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CABARRUS COUNTY
FILED
06/04/2007 12:06 PM
LINDA F. MCABEE
Register of Deeds
By. _____ Deputy/Asst.
EXCISE TAX $0.00

Instrument prepared by:
PIN NO: Portion of 5620380241
Mail after recording to:
Blane Rice
State Property Office, Dept. Of Administration,
1321 Mail Service Center, Raleigh, NC 27699-1321

State of North Carolina

ASSIGNMENT OF CONSERVATION EASEMENT

County of Cabarrus

THIS ASSIGNMENT is made on the ____ day of _____ 2007, by and between ***MID ATLANTIC MITIGATION, LLC, A NC LIMITED LIABILITY COMPANY,*** (**"Assignor"**) 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 **ASSIGNOR** for the purchase of a Conservation Easement over real property situated along the Yadkin River Basin 03040105, Rocky River Drainage Basin, and

WHEREAS, pursuant to the funding, the **ASSIGNOR** has, on the 5th day of January, 2007, acquired a Conservation Easement, over the property of Tina M. Kapadia and Rishi M. Kapadia Trust, which easement is recorded in Deed Book 7262, Page 264, Cabarrus County Registry: and

WHEREAS, in furtherance of the terms and conditions of the Grant Agreement, the **ASSIGNOR** 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 the **ASSIGNOR**; the mutual benefits accruing to the **State**, the **ASSIGNOR**, 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, the **ASSIGNOR** 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

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interest (and subject to all conditions contained therein), in that Conservation Easement conveyed to the **ASSIGNOR** by Tina M. Kapadia and Rishi M. Kapadia Trust dated the 5th day of January, 2007, and recorded in Deed Book 7262, Page, 264 Cabarrus County Registry.

The **ASSIGNOR** 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** 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** will warrant and defend title to the same against the claims of all persons whomsoever.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the **ASSIGNOR**, has executed the foregoing in its corporate name, under seal, signed by the Manager with proper authorization by ***Assignor or BOARD***, the date and year first above written.

ASSIGNOR:

Mid-Atlantic Mitigation, LLC, a NC limited liability company

By: _____
Name: Douglas Cordello
Title: Manager

STATE OF Florida

COUNTY OF Lee

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Douglas Cordello, whose identity has been proven by satisfactory evidence, said evidence being:

- [x] I have personal knowledge of the identity of the principal(s)
- [ ] I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____
- [ ] A credible witness has sworn to the identity of the principal(s);

who is the Manager of Mid-Atlantic Mitigation, LLC, a NC limited liability company, personally appeared before me this day and acknowledged that (s)he is Manager of Mid-Atlantic Mitigation, LLC and that as Manager being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said company for the purposes stated therein.

Witness my hand and seal, this the 1st day of June, 2007

_____
Notary Public
Print Name: Lori Jordan

My Commission Expires: 10-2-08

[AFFIX NOTARY SEAL BELOW-NOTE THAT SEAL MUST BE **FULLY LEGIBLE**]

LORI JORDAN
MY COMMISSION # DD 325306
EXPIRES: October 2, 2008
Bonded Thru Notary Public Underwriters

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