05/09/2002
$4,400.00 8

STATE OF NORTH CAROLINA Real Estate Excise Tax

Excise Tax

Brunswick County--Register of Deeds
Robert J. Robinson
Inst #113843 Book 1584 Page 712
05/09/2002 12:03:04pm Rec# 107080

Recording Time, Book and Page

Tax Lot No. ..... Parcel Identifier No. .....

Verified by ..... County on the ..... day of ....., 19.....

by .....

Mail after recording to POYNER & SPRUILL LLP (HGD), PO Box 10096, Raleigh, NC 27605-0096

This instrument was prepared by POYNER & SPRUILL LLP (HGD)

Brief description for the Index Tract 2 - Bird Island

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 26th day of APRIL, ~~19~~ 2002, by and between

GRANTOR	GRANTEE
BIRD ISLAND COMPANY, L.L.C., a North Carolina limited liability company	STATE OF NORTH CAROLINA PO Box 629 Raleigh, NC 27620-0629

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.q. corporation or partnership.

The designation 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, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of ....., Shallotte Township, Brunswick County, North Carolina and more particularly described as follows:

Being all of Tract 2 according to a Map of Survey by Brunswick Surveying, Inc. dated December 10, 2001 entitled State of North Carolina Bird Island recorded in Map Cabinet 25, Page 232, Brunswick County Registry.

TS	AUX	CON	GR	PCL	SPL
6	0	2630	0	001	0
MAP	MPSUF	BLK	PIN	SUF	INT

RET Mrs Edna / FFY
TOTAL 23- REV 4400 TC# 50
REC# ____ CK AMT 4423 CK# 7189
CASH ____ REF ____ BY JS

N.C. Bar Assoc. Form No. 3 © 1976, Revised 1977.
Printed by Agreement with the N.C. Bar Assoc.-1981.

Inst # 113843 Book 1584Page: 713

The property hereinabove described was acquired by Grantor by instrument recorded in .....

.....

A map showing the above described property is recorded in Plat ~~Book~~ Cabinet 25 page 232.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.
Title to the property hereinabove described is subject to the following exceptions:

See Exhibit A attached hereto and by this reference made a part hereof.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BIRD ISLAND COMPANY, L.L.C.
By: _____ (SEAL)

_____ (Corporate Name)

By: _____

_____ President

ATTEST:

_____

_____ Secretary (Corporate Seal)

USE BLACK INK ONLY

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

SEAL-STAMP

Use Black Ink

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____ _____ Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

SEAL-STAMP

Use Black Ink

NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that ____ he is _____ Secretary of _____ a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary.

Witness my hand and official stamp or seal, this _____ day of _____, 19_____.

My commission expires: _____ _____ Notary Public

The foregoing Certificate(s) of _____

_____

_____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant - Register of Deeds

COLORADO

Inst # 113843 Book 1584Page: 714

COUNTY OF Pitkin

I, a Notary Public of the County and State aforesaid, certify that Morgan Rees Roag personally appeared before me, who, being by me duly sworn, says that he/she is Manager/Member of Bird island Company, L.L.C., a North Carolina limited liability company, and that the said writing was signed by him/her in behalf of said limited liability company as his/her act and deed and as the act and deed of said limited liability company.,

WITNESS my hand and notarial seal, this 26th day of April, 2002.

Susan Dillingham
Notary Public

My Commission Expires:

Susan Dillingham
601 E. Hopkins, Suite 201
Aspen, CO 81611
My Commission Expires: Oct. 14, 2002

SUSAN DILLINGHAM NOTARY PUBLIC STATE OF COLORADO

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

The Foregoing (or annexed) Certificate(s) of SUSAN DILLINGHAM

Notary(ies) Public is (are) Certified to be Correct.
This Instrument was filed for Registration on this 9th Day of May 2002
in the Book and page shown on the First Page hereof.

Robert J. Robinson /JS
ROBERT J. ROBINSON, Register of Deeds

RALEIGH/333814 v.1

UNCERTIFIED

EXHIBIT A to Deed dated 12/21/01 from
BIRD ISLAND COMPANY, L.L.C., a North Carolina Limited Liability Company
to
STATE OF NORTH CAROLINA

1. All assessments and taxes for the year 2002, and all subsequent years.

2. Any encroachments, easements, measurements, variations in area or content, party walls, or other facts which a correct survey of the premises would show

3. Roads, ways, streams or easements, or claims of easements, if any, not shown by the public records, riparian rights and the title to any filled-in lands.

4. The Declaration of Final Resolution of Claim to Submerged Lands recorded in Book 1364 at page 431 of the Brunswick County Registry.

5. All those rights acquired by the United States of America as set forth in that Declaration of Taking recorded in Book 466 at page 38 of the Brunswick County Registry.

6. All those exceptions described on Exhibit B to a deed from Janie Pace Price, Widow, to Bird Island Company, L.L.C., recorded in Book 1108 at Page 763 of the Brunswick County Registry.

7. Any part of the property that is "public water" held by the State and subject to public trust rights as defined in NCGS 1-45.1. Title to any portions of the property lying below the high water mark of the Atlantic Ocean; riparian right; all rights, title and interest, if any of the public to use any part of the land seaward of the most extreme high water mark of the Atlantic Ocean; any Federal, State, County or Local claims, easements and ordinances affecting waterfront property including any rights of the U.S. Corps of Engineers; Coastal Area Management Commission regulations.

8. Lack of access to and from the subject property.

UNCERTIFIED