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by: SHEILA W. WHITMIRE
REGISTER OF DEEDS
BOOK 347 PAGE 1428

Mail after recording to:
Blane Rice
State Property Office, Dept. Of Administration,
1321 Mail Service Center, Raleigh, NC 27699-1321

75-2

State of North Carolina

ASSIGNMENT OF CONSERVATION EASEMENT

County of Polk

THIS ASSIGNMENT is made on the 6th day of November, 2006, by and between **PACOLET AREA CONSERVANCY, INC., ("PAC")**, to the **STATE OF NORTH CAROLINA**, (the "**State**" or "**Assignee**"), acting by and through the **NORTH CAROLINA ECOSYSTEM ENHANCEMENT PROGRAM ("EEP")**

WITNESSETH:

WHEREAS, EEP has agreed to provide funding to **PAC** for the purchase of a Conservation Easement over real property situated along the tributaries of Camp Creek and the Green River and Cove Creek and the Green River, and

WHEREAS, pursuant to the funding, **PAC** has, on the 6th day of November, 2006, acquired a Conservation Easement, over the property of Norman Boyer, a/k/a G. Norman Boyer, a/k/a George Norman Boyer, which easement is recorded in Deed Book 347, Page 148, Polk County Registry; and

WHEREAS, in furtherance of the terms and conditions of the Grant Agreement, **PAC** desires to assign its right, title, and interest in the Conservation Easement to the **State**, and the **State** has agreed to this Assignment.

NOW, THEREFORE, in consideration of funding paid by **EEP** to **PAC**; the mutual benefits accruing to the **State**, **PAC**, and the public from the Conservation Easement herein referenced and assigned, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **PAC** conveys and assigns to the **State of North Carolina**, acting by and through the **North Carolina Ecosystem Enhancement Program**, all the rights, title, easement, privilege and interest (and subject to all conditions contained therein), in that Conservation Easement conveyed to **PAC** by

Norman Boyer, a/k/a G. Norman Boyer, a/k/a George Norman Boyer, unmarried, by and through his lawful attorney in fact, Catherine Cheney Boyer, under that certain power of attorney dated August 10, 2000 and recorded in Deed Book 265, Page 544, Polk County Registry, by deed dated the 6th day of November, 2006, and recorded in Deed Book 347, Page, 1418, Polk County Registry.

PAC hereby expressly reserves from this Assignment the nonexclusive rights initially acquired by the Conservation Easement to monitor, enforce and maintain the Conservation Easement and to access the property for such purposes as described in the easement.

TO HAVE AND TO HOLD the said right, privilege and easement herein granted and assigned to the **State of North Carolina**, its successors and assigns in perpetuity.

AND the **Assignor PAC** covenants that it is properly vested with the Conservation Easement; has the right to assign the same to the **Assignee**; that the Easement is free from encumbrances except as may be expressly excepted to by the terms and conditions of the Conservation Easement; and that the **Assignor PAC** will warrant and defend title to the same against the claims of all persons whomsoever.

IN WITNESS WHEREOF, PAC has executed the foregoing in its corporate name, under seal, signed by the **Vice President** with proper authorization by the **PAC Board**, the date and year first above written.

PACOLET AREA CONSERVANCY, INC.

By: William H. Meanix, Jr.
William H. Meanix, Jr., Vice President (SEAL)

ATTEST:

Sally Walker
Sally Walker, Executive Director

NORTH CAROLINA
COUNTY OF POLK

I, Kathy S. Phipps, a Notary Public in and for the County and State aforesaid, do hereby certify that William H. Meanix, Jr., personally appeared before me this day and acknowledged that he is the Vice President of the Pacolet Area Conservancy, Inc., a North Carolina Non-Profit Corporation, and that by the authority duly given as an act of the corporation, the foregoing instrument was signed in its name by its Vice President and attested as its Executive Director.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 6th day of November, 2006.

Kathy S. Phipps
Notary Public. My commission expires 2-27-2010