

T. R. THOMPSON, JR., ATTORNEY AT LAW, AURORA, NORTH CAROLINA



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Scotland County, NC
Jane P. Callahan Register of Deeds
File# 2004-00001184

BK **901** PG **325-329**

STATE OF NORTH CAROLINA

COUNTY OF SCOTLAND

THIS DEED OF EASEMENT AND RIGHT OF WAY, Made and entered into this 16 day of march, 2004, by and between Z. V. Pate, Inc., a North Carolina corporation, party of the first part **Return:** and Brunswick Timber, LLC, a Delaware limited liability company, whose address is 15 Piedmont Center, Suite 1250, Atlanta, Georgia 30005, party of the second part;

W I T N E S S E T H :

That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations to it in hand paid, by the party of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto the said party of the second part, its successors and assigns, a non-exclusive, permanent and perpetual easement and right of way over and upon the property hereinafter described for the purposes of ingress, egress and regress and said property is lying and being in Scotland County, State of North Carolina, and more particularly described as follows:

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Beginning at a point in the eastern edge of the right of way of North Carolina State Road Number 1331, in the northern property line of the Z. V. Pate, Inc., "Henry Malloy Place", as shown on the attached sketch (EXHIBIT "A"), and running thence in an eastward direction to the property line of the party of the second part as shown on the attached sketch (EXHIBIT "A"), the point of termination of the easement and right of way. This easement and right of way is thirty (30') feet in width and has as its northern line the northern line of the Z. V. Pate, Inc., "Henry Malloy Place".

The easement and right of way is shown on the attached sketch (EXHIBIT "A") and identified by the letters "ROW" and further reference is hereby made to said sketch for a more complete and accurate description of this easement and right of way.

This easement and right of way is subject to the following terms and conditions:

- (1) When the road is built the party of the second part will pay the party of the first part the current market value of any trees and timber cut and removed from the easement and right of way.
- (2) The easement and right of way herein granted is to be used only for forestry (including logging) operations and recreational purposes.

TO HAVE AND TO HOLD the aforesaid non-exclusive, permanent and perpetual easement and right of way together with all the rights, privileges and appurtenances thereunto belonging unto it, the said party of the second part, its successors and assigns, to their only use and behoof forever.

IN TESTIMONY WHEREOF, Z. V. Pate, Inc. has caused this instrument to be signed in its name by its _____ President, attested by its _____ Secretary, with its corporate seal

hereunto affixed, all by the authority duly given, this the day and year first above written.

Z. V. PATE, INC.

By: David L. Burns
President



(CORPORATE SEAL)

ATTEST:

Carolyn P. Paul
Secretary

T. R. THOMPSON, JR., ATTORNEY AT LAW, AUSTIN, TEXAS

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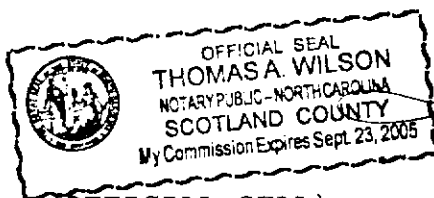
STATE OF North Carolina

COUNTY OF Scotland

I, Thomas A. Wilson, Notary Public, certify that Carolyn P. Paul, personally came before me this day and acknowledged that he/she is _____ Secretary of Z. V. Pate, Inc., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by David L. Burns, its _____ President, sealed with its corporate seal, and attested by himself/herself as its _____ Secretary.

My commission expires _____.

Witness my hand and official seal, this the 16 day of March, 2004.



(OFFICIAL SEAL)

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF SCOTLAND

The foregoing certificate(s) of THOMAS A. WILSON, Notary Public(s) is/are certified to be correct. This instrument and this certificate are duly registered at the date and time in the Book and Page shown on the first page hereof.

Jane P. Callahan
Jane P. Callahan, Register of Deeds, Scotland County, North Carolina

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

