FILED in Hyde County, NC
on Jun 28 2002 at 02:12:28
by: Lora Mooney Byrd
Register of Deeds

BOOK 187 PAGE 663

Issued Jun 28 2002
$400.00 Hyde
State of North Carolina County
Real Estate Excise Tax
1457

DEED AND TRANSFER OF

A PORTION OF

REGISTERED ESTATE NO. 257

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 27611, 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.

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

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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:

"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."

PREPARED BY:
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ATTORNEY AT LAW
AURORA, NORTH CAROLINA

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

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

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

(5) 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. 257 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. 257 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. 257 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: _____
Vice President

(CORPORATE SEAL)

ATTEST:

_____
Assistant Secretary

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

STATE OF Arkansas

COUNTY OF Garland

I, Shirley Marie Warr, Notary Public, certify that Jerry R. Miller, personally came before me this day and acknowledged that he/she is Assistant Secretary of Weyerhaeuser Company, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by James M. Branson, its Vice President, sealed with its corporate seal, and attested by himself/herself as its Assistant Secretary.

My commission expires June 9, 2005.

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

SHIRLEY MARIE WARR
COMM. EXP.
NOTARY PUBLIC
GARLAND COUNTY, AR

(OFFICIAL SEAL)

Shirley Marie Warr
Notary Public

INDEXED
GRANTEE GRANTOR

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

NORTH CAROLINA, HYDE COUNTY
The foregoing certificate of Shirley Marie Warr, a Notary Public of the County of Garland, State of Arkansas, together with her Notarial Seal attached, is certified to be correct. This instrument was presented for registration and recorded in Real Estate Book 187, page 663.
This the 28th day of June, 2002 at 2:12 o'clock P. M.

Lora M. Byrd
Register of Deeds
By E. Merita Lewis-Spencer, Asst.

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. TWO (2), being a portion of Registered Estate No. 257, 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", 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

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

Filed in Hyde County, NC
on Jun 28 2002 at 2:13:11 PM
by Lora Mooney Byrd
Register of Deeds
BOOK 187 PAGE 669

STATE OF NORTH CAROLINA

COUNTY OF HYDE REGISTERED ESTATE NO. 335

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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AURORA, NORTH CAROLINA

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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."

This tract of land is a portion of Registered Estate No. 257 recorded in Land Titles Book 8 Page 5, 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. 257 transferred to it by Weyerhaeuser Company and Certificates of Title are issued to Weyerhaeuser Company for those portions of Registered Estate No. 257 retained by it. The Certificate of Registered Estate No. 257 has been canceled.

Registered Estate No. 335, Book 187, Page 669.

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

Lora M. Byrd by T. Merita Louise Spencer, 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 78A
C 78B
C 78C
C 78D
C 78E
C 78F

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