



20231228000371520 1/4 \$31.00
Shelby Cnty Judge of Probate, AL
12/28/2023 11:28:05 AM FILED/CERT

This instrument prepared by and return to:
Long, Ragsdale & Waters, P.C.
1111 N. Northshore Drive, Suite S-700
Knoxville, Tennessee 37919

CROSS REFERENCE:
Instrument 20201229000597190
in the Judge of Probate of Shelby
County, Alabama records

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

ASSIGNMENT OF CONSERVATION EASEMENT

THIS ASSIGNMENT OF CONSERVATION EASEMENT (“Assignment”) is executed as of the 27th day of October, 2023, by **SOUTHEAST REGIONAL LAND CONSERVANCY, INC.**, a North Carolina non-profit corporation (“Assignor”), to and in favor of **FOOTHILLS LAND CONSERVANCY**, a Tennessee non-profit corporation with an address of 3402 Andy Harris Road, Rockford, Tennessee 37853 (“Assignee”).

RECITALS

A. **HANBURY PROPERTIES, LLC**, an Alabama limited liability company (“Owner”), as grantor therein, and Assignor, as grantee therein, have entered into a **CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIONS AND COVENANTS** dated December 28, 2020 (the “Easement Date”), and recorded as Instrument 20201229000597190 in the real property records in the office of the Judge of Probate of Shelby County, Alabama, as the same may have been amended or assigned (“Conservation Easement”), covering approximately 202.08 acres (“Property”) located in Shelby County, Alabama. The legal description of the Property subject to the Conservation Easement is set forth in said Conservation Easement and it, together with the terms of said Conservation Easement, are incorporated herein by reference.

B. Assignee is a non-profit corporation established for the purpose of promoting the preservation of ecologically valuable lands, natural and wildlife habitat, and lands with significant natural and open space values in the Southeastern United States for charitable, scientific, educational and aesthetic purposes.

C. Assignee is a tax exempt public charity under Sections 501(c)(3) and 509(a)(2) of the Internal Revenue Code, is authorized to accept, hold and administer conservation easements, possesses the authority to accept and is willing to accept an assignment of the Conservation Easement under the terms and conditions hereinafter described, and is a “qualified organization” and an eligible donee within the meaning of Section 170(h)(3) of the Internal Revenue Code and regulations promulgated thereunder.



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D. Assignor is winding up its affairs, and Assignor desires that a land trust focused on the Southeastern United States hold and monitor the terms of the Conservation Easement as a successor land trust to Assignor.

E. Assignor covenants and represents to Assignee that it has no actual knowledge of any violations of the Conservation Easement since the Easement Date and does further covenant and represent that, to its actual knowledge, the "Baseline Documentation" referenced in the Conservation Easement is currently an accurate description of the land uses and physical features of the Property. Assignee understands that in making the foregoing covenants and representation, Assignor is relying on the reports of others than its officers or employees; Assignor has not been requested or required to inspect the Property as a condition of this Assignment.

NOW, THEREFORE, for and in consideration of the mutual covenants, terms, conditions, restrictions and promises contained in this Assignment, and intending to be legally bound hereby, Assignor does hereby assign, transfer, set over, convey and deliver to Assignee and Assignee hereby accepts and assumes all of Assignor's rights, duties, obligations and interests in or pursuant to the Conservation Easement, incorporated herein by this reference; provided, however, that the duties and obligations hereby assigned to and assumed by Assignee are only the duties and obligations of Assignor under the Conservation Easement after the date first written above, and not any other duty or obligation of Assignor.

IN WITNESS WHEREOF, Assignor and Assignee by authority duly given, have hereunto caused these presents to be executed in such form as to be binding, to be effective upon the date of recordation in the public records of Shelby County, Alabama.

[Signatures on following pages]



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ASSIGNOR:

SOUTHEAST REGIONAL LAND CONSERVANCY, INC.,
a North Carolina non-profit corporation

By: H. Nell
Name: Hannah Randall
Title: Interim Executive Director

ASSIGNEE:

FOOTHILLS LAND CONSERVANCY,
a Tennessee non-profit corporation

By: W.C. Clabough, Jr. E.D.
William Clabough, Executive Director



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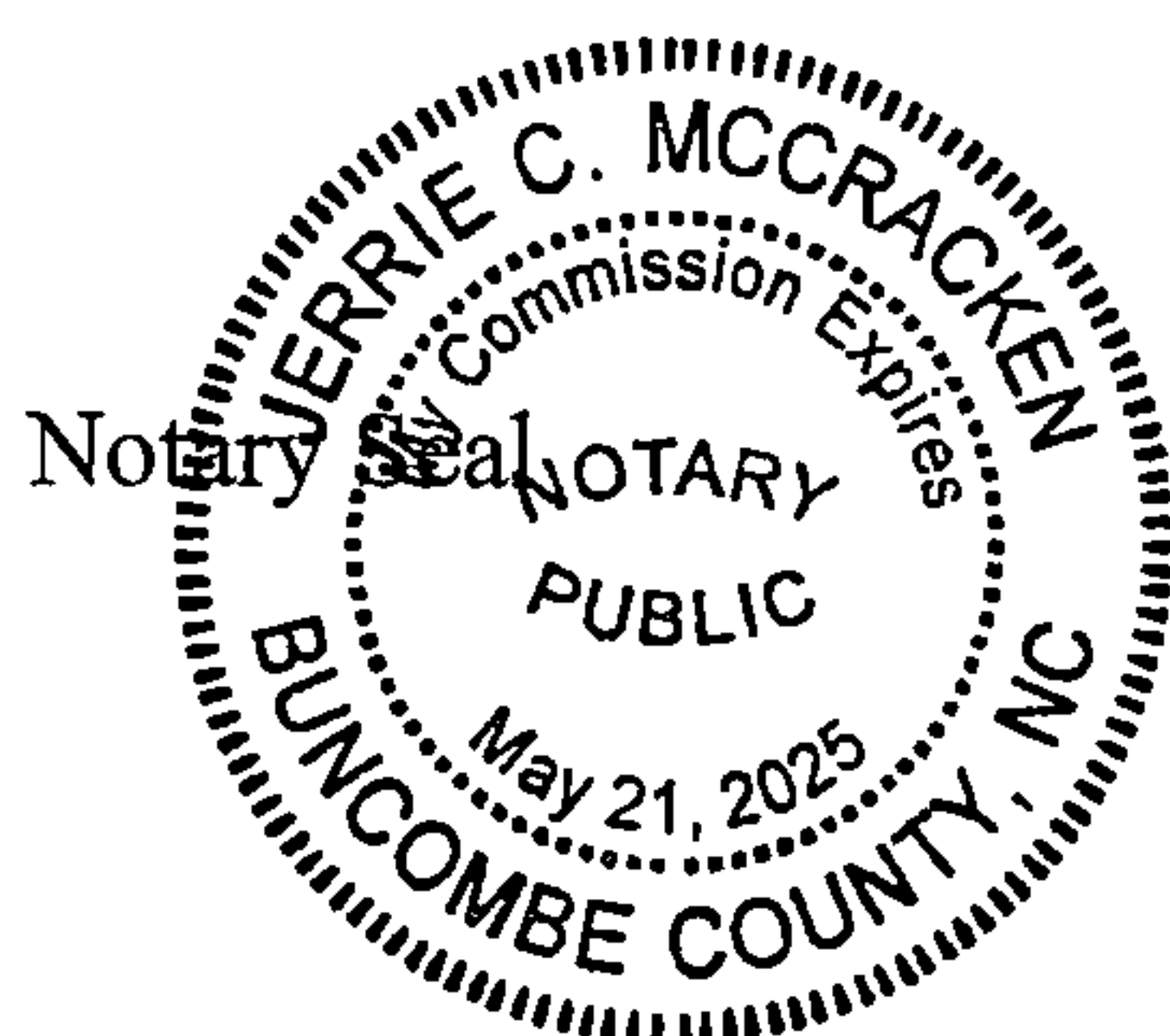
STATE OF NORTH CAROLINA

CORPORATE ACKNOWLEDGMENT

Buncombe COUNTY

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Hannah Randall, whose name as Interim Exec. Director of **SOUTHEAST REGIONAL LAND CONSERVANCY, INC.**, a North Carolina non-profit corporation, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the same, She, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and seal on this the 5th day of October, 2023.



Jerrie C. McCracken
NOTARY PUBLIC
My Commission Expires: May 21, 2025

STATE OF TENNESSEE

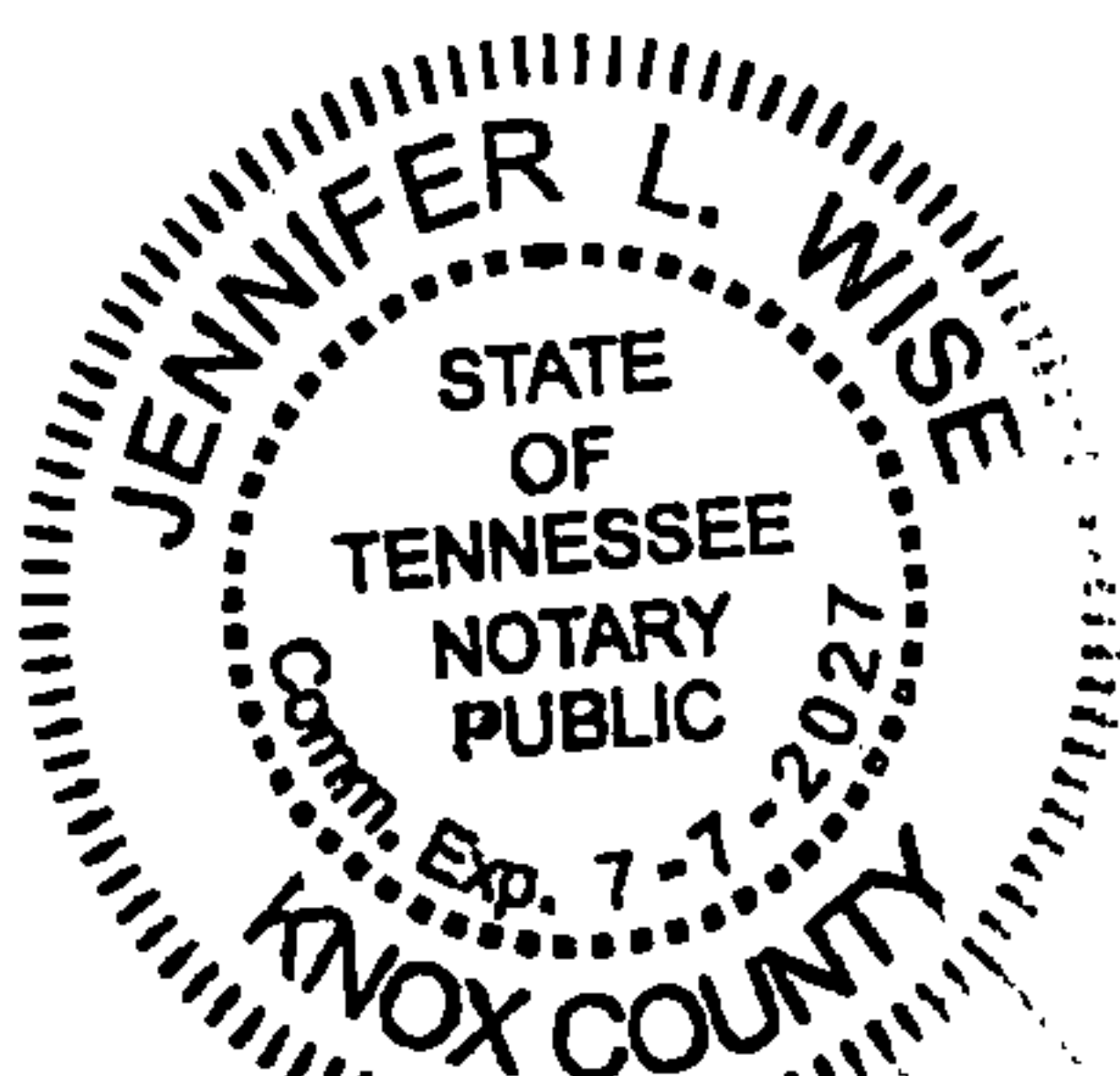
CORPORATE ACKNOWLEDGMENT

Knox COUNTY

I, the undersigned, a Notary Public in and for said County and State, hereby certify that **William Clabough**, whose name as Executive Director of **FOOTHILLS LAND CONSERVANCY**, a Tennessee non-profit corporation, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the same, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and seal on this the 27th day of October, 2023.

Notary Seal



Jennifer L. Wise
NOTARY PUBLIC
My Commission Expires: 7-7-27