UNCERTIFIED

10/21/1999
$713.00 18

Brunswick County--Register of Deeds
Robert J. Robinson
Inst #28354 Book 1337 Page 883
10/21/1999 03:26pm Rec# 27149

STATE OF NORTH CAROLINA Real Estate Excise Tax

STATE OF NORTH CAROLINA Parcel ID _____

COUNTY OF BRUNSWICK

THIS DEED, made and entered into this the 21st day of October, 1999, by and between EZRA G. DALE and wife, ELEANOR H. DALE, parties of the first part; and ECOSYSTEMS LAND MITIGATION BANK CORPORATION, having an address of 1555 Hazell Branch Rd, Winter Park, FL 32789, party of the second part;

W I T N E S S E T H :

That the parties of the first part in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations to said parties paid by the party of the second part, the receipt of which hereby is acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the party of the second part, said party's successors and assigns, the following described property, to wit:

All that certain tract or parcel of land lying and being situate in Brunswick County, North Carolina and being more particularly described by Attachment A attached hereto and incorporated herein by reference.

To the extent that the party of the second part is allowed to maintain hunting privileges over the property hereinabove described under the terms and conditions of the mitigation plan between it and the State of North Carolina and all other applicable permits involving the aforesaid property, the party of the second part agrees to allow Ezra G. Dale, his heirs and assigns and a reasonable number of guests, the non-exclusive right to hunt upon the property, subject, however, to reasonable rules and regulations imposed by the party of the second part, its successors and assigns in the ownership of the property. In such event, Ezra G. Dale and his heirs and assigns agree to indemnify and hold the party of the second part and its successors and assigns harmless against all liability, loss, damage, expense and claim arising out of any accident or injury occurring on the property

Prepared By: WARD AND SMITH P.A. ATTORNEYS AT LAW

Paula White

UNCERTIFIED

while Ezra G. Dale, his heirs, assigns and guests are hunting thereon. It is provided, however, that Ezra G. Dale may not assign his rights hereunder and shall not operate a hunting company or club upon the property without the prior written consent of the party of the second part, its successors and assigns.

The mitigation plan referenced herein is identified as follows: A compensatory mitigation plan for the Dale Tract prepared for North Carolina Department of Transportation dated June 1999.

TO HAVE AND TO HOLD said property and all privileges and appurtenances thereunto belonging to the party of the second part, said party's successors and assigns forever, subject, however, to the matters set forth above.

And the parties of the first part do covenant that said parties are seized of said property in fee and have the right to convey same in fee simple; that the same is free from encumbrances except any encumbrances or restrictions mentioned above and that said parties will warrant and defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the parties of the first part have set said parties' hands hereto and have adopted as said parties' seals the typewritten word "SEAL" appearing beside said parties' names, this the day and year first above written.

Ezra G. Dale (SEAL)
EZRA G. DALE

Eleanor H. Dale (SEAL)
ELEANOR H. DALE

WARD AND SMITH, P.A. ATTORNEYS AT LAW

UNCERTIFIED

Inst # 28354 Book 1337Page: 885

STATE OF North Carolina
COUNTY OF Brunswick

I, Ruth S Barfield, a Notary Public in and for said County and State, do hereby certify that EZRA G. DALE and wife, ELEANOR H. DALE personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 20th day of October, 1999.

Ruth S Barfield
Notary Public

OFFICIAL SEAL
RUTH S. BARFIELD
Notary Public - North Carolina
BRUNSWICK COUNTY
My Commission Expires

My Commission Expires:

3/26/2000

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

The foregoing certificate of _____, a Notary Public of said County and

WARD AND SMITH P A ATTORNEYS AT LAW

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

The Foregoing (or annexed) Certificate(s) of RUTH S BARFIELD

Notary(ies) Public is (are) Certified to be Correct.
This Instrument was filed for Registration on this 21st Day of October, 1999
in the Book and Page shown on the First Page hereof.

Robert J Robinson /tad
ROBERT J. ROBINSON, Register of Deeds

Register of Deeds

NBMAIN\379743.1

UNCERTIFIED

ATTACHMENT A
DESCRIPTION FOR PROPERTY AND EASEMENT

All that certain tract or parcel of land lying and being situate in Northwest Township, Brunswick County, North Carolina and being more particularly described as follows:

Beginning at a point which lies the following courses and distances from a point in the centerline of the Seaboard Coastline Railroad tracks across from and opposite Mile Post C-254: Southeastwardly along the centerline of the railroad tracks 144.75 feet to a PK nail in the centerline of the railroad tracks and a road, thence with the centerline of a woods road South 63° 38' 36" West 614.77 feet to an iron stake in the centerline intersection of a woods road, thence along and with the edge of the woods road South 63° 9' 19" West 1377.55 feet to the point of beginning which is also the point of beginning of the property described by the deed to E. G. Dale recorded in Book 1311, Page 128 in the office of the Register of Deeds of Brunswick County. Thence from this point of beginning so located South 29° 26' 29" East 149.88 feet, South 45° 46' 56" East 1297.40 feet, South 40° 44' 0" East 811.05 feet, South 14° 9' 0" East 1381.12 feet to a point; thence South 47° 29' 39" East 1101.35 feet to a point; thence South 34° 28' 43" West 36.79 feet to a point; thence South 4° 51' 54" West 932.90 feet to a point; thence South 20° 3' 2" East 661.01 feet to a point; thence North 79° 41' 0" East 327.80 feet to the westernmost corner of the tower site of Seacoast Communications, Inc.; thence South 28° 11' 30" West 757.20 feet to a point; thence South 68° 43' 30" West 1330.24 feet to a point; thence North 69° 7' 0" West 850.70 feet to a point; thence North 18° 27' 0" East 691.45 feet to a point; thence North 20° 45' 15" West 1268.84 feet to a point; thence North 0° 22' 31" West 391.63 feet to a point; thence North 26° 28' 0" East 250.52 feet to a point; thence North 0° 23' 0" East 264.90 feet to a point; thence North 13' 20' 28" West 297.24 feet to a point; thence North 72° 19' 16" West 642.97 feet to a point; thence North 6° 1' 0" West 580.25 feet to a point; thence North 26° 45' 0" West 498.50 feet to a point; thence North 7° 52' 0" East 1632.02 feet to a point; thence North 25° 43' 10" East 284.10 feet to the point of beginning.

The aforesaid property is the same property described by the deed recorded in Book 1311, Page 128 in the office of the Register of Deeds of Brunswick County.

The aforesaid tract contains 237.57 acres and the description is taken from a map entitled Ecosystems Land Mitigation Bank Corporation by Davey G. Williamson last revised September 24, 1999.

This conveyance is made together with that certain easement described by Right of Way Easement from Sustainable Forests, L.L.C. recorded in Book 1326, Page 208 in the office of the Register of Deeds of Brunswick County as amended by instrument recorded in Book 1337 Page 878 in said office, each of said documents being incorporated herein by reference for a more perfect description of said easement and its terms.

A map of the aforesaid property and easement is recorded in Map Cabinet 22, Page 41, in the office of the Register of Deeds of Brunswick County, said map being incorporated herein by reference.

UNCERTIFIED