

FILE # 1507016

NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at
the date and time and in the Book and Page shown
on the first page hereof.

Jerry T. Hardesty, Register of Deeds
By [Signature]
Asst. Deputy, Register of Deeds

FOR REGISTRATION REGISTER OF DEEDS
Jerry T. Hardesty
Carteret County, NC
April 29, 2015 02:12:22 PM
LDL ESMT 4 P
FEE: \$26.00
FILE # 1507016

✓ PREPARED BY: GARDNER ALTMAN, JR.

RETURN TO: M. DOUGLAS GOINES, BESWICK & GOINES, PLLC, 911 ARENDELL ST., MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

MEMORANDUM OF EASEMENT

THIS MEMORANDUM OF EASEMENT is hereby executed this day of April 7,
2015, by and between **Lukens Island Timber Enterprises, LLC**, a North Carolina limited
liability corporation ("Grantor"), whose address for purposes of this instrument is 290 Pollock
Street, New Bern, NC 28560, and **Land Trust for America, Inc.**, a North Carolina non-profit
corporation, whose address for purposes of this instrument is 2413 Bristers Spring Way, Apex,
NC 27523, ("Grantee"), which terms "Grantor" and "Grantee" shall include, wherever the
context permits or requires, singular or plural, and the heirs, legal representatives, successors and
assigns of the respective parties:

WITNESSETH:

WHEREAS, Grantor owns or controls certain real property situated in Carteret County, N.C. as
described on Exhibit "A" attached hereto and incorporated herein by reference (the "Premises");

WHEREAS, Grantor and Grantee entered into an Easement Agreement, dated April 7, 2015
(the "Easement Agreement") which set forth, among other things, the terms of an easement
granted by Grantor to Grantee (the "Easement"); and

WHEREAS, Grantor and Grantee desire to memorialize the terms and conditions of the
Easement Agreement; and

BOOK 1507 PAGE 16

Page 1

4

WHEREAS, Grantor acknowledges that the California Air Resources Board shall be a third party beneficiary (defined as a party being vested with the right to enforce against Grantor all obligations under the Easement) for purposes of the California Compliance Offset U.S. Forest Projects ("Protocol"). The terms of the Protocol can be found at <http://www.arb.ca.gov/cc/capandtrade/protocols/usforestprojects.htm>.

For valuable consideration the receipt and sufficiency of which are hereby acknowledged, Grantor does grant unto Grantee and Grantee does hereby accept from Grantor the Easement held on file with the Grantor (and other interested parties, as necessary).

The term of the Easement, unless sooner terminated under provisions of the Easement Agreement, shall be perpetual. Provisions regulating the use and purposes to which the Easement shall be limited, are set forth in detail in the Easement Agreement and Grantor and Grantee agree to abide by the terms of the Easement Agreement. Easement shall be held on file with the Grantor and may be requested for viewing from Grantor and may be provided at their sole discretion.

All the terms, conditions, provisions and covenants of the Easement Agreement are incorporated herein by this reference for all purposes as though written out at length herein, and both the Easement Agreement and this Memorandum of Easement shall be deemed to constitute a single instrument or document. This Memorandum of Easement is not intended to amend, modify, supplement, or supersede any of the provisions of the Easement Agreement and, to the extent there may be any conflict or inconsistency between the Easement Agreement or this Memorandum of Easement, the Easement Agreement shall control.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Memorandum of Easement to as of the date and year first above written.

GRANTOR:

Lukens Island Timber Enterprises, LLC, a North Carolina limited liability corporation

By: Patrick Paul Joyce

Name: Patrick Paul Joyce (SEAL)

Title: Member/Manager / President

GRANTEE:

Land Trust for America, Inc., a North Carolina non-profit corporation

By: Richard W Henderson

Name: Richard W Henderson (SEAL)

Title: President

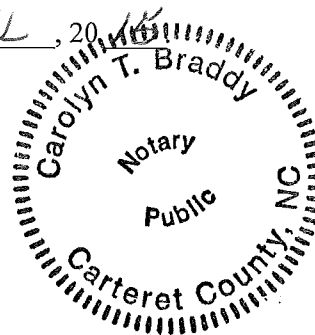
STATE OF North Carolina
COUNTY OF Carteret

I, Carolyn T. Braddy, Notary Public for said County and State, Patrick Joyce, who, being by me duly sworn, says that he/she is Member/Manager of the Lukens Island Timber Enterprises, LLC, a North Carolina Limited Liability Corporation, and that the foregoing document was signed and by him/her in behalf of said corporation by its authority duly given. And the said Patrick Joyce acknowledged the foregoing document to be the act and deed of said corporation.

Witness my hand and official seal, this the 7th day of April, 2015

Carolyn T. Braddy (Seal)
Carolyn T. Braddy Notary Printed Name

My commission expires: 10-11-17



STATE OF NC
COUNTY OF Wake

I, Cornelia Deth, Notary Public for said County and State, Richard W. Henderson, who, being by me duly sworn, says that he is President of the Land Trust for America, Inc., a North Carolina non-profit corporation, and that the foregoing document was signed and by him on behalf of said corporation by its authority duly given. And the said President acknowledged the foregoing document to be the act and deed of said corporation.

Witness my hand and official seal, this the 15 day of April, 202015

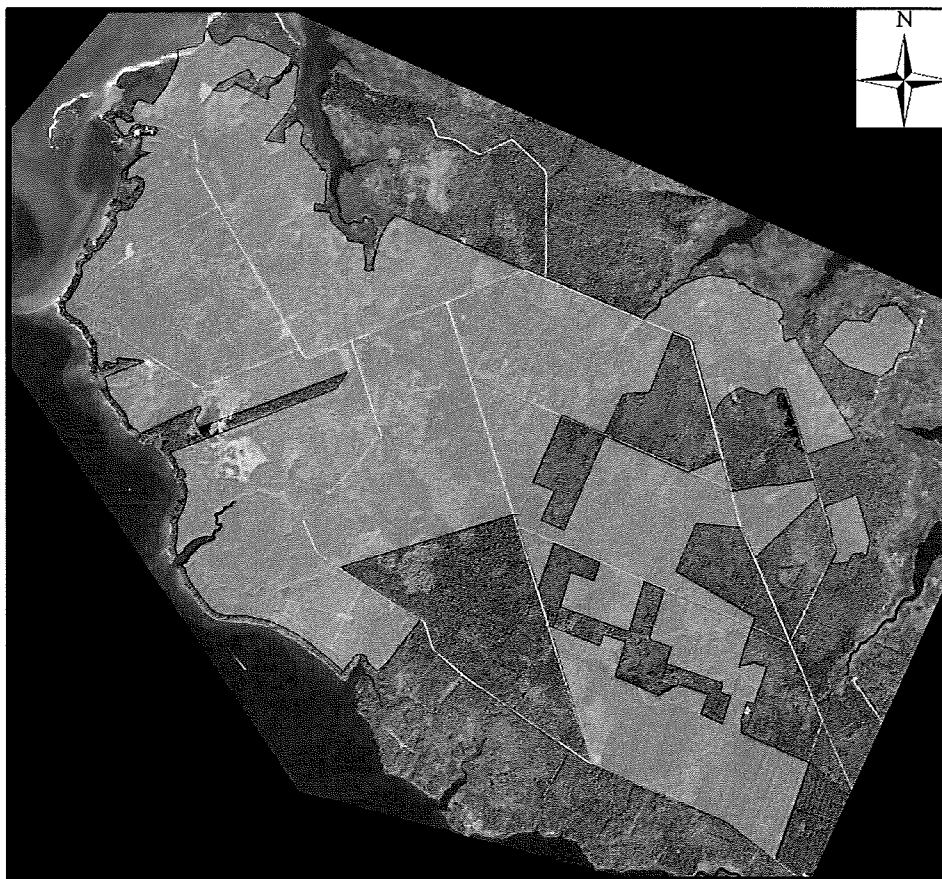
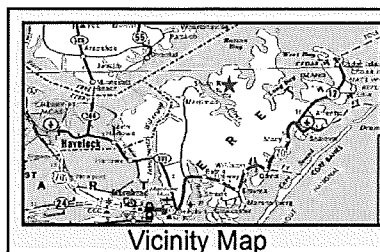
Cornelia Deth (Seal)
Cornelia Deth Notary Printed Name

My commission expires: 10-13-16



Exhibit "A"

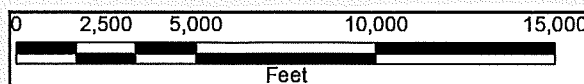
**Land Trust For America
Easement Area
4648.75 Acres**



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

Legend

- ☐ LTFA_Easement_Area
 QuickBird_Sat_Image_NOV2013
 RGB
 Red: Band_1
 Green: Band_2
 Blue: Band_3



Mapping produced by Green Assets, Inc. (02062015)