FILED in Hyde County, NC
on Jun 29 2002 at 01:42:48
by: Lora Mooney Byrd
Register of Deeds
BOOK 187 PAGE 642

Issued Jun 29 2002
$1,482.00
State of North Carolina
Hyde County
Real Estate Excise Tax
1488

DEED AND TRANSFER OF

A PORTION OF

REGISTERED ESTATE NO. 106

STATE OF NORTH CAROLINA

COUNTY OF HYDE

THIS DEED, Made and entered into this 25 day of JUNE, 2002, by and between Weyerhaeuser Company, a corporation of the State of Washington, and duly authorized to do business in the State of North Carolina, party of the first part, and North Carolina Department of Transportation, an agency of the State of North Carolina, whose address is P. O. Box 25201, Raleigh, North Carolina 26211, party of the second part;

W I T N E S S E T H :

That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS and other good and valuable considerations to it in hand paid, by the party of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey, unto the said party of the second part, its successors and assigns, subject to the terms and conditions as hereinafter set out, that certain tract or parcel of land lying and being in Currituck Township, Hyde County, State of North Carolina, and being more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR A MORE COMPLETE AND ACCURATE DESCRIPTION OF THE PROPERTY HEREIN CONVEYED.

This conveyance is made subject to the following terms and conditions:

(1) This conveyance is made subject to the reservation of mineral rights which are retained by Weyerhaeuser Company and said reservation is stated in substance as follows:

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T. R. THOMPSON, JR.
ATTORNEY AT LAW
AURORA, NORTH CAROLINA

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"The Grantor hereby expressly saves, reserves and excepts out of the grant hereby made, unto itself, its successors and assigns, forever, all ores and minerals including but not limited to oil, gas, coal, distillates, and condensates, in and under said land. Top soil, sand, fill dirt, ground water, and other commonly occurring substances are expressly excluded. Grantor hereby reserves, for itself and its successors and assigns, all of Grantor's right, title, and interest in and to subsurface oil, gas and other minerals in the above-described parcel of land, and the right to access to such resources: provided, however, that access to or mining or extraction of any such resources shall not be accomplished by any means which would destroy or substantially damage the natural value of the said property and the conservation purposes of this conveyance, to-wit: the protection of a significant relatively natural habitat for fish, wildlife or plants or similar ecosystems. Surface mining will not be permitted. Any other mining or extraction shall be conducted in a manner having only limited, localized impact on the natural values of the said property, and may not be irremediably destructive of significant conservation interests. These restrictions on access to and mining and/or extraction of the minerals reserved hereunder are intended to be enforceable in perpetuity against Grantor, its successors and any other transferees of the reserved mineral rights. Grantee agrees that although drilling for gas and oil and underground mining on the property may have some temporary localized impact, such activities generally will not interfere with the overall conservation purpose of this conveyance so long as conducted consistently with applicable laws and regulations relating to protection of natural values. Weyerhaeuser Company will obtain all applicable permits before mining."

(2) This conveyance is made subject to a reservation of trees and timber by Weyerhaeuser Company and said reservation is as follows:

Weyerhaeuser Company, for itself, its successors and assigns, reserves all of the trees and timber located with the area identified as "reserved timber" on the attached sketch identified as Exhibit "B" and further reference is hereby made to said sketch for a more complete and accurate description of the area on which the trees and timber are reserved. This timber reservation is for a period of one (1) year following June 29, 2002, and during this one (1) year period Weyerhaeuser Company, its

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successors and assigns, may go upon the property on which the trees and timber are reserved at such times and places as it desires and cut and remove the trees and timber herein reserved. Weyerhaeuser Company, its successors and assigns, are under no obligation to replant the area in trees following the completion of its timbering activities on the property on which the trees and timber are herein reserved. This reservation of trees and timber shall terminate on June 29, 2003, and after said date Weyerhaeuser Company, its successors and assigns, shall have no further right herein.

Weyerhaeuser Company, its successors and assigns, reserves a right of way over and upon the Muriel Road as the same is shown on the attached sketch for the purpose of removing the trees and timber herein reserved. This right of way shall exist up to and including June 29, 2003, and no longer.

(3) This property is conveyed subject to all matters, conditions, restrictions, and easements of record, and those, if any, constituting constructive notice.

(4) This property is conveyed subject to such defects in title as might appear from a current and accurate survey of this property.

(5) This property is conveyed "AS IS, WHERE IS".

(6) This property is conveyed subject to all matters disclosed by an inspection of the premises, taxes not yet due and payable and all prior reservations whether by deed or possession.

There is attached to this Deed and Transfer Certificate of Title No. 106 which is to be cancelled and a new Certificate of Title issued to the party of the second part for the portion of Registered Estate No. 106 transferred to it and Certificates of Title issued to the party of the first part for its interest retained.

That portion of Registered Estate No. 106 which is being transferred is shown on that map referred to in Exhibit "A" attached and further reference is hereby made to said map for a description of the property retained by the party of the first part.

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TO HAVE AND TO HOLD the aforesaid tract or parcel of land together with all the rights, privileges and appurtenances thereunto belonging unto it, the said party of the second part, its successors and assigns, to their only use and behoof forever, subject to the terms and conditions as set out hereinabove.

And the said party of the first part, covenants to and with the said party of the second part, that said party of the first part has done nothing to impair such title as said party of the first part received and said party of the first part will warrant and defend the title against the lawful claims of all persons claiming by, under or through the said party of the first part and no further.

IN TESTIMONY WHEREOF, Weyerhaeuser Company has caused this instrument to be signed in its name by its Vice President, attested by its Assistant Secretary, with its corporate seal hereunto affixed, all by the authority duly given, this the day and year first above written.

WEYERHAEUSER COMPANY

By: James M. Br
Vice President

(CORPORATE SEAL)

ATTEST:

Jerry R. Mellen
Assistant Secretary

PREPARED BY:
T. R. THOMPSON, JR.
ATTORNEY AT LAW
AURORA, NORTH CAROLINA

EXHIBIT "A"

THAT certain tract or parcel of land lying and being in Currituck Township, Hyde County, State of North Carolina, and being more particularly described as follows:

ALL OF TRACT NO. ONE (1), being a portion of Registered Estate No. 106, as the same is shown on that map prepared by Robert S. Rogers, Professional Land Surveyor, dated May 12, 2002, revised May 25, 2002, and being further revised June 24, 2002, and identified by the following legend: "BOUNDARY SURVEY OF THE BISHOP ROAD WETLAND MITIGATION SITE", and said map is of record in Plat Cabinet See Below Slide _____, Hyde County Registry, and further reference is hereby made to said map for a more complete and accurate description of this property by metes and bounds.

C 77K
C 77L

C 78A
C 78B
C 78C
C 78D
C 78E
C 78F

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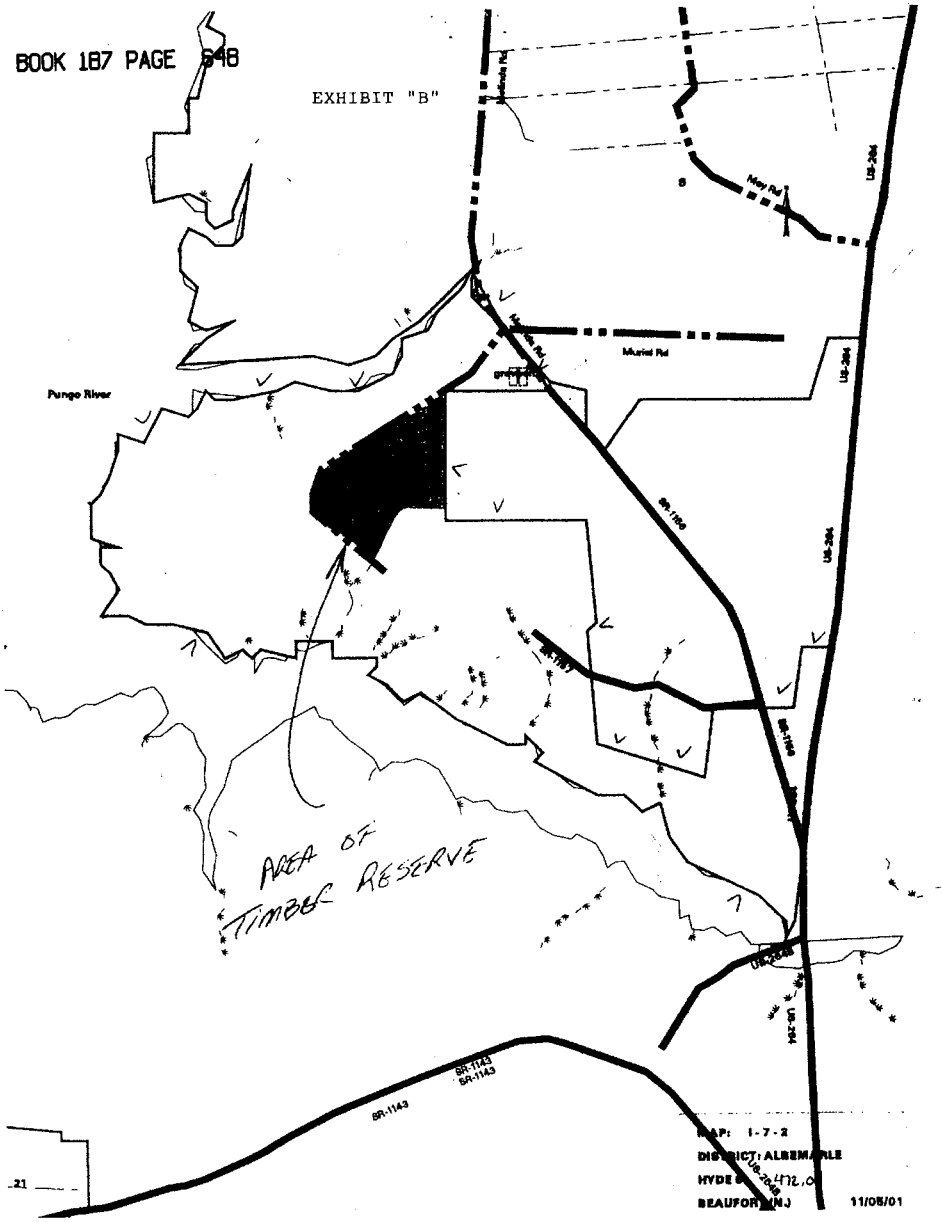
EXHIBIT "B"



FILED in Hyde County, NC
on Jun 28 2002 at 01:31:14 P
by: Lora Mooney Byrd
Register of Deeds
BOOK 187 PAGE 649

STATE OF NORTH CAROLINA

COUNTY OF HYDE REGISTERED ESTATE NO. 331

THE CERTIFICATE OF TITLE
OF
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

I hereby certify that title is registered in the name of North Carolina Department of Transportation, an agency of the State of North Carolina, in and to that certain tract or parcel of land situated in Currituck Township, Hyde County, State of North Carolina, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR A MORE COMPLETE DESCRIPTION OF THE PROPERTY.

ESTATE: FEE SIMPLE, SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

(1) This conveyance is made subject to the reservation of mineral rights which are retained by Weyerhaeuser Company and said reservation is stated in substance as follows:

"The Grantor hereby expressly saves, reserves and excepts out of the grant hereby made, unto itself, its successors and assigns, forever, all ores and minerals including but not limited to oil, gas, coal, distillates, and condensates, in and under said land. Top soil, sand, fill dirt, ground water, and other commonly occurring substances are expressly excluded. Grantor hereby reserves, for itself and its successors and assigns, all of Grantor's right, title, and interest in and to subsurface oil, gas and other minerals in the above-described parcel of land, and the right to access to such resources: provided, however, that access to or mining or extraction of any such resources shall not be accomplished by any means which would destroy or substantially damage the natural value of the said property and the conservation purposes of this conveyance, to-wit: the protection of a significant relatively natural habitat for fish, wildlife or plants or similar ecosystems. Surface mining will not be permitted. Any other mining or extraction shall be conducted in a manner having only limited, localized impact on

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the natural values of the said property, and may not be irremediably destructive of significant conservation interests. These restrictions on access to and mining and/or extraction of the minerals reserved hereunder are intended to be enforceable in perpetuity against Grantor, its successors and any other transferees of the reserved mineral rights. Grantee agrees that although drilling for gas and oil and underground mining on the property may have some temporary localized impact, such activities generally will not interfere with the overall conservation purpose of this conveyance so long as conducted consistently with applicable laws and regulations relating to protection of natural values. Weyerhaeuser Company will obtain all applicable permits before mining."

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This tract of land is a portion of Registered Estate No. 106 recorded in Land Titles Book 6 Page 310, Hyde County Registry, and this Certificate is issued to North Carolina Department of Transportation, an agency of the State of North Carolina, for that portion of Registered Estate No. 106 transferred to it by Weyerhaeuser Company and Certificates of Title are issued to Weyerhaeuser Company for those portions of Registered Estate No. 106 retained by it. The Certificate of Registered Estate No. 106 has been canceled.

Registered Estate No. 331, Book 187, Page 649.

Witness my hand and seal of my office, this the 28th day of June, 2002.

Lora M. Byrd by: Merita Lewis Spence, Asst.
Register of Deeds
Hyde County

(OFFICIAL SEAL)

PREPARED BY:
T. R. THOMPSON, JR.
ATTORNEY AT LAW
AURORA, NORTH CAROLINA

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C 77K
C 77L

C 78 A
C 78 B
C 78 C
C 78 D
C 78 E
C 78 F

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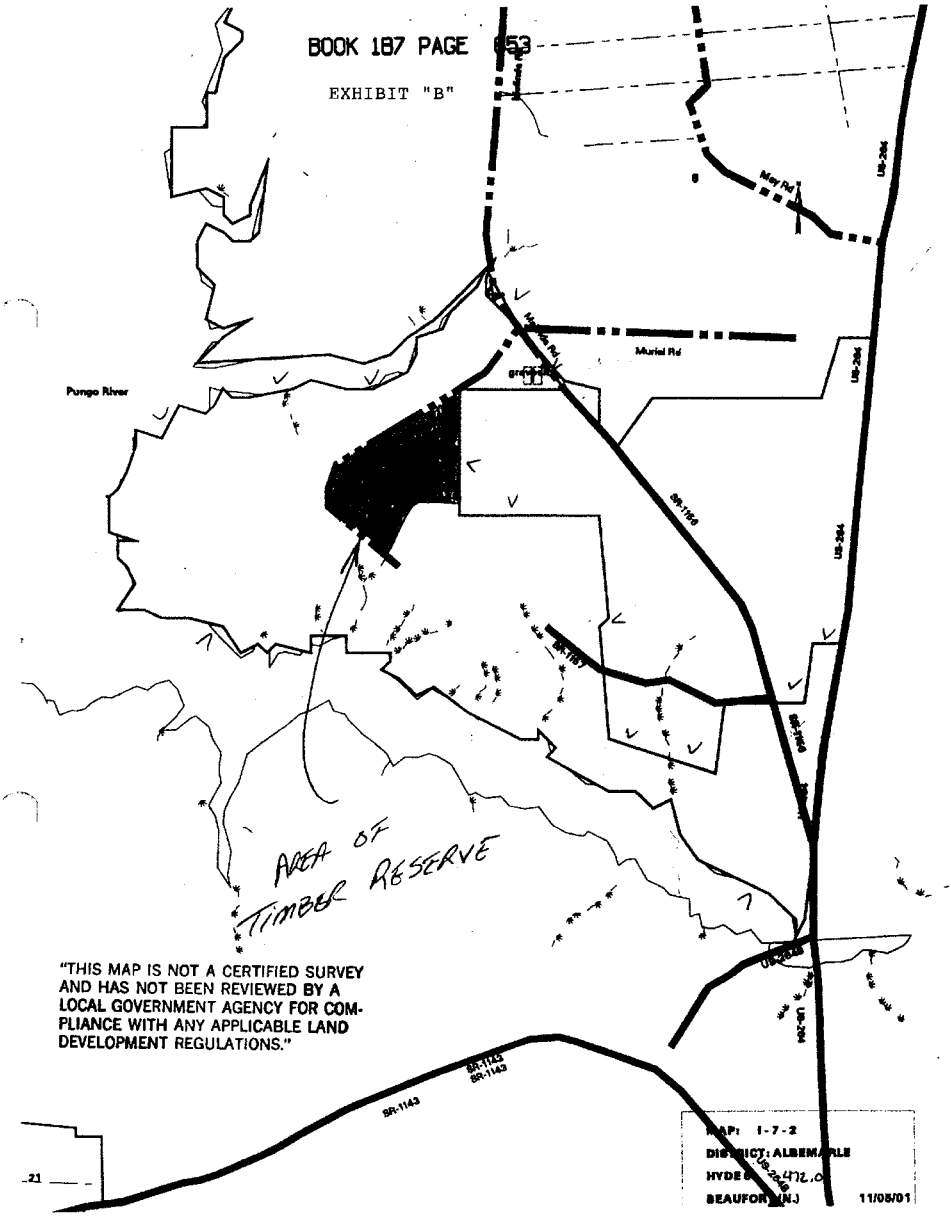
EXHIBIT "B"



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