

RETURNED TO *Jm Wisse*

NO REVERSE STAMPS

STATE OF NORTH CAROLINA

SPECIAL WARRANTY DEED

COUNTY OF NEW HANOVER

THIS DEED, made this 2nd day of May, 1985, by and between NORTH SHELL ISLAND DEVELOPMENT CORP., a North Carolina corporation, with its principal office in New Hanover County, (hereinafter called "Grantor"); and TOWN OF WRIGHTSVILLE BEACH, a Municipal Corporation, whose mailing address is Post Office Box 626, Wrightsville Beach, North Carolina 28480, (hereinafter called "Grantee", whether one or more persons, firms, or corporations.) The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

THAT WHEREAS, the said Grantor, for and in consideration of TEN (\$10.00) DOLLARS, and other valuable considerations to it, receipt of which is hereby acknowledged, has bargained and sold, and by these presents does hereby bargain, sell and convey unto the said Grantee, the following lands located in the County of New Hanover and State of North Carolina, in Wrightsville Beach, and being more particularly described as follows:

TRACT 1: BEING all of Tracts 14, 15, 17, 19, 21 and 24 as shown on a map entitled "North Shell Island Subdivision" recorded in Map Book 25 at Page 20 of the New Hanover County Registry. Together with easements for public access from Tracts 15, 17, 19 and 21 to the Atlantic Ocean as shown on said map.

TRACT 2: BEING all of that portion of Tract 22 as shown on the map entitled "North Shell Island Subdivision" recorded in Map Book 25 at Page 20 of the New Hanover County Registry, lying between the Easterly or seaward boundary line of Tract 18 as shown on said map and the mean high water line of the Atlantic Ocean, and being more particularly described as follows:

BEGINNING at the southernmost corner of Tract 18 as shown on said map, said point being in the dividing line between Tracts 18 and 17 as shown on said map, and running thence along the northerly line of Tract 17 South 48 degrees 16 minutes 19 seconds East 100 feet, more or less, to the mean high water line of the Atlantic Ocean; thence along said mean high water line of the Atlantic Ocean in a northerly direction 753 feet, more or less, to a point that bears South 48 degrees 16 minutes 19 seconds East 100 feet, more or less, from the Easternmost corner of said Tract 18; thence North 48 degrees 16 minutes 19 seconds West, 100 feet, more or less, to said Easternmost corner of Tract 18; thence South 34 degrees 42 minutes 20 seconds west along the Easterly line of said Tract 18, 753.91 feet to the point of beginning.

This deed is made upon the express condition that Grantee shall use its best efforts to maintain the property herein donated and conveyed for public purposes in the same manner originally improved by Grantor for parking and public access. But it is understood and agreed by the parties, and this deed is made upon the further express condition that the property herein described and conveyed shall be used for public purposes only and that if at any time the lands above described shall be used for other than public purposes, the title to the same shall revert to and become the property of Grantor, its successors and assigns. It is further understood and agreed that should title to any portion of said property be reacquired by Grantor at any time in the future, the restriction to use the same for public purposes only shall be of no further force and effect.

TO HAVE AND TO HOLD the above described lands and premises, together with all and singular, the rights, privileges, easements, tenements, duties, obligations and appurtenances thereunto belonging, or in anywise appertaining unto the said Grantee, in fee simple, FOREVER, subject to the conditions hereinabove set forth.

Draftsman: DAVID C. BAREFOOT
RURNEY, BURNEY, BAREFOOT, BAIN & CROUCH
110 North Fifth Avenue/Post Office Box 89
Wilmington, North Carolina 28402

RECORDED AND VERIFIED
REBECCA R. TUCKER
REGISTER OF DEEDS
NEW HANOVER CO. NC

MAY 7 3 10 PM '85

67

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the restrictions, right of reverter and other exceptions herein stated.

Title to said property is subject to the following exceptions:

- 1. All ad valorem taxes for the year 1985 which shall be assumed and paid by Grantee.
- 2. Utility easements and rights of way of record, if any.

IN TESTIMONY WHEREOF, the said Grantor has caused this instrument to be executed in its corporate name and its corporate seal affixed by its duly authorized officers, all the day and year first above written.

NORTH SHELL ISLAND DEVELOPMENT CORP.

By: John A. Edmund
President

ATTEST: H. Cho
Secretary



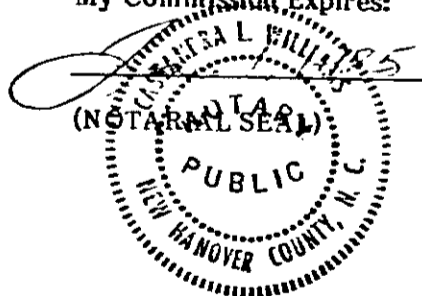
STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Cassandra L. Williams a Notary Public in and for the aforesaid County and State do hereby certify that Franklin J. Edmund personally appeared before me this day and acknowledged that he is the Secretary of NORTH SHELL ISLAND DEVELOPMENT CORP., a North Carolina corporation, and that by authority duly given and as the act of the said corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by him self as its Secretary.

WITNESS my hand and notarial seal, this the 7th day of May, 1985.

My Commission Expires:

Cassandra L. Williams
Notary Public



STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

The foregoing certificate of Cassandra L. Williams, a Notary Public is certified to be correct. This the 7th day of May, 1985.

REBECCA P. TUCKER
Register of Deeds - New Hanover County

By: Rebecca P. Tucker
Deputy