

Whistleblower Exhibit "G"

Photograph of the Entry to the "Public Access" Conservation Easement

Notes: Photograph of the Easement Access Entry to the CE Property, marked with "No Trespassing" and "Authorized personnel Only" signs. This further goes against the requirements found in § 1.170A-14(d)(2), which is intended to allow public access.



**This is the entrance to the Easement Road on the Conservation Easement Property.**

**This visual evidence of access limitation appears to be in violation to the requirements found in § 1.170A-14(d)(2) relating to public access.**

Whistleblower Exhibit “H”  
The 2006 Amended Conservation Easement

**Notes:** This is a copy of the August 10, 2006 Amended Conservation Easement filing, and can be found in the records of Pickens County Georgia, Book 728 Pages 599 – 612, filed on August 26, 2006.

As previously referenced elsewhere in this Report, for the intent and purposes of the alleged Violations, the 2006 amended changes were irrelevant, as no immediate boundaries were changed in relationship to the Water Utility Easement thereon, and did not negate the activities causing the alleged Violations, nor was the property description amended to except the Easement Area, nor were the active violations acknowledged or exempted.

This Amendment is referenced for clarity sake, but does not appear to impact, or be relevant to, the violations listed herein.

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

PICKENS COUNTY FILED FOR RECORD  
THE 28 DAY OF Aug 2006  
11:40 A.M. RECORDED THIS 30 C  
Aug 2006 BOOK NO 28 PAGE 599-612  
DOWN CSC

Prepared by: George Asimos, Esquire

After recording please return to:  
North American Land Trust  
P.O. Box 467  
Chadds Ford, PA 19317

**NOTICE OF CONVEYANCE**  
**REQUIRED - SEE SECTION 6.11**

**FIRST AMENDMENT TO CONSERVATION EASEMENT  
AND  
DECLARATION OF RESTRICTIONS AND COVENANTS**

**THIS FIRST AMENDMENT TO CONSERVATION EASEMENT AND  
DECLARATION OF RESTRICTIONS AND COVENANTS** ("Amendment") made  
AUG . 10, 2006 by and between **BIG CANOE COMPANY, LLC**, a South Carolina limited  
liability company ("Owner"), having an address of 10591 Big Canoe, 54 Wolfscratch Village  
Circle, Big Canoe, Georgia 30143 and **NORTH AMERICAN LAND TRUST** ("Trust"), a  
Pennsylvania non-profit corporation having an address of Post Office Box 467, Chadds Ford, PA  
19317,

**WITNESSETH THAT:**

**WHEREAS**, Owner granted to Trust a certain Conservation Easement and Declaration of  
Restrictions and Covenants (the "Conservation Easement") dated December 21, 2001 and  
recorded in the Office of the Recorder of Deeds of Pickens County on December 27, 2001 at  
Book 435, page 782; and

WHEREAS, Owners have proposed and Trust has agreed to a *de minimis* modification to the boundaries within the Property and such modification will have no adverse effect upon the Conservation Purposes (as defined in the Conservation Easement); and

WHEREAS, the "Property" under and pursuant to the Conservation Easement shall be amended to be the area consisting of 31.76 acres of land, more or less, in Pickens County, Georgia and depicted as Tract "A" - 13.52 acres; Tract "B" - 13.19 acres; and Tract "C" - 5.05 acres shown on Exhibit "A", and described by metes and bounds in Exhibit "B" attached hereto and incorporated in this Amendment; and

WHEREAS, Owner and Trust desire to amend the description of the Property, without altering or amending any other provision of the Conservation Easement, in order to correct a mistake in regard to the boundaries of portions of the Conservation Area that were described in the Conservation Easement; and

WHEREAS, Owner and Trust intent that this document be a "conservation agreement" as defined in Georgia Uniform Conservation Easement Act of 1992, as amended (the "Act").

NOW, THEREFORE, for and in consideration of the mutual covenants, terms, conditions, restrictions, and promises contained in this Amendment, and intending to be legally bound hereby, Owners and Trust hereby amend the Conservation Easement as follows:

1. Exhibit "A" that was attached to and made part of the Conservation Easement is hereby replaced in its entirety with the Exhibit "A" attached to this Amendment. The sole purpose of this replacement of Exhibit "A" is to alter the boundaries and add land to the Property.
2. Owner reaffirms that the land described in Exhibit "A" to this Amendment is and shall be the "Property" under and subject to all of the easements, restrictions, grants, and covenants set forth in the Conservation Easement as fully as if the corrected legal description in Exhibit "A" was attached to the Conservation Easement as and when it was executed and recorded.
3. All those areas of land that were included within the description of the Property in the Conservation Easement but not included within the description of the Property in Exhibit "A" to this Amendment were not, and now are not, under or subject to any of the covenants, easements or restrictions contained within the Conservation Easement.
4. Trust reaffirms its acceptance of such easements and agrees to hold such easements, restrictions and covenants exclusively for the Conservation Purposes and to enforce the terms of the restrictive covenants set forth in this Conservation Easement.

5. Owner reaffirm, without limitation, its warranty and representations set forth in Paragraph 6.16.6 of the Conservation Easement with respect to the Conservation Area as corrected herein.
6. The Amendment shall be recorded in the same place of public record in which the Conservation Easement was recorded.
7. This Amendment shall not modify or amend any provision of the Conservation Easement except as herein expressly stated.
8. This Amendment shall be governed by and construed in accordance with the law of the State of Georgia.

**TO HAVE AND TO HOLD** the easements and rights set forth in this Amendment unto Trust, its successors and assigns, for its own use and benefit forever.

IN WITNESS WHEREOF, and intending to be legally bound hereby, Owners and Trust have executed this First Amendment as of the day and year first above written:

Witness:

Jana F. Thomason  
[Signature]

[Signature]  
BIG CANDE COMPANY, LLC  
BY MEMBER:  
The ~~Byrne~~ Corporation of Georgia  
BYRNE

By: [Signature]

Name: WILLIAM J. BYRNE

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

NORTH AMERICAN LAND TRUST  
a non-profit corporation

Witness:

Deborah J. McMullan  
Amy E. Bruckner

By: [Signature] [Seal]  
Andrew L. Johnson, President

Attest: [Signature]

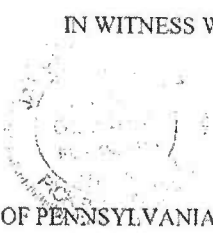
STATE OF GEORGIA :

COUNTY OF Dickens :

On this, the 23rd day of AUGUST, 2006, before me, a Notary Public in and for the State of Georgia, the undersigned officer personally appeared William J. Byrne, who acknowledged himself to be the President of The Board of Directors, Monsting Remla, & Co, LLC, a limited liability company, and that he as such President, being authorized to do so, executed the foregoing First Amendment to Conservation Easement for the purposes therein contained by signing the name of the company by himself as PRESIDENT.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(Seal)



[Signature]  
Notary Public  
My commission expires: \_\_\_\_\_

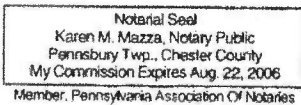
STATE OF PENNSYLVANIA :

COUNTY OF CHESTER :

On this, the 10th day of AUG, 2006 before me, a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared ANDREW L. JOHNSON, who acknowledged himself to be President of NORTH AMERICAN LAND TRUST, a corporation, and that he as such President, being authorized to do so, executed the foregoing First Amendment to Conservation Easement and Declaration of Restrictions and Covenants for the purposes therein contained by signing the name of the corporation by himself as President.

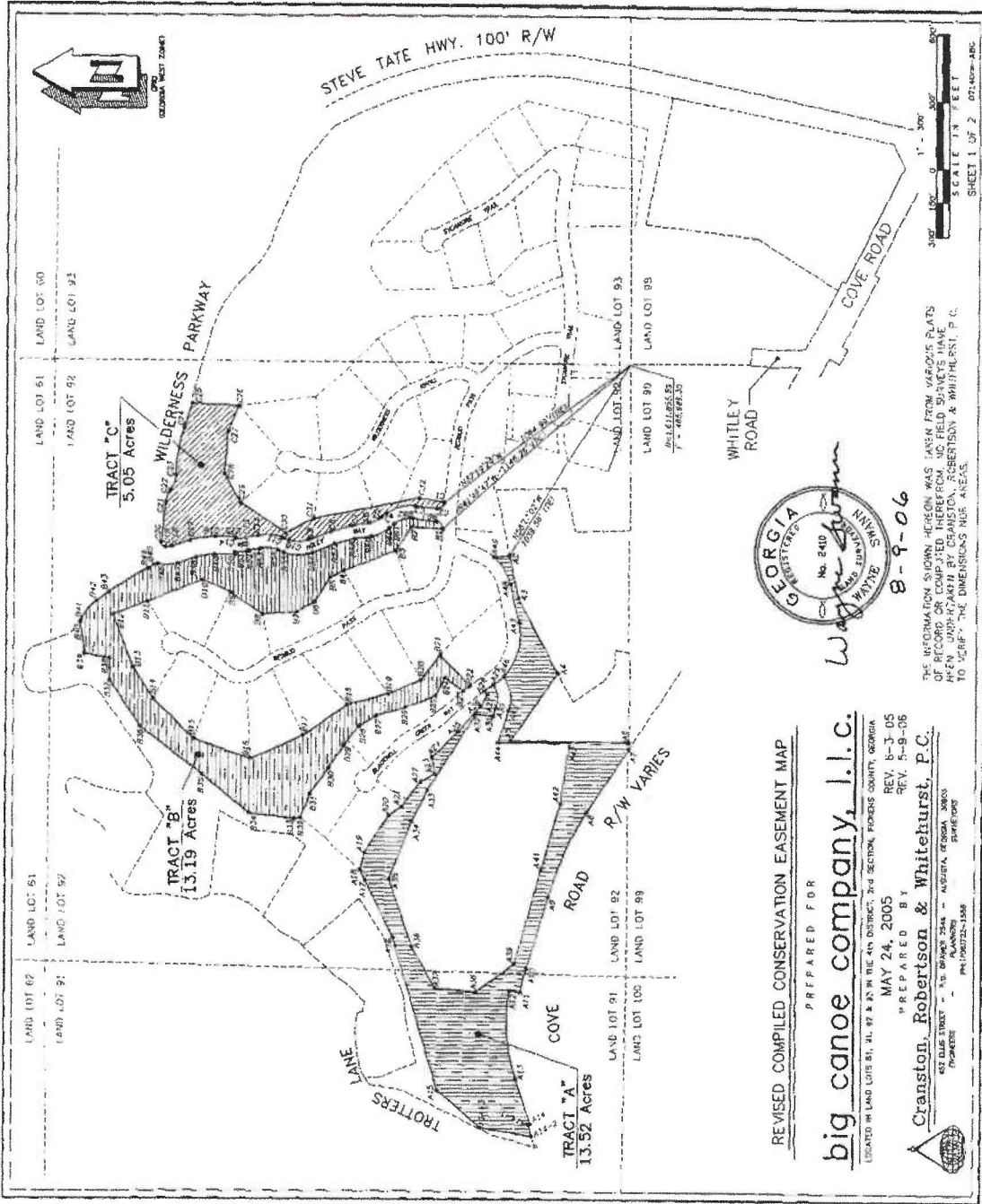
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(Seal)



[Signature]  
Notary Public  
My commission expires: AUG. 22, 2006





8-9-06

THE INFORMATION SHOWN HEREON WAS TAKEN FROM VARIOUS PLATS OF RECORD OR COMPILED THEREFROM. NO FIELD SURVEYS HAVE BEEN CONDUCTED BY CRANSTON, ROBERTSON & WHITEHURST, P.C. TO VERIFY THE DIMENSIONS THEREON.

REVISED COMPILED CONSERVATION EASEMENT MAP

PREPARED FOR

**big canoe company, l.l.c.**

LOCATED IN LAND LOTS 81, 82, 83 & 84 IN THE 4TH DISTRICT, 2nd SECTION, FLORENCE COUNTY, GEORGIA

MAY 24, 2005

REV. 10-1-05

REV. 5-9-06

PREPARED BY

**Cranston, Robertson & Whitehurst, P.C.**

632 DAVIS STREET - 3rd FLOOR - ALABAMA, GEORGIA 30603  
 FLORENCE COUNTY, GEORGIA  
 PHONE: (904) 222-1500



Exhibit "A"

SHEET 1 OF 2 DTI-1000-ABC



**Exhibit "B"**

**LEGAL DESCRIPTION**  
**Blackwell Creek Conservation Easement, Tract "A"**

All that tract or parcel of land lying and being situate in Land Lots 91 and 92, 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 and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,855.59 and Easting = 465,989.35; Thence North 58 degrees 17 minutes 02 seconds West for a distance of 1039.56 feet to a point, said point being the POINT OF BEGINNING,

Thence South 78 degrees 08 minutes 30 seconds West for a distance of 198.51 feet to a point; Thence South 62 degrees 11 minutes 00 seconds West for a distance of 389.44 feet to a point; Thence North 56 degrees 26 minutes 28 seconds West for a distance of 385.99 feet to a point; Thence South 00 degrees 20 minutes 41 seconds West for a distance of 540.16 feet to a point; Thence North 89 degrees 40 minutes 30 seconds West for a distance of 30.93 feet to a point on the northern right of way (r/w) of Cove Road;

Thence along the northern r/w of Cove Road the following courses: North 57 degrees 10 minutes 49 seconds West for a distance of 350.57 feet to a point; Thence along a curve to the left having a radius of 1482.20 feet and an arc length of 418.21 feet, being subtended by a chord of North 65 degrees 15 minutes 57 seconds West for a distance of 416.83 feet to a point; Thence North 73 degrees 20 minutes 51 seconds West for a distance of 344.40 feet to a point; Thence along a curve to the left having a radius of 868.51 feet and an arc length of 116.12 feet, being subtended by a chord of North 77 degrees 10 minutes 47 seconds West for a distance of 116.03 feet to a point; Thence North 08 degrees 59 minutes 32 seconds East for a distance of 50.00 feet to a point; Thence along a curve to the left having a radius of 918.50 feet and an arc length of 424.63 feet, being subtended by a chord of South 85 degrees 44 minutes 48 seconds West for a distance of 420.86 feet to a point; Thence South 72 degrees 29 minutes 51 seconds West for a distance of 221.60 feet to a point; Thence North 17 degrees 29 minutes 34 seconds West for a distance of 10.00 feet to a point; Thence South 72 degrees 30 minutes 08 seconds West for a distance of 55.84 feet to a point;

Thence leaving the r/w of Cove Road the following courses: North 09 degrees 29 minutes 56 seconds East for a distance of 240.01 feet to a point; Thence North 41 degrees 49 minutes 30 seconds East for a distance of 263.72 feet to a point; Thence North 73 degrees 44 minutes 35 seconds East for a distance of 752.26 feet to a point; Thence North 62 degrees 44 minutes 34 seconds East for a distance of 290.65 feet to a point; Thence North 65 degrees 10 minutes 56 seconds East for a distance of 50.99 feet to a point; Thence South 75 degrees 04 minutes 55 seconds East for a distance of 78.09 feet to a point; Thence South 55 degrees 25 minutes 30 seconds East for a distance of 200.07 feet to a point; Thence South 34 degrees 36 minutes 06 seconds East for a distance of 69.55 feet to a point; Thence South 52 degrees 25 minutes 33 seconds East for a distance of 148.45 feet to a point; Thence South 27 degrees 26 minutes 40 seconds East for a distance of 74.17 feet to a point; Thence North 80 degrees 23 minutes 01 seconds East for a distance of 80.14 feet to a point; Thence

**Exhibit "B"**

South 45 degrees 18 minutes 52 seconds East for a distance of 168.24 feet to a point; Thence South 49 degrees 45 minutes 09 seconds East for a distance of 161.98 feet to a point; Thence South 62 degrees 40 minutes 59 seconds East for a distance of 62.36 feet to a point; Thence North 47 degrees 59 minutes 47 seconds East for a distance of 20.28 feet to a point on the southern r/w of Blackwell Creek Way (60' r/w);

Thence along the southern r/w of Blackwell Creek Way South 36 degrees 21 minutes 14 seconds East for a distance of 52.67 feet to a point;

Thence leaving the r/w of Blackwell Creek Way the following courses: along a curve to the right having a radius of 142.84 feet and an arc length of 114.72 feet, being subtended by a chord of South 85 degrees 02 minutes 33 seconds West for a distance of 111.66 feet to a point; Thence North 71 degrees 57 minutes 02 seconds West for a distance of 44.20 feet to a point; Thence North 08 degrees 32 minutes 12 seconds East for a distance of 78.46 feet to a point; Thence North 58 degrees 24 minutes 07 seconds West for a distance of 420.61 feet to a point; Thence North 63 degrees 09 minutes 12 seconds West for a distance of 161.39 feet to a point; Thence North 67 degrees 25 minutes 46 seconds West for a distance of 273.39 feet to a point; Thence South 70 degrees 34 minutes 45 seconds West for a distance of 324.83 feet to a point; Thence South 60 degrees 38 minutes 49 seconds West for a distance of 226.47 feet to a point; Thence South 05 degrees 09 minutes 55 seconds West for a distance of 185.94 feet to a point; Thence South 37 degrees 08 minutes 19 seconds East for a distance of 221.82 feet to a point; Thence South 74 degrees 32 minutes 41 seconds East for a distance of 442.51 feet to a point; Thence South 73 degrees 20 minutes 27 seconds East for a distance of 310.55 feet to a point; Thence South 81 degrees 58 minutes 15 seconds East for a distance of 284.47 feet to a point; Thence North 00 degrees 14 minutes 14 seconds East for a distance of 327.71 feet to a point; Thence South 72 degrees 18 minutes 31 seconds East for a distance of 161.25 feet to a point; Thence along a curve to the left having a radius of 186.34 feet and an arc length of 168.73 feet, being subtended by a chord of North 81 degrees 45 minutes 14 seconds East for a distance of 163.03 feet to a point on the southern r/w of Blackwell Creek Way;

Thence along the southern r/w of Blackwell Creek Way the following courses: along a curve to the left having a radius of 272.14 feet and an arc length of 266.23 feet, being subtended by a chord of South 74 degrees 40 minutes 16 seconds East for a distance of 255.74 feet to a point; Thence North 77 degrees 18 minutes 10 seconds East for a distance of 180.75 feet to a point; Thence along a curve to the left having a radius of 228.24 feet and an arc length of 149.09 feet, being subtended by a chord of North 58 degrees 35 minutes 25 seconds East for a distance of 146.45 feet to a point;

Thence leaving the r/w of Blackwell Creek Way South 02 degrees 22 minutes 14 seconds for a distance of 70.94 feet to a point, said point being the POINT OF BEGINNING;

Containing 13.52 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 Revised Compiled Conservation Easement Map prepared for Big Canoe Company, L.L.C. by Cranston, Robertson & Whitehurst, P. C. dated May 24, 2005, last revised 5-9-06, to which reference is made for a more complete description of the property, its exact location, metes and bounds.



**Exhibit "B"**

**LEGAL DESCRIPTION**

**Blackwell Creek Conservation Easement, Tract "B"**

All that tract or parcel of land lying and being situate in Land Lots 91 and 92, 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 and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,855.59 and Easting = 465,989.35; Thence North 41 degrees 49 minutes 47 seconds West for a distance of 1146.26 feet to a point on the northern right of way (r/w) of Redbud Pass (60' r/w), at the intersection of Red Holly Way, said point being the POINT OF BEGINNING,

Thence along the rear of the lots in Blackwell Creek Section I the following courses: North 03 degrees 01 minutes 30 seconds East for a distance of 145.43 feet to a point; Thence North 56 degrees 00 minutes 22 seconds West for a distance of 127.24 feet to a point; Thence North 20 degrees 50 minutes 00 seconds West for a distance of 258.38 feet to a point; Thence North 27 degrees 58 minutes 08 seconds West for a distance of 72.62 feet to a point; Thence North 57 degrees 29 minutes 42 seconds West for a distance of 129.01 feet to a point; Thence North 29 degrees 07 minutes 45 seconds West for a distance of 94.92 feet to a point; Thence North 04 degrees 06 minutes 01 seconds West for a distance of 154.55 feet to a point; Thence North 34 degrees 33 minutes 40 seconds East for a distance of 176.75 feet to a point; Thence North 24 degrees 35 minutes 01 seconds East for a distance of 136.03 feet to a point; Thence North 21 degrees 45 minutes 41 seconds West for a distance of 271.86 feet to a point; Thence North 20 degrees 57 minutes 32 seconds West for a distance of 169.89 feet to a point; Thence South 68 degrees 48 minutes 41 seconds West for a distance of 259.95 feet to a point; Thence South 58 degrees 15 minutes 39 seconds West for a distance of 173.71 feet to a point; Thence South 45 degrees 18 minutes 06 seconds West for a distance of 265.09 feet to a point; Thence South 19 degrees 55 minutes 43 seconds West for a distance of 272.79 feet to a point; Thence South 24 degrees 33 minutes 53 seconds East for a distance of 262.62 feet to a point; Thence South 35 degrees 42 minutes 09 seconds East for a distance of 250.31 feet to a point; Thence South 15 degrees 12 minutes 46 seconds East for a distance of 196.93 feet to a point; Thence South 23 degrees 40 minutes 22 seconds East for a distance of 166.69 feet to a point; Thence South 52 degrees 23 minutes 40 seconds East for a distance of 147.66 feet to a point; Thence South 46 degrees 59 minutes 46 seconds West for a distance of 197.52 feet to a point on the northern r/w of Blackwell Creek Way;

Thence along the northern r/w of Blackwell Creek Way North 38 degrees 08 minutes 49 seconds West for a distance of 38.03 feet to a point;

Thence along the rear of the lots in Blackwell Creek Section I the following courses: North 37 degrees 23 minutes 34 seconds East for a distance of 103.87 feet to a point; Thence North 64 degrees 07 minutes 22 seconds West for a distance of 99.08 feet to a point; Thence North 20 degrees

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27 minutes 55 seconds West for a distance of 152.79 feet to a point; Thence North 16 degrees 52 minutes 55 seconds West for a distance of 141.35 feet to a point; Thence North 31 degrees 04 minutes 40 seconds West for a distance of 92.00 feet to a point; Thence North 52 degrees 23 minutes 04 seconds West for a distance of 114.93 feet to a point; Thence North 56 degrees 52 minutes 37 seconds West for a distance of 128.47 feet to a point; Thence North 54 degrees 51 minutes 45 seconds West for a distance of 143.75 feet to a point; Thence North 68 degrees 54 minutes 46 seconds West for a distance of 120.57 feet to a point; Thence North 06 degrees 42 minutes 14 seconds West for a distance of 29.49 feet to a point; Thence North 07 degrees 01 minutes 15 seconds East for a distance of 204.62 feet to a point; Thence North 39 degrees 59 minutes 11 seconds East for a distance of 280.91 feet to a point; Thence North 37 degrees 56 minutes 50 seconds East for a distance of 361.86 feet to a point; Thence North 57 degrees 22 minutes 43 seconds East for a distance of 256.35 feet to a point; Thence North 89 degrees 31 minutes 05 seconds East for a distance of 103.77 feet to a point; Thence North 10 degrees 06 minutes 01 seconds East for a distance of 117.51 feet to a point; Thence North 81 degrees 50 minutes 59 seconds East for a distance of 147.18 feet to a point on the southern r/w of Wilderness Parkway;

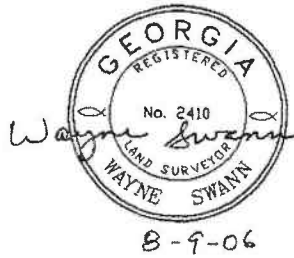
Thence along the southern r/w of Wilderness Parkway the following courses: South 67 degrees 46 minutes 44 seconds East for a distance of 7.62 feet to a point; Thence along a curve to the right having a radius of 207.96 feet and an arc length of 118.45 feet, being subtended by a chord of South 51 degrees 27 minutes 42 seconds East for a distance of 116.86 feet to a point; Thence South 35 degrees 08 minutes 39 seconds East for a distance of 66.00 feet to a point; Thence along a curve to the right having a radius of 1587.07 feet and an arc length of 215.02 feet, being subtended by a chord of South 31 degrees 15 minutes 46 seconds East for a distance of 214.85 feet to a point; Thence along a curve to the left having a radius of 97.01 feet and an arc length of 25.36 feet, being subtended by a chord of South 34 degrees 52 minutes 15 seconds East for a distance of 25.29 feet to a point on the western r/w of Red Holly Way;

Thence along the western r/w of Red Holly Way the following courses: along a curve to the right having a radius of 20.00 feet and an arc length of 19.72 feet, being subtended by a chord of South 14 degrees 06 minutes 49 seconds East for a distance of 18.93 feet to a point; Thence along a curve to the left having a radius of 166.34 feet and an arc length of 92.72 feet, being subtended by a chord of South 01 degrees 50 minutes 02 seconds East for a distance of 91.52 feet to a point; Thence South 17 degrees 48 minutes 09 seconds East for a distance of 87.35 feet to a point; Thence along a curve to the right having a radius of 284.59 feet and an arc length of 86.99 feet, being subtended by a chord of South 09 degrees 02 minutes 43 seconds East for a distance of 86.65 feet to a point; Thence South 00 degrees 17 minutes 18 seconds East for a distance of 91.91 feet to a point; Thence North 89 degrees 42 minutes 42 seconds East for a distance of 10.00 feet to a point; Thence along a curve to the left having a radius of 304.71 feet and an arc length of 60.22 feet, being subtended by a chord of South 05 degrees 57 minutes 00 seconds East for a distance of 60.12 feet to a point; Thence South 11 degrees 36 minutes 42 seconds East for a distance of 54.53 feet to a point; Thence along a curve to the right having a radius of 138.70 feet and an arc length of 79.93 feet, being subtended by a chord of South 04 degrees 53 minutes 51 seconds West for a distance of 78.83 feet to a point; Thence South 21 degrees 24 minutes 23 seconds West for a distance of 29.27 feet to a point; Thence along a curve to the left having a radius of 187.54 feet and an arc length of 136.49 feet, being subtended by a chord of South 00 degrees 33 minutes 25 seconds West for a distance of 133.50 feet to a point; Thence South 20 degrees 17 minutes 33 seconds East for a distance of 107.94 feet to a point; Thence along a curve to the right having a radius of 488.79 feet and an arc length of 93.93 feet, being subtended by a

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chord of South 14 degrees 47 minutes 15 seconds East for a distance of 93.78 feet to a point; Thence South 09 degrees 16 minutes 56 seconds East for a distance of 79.33 feet to a point; Thence along a curve to the left having a radius of 181.12 feet and an arc length of 92.65 feet, being subtended by a chord of South 23 degrees 56 minutes 11 seconds East for a distance of 91.64 feet to a point; Thence South 38 degrees 35 minutes 25 seconds East for a distance of 29.26 feet to a point; Thence along a curve to the right having a radius of 119.01 feet and an arc length of 94.67 feet, being subtended by a chord of South 15 degrees 48 minutes 03 seconds East for a distance of 92.19 feet to a point; Thence South 06 degrees 59 minutes 18 seconds West for a distance of 110.79 feet to a point; Thence along a curve to the right having a radius of 30.00 feet and an arc length of 44.88 feet, being subtended by a chord of South 49 degrees 50 minutes 28 seconds West for a distance of 40.81 feet to a point on the northern r/w of Redbud Pass, said point being the POINT OF BEGINNING;

Containing 13.19 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 Revised Compiled Conservation Easement Map prepared for Big Canoe Company, L.L.C. by Cranston, Robertson & Whitehurst, P. C. dated May 24, 2005, last revised 5-9-06, to which reference is made for a more complete description of the property, its exact location, metes and bounds.



**Exhibit "B"**

**LEGAL DESCRIPTION**

**Blackwell Creek Conservation Easement, Tract "C"**

All that tract or parcel of land lying and being situate in Land Lots 91 and 92, 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 and having Georgia State Plane coordinates (West Zone, NAD 1927) of Northing = 1,611,855.59 and Easting = 465,989.35; Thence North 37 degrees 19 minutes 29 seconds West for a distance of 1064.99 feet to a point on the northern right of way (r/w) of Redbud Pass (60' r/w) at the intersection of Red Holly Way, said point being the POINT OF BEGINNING,

Thence along the eastern r/w of Red Holly Way the following courses: along a curve to the right having a radius of 30.00 feet and an arc length of 48.09 feet, being subtended by a chord of North 38 degrees 55 minutes 59 seconds West for a distance of 43.10 feet to a point; Thence North 06 degrees 59 minutes 18 seconds East for a distance of 103.44 feet to a point; Thence along a curve to the left having a radius of 179.01 feet and an arc length of 142.40 feet, being subtended by a chord of North 15 degrees 48 minutes 03 seconds West for a distance of 138.67 feet to a point; Thence North 38 degrees 35 minutes 25 seconds West for a distance of 29.26 feet to a point; Thence along a curve to the right having a radius of 121.12 feet and an arc length of 61.96 feet, being subtended by a chord of North 23 degrees 56 minutes 11 seconds West for a distance of 61.28 feet to a point; Thence North 09 degrees 16 minutes 56 seconds West for a distance of 79.33 feet to a point; Thence along a curve to the left having a radius of 548.79 feet and an arc length of 105.46 feet, being subtended by a chord of North 14 degrees 47 minutes 15 seconds West for a distance of 105.29 feet to a point; Thence North 20 degrees 17 minutes 33 seconds West for a distance of 107.94 feet to a point; Thence along a curve to the right having a radius of 127.54 feet and an arc length of 92.82 feet, being subtended by a chord of North 00 degrees 33 minutes 25 seconds East for a distance of 90.79 feet to a point; Thence North 21 degrees 24 minutes 23 seconds East for a distance of 29.27 feet to a point; Thence along a curve to the left having a radius of 198.70 feet and an arc length of 114.51 feet, being subtended by a chord of North 04 degrees 53 minutes 51 seconds East for a distance of 112.93 feet to a point; Thence North 11 degrees 36 minutes 42 seconds West for a distance of 54.53 feet to a point; Thence along a curve to the right having a radius of 244.71 feet and an arc length of 48.36 feet, being subtended by a chord of North 05 degrees 57 minutes 00 seconds West for a distance of 48.28 feet to a point; Thence North 89 degrees 42 minutes 42 seconds East for a distance of 10.00 feet to a point; Thence North 00 degrees 17 minutes 18 seconds West for a distance of 91.91 feet to a point; Thence along a curve to the left having a radius of 364.59 feet and an arc length of 111.45 feet, being subtended by a chord of North 09 degrees 02 minutes 43 seconds West for a distance of 111.01 feet to a point; Thence North 17 degrees 48 minutes 09 seconds West for a distance of 87.35 feet to a point; Thence along a curve to the right having a radius of 86.34 feet



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and an arc length of 31.30 feet, being subtended by a chord of North 07 degrees 25 minutes 05 seconds West for a distance of 31.13 feet to a point; Thence along a curve to the right having a radius of 20.00 feet and an arc length of 32.63 feet, being subtended by a chord of North 49 degrees 42 minutes 19 seconds East for a distance of 29.13 feet to a point on the southern r/w of Wilderness Parkway;

Thence along the southern r/w of Wilderness Parkway the following courses: South 83 degrees 33 minutes 21 seconds East for a distance of 179.08 feet to a point; Thence along a curve to the right having a radius of 122.96 feet and an arc length of 62.22 feet, being subtended by a chord of South 69 degrees 03 minutes 32 seconds East for a distance of 61.56 feet to a point; Thence along a curve to the left having a radius of 122.32 feet and an arc length of 71.79 feet, being subtended by a chord of South 71 degrees 22 minutes 35 seconds East for a distance of 70.77 feet to a point; Thence along a curve to the right having a radius of 772.46 feet and an arc length of 223.60 feet, being subtended by a chord of South 79 degrees 53 minutes 54 seconds East for a distance of 222.82 feet to a point; Thence along a curve to the left having a radius of 4406.00 feet and an arc length of 119.00 feet, being subtended by a chord of South 72 degrees 23 minutes 44 seconds East for a distance of 118.99 feet to a point;

Thence leaving the r/w of Wilderness Parkway: South 02 degrees 49 minutes 18 seconds West for a distance of 210.89 feet to a point on the boundary of Blackwell Creek Section II lots;

Thence along the rear of the lots in Blackwell Creek Section II the following courses: North 67 degrees 13 minutes 06 seconds West for a distance of 126.16 feet to a point; Thence North 85 degrees 29 minutes 08 seconds West for a distance of 200.50 feet to a point; Thence South 60 degrees 12 minutes 39 seconds West for a distance of 149.69 feet to a point; Thence South 33 degrees 58 minutes 34 seconds West for a distance of 242.83 feet to a point; Thence South 26 degrees 10 minutes 17 seconds East for a distance of 146.34 feet to a point; Thence South 11 degrees 10 minutes 29 seconds East for a distance of 498.05 feet to a point; Thence South 10 degrees 07 minutes 15 seconds West for a distance of 116.67 feet to a point on the northern r/w of Redbud Pass, said point being the POINT OF BEGINNING;

Containing 5.05 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 Revised Compiled Conservation Easement Map prepared for Big Canoe Company, L.L.C. by Cranston, Robertson & Whitehurst, P. C. dated May 24, 2005, last revised 5-9-06, to which reference is made for a more complete description of the property, its exact location, metes and bounds.



8-9-06

Whistleblower Exhibit "I"  
Warranty Deed of the CE Property from MGI to BCPOA

**Notes:** This is a copy of the April 14, 2016 Warranty Deed in which Main Gate Investors ("MGI") deeded the property to the Big Canoe Property Owners Association ("BCPOA"), which remains to this day the current Owner of record. This can be found in the records of Pickens County Georgia, Book 1080 Pages 459 – 467.

**As previously noted elsewhere, while it might appear that the BCPOA is the current property owner** according to this April 14, 2016 Warranty Deed from MGI to BCPOA – MGI had already previously sold the property back to the Big Canoe Company (BCC) on November 1, 2002 (*See previous Exhibit D*). **There is no record found that indicates that BCC ever redeeded the property to MGI, which might invalidate the 2016 sale to BCPOA. It could be that legally the Owner is still BCC.**

DOCH 001670  
FILED IN OFFICE  
4/19/2016 10:30:00 AM  
BK:1080 PG:459-467  
GAIL BROWN  
CLERK OF SUPERIOR  
COURT  
PICKENS COUNTY  
REAL ESTATE TRANSFER TAX  
PAID: \$250.50

After recording, please return to:  
James B. Crew, Jr.  
McGee & Oxford, L.L.P.  
105 N. Main Street, Suite 3  
Jasper, GA 30143

PT-61 112-2016-000633

STATE OF GEORGIA            )  
  )  
COUNTY OF PICKENS        )       **LIMITED WARRANTY DEED**

THIS INDENTURE, made this the 14<sup>TH</sup> day of APRIL, 2016 between **Main Investors at Big Canoe, LLC**, a South Carolina limited liability company, "**Grantor**", and **Big Canoe Property Owners' Association, Inc.**, a Georgia non-profit Corporation, "**Grantee**".

**WITNESSETH:**

That the said Grantor, for and in consideration of ten and no/100 dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Grantee the following described property to wit:

For **Legal Description** of all these tracts or parcels see **Exhibit A** attached hereto and therefore made a part hereof.

**TO HAVE AND TO HOLD** the said **Exhibit A** tracts or parcels of land, with all and singular, the rights, members and appurtenances thereof to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in **FEE SIMPLE**; subject only to those rights, easements and other matters set out in the attached **Exhibit B**, which Exhibit is incorporated herein and the said Grantor **WARRANTS** the title to same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise, and except for claims arising under or by virtue of those matters set forth on **Exhibit B**.

Whenever there is a reference herein to the Grantor or the Grantee, the singular includes the plural and the masculine includes the feminine and the neuter, and said terms include and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its proper corporate officers and affixed its seal the day and year first above written.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

MAIN INVESTORS AT BIG CANOE, LLC,  
a South Carolina limited liability company

By: The Byrne Corporation Of Georgia, a Georgia  
corporation, Member

By: [Signature]  
Tara O'Neill Byrne, Executive Vice President



By: Greenwood Development, LLC, a South  
Carolina limited liability company, Member

By: [Signature]  
W. M. Self, Jr., Manager

[Signature]  
Unofficial Witness  
[Signature]  
Notary Public  
My Commission Expires: 10-01-2018  
(Notarial Seal)

[Signature]  
Unofficial Witness

[Signature]  
Notary Public for S.C.  
My Commission Expires: 3-19-17  
(Notarial Seal)

**Exhibit A**  
Legal Description

**Tract X-1**  
Main Investors Conservation Area (Blackwell Creek)

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, according to the plat prepared by Cranston Engineering Group, P.C. for Big Canoe Company, LLC, dated June 11, 2014, last revised November 13, 2015, more particularly described as follows:

To find the point of beginning, commence at the common corner of Land Lots 92, 93, 98 and 99; thence on the common land lot line of Land Lots 92 and 99 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence North 58° 17' 01" West 1,039.54 feet to a point, the POINT OF BEGINNING; thence South 78° 08' 30" West 198.51 feet to a point; thence South 62° 11' 00" West 389.44 feet to a point; thence North 56° 26' 28" West 385.99 feet to a point; thence South 00° 20' 41" West 540.16 feet to a point on the common land lot line of Land Lots 92 and 93; thence along the land lot line North 89° 40' 30" West 30.93 feet to a point on the northerly right-of-way of Cove Road (R/W varies); thence along the right-of-way North 57° 10' 49" West 350.57 feet to a point of curvature; thence along a curve with an arc to the left ( which arc has a radius of 1,482.20 feet and is subtended by a chord with a bearing of North 65° 15' 57" West 416.83 feet) 418.21 feet to a point of tangency; thence North 73° 20' 51" West 344.40 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 868.51 feet and is subtended by a chord with a bearing of North 77° 10' 47" West 116.03 feet) 116.12 feet to a point of tangency; thence North 08° 59' 32" East 50.00 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 918.50 feet and is subtended by a chord with a bearing of South 85° 44' 48" West 420.86 feet) 424.63 feet to a point of tangency; thence South 72° 29' 51" West 221.60 feet to a point; thence North 17° 29' 34" West 10.00 feet to a point; thence South 72° 30' 08" West 55.84 feet to a point; thence leaving said right-of-way North 09° 29' 56" East 240.00 feet to a point; thence North 41° 49' 30" West 263.72 feet to a point; thence North 73° 44' 37" East 752.26 feet to a point; thence North 62° 44' 34" East 290.65 feet to a point; thence North 65° 10' 56" 50.99 feet to a point; thence South 75° 04' 55" East 78.09 feet to a point; thence South 55° 25' 30" East 200.07 feet to a point; thence South 34° 36' 06" East 69.55 feet to a point; thence South 52° 25' 33" East 148.45 feet to a point; thence South 27° 26' 40" East 74.17 feet to a point; thence North 80° 23' 01" East 80.14 feet to a point; thence South 45° 18' 52" East 168.24 feet to a point; thence South 49° 45' 09" East 161.98 feet to a point; thence South 62° 40' 59" East 62.36 feet to a point; thence along said right-of-way North 47° 59' 47" East 20.28 feet to a point on the right-of-way of Blackwell Creek Way (60'R/W); thence along the right-of-way South 36° 21' 14" East 52.57 feet to a point of curvature; thence leaving said right-of-way along a curve with an arc to the right (which arc has a radius of 142.84 feet and is subtended by a chord with a bearing of South 85° 02' 33" West 111.66 feet) 114.72 feet to a point; thence North 71° 57' 02" West 44.20 feet to a point; thence North 08° 32' 12" East 78.46 feet to a point; thence North 58° 24' 07" West 420.61 feet to a point; thence North 63° 09' 12" West 161.39 feet to a point; thence North 67° 25' 46" West 273.39 feet to a point; thence South 70° 34' 45" West 324.83 feet to a point; thence South 60° 38' 49" West 226.47 feet to a point; thence South 05° 09' 55" West 185.94 feet to a point; thence South 37° 08' 19" East 221.82 feet to a point; thence South 74° 32' 41" East 442.51 feet to a point; thence South 73° 20' 27" East 310.55 feet to a point; thence South 81°

58' 15" East 284.47 feet to a point; thence North 00° 14' 14" East 327.71 feet to a point; thence South 72° 18' 31" East 161.25 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 183.63 feet and is subtended by a chord with a bearing of North 81° 45' 41" East 163.03 feet) 168.73 feet to a point on the right-of-way of Blackwell Creek Way (60' R/W); thence along a curve with an arc to the left (which arc has a radius of 272.14 feet and is subtended by a chord with a bearing of South 74° 40' 16" East 255.74 feet) 266.23 feet to a point of tangency; thence North 77° 18' 10" East 180.75 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 146.45 feet and is subtended by a chord with a bearing of North 58° 35' 25" East 146.45 feet) 149.08 feet to a point of tangency; thence leaving said right-of-way South 04° 23' 16" East 70.95 feet to a point, the POINT OF BEGINNING.

Said tract contains 13.50 +/- acres according to said plat.

#### Tract X-2

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, according to the plat prepared by Cranston Engineering Group, P.C. for Big Canoe Company, LLC, dated June 11, 2014, last revised November 13, 2015, more particularly described as follows:

Commence at the common corner of Land Lots 92, 93, 98 and 99 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, the POINT OF BEGINNING; thence South 89° 44' 45" West 766.85 feet to a point; thence North 01° 20' 30" West 250.59 feet to a point on the common land lot line of Land Lots 92 and 99; thence North 77° 21' 30" East 200.07 feet to a point; thence North 01° 27' 30" West 318.35 feet to a point; thence South 78° 08' 30" West 304.77 feet to a point; thence North 04° 23' 15" West 70.95 feet to a point of curvature on the southerly right-of-way of Blackwell Creek Way (60' R/W); thence along said right-of-way along a curve with an arc to the left (which arc has a radius of 228.24 feet and is subtended by a chord with a bearing of North 31° 22' 26" East 67.50 feet) 67.75 feet to a point of tangency; thence North 22° 52' 12" East 81.92 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 296.37 and is subtended by a chord with a bearing of North 20° 24' 22" East 25.48 feet) 25.49 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 30.00 feet and is subtended by a chord with a bearing of 55° 19' 05" West 36.42 feet) 39.14 feet to a point on the right-of-way of Redbud Pass (60' R/W); thence along said right-of-way South 87° 18' 22" East 20.77 feet; thence leaving said right-of-way South 05° 21' 36" West 171.07 feet to a point; thence South 89° 40' 23" East 205.61 feet to a point; thence South 69° 08' 48" East 132.48 feet to a point; thence South 85° 59' 40" East 314.40 feet to a point; thence South 05° 00' 22" West 24.76 feet to a point; thence North 87° 29' 37" West 218.43 feet to a point; thence South 15° 23' 09" West 223.48 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 729.39 feet and is subtended by a chord with a bearing of North 84° 54' 01" East 130.23 feet) 130.41 feet to a point of curvature on the right-of-way of Sycamore Trail (60' R/W); thence along said right-of-way which forms a curve with an arc to the left (which arc has a radius of 50.00 feet and is subtended by a chord with a bearing of South 05° 44' 11" West 30.16 feet) 30.63 feet to a point of curvature; thence leaving said right-of-way along a curve with an arc to the left (which arc has a radius of 699.96 feet and is subtended by a chord with a bearing of South 82° 53' 47" West 167.55

feet) 167.96 feet to a point of tangency; thence South 13° 13' 41" West 190.30 feet to a point; thence South 71° 52' 12" East 187.71 feet to a point; thence North 88° 10' 54" East 257.76 feet to a point; thence North 00° 22' 08" East 224.44 feet to a point of curvature on the southerly right-of-way of Sycamore Trail (60' R/W); thence along a curve with an arc to the right (which arc has a radius of 2,478.94 feet and is subtended by a chord with a bearing of South 83° 43' 07" East 30.16 feet) 30.16 feet to a point of tangency; thence leaving said right-of-way South 00° 22' 08" West 220.18 feet to a point; thence North 88° 10' 54" East 33.12 feet to a point; thence South 00° 13' 51" West 50.10 feet to a point, the POINT OF BEGINNING.

Said tract contains 4.79 acres according to said plat.

**Tract X-3**  
(Conserved Area)

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, according to the plat prepared by Cranston Engineering Group, P.C. for Big Canoe Company, LLC, dated June 11, 2014, last revised November 13, 2015, more particularly described as follows:

To find the point of beginning commence at the common corner of Land Lots 92, 93, 98 and 99 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence North 01° 49' 47" West 1,146.26 feet to a point on the northerly right-of-way of Redbud Pass (60' R/W), the POINT OF BEGINNING; thence North 03° 01' 30" East 145.43 feet to a point; thence North 56° 00' 22" West 127.74 feet to a point; thence North 20° 50' 00" West 258.38 feet to a point; thence North 27° 58' 08" West 72.62 feet to a point; thence North 57° 29' 42" West 129.01 feet to a point; thence North 29° 07' 45" West 94.92 feet to a point; thence North 04° 06' 01" West 154.55 feet to a point; thence North 34° 33' 40" East 176.75 feet to a point; thence North 24° 35' 01" East 136.03 feet to a point; thence North 21° 45' 41" West 271.86 feet to a point; thence North 20° 57' 32" West 169.89 feet to a point; thence South 68° 48' 41" West 259.95 feet to a point; thence South 58° 15' 39" West 173.71 feet to a point; thence South 45° 18' 06" West 265.09 feet to a point; thence South 19° 55' 43" West 272.19 feet to a point; thence South 24° 33' 53" East 262.62 feet to a point; thence South 35° 42' 09" East 250.31 feet to a point; thence South 15° 12' 46" East 196.93 feet to a point; thence South 23° 40' 22" East 166.69 feet to a point; thence South 52° 23' 40" East 147.66 feet to a point; thence South 46° 59' 46" West 197.52 feet to a point on the northerly right-of-way of Blackwell Creek Way (60' R/W); thence along said right-of-way North 38° 08' 49" West 38.03 feet to a point; thence leaving said right-of-way North 37° 23' 34" East 103.87 feet to a point; thence North 64° 07' 22" West 99.00 feet to a point; thence North 20° 27' 55" West 152.79 feet to a point; thence North 16° 52' 55" West 141.35 feet to a point; thence North 31° 04' 40" West 92.00 feet to a point; thence North 52° 23' 04" West 114.93 feet to a point, thence North 56° 52' 37" West 128.47 feet to a point; thence North 54° 51' 45" West 143.75 feet to a point; thence North 68° 54' 46" West 120.57 feet to a point; thence North 06° 42' 14" West 29.49 feet to a point; thence North 07° 01' 15" East 204.62 feet to a point; thence North 39° 59' 11" East 280.91 feet to a point; thence North 37° 56' 50" East 361.86 feet to a point; thence North 57° 22' 43" East 256.35 feet to a point; thence North 89° 31' 05" East 103.77 feet to a point; thence North 10° 06' 01" East 117.51 feet to a point; thence North 81° 50' 59" East 199.33 feet to a point; thence North 81° 50' 59" East 199.33 feet to a point of curvature on the southerly right-of-way of Wilderness Parkway (60' R/W); thence along said right-of-way

along a curve with an arc to the right (which arc has a radius of 207.96 feet and is subtended by a chord with a bearing of South 47° 44' 18" East 90.69 feet) 91.42 feet to a point of tangency; thence South 35° 08' 39" East 66.00 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 1,581.07 feet and is subtended by a chord with a bearing of South 31° 15' 46" East 214.85 feet) 215.07 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 97.01 feet and is subtended by a chord with a bearing of South 31° 29' 44" East 13.92 feet) 13.93 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 20.00 feet and is subtended by a chord with a bearing of South 05° 22' 46" East 20.14 feet) 21.10 feet to a point on the intersection of Wilderness Parkway and Red Holly Drive; thence along the westerly right-of-way of Red Holly Drive (60' R/W) which forms a curve with an arc to the left (which arc has a radius of 166.34 feet and is subtended by a chord with a bearing of South 03° 31' 25" West 120.99 feet) 123.83 feet to a point of tangency; thence South 17° 48' 09" East 87.35 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 284.59 feet and is subtended by a chord with a bearing of South 09° 02' 43" East 86.65 feet) 86.99 feet to a point of tangency; thence South 00° 17' 18" East 91.91 feet to a point; thence North 89° 42' 42" East 10.00 feet to a point of curvature; thence along a curve with an arc to the left (which arc has as radius of 304.71 feet and is subtended by a chord with a bearing of South 05° 57' 00" East 60.12 feet) 60.22 feet to a point of tangency; thence South 11° 36' 42" East 54.53 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 138.70 feet and is subtended by a chord with a bearing of South 04° 53' 51" West 78.53 feet) 79.93 feet to a point of tangency; thence South 21° 24' 23" West 29.27 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 187.54 feet and is subtended by a chord with a bearing of South 00° 33' 25" West 133.50 feet) 136.49 feet to a point of tangency; thence South 20° 17' 32" East 107.94 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 488.79 feet and is subtended by a chord with a bearing of South 14° 47' 15" East 93.78 feet) 93.93 feet to a point of tangency; thence South 09° 16' 56" East 79.33 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 181.12 feet and is subtended by a chord with a bearing of South 23° 56' 11" East 91.64 feet) 92.65 feet to a point of tangency; thence South 38° 35' 25" East 29.26 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 119.01 feet and is subtended by a chord with a bearing of South 15° 48' 03" East 92.19 feet) 94.67 feet to a point of tangency; thence South 06° 59' 18" West 110.79 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 30.00 feet and is subtended by a chord with a bearing of South 49° 50' 28" West 40.81 feet) 44.88 feet to a point at the intersection of Red Holly Way and Blackwell Creek Way, the POINT OF BEGINNING.

Said tract contains 13.54 acres according to said plat.



**Tract X-4**  
(Conserved Area)

ALL THAT TRACT or parcel of land lying and being in Land Lot 92 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, according to the plat prepared by Cranston Engineering Group, P.C. for Big Canoe Company, LLC, dated June 11, 2014, last revised November 13, 2015, more particularly described as follows:

To find the point of beginning, commence at the common corner of Land Lots 92, 93, 98 and 99 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, thence North 37° 19' 29" West 1,064.99 feet to a point on the northerly right-of-way of Red Bud Pass (60' R/W), the POINT OF BEGINNING; thence along the right-of-way along a curve with an arc to the right (which arc has a radius of 30.00 feet and is subtended by a chord with a bearing of North 38° 55' 59" West 43.10 feet) 48.09 feet to a point of tangency on the easterly right-of-way of Red Holly Way (60' R/W); thence North 06° 59' 18" East 103.44 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 179.01 feet and is subtended by a chord with a bearing of North 15° 48' 03" West 138.67 feet) 142.40 feet to a point of tangency; thence North 38° 35' 25" West 29.26 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 121.72 feet and is subtended by a chord with a bearing of North 23° 56' 11" West 61.28 feet) 61.96 feet to a point of tangency; thence North 09° 16' 56" West 79.33 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 548.79 feet and is subtended by a chord with a bearing of North 14° 47' 15" West 105.29 feet) 105.46 feet to a point of tangency; thence North 20° 17' 33" West 107.94 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 127.54 feet and is subtended by a chord with a bearing of North 00° 33' 25" East 90.79 feet) 92.82 feet to a point of tangency; thence North 21° 24' 23" East 29.27 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 112.93 feet and is subtended by a chord with a bearing of North 04° 53' 51" East 112.93 feet) 114.51 feet to a point of tangency; thence North 11° 36' 42" West 54.53 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 244.71 feet and is subtended by a chord with a bearing of North 05° 57' 00" West 48.28 feet) 48.36 feet to a point of tangency; thence North 89° 42' 42" East 10.00 feet to a point of curvature; thence North 00° 17' 18" West 91.91 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 364.59 feet and is subtended by a chord with a bearing of North 09° 02' 43" West 111.01 feet) 114.45 feet to a point of tangency; thence North 17° 48' 09" West 87.35 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 86.34 feet and is subtended by a chord with a bearing of North 03° 11' 14" East 61.85 feet) 63.26 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 20.00 feet and is subtended by a chord with a bearing of North 60° 18' 37" East 23.59 feet) 25.23 feet to a point of tangency on the southerly right-of-way of Wilderness Parkway (60' R/W); thence along said right-of-way South 83° 33' 23" East 193.73 feet to a point of curvature; thence along a curve with an arc to the right (which arc has a radius of 122.93 feet and is subtended by a chord with a bearing of South 69° 03' 29" East 61.55 feet) 62.21 feet to a point of tangency; thence South 54° 33' 33" East 130.20 feet to a point of curvature; thence along a curve with an arc to the left (which arc has a radius of 122.30 feet and is subtended by a chord with a bearing of South 71° 22' 35" East 70.77 feet) 71.79 feet to a point; thence along a curve with an arc to the right (which arc has a radius of 772.22 feet and is subtended by a chord with a bearing of South 79° 53' 54" East 222.82 feet)

223.60 feet to a point of tangency; thence South 70° 48' 38" East 14.34 feet; thence leaving said right-of-way South 11° 03' 37" West 192.08 feet; thence North 67° 13' 06" West 126.16 feet to a point; thence North 85° 29' 08" West 200.50 feet to a point; thence South 60° 12' 39" West 149.69 feet to a point; thence South 33° 58' 34" West 242.83 feet to a point; thence South 26° 10' 17" East 146.34 feet to a point; thence South 11° 10' 29" East 498.05 feet to a point; thence South 10° 07' 15" West 116.67 feet to a point, the POINT OF BEGINNING.

Said tract contains 5.12 acres according to said plat.

**Tract X-5**

ALL THAT TRACT or parcel of land lying and being in Land Lot 93 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, according to the plat prepared by Cranston Engineering Group, P.C. for Big Canoe Company, LLC, dated June 11, 2014, last revised November 13, 2015, more particularly described as follows:

To find the point of beginning commence at the common corner of Land Lots 92, 93, 98 and 99 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia; thence North 49° 51' 56" East 479.66 feet to a point on the northerly right-of-way of Sycamore Trail (60' R/W), the POINT OF BEGINNING; thence North 22° 31' 30" West 353.11 feet to a point; thence North 02° 47' 39" West 364.30 feet to a point; thence North 31° 18' 28" West 86.31 feet to a point; thence North 71° 35' 01" East 176.92 feet to a point; thence South 01° 43' 40" East 320.41 feet to a point; thence South 07° 25' 50" East 176.49 feet to a point; thence South 37° 22' 14" West 98.00 feet to a point; thence South 22° 35' 31" East 260.71 feet to a point of curvature on the northerly right-of-way of Sycamore Trail (60' R/W); thence along a curve with an arc to the right (which arc has a radius of 1082.00 feet and is subtended by a chord with a bearing of South 82° 19' 51" West 43.52 feet) 43.52 feet to a point, the POINT OF BEGINNING.

Said tract contains 1.85 acres according to said plat.

**Exhibit B**  
Permitted Exceptions

1. Subject to the terms and conditions of that certain Conservation Easement and Declaration of Restrictions and Covenants made December 21, 2001, by and between the Grantor herein and North American Land Trust, said Conservation Easement having been recorded in Pickens County, Georgia, on December 27, 2001, in Deed Book 435, at Page 782, et seq, as amended by First Amendment to Conservation Easement dated August 6, 2006, and recorded in Deed Book 728 at Page 599 et. seq. (**Main Gate**).
2. General Declaration of Covenants and Restrictions of the Big Canoe Property Owners' Association and Big Canoe Corporation dated October 9, 1972 and recorded in Deed Book 19, Pages 253-289, Dawson County, Georgia Records, and recorded in Deed Book 23, Pages 162-198, Pickens County, Georgia Records, as amended from time to time, the latest Amendment being the Fifth Amendment to the General Declaration of Covenants and Restrictions of the Big Canoe Property Owners' Association and Big Canoe Company dated May 14, 1987 and recorded in Deed Book 99, Pages 97-111, Dawson County, Georgia Records, and recorded in Deed Book 126, Pages 528-542, Pickens County, Georgia Records.
3. All unimproved Tracts herein are conveyed on an "as is" - "where-is" basis, without representations, express or implied as to physical condition.

Whistleblower Exhibit “J”  
Assignment of Easements from Big Canoe Utilities to UIG

Notes: On April 30, 2018, Big Canoe Water Utilities sold their assets to United Inc of Georgia (hereafter “UIG”), and this included an Assignment of Easements, including the the November 19, 2004 Easement for the Pumphouse and Right of Access on the CE Property, formerly identified herein as Exhibit E.

DOC# 002327 PICKENS COUNTY  
FILED IN OFFICE  
5/9/2018 11:45:00 AM  
BK:1147 PG:856-863  
JENNIFER E. JORDAN  
CLERK OF SUPERIOR  
PICKENS COUNTY

After recording return to:  
McGee & Oxford  
Attn: James B. Crew, Jr., Esquire  
105 North Main Street Suite 3  
Jasper, GA 30143

STATE OF GEORGIA )  
 )  
COUNTY OF PICKENS )

Cross index to:  
\_\_\_\_\_  
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ASSIGNMENT OF EASEMENTS

THIS ASSIGNMENT OF EASEMENTS (this "Assignment") is entered into by and between BIG CANOE UTILITIES COMPANY, INC., a Georgia corporation ("Assignor"), and UTILITIES, INC. OF GEORGIA, a Georgia corporation ("Assignee"), effective the 30<sup>th</sup> day of APRIL, 2018 (the "Effective Date").

RECITALS

WHEREAS, Assignor, having a mailing address of 10591 Big Canoe, Big Canoe, Georgia 30143, appears herein through Tara O'Neill Byrne, its Executive Vice President, duly authorized pursuant to a resolution of its Board of Directors, dated February 1, 2018, which is incorporated by reference herein;

WHEREAS, Assignee, having a mailing address of 2335 Sanders Road, Northbrook, Illinois, 60062, appears herein through PERWAL L Don Sudduth, its President, duly authorized pursuant to a resolution of its Board of Directors, dated PERWAL L, 2018, which is incorporated by reference herein;

WHEREAS, among the Purchased Assets owned by Assignor and intended to be conveyed to Assignee, in accordance with that certain Asset Purchase Agreement dated February 1, 2018, as amended (the "Purchase Agreement"), are the rights of Assignor under all servitudes, easements, licenses, prescriptive rights, rights-of-way and rights to use public and private roads, highways, canals, streets and other areas owned or used by Assignor for the construction, operation and maintenance of the Utility System, as described and set forth in the Purchase Agreement (collectively, the "Easements"); and

WHEREAS, Assignor has agreed to transfer to Assignee any and all of the rights, title and interest of Assignor as grantee under those Easements located in Pickens County, Georgia, including but not limited to, those certain Easements described in Exhibit A attached hereto and made a part hereof.

NOW, THEREFORE, in consideration of the mutual promises, covenants, representations and agreements contained herein and in the Purchase Agreement, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee agree as follows:

1. The foregoing recitals are incorporated into this Assignment as if fully set forth herein and are made a substantive part of this Assignment by this reference.
2. Assignor hereby quit claims, conveys and assigns unto Assignee, its successors and assigns, all right, title and interest of Assignor, if any, in the Easements, together with all other recorded or unrecorded rights, servitudes, privileges, easements, licenses, prescriptive rights, rights-of-way, and rights to use public and private roads, highways, canals, streets, and other areas owned or used by Assignor in connection with the construction, reconstruction, installation, expansion, maintenance, and operation of the Utility System or the Purchased Assets (each as defined in the Purchase Agreement); provided however that, other than as contained in the Purchase Agreement, Assignor makes no additional representation or warranty herein regarding the Easements.
3. Assignee hereby accepts the transfer and assignment of the Easements as set forth in Paragraph 2 herein, and assumes the performance, obligations, duties and liabilities of Assignor under such Easements as of the date hereof. As of the date of this Assignment, and pursuant to the Purchase Agreement, Assignor's obligations and responsibilities to act under such Easements shall cease and terminate. Except as otherwise set forth in the Purchase Agreement, Assignor shall have no liability or obligation with respect to the Easements after the date hereof, other than that attributable to the period prior to the date of this Assignment. Assignor makes no representations, warranties or covenants concerning the Easements other than those set forth herein and in the Purchase Agreement.
4. Assignor covenants and agrees with Assignee and its successors and assigns that Assignor will do, execute, acknowledge and deliver or cause to be done, executed, acknowledged and delivered any and all such further acts, instruments, papers and documents, as may be necessary, proper or convenient to carry out and effectuate the intent and purposes of this Assignment.
5. This Assignment shall inure to the benefit of Assignee, its successors and permitted assigns, and shall bind Assignor and its successors and permitted assigns. This Assignment is not intended to confer upon any person other than the parties hereto any rights or remedies hereunder.
6. This Assignment shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, by the laws of the State of Georgia applicable to contracts or deeds made and to be performed within Georgia. Nothing herein shall be construed to waive any defense of sovereign immunity that Assignee may be lawfully entitled to assert under any applicable Georgia law.
7. If any term or provision of this Assignment shall, to any extent or for any reason, be held to be invalid or unenforceable, the remainder of this Assignment shall not be affected thereby and shall be construed as if such invalid or unenforceable provision had never been contained herein or been applicable in such circumstances.
8. This Assignment incorporates, as if fully set forth herein, the Purchase Agreement and by reference all definitions, terms, provisions, conditions and limitations set forth therein. In the event of any conflict or inconsistency between the definitions, terms, provisions, conditions and limitations set forth in the Purchase Agreement and those which are set forth in this Assignment, the definitions, terms, provisions, conditions and limitations set forth in the Purchase Agreement shall supersede, control and prevail.
9. This Assignment may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same Assignment.

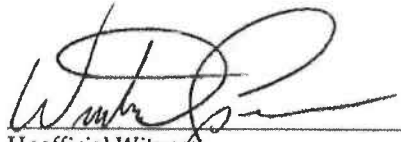
[ASSIGNOR AND ASSIGNEE SIGNATURE PAGES FOLLOW]  
[remainder of page intentionally left blank]


30<sup>TH</sup> IN WITNESS WHEREOF, Assignor has caused its representative to set his/her hand and seal, on the 30<sup>TH</sup> day of April, 2018, to be effective as of the Effective Date.


SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

ASSIGNOR:

BIG CANOE UTILITIES COMPANY, INC.  
a Georgia corporation

  
Unofficial Witness  
Print Name: Winston Spencer

By:   
Name: Tara O'Neill Byrne  
Title: Executive Vice President

  
Notary Public  
My Commission Expires: 2-13-21  
[NOTARIAL SEAL]

[remainder of page intentionally left blank]



**EXHIBIT A**  
**EASEMENTS**

1. **EASEMENTS FROM PICKENS COUNTY.** ALL that tract or parcel of land lying and being in Land Lots 91, 92, 99, 98, 93 & 60, 4<sup>th</sup> District, 2<sup>nd</sup> Section, Pickens County, Georgia, being water line easements, designated as Easements A-B and C-D, being a twenty (20') foot permanent easement, and Easement B-C being a ten (10') foot permanent easement and an additional ten (10') foot temporary construction easement and Easement E-F-G having a twenty (20') foot permanent easement and an additional ten (10') temporary construction easement on both sides of the said easement and Easement F-H and J-K-L having a ten (10') foot permanent easement and a ten (10') foot temporary construction easement on both sides of said easement and Easement K-M being a ten (10') foot permanent easement and a ten (10') temporary construction easement, all easements described above are shown on Plat of Survey entitled "Compiled Easement Plat prepared for Big Canoe Utilities Company, Inc. Sheets 1-3", dated August 25, 2004 by Cranston, Robertson & Whitehurst, P.C. Wayne Swann, R.L.S. No. 2410, and recorded in Plat Book QQ at Pages 75-77, Pickens County, Georgia records, and by said reference said plat of survey is incorporated herein and made a part hereof. Said easements referenced herein are more fully described by courses and distances, metes and bounds descriptions as follows:
  - (a) **EASEMENT A, B, C AND 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°44'33" West for a distance of 608.82' 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°37'40" East for a distance of 51.10' to a point; Thence South 53°14'32" East for a distance of 31.94' to a point; Thence South 16°16'48" East for a distance of 46.79' 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°49'04" East for a distance of 25.66' to a point; Thence South 85°46'56" East for a distance of 81.51' to a point; Thence South 77°39'52" East for a distance of 68.86' to a point; Thence South 75°33'17" East for a distance of 41.11' to a point; Thence South 73°49'45" East for a distance of 129.58' to a point; Thence South 73°31'50" East for a distance of 198.16' to a point; Thence along a curve to the right having a radius of 1660.52' and an arc length of 488.25', being subtended by a chord of South 65°06'26" East for a distance of 486.49' to a point; Thence South 56°39'24" East for a distance of 323.64' to a point; Thence South 57°05'57" East for a distance of 120.86' to a point; Thence South 58°35'03" East for a distance of 77.70' to a point; Thence South 56°55'33" East for a distance of 119.71' to a point; Thence South 57°21'41" East for a distance of 135.93' to a point; Thence South 57°49'58" East for a distance of 53.68' to a point; Thence along a curve to the left having a radius of 1537.10' and an arc length of 341.88', being subtended by a chord of South 64°12'17" East for a distance of 341.18' to a point; Thence South 70°32'57" East for a distance of 101.62' to a point; Thence South 73°45'04" East for a distance of 80.56' to a point; Thence South 75°48'52" East for a distance of 223.34' to a point; Thence South 76°26'26" East for a distance of 57.69' to a point; Thence along a curve to the right having a radius of 1890.73' and an arc length of 520.07', being subtended by a chord of South 68°33'38" East for a distance of 518.44' to a point; Thence South 60°33'00" East for a distance of 145.95' to a point, labeled Point C on said plat; Thence along Whitley Road (80' r/w) the following courses: North 59°13'02" East for a distance of 23.71' to a point; Thence North 04°48'32" East for a distance of 91.85' to a point; Thence North 00°20'22" West for a distance of 73.38' to a point; Thence North 02°46'26" East for a distance of 102.62' 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°45'25" West for a distance of 2916.17' to the common corner of Land Lots 91, 92, 99 and 100.

Exhibit A-1

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Subject easement varies as indicated below:

- From Point A to Point B: Permanent easement 10' on each side of centerline;
- From Point B to Point C: Permanent easement 5' each side of centerline, with a temporary construction easement extending an additional 10' on the North side;
- From Point C to Point D: Permanent easement 10' 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.

- (b) **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°14'40" East for a distance of 917.85' 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°56'51" West for a distance of 123.07' to a point; Thence South 28°56'51" West for a distance of 16.79' 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°05'59" West for a distance of 1027.24' to the common corner of Land Lots 92, 93, 98 and 99.

The permanent easement extends 5' on the east side and 15' on the west side of the centerline described, with a temporary construction easement extending an additional 10' 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.

- (c) **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°14'40" East for a distance of 917.85' 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°56'51" West for a distance of 123.07' to a point labeled as Point F on said plat, said point being the POINT OF BEGINNING; Thence South 61°03'09" East for a distance of 157.55' to a point; Thence North 73°56'51" East for a distance of 12.29' to a point; Thence South 61°03'09" East for a distance of 24.86' to a point; Thence South 16°03'09" East for a distance of 12.29' to a point; Thence South 61°03'09" East for a distance of 124.82' to a point; Thence South 63°33'52" East for a distance of 240.39' to a point; Thence South 62°19'59" East for a distance of 358.17' to a point; Thence South 76°09'48" East for a distance of 73.96' to a point on the eastern r/w of Steve Tate Highway (100' r/w); Thence a tie line of North 35°09'46" West for a distance of 1777.06' to the common corner of Land Lots 92, 93, 98 and 99.

The permanent easement extends 5' on each side, with a temporary construction easement extending an additional 10' 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.

- (d) **EASEMENT J, K AND 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°14'59" East for a distance of 2854.24' 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°54'44" East for a distance of 21.35' to a point; Thence South 76°54'44" East for a distance of 78.65' 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°46'06" West for a distance of 2918.66' to the common corner of Land Lots 60, 61, 92 and 93.

The permanent easement extends 5' on each side, with a temporary construction easement extending an additional 10' 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.

- (e) **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°14'59" East for a distance of 2854.24' 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; Thence South 76°54'44" East for a distance of 21.35' to a point labeled as Point K, said point being the POINT OF BEGINNING; Thence North 18°06'45" East for a distance of 55.28' to a point; Thence along a curve to the left having a radius of 1873.66' and an arc length of 748.02', being subtended by a chord of North 01°37'30" East for a distance of 743.06' to a point; Thence North 15°06'01" West for a distance of 66.20' to a point; Thence North 18°42'47" West for a distance of 179.76' to a point; Thence North 23°29'42" West for a distance of 89.56' to a point; Thence North 25°50'40" West for a distance of 47.54' to a point; Thence North 30°45'06" West for a distance of 110.98' to a point; Thence North 14°30'31" East for a distance of 64.34' to a point; Thence North 27°37'37" West for a distance of 101.46' to a point; Thence North 31°04'21" West for a distance of 99.29' to a point; Thence North 33°54'07" West for a distance of 299.98' to a point; Thence North 33°10'21" West for a distance of 209.41' to a point; Thence North 77°44'53" West for a distance of 49.78' to a point; Thence North 08°51'44" West for a distance of 89.81' to a point; Thence North 29°32'53" West for a distance of 243.21' to a point; Thence North 74°06'53" West for a distance of 50.67' to a point; Thence North 13°25'57" West for a distance of 46.10' to a point; Thence North 21°10'53" West for a distance of 44.09' to a point; Thence North 24°53'07" West for a distance of 143.13' to a point; Thence North 24°51'32" West for a distance of 106.90' to a point; Thence North 22°41'52" West for a distance of 100.53' to a point; Thence North 19°58'31" West for a distance of 77.54' to a point; Thence North 16°26'44" West for a distance of 38.40' to a point; Thence North 02°25'50" East for a distance of 44.94' to a point; Thence North 19°01'11" West for a distance of 149.60' to a point; Thence North 18°38'59" West for a distance of 199.39' to a point; Thence North 16°40'29" West for a distance of 100.20' to a point; Thence along a curve to the right having a radius of 2083.59' and an arc length of 449.48', being subtended by a chord of North 07°12'54" West for a distance of 448.61' to a point; Thence North 00°38'29" West for a distance of 348.93' to a point; Thence along a curve to the right having a radius of 816.12' and an arc length of 251.03', being subtended by a chord of North 05°09'58" East for a distance of 250.04' to a point; Thence North 15°42'44" East for a distance of 148.12' to a point; Thence North 36°16'05" West for a distance of 35.12' 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°15'46" West for a distance of 1879.57' to a point at the common corner of Land Lots 60, 61, 92 and 93.

The permanent easement extends 5' on each side, with a temporary construction easement extending an additional 10' 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.

2. 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°55'07" West for a distance of 802.85' to a point; said point being the POINT OF BEGINNING; Thence North 38°24'06" East for a distance of 41.00' to a point; Thence North 75°18'41" East for a distance of 121.30' to a point; Thence South 89°47'44" East for a distance of 49.91' to a point; Thence South 84°30'56" East for a distance of 211.03' 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' and an arc length of 110.21', being subtended by a chord of South 85°01'21" West for a distance of 110.14' to a point, Thence leaving said r/w: North 84°30'56" West for a distance of 101.80' to a point; Thence North 89°47'44" West for a distance of 46.17' to a point; Thence South 74°07'11" West for a distance of 48.00' to a point; Thence South 68°29'03" West for a distance of 139.96' to a point; Thence North 21°15'50" West for a distance of 20.00' to a point; Thence North 68°29'03" East for a distance of 30.01' to a point; Thence South 51°35'54" East for a distance of 12.97' 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, and recorded on September 27, 2004 in Plat Book QQ at Page 9 Pickens County, Georgia records, 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, LLC., and on the west, north and east by lands of Big Canoe Company, LLC.

3. 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 Northern 1,614,491.55 and Eastern 465,999.97; Thence North 27°02'44" West for a distance of 1643.88' to a point; Thence North 50°34'23" West for a distance of 33.08' to a point, said point being the POINT OF BEGINNING, Thence North 38°15'05" East for a distance of 20.20' to a point; Thence along a curve to the left having a radius of 75.00' and an arc length of 194.55', being subtended by a chord of North 36°03'45" West for a distance of 144.41' to a point; Thence South 69°37'24" West for a distance of 25.34' to a point; Thence along a curve to the right having a radius of 409.22' and an arc length of 63.47', being subtended by a chord of South 74°04'01" West for a distance of 63.41' to a point; Thence South 78°30'37" West for a distance of 67.36' to a point; Thence along a curve to the left having a radius of 294.86' and an arc length of 86.50', being subtended by a chord of South 70°06'21" West for a distance of 86.19' to a point; Thence South 61°42'05" West for a distance of 20.84' to a point; Thence along a curve to the left having a radius of 658.79' and an arc length of 73.20', being subtended by a chord of South 58°31'05" West for a distance of 73.16' to a point; Thence South 55°20'05" West for a distance of 33.48' to a point; Thence along a curve to the left having a radius of 536.27' and an arc length of 81.25', being subtended by a chord of South 50°59'40" West for a distance of 81.17' to a point; Thence along a curve to the right having a radius of 89.74' and an arc length of 38.63', being subtended by a chord of South 58°59'11" West for a distance of 38.33' to a point; Thence South 71°19'07" West for a distance of 14.50' to a point; Thence along a curve to the left having a radius of 607.50' and an arc length of 75.94', being subtended by a chord of South 67°44'15" West for a distance of 75.89' to a point; Thence South 64°09'22" West for a distance of 50.65' to a point; Thence along a curve to the right having a radius of 178.54' and an arc length of 81.13', being subtended by a chord of South 77°10'25" West for a distance of 80.43' to a point; Thence North 89°48'33" West for a distance of 34.40' to a point; Thence along a curve to the right having a radius of 1769.98' and an arc length of 139.07', being subtended by a chord of North 87°33'29" West for a distance of 139.04' to a point; Thence along a curve to the right having a radius of 119.46' and an arc length of 41.69', being subtended by a chord of North 75°18'31" West for a distance of 41.48' to a point; Thence along a curve to the left having a radius of 136.15' and an arc length of 41.75', being subtended by a chord of North 74°05'43" West for a distance of 41.59' to a point; Thence North 82°52'50" West for a distance of 13.78' to a point on the eastern right of way of Wilderness Parkway;

being subtended by a chord of North 74°05'43" West for a distance of 41.59' to a point; Thence North 82°52'50" West for a distance of 13.78' 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' on each side of the centerline described, and is entirely inside the property of Mountain Resort Investors, LLC, 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, and recorded on October 29, 2004 in Plat Book QQ at Page 52 Pickens County, Georgia records, to which reference is made for a more complete description of the easement, its exact location, metes and bounds.

4. **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.
5. **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 Restriction dated March 26, 1988 and recorded in Deed Book 139, beginning at Page 390, Pickens County, Georgia Records and in Deed Book 111, beginning at Page 281, Dawson County, Georgia Records, as the same may be amended from time to time (the "Declaration").

The aforementioned Utilities Easement and Water Easement were conveyed to BCUC by Grant of Easement dated March 24, 1994 recorded in Dawson County records in Book 183 at Pages 31-32 and Pickens County records in Book 219 at Pages 160-161.