2013

LOUIE S. ATANGAN
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APRIL 30, 2013
COMMISSION # 359306

GRANTOR

By: Kathleen Hounsom (SEAL)
Kathleen Hounsom formerly known as Kathleen H. Rowland , Co-Trustee
of the Francis C. Bourne, Sr. Trust for Kathleen H . Rowland and others

NORTH CAROLINA
COUNTY OF NC

I, Charlene B. Snipes, a Notary Public in and for the County and State aforesaid, do hereby certify that Kathleen Hounsom formerly known as Kathleen H. Rowland, Co-Trustee of the Francis C. Bourne, Sr. Trust for Kathleen H . Rowland and others, 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 21 day of July, 2010.

Charlene B. Snipes
Notary Public

My commission expires:
5-7-2011

CHARLENE B. SNIPES
NOTARY
PUBLIC
BUNCOMBE COUNTY, N.C.

D. L.

GRANTOR

By: _____(SEAL)
Patrick Crago, Co-Trustee of the Francis C. Bourne, Sr. Trust
for Kathleen H . Rowland and others

STATE OF VIRGINIA
COUNTY OF FAIRFAX

I, LOUIE S. ATANGAN, a Notary Public in and for the state and county aforesaid, do hereby certify that Patrick Crago, Co-Trustee of the Francis C. Bourne, Sr. Trust for Kathleen H . Rowland and others, 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 9th day of AUGUST, 2010.

Notary Public

My commission expires:
4/30/2013

LOUIE S. ATANGAN
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APRIL 30, 2013
COMMISSION # 359306

Exhibit A

LEGAL DESCRIPTION
For Seven Conservation Easements
Along a Portion of Martins Creek
And its Tributaries
For the Estate of Francis C. Bourne, Sr.
May 11, 2010

Said Easements located on Martins Creek off Martins Creek Road (NCSR 1556), Murphy Township, Cherokee County, North Carolina being a portion of the property recorded in Deed Book 1181, Page 340, Deed Book 835, Page 165, Deed Book 658, Page 96, and Deed Book 440, Page 74 (Parcel 459100146624000) and being more particularly described as follows:

Conservation Easement Area A

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE North 89 degrees 16 minutes 20 seconds West for a distance of 633.28 feet to a 5/8" Rebar Set with Aluminum Cap in the line of Wildcat Investments, LLC (Parcel # 459104637931000) being (Corner A-1, N = 513,232.56 feet, E = 496,209.76 feet) the TRUE POINT OF BEGINNING.

THENCE from the TRUE POINT OF BEGINNING and with the line of Wildcat Investments, LLC South 78 degrees 29 minutes 30 seconds East for a distance of 99.88 feet to a ¼" Steel Rod Found (Corner A-2);

THENCE North 87 degrees 22 minutes 15 seconds East for a distance of 926.04 feet to a point (Corner A-3) in the Right-of-Way of Martins Creek Road;

THENCE leaving the line of Wildcat Investments, LLC and running with the Right-of-Way of Martins Creek Road South 03 degrees 35 minutes 35 seconds East for a distance of 67.74 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-4);

THENCE South 02 degrees 38 minutes 20 seconds West for a distance of 77.88 feet to a point (Corner A-5);

THENCE South 11 degrees 49 minutes 50 seconds West for a distance of 31.97 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-6);

THENCE South 18 degrees 59 minutes 15 seconds West for a distance of 37.01 feet to a point (Corner A-7);

THENCE South 25 degrees 02 minutes 45 seconds West for a distance of 37.21 feet to a point(Corner A-8);

THENCE South 30 degrees 39 minutes 30 seconds West for a distance of 33.72 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-9);

THENCE South 36 degrees 25 minutes 55 seconds West for a distance of 48.13 feet to a point

AL.

(Corner A-10);

THENCE South 38 degrees 17 minutes 25 seconds West for a distance of 77.85 feet to a point (Corner A-11);

THENCE South 37 degrees 38 minutes 45 seconds West for a distance of 73.18 feet to a point (Corner A-12);

THENCE South 32 degrees 16 minutes 45 seconds West for a distance of 46.90 feet to a point (Corner A-13);

THENCE South 24 degrees 25 minutes 20 seconds West for a distance of 41.29 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-14);

THENCE South 17 degrees 28 minutes 00 seconds West for a distance of 44.56 feet to a point (Corner A-15);

THENCE South 10 degrees 48 minutes 55 seconds West for a distance of 41.76 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-16);

THENCE South 05 degrees 27 minutes 45 seconds West for a distance of 41.94 feet to a point (Corner A-17);

THENCE South 00 degrees 38 minutes 55 seconds East for a distance of 42.78 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-18);

THENCE South 05 degrees 29 minutes 00 seconds East for a distance of 44.25 feet to a point (Corner A-19);

THENCE South 18 degrees 02 minutes 10 seconds East for a distance of 24.30 feet to a point (Corner A-20);

THENCE leaving the Right-of-Way of Martins Creek Road and running with the Right-of-Way of Crisp Road (NCSR 1576) South 13 degrees 32 minutes 05 seconds West for a distance of 34.18 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-21);

THENCE South 34 degrees 37 minutes 45 seconds West for a distance of 22.26 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-22);

THENCE South 68 degrees 04 minutes 00 seconds West for a distance of 117.53 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-23);

THENCE South 70 degrees 57 minutes 05 seconds West for a distance of 106.03 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-24);

THENCE South 71 degrees 30 minutes 00 seconds West for a distance of 161.12 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-25);

THENCE South 76 degrees 05 minutes 05 seconds West for a distance of 48.99 feet to a point (Corner A-26);

THENCE South 82 degrees 00 minutes 25 seconds West for a distance of 55.58 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-27);

THENCE South 85 degrees 13 minutes 15 seconds West for a distance of 92.61 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-28);

THENCE leaving the Right-of-Way of Crisp Road North 64 degrees 59 minutes 45 seconds West for a distance of 100.71 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-29);

THENCE North 49 degrees 53 minutes 00 seconds West for a distance of 35.11 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-30);

THENCE North 08 degrees 42 minutes 30 seconds West for a distance of 38.37 feet to a point on a rock (Corner A-31);

THENCE North 32 degrees 52 minutes 25 seconds East for a distance of 50.76 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-32);

N.L.

THENCE South 89 degrees 37 minutes 25 seconds East for a distance of 97.37 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-33);

THENCE North 36 degrees 39 minutes 20 seconds East for a distance of 201.79 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-34);

THENCE North 36 degrees 35 minutes 25 seconds West for a distance of 222.48 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-35);

THENCE North 03 degrees 10 minutes 00 seconds East for a distance of 239.38 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-36);

THENCE North 80 degrees 43 minutes 55 seconds West for a distance of 168.50 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-37);

THENCE North 36 degrees 46 minutes 55 seconds West for a distance of 98.21 feet to a 5/8" Rebar Set with Aluminum Cap (Corner A-38);

THENCE North 02 degrees 57 minutes 25 seconds East for a distance of 100.18 feet to the POINT OF BEGINNING (Corner A-1) and being all of that certain tract of land known as Area-A Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 151;

Said Conservation Easement contains 13.97 acres more or less.

Property is SUBJECT TO Power Company Easements for 2 transmission lines: 75' total or 37.5' on each side of the center of the eastern transmission line as recorded in Deed Book 135, Page 577, dated February 12, 1942 and 100' total or 50 each side of the center of the western transmission line as recorded in Deed Book 366, Page 173, dated October 27, 1976.

TOGETHER WITH and SUBJECT TO other covenants, easements, and restrictions of record.

Conservation Easement Area B

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE South 59 degrees 32 minutes 10 seconds West for a distance of 1,150.58 feet to a 5/8" Rebar Set with Aluminum Cap in the eastern line of an existing 60' Right-of-Way across the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) being (Corner B-1, N = 512,641.18
feet, E = 495,851.26 feet) the TRUE POINT OF BEGINNING.

THENCE from the TRUE POINT OF BEGINNING and leaving the eastern line of the 60' Right-of-Way South 87 degrees 54 minutes 55 seconds East for a distance of 244.07 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-2);

THENCE South 42 degrees 21 minutes 55 seconds East for a distance of 81.54 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-3);

THENCE South 43 degrees 49 minutes 40 seconds East for a distance of 130.09 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-4);

THENCE South 43 degrees 49 minutes 40 seconds East for a distance of 44.16 feet to a point

B.L.

on a rock (Corner B-6);

THENCE South 32 degrees 55 minutes 50 seconds West for a distance of 35.69 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-7);

THENCE South 07 degrees 17 minutes 05 seconds East for a distance of 43.37 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-8);

THENCE North 76 degrees 59 minutes 55 seconds West for a distance of 78.14 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-9);

THENCE North 64 degrees 39 minutes 20 seconds West for a distance of 153.58 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-10) in the eastern line of a 60' Right-of-Way;

THENCE with the eastern line of the 60' Right-of-Way North 45 degrees 56 minutes 40 seconds West for a distance of 145.09 feet to a 5/8" Rebar Set with Aluminum Cap (Corner B-13);

THENCE North 45 degrees 56 minutes 40 seconds West for a distance of 120.23 feet to the POINT OF BEGINNING (Corner B-1) and being all of that certain tract of land known as Area-B Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 151; ;

TOGETHER WITH and SUBJECT TO covenants, easements, and restrictions of record.

Said Conservation Easement contains 1.17 acres more or less.

Conservation Easement Area C

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE South 81 degrees 10 minutes 00 seconds West for a distance of 1,043.57 feet to a 5/8" Rebar Set with Aluminum Cap in the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) being (Corner C-1, N = 513,064.26 feet, E = 495,811.79 feet) the TRUE POINT OF BEGINNING.

THENCE from the TRUE POINT OF BEGINNING North 57 degrees 18 minutes 55 seconds West for a distance of 55.20 feet to a 5/8" Rebar Set with Aluminum Cap (Corner C-2) in the line
of the 60' Right-of-Way across the Estate of Francis C. Bourne, Sr.;

THENCE with the line of the 60' Right-of-Way North 07 degrees 23 minutes 20 seconds East for a distance of 102.24 feet to a 5/8" Rebar Set with Aluminum Cap (Corner C-3);

THENCE leaving the line of the 60' Right-of-Way North 82 degrees 27 minutes 05 seconds East for a distance of 111.56 feet to a 5/8" Rebar Set with Aluminum Cap (Corner C-4);

THENCE South 71 degrees 36 minutes 45 seconds East for a distance of 123.92 feet to a 5/8" Rebar Set with Aluminum Cap (Corner C-5);

THENCE South 52 degrees 23 minutes 40 seconds East for a distance of 62.69 feet to a 5/8"

A.L.

Rebar Set with Aluminum Cap (Corner C-6);

THENCE South 04 degrees 53 minutes 05 seconds West for a distance of 83.01 feet to a 5/8" Rebar Set with Aluminum Cap (Corner C-7);

THENCE North 86 degrees 34 minutes 40 seconds West for a distance of 237.90 feet to the POINT OF BEGINNING (Corner C-1) and being all of that certain tract of land known as Area-C Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 151;

TOGETHER WITH and SUBJECT TO covenants, easements, and restrictions of record.

Said Conservation Easement contains 0.84 acres more or less.

Conservation Easement Area D

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE South 88 degrees 34 minutes 05 seconds West for a distance of 3,991.94 feet to a 5/8" Rebar Set with Aluminum Cap in the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) being (Corner D-1, N = 513,124.79 feet, E = 492,852.29 feet) the TRUE POINT OF BEGINNING.

THENCE from the TRUE POINT OF BEGINNING North 16 degrees 47 minutes 30 seconds East for a distance of 315.12 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-2);

THENCE North 50 degrees 08 minutes 50 seconds East for a distance of 337.41 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-3);

THENCE North 80 degrees 35 minutes 25 seconds West for a distance of 143.19 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4);

THENCE South 78 degrees 21 minutes 25 seconds West for a distance of 166.26 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4A);

THENCE South 26 degrees 43 minutes 40 seconds West for a distance of 256.75 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4B);

THENCE South 75 degrees 24 minutes 45 seconds West for a distance of 417.32 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4C);

THENCE South 79 degrees 32 minutes 20 seconds West for a distance of 842.19 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4D);

THENCE North 08 degrees 08 minutes 35 seconds West for a distance of 143.14 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4E);

THENCE North 77 degrees 32 minutes 35 seconds East for a distance of 594.45 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4F);

THENCE North 77 degrees 38 minutes 45 seconds East for a distance of 581.95 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-4G);

THENCE North 09 degrees 31 minutes 05 seconds East for a distance of 225.05 feet to a 5/8"

D.L.

Rebar Set with Aluminum Cap (Corner D-4H);
THENCE North 64 degrees 37 minutes 45 seco nds East for a distance of 211.65 feet to a 5/8"
Rebar Set with Aluminum Cap (Corner D-4I);
THENCE South 82 degrees 03 minutes 05 seconds East for a distance of 208.63 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-5);
THENCE South 72 degrees 28 minutes 50 seconds East for a distance of 195.50 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-6);
THENCE South 39 degrees 34 minutes 00 seconds East for a distance of 188.86 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-7);
THENCE North 74 degrees 36 minutes 35 seconds East for a distance of 965.31 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-8);
THENCE North 84 degrees 13 minutes 40 seconds East for a distance of 223.10 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-10);
THENCE South 56 degrees 05 minutes 05 seconds East for a distance of 220.95 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-11);
THENCE South 82 degrees 49 minutes 05 seconds West for a distance of 488.08 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-12);
THENCE South 63 degrees 12 minutes 50 seconds West for a distance of 470.17 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-13);
THENCE South 83 degrees 49 minutes 20 seconds West for a distance of 593.72 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-14);
THENCE South 62 degrees 07 minutes 05 seconds West for a distance of 247.13 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-15);
THENCE South 22 degrees 24 minutes 50 seconds West for a distance of 230.05 feet to a 5/8" Rebar Set with Aluminum Cap (Corner D-16);
THENCE North 81 degrees 33 minutes 40 seconds West for a distance of 105.63 feet to the POINT OF BEGINNING (Corner D-1) and being all of that certain tract of land known as Area-D Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 150;

TOGETHER WITH and SUBJECT TO covenants, easements, and restrictions of record.
Said Conservation Easement contains 15.45 acres more or less.

Conservation Easement Area E

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE North 68 degrees 00 minutes 40 seconds West for a distance of 3,399.11 feet to a 5/8" Rebar Set with Aluminum Cap in the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) being (Corner E-1, N = 514,497.22 feet, E = 493,691.13 feet) the TRUE POINT OF BEGINNING.

THENCE from the TRUE POINT OF BEGINNING South 49 degrees 13 minutes 25 seconds East for a distance of 225.18 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-2);

D.L.

THENCE South 67 degrees 58 minutes 10 seconds East for a distance of 351.86 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-3);

THENCE South 57 degrees 22 minutes 45 seconds East for a distance of 304.03 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-4) in the southwestern line of a 60' Right-of-Way across the Estate of Francis C. Bourne, Sr.;

THENCE with the line of the 60' Right-of-Way South 52 degrees 54 minutes 50 seconds East for a distance of 174.92 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-5);

THENCE leaving the line of the Right-of-Way North 84 degrees 11 minutes 40 seconds West for a distance of 213.02 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-6);

THENCE North 63 degrees 21 minutes 35 seconds West for a distance of 553.42 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-7);

THENCE South 46 degrees 14 minutes 45 seconds West for a distance of 258.78 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-8);

THENCE North 49 degrees 56 minutes 35 seconds West for a distance of 125.52 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-9);

THENCE North 37 degrees 42 minutes 50 seconds East for a distance of 221.17 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-10);

THENCE North 41 degrees 11 minutes 15 seconds West for a distance of 159.40 feet to a 5/8" Rebar Set with Aluminum Cap (Corner E-11);

THENCE North 39 degrees 14 minutes 20 seconds East for a distance of 105.87 feet to the POINT OF BEGINNING (Corner E-1) and being all of that certain tract of land known as Area-E

Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 150;

TOGETHER WITH and SUBJECT TO covenants, easements, and restrictions of record.

Said Conservation Easement contains 3.48 acres more or less.

Conservation Easement Area G

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE North 60 degrees 51 minutes 20 seconds West for a distance of 5,000.36 feet to a 5/8" Rebar Set with Aluminum Cap in the line of Wildcat Investments, LLC (Parcel # 459104637931000) being (Corner G-1, N = 515,659.78 feet, E = 492,475.72 feet) the TRUE POINT OF BEGINNING.

THENCE from the TRUE POINT OF BEGINNING and with the line of Wildcat Investments passing the corner of Fick (Parcel # 459100259492000) at 475.34' being 1.79' left and thence with the line of Fick, LLC South 51 degrees 22 minutes 30 seconds East for a distance of 580.50 feet to a 5/8" Rebar Set with Aluminum Cap (Corner G-2);

THENCE leaving the line of Fick South 31 degrees 59 minutes 55 seconds East for a distance of 356.86 feet to a 5/8" Rebar Set with Aluminum Cap (Corner G-3);

D.L.

THENCE North 73 degrees 11 minutes 00 seconds West for a distance of 242.04 feet to a 5/8" Rebar Set with Aluminum Cap (Corner G-4);

THENCE North 40 degrees 18 minutes 00 seconds West for a distance of 704.48 feet to a 5/8" Rebar Set with Aluminum Cap (Corner G-5);

THENCE North 37 degrees 47 minutes 10 seconds East for a distance of 73.00 feet to the POINT OF BEGINNING (Corner G-1) and being all of that certain tract of land known as Area-G Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 150;

TOGETHER WITH and SUBJECT TO covenants, easements, and restrictions of record.

Said Conservation Easement contains 2.62 acres more or less.

Conservation Easement Area H

COMMENCING from a 5/8" Rebar with Cap Set for Control on the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) having NGS NAD 83 (NSRS 2007) grid coordinates North = 512,387.82 feet, East = 496,691.58 feet THENCE North 10 degrees 15 minutes 25 seconds East for a distance of 850.45 feet to a 5/8" Rebar with Cap Set for Control having grid coordinates N = 513,224.52 feet; E = 496,842.99 feet and a combined factor of 0.999806667, THENCE North 63 degrees 12 minutes 05 seconds West for a distance of 6,659.92 feet to a 5/8" Rebar Set with Aluminum Cap in the Estate of Francis C. Bourne, Sr. (Parcel # 459100146624000) being (Corner H-1, N = 516,227.18 feet, E = 490,898.36 feet) the TRUE POINT OF BEGINNING

THENCE from the TRUE POINT OF BEGINNING South 33 degrees 23 minutes 35 seconds East for a distance of 930.11 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-2);

THENCE South 77 degrees 30 minutes 00 seconds East for a distance of 781.28 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-3);

THENCE South 66 degrees 25 minutes 20 seconds East for a distance of 796.99 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-4);

THENCE North 57 degrees 15 minutes 25 seconds East for a distance of 56.42 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-5);

THENCE South 73 degrees 16 minutes 45 seconds East for a distance of 270.47 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-6); THENCE North 81 degrees 58 minutes 25 seconds East for a distance of 60.66 feet to a 5/8"
Rebar Set with Aluminum Cap (Corner F-4);

THENCE North 82 degrees 04 minutes 40 seconds East for a distance of 108.92 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-5) in the line of Fick (Parcel # 459100353234000);

THENCE with the line of Fick passing the corner with Eggland (Parcel # 459100346814000) at 52.19' being 0.07' left and thence with the line of Eggland South 51 degrees 22 minutes 10 seconds East for a distance of 118.11 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-1);

THENCE leaving the line of Eggland South 53 degrees 56 minutes 20 seconds West for a distance of 207.41 feet to a point on a rock (Corner F-2);

THENCE South 33 degrees 02 minutes 00 seconds West for a distance of 142.13 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-2A);

THENCE South 13 degrees 46 minutes 20 seconds East for a distance of 107.21 feet to a 5/8"

B.L.

Rebar Set with Aluminum Cap (Corner F-2B);

THENCE South 44 degrees 56 minutes 45 seconds East for a distance of 374.09 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-2C);

THENCE South 43 degrees 27 minutes 00 seconds West for a distance of 152.92 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-2D);

THENCE North 43 degrees 39 minutes 00 seconds West for a distance of 423.30 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-2E);

THENCE North 13 degrees 24 minutes 00 seconds West for a distance of 180.99 feet to a 5/8" Rebar Set with Aluminum Cap (Corner F-2F);

THENCE North 22 degrees 47 minutes 55 seconds East for a distance of 146.20 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-7);

THENCE North 84 degrees 06 minutes 05 seconds West for a distance of 270.47 feet to a point on a rock (Corner H-8);

THENCE South 14 degrees 30 minutes 15 seconds West for a distance of 360.35 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-9);

THENCE South 70 degrees 59 minutes 00 seconds West for a distance of 402.46 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-10);

THENCE South 43 degrees 00 minutes 40 seconds West for a distance of 393.23 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-11);

THENCE South 16 degrees 41 minutes 10 seconds West for a distance of 212.37 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-11A);

THENCE North 75 degrees 46 minutes 40 seconds West for a distance of 157.42 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-11B);

THENCE North 18 degrees 52 minutes 25 seconds East for a distance of 306.70 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-12);

THENCE North 46 degrees 05 minutes 50 seconds East for a distance of 458.01 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-13);

THENCE North 72 degrees 45 minutes 50 seconds East for a distance of 325.82 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-14);

THENCE North 15 degrees 02 minutes 40 seconds East for a distance of 72.55 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-15);

THENCE North 81 degrees 01 minutes 00 seconds West for a distance of 477.47 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-16);

THENCE South 69 degrees 54 minutes 05 seconds West for a distance of 551.35 feet to a point on a rock (Corner H-17);

THENCE South 46 degrees 56 minutes 30 seconds West for a distance of 164.25 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-18);

THENCE South 05 degrees 55 minutes 20 seconds West for a distance of 162.60 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-19);

THENCE South 06 degrees 32 minutes 50 seconds East for a distance of 591.74 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-19A);

THENCE South 71 degrees 48 minutes 25 seconds West for a distance of 143.29 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-19B);

THENCE North 13 degrees 55 minutes 05 seconds West for a distance of 332.57 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-19C);

THENCE North 01 degrees 20 minutes 05 seconds East for a distance of 302.44 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-20);

THENCE North 01 degrees 28 minutes 35 seconds East for a distance of 158.21 feet to a 5/8"

A.L.

Rebar Set with Aluminum Cap (Corner H-21);
THENCE North 31 degrees 08 minutes 10 seconds East for a distance of 149.09 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-22);
THENCE North 50 degrees 11 minutes 00 seconds East for a distance of 170.29 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-23);
THENCE North 67 degrees 01 minutes 30 seconds East for a distance of 483.49 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-24);
THENCE North 85 degrees 27 minutes 55 seconds East for a distance of 247.23 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-25);
THENCE South 77 degrees 05 minutes 25 seconds East for a distance of 273.41 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-26);
THENCE North 53 degrees 27 minutes 40 seconds East for a distance of 170.90 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-27);
THENCE North 69 degrees 15 minutes 05 seconds West for a distance of 966.56 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-28);
THENCE South 84 degrees 20 minutes 05 seconds West for a distance of 226.31 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-29);
THENCE North 49 degrees 59 minutes 20 seconds West for a distance of 112.68 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-30);
THENCE South 45 degrees 43 minutes 25 seconds West for a distance of 419.16 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-31);

THENCE South 82 degrees 18 minutes 35 seconds West for a distance of 137.33 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-32);
THENCE South 38 degrees 20 minutes 40 seconds West for a distance of 139.01 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-33);
THENCE South 06 degrees 38 minutes 10 seconds West for a distance of 108.77 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-34);
THENCE South 20 degrees 25 minutes 10 seconds East for a distance of 357.52 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-35);
THENCE South 05 degrees 27 minutes 10 seconds East for a distance of 213.02 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-36);
THENCE South 15 degrees 14 minutes 25 seconds East for a distance of 315.81 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-37);
THENCE South 35 degrees 25 minutes 00 seconds West for a distance of 205.10 feet to a point on a rock (Corner H-37A);
THENCE North 49 degrees 52 minutes 45 seconds West for a distance of 140.46 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-38);
THENCE North 28 degrees 46 minutes 55 seconds East for a distance of 150.64 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-39);
THENCE North 15 degrees 03 minutes 55 seconds West for a distance of 213.66 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-40);
THENCE North 04 degrees 16 minutes 50 seconds West for a distance of 226.68 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-41);
THENCE North 26 degrees 05 minutes 00 seconds West for a distance of 217.28 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-42);
THENCE South 55 degrees 59 minutes 00 seconds West for a distance of 328.82 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-43);

D.L.

THENCE North 33 degrees 57 minutes 20 seconds West for a distance of 89.21 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-44);

THENCE North 44 degrees 15 minutes 45 seconds East for a distance of 391.38 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-45);

THENCE North 19 degrees 29 minutes 10 seconds West for a distance of 133.28 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-46);

THENCE North 48 degrees 09 minutes 45 seconds East for a distance of 710.24 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-47);

THENCE North 51 degrees 06 minutes 25 seconds West for a distance of 159.15 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48);

THENCE North 80 degrees 12 minutes 40 seconds West for a distance of 968.46 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48A);

THENCE South 44 degrees 58 minutes 05 seconds West for a distance of 315.07 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48B);

THENCE South 04 degrees 50 minutes 10 seconds West for a distance of 427.23 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48C);

THENCE South 62 degrees 00 minutes 55 seconds West for a distance of 274.56 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48D);

THENCE North 19 degrees 47 minutes 35 seconds West for a distance of 187.66 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48E);

THENCE North 61 degrees 18 minutes 25 seconds East for a distance of 154.24 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48F);

THENCE North 01 degrees 59 minutes 15 seconds East for a distance of 336.49 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48G);

THENCE North 40 degrees 46 minutes 10 seconds East for a distance of 301.79 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-48H);

THENCE North 80 degrees 12 minutes 50 seconds West for a distance of 295.99 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-49);

THENCE South 40 degrees 17 minutes 00 seconds West for a distance of 305.41 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-50);

THENCE South 67 degrees 59 minutes 20 seconds West for a distance of 316.79 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-51);

THENCE North 81 degrees 44 minutes 25 seconds West for a distance of 292.25 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-52);

THENCE North 71 degrees 00 minutes 00 seconds West for a distance of 133.55 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-52A);

THENCE North 43 degrees 55 minutes 55 seconds West for a distance of 199.65 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-52B);

THENCE North 40 degrees 00 minutes 25 seconds East for a distance of 128.92 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-52C);

THENCE South 51 degrees 37 minutes 10 seconds East for a distance of 257.24 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-53);

THENCE South 80 degrees 19 minutes 50 seconds East for a distance of 257.27 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-54);

THENCE North 66 degrees 57 minutes 20 seconds East for a distance of 258.60 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-55);

THENCE North 33 degrees 15 minutes 45 seconds East for a distance of 295.61 feet to a 5/8"

D.L.

Rebar Set with Aluminum Cap (Corner H-56);

THENCE North 19 degrees 35 minutes 35 seconds West for a distance of 215.20 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-57);

THENCE North 52 degrees 47 minutes 10 seconds West for a distance of 383.51 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-58);

THENCE North 42 degrees 59 minutes 55 seconds West for a distance of 88.69 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-58A);

THENCE North 53 degrees 37 minutes 30 seconds East for a distance of 127.53 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-59);

THENCE South 54 degrees 40 minutes 10 seconds East for a distance of 259.28 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-60);

THENCE South 47 degrees 53 minutes 15 seconds East for a distance of 186.19 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-61);

THENCE South 29 degrees 52 minutes 50 seconds East for a distance of 310.13 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-62);

THENCE North 76 degrees 33 minutes 35 seconds East for a distance of 66.09 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-63);

THENCE South 49 degrees 37 minutes 10 seconds East for a distance of 81.57 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-64);

THENCE South 64 degrees 56 minutes 55 seconds East for a distance of 113.74 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-65);

THENCE North 70 degrees 36 minutes 10 seconds East for a distance of 158.69 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-66);

THENCE North 23 degrees 56 minutes 25 seconds West for a distance of 175.47 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-68);

THENCE North 27 degrees 04 minutes 15 seconds West for a distance of 230.11 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-69);

THENCE North 52 degrees 40 minutes 05 seconds West for a distance of 236.73 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-70);

THENCE North 09 degrees 43 minutes 10 seconds West for a distance of 245.18 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-71);

THENCE North 63 degrees 52 minutes 30 seconds West for a distance of 249.58 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-72);

THENCE North 13 degrees 39 minutes 30 seconds East for a distance of 130.09 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-73);

THENCE South 79 degrees 06 minutes 10 seconds East for a distance of 187.69 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-74);

THENCE South 43 degrees 32 minutes 20 seconds East for a distance of 240.98 feet to a point on a rock (Corner H-75);

THENCE South 13 degrees 52 minutes 30 seconds East for a distance of 186.52 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-76);

THENCE South 45 degrees 23 minutes 30 seconds East for a distance of 727.05 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-77);

THENCE South 69 degrees 12 minutes 10 seconds East for a distance of 643.06 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-78);

THENCE North 32 degrees 16 minutes 00 seconds West for a distance of 523.60 feet to a 5/8" Rebar Set with Aluminum Cap (Corner H-79);

D.L.

THENCE North 45 degrees 16 minutes 30 seconds East for a distance of 157.35 feet to the POINT OF BEGINNING (Corner H-1) and being all of that certain tract of land known as Area-H Conservation Easement shown on a plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slide 150;

SUBJECT TO the right of the landowner to install up to six stream crossings in Conservation Easement Area H only, with each stream crossing having a maximum width of 50'.

TOGETHER WITH and SUBJECT TO other covenants, easements, and restrictions of record.

Said Conservation Easement contains 56.34 acres more or less.

Ingress/Egress Easement

Conservation Easements B, C, D and E shall be accessed by the State of North Carolina, or its representatives, via an existing 60' Right-of-Way beginning on the Right-of-Way of Crisp Road (NCSR 1576) and running along the western boundary and thence along the northern boundary of the Estate of Francis C. Bourne, Sr. until the point of termination at the intersection of the North boundary line of Bourne and the paved private road within the Wildcat Subdivision.

Conservation Easements G and H shall be accessed via an easement 60' in width off the northern boundary line starting at the point where the existing 60' Right-of-Way terminates and extending along the northern property line of Bourne to the extents of Conservation Easement G.

MEANING AND INTENDING for the State of North Carolina, or its representatives, to have the right of access to Conservation Easement Areas B, C, D, E, G and H via the existing Right-of-Way and the easement as shown on the plat of survey prepared for Martin's Creek II (Estate of Francis C. Bourne, Sr.) by Joel Johnson Land Surveying, Inc. dated February 2, 2010 Drawing File "kohn-esmt" as recorded in Plat Cabinet G, Slides 150, 151 and 152, for the purpose of monitoring the easements.

N.L.