

Land Transactions Subject to NCGS 146-22

October 6, 2006

ACQUISITION BY DEED:

1. Dr. John M. Harrelson (AGRICULTURE) Durham County
2. Civil War Preservation Trust (CULTURAL RESOURCES) Johnston County
3. The Conservation Fund (CULTURAL RESOURCES) Watauga County
4. Johnny Kennedy (DENR-PARKS) Orange County
5. The Nature Conservancy (DENR-PARKS) Rutherford County
6. The Nature Conservancy (DENR-PARKS) Rutherford County
7. The Nature Conservancy (DENR-PARKS) Rutherford County
8. The Conservation Fund (DENR-WILDLIFE) Caswell County
9. James S. Wilson (DENR-WILDLIFE) Richmond County
10. William Maxwell (NCA&T) Guilford County
11. Stephanie Ghotb-taheri (NCA&T) Guilford County
12. Samuel Misher (NCA&T) Guilford County
13. UNC at Chapel Hill Foundation, Inc. (UNC-CH) Orange County

OTHER MATTERS

14. East Carolina University, Pitt County

ACQUISITION BY DEED

ITEM 1

GRANTOR: Dr. John M. Harrelson

GRANTEE: State of NC, Department of Agriculture and Consumer Services,
Plant Industry Division

LOCATION: 2809 Old Oxford Road, Durham, Durham County

AREA: 12 acres (subject to survey)

UNIT COST: \$12,000/acre

CONSIDERATION: \$144,000 (subject to survey)

COMMENTS: The property proposed for acquisition has been identified as meeting the ecological criteria for the Plant Conservation Program. This tract is located within the Eno River Diabase Sill, a geologic formation found only in the triangle area. The federally endangered plant species are the Smooth Coneflower and the Tall Larkspur. There are 20 other rare species found within the Diabase Sill. This area is along the Eno River and is known as Penny's Bend. Acquisition of this property is crucial to protecting an identified Significant Natural Heritage Area containing state and federally endangered plant populations along the Eno River. The Eno River Association will be reimbursed for overhead and expenses associated with this transaction. Funding is provided by the Natural Heritage Trust Fund.

ACQUISITION BY DEED

ITEM 2

GRANTOR: Civil War Preservation Trust

GRANTEE: State of NC, Department of Cultural Resources

LOCATION: Harper House Road, Bentonville, Johnston County

AREA: \pm 34.3 acres improved with a one-story brick veneer dwelling containing 1,400 sq. ft.

UNIT COST: \$2,332.36/acre – land
\$25.00/sq. ft. – improvements

CONSIDERATION: \$115,000

COMMENTS: Property proposed for acquisition is needed for inclusion in the Bentonville Battlefield State Historic Site in accordance with the master plan. To date, the State has acquired approximately 867 of an estimated 6,000 acres of land considered to be within the battlefield area. Funds provided by a grant from the Natural Heritage Trust Fund.

ITEM 3

GRANTOR: The Conservation Fund

GRANTEE: State of NC, Department of Cultural Resources

LOCATION: Clarks Creek Road, Valle Crucis, Watauga County

AREA: \pm 0.89 acres

UNIT COST: \$55,056/acre

CONSIDERATION: \$49,000

COMMENTS: Property proposed for acquisition lies within historic Valle Crucis and will be preserved in perpetuity. Currently, approximately 1,000 acres, including the subject tract, are listed on the National Register of Historic Places. Acquisition of this property will provide protection for scenic views along Scenic Byway NC Highway 194 and Dutch Creek Road. In addition, the historic, scenic, agricultural, pastoral wildlife and natural heritage values of the property will be preserved. Funding provided through a grant from the Natural Heritage Trust Fund.

ACQUISITION BY DEED

ITEM 4

GRANTOR: Johnny Kennedy and wife, Helen Kennedy

GRANTEE: State of NC, Department of Environment and Natural Resources, Division of
Parks and Recreation

LOCATION: 5136 JRK Drive, Durham, Eno Township, Orange County

AREA: 10.14 acres improved with a one-story dwelling containing 1,889 sq. ft. and metal
warehouse containing 11,204 sq. ft.

UNIT COST: \$24,476/ acre – land
\$25.42/sq. ft. – improvements

CONSIDERATION: \$581,000

COMMENTS: Property is needed for inclusion in the Eno River State Park pursuant to the master plan. Property proposed for acquisition is bordered on three sides by parklands and contains part of Rhodes Creek, an Eno tributary. The residence will be used for housing for park rangers and the warehouse will be used for storage.

Funding is available through Parks and Recreation Trust Fund. The option expires December 31, 2006. Eno River State Park currently has 3,873 acres out of a planned 4,793 acres.

ACQUISITION BY DEED

ITEM 5

GRANTOR: The Nature Conservancy

GRANTEE: State of NC, Department of Environment and Natural Resources,
Division of Parks and Recreation

LOCATION: North of SR 1305, Lake Lure, Rutherford County

AREA: ±39.18 acres (subject to survey)

UNIT COST: \$19,000/acre

CONSIDERATION: \$744,420 (subject to survey)

COMMENTS: Property is needed for inclusion in the Hickory Nut Gorge State Park pursuant to the master plan. This proposed acquisition is of high priority due to potential for future residential development. Hickory Nut Gorge State Park currently consists of 700 acres out of a planned 5,000 acres. The State will reimburse The Nature Conservancy for expenses and overhead associated with purchasing the property on behalf of the State. Funding for this acquisition is provided by the Parks and Recreation Trust Fund (\$372,210) and the Natural Heritage Trust Fund (\$372,210)

ITEM 6

GRANTOR: The Nature Conservancy

GRANTEE: State of NC, Department of Environment and Natural Resources,
Division of Parks and Recreation

LOCATION: North of SR 1305, Lake Lure, Rutherford County

AREA: 110.53 acres (subject to survey)

UNIT COST: \$19,000/acre

CONSIDERATION: \$2,100,070 (subject to survey)

COMMENTS: Property is needed for inclusion in the Hickory Nut Gorge State Park pursuant to the master plan. This proposed acquisition is of high priority due to potential for future residential development. Hickory Nut Gorge State Park currently consists of 700 acres out of a planned 5,000 acres. The State will reimburse The Nature Conservancy for expenses and overhead associated with purchasing the property on behalf of the State. Funding for this acquisition is provided by the Parks and Recreation Trust Fund (\$1,050,035) and the Natural Heritage Trust Fund (\$1,050,035)

ACQUISITION BY DEED

ITEM 7

GRANTOR: The Nature Conservancy

GRANTEE: State of NC, Department of Environment and Natural Resources,
Division of Parks and Recreation

LOCATION: Chimney Rock Township, Lake Lure, Rutherford County

AREA: 130.095 acres

UNIT COST: \$16,910.71/acre

CONSIDERATION: \$2,200,000

COMMENTS: Property is needed for inclusion in the Hickory Nut Gorge State Park pursuant to the master plan. Proposed acquisition will protect natural resources from development. The State will reimburse The Nature Conservancy for expenses and overhead associated with purchasing the property on behalf of the State. Funding for this acquisition is provided by the Parks and Recreation Trust Fund.

ITEM 8

GRANTOR: The Conservation Fund

GRANTEE: State of NC, Department of Environment and Natural Resources, Wildlife
Resources Commission

LOCATION: NCSR 1703 (Will Paylor Road), Leasburg Township, Caswell County

AREA: ±204.49 acres

UNIT COST: \$1,599/acre

CONSIDERATION: \$325,196

COMMENTS: The property proposed for acquisition will be incorporated into the Caswell County Game Land. The tract is in a remote portion of Caswell County and will provide improved access to Block K of the Game Land and will be utilized to protect water quality, important wildlife habitat and provide hunting and other wildlife recreational opportunities for sportsmen. Funding from the Clean Water Management Trust Fund (\$147,108) and Pittman Robertson Federal Aid in Wildlife Restoration (\$178,088).

ACQUISITION BY DEED

ITEM 9

GRANTOR: James S. Wilson and Harriett S. Wilson

GRANTEE: State of NC, Department of Environment and Natural Resources,
Wildlife Resources Commission

LOCATION: Off NCSR #1601 (Blues Bridge Road), Hoffman, Beaver Dam Township,
Richmond County

AREA: 37.71 acres (two parcels: 23.90 & 13.81 acres) (subject to survey)

UNIT COST: \$1,800/acre

CONSIDERATION: \$68,000 (subject to survey)

COMMENTS: The property proposed for acquisition will be incorporated into the $\pm 59,498$ acre Sandhills Game Land Program and will be utilized to protect water quality, important wildlife habitat and provide hunting and other wildlife recreational opportunities for sportsmen. This property has $\pm 1,700$ of shared boundary with the Game Land and is an infill between the Game Land and the Camp Mackall Military Reservation, which lies just east of Hoffman. Funding from the Wildlife Fund and the NC Wildlife Habitat Foundation.

ITEM 10

GRANTOR: William J. Maxwell

GRANTEE: State of NC, North Carolina A&T State University

LOCATION: 923 Bluford St. Greensboro, Guilford County

AREA: 6,075 sq. ft. or ± 0.14 acre improved with a partial frame dwelling

UNIT COST: \$4.12/sq. ft. – land
No value – improvement

CONSIDERATION: \$25,000

COMMENTS: Property is needed for inclusion in the University campus master plan. Property proposed for acquisition is an inholding located on the northwest section of the campus. Funding is available through the University 2000 Higher Education Bond Fund. The option expires November 30, 2006.

ACQUISITION BY DEED

ITEM 11

GRANTOR: Stephanie Ghotb-taheri, Executor of the Estate of Charles E. Davis

GRANTEE: State of NC, North Carolina A&T State University

LOCATION: 1001 Bluford Street, Greensboro, Guilford County

AREA: 6,534 sq. ft. or ± 0.15 acres, improved with a vacant two-story dwelling containing approximately 2,062 sq. ft.

UNIT COST: \$ 3.86/sq. ft. – land
\$13.47/sq. ft. – improvements

CONSIDERATION: \$53,000

COMMENTS: Property is needed for inclusion in the University campus pursuant to the master plan. Property proposed for acquisition is an inholding located on the northwest section of the campus. Funding is available through the University 2000 Higher Education Bond Fund. The option expires December 1, 2006.

ITEM 12

GRANTOR: Samuel Misher and wife, Pamela Misher

GRANTEE: State of NC, North Carolina A&T State University

LOCATION: 919 Bluford St, Greensboro, Guilford County

AREA: 6,075sq. ft. or ± 0.14 acres improved with a one-story frame dwelling containing 1,016 sq. ft.

UNIT COST: \$3.86/sq. ft. – land
\$35.97/sq. ft. – improvement

CONSIDERATION: \$60,000

COMMENTS: Property is needed for inclusion in the University campus master plan. Property proposed for acquisition is an inholding located on the northwest section of the campus. Funding is available through the University 2000 Higher Education Bond Fund. The option expires November 30, 2006.

ACQUISITION BY DEED

ITEM 13

GRANTOR: The University of North Carolina at Chapel Hill Foundation, Inc.

GRANTEE: State of NC, University of North Carolina University at Chapel Hill

LOCATION: 215 W. Cameron Avenue, Chapel Hill, Orange County

AREA: 23,958 sq ft. or 0.55 acres improved with a single-family dwelling containing 2,910 sq. ft. and guest cottage containing 774 sq. ft.

UNIT COST: \$11.48/sq. ft. – land
\$156.70/sq. ft. – main dwelling
\$89.15 – cottage

CONSIDERATION: \$800,000

COMMENTS: Property proposed for acquisition is needed for future campus expansion in accordance with the master plan. The current and short term use of the property is for office space by the University Property Office. Ultimately, the improvements will be severed to allow for new construction. The State will reimburse the Foundation for direct expenses associated with purchasing the property on behalf of the State. Funds provided by the 2000 Higher Education Bonds.

OTHER MATTERS

ITEM 14

East Carolina University utilizes a 50-foot easement between 10th and 14th Streets as its main utility corridor supplying steam, electrical power and fiber optics to the main campus. This corridor has been in dispute for a number of years (since the 1960's) with Eastern Realty Company and Marvin K. Blount, Jr. and wife, Jan D. Blount, owners of adjacent property on either side of the corridor. Marvin K. Blount is a principal in Eastern Realty Company. A tolling agreement between East Carolina University, Eastern Realty and the Blounts has avoided court action while a solution to the land dispute was pursued. In the meantime, as the university has grown its facility needs have out-grown the existing utility corridor. The parties involved in the dispute have agreed to settle the matter as follows: The State will pay \$200,000 to the Blounts and \$425,000 to Eastern Realty in settlement of all disputes and claims and for conveyance of a 6.9 acre parcel adjoining the west side of the corridor. Eastern Realty Company will convey the parcel by non-warranty deed. In addition, Marvin K. Blount, Jr. and wife will convey to the State by quitclaim deed all right, title and interest they may have in a 0.79-acre parcel within the corridor. The conveyances will each contain restrictions that limit above ground structures on the property conveyed for so long as the Blounts occupy their residence adjacent to the corridor, up to a maximum term of five years. The parties have also entered into an agreement detailing the terms of the settlement and barring further claims by Eastern Realty Company or the Blounts regarding the corridor. The East Carolina University Board of Trustees, the Board of Governors and the State Property Office have approved this settlement and recommend it to the Council of State. The settlement resolves the long-standing property dispute without costly and unpredictable litigation, avoids the substantial costs involved in potentially relocating the utility corridor, and provides additional corridor width for much needed utility expansion room.