LC.

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
December 28, 2010 09:43:21 AM
Book 3823 Page 67-69
FEE: $20.00
INSTRUMENT # 2010017511

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STATE OF NORTH CAROLINA

MOORE COUNTY

ADDENDUM TO CONSERVATION EASEMENT FOR THE PURPOSE OF CLARIFICATION AND TECHNICAL CORRECTION

SPO File Number 63-H; 63-024.003
EEP Project ID 226

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 ADDENDUM IS TO THE CONSERVATION EASEMENT granted to the State of North Carolina, Department of Administration, State Property Office, whose mailing address is 1321 Mail Service Center, Raleigh, NC 27699-1321 (**Grantee**) by the J-Bar Ranch, Inc., whose address is P.O. Box 1741, Fayetteville, NC 28302 (**Grantor**) which was recorded on March 28th, 2003 in Deed Book 2225, Page 90, Moore County Register of Deeds, North Carolina (**Conservation Easement**).

WITNESSETH:

WHEREAS: The purpose of this Addendum is to clarify the restrictions related to the use of four existing roads or trails within the Conservation Easement Area;

WHEREAS: The J-Bar Ranch, Inc. conveyed a Conservation Easement to the State which restricts certain activities on a 125.77 acre portion of the Grantor's property located in Little River Township, Moore County, NC as shown on a plat of survey recorded in Map Cabinet 10, Page 346, Moore County Registry, for a wetland and stream restoration, enhancement and preservation project by the Wetlands Restoration Program (**WRP**), subsequently the Ecosystem Enhancement Program (**EEP**);

WHEREAS: Wetland and stream functions will be restored or enhanced and protected on the 125.77 acres portion of the property within the Conservation Easement Area;

WHEREAS: The Conservation Easement prohibits both the use of motorized vehicles and the damage of native vegetation within the Conservation Easement Area;

WHEREAS: Notwithstanding the foregoing, the parties to the Conservation Easement have agreed to allow the maintenance of those four soil and sand roads shown on the attached "Exhibit A – Addendum to Conservation Easement," which may be used by motorized vehicles. These sand and soil roads shall be used exclusively for passive recreational activities, management activities, or educational activities, and shall be used in a manner that is not inconsistent with the purposes of the Conservation Easement. The roads may be maintained with pervious materials by the Grantor, its successors or assigns, and shall not be used, repaired or maintained in a manner that causes erosion or sediment run-off;

WHEREAS: The remainder of other restrictions set forth in the original Conservation Easement remains in full force and effect.

THEREFORE: The Grantor has caused this instrument to be executed in its name by its President by authority duly given I agree, on behalf of the J-Bar Ranch, Inc, agree to this technical correction of the Conservation Easement and clarification as to the restrictions applicable to the soil and sand roads shown on the attached Exhibit A. This the 29 day of Nov, 2010.

J-Bar Ranch, Inc.
J.J. Barnes Jr., President

NORTH CAROLINA
COUNTY OF Cumberland

I, Lynda L. Parker, a Notary Public in and for the County and State aforesaid, certify that J.J. Barnes, personally appeared before me this day and acknowledged that he is the President of the J-Bar Ranch, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President.

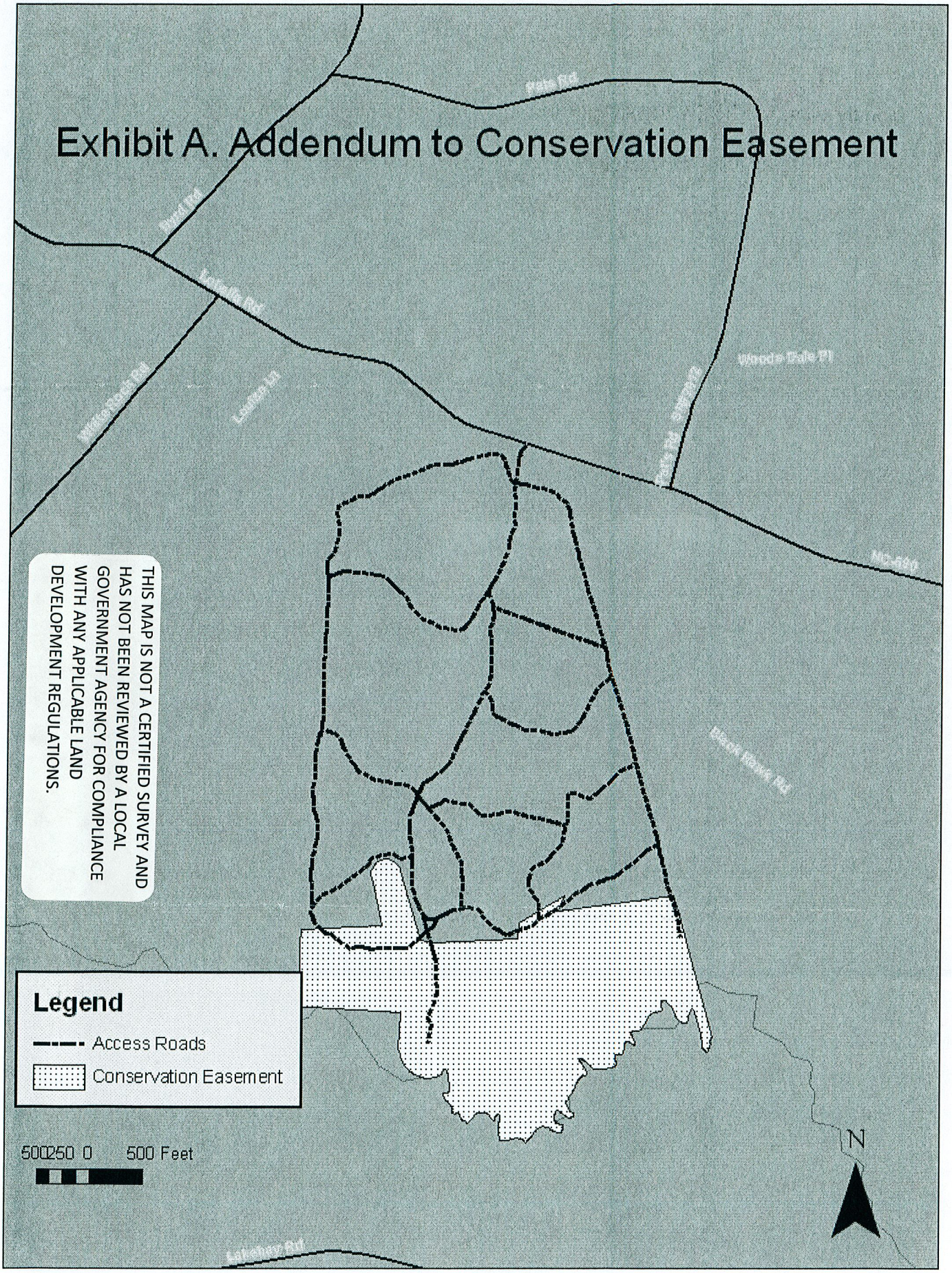
Witness my hand and official seal, this the 29th day of November, 2010.

LYNDA L. PARKER NOTARY PUBLIC CUMBERLAND COUNTY, N.C.

Notary Public

9/13/15

Exhibit A. Addendum to Conservation Easement



Ecosystem Enhancement PROGRAM

RECEIVED
NOV 30 2010
NC ECOSYSTEM ENHANCEMENT PROGRAM

22 November 2010

Mr. JJ Barnes, Jr
PO Box 1741
Fayetteville, NC 28302

Dear Mr. Barnes,

We have received and reviewed your letter dated October 4th and appreciate your response to our concerns about impacts to the State's Conservation Easement Area.

Controlled Burn

This letter will confirm our discussions and agreement that the State has your permission to burn the areas shown on the attached Exhibit A within the red cross-hatched areas which are outside the Conservation Easement Area. In addition, as we have discussed, a prescribed burn is planned at the same time within the Conservation Easement Area. I met the burning contractor on site on November 5th and marked the areas for burning. Our contractor and his crew will begin burning as the weather becomes appropriate.

In order to facilitate the safety and containment of the controlled burn, the contractor will more than likely need to scrape a small amount of surface vegetation off of existing roads outside of the Conservation Easement.

One wooden structure within the Conservation Easement has been identified by you as a deer stand to be protected from the fire. EEP's contractor will make all efforts to protect this structure from the burn.

Roads within Easement

The Conservation Easement does not note any exceptions that would allow for road maintenance. We understand that you want to access your property by using certain existing sand or soil roads within the Conservation Easement Area and would therefore propose that the enclosed map showing a delineation of roads that from hereon out will be allowed to be maintained within the Conservation Easement Area. The Addendum to the Conservation Easement will allow you to legally access and maintain your roads as shown on the attached maps.

We cannot allow mowing of hunting lanes because the value of the property as a compensatory mitigation site is determined by the presence of a variety of native trees and shrubs thriving throughout the site, and all damage to vegetation is prohibited within the Conservation Easement Area.

Please read, sign and return the letter and acknowledgement form to me if you are in agreement with the conditions set forth in this letter so that we can to proceed with the burning project. The other copies are for your files.

Also, please review, sign and return the enclosed Addendum to the Conservation Easement, which will allow for your use and maintenance of specified existing sand and soil roads within the Conservation Easement Area.

Please note that your signature **must be notarized** on both documents.

You may contact me with any questions or concerns.

Regards,

Tracy C Stapleton

Tracy C Stapleton
Project Manager
NC Ecosystem Enhancement Program

Review of
Acknowledgement Form

EEP Project Identification # 226
SPO File #: 63-H

County: Moore
Property: J-Bar Ranch
Project: Little River
Owner: J.J. Barnes, Jr.

Please complete the section below and return one copy of this form and the attached letter to

Land Protection Supervisor
1652 Mail Service Center
Raleigh, NC 27699-1652

These statements address the J-Bar Ranch property at 1682 Lobelia Rd. in Vass, NC.

✓ I have reviewed the letter dated November 22, 2010, that was sent to me by EEP. I agree to allow a controlled burn of vegetation within the Conservation Easement Area and northward from the Conservation Easement boundary to the soil road depicted in the survey plat, attached, which runs in an east-west direction immediately to the north of the Conservation Easement and roughly parallels the Conservation Easement boundary, as shown in the attached Exhibit A in the red cross-hatched areas of the map. I understand that the preparation of the controlled burning activities may include scraping of leaves and other dried material off of this soil road.

✓ I will aid in locating all deer stands and other hunting structures within the easement area and within the area between the soil road and the Conservation Easement boundary to help the EEP contractor avoid damaging them during the controlled burning project. I understand that any structures that are not pointed out to EEP or its contractor may be damaged during burning.

Mr. JJ Barnes, Jr, President
J-Bar Ranch, Inc.