20031231002626710 DEED
Bk:RB3306 Pg:445
12/31/2003 02:24:04PM 1/6

FILED Joyce H. Pearson
Register of Deeds Orange COUNTY,NC
BY:
Deputy Linda C Pickard

17 HB

Orange County NC 12/31/2003
State of North Carolina
Real Estate Excise Tax
Excise Tax: $13554.00

Prepared By: Teresa L. White, Special Deputy Attorney General
return to P. O. Box 629, Raleigh, N. C. 27602
R/S
$13,554.00

STATE OF NORTH CAROLINA

SPECIAL WARRANTY DEED

9894-17-0451
5.19..9L

COUNTY OF ORANGE

THIS DEED, made this the 30th day of December, 2003, by **ENO FARMS, INC.**, a North Carolina corporation, **GRANTOR**, to the **STATE OF NORTH CAROLINA**, % State Property Office, North Carolina Department of Administration, 1321 Mail Service Center, Raleigh, North Carolina 27699-1321, **GRANTEE**;

W I T N E S S E T H:

THAT the said Grantor, in consideration of the sum of SIX MILLION SEVEN HUNDRED EIGHTY-NINE THOUSAND SEVEN HUNDRED EIGHTY-SEVEN AND 20/100 ($6,789,787.20) DOLLARS, to it paid by the Grantee, and other valuable consideration the receipt of which is hereby acknowledged, has bargained and sold and by these presents does hereby bargain, sell and convey unto the said Grantee, its successors and assigns, all of that certain tract or parcel of land situate, lying and being in Eno Township, Orange County, North Carolina, and more particularly described as follows:

Buffers and Easements
P/O 9894-01-6113
5.19..9
Grantors Merge - See Exhibit A
9894-01-5303
5.19..9

TRACT B, CONTAINING 830.417 ACRES, AS SHOWN ON THAT PLAT ENTITLED "SURVEY FOR: THE STATE OF NORTH CAROLINA (DuBose Tract)" PREPARED BY S. D. PUCKETT & ASSOC., INC, DATED OCTOBER 1, 2003 AND RECORDED IN PLAT BOOK 93, PAGE 104, ORANGE COUNTY REGISTRY.
SAVE AND EXCEPT THAT CERTAIN 22.109 ACRE TRACT SET FORTH ON EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The State of North Carolina has received payment from the Ecosystem Enhancement Program for acquisition of the above described property in consideration of which the State of North Carolina has agreed to the establishment of a perpetual riparian buffer extending 300' from the top banks of the Eno River. This 300' will forever be conserved and managed in a manner that will protect the quality of the waters of the Eno River and otherwise promote the public purposes authorized under the provisions of N.C. Gen. Stat. §§143-214.8 *et seq.* This paragraph creates neither rights nor responsibilities on the part of the Grantor, its heirs and assigns.

Grantor hereby grants to Grantee two (2) 75' wide undisturbed buffers as shown on the above-referenced survey for protection and improvement of water quality.

Grantor retains a permanent non-exclusive easement for ingress, egress and regress over and across that certain 60' wide existing Farm Road running from Linden Road to the above described tract and to Grantor's remaining property located south of the above described tract.

Grantor further retains a 60' wide permanent non-exclusive easement for ingress, egress and regress across the southeastern portion of the above described tract located at the intersection of AT&T and Duke Power easements and at the terminus of the aforesaid existing Farm Road. Grantee shall have the right to install a gate across said easement area provided Grantee provides Grantor with a means to operate said gates.

Grantor hereby grants Grantee certain limited rights of access over the existing roadways and pathways located on Grantor's adjoining property, as such may be relocated from time to time by Grantor, as follows: (1) at all times for emergency access for a period of 90 days from the date above-here written to allow for boundary markings; and, (2), upon permission from the farm manager of Grantor, to allowing Grantee's authorized personnel to patrol the above described tract when vehicular access is otherwise unavailable, and no more than six (6) times per year.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the State of North Carolina, its successors and assigns, forever.

AND the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

> 2003 ad valorem taxes, any and all matters affecting the above described property in the public records of Orange County, North Carolina and any matters that would be shown by a current and accurate survey of the property.

IN TESTIMONY WHEREOF, the Grantor has caused this instrument to be executed in its name by its President and attested by its Secretary, and its Corporate Seal affixed thereto by authority duly given.

ENO FARMS, INC.

Charles F. DuBose, President

Charles F. DuBose, President

ATTEST:

J. McNeely DuBose

J. ~~McNelly~~ DuBose
McNeely

Sec. Treas. Eno Farms, Inc.

(CORPORATE SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Orange

I, Beverly Tesenior, a Notary Public in and for the County and State aforesaid, do hereby certify that J. McNeely DuBose personally came before me this day and acknowledged that he is Secretary of ENO FARMS, INC., and that by authority duly given and as an act of ENO FARMS, INC., the foregoing instrument was signed by Charles F. DuBose, its President, attested by himself as Secretary, and sealed with the common seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 30 day of December, 2003.

BEVERLY TESENIAR NOTARY PUBLIC ORANGE COUNTY, N.C.

Beverly Tesenior
Notary Public

My Commission expires:
10/15/08

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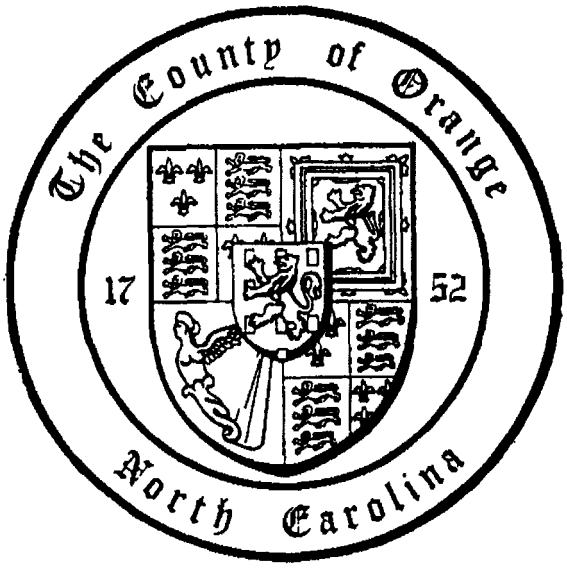

Joyce H. Pearson
Register of Deeds
Orange County
North Carolina

State of North Carolina, County of Orange

The foregoing certificate(s) of BEVERLY TESENIAR, NOTARY PUBLIC for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day December 31, 2003.

Joyce H. Pearson, Register of Deeds

BY: Linda C Beckro
Deputy / ~~Assistant~~ Register of Deeds

Yellow probate sheet is a vital part of your recorded document. Please retain with original document and submit for recording.

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EXHIBIT A

Commencing at the intersection of the northern right-of-way line of that certain 100 foot A.T.&T. easement and the eastern right-of-way line of that certain 100 foot Duke Power Company easement, said point being located North 02° 38' 24" West 9,461.51 feet from North Carolina Geodetic Survey Monument "Carl" (having North Carolina Grid Coordinates of N=834345.8610 and E=1995296.2950); runs thence with the northern right-of-way line of the aforesaid 100 foot wide A.T.&T. easement North 78° 26' 46" West 2,107.75 feet to a point; runs thence leaving the northern right-of-way line of the aforesaid A.T.&T. easement South 11° 49' 00" West 297 feet to a point; runs thence South 53° 34' 00" West 462.92 feet to a point; runs thence North 78° 02' 09" West 1,440 feet to a point; runs thence North 09° 41' 36" East 159.85 feet to a point; runs thence North 25° 47' 18" West 205.45 feet to a point; runs thence North 77° 13' 17" West 738.64 feet to a point, the Point and Place of Beginning; runs thence from said point of beginning South 50° 17' 08" West 192 feet to a point; runs thence South 09° 42' 49" East 90.50 feet to a point; runs thence South 06° 40' 17" West 96.69 feet to a point; runs thence South 24° 56' 34" West 117.43 feet to a point; runs thence North 77° 46' 10" West 1,027.98 feet to a point; runs thence North 12° 49' 33" East 550.55 feet to a point; runs thence North 59° 52' 13" East 1,047.99 feet to a point; runs thence South 11° 03' 13" East 882.61 feet to a point, the point and place of Beginning containing 22.109 acres as shown on that plat entitled "Survey For: The State Of North Carolina (DuBose Tract)" prepared by S.D. Puckett & Assoc., Inc., dated October 1, 2003, and revised December 30, 2003.

It is the intention of this conveyance for the 22.109 acre tract to be combined with the adjacent 1028.06 acre tract. 5.19..9 - DM