UNCERTIFIED

Return to:
Ward and Smith, P.A.
P. O. Box 867
New Bern, NC 28563

WE PREPARED THE DEED IN THIS TRANSACTION BUT WE MADE NO EXAMINATION OF TITLE AND WE EXPRESS NO OPINION ON TITLE TO THE PROPERTY

Prepared by: MURCHISON, TAYLOR & GIBSON, L.L.P.
16 North Fifth Avenue, Wilmington, NC 28401

09/02/1999
$348.00 10
STATE OF NORTH CAROLINA Real Estate Excise Tax

STATE OF NORTH CAROLINA

TAX PARCEL #03900001 (Brunswick)
#R04700-008-002-000 (New Hanover)

COUNTY OF BRUNSWICK
AND
COUNTY OF NEW HANOVER

WARRANTY DEED

THIS DEED, made this 31st day of August, 1999 by and between, **KYLE MCINTYRE,** unmarried, herein, whether one or more, called **GRANTOR**, and, **ECOSYSTEMS LAND MITIGATION BANK CORPORATION** whose mailing address is 1555 Howell Branch Rd., Winter Park, FL 32789 herein, whether one or more, called **GRANTEE**.

WITNESSETH THAT:

The GRANTOR, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable considerations to her in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do hereby bargain, sell and convey unto GRANTEE and its successors and assigns forever, all that certain real property located in Brunswick County and New Hanover County, North Carolina, described in **Exhibit A attached hereto and incorporated herein by reference.**

TO HAVE AND TO HOLD the above granted and described property, together with all and singular, the rights, privileges, easements, tenements and appurtenances thereunto belonging, or in anywise appertaining unto the said GRANTEE, its successors and assigns, in fee simple, forever.

And the GRANTOR, for himself, his heirs, successors and assigns, does covenant to and with the said GRANTEE, its successors and assigns, that he is seized in fee of the above granted and described property; that he has good right to sell and convey the same in fee simple; that the same is free and clear from any and all restrictions, easements or encumbrances, except those set forth in **Exhibit B** attached hereto and incorporated herein by reference.; and that he will and his heirs, successors and assigns shall warrant and defend the title to the same against the lawful claims and demands of any and all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTOR has hereunto set his hand and seal as of the day and year first above written.

Paula - Ward & Smith
368- 348- 50
348- 9984
TJ
32- 9980

KYLE MCINTYRE (SEAL)

TB	A.D.	COn	GR	PCL	SPL	BY
1	15	0390	0	1001	0	SARC

Brunswick County--Register of Deeds
Robert J. Robinson
Inst #24194 Book 1328 Page 4
09/02/1999 01:28pm Rec# 23581

STATE OF NORTH CAROLINA

Inst # 24194 Book 1328Page: 5

COUNTY OF NEW HANOVER

I, Debra Williamson Peterson, a Notary Public in and for the State and County aforesaid, do certify that Kyle McIntyre personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 31st day of August, 1999.

Debra Williamson Peterson
Notary Public

My Commission Expires:
10-14-2001

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

The foregoing certificate of Debra Williamson Peterson, Notary Public, is certified to be correct.
This 2nd day of September, 1999.

REGISTER OF DEEDS OF BRUNSWICK COUNTY

BY: Robert G. Williamson /TW/GW
Deputy

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

The foregoing certificate of _____, Notary Public, is certified to be correct.
This ____ day of _____, 1999.

REGISTER OF DEEDS OF NEW HANOVER COUNTY

BY: _____
Deputy

15560

UNCERTIFIED

UNCERTIFIED

EXHIBIT A

That certain portion of the parcel or tract of land situate in New Hanover and Brunswick Counties, North Carolina and conveyed by Caroline Ann Eagles to the Wilmington & Manchester Rail Road Company, Grantor's predecessor, by deed dated January 1, 1849 and recorded among the New Hanover County land records in Deed Book HH, Page 736, situate and lying west of the west line of the land acquired by the State Highway Commission on April 25, 1967 from the Atlantic Coast Line Railroad Company and New Hanover Broadcasting Company as described in Consent Judgment recorded among the New Hanover County land records in Book 880, Page 223, and the said land acquired by the State Highway Commission is shown on plat entitled "Property Described in Civil Action Entitled 'State Highway Commission v. Atlantic Coast Line Railroad Company, et al', Masonboro Township, New Hanover County, Project 8.1355201, revised January 21, 1970", containing 143 acres, more or less, and is shown crosshatched on an SCLRR drawing marked Exhibit A-1 attached hereto; and also being the same property conveyed to Grantor by that deed recorded in Book 2076, Page 0195, of the New Hanover County Registry and in Book 1106, Page 0159, of the Brunswick County Registry.

Inst # 24194 Book 1328Page: 6

EXHIBIT A-1

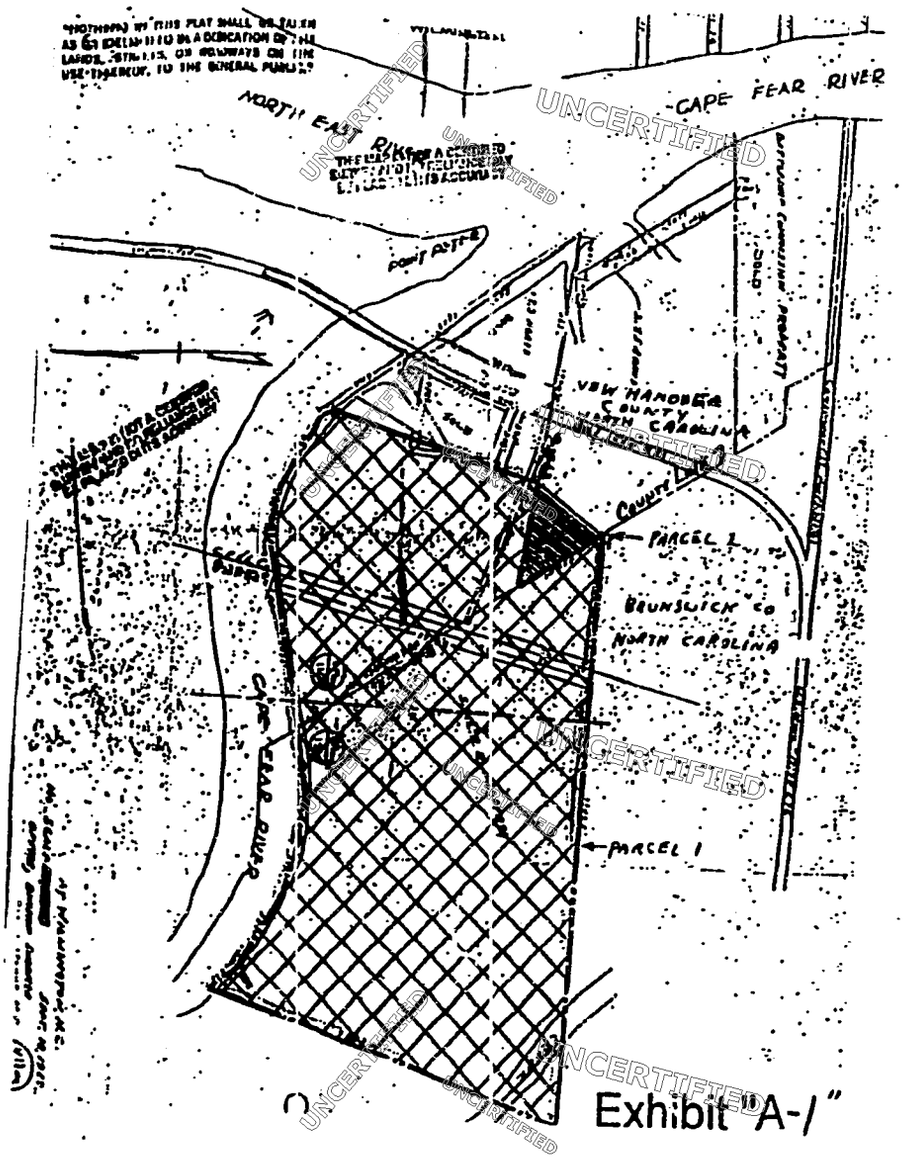


Exhibit "A-1"

UNCERTIFIED

EXHIBIT B

1. A perpetual aerial power line easement over that certain 100-foot wide parcel of land being a portion of the Premises 50 feet on either side of an existing electrical power line more particularly described as follows: commencing with the intersection of the Brunswick-New Hanover County line and the south bank of the Cape Fear River; thence in an easterly direction with the south bank of the Cape Fear River a distance of 700 feet, more or less, to the intersection with the existing electric power line and the POINT OF BEGINNING of this description; thence 1,760 feet in a southerly direction with the existing power line to the intersection with Grantor's property line; containing 4 acres, more or less, and being as shown hachured on Exhibit B-1 attached hereto.

2. A perpetual aerial power line easement over that certain 30-foot wide parcel of land being a portion of the Premises 15 feet on either side of an existing electrical power line more particularly described as follows: commence with the northwest corner of Parcel 2; thence in a southerly direction with the east line of Parcel 2 a distance of 140 feet, more or less, to the intersection with the existing electric power line and the POINT OF BEGINNING of this description; thence North 29 degrees 32 minutes West a distance of 270 feet, more or less; thence in a northwesterly direction a distance of 665 feet, more or less, to the intersection with Easement 1; containing 0.6 of an acre, more or less, and being as shown on Carolina Power & Light Co. drawing marked Exhibit B-2 attached hereto.

3. This property has neither a direct access to a public right of way nor access to a public right of way over a private easement.

4. Ad valorem taxes for 1999 and subsequent years.

5. Governmental land use statutes, ordinances and regulations, including zoning, subdivision and building regulations.

EXHIBIT B-1

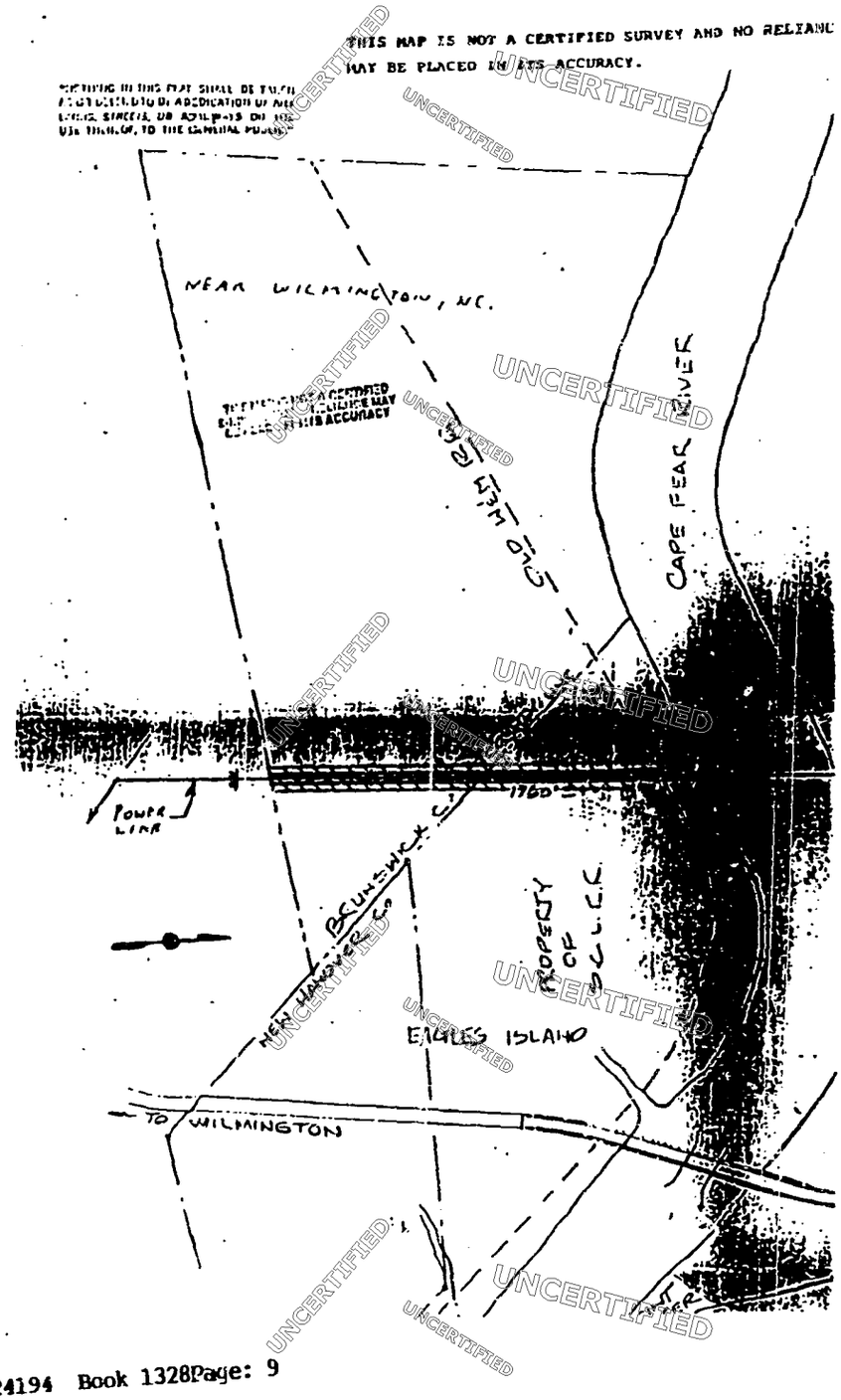
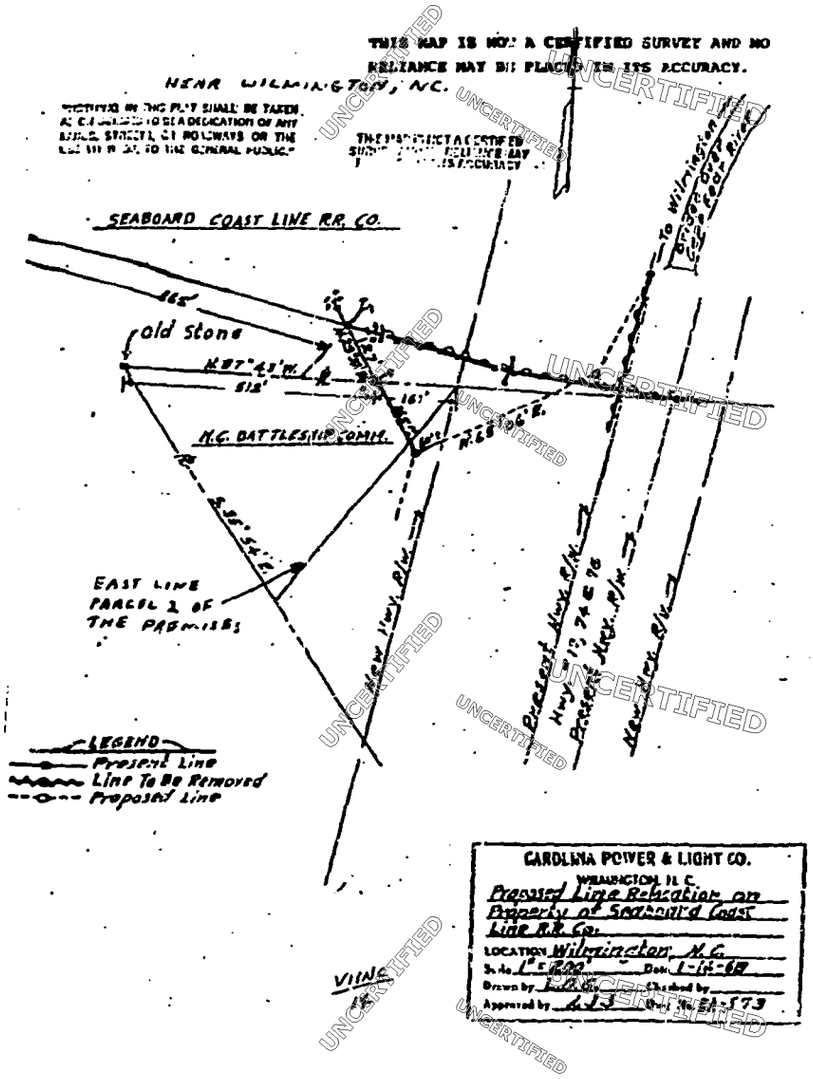

THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANC
MAY BE PLACED IN ITS ACCURACY.
NEAR WILMINGTON, NC.
CAPE FEAR RIVER
POWER LINE
BRUNSWICK CO.
PROPERTY OF D.L.L.C.
EAGLES ISLAND
TO WILMINGTON

EXHIBIT B-2


THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED ON ITS ACCURACY.
NEAR WILMINGTON, N.C.
SEABOARD COAST LINE RR. CO.
old stone
N.C. BATTLESHIP COMM.
EAST LINE PARCEL 2 OF THE PREMISES
NEW HWY. R/W
PRESENT HWY. R/W
HWY. 17, 74 & 76
PRESENT HWY. R/W
NEW HWY. R/W
To Wilmington
LEGEND
Present Line
Line To Be Removed
Proposed Line
CAROLINA POWER & LIGHT CO.
WILMINGTON, N.C.
Proposed Line Relocation on Property of Seaboard Coast Line R.R. Co.
LOCATION Wilmington, N.C.
Scale 1" = 200'
Date 1-14-69
Drawn by
Checked by
Approved by
VIING