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CABARRUS COUNTY NC
WAYNE NIXON
REGISTER OF DEEDS

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MKL

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

SPO# 13-AS

EEP# 92556 Stricker Branch Project

Prepared by: Attorney General's Office
Property Control Section
Return to: Blane Rice, State Property Office
1321 Mail Service Center
(ENV) Raleigh, NC 27699-1321

RELEASE OF A PORTION

OF CONSERVATION EASEMENT

AREA AND QUITCLAIM DEED

(DB 7527 PG 154, DB 7578 PG 29)

THIS RELEASE OF A PORTION OF CONSERVATION EASEMENT AREA and QUITCLAIM DEED, is made as of the date set forth in the notary acknowledgement below, by the STATE OF NORTH CAROLINA (the "State"), a sovereign entity with a mailing address of North Carolina Department of Administration, State Property Office, 1321 Mail Service Center, Raleigh, NC 27699-1321, hereinafter Party of the First Part and SOUTHPAW INVESTORS, L.L.C., a North Carolina limited liability company hereinafter Party of the Second Part,

WITNESSETH:

THAT, WHEREAS Southpaw Investors, L.L.C. owns a parcel of land that contains approximately 48 +/- acres as described in Deed Book 5400 Page 288 Cabarrus County Registry recorded June 25, 2004 ("the Property") and conveyed a 4.712 acre Conservation Easement to Mid Atlantic Mitigation, L.L.C. in an instrument dated April 27, 2007, and recorded in Deed Book 7527 , Page 154 and Map Book 51 Page 46, Cabarrus County Registry, and

WHERAS Mid Atlantic Mitigation, L.L.C. assigned the above referenced Conservation Easement to the State of North Carolina in an instrument recorded June 4, 2007 in Deed Book 7578 Page 28, Cabarrus County Registry, and

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WHEREAS, the parties hereto desire for the party of the First Part to release and quitclaim all its interest in a portion of "the Property" conveyed in the Conservation Easement Deed recorded in Deed 7527 Page 154 and assigned in Deed Book 7578 Page 29, Cabarrus County Registry to the party of the Second Part.

NOW, THEREFORE, the Party of the First Part, in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby releases and forever quitclaims unto the Party of the Second Part, their heirs and assigns, all right, title, claim and interest in and to those certain portions of the Conservation Easement Deed as shown on **"Exhibit A"** attached and further identified as

1) Exclusion Area 1 from Easement 3-B containing 723 square feet or 0.017acre

2) Exclusion Area 2 from Easement 3-A containing 2644 square feet or 0.061 acre

as shown on map of record entitled "Conservation Area Survey for the State of North Carolina, SPO 13-AS, EEP # 92556," dated December 30, 2013, prepared by Ruby Goodwin, PLS (L-3485), and recorded in Map Book 64 Page 108 of the Cabarrus County Registry.

TO HAVE AND TO HOLD the aforesaid portions of the tract or parcel of land free from the restrictions and covenants previously placed on the property by the Conservation Easement recorded in Deed 7527 Page 154 and Deed Book 7578 Page 29, Cabarrus County Registry.

IN TESTIMONY WHEREOF, the STATE OF NORTH CAROLINA has caused this instrument to be executed in its name by SPEROS FLEGGAS, Senior Deputy Secretary, Department of Administration.

STATE OF NORTH CAROLINA

By: _____
Speros Fleggas
Senior Deputy Secretary

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, Marion B. Patrick, a Notary Public in and for the aforesaid County of Wake and the State of North Carolina, do certify that Speros Fleggas, personally came before me this day and acknowledged that he is Senior Deputy Secretary, Department of Administration, State of North Carolina, and that by authority duly given and as the act of the State, has signed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the 4th day of February, 2014.

Marion B. Patrick
Notary Public

Print name: Marion B. Patrick

My Commission Expires: August 10, 2014

MARION B. PATRICK
NOTARY
PUBLIC
WAKE COUNTY, N.C.

EXHIBIT "A"
LEGAL DESCRIPTION

LYING AND BEING IN CABARRUS COUNTY, TWP # 12, CONCORD, N.C.
TWO AREAS TO BE EXCLUDED FROM AN EXISTING CONSERVATION EASEMENT ALONG STRICKER BRANCH, REF. MAP BOOK 51, PAGE 46 AND BEING PORTIONS OF THE PROPERTY OF SOUTHPAW INVESTORS, LLC, DEED BOOK 5400, PAGE 288 AND TAX PARCEL ID # 5620 29 3530.
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

POINT OF BEGINNING (POB #1), AN EXISTING CONSERVATION EASEMENT CORNER, IS 2 CALLS OF METES AND BOUNDS FROM A NEWLY ESTABLISHED GPS CONTROL POINT, A SET "MAG" NAIL, NC GRID-NAD 83(2011) COORDINATES, N: 608,560.41, E: 1,522,322.94; 1)N 27°45'36" W, 44.56' TO AN EXISTING "MAG" NAIL AT THE POINT OF INTERSECTION OF THE WEST EDGE OF A 30' SANITARY SEWER EASEMENT AND THE NORTH EDGE OF A 60' EMERGENCY & NON-EXCLUSIVE ACCESS EASEMENT, LABELED #2 ON ACCOMANDING PLAT,; THENCE WITH THE WEST EDGE OF SAID SANITARY SEWER EASEMENT, 2)N 19°57'13" W, 55.57'.

EXCULSION AREA 1 COMMENCES FROM SAID POINT OF BEGINNING (#1) AND IS DESCRIBED AS FOLLOWS:
S 19°57'13" E, 55.57' WITH THE WEST EDGE OF AN EXISTING 30' SANITARY SEWER EASEMENT TO AN EXISTING "MAG" NAIL (#2); THENCE S 63°37'44" W, 19.35' WITH THE NORTH EDGE OF A 60' EMERGENCY & NON-EXCLUSIVE ACCESS EASEMENT TO AN EXISTING CONSERVATION EASEMENT CORNER (#3); THENCE 2 NEW LINES OF THE CONSERVATION EASEMENT, 1)N 19°57'13" W, 19.66' TO A NEW EASEMENT CORNER (#4); THENCE 2)N 6°50'36" E, 42.65' TO THE POINT OF BEGINNING (#1), CONTAINING 723 SQ. FT. / 0.017 ACRES MORE OR LESS.

N 19°57'13" W, 738.10' FROM SAID SAME POINT OF BEGINNING (#1) TO A NEW EASEMENT CORNER (#7), **EXCULSION AREA 2** COMMENCES AND IS DESCRIBED AS FOLLOWS:
2 NEW LINES OF THE CONSERVATION EASEMENT, 1)S 83°08'29" E, 44.42' TO A NEW CONSERVATION EASEMENT CORNER (#8); THENCE 2)S 19°57'13" E, 66.29' TO AN EXISTING CONSERVATION EASEMENT CORNER (#5); THENCE WITH 2 FORMER CONSERVATION EASEMENT LINES 1)N 79°29'40" W, 48.98' TO AN EXISTING REBAR (#6); THENCE 2)N 17°33'34" W, 61.55', CONTAINING 2,644 SQ. FT. / 0.061 ACRES MORE OR LESS.

EXCULSION AREAS 1 & 2 ARE SHOWN ON A PLAT OF RECORD IN THE CABARRUS COUNTY REGISTER OF DEEDS OFFICE, MAP BOOK 64, PAGE 108.