

STATE OF NORTH CAROLINA

COUNTY OF BEAUFORT

THIS DEED, Made and entered into this 27<sup>th</sup> day of March, 1992, by and between Weyerhaeuser Real Estate Company, a corporation of the State of Washington, and duly authorized to do business in the State of North Carolina, party of the first part, and Mixon Creek Homeowners Association, a North Carolina Non-Profit Corporation, 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 ONE AND NO/100 (\$1.00) DOLLAR, 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, subject to the mineral reservation and encumbrances as hereinafter set out, those certain tracts or parcels of land lying and being in Bath Township, Beaufort County, State of North Carolina, and being more particularly described as follows:

Subject to the reservation hereinafter set out, the party of the first party conveys to the party of the second part, its successors and assigns, all of its right, title and interest in and to the roads in Phase I, Mixon Creek, as they are shown on that map prepared by Woodlief And Associates, P.A., dated March 9, 1987, and recorded in Plat Cabinet D, Slide 192, Beaufort County Registry and in Phase II, Mixon Creek, as they are shown on that map prepared by Woodlief And

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ATTORNEY AT LAW  
AURORA, NORTH CAROLINA

Associates, P.A., dated February 16, 1988, and recorded in Plat Cabinet D, Slide 388, Beaufort County Registry. Reference is hereby made to said maps for a more complete and accurate description of the roads herein conveyed. This conveyance is made subject to a reservation by the party of the first part for itself, its successors and assigns, of a permanent and perpetual easement over and upon said roads herein conveyed.

This conveyance is made subject to the following mineral reservation and encumbrances:

- (1) This conveyance is made subject to the reservation of mineral rights which are retained by Weyerhaeuser Company and said reservation is stated in substance as follows:

"The Grantor hereby expressly saves, reserves and excepts out of the grant hereby made, unto itself, its successors and assigns, forever, all ores and minerals including but not limited to oil, gas, coal, distillates, and condensates, in and under said land. Top soil, sand, fill dirt, ground water, and other commonly occurring substances are expressly excluded. Notwithstanding the foregoing and notwithstanding any other legal or equitable right or remedy now existing or hereafter enacted or created, Grantor hereby agrees, for itself, its successors and assigns, that the rights hereby reserved and excepted shall not be exercised in a manner adversely affecting use of the surface at any time unless and until the Grantor or its successors or assigns, as the case may be, shall first make satisfactory written arrangements with the then owner of the property affected, and with the mortgagee or mortgagees of such property, as their respective interests may appear, to compensate said owner and mortgagee or mortgagees for damages incurred to the surface and any improvements thereon in exercising such rights."

- (2) The aforesaid property is conveyed subject to those easements of record and utility rights-of-way.
- (3) The property heretofore described is conveyed subject to those Restrictive Covenants of record in Book 881, Page 354, Beaufort County Registry and Book 906, Page 527, Beaufort County Registry.

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TO HAVE AND TO HOLD the aforesaid tract or parcel of land together with all the rights, privileges and appurtenances thereunto belonging unto it, the said party of the second part, its successors and assigns, to its only use and behoof forever, subject to the mineral reservation and encumbrances as set out hereinabove.

IN TESTIMONY WHEREOF, Weyerhaeuser Real Estate Company has caused this instrument to be signed in its name by its Assistant Vice President, attested by its Assistant Secretary, with its corporate seal hereunto affixed, all by authority duly given, this the day and year first above written.

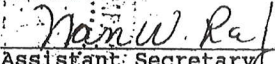
WEYERHAEUSER REAL ESTATE  
COMPANY

By: 

Assistant Vice President

(CORPORATE SEAL)

ATTEST:

  
Assistant Secretary

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AURORA, NORTH CAROLINA