

444

DECLARATION OF EASEMENT

STATE OF GEORGIA

COUNTY OF FULTON

THIS DECLARATION OF EASEMENT, made this ____ day of _____, 1973, by BIG CANOE CORPORATION, a Georgia Corporation (hereinafter called "Declarant");

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property which is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter called the "Entire Premises"); and

WHEREAS, Declarant is in the process of developing a portion of the Entire Premises as a residential community, and intends to similarly develop the remainder of the Entire Premises; and

WHEREAS, Declarant has determined the desirability in connection with such development of the creation and establishment for the benefit of all portions of the Entire Premises of certain perpetual rights of use, ingress and egress in, over and upon portions of the Entire Premises as identified and designated on the Plats of Survey recorded in Plat Book 3, Pages 207 through 253, Dawson County Records, and in Plat Book E, Pages 287 through 310, Pickens County Records, which Plats of Survey are by this reference specifically incorporated herein (hereinafter called the "Permanent Access Easements"); and

WHEREAS, Declarant further intends to extend from time to time the Permanent Access Easements to the extent that Declarant, in its sole discretion, deems to be necessary or appropriate in connection with its development of the Entire Premises.

NOW, THEREFORE, Declarant, as owner of the Entire Premises except for those portions thereof as have heretofore been conveyed pursuant to

445

Declarant's plan of development, for itself, its legal representatives, successors and assigns, hereby declares and establishes as follows:

1. Declarant does hereby establish and create perpetual, mutual, reciprocal and non-exclusive easements, licenses, rights and privileges of passage and use, both pedestrian and vehicular, for the purposes of ingress and egress upon and over any and all portions of the Permanent Access Easements as designated and set aside on the said Plats of Survey, for the benefit of the owners from time to time of all portions of the Entire Premises, their lessees, tenants and invitees, but the same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public, and the use of the Permanent Access Easements by any such lessees, tenants or invitees shall at all times be subject to such rules, regulations and restrictions as may from time to time be established by Declarant, its successors or assigns.

2. Declarant, for itself and the owners from time to time of all portions of the Entire Premises, reserves the right to close temporarily all or any portion of the Permanent Access Easements to such extent as may be legally necessary and sufficient to prevent a public dedication thereof or any accrual of any rights in any person other than as aforesaid. Any such temporary closing shall, however, occur only after no less than ten (10) days of posted notice on that portion of the Permanent Access Easement to be closed, and in no event shall any such temporary closing extend for a period of more than twenty-four (24) hours, nor shall any such temporary closing occur more frequently than once each calendar year.

3. This Declaration of Easement shall create privity of contract and/or estate with and among all owners of all portions of the Entire Premises, their heirs, executors, administrators, successors, representatives and assigns. In the event of a breach, or attempted or threatened breach, of any of the terms or conditions of this Deed of Declaration, and after no less than ninety (90) days advance written notice thereof, any one or all other owners of portions of the Entire Premises shall be entitled forthwith to full and adequate relief by injunction and/or all other available legal and equitable remedies from the consequences of such breach, and any deed, lease, assignment, conveyance or contract made in violation of this Declaration of Easement shall be void and may be set aside upon petition of one or more of the owners of any portion of the Entire Premises.

4. The provisions of this Declaration of Easement may be abrogated, modified, rescinded or amended in whole or in part only with the consent of all owners of all portions of the Entire Premises, except, however, that Declarant reserves the right for itself, its successors and assigns, to unilaterally amend from time to time the provisions of this Declaration of Easement, provided only that the purpose of any such amendment shall be to extend the Permanent Access Easements as established hereby throughout other portions of the Entire Premises.

5. In the event of the acquisition by Declarant of other tracts of real property abutting the Entire Premises and upon the amendment of this Declaration of Easement to extend the Permanent Access Easements for the benefit of such additional tracts of real property, this Declaration of Easement shall be deemed to be automatically amended to include such additional tracts of real property within the Entire Premises as defined herein, and Declarant shall be authorized to execute and record

447

such additional documentation as Declarant shall deem to be necessary or appropriate to give notice of such amendment.

6. Any other provisions hereof to the contrary notwithstanding, this Declaration of Easement is and shall be subject and subordinate in all respects to any applicable provisions of the recorded General Declaration of Covenants and Restrictions of the Big Canoe Property Owners Association and Big Canoe Corporation and to any recorded Declaration of Rights, Restrictions, Affirmative Obligations, Conditions, Etc., which constitute covenants running with certain lands of Big Canoe Corporation, including the Class "A" Covenants heretofore recorded and any such covenants hereafter established and recorded.

7. Declarant reserves for itself, its successors and assigns, the right to unilaterally dedicate as a public right of way all or any portion of the Permanent Access Easements established hereby, and all rights and obligations which are derived from the provisions of this Declaration of Easement shall automatically terminate as to such portions of the Permanent Access Easements as may hereafter be dedicated and accepted as a public road.

8. In no event shall the provisions of this Declaration of Easement be construed to require or imply that Declarant shall be obligated to extend the Permanent Access Easements in any way except as Declarant, in the exercise of its sole discretion, shall deem to be necessary or appropriate.

IN WITNESS WHEREOF, Declarant has caused this Declaration of Easement to be executed under seal.

Signed, sealed and delivered
in the presence of:

Marian M. Schmidt
Witness

Debra Ann Kelly
Notary Public

Notary Public, Georgia, State at Large
My Comm. Expires Sept. 7, 19/18

"Declarant"
BIG CANOE CORPORATION

By: Harvey J. Cook
Its Vice President

(Corporate Seal)

ALL that tract or parcel of land lying and being in Land Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 90, 91, 92, 93, 94, 95, 98, 131, 132, 135 and 136 of the 4th District, 2nd Section, Pickens County, Georgia, and Land Lots 264, 271, 272, 273, 274, 275, 276, 277, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312 and 313 of the 5th District, 2nd Section Dawson County, Georgia, and Land Lots 1, 68, 137 and 204 of the 4th District, 1st Section, Dawson County, Georgia, and Land Lots 278, 299, and 314 which Land Lots are in both the 5th District, 2nd Section, Dawson County, Georgia, and the 5th District, 2nd Section, Pickens County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located at the intersection of the northwest right-of-way of Georgia State Route 53 (which right-of-way is 60 feet) with the west land lot line of Land Lot 136; thence running north 01 degrees 01 minutes west along the west land lot line of Land Lot 136 and along property now or formerly owned by Jones a distance of 1,258.67 feet to the northwest corner of Land Lot 136; thence running north 00 degrees 06 minutes west along the west land lot line of Land Lot 131 and along the west land lot line of Land Lot 98 a distance of 5,151.72 feet to a stone with a pipe found at the northwest corner of Land Lot 98; thence running south 89 degrees 44 minutes 45 seconds west along the south land lot line of Land Lot 92 a distance of 766.85 feet to an iron pin located on the south land lot line of Land Lot 92 and at the southeast corner of property now or formerly owned by Corinth Baptist Church where said property line intersects with the south land lot line of 92; thence running north 01 degrees 26 minutes 30 seconds west along property now or formerly owned by said church a distance of 152.91 feet to an iron pin found near a marked twelve inch pine tree; thence running north 01 degrees 26 minutes 30 seconds west along property now or formerly owned by said church a distance of 97.68 feet to a marked fourteen inch oak tree; thence running north 77 degrees 21 minutes 30 seconds east along property now or formerly owned by said church a distance of 200.07 feet to an iron pin found in a circle of rocks; thence running north 01 degrees 27 minutes 30 seconds west along property now or formerly owned by said church a distance of 106.74 feet to a stake found in a circle of rocks; thence running north 01 degrees 27 minutes 30 seconds west along property now or formerly owned by said church a distance of 86.72 feet to a stake found in a circle of rocks; thence running north 01 degrees 27 minutes 30 seconds west along property now or formerly owned by said church a distance of 124.89 feet to an iron pin found in a circle of rocks; thence running south 78 degrees 08 minutes 30 seconds west along property now or formerly owned by said church a distance of 199.60 feet to an iron pin found in a circle of rocks; thence running south 78 degrees 08 minutes 30 seconds west along property now or formerly owned by said church a distance of 303.70 feet to an iron pin found in a circle of rocks; thence running south 62 degrees 11 minutes west along property now or formerly owned by said church a distance of 213.73 feet to a stake found in a circle of rocks; thence running south 62 degrees 11 minutes west along property now or formerly owned by said church a distance of 175.63 feet to an iron pin

EXHIBIT "A"

449

found in a circle of rocks; thence running south 62 degrees 11 minutes west along property now or formerly owned by said church a distance of 131.44 feet to an iron pin found in a circle of rocks; thence running south 62 degrees 11 minutes west along property now or formerly owned by said church a distance of 20 feet to a point in a road; thence running south 35 degrees 12 minutes east in said road and along the property now or formerly owned by said church a distance of 166.07 feet to a hub found in the center of said road; thence running south 55 degrees 49 minutes 45 seconds east in said road and along property now or formerly owned by said church a distance of 102.77 feet to a point in said road; thence running north 87 degrees 50 minutes east along property now or formerly owned by said church a distance of 61.85 feet to an iron pin found; thence running south 11 degrees 12 minutes 45 seconds west along property now or formerly owned by said church a distance of 68.73 feet to an iron pin found which iron pin is located on the south land lot line of Land Lot 92; thence running north 89 degrees 40 minutes 30 seconds west along the south land lot line of Land Lot 92 a distance of 1,487.75 feet to a yellow pipe located at the southwest corner of Land Lot 92; thence running north 89 degrees 00 minutes 30 seconds west along the south land lot line of Land Lot 91 and along property now or formerly owned by Dixie Textile Waste Co. a distance of 1,798.73 feet to an iron pin on the south land lot line of the said Land Lot 91; thence running north 00 degrees 09 minutes 15 seconds east along property now or formerly owned by said company a distance of 455.20 feet to a point located in the center of a dirt road; thence running north 32 degrees 27 minutes 45 seconds east along the center line of said road and along property now or formerly owned by said company a distance of 50.0 feet to a point; thence running north 03 degrees 21 minutes 15 seconds east along the center line of said road and along property now or formerly owned by said company a distance of 50.0 feet to a point; thence running north 15 degrees 36 minutes 15 seconds west along the center line of said road and along property now or formerly owned by said company a distance of 172.18 feet to a point; thence running north 21 degrees 51 minutes 45 seconds west along the center line of said road and along property now or formerly owned by said company a distance of 50.0 feet to a point; thence running north 28 degrees 54 minutes 30 seconds west along the center line of said road and along property now or formerly owned by said company a distance of 50.0 feet to a point; thence running north 40 degrees 16 minutes west along the center line of said road and along property now or formerly owned by said company a distance of 50.0 feet to a point; thence running north 43 degrees 06 minutes west along the center line of said road and along property now or formerly owned by said company a distance of 728.92 feet to a point; thence running north 48 degrees 42 minutes west along the center line of said road and along property now or formerly owned by said company a distance of 147.19 feet to a point; thence running north 41 degrees 34 minutes 45 seconds west along the center line of said road and along property now or formerly owned by said company a distance of 136.09 feet to the point of intersection of the center line of said road with the west land lot line of Land Lot 91 which point is located 1,045.13 feet south as measured along the west land lot line of Land Lot 91 from the northwest corner of Land Lot 91; thence running north 42 degrees 42 minutes 30 seconds west along property

150

now or formerly owned by Dell Moore a distance of 357.50 feet to a point; thence running north 65 degrees 12 minutes 15 seconds west - along property now or formerly owned by said Moore a distance of 210.0 feet to a point located in the new right-of-way of Cove Road; thence running north 51 degrees 32 minutes 30 seconds east along property now or formerly owned by said Moore a distance of 557.89 feet to a point located on the east land lot line of Land Lot 90; thence running north 00 degrees 16 minutes west along property now or formerly owned by said Moore and along the east land lot line of Land Lot 90 a distance of 347.37 feet to rocks found in the northeast corner of Land Lot 90; thence running north 00 degrees 20 minutes east along property now or formerly owned by McDonald and along the east land lot line of Land Lot 63 a distance of 2741.63 feet to an iron pin located in the northeast corner of Land Lot 63; thence running north 89 degrees 32 minutes 45 seconds west along property now or formerly owned by said McDonald and along the north land lot line of Land Lot 63 a distance of 1179.97 feet to an iron pin; thence running south 00 degrees 24 minutes east along property now or formerly owned by McDonald a distance of 2740.22 feet to a marble monument located on the south land lot line of Land Lot 63; thence running south 89 degrees 04 minutes 45 seconds west along property now or formerly owned by Dell Moore and along the south land lot line of Land Lot 63 a distance of 1,078.98 feet to an iron pin located on the south land lot line of Land Lot 63; thence running due south along property now or formerly owned by said Moore a distance of 402.11 feet to a point located in a dirt road; thence running south 84 degrees 09 minutes 15 seconds west along the center line of said road and along property now or formerly owned by said Moore a distance of 175.30 feet to a point; thence running south 73 degrees 21 minutes 45 seconds west along the center line of said road and along property now or formerly owned by Moore a distance of 157.16 feet to a point located on the west land lot line of Land Lot 90; thence running due north along the west land lot line of Land Lot 90 and along property now or formerly owned by White a distance of 369.74 feet to an iron pin located in the southeast corner of Land Lot 64; thence running north 88 degrees 15 minutes 30 seconds west along the south land lot line of Land Lot 64 and along property formerly owned by White a distance of 1,211.30 feet to an iron pin located on the south land lot line of Land Lot 64; thence running due north along property now or formerly owned by Georgia Marble Co. a distance of 2,640.58 feet to rocks found on the north land lot line of Land Lot 64; thence running south 89 degrees 59 minutes 45 seconds west along the south land lot line of Land Lot 51 and along property now or formerly owned by Georgia Marble Co. a distance of 1,328.0 feet to an iron pin located in the southwest corner of Land Lot 51; thence running north 23 degrees 26 minutes 15 seconds west along property now or formerly owned by Stanfield a distance of 2794.22 feet to rocks found on the north land lot line of Land Lot 50; thence running south 89 degrees 47 minutes 45 seconds east along the north land lot line of Land Lot 50 and along property now or formerly owned by Anderson a distance of 1098.90 feet to an iron pin located at the northeast corner of Land Lot 50; thence running north

451

02 degrees 28 minutes 30 seconds west along the west land lot line of Land Lot 26 and along property now or formerly owned by Anderson a distance of 2650.69 feet to an iron pin located in the northwest corner of Land Lot 26; thence running north 88 degrees 47 minutes west along the south land lot line of Land Lot 12 and along property now or formerly owned by Anderson and continuing along the south land lot line of Land Lot 11 along property now or formerly owned by Edge and Poole a distance of 4,987.39 feet to an iron pin; thence running north 88 degrees 49 minutes west along the south land lot line of Land Lot 11 and along property now or formerly owned by Poole a distance of 583.56 feet to an iron pin found in the southwest corner of Land Lot 11; thence running north 00 degrees 00 minutes 15 seconds west along the west land lot line of Land Lot 11 and along property now or formerly owned by Benton a distance of 2684.93 feet to rocks found in the northwest corner of Land Lot 11; thence running north 87 degrees 55 minutes 30 seconds east along the north land lot line of Land Lot 11 and along property now or formerly owned by Bent Tree a distance of 1405.49 feet to rocks found in the southwest corner of Land Lot 314; thence running north 00 degrees 26 minutes 45 seconds east along the west land lot line of Land Lot 314 and along the west land lot line of Land Lot 299 and along property now or formerly owned by Bent Tree a distance of 5,108.40 feet to rocks found in the northwest corner of Land Lot 299; thence running north 01 degrees 02 minutes east along the west land lot line of Land Lot 278 and along property now or formerly owned by Harwick a distance of 2,644.62 feet to an iron bar located in the northwest corner of Land Lot 278; thence running north 89 degrees 40 minutes 45 seconds east along the north land lot line of Land Lot 278 and along property now or formerly owned by Orkin a distance of 2633.57 feet to a rock found in the northeast corner of Land Lot 278; thence running due north along the west land lot line of Land Lot 264 and along property now or formerly owned by Orkin a distance of 2640.0 feet to an iron pin located in the northwest corner of Land Lot 264; thence running due east along the north land lot line of Land Lot 264 and along property now or formerly owned by Orkin a distance of 2280.79 feet to an iron pin; thence running south 00 degrees 10 minutes west along an old blazed line a distance of 3,050.41 feet to an iron pin; thence running north 89 degrees 27 minutes 15 seconds east along a blue marked line a distance of 16,499.58 feet to a blue pipe and rocks found on the east land lot line of Land Lot 271; thence running south 00 degrees 29 minutes 45 seconds east along the east land lot line of Land Lot 271, 306 and 307 a distance of 7,685.52 feet to an iron pin located in the southeast corner of Land Lot 307 and on the dividing line between Dawson and Pickens County; thence running north 88 degrees 31 minutes 45 seconds east along the north land lot line of Land Lot 1 a distance of 1,354.68 feet to an iron pin; thence running south 00 degrees 40 minutes 30 seconds west along the east land lot line of Land Lot 1 and 68 and along property now or formerly owned by Dawson Timber & Development Co., a distance of 2,639.70 feet to an orange angle iron located on the south land lot line of Land Lot 68; thence running north 89 degrees 19 minutes 30 seconds west along the south land lot line of Land Lot 68 and along property now or formerly owned by Bowaters Southern Co. a distance of 1156.28 feet to an orange angle iron located on the south land lot line of Land Lot 68 where said land lot line intersects the line dividing Dawson and Pickens County; thence running north 89 degrees 13 minutes 45 seconds west along the south land lot line of Land Lot 19 and along property

452

now or formerly owned by Bowaters Southern Co. a distance of 926.17 feet to an orange angle iron; thence running south 00 degrees 06 minutes 30 seconds west along property now or formerly owned by Bowaters Southern Co. a distance of 2693.25 feet to an orange angle iron located on the south land lot line of Land Lot 20; thence running north 89 degrees 52 minutes 45 seconds east along the south land lot line of Land Lot 20 and along property now or formerly owned by Bowaters Southern Co. a distance of 727.20 feet to a rock found at the intersection of the south land lot line of Land Lot 20 with the line dividing Pickens and Dawson County; thence running south 88 degrees 27 minutes 30 seconds east along the north land lot line of Land Lot 137 and along property now or formerly owned by Bowaters Southern Co. a distance of 580.65 feet to an iron pin; thence running south 89 degrees 36 minutes 45 seconds east along the north land lot line of Land Lot 137 and along property now or formerly owned by Bowaters Southern Co. a distance of 748.73 feet to a rock found in the northeast corner of Land Lot 137; thence running south 00 degrees 33 minutes west along the east land lot line of Land Lot 137 a distance of 1329.03 feet to a rock found in the southeast corner of Land Lot 137; thence running south 01 degrees 32 minutes 15 seconds west along the east land lot line of Land Lot 204 a distance of 1309.87 feet to a rock found in the southeast corner of Land Lot 204; thence running north 89 degrees 15 minutes 30 seconds west along the south land lot line of Land Lot 204 and along property now or formerly owned by Moore a distance of 1281.70 feet to an iron pin located in the southwest corner of Land Lot 204 and on the line dividing Pickens and Dawson Counties; thence running south 00 degrees 00 minutes 30 seconds west along the east land lot line of Land Lot 58 and along the line dividing Pickens and Dawson County and along property now or formerly owned by Moore and continuing along the east land lot line of Land Lot 95 and along the line dividing Pickens and Dawson County and along property now or formerly owned by Goble and Pittman a distance of 5,282.94 feet to an iron pin located at the intersection of the south land lot line of Land Lot 95 with the line dividing Pickens and Dawson County; thence running north 89 degrees 59 minutes 15 seconds west along the south land lot line of Land Lot 95 and along property now or formerly owned by Hill a distance of 1640.91 feet to blue rocks located in the southwest corner of Land Lot 95; thence running south 89 degrees 55 minutes west along the south land lot line of Land Lot 94 and along property now or formerly owned by Georgia Craft Co. a distance of 2344.87 feet to a blue pipe located in the southwest corner of Land Lot 94; thence running south 00 degrees 00 minutes 15 seconds west along the east land lot line of Land Lot 98 and along property now or formerly owned by Georgia Craft Co. and along property now or formerly owned by Books a distance of 1897.34 feet to an iron pin; thence running south 00 degrees 18 minutes 45 seconds east along the east land lot line of Land Lot 98 and along property now or formerly owned by Books a distance of 696.37 feet to an iron pin located in the southeast corner of Land Lot 98; thence running south 00 degrees 29 minutes east along the east land lot line of Land Lot 131 a distance of 1246.85 feet to an iron pin; thence running south 89 degrees 49 minutes 15 seconds east a distance of 391.12 feet to an iron pin found; thence running south 09 degrees 53 minutes 30 seconds east a distance of 559.49 feet to an iron pin; thence running south 28 degrees 27 minutes 45 seconds west a distance of 603.73 feet to an iron pin; thence running south 80 degrees 21 minutes 30 seconds east a distance of 308.33 feet to an iron pin located on the northwest right-of-way of Georgia State Route 53 (which right-of-way is 60 feet) thence running south 26 degrees 33 minutes west along the northwest right-of-way

453

of said State Route a distance of 66.79 feet to a point; thence running south 25 degrees 40 minutes west along the northwest right-of-way of said State Route a distance of 67.62 feet to a point; thence running south 29 degrees 39 minutes west along the northwest right-of-way of said State Route a distance of 63.95 feet to a point; thence running south 30 degrees 36 minutes 30 seconds west along the northwest right-of-way of said State Route a distance of 99.87 feet to a point; thence running south 30 degrees 30 minutes 45 seconds west along the northwest right-of-way of said State Route a distance of 99.88 feet to a point; thence running south 30 degrees 53 minutes 45 seconds west along the northwest right-of-way of said State Route a distance of 99.87 feet to a point; thence running south 31 degrees 11 minutes 30 seconds west along the northwest right-of-way of said State Route a distance of 99.87 feet to a point; thence running south 33 degrees 03 minutes 30 seconds west along the northwest right-of-way of said State Route a distance of 99.87 feet to a point; thence running south 37 degrees 51 minutes 30 seconds west along the northwest right-of-way of said State Route a distance of 99.86 feet to an iron pin located at the intersection of the east land lot line of Land Lot 136 with the northwest right-of-way of said State Route; thence running southwesterly along the northwesterly right-of-way of said State Route and following the curvature thereof a distance of 615.99 feet to an iron pin, (said curve having a chord distance of 605.93 feet on a magnetic bearing of south 64 degrees 20 minutes 15 seconds west); thence running south 83 degrees 49 minutes 30 seconds west along the northwest right-of-way of said State Route a distance of 312.47 feet to an iron pin; thence running south 89 degrees 19 minutes 45 seconds west along the northerly right-of-way of said State Route a distance of 287.72 feet to an iron pin; thence running south 89 degrees 09 minutes 15 seconds west along the northerly right-of-way of said State Route a distance of 545.42 feet to an iron pin; thence running southwesterly along the northwesterly right-of-way of said State Route and following the curvature thereof a distance of 709.24 feet to an iron pin (said curve having a chord distance of 707.75 feet on a magnetic bearing of south 77 degrees 28 minutes 45 seconds west); thence running south 69 degrees 57 minutes 15 seconds west along the northwest right-of-way of said State Route a distance of 363.75 feet to an iron pin and point of beginning; said tract containing 9,564.44 acres as per plat of property for Mountain Resort Co. by Baldwin & Cranston Associates, Inc. dated November 27, 1971 and last revised October 19, 1972.

454

LESS AND EXCEPT from the foregoing tract, the following:

Tract A

All that tract or parcel of land lying and being in Land Lot 93 of the 4th District, Second Section, Pickens County, and being more particularly described as follows:

BEGIN at a stake found at the corner common to Land Lots 92, 99, 93 and 98; thence running north 00 degrees 19 minutes, 45 seconds east along the west land lot line of Land Lot 93 a distance of 273.92 feet to an iron pin which iron pin is located on the southwest right-of-way of Corinth Church Road (which right-of-way is 40 feet); thence running south 81 degrees 10 minutes 15 seconds east along the southwest right-of-way of said road a distance of 208.93 feet to an iron pin; thence running south 86 degrees 47 minutes 45 seconds east along the southerly right-of-way of said road a distance of 102.12 feet to an iron pin; thence running north 86 degrees 34 minutes 15 seconds east along the southeast right-of-way of said road a distance of 102.50 feet to an iron pin; thence running north 78 degrees 51 minutes 15 seconds east along the southeast right-of-way of said road a distance of 100.88 feet to an iron pin; thence running north 81 degrees 21 minutes east along the southeast right-of-way of said road a distance of 97.49 feet to an iron pin; thence running south 86 degrees 40 minutes 30 seconds east along the southerly right-of-way of said road a distance of 96.95 feet to an iron pin; thence running south 81 degrees 18 minutes 30 seconds east along the southwest right-of-way of said road a distance of 98.57 feet to an iron pin; thence running south 78 degrees 44 minutes 15 seconds east along the southwest right-of-way of said road a distance of 98.31 feet to an iron pin; thence running south 71 degrees 35 minutes east along the southwest right-of-way of said road a distance of 96.99 feet to an iron pin; thence running south 61 degrees 32 minutes 45 seconds east along the southwest right-of-way of said road a distance of 312.44 feet to an iron pin which iron pin is located at the intersection of the southwest right-of-way of said Corinth Church Road with the northwest right-of-way of Steve-Tate Highway (which right-of-way is 80 feet); thence running south 11 degrees 40 minutes 15 seconds west along the northwest right-of-way of said highway a distance of 65.76 feet to an iron pin located at the intersection of the northwest right-of-way of said highway with the south land lot line of Land Lot 93; thence running north 89 degrees 40 minutes 15 seconds west along the south land lot line of Land Lot 93 a distance of 1251.74 feet to a stake and point of beginning; said tract containing 6.65 acres as per plat for River Properties, Inc. dated July 20, 1971 by Baldwin & Cranston Associates, Inc.

Tract B

All that tract or parcel of land lying and being in Land Lots 17, 18, 21 and 55 of the 4th District, Second Section, Pickens County and being more particularly described as follows:

BEGINNING at a red iron pin located at the corner common to Land

455

Lots 54, 55, 60 and 61; thence running north 00 degrees 48 minutes 45 seconds west along the west land lot line of Land Lot 55 a distance of 2634.77 feet more or less to an iron pin located in the northwest corner of Land Lot 55; thence running north 89 degrees 33 minutes east along the north land lot line of Land Lot 55 a distance of 2232.95 feet to a blue iron pin located on the north Land lot line of Land Lot 55; thence running north 00 degrees 17 minutes 45 seconds west along the west land lot line of Land Lot 21 a distance of 2694.52 feet to an iron pin located in the northwest corner of Land Lot 21; thence running north 00 degrees 21 minutes east a distance of 483.32 feet to an iron pin; thence running south 39 degrees 40 minutes east a distance of 262.84 feet to a point; thence running south 77 degrees 19 minutes east a distance of 362.39 feet to a point; thence running south 63 degrees 08 minutes east a distance of 438.06 feet to an iron pin located on the north land lot line of Land Lot 21; thence running north 89 degrees 54 minutes east along the north land lot line of Land Lot 21 a distance of 1,388.26 feet to a pine stump and iron pin located on the north land lot line of Land Lot 21; thence running south 58 degrees 53 minutes east a distance of 275.28 feet to a point; thence running south 55 degrees 15 minutes east a distance of 281.10 feet to a point; thence running south 63 degrees 52 minutes east a distance of 176.60 feet to a point; thence running south 48 degrees 45 minutes east a distance of 34.98 feet to a point; thence running south 51 degrees 42 minutes east a distance of 81.09 feet to a rock found on the east land lot line of Land Lot 21; thence running south 00 degrees 02 minutes east along the east land lot line of Land Lot 21 a distance of 2241.70 feet to a blue iron pin located in the southeast corner of Land Lot 21; thence running south 89 degrees 56 minutes 45 seconds west along the south land lot line of Land Lot 21 a distance of 2550.65 feet to a red iron pin located in the northeast corner of Land Lot 55; thence running south 00 degrees 53 minutes west along the east land lot line of Land Lot 55 a distance of 2709.09 feet to a red concrete monument located in the southeast corner of Land Lot 55; thence running north 88 degrees 48 minutes 45 seconds west along the south land lot line of Land Lot 55 a distance of 2609.66 feet to an iron pin and point of beginning; said tracts containing the following: Land Lot 55 (Turner Tract) containing 162.30 acres and Land Lot 17, 18 and 21 (West Lumber Co. Tract) containing 187.10 acres as per plat of survey for Mountain Resort Co. by Baldwin & Cranston, Associates, Inc. dated November 27, 1971 and last revised October 19, 1972.

The total acreage in the aforescribed tract less and except those tracts described in Tracts A and B, less 69.51 acres within the right-of-way of Steve-Tate Highway and less 20.923 acres within the new right-of-way of Cove Road, is 9117.957 acres.

-8-

STATE OF GEORGIA
 PICKENS COUNTY
 FILED FOR RECORD
 on the 2 day of April 1973
 at 1 o'clock P.M. and recorded in Book
 No. 25 of Deeds page 444-455
 this 3 day of April 1973
Shelby McIntire
 Clerk Superior Court, Pickens County, Georgia