EXHIBIT 1

Book 0526 Page 0897

COPY

STATE OF NORTH CAROLINA

GREENE COUNTY

CONSERVATION EASEMENT

40-9.2

THIS CONSERVATION EASEMENT DEED, made this 12 day of September, 2000, by and between FRANK D. BARNHILL and wife, EVA LEE BARNHILL, Grantor, and the State of North Carolina, whose mailing address is State of North Carolina State Property Office, 1321 Mail Service Center, Raleigh, NC 27699-1321, Grantee. 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 Wetlands Restoration Program (as defined in N.C. Gen. Stat. § 143-214.8) within the Department of Environment, Health and Natural resources for the purposes of acquiring, maintaining, restoring, enhancing, and creating wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities; and

WHEREAS, pursuant to the provisions of N.C. Gen. Stat. § 143-214.8, two of the components of the Wetlands Restoration Program are (1) restoration and perpetual maintenance of wetlands, riparian areas, and surface waters and (2) land ownership and management; and

WHEREAS, Grantor owns in fee simple certain real property situate, lying, and being in Greene County, North Carolina (the "Protected Property"), hereinafter more particularly described;

WHEREAS, Grantor is willing to grant a Conservation Easement on the Protected Property, thereby restricting and limiting the use of the Protected Property on the terms and conditions and for the purposes hereinafter set forth, and Grantee is willing to accept such easement;

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 of the nature and character and to the extent hereinafter set forth, over the Protected Property for the benefit of the people of North Carolina, said Protected Property lying and being in Speight Bridge Township, Greene County, North Carolina, and being more particularly described as follows:

BEING all that property described on Exhibit A attached hereto and incorporated herein by reference.

The purposes of this Conservation Easement are to maintain, restore, enhance, and create a wetland and riparian resource on the Protected Property that contributes to the protection and improvement of water quality, flood prevention, fisheries, aquatic habitat, wildlife habitat, and

recreational opportunities; to maintain permanently the Protected Property in its natural condition, consistent with these purposes; and to prevent any use of the Protected Property 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, its personal representatives, heirs, successors, and assigns, lessees, agents, and licensees.

II. PROHIBITED AND RESTRICTED ACTIVITIES

Any activity on, or use of, the Protected Property inconsistent with the purposes of this Conservation Easement is prohibited. The Protected Property shall be restricted from any development or usage that would impair or interfere with the purposes of this Conservation Easement.

In addition to the foregoing, the following specific activities are prohibited, restricted, or reserved, as the case may be:

A. **Industrial Use.** Industrial activities are prohibited on the Protected Property.

B. **Residential Use.** Residential use of the Protected Property is prohibited.

C. **Commercial Use.** Commercial activities are prohibited on the Protected Property except as reserved herein.

D. **Agricultural Use.** Agricultural Use of the Protected Property is prohibited except as reserved herein.

E. **New Construction.** There shall be no building, facility, mobile home, or other structure constructed or placed on the Protected Property.

F. **Signs.** No signs shall be permitted on the Protected Property except interpretative signs identifying the conservation values of the Protected Property, signs identifying the owner of the Protected Property, and the holder of the Conservation Easement, and signs giving directions or proscribing rules and regulations for the use of the Protected Property.

G. **Dumping.** Dumping of soil, trash, ashes, garbage, waste, abandoned vehicles, appliance or machinery, or other material on the Protected Property is prohibited.

H. **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; and no change in the topography of the land in any manner except as reasonably necessary for the purpose of combating erosion to maintain the wetland values.

I. **Water Quality and Drainage Patterns.** Diking, draining, filling, or removal of wetlands, pollution, or discharge into waters, springs, seeps, or wetlands, use of pesticide or biocides, and disruption of natural drainage patterns is prohibited.

J. **Subdivision.** Subdivision, partitioning, or dividing the Protected Property is prohibited.

K. **Vegetative Cutting.** Cutting, removal, mowing, harming or destruction of any vegetation on the Protected Property is prohibited except as minimally required to allow for irrigation as reserved herein. No trees shall be cut or otherwise damaged or destroyed under the irrigation reservation.

The Grantee shall have the right to enter the property at all reasonable times for the purpose of inspecting said property to determine if Grantor is complying with the terms, conditions, restrictions, and purposes of this conservation easement. The easement rights granted herein do not include public access rights.

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 Wetlands Restoration Program.

III. ENFORCEMENT AND REMEDIES

A. In the event that Grantee determines that Grantor has violated or is threatening to violate any of these terms, conditions, or restrictions, the Grantee may institute a suit to enjoin such violation and, if necessary, to require the restoration of the Protected Property to its prior condition.

B. No failure on the part of Grantee to enforce any covenant or provision hereof shall discharge or invalidate such covenant or any other covenant, condition, or provision hereof or affect the right to Grantee to enforce the same in the event of a subsequent breach or default.

IV. RESERVATIONS

A. Grantor reserves the right to enter the conservation easement from the Grantor's property to the creek for irrigation purposes and for the laying and maintenance of irrigation pipes across the lands encompassing the easement. The use of motorized vehicles in the Protected Property shall be prohibited, except that Grantor may, during the farming season (but in no event longer than April to September) and as prudent farming practices require, utilize farming equipment (including specifically a farm tractor) in the area designated as the "12' Access Area for Irrigation" on Sheet 3 of 3 of the map recorded in Map Book 26, Page 56, of the Greene County Registry, and incorporated herein, to move and position an irrigation pump within the Protected

Property. Grantor expressly agrees to utilize all reasonable means necessary to minimize any and all disturbance to the Protected Property and its vegetation by virtue of Grantor's irrigation activities. Grantor expressly agrees to maintain the Protected Property in the area designated as the "12' Access Area for Irrigation" on Sheet 3 of 3 of the map recorded at Map Book 26, Page 56, of the Greene County Registry, by cleaning and removing any spilled fuel or oil. In the event Grantor ceases irrigation of the Grantor's remaining property for more than two consecutive years, or Grantor acknowledges in writing an abandonment of this irrigation reservation, then all rights granted or reserved herein shall terminate.

B. Grantor reserves the right to use the conservation easement for recreational hunting and fishing, except that use of motorized vehicles on the Protected Property is prohibited.

C. Grantor reserves the right to continue to use the area designated as the "Sand Pit" as it is presently being used for Grantor's lifetime or until Grantor ceases to own the property. Use of the sand pit shall conform to all requirements of the Department of Environment and Natural Resources, including but not limited to the regulations under the Mining Act and the Sedimentation Pollution Control Act. The Sand Pit Area is designated as **the "Open Pit Easement Area"** on Sheet 2 of 3 of the map recorded in Map Book 26, Page 55 of the Greene County Registry, which map is incorporated herein by reference.

V. MISCELLANEOUS

A. This Conservation Easement shall be construed to promote the purposes of N.C. Gen. Stat. § 143-214.8 et seq., the Wetlands Restorations Program.

B. 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.

C. Any notices shall be set 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.

D. Grantor shall notify Grantee in writing of the name and address and any party to whom the Protected Properly 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 Protected Property is conveyed subject to the Conservation Easement herein created.

VI. QUIET ENJOYMENT

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

TO HAVE AND TO HOLD the said rights and easements perpetually unto Grantee for the aforesaid purposes.

And Grantor covenants with Grantee, that Grantor is seized of the above described easements, rights, and privileges; that Grantee shall have quiet and peaceable possession, use and enjoyment of the above-described easement, rights and privileges, and that Grantor shall execute such further assurances thereof as may be required.

Frank D. Barnhill (SEAL)
Frank D. Barnhill

Eva Lee Barnhill (SEAL)
Eva Lee Barnhill

NORTH CAROLINA

Greene COUNTY

Personally appeared before me this day FRANK D. BARNHILL and wife, EVA LEE BARNHILL, and acknowledged to me their due execution of the foregoing instrument for the terms and purposes therein set forth.

Witness my hand and notarial seal, this 12th day of September, 2000.

JEAN M. SUGG NOTARY PUBLIC LENOIR COUNTY, N.C.

Jean M. Sugg
Notary Public

My commission expires: 2/13/2001

29203RJA.lmr

NORTH CAROLINA, GREENE COUNTY
The foregoing certificate(s) of Jean M. Sugg and
Notary(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in Book 526 Page 897. This 25th day of September, 2000 A. D., at 10:01 o'clock a M.

EXHIBIT A

ATTACHED TO THAT CONSERVATION EASEMENT ENTERED INTO THE 12 DAY OF September, 2000 BY AND BETWEEN FRANK D. BARNHILL AND WIFE EVA LEE BARNHILL, GRANTOR, AND THE STATE OF NORTH CAROLINA, GRANTEE.

Beginning at a point in a ditch said point being located as follows: Beginning at a p.k. nail found in the centerline intersection of N.C.S.R. 1225 and N.C.S.R. 1222 and running with the centerline of N.C.S.R. 1225 South 68 deg. 23 min. 01 sec. West - 136.01 ft. to a p.k. nail found, thence South 75 deg. 25 min. 59 sec. West - 99.98 ft. to a p.k. nail found, thence South 81 deg. 39 min. 18 sec. West - 99.98 ft. to a p.k. nail found, thence South 87 deg. 24 min. 04 sec. West - 99.99 ft. to a p.k. nail found, thence North 86 deg. 19 min. 56 sec. West - 100.00 ft. to a p.k. nail found, thence North 80 deg. 13 min. 59 sec. West - 99.98 ft. to a p.k. nail found, thence leaving said centerline and running North 80 deg. 11 min. 53 sec. West - 68.47 ft. to a railroad spike found in the southern lane of N.C.S.R. 1225 and being the Northeast corner of the Frank D. Barnhill property recorded in Deed Book 309, Page 93, thence with the northern line of said Barnhill tract North 84 deg. 56 min. 33 sec. West - 211.76 ft. to a new iron pipe in the center of an existing 12 ft. farm path, thence continuing with said 12 ft. farm path South 13 deg. 34 min. 25 sec. West - 209.32 ft. to a new iron pipe, thence South 74 deg. 44 min. 44 sec. East - 149.33 ft. to a new iron pipe, thence South 47 deg. 00 min. 49 sec. East - 91.74 ft. to a new iron pipe, thence South 21 deg. 24 min. 44 sec. West - 272.61 ft. to a new iron pipe, thence South 73 deg. 43 min. 21 sec. West - 161.85 ft. to a new iron pipe, thence South 83 deg. 39 min. 44 sec. West - 120.29 ft. to a new iron pipe, thence South 43 deg. 45 min. 24 sec. West - 169.71 ft. to a new iron pipe, thence South 35 deg. 37 min. 44 sec. West - 205.61 ft. to a new iron pipe, thence South 28 deg. 19 min. 13 sec. West - 36.19 ft. to a new iron pipe in the 12 ft. farm path and being a common corner with the Wilton Cox property known as "Tract 8" of the plat recorded in Will Book 2, page 281 of the Greene County Clerk of Court's office, thence with said Cox line and continuing with said 12 ft. farm path South 29 deg. 27 min. 25 sec. West - 211.35 ft. to a new iron pipe, thence South 13 deg. 06 min. 31 sec. West - 121.79 ft. to a new iron pipe at the common corner of Tract 3, Tract 4, and Tract 8 of said plat, thence continuing with said 12 ft. farm path and the line between Tract 3 and Tract 4, South 08 deg. 21 min. 12 sec. West - 457. 89 ft. to an iron stake found, a common corner of Tract 3 and Tract 4, thence leaving said line and continuing with the 12 ft. farm path South 07 deg. 00 min. 55 sec. West -67.03 ft. to a new iron pipe, thence South 24 deg. 35 min. 27 sec. West - 302.21 ft. to a new iron pipe, thence South 33 deg. 20 min. 55 sec. West - 342.32 ft. to a new iron pipe, thence South 29 deg. 31 min. 52 sec. West - 184.29 ft. to a new iron pipe, thence South 54 deg. 03 min. 42 sec. West - 253.85 ft. to a new iron pipe, thence South 63 deg. 00 min. 53 sec. West - 118.18 ft. to a new iron pipe over a culvert in a ditch the common property line between Tract 4 and Tract 5, Will Book 2, Page 281, Tract 5 being

the Frank D. Barnhill property recorded in Deed Book 270, Page 631 of the Greene County Registry, thence leaving the centerline of said 12 ft. farm path and running with said property line South 32 deg. 30 min. 00 sec. East - 6.01 ft. to a point in a ditch being the Northeastern corner of Tract "A" as shown on a plat entitled: "Survey For The State of North Carolina" dated; May 16, 2000 prepared by Danny Grant & Associates Land Surveying and being the point of beginning.

TRACT "A"

From the above described beginning running thence as follows: Running with the ditch South 32 deg. 30min. 00 sec. East - 41.81 ft. to a new iron pipe, thence South 45 deg. 10 min. 51 sec. East - 363.00 ft. to a point in the stream of Beaman run, thence with Beaman run the following courses and distances South 00 deg. 34 min. 30 sec. West - 234.17 ft., South 17 deg. 40 min. 58 sec. West - 99.76 ft., South 66 deg. 33 min. 32 sec. West - 405.50 ft., South 50 deg. 30 min. 42 sec. West - 384.84 ft., South 51 deg. 03 min. 29 sec West - 101.83 ft., South 65 deg. 40 min. 36 sec. West - 142.90 ft., North 62 deg. 53 min. 59 sec. West - 43.45 ft., North 08 deg. 03 min. 35 sec. East - 51.75 ft., North 26 deg. 39 min. 02 sec. West - 158.46 ft., North 74 deg. 05 min. 51 sec. West - 37.26 ft., North 04 deg. 48 min. 48 sec. West - 62.88 ft., North 45 deg. 19 min. 22 sec. West - 40.88 ft., South 46 deg. 27 min. 56 sec. West - 92.14 ft., South 76 deg. 56 min. 07 sec. West - 116.71 ft., North 47 deg. 51 min. 36 sec. West - 71.65 ft., North 75 deg. 41 min. 53 sec. West - 85.32 ft., North 22 deg. 55 min. 24 sec. West - 48.83 ft., South 66 deg. 30 min. 52 sec. West - 45.28 ft., South 21 deg. 29 min. 23 sec. West - 121.19 ft., South 30 deg. 40 min. 13 sec. West - 67.59 ft., South 15 deg. 54 min 17 sec. East - 80.99 ft., North 87 deg. 10 min. 18 sec. West - 43.48 ft., South 30 deg. 00 min. 53 sec. West - 98.58 ft., south 35 deg. 00 min. 36 sec. East - 103.84 ft., North 66 deg. 42 min. 04 sec. East - 59.76 ft., South 22 deg. 15 min. 42 sec. East - 96.05 ft., South 44 deg. 49 min. 19 sec. West - 60.93 ft., South 17 deg. 00 min. 44 sec. West - 65.39 ft., South 11 deg. 09 min. 33 sec. West - 91.56 ft., South 09 deg. 54 min. 34 sec. West - 113.58 ft., South 56 deg. 25 min. 34 sec. West - 244.18 ft., South 26 deg. 42 min. 45 sec. East - 142.58 ft., South 51 deg. 54 min. 51 sec. East - 118.43 ft., South 22 deg. 18 min. 10 sec. West - 97.60 ft., South 57 deg. 44 min. 13 sec. West - 86.37 ft., South 13 deg. 22 min. 54 sec. East - 64.15 ft., South 47 deg. 40 min. 27 sec. West - 36.02 ft., South 09 deg. 50 min. 20 sec. East - 92.58 ft., South 89 deg. 07 min. 25 sec. West - 29.65 ft., North 82 deg. 17 min. 35 sec. West - 65.85 ft., North 28 deg. 11 min. 47 sec. West - 63.46 ft., South 43 deg. 08 min. 14 sec. West - 85.34 ft., North 46 deg. 38 min. 15 sec. West - 48.06 ft., South 56 deg. 40 min. 57 sec. West - 95.18 ft., South 27 deg. 47 min. 51 sec. East - 70.37 ft., South 21 deg. 30 min. 59 sec. West - 41.29 ft., North 69 deg. 11 min. 45 sec. West - 83.47 ft., South 64 deg. 50 min. 04 West - 28.60 ft., South 33 deg. 46 min. 28 sec. East - 184.16 ft., South 83 deg. 10 min. 33 sec. East - 75.49 ft., South 17 deg. 30 min. 40 sec. West - 49.64 ft., South 65 deg. 23 min. 26 sec. East - 80.25 ft., South 70 deg. 52 min. 33 sec. East - 149.55 ft., South 25 deg. 20 min. 49 sec. East - 24.59 ft., South 85 deg. 02 min. 23 sec. East - 171.05 ft., South 37 deg. 54 min. 14 sec. West - 55.74 ft., South 00 deg. 39 min. 59 sec. East - 102.41 ft., South 83 deg. 09 min. 24 sec. West - 304.19 ft., South 01 deg. 43 min. 27 sec. West - 163.76 ft., South 10 deg. 41 min. 37 sec. East - 142.63 ft., South 18 deg. 00 min. 29 sec. East - 118.60 ft.,

South 39 deg. 36 min. 06 sec. East - 91.08 ft., South 71 deg. 16 min. 39 sec. West 85.26 ft., thence South 32 deg. 58 min. 42 sec. West - 124.42 ft., to the mouth of Beaman Run, Thence up and along the bank of Contentnea Creek North 53 deg. 27 min. 07 sec. West - 167.61 ft., North 47 deg. 59 min. 52 sec. West - 96.47 ft., North 57 deg. 44 min. 39 sec. West - 125.17 ft., North 69 deg. 13 min. 46 sec. West - 124.77 ft., to a new iron pipe the southeastern corner of the Cox property recorded as Tract 4 in Deed Book 127, Pages 70 & 71 of the Greene County Registry, thence running with the eastern line of said Cox property North 08 deg. 41 min. 59 sec. West - 1426.74 ft. to a new iron pipe in said Cox line cornering and running with a new line South 55 deg. 28 min. 27 sec. East - 432.33 ft. to a new iron pipe, thence South 55 deg. 28 min. 27 sec. East - 94.54 to a new iron pipe, thence North 52 deg. 46 min. 18 sec. East - 122.70 ft. to a new iron pipe, thence North 33 deg. 07 min. 08 sec. East - 126.18 ft. to a new iron pipe, thence North 39 deg. 34 min. 21 sec. West - 134.81 ft. to a new iron pipe, thence North 03 deg. 56 min. 01 sec. West - 95.62 ft. to a new iron pipe thence North 39 deg. 03 min. 59 sec. East - 150.02 ft. to a new iron pipe, thence North 11 deg. 09 min. 24 sec. East - 337.19 ft. to a new iron pipe, thence North 03 deg. 07 min. 59 sec. West - 248.93 ft. to a new iron pipe on the southern edge of said 12' farm path, thence along the southern edge of said farm path North 68 deg. 44 min. 30 sec. East - 84.71 ft. to a new iron pipe, thence North 44 deg. 03 min. 53 sec. East - 140.62 ft. to a new iron pipe, thence North 35 deg. 14 min. 46 sec. East - 215.92 ft. to a new iron pipe, thence North 64 deg. 32 min. 47 sec. East - 219.79 ft. to a new iron pipe, thence North 60 deg. 26 min. 06 sec. East - 422.99 ft. to a new iron pipe, thence North 60 deg. 45 min. 36 sec. East - 273.09 ft. to a new iron pipe, thence North 60 deg. 09 min. 30 sec. East - 575.89 ft. to a new iron pipe on the bank of a ditch, thence North 60 deg. 09 min. 30 sec. East - 10.47 ft. back to the point of beginning containing 47.53 acres by computer including a 2.11 acre open pit easement area and being Tract "A" as shown on sheet 1 of 3 and sheet 2 of 3 of a plat entitled; "Survey for The State of North Carolina" dated May 16, 2000 prepared by Danny Grant & Associates Land Surveying which maps are recorded in Map Book 26, Pages 54-56, Greene County Registry.

47.53 ac.

As set forth in Section IV (C) of the Conservation Easement, Grantor does hereby reserve for the purpose of a borrow pit the "OPEN PIT EASEMENT AREA" as shown on said plat and described as follows:

Beginning at a new iron pipe on the southern side of a 12 ft. farm path, said point being located South 60 deg. 09 min. 30 sec. West - 586.36 ft. from the Northwest corner of Tract "A". From said point of beginning running thence as follows: Leaving said farm path and running South 30 deg. 24 min. 14 sec. East - 137.31 ft. to a new iron pipe, thence South 23 deg. 13 min. 25 sec. East - 166.42 ft. to a new iron pipe, thence South 56 deg. 15 min. 06 sec. West - 149.34 ft. to a new iron pipe, thence North 86 deg. 35 min. 01 sec. West - 229.61 ft. to a new iron pipe, thence North 27 deg. 55 min. 06 sec. West - 37.29 ft. to a new iron pipe, thence North 00 deg. 50 min. 54 sec. West - 174.32 ft. to a new iron pipe on the southern edge of said 12 ft. farm path, thence with said farm path North 60 deg. 45 min. 36 sec. East - 273.09 ft. back to the point of beginning containing 2.11 acres by computer.

TRACT "B"

Beginning at a point on the western side of the 12 ft. farm path, said point being located from the previously described point of beginning (the northeastern corner of TRACT "A") as follows: Leaving said point and running with the southern edge of the 12 ft. farm path South 60 deg. 09 min. 30 sec. East - 10.47 ft. to a new iron pipe on the bank of a ditch, thence South 60 deg. 09 min. 30 sec. West - 575.89 ft. to a new iron pipe, thence South 60 deg. 45 min. 36 sec. West - 273.09 ft. to a new iron pipe, thence South 60 deg. 26 min. 06 sec. West - 422.99 ft. to a new iron pipe, thence South 64 deg. 32 min. 47 sec. West - 219.79 ft. to a new iron pipe, thence South 35 deg. 14 min. 46 sec. West - 215.92 ft to a new iron pipe., thence South 44 deg. 03 min. 53 sec. West - 140.62 ft. to a new iron pipe, thence South 68 deg. 44 min. 30 sec. West - 84.71 ft. to a new iron pipe, thence South 78 deg. 15 min. 18 sec. West - 736.36 ft. to a new iron pipe, thence North 09 deg. 42 min. 44 sec. West - 578.78 ft. to a new iron pipe, said pipe being the point of beginning.

From the above described point of beginning thence running with the southern line of Tract "B" South 81 deg. 04 min. 47 sec. West - 34.81 ft. to a new iron pipe, thence South 78 deg. 07 min. 29 sec. West - 215.75 ft. to a new iron pipe, thence North 74 deg. 54 min. 00 sec. West - 166.54 ft. to a new iron pipe, thence South 74 deg. 21 min. 03 sec. West - 194.16 ft. to a new iron pipe, thence South 13 deg. 59 min. 41 sec. West - 428.05 ft. to a new iron pipe, thence South 12 deg. 07 min. 24 sec. West - 157.92 ft. to a new iron pipe, thence South 35 deg. 04 min. 31 sec. West - 138.60 ft. to a new iron pipe, thence South 03 deg. 54 min. 45 sec. West - 247.52 ft. to a new iron pipe, thence South 08 deg. 15 min. 38 sec. East - 409.15 ft. to a new iron pipe, thence South 54 deg. 07 min. 34 sec. East - 60.26 ft. to an axle found, the northwest corner of the Cox property recorded as lot 1A in Deed Book 127, Pages 70 & 71, thence running with the Cox property line South 33 deg. 28 min. 24 sec. West - 671.62 ft. to an axle found the common corner of said lot 1A and lot 3A recorded in Deed Book 127, Pages 70 & 71, thence with the line of lot 3a South 33 deg. 11 min. 41 sec. West - 1,105.49 ft. to a axle found on the bank of the Contentnea Creek, the southwest corner of said lot 3A, thence running with the bank of the Contentnea Creek the following courses and distances, North 51 deg. 00 min. 52 sec. West - 233.48 ft., thence North 43 deg. 50 min. 37 sec. West - 199.58 ft., thence North 10 deg. 37 min. 17 sec. East - 241.57 ft., thence North 08 deg. 48 min. 04 sec. East - 213.89 ft., thence North 60 deg. 29 min. 51 sec. East - 59.70 ft., thence South 65 deg. 23 min. 35 sec. East - 91.56 ft., thence South 52 deg. 00 min. 57 sec. East - 78.74 ft., thence South 79 deg. 42 min. 02 sec. East - 51.19 ft.,

thence North 82 deg. 18 min. 40 sec. East - 49.22 ft., thence North 56 deg. 37 min. 36 sec. East - 84.13 ft., thence North 03 deg. 15 min. 03 sec. West - 91.58 ft., thence North 25 deg. 29 min. 44 sec. West - 73.04 ft., thence North 12 deg. 46 min. 03 sec. East - 35.60 ft., thence North 53 deg. 27 min. 38 sec. East - 64.61 ft., thence North 78 deg. 00 min. 35 sec. East - 163.14 ft., thence North 63 deg. 26 min. 55 sec. East - 59.71 ft., thence North 49 deg. 01 min. 43 sec. East - 72.12 ft., thence North 28 deg. 21 min. 26 sec. East - 60.01 ft., thence North 41 deg. 30 min. 27 sec. East - 101.30 ft., thence North 21 deg. 33 min. 59 sec. East - 73.12 ft., thence North 05 deg. 20 min. 37 sec. West - 88.71 ft., thence North 07 deg. 22 min. 12 sec. West - 45.65 ft., thence North 16 deg. 40 min. 21 sec. East - 146.60 ft., thence North 34 deg. 04 min. 05 sec. West - 184.31 ft., thence South 68 deg. 31 min. 11 sec. West - 153.55 ft., thence South 57 deg. 13 min. 37 sec. West - 100.76 ft., thence North 71 deg. 14 min. 57 sec. West - 124.88 ft., thence North 61 deg. 12 min. 07 sec. West - 102.83 ft., thence North 09 deg. 02 min. 05 sec. West - 87.63 ft., thence North 22 deg. 42 min. 32 sec. East - 212.46 ft., thence North 44 deg. 42 min. 50 sec. East - 66.92 ft., thence South 76 deg. 55 min. 26 sec. East - 55.01 ft., thence South 50 deg. 28 min. 32 sec. East - 54.93 ft., thence South 60 deg. 58 min. 32 sec. East - 77.95 ft., thence South 85 deg. 30 min. 23 sec. East - 82.25 ft., thence North 60 deg. 17 min. 47 sec. East - 200.00 ft., thence North 55 deg. 47 min. 32 sec. East - 75.86 ft., thence North 62 deg. 51 min. 31 sec. East - 104.20 ft., thence North 57 deg. 29 min. 55 sec. East - 114.94 ft., thence North 33 deg. 57 min. 51 sec. East - 181.24 ft., thence North 13 deg. 27 min. 46 sec. East - 148.35 ft., thence North 20 deg. 40 min. 19 sec. West - 73.49 ft., thence North 51 deg. 58 min. 36 sec. West - 169.14 ft., thence North 67 deg. 49 min. 32 sec. West - 82.88 ft., thence North 46 deg. 11 min. 52 sec. West - 75.24 ft., thence North 14 deg. 04 min. 01 sec. East - 76.00 ft., thence North 44 deg. 58 min. 18 sec. East - 168.99 ft., thence North 64 deg. 50 min. 06 sec. East - 37.04 ft., thence North 22 deg. 25 min. 43 sec. East - 88.62 ft., thence North 55 deg. 23 min. 53 ec. East - 63.40 ft., thence North 69 deg. 27 min. 52 sec. East - 61.70 ft., thence North 85 deg. 46 min. 57 sec. East - 82.52 ft., thence South 86 deg. 02 min. 46 sec. East - 100.81 ft., thence South 64 deg. 33 min. 37 sec. East - 138.59 ft., thence South 58 deg. 31 min. 47 sec. East - 102.01 ft., thence South 67 deg. 42 min. 15 sec. East - 73.14 ft., thence North 74 deg. 34 min. 33 sec. East - 147.45 ft., thence North 08 deg. 01 min. 12 sec. West - 206.66 ft., thence North 13 deg. 53 min. 39 sec. East - 108.38 ft., thence North 12 deg. 20 min. 52 sec. East - 65.72 ft., thence north 10 deg. 02 min. 53 sec. East - 64.32 ft., thence North 21 deg. 13 min. 41 sec. East - 155.17 ft., thence North 13 deg. 51 min. 54 sec. East - 94.99 ft., thence North 47 deg. 43 min. 58 sec. East - 43.05 ft., thence South 31 deg. 14 min. 26 sec. East - 216.65 ft., thence South 07 deg. 34 min. 21 sec. East - 52.13 ft., thence South 10 deg. 13 min. 44 sec. East - 99.33 ft., thence South 10 deg. 01 min. 51 sec. East - 39.30 ft., thence South 51 deg. 37 min. 15 sec. East - 37.08 ft., thence South 73 deg. 20 min. 33 sec. East - 58.86 ft., thence South 79 deg. 29 min. 02 sec. East - 85.97 ft. to a new iron pipe, thence leaving said creek and running South 28 deg. 47 min. 30 sec. West - 326.41 ft. to a new iron pipe, thence South 81 deg. 04 min. 47 sec. West - 176.52 ft. back to the point of beginning containing 32.38 acres by computer according to a survey entitled "Survey For The State of North Carolina" dated: May 16, 2000 prepared by Danny Grant & Associates recorded in Map Book 26, Pages 54-56, Greene County Registry

32.38 ac.
47.53 ac.
79.91 ac.

access easement

There is also conveyed a 12' ingress and egress easement for the purpose of access, ingress, egress and regress by pedestrian or vehicular traffic to and from the above described tracts to and from N.C.S.R. 1225 over the land of the Grantor as shown on said plat and described as follows:

Beginning at a point at the head of the farm path, said point being located as follows: Beginning at a p.k. nail found in the centerline intersection of N.C.S.R. 1225 and N.C.S.R. 1222 and running with the centerline of N.C.S.R. 1225 South 68 deg. 23 min. 01 sec. West - 136.01 ft. to a p.k. nail found, thence South 75 deg. 25 min. 59 sec. West - 99.98 ft. to a p.k. nail found, thence South 81 deg. 39 min. 18 sec. West - 99.98 ft. to a p.k. nail found, thence South 87 deg. 24 min. 04 sec. West - 99.99 ft. to a p.k. nail found, thence North 86 deg. 19 min. 56 sec. West - 100.00 ft. to a p.k. nail found, thence North 80 deg. 13 min. 59 sec. West - 99.98 ft. to a p.k. nail found, thence leaving said centerline and running North 80 deg. 11 min. 53 sec. West - 68.47 ft. to a railroad spike found in the southern lane of N.C.S.R. 1225 and being the Northeast corner of the Frank D. Barnhill property recorded in Deed Book 309, Page 93, thence with the northern line of said Barnhill tract North 84 deg. 56 min. 33 sec. West - 211.76 ft. to a new iron pipe in the center of an existing 12 ft. farm path, the point and place of beginning. From said point and place of beginning the easement travels along the farm path, which center line of said farm is described as follows: thence with said 12 ft. farm path South 13 deg. 34 min. 25 sec. West - 209.32 ft. to a new iron pipe, thence South 74 deg. 44 min. 44 sec. East - 149.33 ft. to a new iron pipe, thence South 47 deg. 00 min. 49 sec. East - 91.74 ft. to a new iron pipe, thence South 21 deg. 24 min. 44 sec. West - 272.61 ft. to a new iron pipe, thence South 73 deg. 43 min. 21 sec. West - 161.85 ft. to a new iron pipe, thence South 83 deg. 39 min. 44 sec. West - 120.29 ft. to a new iron pipe, thence South 43 deg. 45 min. 24 sec. West - 169.71 ft. to a new iron pipe, thence South 35 deg. 37 min. 44 sec. West - 205.61 ft. to a new iron pipe, thence South 28 deg. 19 min. 13 sec. West - 36.19 ft. to a new iron pipe in the 12 ft. farm path and being a common corner with the Wilton Cox property known as "Tract 8" of the plat recorded in Will Book 2, page 281 of the Greene County Clerk of Court's office, thence with said Cox line and continuing with said 12 ft. farm path South 29 deg. 27 min. 25 sec. West - 211.35 ft. to a new iron pipe, thence South 13 deg. 06 min. 31 sec. West - 121.79 ft. to a new iron pipe at the common corner of Tract 3, Tract 4, and Tract 8 of said plat, thence continuing with said 12 ft. farm path and the line between Tract 3 and Tract 4, South 08 deg. 21 min. 12 sec. West - 457. 89 ft. to an iron stake found where the farm path leaves the Grantor's land and enters the land of Beulah Dall Cox and Mary Beamon Cox.

Upon exiting the land of Beulah Dall Cox and Mary Beamon Cox, the easement re-enters the Grantor's land and continues as follows: Beginning at a point on the western side of the 12 ft. farm path, said point being the previously described point of beginning of TRACT "A" and thence running with the southern edge of the 12 ft. farm path South 60 deg. 09 min. 30 sec. West - 10.47 ft. to a new iron pipe on the bank of a ditch, thence South 60 deg. 09 min. 30 sec. West - 575.89 ft. to a new iron pipe, thence South 60 deg. 45 min. 36 sec. West - 273.09 ft. to a new iron pipe, thence South 60 deg. 26 min. 06

sec. West - 422.99 ft. to a new iron pipe, thence South 64 deg. 32 min. 47 sec. West - 219.79 ft. to a new iron pipe, thence South 35 deg. 14 min. 46 sec. West - 215.92 ft to a new iron pipe., thence South 44 deg. 03 min. 53 sec. West - 140.62 ft. to a new iron pipe, thence South 68 deg. 44 min. 30 sec. West - 84.71 ft. to a new iron pipe, thence South 78 deg. 15 min. 18 sec. West - 736.36 ft. to a new iron pipe, thence North 09 deg. 42 min. 44 sec. West - 578.78 ft. to a new iron pipe. This portion of the 12 ft. ingress and egress easement is to run along with and to the north of the previously described line.

This easement shall be appurtenant to and shall run with the Tract A and Tract B described herein.

The Grantor reserves to himself a 12 ft. by 72 ft. access area as shown on said plat reserved for irrigation puposes only as more fully described in Section IV(A) of the Conservation Easement.

barnhill legal description.doc