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STATE OF NORTH CAROLINA, COUNTY OF SURRY

The foregoing or following certificate(s) of Darlene S. Clark
N.P. of Yadkin Co. N.C.

is (are) certified to be correct.

DENNIS W. "BUD" CAMERON
REGISTER OF DEEDS

BY: Dennis W. Bud Cameron
Assistant-Deputy

Doc ID: 003848190015 Type: CRP
Recorded: 01/23/2004 at 03:18:22 PM
Fee Amt: $56.00 Page 1 of 15
Excise Tax: $0.00
Surry County North Carolina
Dennis W. 'Bud' Cameron Reg of Deeds
BK 996 PG 35-49

STATE OF NORTH CAROLINA

SURRY COUNTY

CONSERVATION EASEMENT

SPO File Number 086-B
Prepared by and return to:
Blane Rice, State Property Office
1321 Mail Service Center
Raleigh, NC 27699-1321

THIS CONSERVATION EASEMENT DEED, made this 23rd day of JANUARY, 2004, by the Piedmont Land Conservancy, a North Carolina nonprofit corporation, Grantor, whose mailing address is PO Box 4025, Greensboro, NC 27404-4025 and the State of North Carolina, Grantee, whose mailing address is State of North Carolina State Property Office, 1321 Mail Service Center, Raleigh, NC 27699-1321. The designations Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

WITNESSETH:

WHEREAS, the State of North Carolina is qualified to be the Grantee of a conservation easement pursuant to N.C. Gen. Stat. § 121-35; and

WHEREAS, pursuant to the provisions of N.C. Gen. Stat. § 143-214.8 et seq., the State of North Carolina has established the Ecosystem Enhancement Program within the Department of Environment and Natural Resources for the purposes of acquiring, maintaining, restoring, enhancing, and creating wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, aquatic habitat, wildlife habitat, and recreational opportunities; and

WHEREAS, the Ecosystem Enhancement Program in the Department of Environment and Natural Resources has approved acceptance of this instrument; and

56
15

WHEREAS, the Department of Environment and Natural Resources, the North Carolina Department of Transportation and the United States Army Corps of Engineers, Wilmington District have entered into a Memorandum of Agreement, (MOA) duly executed by all parties on July 22, 2003. This MOA recognizes that the Ecosystem Enhancement Program is to provide for compensatory mitigation by effective protection of the land and natural resources of the State by restoring, enhancing and preserving ecosystem functions; and

WHEREAS, the acceptance of this instrument for and on behalf of the State of North Carolina has been granted to the Department of Administration by resolution as approved by the Governor and Council of State adopted at a meeting held in the City of Raleigh, North Carolina, on the 8th day of February 2000; and

WHEREAS, Grantor owns in fee simple certain real property situated, lying, and being in Bryan Township, Surry County, North Carolina (the "Protected Property"), and being more particularly described as those certain parcels of land commonly known as the Len's Knob and Little Mountain Tracts, which were conveyed to the Grantor by deed recorded in Deed Book _____at Page _____ of the Surry County Registry, North Carolina; and

WHEREAS, Grantor is willing to grant a Conservation Easement over the Protected Property, thereby restricting and limiting the use of the Protected Property to the terms and conditions and for the purposes hereinafter set forth, and Grantee is willing to accept such easement.

NOW, THEREFORE, in consideration of the mutual covenants, terms, conditions, and restrictions hereinafter set forth, Grantor unconditionally and irrevocably hereby grants and conveys unto Grantee, its successors and assigns, forever and in perpetuity, a Conservation Easement of the nature and character and to the extent hereinafter set forth, over all of the Protected Property, referred to hereafter as the Easement Area, for the benefit of the people of North Carolina, and being all of the those tracts of land more particularly described on Exhibit A, which is incorporated herein by reference. Throughout the remainder of this document the terms Protected Property and Easement Area have the same meaning because the entire Protected Property is subject to the terms of this Conservation Easement.

The purposes of this Conservation Easement are to preserve, maintain, restore, enhance, and create wetland and/or riparian resources in the Easement Area that contribute to the protection and improvement of water quality, flood prevention, fisheries, aquatic habitat, wildlife habitat, and recreational opportunities; to maintain permanently the Easement Area in its natural condition, consistent with these purposes; and to prevent any use of the Easement Area that will significantly impair or interfere with these purposes. To achieve these purposes, the following conditions and restrictions are set forth:

I. DURATION OF EASEMENT

This Conservation Easement shall be perpetual. It is an easement in gross, runs with the land, and is enforceable by Grantee against Grantor, their personal representatives, heirs, successors, and assigns, lessees, agents, and licensees.

II. GRANTOR RESERVED USES AND RESTRICTED ACTIVITES

The Easement Area shall be restricted from any development or usage that would impair or interfere with the purposes of this Conservation Easement. Unless expressly reserved as a compatible use herein, any activity in, or use of, the Easement Area by the Grantor is prohibited as inconsistent with the purposes of this Conservation Easement. Any rights not expressly reserved hereunder by the Grantor have been acquired by the Grantee. The following specific uses are prohibited, restricted, or reserved as indicated:

A. **Recreational Uses.** Grantor expressly reserves the right to undeveloped recreational uses, including hiking, birdwatching, hunting and fishing, and access to the Easement Area for the purposes thereof. Usage of motorized vehicles in the Easement Area is prohibited, except as they are used for management, maintenance, or stewardship purposes, or on existing roads. Hiking foot trails may be constructed to support the permitted recreational and educational uses of the Protected Property permitted by this Conservation Easement. Such trails must be constructed of a pervious surface and in accordance with best management practices to minimize soil erosion and water quality impacts, may not be more than six feet wide and shall be located in a manner acceptable to the Ecosystem Enhancement Program.

B. **Educational Uses.** The Grantor reserves the right to undeveloped educational uses and the right of access to the Easement Area for such purposes including organized educational activities such as site visits, studies, and observations.

C. **Vegetative Cutting.** Cutting, removal, mowing, harming, or destruction of any vegetation in the Easement Area is prohibited, except as necessary to control invasive and/or exotic species or to create, enhance, or maintain early successional vegetation in open, unforested areas present in the Easement Area as of the date of this Conservation Easement.

D. **Industrial Use.** Industrial activities in the Easement Area are prohibited.

E. **Residential Use.** Residential use of the Easement Area is prohibited.

F. **Commercial Use.** Commercial activities in the Easement Area are prohibited.

G. **Agricultural Use.** Agricultural use of the Easement Area including use for cropland, waste lagoons, or pastureland is prohibited.

H. **New Construction.** There shall be no building, facility, mobile home, or other structure constructed or placed in the Easement Area.

I. **Signs.** No signs shall be permitted in the Easement Area except interpretive signs describing restoration activities and the conservation values of the Easement Area, signs identifying the owner of the Protected Property and the holder of the Conservation Easement, signs identifying the boundaries of the

Easement Area and signs giving directions or prescribing rules and regulations for the use of the Easement Area.

J. **Dumping.** Dumping of soil, trash, ashes, garbage, waste, abandoned vehicles, appliance or machinery, or other material in the Easement Area is prohibited.

K. **Grading, Mineral Use, Excavation, Dredging.** There shall be no grading, filling, excavation, dredging, mining, or drilling; no removal of topsoil, sand, gravel, rock, peat, minerals, or other materials in the Easement Area, except as necessary to improve existing roads in order to enhance their long-term stability and minimize erosion.

L. **Water Quality and Drainage Patterns.** There shall be no diking, draining, dredging, channeling, filling, leveling, pumping, impounding or related activities, or altering or tampering with water control structures or devices, or disruption or alteration of the restored, enhanced, or created drainage patterns. In addition, diverting or causing or permitting the diversion of surface or underground water into, within or out of the Easement Area by any means, removal of wetlands, polluting or discharging into waters, springs, seeps, or wetlands, or use of pesticide or biocides is prohibited, except as permitted by the forest management plan required by Paragraph P of this Article. Grantor reserves the right to restore the substrate of the streams in the Easement Area for the purpose of improving and enhancing water quality and to enhance the aquatic habitat for non-game fisheries and benthic communities.

M. **Subdivision.** Subdivision, partitioning, or dividing the Easement Area is prohibited.

N. **Development Rights.** No development rights which have been encumbered or extinguished by this Conservation Easement shall be transferred pursuant to a transferable development rights scheme or cluster development arrangement or otherwise.

O. **Existing Roads, Parking Areas, and Access Gates.** Grantor expressly reserves the right to maintain existing roads located in the Easement Area in order to minimize runoff and sedimentation and to maintain access to the interior of the Protected Property for management, maintenance, stewardship purposes, or undeveloped recreational and educational uses of the Protected Property. These roads shall not be paved or covered with asphalt, but gravel or permanent vegetation may be used to stabilize or cover the road surfaces. Two parking areas are permitted within the Easement Area provided that the following conditions are met: 1) these parking areas are located adjacent to existing roads; 2) no trees are removed to create these parking areas; and 3) gravel or permanent herbaceous vegetation are utilized to stabilize the soil and minimize the potential for erosion occurring from these parking areas. Existing access gates may be improved, replaced, or maintained and new access gates may be constructed to control access to the Protected Property. New roads may not be constructed in the Easement Area without the written permission of the Grantee.

P. **Forest Management.** Grantor reserves the right to manage the forest for the purposes of water quality protection, wildlife habitat enhancement, forest health, and restoration after natural disasters including but not limited to fire,

ice, hurricane, and storm damage provided that all forest management activities follow a forest management plan written by a certified North Carolina Forester and approved by the Ecosystem Enhancement Program.

III. GRANTEE RESERVED USES

The Grantee, and authorized representatives of the Grantee, shall have the right to enter the Protected Property, at all reasonable times to undertake any activities to restore, manage, maintain, enhance, and monitor the wetland and riparian resources of the Easement Area. These activities include planting of trees, shrubs and herbaceous vegetation, installation of monitoring wells, utilization of heavy equipment to grade, fill, and prepare the soil, modification of the hydrology of the site, and installation of natural and manmade materials as needed to direct in-stream, above ground, and subterraneous water flow. In addition, the Grantee, and authorized representatives of the Grantee, shall have the right to enter the Protected Property, at all reasonable times for the purpose of inspecting said property to determine if the Grantor is complying with the terms, conditions, restrictions, and purposes of this Conservation Easement. The easement rights granted herein do not include public access rights.

The Grantor may request permission to vary from the above restrictions for good cause shown, provided that any such request is consistent with the purposes of this Conservation Easement. The Grantor shall not vary from the above restrictions without first obtaining written approval from the Ecosystem Enhancement Program, whose mailing address is 1619 Mail Services Center, Raleigh, NC 27699-1619.

IV. ENFORCEMENT AND REMEDIES

A. In the event that the Grantee determines that the Grantor has violated or is threatening to violate any of these terms, conditions, or restrictions, the Grantee may institute a suit to enjoin such violation and if necessary, to require the restoration of the Easement Area to its prior condition at the expense of the Grantor.

B. No failure on the part of Grantee to enforce any covenant or provision hereof shall discharge or invalidate such covenant or any other covenant, condition, or provision hereof or affect the right of Grantee to enforce the same in the event of a subsequent breach or default.

V. MISCELLANEOUS

A. This Conservation Easement shall be construed to promote the purposes of N.C. Gen Stat. §143-214.8 et seq., the Ecosystem Enhancement Program.

B. This instrument sets forth the entire agreement of the parties with respect to the Conservation Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation

Easement. If any provision is found to be invalid, the remainder of the provisions of the Conservation Easement, and the application of such provision to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

C. Any notices shall be sent by registered or certified mail, return receipt requested to the parties at their addresses shown above or to other address(es) as either party establishes in writing upon notification to the other.

D. Grantor shall notify Grantee in writing of the name and address and any party to whom the Protected Property or any part thereof is to be transferred at or prior to the time said transfer is made. Grantor further agrees to make any subsequent lease, deed, or other legal instrument by which any interest in the Protected Property is conveyed subject to the Conservation Easement herein created, unless such transfer of an interest in the Protected Property is to Grantee or to an agency, division, department or authorized representative of Grantee.

VI. QUIET ENJOYMENT

Grantor reserves all rights accruing from ownership of the Protected Property, including the right to engage in or permit or invite others to engage in only those uses of the Easement Area that are expressly reserved herein, not prohibited or restricted herein, and are not inconsistent with the purposes of this Conservation Easement. Without limiting the generality of the foregoing, the Grantor expressly reserves to the Grantor, and the Grantor's invitees and licensees, the right of access to the Easement Area, and the right of quiet enjoyment of the Easement Area.

TO HAVE AND TO HOLD the said rights and easements perpetually unto Grantee for the aforesaid purposes.

AND Grantor covenants that Grantor is seized of said premises in fee and has the right to convey the permanent easement herein granted; that the same are free from encumbrances, except those set forth on Exhibit B and of record, and that Grantor will warrant and defend title to the same against the claims of all persons whomsoever.

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN TESTIMONY WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written,

Piedmont Land Conservancy, a North Carolina Non-Profit Corporation

By: C. Royce Hough (SEAL)
C. Royce Hough, President

ATTEST

Bethany W. Olmstead
Bethany Olmstead, Assistant Secretary

PIEDMONT LAND CONSERVANCY CORPORATE SEAL 1990 NC

NORTH CAROLINA

COUNTY OF YADKIN

I, DARLENE S. CLARK, a Notary Public in and for the County and State aforesaid, do hereby certify that Bethany W. Olmstead personally appeared before me this day and acknowledged that she is the Assistant Secretary of the Piedmont Land Conservancy, 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 President and attested by herself as its Assistant Secretary.

IN WITNESS WHEREOF, I have hereunto set my hand and Notary Seal this the 23RD day of January, 2004.

Darlene S. Clark
Notary Public

My commission expires:

02/15/2006

OFFICIAL SEAL
Notary Public - North Carolina
YADKIN COUNTY
DARLENE S. CLARK
My Commission Expires _____

EXHIBIT A

"LITTLE MOUNTAIN" LEGAL DESCRIPTION

BEGINNING at an iron pipe in the line Fleetus Gobble, Jr. property (Deed Book 233 Page 236), said beginning iron being located South 06 deg. 44 min. 19 sec. West 534.37 feet from an existing iron pipe on top of a ridge and running thence with the Gobble line North 81 deg. 57 min. 50 sec. West 508.65 feet to a point in the center of SR 1328 and running thence with the center of SR 1328 the following courses and distances: North 34 deg. 57 min. 55 sec. West 38.81 feet, North 50 deg. 05 min. 12 sec. West 62.10 feet, North 35 deg. 28 min. 38 sec. West 39.45 feet, North 14 deg. 06 min. 23 sec. West 37.79 feet, North 08 deg. 49 min. 59 sec. West 55.26 feet, North 37 deg. 41 min. 54 sec. West 45.25 feet, North 61 deg. 43 min. 55 sec. West 46.63 feet, North 78 deg. 37 min. 53 sec. West 33.86 feet, South 84 deg. 59 min. 50 sec. West 42.98 feet, South 80 deg. 15 min. 25 sec. West 127.03 feet, South 66 deg. 16 min. 49 sec. West 55.37 feet, South 56 deg. 21 min. 06 sec. West 100.03 feet, South 67 deg. 47 min. 18 sec. West 38.48 feet, South 88 deg. 20 min. 14 sec. West 46.10 feet, North 69 deg. 53 min. 42 sec. West 45.59 feet, North 44 deg. 09 min. 38 sec. West 53.84 feet, North 30 deg. 10 min. 37 sec. West 118.13 feet, North 22 deg. 30 min. 01 sec. West 80.30 feet, North 11 deg. 46 min. 44 sec. West 73.27 feet, North 19 deg. 04 min. 57 sec. West 60.97 feet, North 34 deg. 06 min. 59 sec. West 69.37 feet, North 25 deg. 45 min. 59 sec. West 52.15 feet, North 15 deg. 11 min. 33 sec. West 112.20 feet, North 17 deg. 23 min. 09 sec. West 18.82 feet, North 22 deg. 51 min. 57 sec. West 116.42 feet, North 16 deg. 52 min. 16 sec. West 34.48 feet, North 01 deg. 09 min. 26 sec. West 30.41 feet, North 04 deg. 04 min. 11 sec. East 58.88 feet, North 11 deg. 28 min. 59 sec. West 33.46 feet, North 21 deg. 54 min. 56 sec. West 32.90 feet, North 41 deg. 32 min. 42 sec. West 29.36 feet, North 64 deg. 50 min. 03 sec. West 24.27 feet, North 87 deg. 41 min. 10 sec. West 31.50 feet, South 76 deg. 28 min. 48 sec. West 36.09 feet, South 65 deg. 43 min. 59 sec. West 43.16 feet, South 62 deg. 12 min. 30 sec. West 102.99 feet, South 76 deg. 09 min. 46 sec. West 32.87 feet, North 77 deg. 24 min. 19 sec. West 27.10 feet, North 52 deg. 53 min. 37 sec. West 21.45 feet, North 39 deg. 22 min. 13 sec. West 24.06 feet, North 31 deg. 35 min. 41 sec. West 46.59 feet, North 49 deg. 27 min. 02 sec. West 20.43 feet, North 71 deg. 45 min. 14 sec. West 25.64 feet, South 71 deg. 47 min. 44 sec. West 27.63 feet, South 47 deg. 48 min. 41 sec. West 50.88 feet, South 72 deg. 11 min. 31 sec. West 21.58 feet, North 81 deg. 22 min. 43 sec. West 23.35 feet, North 42 deg. 57 min. 42 sec. West 29.00 feet, North 13 deg. 38 min. 38 sec. West 39.58 feet, North 01 deg. 35 min. 09 sec. West 20.78 feet, North 06 deg. 17 min. 26 sec. East 144.33 feet, North 20 deg. 48 min. 43 sec. East 26.67 feet, North 45 deg. 33 min. 57 sec. East 32.71 feet, North 60 deg. 12 min. 42 sec. East 110.90 feet, North 47 deg. 07 min. 47 sec. East 191.55 feet, North 63 deg. 16 min. 24 sec. East 57.69 feet, North 75 deg. 51 min. 36 sec. East 73.36 feet, North 66 deg. 17 min. 09 sec. East 33.52 feet, North 32 deg. 01 min. 58 sec. East 31.70 feet, North 07 deg. 14 min. 50 sec. West 32.38 feet, North 33 deg. 50 min. 13 sec. West 43.90 feet, North 50 deg. 12 min. 44 sec. West 52.69 feet, North 71 deg. 43 min. 40 sec. West 47.47 feet, North 80 deg. 29 min. 33 sec. West 125.49 feet, North 69 deg. 29 min.

39 sec. West 113.89 feet to a point located North 82 deg. 46 min. 01 sec. West 2026.25 feet from an existing 1 ¼" galvanized pipe; thence continuing with the centerline of SR 1328 as follows: North 22 deg. 32 min. 12 sec. West 14.02 feet, North 01 deg. 18 min. 16 sec. East 31.38 feet, North 68 deg. 28 min. 45 sec. East 32.04 feet, South 86 deg. 49 min. 23 sec. East 47.67 feet, North 86 deg. 52 min. 29 sec. East 87.53 feet, North 85 deg. 42 min. 46 sec. East 78.87 feet, South 85 deg. 35 min. 28 sec. East 73.18 feet, South 78 deg. 08 min. 56 sec. East 71.98 feet, South 69 deg. 50 min. 26 sec. East 86.78 feet, South 76 deg. 11 min. 04 sec. East 57.58 feet, North 85 deg. 08 min. 22 sec. East 56.22 feet, North 60 deg. 23 min. 26 sec. East 62.13 feet, North 34 deg. 58 min. 14 sec. East 48.83 feet, North 37 deg. 22 min. 40 sec. East 45.86 feet, North 74 deg. 34 min. 57 sec. East 47.89 feet, South 70 deg. 39 min. 30 sec. East 50.95 feet, South 78 deg. 28 min. 42 sec. East 48.80 feet, North 71 deg. 59 min. 20 sec. East 65.30 feet, North 61 deg. 18 min. 36 sec. East 91.73 feet, North 49 deg. 04 min. 06 sec. East 132.17 feet, North 45 deg. 04 min. 26 sec. East 304.08 feet, North 39 deg. 59 min. 13 sec. East 74.83 feet, North 32 deg. 49 min. 07 sec. East 152.77 feet, North 42 deg. 39 min. 30 sec. East 83.72 feet, South 47 deg. 17 min. 07 sec. East 119.31 feet and South 84 deg. 32 min. 11 sec. East 571.68 feet to an existing iron pipe; thence North 08 deg. 12 min. 03 sec. East 644.18 feet to an 18" marked Spanish Oak; thence with the line of Dalton Property Associates (Deed Book 461 Page 1242) South 83 deg. 38 min. 35 sec. East 399.58 feet to an existing iron pipe, Catherine Reynolds corner (Deed Book 545 Page 1305); thence with the Reynolds line South 81 deg. 49 min. 51 sec. East 1805.36 feet to an existing ¾" pipe; thence North 05 deg. 32 min. 32 sec. East 1007.37 feet to an existing iron pipe at a Black Gum; thence South 85 deg. 08 min. 23 sec. East 229.83 feet to an iron pipe; thence North 06 deg. 08 min. 51 sec. East 164.93 feet to an iron pipe; thence South 81 deg. 41 min. 36 sec. East 681.18 feet to a solid iron; thence North 07 deg. 25 min. 36 sec. East 196.02 feet to an iron pipe, a corner for Susan Reynolds, et. al property (Deed 394 Page 285); thence with the Susan Reynolds line North 70 deg. 24 min. 59 sec. East 296.65 feet, North 75 deg. 57 min. 28 sec. East 249.59 feet, North 70 deg. 53 min. 52 sec. East 206.15 feet, North 52 deg. 36 min. 10 sec. East 179.78 feet, North 46 deg. 09 min. 14 sec. East 245.95 feet, North 53 deg. 12 min. 09 sec. East 107.28 feet, North 30 deg. 13 min. 20 sec. East 279.59 feet to an existing iron pipe; thence with the Joseph Mickey property line the following 3 courses and distances: South 08 deg. 12 min. 07 sec. West 1082.32 feet to an iron, South 83 deg. 05 min. 41 sec. East 1304.78 feet, North 06 deg. 59 min. 47 sec. East 1698.59 feet to an iron pipe; thence South 83 deg. 02 min. 33 sec. East 1341.93 feet to an existing iron pipe; thence South 83 deg. 22 min. 38 sec. East 2168.80 feet to an iron pipe; thence the Dwight Moore, et. al property (Deed Book 341 Page 479) as follows: South 06 deg. 24 min. 46 sec. West 1118.43 feet to a rebar, South 83 deg. 21 min. 26 sec. East 174.39 feet to a rebar, South 62 deg. 20 min. 15 sec. East 538.76 feet to a rebar, South 84 deg. 46 min. 57 sec. East 517.93 feet to a rebar, South 74 deg. 09 min. 39 sec. East 634.22 feet to a rebar, North 55 deg. 29 min. 40 sec. East 162.50 feet to a rebar, North 40 deg. 29 min. 40 sec. East 425.00 feet to a rebar, North 65 deg. 29 min. 40 sec. East 195.50 feet to a rebar; thence South 80 deg. 20 min. 20 sec. East 661.95 feet to a rebar, Lynn Bryant property (Deed Book 573 Page 419); thence with the Bryant line South 80 deg. 19 min. 54 sec. East 746.75 feet to an existing spike in a soil road; thence

South 80 deg. 33 min. 07 sec. East 2192.92 feet to a rebar; thence with the line of Michael Hutchenson property (Deed Book 864 Page 785) South 05 deg. 06 min. 31 sec. West 3304.40 feet to a rebar set in Old Ridge Road; thence with the Old Ridge Road as follows: South 44 deg. 30 min. 49 sec. East 82.09 feet, South 42 deg. 21 min. 52 sec. East 208.86 feet, South 42 deg. 00 min. 06 sec. East 366.86 feet, South 64 deg. 21 min. 18 sec. East 100.50 feet, South 60 deg. 46 min. 24 sec. East 72.81 feet, South 78 deg. 15 min. 16 sec. East 128.16 feet to a rebar set in the Old Ridge Road; thence continuing with the Old Ridge Road South 76 deg. 23 min. 26 sec. East 205.66 feet, South 64 deg. 07 min. 32 sec. East 144.22 feet, South 31 deg. 24 min. 10 sec. East 118.80 feet, South 41 deg. 01 min. 16 sec. East 155.71 feet to a rebar; thence continuing with the Old Ridge Road South 37 deg. 24 min. 33 sec. East 246.24 feet, South 13 deg. 08 min. 03 sec. East 89.47 feet, South 01 deg. 26 min. 54 sec. East 191.60 feet, South 00 deg. 54 min. 26 sec. West 126.79 feet to a rebar in the Old Ridge Road; thence South 44 deg. 29 min. 23 sec. West 1872.16 feet to the property line of H. W. Hayes, et. al (Deed Book 243 Page 494); thence with the Hayes line North 43 deg. 34 min. 47 sec. West 88.73 feet, South 54 deg. 52 min. 13 sec. West 15.62 feet, North 45 deg. 40 min. 06 sec. West 50.24 feet, North 10 deg. 06 min. 53 sec. East 36.11 feet, North 31 deg. 50 min. 42 sec. West 49.25 feet, South 83 deg. 15 min. 04 sec. West 16.97 feet, North 16 deg. 43 min. 49 sec. West 26.08 feet, North 46 deg. 19 min. 58 sec. West 39.03 feet, South 75 deg. 27 min. 12 sec. West 26.09 feet, South 88 deg. 47 min. 41 sec. West 41.52 feet, South 21 deg. 50 min. 42 sec. East 17.46 feet, South 81 deg. 18 min. 18 sec. West 41.26 feet, South 18 deg. 59 min. 44 sec. West 23.93 feet, North 84 deg. 22 min. 39 sec. West 52.20 feet, South 89 deg. 59 min. 09 sec. West 44.86 feet, North 26 deg. 12 min. 19 sec. West 34.94 feet, South 49 deg. 42 min. 19 sec. West 36.74 feet, North 73 deg. 23 min. 24 sec. West 127.54 feet, North 81 deg. 44 min. 27 sec. West 65.70 feet, South 60 deg. 14 min. 56 sec. West 71.39 feet, South 55 deg. 02 min. 36 sec. West 41.28 feet; thence South 06 deg. 56 min. 28 sec. West 1946.48 feet to a rebar; thence South 83 deg. 47 min. 57 sec. East 1384.34 feet to a rebar set in a branch; thence with the center of branch as follows: North 33 deg. 25 min. 45 sec. East 213.00 feet, North 55 deg. 17 min. 26 sec. East 321.64 feet, North 57 deg. 21 min. 43 sec. West 143.00 feet, North 22 deg. 57 min. 42 sec. East 178.09 feet, North 06 deg. 39 min. 04 sec. West 119.14 feet, North 57 deg. 17 min. 08 sec. West 100.53 feet, North 09 deg. 59 min. 20 sec. West 36.91 feet, North 87 deg. 42 min. 42 sec. West 234.45 feet, North 11 deg. 02 min. 34 sec. West 235.12 feet, North 18 deg. 25 min. 52 sec. East 127.28 feet, South 38 deg. 42 min. 14 sec. West 117.47 feet, North 11 deg. 52 min. 20 sec. West 250.90 feet, North 33 deg. 15 min. 07 sec. East 98.33 feet, North 73 deg. 39 min. 06 sec. West 219.32 feet, North 29 deg. 36 min. 16 sec. East 178.82 feet, North 76 deg. 17 min. 11 sec. West 205.84 feet, North 61 deg. 28 min. 53 sec. East 139.83 feet, North 30 deg.01 min. 59 sec. West 147.12 feet and North 54 deg. 57 min. 24 sec. West 85.12 feet to a point; thence leaving the branch North 44 deg. 29 min. 23 sec. East 1872.16 feet to a rebar in the Old Ridge Road; thence with the Old Ridge Road the following 5 courses and distances: South 20 deg. 15 min. 48 sec. East 76.28 feet, South 14 deg. 43 min. 11 sec. East 123.53 feet, South 17 deg. 11 min. 13 sec. East 91.79 feet, South 26 deg. 04 min. 43 sec. East 61.13 feet, South 39 deg. 36 min. 37 sec. East 71.27 feet; thence North 51 deg. 43 min. 39 sec. East 1013.56 feet to a rebar; thence South 29

deg. 58 min. 10 sec. East 331.09 feet, South 00 deg. 33 min. 03 sec. East 395.22 feet, South 07 deg. 19 min. 21 sec. West 226.46 feet, South 65 deg. 41 min. 16 sec. East 446.31 feet, thence North 57 deg. 44 min. 38 sec. East 545.29 feet, North 29 deg. 38 min. 51 sec. East 234.38 feet, North 36 deg. 30 min. 26 sec. East 147.48 feet, North 55 deg. 22 min. 19 sec. East 364.71 feet, North 86 deg. 13 min. 20 sec. East 60.00 feet, North 03 deg. 46 min. 40 sec. West 179.47 feet, North 02 deg. 50 min. 27 sec. East 115.62 feet North 22 deg. 23 min. 16 sec. East 43.90 feet, North 50 deg. 18 min. 06 sec. East 201.52 feet, South 86 deg. 56 min. 40 sec. East 43.14 feet, South 87 deg. 10 min. 22 sec. East 165.35 feet to an existing railroad spike in SR 1330; thence running South 11 deg. 39 min. 34 sec. West 917.45 feet to an existing iron pipe on the bank of Old Ridge Road; thence South 64 deg. 02 min. 06 sec. West 253.35 feet to a point; thence continuing with the Old Ridge Road the following courses and distances: South 79 deg. 59 min. 49 sec. West 151.52 feet, South 50 deg. 09 min. 33 sec. West 78.36 feet, South 30 deg. 57 min. 01 sec. West 168.36 feet, South 06 deg. 18 min. 51 sec. West 158.95 feet, South 20 deg. 01 min. 30 sec. West 140.85 feet, South 40 deg. 12 min. 50 sec. West 190.47 feet, South 59 deg. 25 min. 49 sec. West 327.06 feet, South 89 deg. 44 min. 38 sec. West 216.34 feet, North 83 deg. 39 min. 50 sec. West 340.28 feet, North 76 deg. 04 min. 38 sec. West 148.62 feet, North 61 deg. 23 min. 42 sec. West 86.07 feet, North 37 deg. 07 min. 42 sec. West 184.59 feet, North 27 deg. 40 min. 12 sec. West 196.99 feet to a rebar set in Old Ridge Road; thence South 29 deg. 14 min. 46 sec. West 1081.33 feet to an iron pipe; thence South 09 deg. 41 min. 33 sec. West 898.86 feet to an iron pipe; thence South 34 deg. 20 min. 28 sec. West 704.78 feet to a rebar; thence South 45 deg. 45 min. 14 sec. East 184.50 feet to a rebar; thence South 07 deg. 33 min. 25 sec. West 996.26 feet to a rebar; thence North 82 deg. 26 min. 06 sec. West 72.60 feet to a rebar set in a soil road; thence South 07 deg. 33 min. 54 sec. West 997.28 feet to an existing iron pipe; thence South 05 deg. 24 min. 13 sec. West 215.83 feet to a 12" marked red Oak with ½" rebar set on a line at 25 feet; thence with the line of M. Burton property (Deed Book 335 Page 126) North 86 deg. 14 min. 56 sec. West 547.50 feet to an iron pipe; thence with the line of A. Childress North 79 deg. 55 min. 31 sec. West 1319.56 feet to an iron pipe; thence North 04 deg. 02 min. 49 sec. East 165.08 feet to an iron; thence North 02 deg. 55 min. 06 sec. West 405.29 feet to an iron pipe; thence South 84 deg. 04 min. 15 sec. West 395.83 feet to an iron pipe; thence North 64 deg. 57 min. 54 sec. West 151.86 feet to an iron pipe; thence South 88 deg. 20 min. 02 sec. West 342.83 feet to an iron; thence North 55 deg. 10 min. 30 sec. West 227.91 feet to an iron; thence South 79 deg. 15 min. 10 sec. West 421.90 feet to an iron pipe; thence North 60 deg. 26 min. 44 sec. East 279.00 feet to an iron pipe; thence North 16 deg. 20 min. 18 sec. West 658.72 feet to an iron pipe; thence North 09 deg. 01 min. 19 sec. East 113.20 feet to an iron pipe; thence North 17 deg. 41 min. 19 sec. East 216.84 feet to an iron pipe; thence North 12 deg. 19 min. 13 sec. West 85.87 feet to an iron pipe; thence North 04 deg. 29 min. 56 sec. West 99.45 feet to an iron pipe; thence North 46 deg. 09 min. 25 sec. West 980.79 feet to an iron pipe; thence North 17 deg. 11 min. 30 sec. West 729.53 feet to an existing iron pipe at an old road bed; thence North 20 deg. 53 min. 57 sec. West 168.51 feet to an existing iron pipe; thence North 68 deg. 47 min. 07 sec. East 276.28 feet to an iron pipe; thence North 06 deg. 46 min.

23 sec. East 1552.16 feet to an iron pipe; thence North 79 deg. 59 min. 56 sec. West 512.30 feet to a rebar; thence North 05 deg. 29 min. 17 sec. East 524.77 feet to an existing iron pipe; thence North 84 deg. 31 min. 33 sec. West 1016.18 feet to an existing Granite Monument; thence North 04 deg. 57 min. 23 sec. East 386.94 feet to a rebar; thence North 04 deg. 57 min. 23 sec. East 203.70 feet to a rebar; thence North 10 deg. 34 min. 42 sec. East 920.74 feet to a rebar; thence North 79 deg. 19 min. 28 sec. West 231.00 feet to a rebar; thence North 10 deg. 40 min. 32 sec. East 891.00 feet to a rebar; thence North 48 deg. 09 min. 28 sec. West 396.00 feet to a rebar on Mtn.; thence North 88 deg. 26 min. 10 sec. West 1483.89 feet to a rebar; thence North 07 deg. 31 min. 01 sec. East 250.31 feet to an iron pipe; thence North 65 deg. 40 min. 05 sec. West 311.59 feet to an iron pipe; thence North 84 deg. 22 min. 33 sec. West 383.84 feet to an iron pipe; thence North 65 deg. 30 min. 43 sec. West 962.50 feet to an iron pipe; thence North 77 deg. 06 min. 20 sec. West 353.56 feet to a rebar; thence South 53 deg. 43 min. 57 sec. West 264.00 feet to a rebar; thence South 05 deg. 43 min. 57 sec. West 990.00 feet to a rebar; thence North 84 deg. 16 min. 03 sec. West 250.00 feet to a rebar; thence North 39 deg. 16 min. 03 sec. West 726.00 feet to a rebar; thence North 83 deg. 35 min. 33 sec. West 800.61 feet to a rebar; thence South 05 deg. 24 min. 27 sec. West 673.68 feet to a rebar; thence North 83 deg. 35 min. 33 sec. West 445.04 feet to an iron pipe; thence North 83 deg. 35 min. 33 sec. West 478.96 feet to a rebar; thence North 05 deg. 24 min. 27 sec. East 735.00 feet to a rebar; thence North 83 deg. 34 min. 30 sec. West 1188.19 feet to a rebar; thence South 05 deg. 24 min. 27 sec. West 549.10 feet to a rebar; thence North 84 deg. 35 min. 33 sec. West 264.00 feet to a rebar; thence North 05 deg. 24 min. 27 sec. East 297.00 feet to a rebar; North 84 deg. 35 min. 33 sec. West 891.00 feet to a rebar; thence South 48 deg. 02 min. 10 sec. West 2979.89 feet to an existing iron pipe, the point of BEGINNING and containing 1716.16 acres, more or less.

For back references see the following:

Deed Book 670 Page 491
Deed Book 635 Page 157
Deed Book 650 Page 154
Deed Book 648 Page 503
Deed Book 635 Page 161
Plat Book 14 Page 1, 2 and 3
Plat Book 14 Page 45
Plat Book 14 Page 78
Plat Book 13 Page 95

The above description is the revised property survey as prepared by John S. Steele, PLS, L-1474 dated December 8, 2003 and revised January 7, 2004.

"LENS KNOB" LEGAL DESCRIPTION

BEING 435.78 acres as surveyed by John S. Steele, PLS, L-1474 NC dated December 10, 2003, located in Bryan Township, Surry County and described as follows:

BEGINNING at an existing iron pipe in the line of Christine B. Walker (Deed Book 420 Page 1080), said iron pipe being located North 82 deg. 17 min. 25 sec. East 638.94 feet from an existing spike in a bridge which spike is located South 22 deg. 45 min. 40 sec. East 100.03 feet from the corner of a block dwelling and running thence with the Walker line North 03 deg. 55 min. 00 sec. East 661.39 feet to an iron pipe; thence South 87 deg. 55 min. 40 sec. East 567.90 feet to an iron pipe; thence South 01 deg. 27 min. 41 sec. West 327.74 feet to an iron pipe; thence South 87 deg. 52 min. 49 sec. East 281.29 feet to an iron pipe; thence South 02 deg. 22 min. 16 sec. West 947.07 feet to an iron pipe; thence North 57 deg. 00 min. 00 sec. East 263.48 feet to an iron pipe; thence North 02 deg. 12 min. 41 sec. East 2916.99 feet to a rebar; thence South 75 deg. 52 min. 19 sec. East 233.17 feet to a rebar located 25.00 feet from a marked double red Oak; thence South 06 deg. 25 min. 19 sec. West 219.72 feet to a rebar near a marked Chestnut Oak; thence South 86 deg. 33 min. 33 sec. East 702.79 feet to a rebar; thence South 04 deg. 03 min. 18 sec. West 991.85 feet to a rebar; thence South 25 deg. 31 min. 40 sec. East 692.10 feet to a rebar; thence North 84 deg. 45 min. 48 sec. West 798.59 feet to a rebar; thence South 16 deg. 45 min. 48 sec. East 1066.09 feet to an existing iron pipe; thence South 16 deg. 45 min. 48 sec. East 251. 42 feet to a rebar; thence South 16 deg. 45 min. 48 sec. East 1530.71 feet to a rebar; thence South 16 deg. 45min. 48 sec. East 76.13 feet to a rebar; thence North 75 deg. 14 min. 12 sec. East 1432.00 feet to existing Monument No. 1028; thence South 15 deg. 12 min. 37 sec. East 1457.28 feet to an iron pipe; thence North 85 deg. 39 min. 39 sec. West 1025.00 feet to an iron pipe; thence South 07 deg. 00 min. 02 sec. West 350.32 feet to an iron pipe; thence South 84 deg. 03 min. 40 sec. East 1158.35 feet to an iron pipe; thence South 40 deg. 03 min. 11 sec. East 1796.80 feet to a point in the soiled road; thence South 40 deg. 03 min. 11 sec. East 501.31 feet to an existing rebar; thence South 06 deg. 47 min. 23 sec. East 328.36 feet to an iron pipe; thence South 84 deg. 46 min. 29 sec. East crossing an existing Monument No. 1026 for a distance of 182.18 feet to an existing iron pipe; thence South 05 deg. 16 min. 17 sec. West crossing a soiled road for a distance of 822.59 feet to an existing iron pipe in a large Pine snag; thence with the line of Richard J. Reynolds, North 82 deg. 18 min. 15 sec. West 2402.00 feet to a red Oak; thence North 11 deg. 41 min. 45 sec. East 792.00 feet to an iron pipe; thence with the line of Dorothy S. Reynolds North 80 deg. 24 min. 25 sec. West passing over an iron pipe at a distance of 2208.12 feet for a total distance of 2258.12 feet to the center of Saddle Mountain Creek; thence up the center of Saddle Mountain Creek the following courses and distances: North 26 deg. 33 min. 22 sec. West 117.95 feet, North 02 deg. 55 min. 38 sec. East 190.17 feet, North 35 deg. 02 min. 48 sec. West 200.77 feet, North 77 deg. 51 min. 39 sec. West 93.40 feet, North 27 deg. 29 min. 05 sec. West 224.05 feet, North 24 deg. 09 min. 04 sec. West 96.38 feet, North 42 deg. 09 min.

02 sec. West 288.87 feet, North 20 deg. 46 min. 08 sec. West 69.38 feet, North 13 deg. 44 min. 41 sec. West 63.79 feet, North 43 deg. 44 min. 23 sec. West 120.91 feet, North 52 deg. 20 min. 43 sec. West 382.81 feet, North 17 deg. 43 min. 23 sec. West 51.29 feet, North 15 deg. 39 min. 08 sec. East 51.79 feet, North 33 deg. 05 min. 24 sec. East 147.07 feet, North 22 deg. 07 min. 11 sec. East 139.56 feet, North 04 deg. 48 min. 21 sec. West 156.20 feet, North 24 deg. 11 min. 42 sec. West 68.83 feet, North 34 deg. 45 min. 11 sec. West 391.52 feet, North 30 deg. 28 min. 16 sec. West 275.04 feet, North 26 deg. 37 min. 53 sec. West 115.99 feet, North 14 deg. 12 min. 14 sec. West 168.79 feet; thence leaving Saddle Mountain Creek and running South 86 deg. 42 min. 36 sec. East passing over a ¾" pipe on the east bank of Saddle Mountain Creek 875.88 feet to an iron pipe; thence North 03 deg. 43 min. 27 sec. East 660.12 feet to a pipe; thence North 29 deg. 20 min. 15 sec. West 428.97 feet to an iron pipe; thence North 22 deg. 35 min. 59 sec. West 382.84 feet to an iron pipe; thence North 04 deg. 31 min. 03 sec. East 870.21 feet to an iron pipe; thence North 85 deg. 31 min. 34 sec. West 628.60 feet to the BEGINNING iron pipe and containing 435.78 acres, more or less.

For a back deed reference see Deed Book 670 Page 713, Plat Book 14 Page 11, and Deed Book 612 Page 32 of the Wilkes County Registry.

EXHIBIT B

1) Thirty-foot easement and right of way recorded at Surry County Register of Deeds in Book 635, Page 174;

2) Easement for purpose of constructing runway or overflows for a dam recorded at Surry County Register of Deeds in Book 227 Page 637;

3) Right of way for NCSR 1328 (Haystack Road); and

4) All other restrictions, easements and rights-of-way of record.