

AFTER RECORDING, RETURN TO  
McGEE & OXFORD  
105 NORTH MAIN STREET  
SUITE 3  
JASPER, GA 30143

Prepared by and return to:  
Eric Wilensky, Esq.  
Morris, Manning & Martin, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road, N.E.  
Atlanta, Georgia 30326

PICKENS COUNTY FILED FOR RECORD ON  
THE 7<sup>th</sup> DAY OF MARCH 2005  
12:10P M, RECORDED THIS 24<sup>th</sup> DAY OF  
MARCH 2005 BOOK NO. 103 PAGE 210-236  
GAIL BROWN CSC

GEORGIA, DAWSON COUNTY  
CLERK'S OFFICE, SUPERIOR COURT  
FILED FOR RECORD

AT 3:00P M 3-29-05  
Recorded in Deed Book 657 Page 309-345  
This 30 day of March 2005

Cross Reference Trust Deed Book  
103, Page 210, Deed Book 241,  
Page 480, Pickens County, Georgia,  
Records and Deed Book 77, Page  
437, Deed Book 204, Page 357,  
Dawson County, Georgia, Records

Duby McLeod, Clerk

[Space Above this Line For Recording Data]

## SECOND AMENDMENT TO TRUST DEED

THIS SECOND AMENDMENT ("Amendment") entered into this 3<sup>rd</sup> day of March 2005, and between BIG CANOE UTILITIES COMPANY, INC., a Georgia corporation (hereinafter called "Grantor"), and BIG CANOE PROPERTY OWNERS ASSOCIATION, INC. a corporation duly organized under the laws of the State of Georgia (hereinafter called "Trustee").

### Statement of Background

A. Southeast Holding Company, Ltd., as Grantor, and Trustee, as trustee, entered into that certain Trust Deed dated November 29, 1984, recorded in Deed Book 103, pages 210-219, Pickens County, Georgia records, and in Deed Book 77, page 437, Dawson County, Georgia records as amended by that certain First Amendment to Trust Deed, dated September 1, 1995, and recorded in Deed Book 241, Page 480, Pickens County, Georgia records, and in Deed Book 204, Page 357, Dawson County, Georgia records (hereinafter collectively referred to as the "Trust Deed"), as required by regulations of the State of Georgia.

B. Grantor is the successor in interest to Southeast Holding Company, Ltd.

C. Grantor and Trustee are desirous of amending the Trust Deed for purposes of amending the property conveyed thereby and for purposes of adding additional property thereto.

**Statement of Agreement**

NOW, THEREFORE, in consideration of the covenants contained herein, Grantor and Trustee covenant and agree as follows:

1. Exhibit "A" to the Trust Deed is hereby amended by deleting Tract II in entirety, and in lieu thereof, replacing it with Tract II as described more particularly in Exhibit "A-1" attached hereto and made a part hereof, which appurtenances Grantor does hereby grant, bargain and sell to Trustee, subject to the terms of the Trust Deed.
2. Exhibit "A" to the Trust Deed is hereby amended to include that shown on Exhibit "A-2" attached hereto and made a part hereof, which property Grantor does hereby grant, bargain and sell to Trustee, subject to the terms of the Trust Deed.
3. Except as expressly modified hereby, the Trust Deed shall remain unamended and in full force and effect and is hereby ratified and confirmed by the parties hereto.
4. This Amendment may be executed in multiple counterparts, but all such counterparts shall constitute but one original.

***[SIGNATURES ON FOLLOWING PAGE]***

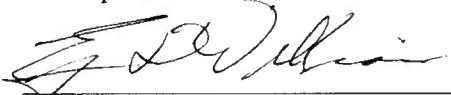
-2-#1246448 v1 - Big Canoe: 2nd Amendment to

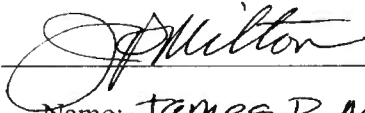
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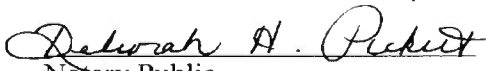
IN WITNESS WHEREOF, Grantor and Trustee have caused this Second Amendment to be executed as of the date first above written.

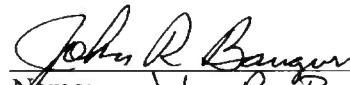
Signed, sealed and delivered  
In the presence of:

BIG CANOE PROPERTY OWNERS  
ASSOCIATION, INC., a Georgia corporation

  
Witness

By:   
Name: James P. Milton  
Title: President

  
Notary Public  
My Comm. Expires  
1/19/08

Attest:   
Name: John R. Bangor  
Title: Secretary



(CORPORATE SEAL)

*[SIGNATURES CONTINUED ON FOLLOWING PAGE]*

Signed, sealed and delivered  
In the presence of:

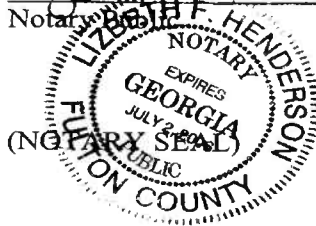
BIG CANOE UTILITIES COMPANY, INC. a  
Georgia corporation

Wanda C. Zeh  
Witness

By: William J. Byrne

Name: William J. Byrne  
Title: President

Lizbeth A. Henderson  
Notary Public



Attest: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

(CORPORATE SEAL)



[END OF SIGNATURES]

Tr

Exhibit "A-1"

(See attached)

Tr

-5-#1246448 v1 - Big Canoe: 2nd Amendment to

## Exhibit "A-1"

### **TRACT II:**

#### **Utilities Easement**

An easement (the "Utilities Easement") over, across, under and through all or any portion of the subject property as described in the Limited Warranty Deed of Southeast Holding Company, Ltd. dated December 31, 1985, recorded in Deed Book 112, pages 30-176 Pickens County, Georgia Records and in Deed Book 87, Pages 31 - 183, Dawson County, Georgia Records and as amended by that Amendment to Limited Warranty Deed dated January 1, 1987, recorded in Deed Book 126, Pages 511-574, Pickens County, Georgia Records and in Deed Book 99, Pages 125-128, Dawson County, Georgia Records, to tap onto, use, inspect, maintain, repair, operate, and extend any and all utility lines, poles, wires, pipes, transformers, and other facilities necessary or appropriate to the transmission, distribution, flow and delivery of electric current, water, telephone communications, cable television, gas, storm sewage, and sanitary sewage that may now or hereafter exist over, under, across or through such property, together with the right to construct, use, inspect, maintain, repair, operate and extend additional such facilities over, under, across and through such property.

#### **Water Easement**

An easement (the "Water Easement") over, across, under and through all or any portion of such property as described in the Utilities Easement (a) to locate, maintain, repair, remodel, improve, and replace wells, pumping stations, water treatment facilities, irrigation facilities, water storage tanks, and other similar equipment and facilities for the drawing, treatment, storage, and transportation of water; (b) to draw remove, transport, store, treat and sell any and all water now or hereafter located in any and all lakes and streams now or hereafter located on such property for the purpose of using said water as drinking water, for irrigation, or any other use whatsoever, including without limitation, the right to sell any and all such water for a profit and to keep all proceeds of sales; (c) to discharge treated waste water into any and all lakes and streams now or hereafter located on such property; and (d) to locate construct, operate, maintain, repair, improve, remodel, and replace facilities for the drainage, retention, discharge, or treatment of surface waters on such property. This Water Easement shall be limited to use in providing water to properties now or hereafter subject to the Amended and Restated General Declaration of Covenants and Restrictions dated March 26, 1988, recorded July 7, 1988, in Deed Book 139, Page(s) 390-437, Pickens County Records and on July 13, 1988 in Deed Book 111, Page(s) 281-328, Dawson County Records, as the same may be amended from time to time.

Exhibit "A-2"

(See attached)

**METES AND BOUNDS DESCRIPTION  
TERTIARY SEWER PLANT SITE**

ALL THAT TRACT or parcel of land lying and being in Land Lots 91 and 92 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 13, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 61, 62, 91 and 92 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence South 03 degrees 27 minutes 34 seconds East 1,180.59 feet to a point located on the East right-of-way line of Trotters Lane (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence leaving said right-of-way line of Trotters Lane running South 39 degrees 59 minutes 59 seconds East 335.78 feet to a point; thence South 56 degrees 42 minutes 53 seconds West 212.26 feet to a point; thence South 71 degrees 15 minutes 41 seconds West 298.77 feet to a point; thence South 84 degrees 45 minutes 05 seconds West 108.97 feet to a point; thence South 76 degrees 08 minutes 58 seconds West 02.99 feet to a point; thence North 22 degrees 47 minutes 06 seconds West 186.23 feet to a point; thence North 01 degrees 37 minutes 02 seconds West 66.24 feet to a point located on the East right-of-way line of Trotters Lane ( a 50 foot right-of-way); thence continuing along said right-of-way line of Trotters Lane North 55 degrees 05 minutes 30 seconds East 17.71 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 102.18 feet) 46.85 feet to a point of tangency; thence along said right-of-way line North 81 degrees 21 minutes 20 seconds East 110.00 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 278.91 feet) 65.52 feet to a point of tangency; thence along said right-of-way line South 85 degrees 11 minutes 06 seconds East 63.76 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 21.69 feet) 37.22 feet to a point of tangency; thence along said right-of-way line South 76 degrees 51 minutes 46 seconds East 50.00 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 22.66 feet) 13.06 feet to a point of tangency; thence along said right-of-way line North 46 degrees 10 minutes 08 seconds East 61.00 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the left (which arc has a radius of 558.63 feet) 68.41 feet to a point of tangency; thence along said right-of-way line North 39 degrees 08 minutes 31 seconds East 66.00 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right ( which arc has a radius of 1,105.94 feet) 93.62 feet to a point of tangency; thence along said right-of-way line North 43 degrees 59 minutes 31 seconds East 87.00 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 4.59 acres and was filed for record July 21, 1995 in Plat Book Y, Page 82, Pickens County, Georgia Records.



**METES AND BOUNDS DESCRIPTION  
MCELROY MOUNTAIN TANK SITE**

ALL THAT TRACT or parcel of land lying and being in Land Lot 304 of the 5th District, 2nd Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 7, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 304, 305, 306 and 309 of the 5th District, 2nd Section, Dawson County, Georgia; thence North 82 degrees 07 minutes 31 seconds West 885.47 feet to a point located on the West right-of-way line of McElroy Mountain Drive (a 50 foot right -of-way) which is the POINT OF BEGINNING; thence continuing along said right-of-way line of McElroy Mountain Drive South 30 degrees 23 minutes 42 seconds West 121.71

feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 5.00 feet) 12.74 feet to a point of tangency which point is also the intersection of the West right-of-way line of McElroy Mountain Drive with the East right-of-way line of Cliff Fern Point (a right-at-way of varying widths); thence continuing along said right-of-way line of Cliff Fern Point North 03 degrees 37 minutes 42 seconds West 100.82 feet to a point curvature; thence along said right-of-way line which forms the arc of a curve to the left (which arc has a radius of 181.51 feet) 81.80 feet to a point of tangency; thence along said right-of-way line North 29 degrees 26 minutes 58 seconds West 9.87 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 5.00 feet) 13.25 feet to a point of tangency; thence along said right-of-way line South 57 degrees 35 minutes 55 seconds East 106.60 feet to a point of curvature; thence along said right-at way line which forms the arc of a curve to the right (which arc has a radius of 25.00 feet) 38.39 feet to a point of tangency at the intersection of the right-of-way line of Cliff Fern Point with the West right-of-way line of McElroy Mountain Drive which is the POINT OF BEGINNING.

Said plat encompasses 9,631 square feet and was filed for record July 21, 1995 and recorded July 21, 1995 in Plat Book 36, Page 145, Dawson County, Georgia Records.

filed

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 2000A**

ALL THAT TRACT or parcel of land lying and being in Land Lots 14 and 15 of the 4th District, 2nd Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated June 30, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the Northwest corner of Land Lot 15 of the 4th District, 2nd Section, Pickens County, Georgia: thence South 07 degrees 36 minutes 36 seconds West 500.31 feet to a point located on the South right-of-way line of Petit Ridge Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence continuing along said right-of-way line of Petit Ridge Drive which forms the arc of a curve to the left (which arc has a radius of 410.62 feet and is subtended by a chord bearing South 41 degrees 42 minutes 45 seconds East for a distance of 115.42 feet) 115.80 feet to a point; thence South 18 degrees 19 minutes 59 seconds West 63.99 feet to a point; thence North 71 degrees 40 minutes 00 seconds West 100.00 feet to a point; thence North 18 degrees 20 minutes 00 seconds East 121.62 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 8,967 square feet and was filed record July 21, 1995 in Plat Book Y, Page 81, Pickens County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 2000B**

ALL THAT TRACT or parcel of land lying and being in Land Lot 25 of the 4th District, 2nd Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 5, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 25, 26, 51 and 52 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence North 32 degrees 54 minutes 56 seconds East 1,131.16 feet to a point located on the North right-of-way line of Disharoon Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence leaving said right-of-way line of Disharoon Drive and running North 35 degrees 43 minutes 04 seconds West 299.87 feet to a point; thence South 66 degrees 20 minutes 51 seconds East 284.72 feet to a point; thence South 08 degrees 05 minutes 43 seconds East to a point located on the North right-of-way line of Disharoon Drive (a 50 foot right-of-way); thence continuing along said right-of-way line of Disharoon Drive which forms the arc of a curve to the left (which arc has a radius of 57.64 feet and is subtended by a chord bearing South 89 degrees 45 minutes 54 seconds West for a distance of 62.45 feet) 66.00 feet to a point of tangency; thence along said right-of-way line South 56 degrees 57 minutes 45 seconds West 20.00 feet to a point of curvature; thence along said right-of-way line which forms the arc of a curve to the right (which arc has a radius of 296.1.3 feet) 25.00 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 26,126 square feet and was filed for record July 21, 1995 in Plat Book Y, Page 79, Pickens County, Georgia Record.

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 2000C**

ALL THAT TRACT or parcel of land lying and being in Land Lot 23 of the 4th District, 2nd Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 8, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 16, 17, 22 and 23 of the 4th District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence South 50 degrees 05 minutes 34 seconds West 913.40 feet to a point located on the West right-of-way line of Summit Drive East (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence continuing along said West right-of-way line of Summit Drive East South 33 degrees 44 minutes 45 seconds East 37.16 feet to a point; thence leaving said right-of-way line and running South 61 degrees 32 minutes 07 seconds West 33.42 feet to a point; thence North 28 degrees 27 minutes 53 seconds West 13.50 feet to a point; thence South 61 degrees 32 minutes 07 seconds West 63.29 feet to a point; thence South 28 degrees 27 minutes 53 seconds East 8.50 feet to a point; thence South 61 degrees 32 minutes 07 seconds West 90.00 feet to a point; thence North 28 degrees 27 minutes 53 seconds West 27.00 feet to a point; thence North 61 degrees 32 minutes 07 seconds East 90.00 feet to a point; thence South 28 degrees 27 minutes 53 seconds East 8.50 feet to a point; thence North 61 degrees 32 minutes 07 seconds East 63.29 feet to a point; thence North 28 degrees 27 minutes 53 seconds West 13.50 feet to a point; thence North 61 degrees 32 minutes 07 seconds East 30.00 feet to a point located on the West right-of-way line of Summit Drive East (a 50 foot right-of-way) which is the POINT OF BEGINNING.

Said plat encompasses 4,236 square feet and was filed for record July 21, 1995 in Plat Book Y, Page 83, Pickens County, Georgia Records.

The land herein described is within a 37.00 foot wide nonexclusive ingress, egress and utility easement that runs between Summit Drive East and Summit Drive West as shown on the referenced plat.

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 2400**

ALL THAT TRACT or parcel of land lying and being in Land Lot 301 of the 5th District, 2nd Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 1, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 275, 276, 301 and 302 of the 5th District, 2nd Section, Dawson County, Georgia; thence South 56 degrees 40 minutes 17 seconds West 710.65 feet to a point located on the West right-of-way line of Petit Ridge Drive ( a 50 foot right-of-way) which is the POINT OF BEGINNING; thence continuing along said right-of-way line of Petit Ridge Drive which forms the arc of a curve to the right ( which arc has a radius of 1,157.57 feet and is subtended by a chord bearing South 12 degrees 24 minutes 42 seconds West for a distance of 61.59 feet) 61.60 feet to a point of reverse curvature; thence along said right-of-way line which forms the arc of a curve to the left (which arc has a radius of 128.49 feet) 50.26 feet to a point; thence leaving said right-of-way line and running South 81 degrees 31 minutes 08 seconds West 96.84 feet to a point; thence Due North 145.75 feet to a point; thence South 79 degrees 06 minutes 44 seconds East 113.44 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 12,953 square feet and was filed for record July 21, 1995 and recorded July 21, 1995 in Plat Book 36, Page 137, Dawson County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 2430**

ALL THAT TRACT or parcel of land lying and being in Land Lots 12 and 13 of the 4th District, 2nd Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 6, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 12, 13, 26 and 27 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence North 33 degrees 24 minutes 33 seconds West 241.08 feet to a point located on the Northeast right-of-way line of Ridgeview Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence continuing along said Northeast right-of-way line of Ridgeview Drive which forms the arc of a curve to the right (which arc has a radius of 70.12 feet and is subtended by a chord bearing North 70 degrees 03 minutes 30 seconds West for a distance of 59.19 feet) 61.11 feet to a point of tangency; thence along said right-of-way line North 45 degrees 05 minutes 29 seconds West 64.00 feet to a point; thence leaving said right-of-way line and running North 37 degrees 31 minutes 36 seconds East 330.85 feet to a point; thence South 66 degrees 03 minutes 28 seconds East 70.00 feet to a point; thence South 28 degrees 47 minutes 43 seconds West 341.59 feet to a point located on the Northeast right-of-way line of Ridgeview Drive ( a 50 foot right-of way) which is the POINT OF BEGINNING.

Said plat encompasses 32,808 square feet and was filed for record July 21, 1995 in Plat Book Y, Page 77, Pickens County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 2800**

ALL THAT TRACT or parcel of land lying and being in Land Lot 277 of the 5th District, 2nd Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 2, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 276, 277, 300 and 301 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia; thence North 24 degrees 35 minutes 37 seconds West 715.92 feet to a point located on the North right-of-way line of South Sanderlin Mountain Drive (a 50 foot right-of-way ) which is the POINT OF BEGINNING; thence continuing along said right-of-way line of South Sanderlin Mountain Drive which forms the arc of a curve to the right (which arc has a radius of 186.66 feet and is subtended by a chord bearing North 72 degrees 39 minutes 39 seconds West for a distance of 40.00 feet) 40.08 feet to a point; thence leaving said right-of-way line and running North 18 degrees 11 minutes 03 seconds East 206.04 feet to a point; thence South 71 degrees 48 minutes 57 seconds East 40.00 feet to a point; thence South 18 degrees 11 minutes 03 seconds West 205.45 feet to a located on the North right-of-way line of South Sanderlin Mountain Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING.

Said plat encompasses 8,258 square feet and was filed for record July 21, 1995 and recorded July 21, 1995 in Plat Book 36, Page 141, Dawson County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WATER TANK SITE 3150**

ALL THAT TRACT or parcel of land lying and being in Land Lot 278 of the 5th District, 2nd Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 5, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the Northwest corner of Land Lot 278 of the 5th District, 2nd Section, Pickens County, Georgia; thence South 86 degrees 38 minutes 06 seconds East 445.51 feet to a point; which is the POINT OF BEGINNING; thence South 55 degrees 37 minutes 08 seconds East 111.48 feet to a point; thence South 20 degrees 17 minutes 17 seconds West 84.02 feet to a point located on the North line of an access road to the water tank; thence continuing along the said North line of an access road North 55 degrees 45 minutes 03 seconds West 115.55 feet to a point; thence leaving the North line of an access road and running North 23 degrees 02 minutes 56 seconds East 83.38 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 9,268 square feet and was filed record July 21, 1995 in Plat Book Y, Page 79, Pickens County, Georgia Records.



**METES AND BOUNDS DESCRIPTION  
WELL SITE # 2**

ALL THAT TRACT or parcel of land lying and being in Land Lot 302 of the 5th District, 2nd Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated June 24, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 302, 303, 310 and 311 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia; thence North 61 degrees 30 minutes 13 seconds West 773.77 feet to a point located on the West right-of-way line of Quail Cove Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence leaving said right-of-way line of Quail Cove Drive and running South 56 degrees 58 minutes 00 seconds West 40.00 feet to a point; thence North 48 degrees 12 minutes 00 seconds West 50.00 feet to a point; thence North 54 degrees 34 minutes 00 seconds East 40.59 feet to a point located on the West right-of-way line of Quail Cove Drive (a 50 foot right-at-way); thence continuing along said right-of-way line of Quail Cove Drive which forms the arc of a curve to the left (which arc has a radius of 459.78 feet and is subtended by a chord bearing South 47 degrees 08 minutes 24 seconds East for a distance of 51.55 feet) 51.58 feet to a point which is the POINT or BEGINNING.

Said plat encompasses 1,964 square feet and was filed for record July 21, 1995 and recorded July 21, 1995 in Plat Book 36, Page 139, Dawson County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WELL SITE # 3**

ALL THAT TRACT or parcel of land lying and being in Land Lot 311 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated June 26, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 301, 302, 311 and 312 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia; thence South 27 degrees 01 minutes 59 seconds West 472.67 feet to a point located on the South right-of-way line of Little Beaver Run (a 50 right-of-way) which is the POINT OF BEGINNING; thence continuing along the said right-of-way line of Little Beaver Run which forms the arc of a curve to the left (which arc has a radius of 178.00 feet and is subtended by a chord bearing North 48 degrees 39 minutes 32 seconds East for a distance of 52.85 feet) 53.05 feet to a point; thence leaving said right-of-way line and running South 49 degrees 52 minutes 44 seconds East 40.00 feet to a point; thence South 51 degrees 31 minutes 31 seconds West 76.91 feet to a point; thence North 14 degrees 33 minutes 52 seconds West 40.00 feet to a point located on the South right-of-way line of Little Beaver Run which is the POINT OF BEGINNING.

Said plat encompasses 2,380 square feet and was filed for record July 21, 1995 and recorded July 21, 1995 in Plat Book 36, Page 147, Dawson County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WELL SITE # 11**

ALL THAT TRACT or parcel of land lying and being in Land Lot 310 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated June 27, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 303, 304, 309 and 310 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia; thence South 03 degrees 57 minutes 20 seconds West 1,058.90 feet to a point located on the East right-of-way line of Quail Cove Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence leaving the said right-of-way line of Quail Cove Drive and running South 88 degrees 20 minutes 10 seconds East 55.06 feet to a point; thence South 01 degrees 39 minutes 51 seconds West 40.00 feet to a point thence North 88 degrees 20 minutes 09 seconds West 50.00 feet to a point located on the East right-of-way line of Quail Cove Drive (a 50 foot right-of-way ); thence continuing along the said right-of-way line of Quail Cove Drive which forms the arc of a curve to the left (which arc has a radius of 85.94 feet and is subtended by a chord bearing North 05 degrees 32 minutes 59 seconds West for a distance of 40.32 feet) 40.70 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 2,037 square feet and was filed for record July 21, 1995 in Plat Book 36, Page 135, Dawson County, Georgia Records.

**METES AND BOUNDS DESCRIPTION  
WELL SITE # 14**

ALL THAT TRACT or parcel of land lying and being in Land Lot 310 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated June 28, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 303, 304, 309 and 310 of the 5<sup>th</sup> District, 2<sup>nd</sup> Section, Dawson County, Georgia; thence South 04 degrees 55 minutes 19 seconds West 1,326.86 feet to a paint located on the East right-of-way line of Quail Cove Drive (a 50 foot right-of-way) which is the POINT OF BEGINNING; thence leaving said right-of-way line of Quail Cove Drive and running North 83 degrees 47 minutes 16 seconds East 75.00 feet to a point; thence South 06 degrees 12 minutes 44 seconds West 45.00 feet to a point; thence South 83 degrees 47 minutes 16 seconds West 50.88 feet to a point located on the East right-of-way line of Quail Cove Drive (a 50 foot right-of-way); thence continuing along said right-of-way line of Quail Cove Drive which forms the arc of a curve to the left (which arc has a radius of 68.09 feet and is subtended by a chord bearing North 34 degrees 23 minutes 59 seconds West for a distance of 51.05 feet) 52.33 feet to a point which is the POINT OF BEGINNING.

Said plat encompasses 2,662 square feet and was filed for record July 21, 1995 and recorded July 21, 1995 in Plat Book 36, Page 143, Dawson County, Georgia Records.

## LEGAL DESCRIPTION

### "Easement A-B-C-D"

All that easement lying and being situate in Land Lots 91, 92, 99 and 98, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, with the centerline being more particularly described as follows:

Commencing at the common corner of Land Lots 91, 92, 99 and 100, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,858.15 and Easting = 463,173.82; Thence North 28 degrees 44 minutes 33 seconds West for a distance of 608.82 feet to a point on the northern right of way (r/w) of Cove Road (r/w varies) labeled as Point A on a compiled easement plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, said point being the POINT OF BEGINNING;

Thence South 84 degrees 37 minutes 40 seconds East for a distance of 51.10 feet to a point; Thence South 53 degrees 14 minutes 32 seconds East for a distance of 31.94 feet to a point; Thence South 16 degrees 16 minutes 48 seconds East for a distance of 46.79 feet to a point labeled as Point B on said plat;

Thence generally parallel to the existing asphalt pavement of Cove Road the following courses: North 88 degrees 49 minutes 04 seconds East for a distance of 25.66 feet to a point; Thence South 85 degrees 46 minutes 56 seconds East for a distance of 81.51 feet to a point; Thence South 77 degrees 39 minutes 52 seconds East for a distance of 68.86 feet to a point; Thence South 75 degrees 33 minutes 17 seconds East for a distance of 41.11 feet to a point; Thence South 73 degrees 49 minutes 45 seconds East for a distance of 129.58 feet to a point; Thence South 73 degrees 31 minutes 50 seconds East for a distance of 198.16 feet to a point; Thence along a curve to the right having a radius of 1660.52 feet and an arc length of 488.25 feet, being subtended by a chord of South 65 degrees 06 minutes 26 seconds East for a distance of 486.49 feet to a point; Thence South 56 degrees 39 minutes 24 seconds East for a distance of 323.64 feet to a point; Thence South 57 degrees 05 minutes 57 seconds East for a distance of 120.86 feet to a point; Thence South 58 degrees 35 minutes 03 seconds East for a distance of 77.70 feet to a point; Thence South 56 degrees 55 minutes 33 seconds East for a distance of 119.71 feet to a point; Thence South 57 degrees 21 minutes 41 seconds East for a distance of 135.93 feet to a point; Thence South 57 degrees 49 minutes 58 seconds East for a distance of 53.68 feet to a point; Thence along a curve to the left having a radius of 1537.10 feet and an arc length of 341.88 feet, being subtended by a chord of South 64 degrees 12 minutes 17 seconds East for a distance of 341.18 feet to a point; Thence South 70 degrees 32 minutes 57 seconds East for a distance of 101.62 feet to a point; Thence South 73 degrees 45 minutes 04 seconds East for a distance of 80.56 feet to a point; Thence South 75 degrees 48 minutes 52 seconds East for a distance of 223.34 feet to a point; Thence South 76 degrees 26 minutes 26 seconds East for a distance of 57.69 feet to a point; Thence along a curve to the right having a radius of 1890.73 feet and an arc length of 520.07 feet, being subtended by a chord of South 68 degrees 33 minutes 38 seconds East for a distance

of 518.44 feet to a point; Thence South 60 degrees 33 minutes 00 seconds East for a distance of 145.95 feet to a point, labeled Point C on said plat;

Thence along Whitley Road (80' r/w) the following courses: North 59 degrees 13 minutes 02 seconds East for a distance of 23.71 feet to a point; Thence North 04 degrees 48 minutes 32 seconds East for a distance of 91.85 feet to a point; Thence North 00 degrees 20 minutes 22 seconds West for a distance of 73.38 feet to a point; Thence North 02 degrees 46 minutes 26 seconds East for a distance of 102.62 feet to a point at the terminus of the Whitley Road r/w labeled Point D on said plat; Thence a tie line of North 78 degrees 45 minutes 25 seconds West for a distance of 2916.17 feet to the common corner of Land Lots 91, 92, 99 and 100.

Subject easement varies as indicated below:

From Point A to Point B: Permanent easement 10 feet on each side of centerline;

From Point B to Point C: Permanent easement 5 feet each side of centerline, with a temporary construction easement extending an additional 10 feet on the north side;

From Point C to Point D: Permanent easement 10 feet on each side of centerline.

The easement is entirely inside the r/w of Cove Road and Whitley Road, and is more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.

## LEGAL DESCRIPTION

### "Easement E-F-G"

All that easement lying and being situate in Land Lot 98, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, with the centerline being more particularly described as follows:

Commencing at the common corner of Land Lots 92, 93, 98 and 99, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,867.50 and Easting = 465,994.42; Thence South 12 degrees 14 minutes 40 seconds East for a distance of 917.85 feet to a point on the northern right of way (r/w) of Cove Road (r/w varies) labeled as Point E on a compiled easement plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, said point being the POINT OF BEGINNING;

Thence South 28 degrees 56 minutes 51 seconds West for a distance of 123.07 feet to a point; Thence South 28 degrees 56 minutes 51 seconds West for a distance of 16.79 feet to a point on the southern r/w of Cove Road labeled as Point G on said plat; Thence a tie line of North 07 degrees 05 minutes 59 seconds West for a distance of 1027.24 feet to the common corner of Land Lots 92, 93, 98 and 99.

The permanent easement extends 5 feet on the east side and 15 feet on the west side of the centerline described, with a temporary construction easement extending an additional 10 feet on each side, and is entirely inside the r/w of Cove Road, being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.

## LEGAL DESCRIPTION

### "Easement F-H"

All that easement lying and being situate in Land Lot 98, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, with the centerline being more particularly described as follows:

Commencing at the common corner of Land Lots 92, 93, 98 and 99, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,867.50 and Easting = 465,994.42; Thence South 12 degrees 14 minutes 40 seconds East for a distance of 917.85 feet to a point on the northern right of way (r/w) of Cove Road (r/w varies) labeled as Point E on a compiled easement plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004; Thence South 28 degrees 56 minutes 51 seconds West for a distance of 123.07 feet to a point labeled as Point F on said plat, said point being the POINT OF BEGINNING;

Thence South 61 degrees 03 minutes 09 seconds East for a distance of 157.55 feet to a point; Thence North 73 degrees 56 minutes 51 seconds East for a distance of 12.29 feet to a point; Thence South 61 degrees 03 minutes 09 seconds East for a distance of 24.86 feet to a point; Thence South 16 degrees 03 minutes 09 seconds East for a distance of 12.29 feet to a point; Thence South 61 degrees 03 minutes 09 seconds East for a distance of 124.82 feet to a point; Thence South 63 degrees 33 minutes 52 seconds East for a distance of 240.39 feet to a point; Thence South 62 degrees 19 minutes 59 seconds East for a distance of 358.17 feet to a point; Thence South 76 degrees 09 minutes 48 seconds East for a distance of 73.96 feet to a point on the eastern r/w of Steve Tate Highway (100' r/w); Thence a tie line of North 35 degrees 09 minutes 46 seconds West for a distance of 1777.06 feet to the common corner of Land Lots 92, 93, 98 and 99.

The permanent easement extends 5 feet on each side, with a temporary construction easement extending an additional 10 feet on each side, and is entirely inside the r/w of Cove Road and Steve Tate Highway, being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.



**LEGAL DESCRIPTION**  
"Easement J-K-L"

All that easement lying and being situate in Land Lot 93, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, with the centerline being more particularly described as follows:

Commencing at the common corner of Land Lots 60, 61, 92 and 93, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,614,430.50 and Easting = 466,035.56; Thence South 26 degrees 14 minutes 59 seconds East for a distance of 2854.24 feet to a point on the western right of way (r/w) of Steve Tate Highway (100' r/w) labeled as Point J on a compiled easement plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, said point being the POINT OF BEGINNING;

Thence South 76 degrees 54 minutes 44 seconds East for a distance of 21.35 feet to a point; Thence South 76 degrees 54 minutes 44 seconds East for a distance of 78.65 feet to a point on the eastern r/w of Steve Tate Highway, labeled as Point L on said plat; Thence along a tie line of North 27 degrees 46 minutes 06 seconds West for a distance of 2918.66 feet to the common corner of Land Lots 60, 61, 92 and 93.

The permanent easement extends 5 feet on each side, with a temporary construction easement extending an additional 10 feet on each side, and is entirely inside the r/w of Steve Tate Highway, being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.

## LEGAL DESCRIPTION

### "Easement K-M"

All that easement lying and being situate in Land Lots 93 and 60, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, with the centerline being more particularly described as follows:

Commencing at the common corner of Land Lots 60, 61, 92 and 93, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,614,430.50 and Easting = 466,035.56; Thence South 26 degrees 14 minutes 59 seconds East for a distance of 2854.24 feet to a point on the western right of way (r/w) of Steve Tate Highway (100' r/w) labeled as Point J on a compiled easement plat prepared for Big Cancee Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004; Thence South 76 degrees 54 minutes 44 seconds East for a distance of 21.35 feet to a point labeled as Point K, said point being the POINT OF BEGINNING;

Thence North 18 degrees 06 minutes 45 seconds East for a distance of 55.28 feet to a point; Thence along a curve to the left having a radius of 1873.66 feet and an arc length of 748.02 feet, being subtended by a chord of North 01 degrees 37 minutes 30 seconds East for a distance of 743.06 feet to a point; Thence North 15 degrees 06 minutes 01 seconds West for a distance of 66.20 feet to a point; Thence North 18 degrees 42 minutes 47 seconds West for a distance of 179.76 feet to a point; Thence North 23 degrees 29 minutes 42 seconds West for a distance of 89.56 feet to a point; Thence North 25 degrees 50 minutes 40 seconds West for a distance of 47.54 feet to a point; Thence North 30 degrees 45 minutes 06 seconds West for a distance of 110.98 feet to a point; Thence North 14 degrees 30 minutes 31 seconds East for a distance of 64.34 feet to a point; Thence North 27 degrees 37 minutes 37 seconds West for a distance of 101.46 feet to a point; Thence North 31 degrees 04 minutes 21 seconds West for a distance of 99.29 feet to a point; Thence North 33 degrees 54 minutes 07 seconds West for a distance of 299.98 feet to a point; Thence North 33 degrees 10 minutes 21 seconds West for a distance of 209.41 feet to a point; Thence North 77 degrees 44 minutes 53 seconds West for a distance of 49.78 feet to a point; Thence North 08 degrees 51 minutes 44 seconds West for a distance of 89.81 feet to a point; Thence North 29 degrees 32 minutes 53 seconds West for a distance of 243.21 feet to a point; Thence North 74 degrees 06 minutes 53 seconds West for a distance of 50.67 feet to a point; Thence North 13 degrees 25 minutes 57 seconds West for a distance of 46.10 feet to a point; Thence North 21 degrees 10 minutes 53 seconds West for a distance of 44.09 feet to a point; Thence North 24 degrees 53 minutes 07 seconds West for a distance of 143.13 feet to a point; Thence North 24 degrees 51 minutes 32 seconds West for a distance of 106.90 feet to a point; Thence North 22 degrees 41 minutes 52 seconds West for a distance of 100.53 feet to a point; Thence North 19 degrees 58 minutes 31 seconds West for a distance of 77.54 feet to a point; Thence North 16 degrees 26 minutes 44 seconds West for a distance of 38.40 feet to a point; Thence North 02 degrees 25 minutes 50 seconds East for a distance of 44.94 feet to a point; Thence North 19 degrees 01 minutes 11 seconds West for a distance of 149.60 feet to a point; Thence North 18 degrees 38 minutes 59 seconds West for a distance of

199.39 feet to a point; Thence North 16 degrees 40 minutes 29 seconds West for a distance of 100.20 feet to a point; Thence along a curve to the right having a radius of 2083.59 feet and an arc length of 449.48 feet, being subtended by a chord of North 07 degrees 12 minutes 54 seconds West for a distance of 448.61 feet to a point; Thence North 00 degrees 38 minutes 29 seconds West for a distance of 348.93 feet to a point; Thence along a curve to the right having a radius of 816.12 feet and an arc length of 251.03 feet, being subtended by a chord of North 05 degrees 09 minutes 58 seconds East for a distance of 250.04 feet to a point; Thence North 15 degrees 42 minutes 44 seconds East for a distance of 148.12 feet to a point; Thence North 36 degrees 16 minutes 05 seconds West for a distance of 35.12 feet to a point on the western r/w of Steve Tate Highway labeled as Point M on said plat; Thence along a tie line of South 05 degrees 15 minutes 46 seconds West for a distance of 1879.57 feet to a point at the common corner of Land Lots 60, 61, 92 and 93.

The permanent easement extends 5 feet on each side, with a temporary construction easement extending an additional 10 feet on the west side, and is entirely inside the r/w of Steve Tate Highway, being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 25, 2004, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.

**LEGAL DESCRIPTION**  
**“Blackwell Creek Pump Station Tract”**

All that tract or parcel of land lying and being situate in Land Lot 91, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 91, 92, 99 and 100, said point having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,858.15 and Easting = 463,173.82; Thence North 51 degrees 55 minutes 07 seconds West for a distance of 802.85 feet to a point; said point being the POINT OF BEGINNING;

Thence North 51 degrees 35 minutes 54 seconds West for a distance of 45.00 feet to a point; Thence North 38 degrees 24 minutes 06 seconds East for a distance of 41.00 feet to a point; Thence South 51 degrees 35 minutes 54 seconds East for a distance of 45.00 feet to a point; Thence South 38 degrees 24 minutes 06 seconds West for a distance of 41.00 feet to a point, being the POINT OF BEGINNING;

Containing 0.04 acre, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 17, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the south, west, north and east by lands of Big Canoe Company, L.L.C..

**LEGAL DESCRIPTION**  
**“Blackwell Creek Pump Station Easement”**

All that tract or parcel of land lying and being situate in Land Lot 91, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 91, 92, 99 and 100, said point having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,858.15 and Easting = 463,173.82; Thence North 51 degrees 55 minutes 07 seconds West for a distance of 802.85 feet to a point; said point being the POINT OF BEGINNING;

Thence North 38 degrees 24 minutes 06 seconds East for a distance of 41.00 feet to a point; Thence North 75 degrees 18 minutes 41 seconds East for a distance of 121.30 feet to a point; Thence South 89 degrees 47 minutes 44 seconds East for a distance of 49.91 feet to a point; Thence South 84 degrees 30 minutes 56 seconds East for a distance of 211.03 feet to a point on the northern right of way (r/w) of Cove Road;

Thence along said r/w along a curve to the left having a radius of 918.46 feet and an arc length of 110.21 feet, being subtended by a chord of South 85 degrees 01 minutes 21 seconds West for a distance of 110.14 feet to a point;

Thence leaving said r/w: North 84 degrees 30 minutes 56 seconds West for a distance of 101.80 feet to a point; Thence North 89 degrees 47 minutes 44 seconds West for a distance of 46.17 feet to a point; Thence South 74 degrees 07 minutes 11 seconds West for a distance of 48.00 feet to a point; Thence South 68 degrees 29 minutes 03 seconds West for a distance of 139.96 feet to a point; Thence North 21 degrees 15 minutes 50 seconds West for a distance of 20.00 feet to a point; Thence North 68 degrees 29 minutes 03 seconds East for a distance of 30.01 feet to a point; Thence South 51 degrees 35 minutes 54 seconds East for a distance of 12.97 feet to a point, said point being the POINT OF BEGINNING;

Containing 0.19 acre, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 17, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the south by the r/w of Cove Road and lands of Big Canoe Company, L.L.C., and on the west, north and east by lands of Big Canoe Company, L.L.C..

**LEGAL DESCRIPTION**  
**“Blackwell Creek Water Treatment Plant Site”**

All that tract or parcel of land lying and being situate in Land Lot 98, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 92, 93, 98 and 99, said point having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,867.50 and Easting = 465,994.42; Thence South 00 degrees 18 minutes 19 seconds East for a distance of 1103.51 feet to a point on the eastern right of way (r/w) of Whitley Road, said point being the POINT OF BEGINNING;

Thence along Whitley Road r/w the following courses: along a curve to the right having a radius of 555.57 feet and an arc length of 76.63 feet, being subtended by a chord of North 27 degrees 10 minutes 54 seconds East for a distance of 76.57 feet to a point; Thence North 31 degrees 07 minutes 59 seconds East for a distance of 15.60 feet to a point; Thence along a curve to the right having a radius of 179.78 feet and an arc length of 10.07 feet, being subtended by a chord of North 32 degrees 44 minutes 17 seconds East for a distance of 10.07 feet to a point; Thence South 60 degrees 58 minutes 42 seconds East for a distance of 16.08 feet to a point; Thence North 29 degrees 01 minutes 18 seconds East for a distance of 30.00 feet to a point on the southern r/w of Cove Road;

Thence along the r/w of Cove Road: South 61 degrees 08 minutes 54 seconds East for a distance of 238.84 feet to a point;

Thence leaving r/w of Cove Road the following courses: South 20 degrees 18 minutes 33 seconds West for a distance of 120.37 feet to a point; Thence South 16 degrees 23 minutes 33 seconds East for a distance of 156.74 feet to a point; Thence South 25 degrees 16 minutes 05 seconds West for a distance of 147.43 feet to a point; Thence South 77 degrees 34 minutes 36 seconds West for a distance of 244.59 feet to a point; Thence North 00 degrees 55 minutes 00 seconds East for a distance of 208.97 feet to a point; Thence North 02 degrees 55 minutes 09 seconds East for a distance of 191.83 feet to a point; Thence North 00 degrees 04 minutes 21 seconds West for a distance of 55.56 feet to a point on the eastern r/w of Whitley Road, said point being the POINT OF BEGINNING;

Containing 3.00 acres, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 25, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the north by Cove Road, on the east and south by lands of Potts Mountain Investors, L.L.C., on the west by Whitley Road and various private lot owners.

**LEGAL DESCRIPTION**  
**"1690 Tank Tract"**

All that tract or parcel of land lying and being situate in Land Lot 54, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 22, 23, 54 and 55, said point having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,619,772.81 and Easting = 466,050.48, Thence South 00 degrees 53 minutes 27 seconds West for a distance of 80.00 feet to a point, said point being the POINT OF BEGINNING;

Thence South 00 degrees 53 minutes 27 seconds West for a distance of 251.66 feet to a point on the eastern right of way (r/w) of Kilmartin Point;

Thence along said r/w the following courses: along a curve to the left having a radius of 160.06 feet and an arc length of 71.03 feet, being subtended by a chord of North 11 degrees 49 minutes 39 seconds West for a distance of 70.45 feet to a point; Thence North 24 degrees 32 minutes 28 seconds West for a distance of 96.53 feet to a point; Thence along a curve to the right having a radius of 76.81 feet and an arc length of 55.05 feet, being subtended by a chord of North 04 degrees 00 minutes 38 seconds West for a distance of 53.88 feet to a point; Thence North 16 degrees 31 minutes 11 seconds East for a distance of 57.11 feet to a point;

Thence leaving said r/w: South 73 degrees 28 minutes 49 seconds East for a distance of 47.96 feet to a point, said point being the POINT OF BEGINNING;

Containing 0.22 acre, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 20, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the south and west by Kilmartin Point, on the north by lands of Big Canoe Company, L.L.C., and on the east by Samples.

**LEGAL DESCRIPTION**  
**"1900 Tank Tract"**

All that tract or parcel of land lying and being situate in Land Lots 93 and 98, 5<sup>th</sup> District, 2<sup>nd</sup> Section of Dawson County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 271, 272, 305 and 306, said point having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,630,205.65 and Easting = 470,029.94; Thence South 44 degrees 13 minutes 33 seconds East for a distance of 919.19 feet to a point on the northern right of way (r/w) of Bluestern Drive (60' r/w), said point being the POINT OF BEGINNING;

Thence North 54 degrees 28 minutes 58 seconds East for a distance of 70.61 feet to a point; Thence South 35 degrees 31 minutes 30 seconds East for a distance of 58.92 feet to a point; Thence South 19 degrees 07 minutes 06 seconds West for a distance of 70.17 feet to a point on the northern r/w of Bluestern Drive;

Thence along said r/w the following courses: along a curve to the right having a radius of 110.03 feet and an arc length of 81.69 feet, being subtended by a chord of North 47 degrees 41 minutes 36 seconds West for a distance of 79.83 feet to a point; Thence North 26 degrees 25 minutes 28 seconds West for a distance of 21.78 feet to a point, said point being the POINT OF BEGINNING;

Containing 0.14 acre, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 23, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the northwest and southeast by lots in Wildcat E-4 neighborhood, on the northeast by lands of Big Canoe Company, L.L.C., and on the southwest by Bluestern Drive.



**LEGAL DESCRIPTION**  
**“Reservoir Tract”**

All that tract or parcel of land lying and being situate in Land Lots 93 and 98, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 92, 93, 98 and 99, said point being the POINT OF BEGINNING, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,867.50 and Easting = 465,994.42;

Thence North 00 degrees 02 minutes 37 seconds West for a distance of 36.86 feet to a point; Thence North 88 degrees 10 minutes 54 seconds East for a distance of 194.94 feet to a point; Thence North 14 degrees 15 minutes 40 seconds East for a distance of 191.62 feet to a point on the southern right of way (r/w) of Sycamore Trail (60' r/w);

Thence along said r/w the following courses: along a curve to the left having a radius of 1142.00 feet and an arc length of 209.94 feet, being subtended by a chord of North 84 degrees 36 minutes 23 seconds East for a distance of 209.64 feet to a point; Thence North 79 degrees 20 minutes 23 seconds East for a distance of 89.87 feet to a point; Thence along a curve to the right having a radius of 570.00 feet and an arc length of 80.16 feet, being subtended by a chord of North 83 degrees 22 minutes 07 seconds East for a distance of 80.09 feet to a point;

Thence leaving said r/w the following courses: South 01 degrees 28 minutes 37 seconds East for a distance of 303.68 feet to a point; Thence South 05 degrees 58 minutes 17 seconds East for a distance of 68.45 feet to a point; Thence South 06 degrees 55 minutes 23 seconds West for a distance of 522.19 feet to a point; Thence South 32 degrees 42 minutes 49 seconds West for a distance of 429.23 feet to a point on the northern r/w of Cove Road;

Thence along Cove Road r/w: North 60 degrees 58 minutes 42 seconds West for a distance of 309.41 feet to a point on the eastern r/w of Whitley Road;

Thence along Whitley Road r/w the following courses: North 01 degrees 21 minutes 56 seconds West for a distance of 148.99 feet to a point; Thence North 06 degrees 50 minutes 59 seconds East for a distance of 96.20 feet to a point;

Thence leaving said r/w: North 00 degrees 02 minutes 37 seconds West for a distance of 573.21 feet to a point at the common corner of Land Lots 92, 93, 98 and 99, said point being the POINT OF BEGINNING,

Containing 13.74 acres, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 16, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the west, north and east by Blackwell Investors, III, on the south by Cove Road and on the west by Whitley Road and Hendrix.

**LEGAL DESCRIPTION**  
**“Choctaw Plant Tract”**

All that tract or parcel of land lying and being situate in Land Lot 61, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, and being more particularly described as follows:

Commencing at the common corner of Land Lots 60, 61, 92 and 93, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,614,491.55 and Easting = 465,999.97; Thence North 27 degrees 02 minutes 44 seconds West for a distance of 1643.88 feet to a point, said point being the POINT OF BEGINNING,

Thence South 32 degrees 10 minutes 27 seconds West for a distance of 151.38 feet to a point; Thence South 44 degrees 55 minutes 58 seconds West for a distance of 146.54 feet to a point; Thence North 53 degrees 11 minutes 53 seconds West for a distance of 149.63 feet to a point; Thence North 46 degrees 02 minutes 22 seconds East for a distance of 204.39 feet to a point; Thence North 55 degrees 57 minutes 13 seconds East for a distance of 104.15 feet to a point; Thence South 50 degrees 34 minutes 23 seconds East for a distance of 91.26 feet to a point, said point being the POINT OF BEGINNING;

Containing 0.92 acre, more or less, together with and subject to covenants, easements, and restrictions of record; and being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company by Cranston, Robertson & Whitehurst, P. C. dated August 31, 2004, to which reference is made for a more complete description of the property, its exact location, metes and bounds.

Subject tract is bounded (now or formerly) on the south, west, north and east by lands of Mountain Resort Investors, L.L.C..

## LEGAL DESCRIPTION

### “Construction/Maintenance and Access Easement for Choctaw Plant”

All that easement lying and being situate in Land Lot 61, 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, with the centerline being more particularly described as follows:

Commencing at the common corner of Land Lots 60, 61, 92 and 93, and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,614,491.55 and Easting = 465,999.97; Thence North 27 degrees 02 minutes 44 seconds West for a distance of 1643.88 feet to a point; Thence North 50 degrees 34 minutes 23 seconds West for a distance of 33.08 feet to a point, said point being the POINT OF BEGINNING,

Thence North 38 degrees 15 minutes 05 seconds East for a distance of 20.20 feet to a point; Thence along a curve to the left having a radius of 75.00 feet and an arc length of 194.55 feet, being subtended by a chord of North 36 degrees 03 minutes 45 seconds West for a distance of 144.41 feet to a point; Thence South 69 degrees 37 minutes 24 seconds West for a distance of 25.34 feet to a point; Thence along a curve to the right having a radius of 409.22 feet and an arc length of 63.47 feet, being subtended by a chord of South 74 degrees 04 minutes 01 seconds West for a distance of 63.41 feet to a point; Thence South 78 degrees 30 minutes 37 seconds West for a distance of 67.36 feet to a point; Thence along a curve to the left having a radius of 294.86 feet and an arc length of 86.50 feet, being subtended by a chord of South 70 degrees 06 minutes 21 seconds West for a distance of 86.19 feet to a point; Thence South 61 degrees 42 minutes 05 seconds West for a distance of 20.84 feet to a point; Thence along a curve to the left having a radius of 658.79 feet and an arc length of 73.20 feet, being subtended by a chord of South 58 degrees 31 minutes 05 seconds West for a distance of 73.16 feet to a point; Thence South 55 degrees 20 minutes 05 seconds West for a distance of 33.48 feet to a point; Thence along a curve to the left having a radius of 536.27 feet and an arc length of 81.25 feet, being subtended by a chord of South 50 degrees 59 minutes 40 seconds West for a distance of 81.17 feet to a point; Thence along a curve to the right having a radius of 89.74 feet and an arc length of 38.63 feet, being subtended by a chord of South 58 degrees 59 minutes 11 seconds West for a distance of 38.33 feet to a point; Thence South 71 degrees 19 minutes 07 seconds West for a distance of 14.50 feet to a point; Thence along a curve to the left having a radius of 607.50 feet and an arc length of 75.94 feet, being subtended by a chord of South 67 degrees 44 minutes 15 seconds West for a distance of 75.89 feet to a point; Thence South 64 degrees 09 minutes 22 seconds West for a distance of 50.65 feet to a point; Thence along a curve to the right having a radius of 178.54 feet and an arc length of 81.13 feet, being subtended by a chord of South 77 degrees 10 minutes 25 seconds West for a distance of 80.43 feet to a point; Thence North 89 degrees 48 minutes 33 seconds West for a distance of 34.40 feet to a point; Thence along a curve to the right having a radius of 1769.98 feet and an arc length of 139.07 feet, being subtended by a chord of North 87 degrees 33 minutes 29 seconds West for a distance of 139.04 feet to a point; Thence along a curve to the right having a radius of 119.46 feet and an arc length of 41.69 feet, being subtended by a chord of North 75 degrees 18 minutes 31 seconds West for a distance of 41.48 feet to a point; Thence along a curve to the left having a radius of 136.15 feet and an arc length of 41.75 feet, being subtended by a chord of North 74 degrees 05 minutes 43 seconds West for a distance of 41.59 feet to a point; Thence North 82 degrees 52 minutes 50 seconds West for a distance of 13.78 feet to a point on the eastern right of way of Wilderness Parkway;

The permanent easement contains 0.82 acre, more or less, and extends 15 feet on each side of the centerline described, and is entirely inside the property of Mountain Resort Investors,

L.L.C., being more particularly delineated and described on a certain plat prepared for Big Canoe Utilities Company, Inc. by Cranston, Robertson & Whitehurst, P.C. dated August 31, 2004, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.

**METES AND BOUNDS DESCRIPTION  
SECONDARY SEWAGE TREATMENT PLANT SITE**

ALL THAT TRACT or parcel of land lying and being in Land Lots 15 and 24 of the 4th District, 2nd Section, Pickens County, Georgia as shown on a compiled map prepared by Cranston, Robertson and Whitehurst, P.C. dated July 10, 1995 and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the common corner of Land Lots 15, 16, 23 and 24 of the 4th District, 2nd Section, Pickens County, Georgia; thence North 85 degrees 23 minutes 26 seconds West 447.61 feet to a point which is the POINT OF BEGINNING; thence North ~3 degrees 22 minutes 38 seconds East 15.00 feet to a point; thence North ~3 degrees 27 minutes 24 seconds West 19.56 feet to a point; thence North 42 degrees 31 minutes 32 seconds East 35.72 feet to a point; thence South 46 degrees 36 minutes 44 seconds East 88.23 feet to a point; thence South 35 degrees 45 minutes 38 seconds West 30.17 feet to a point; thence South 43 degrees 36 minutes 43 seconds East 92.02 feet to a point; thence South 46 degrees 04 minutes 57 seconds West 56.48 feet to a point thence North 51 degrees 17 minutes 36 seconds West 161.93 feet to a point; thence North 43 degrees 22 minutes 38 seconds East 52.56 feet to a point; which is the POINT OF BEGINNING.

Said plat encompasses 13,632 square feet and was filed for record July 21, 1995 in Plat Book Y, Page 80, Pickens County, Georgia Records.