FILED in Hyde County, NC
on Jun 28 2002 at 01:41:42 P
by: Lora Mooney Byrd
Register of Deeds
BOOK 187 PAGE 636

Issued Jun 28 2002
$170.00 Hyde
State of North Carolina County
Real Estate Excise Tax
1485

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 a good and valuable consideration 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, those certain tracts or parcels of land lying and being in Currituck Township, Hyde County, State of North Carolina, and being more particularly described as follows:

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

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SEE EXHIBIT "A" ATTACHED HERETO FOR A 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 a reservation of mineral rights which are retained by Weyerhaeuser Company and 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

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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 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.

TO HAVE AND TO HOLD the aforesaid tracts or parcels 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 use only 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

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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. Bra
Vice President

(CORPORATE SEAL)

ATTEST:

Gary R. Mellen
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 25th day of June, 2002.

SHIRLEY MARIE WARR
COMM. EXP.
NOTARY
PUBLIC
06/09/05
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 636.

This the 28th day of June, 2002, at 1:41 o'clock P. M.

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

EXHIBIT "A"

THOSE certain tracts or parcels 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. THREE (3) AND TRACT NO. FOUR (4) as the same are 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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