

261 126

UNITED STATES DEPARTMENT OF AGRICULTURE  
**QUITCLAIM DEED**

The UNITED STATES OF AMERICA, acting through the United States Department of Agriculture, CONVEYS and QUITCLAIMS to

JAMES L. BAZEMORE AND DARWEESE W. BAZEMORE

as joint tenants with survivorship, for the sum of ONE HUNDRED EIGHTY-EIGHT THOUSAND FIVE HUNDRED AND NO/100-----DOLLARS (\$188,500.00)

all interest in the following described real estate situated in the County of Screven State of Georgia, to wit:

SEE ATTACHMENT FOR LEGAL DESCRIPTION (ATTACHMENT A)  
AND CONSERVATION EASEMENT (ATTACHMENT B)

GEORGIA SCREVEN COUNTY  
Filed in Clerk's office This 15 day of  
May 19 98 at 4 P M, and  
Recorded in Land Book 261 Page  
This 18 day of May 19 98  
Edith B. Pullen  
EDITH B. PULLEN, Clerk, Superior Court

Subject, however, to all easements and rights-of-way upon, across or through the above - described lands as heretofore have been granted by the United States of America or its predecessors in title.

This deed is executed and delivered pursuant to the provisions of the accepted offer dated April 22, 1998, and the authority set forth in 7 CFR 1900 Subpart A, TO HAVE AND TO HOLD the same unto the said

JAMES L. BAZEMORE AND DARWEESE W. BAZEMORE

as joint tenants, and not as tenants in common, and, upon the death of either of them, then to the survivor, and to the heirs and assigns of such survivor, in fee simple, forever.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated: April 30, 1998

UNITED STATES OF AMERICA

Hanson R. Carter  
HANSON R. CARTER, State Executive Director  
Farm Service Agency, successor in interest to the  
Farmers Home Administration or Rural Economic and  
Community Development  
State of Georgia  
United States Department of Agriculture

In the presence of:

Elizabeth M. King  
Carol M. Leliv

Notary Seal

My Commission Expires May 7, 2001

ATTACHMENT A

TRACT 1: All that certain tract or parcel of land lying and being in the 80th G.M. District of Screven County, Georgia, containing 126.0 acres, as shown by plat of survey made by D.M. Weitman, Surveyor, dated June 15, 1938, and recorded in the Office of the Clerk of the Superior Court of Screven County, Georgia, and recorded in Plat Book 20, at page 88, public records of said county; said plat being incorporated by reference herein.

There is excepted, however, that certain tract containing 18.56 acres, as shown by plat of survey made by Lamar O. Reddick, Surveyor, dated May 2, 1975 and recorded in Plat Book 6 at page 179, public records of Screven County, Georgia.

TRACT 2: All that certain tract or parcel of land lying and being in the 80th G.M. District of Screven County, Georgia, containing 25.62 acres, more or less, as shown by plat of survey made by Warren E. Poythress, Surveyor, dated April 18, 1979, and recorded in Plat Book 20 at page 93, public records of said county; said plat being incorporated by reference herein.

TRACT 3: All that certain tract or parcel of land lying and being partly in the 1653rd and partly in the 80th G.M. District of Screven County, Georgia, containing 157.5 acres according to a plat of survey made by W. T. Johnson, Surveyor, on April 5, 1948, and recorded in Plat Book 2, at page 10, Screven County Records, reference to the same being hereby made for a more complete and accurate description.

TRACT 4: All that certain tract or parcel of land situated, lying and being partly in the 80th and partly in the 1653rd G.M. District of Screven County, Georgia, designated as Parcel No. 2 and containing 33.56 acres as shown on plat of survey made by Frank J. Ford, Surveyor, on June 8, 1968 and recorded in Plat Book 14, at page 60, Screven County Records.

TRACTS 1 and 2 are conveyed to James L. and Darweese W. Bazemore by Mrs. Alverine Z. Jones by deed dated April 23, 1979 and recorded in Deed Book 160, at page 183, aforesaid public records. TRACTS 3 and 4 were conveyed to Darweese W. Bazemore by deed dated August 5, 1968 and recorded in Deed Book 129 at page 305, aforesaid public records.

All that certain tract or parcel of land lying and being in the 80th G.M. District of Screven County, Georgia, containing 18.56 acres, as shown by plat of survey made by Lamar O. Reddick, Surveyor, dated May 2, 1975 and recorded in Plat Book 6 at page 179, public records of said county, which is hereby referred to and made a part of this description; said tract being bounded now or formerly as follows: On the Northeast and East by lands of Farmers Home Administration, formerly lands of Mrs. Alverene Zeagler Jones; on the South by the right-of-way of a county public road; and on the Southwest and Northwest by lands of Sandra Edenfield.

## ATTACHMENT B

## CONSERVATION EASEMENT RESERVATIONS IN THE UNITED STATES

By this instrument, there is reserved in the UNITED STATES OF AMERICA, its successors and assigns, a perpetual conservation easement on the property conveyed by this deed.

This easement is under the authority and in furtherance of the provisions of Federal law, including sections 331 and 335 of the Consolidated Farm and Rural Development Act (7 U.S.C. §§ 1981 and 1985), as amended. The restrictions and covenants contained in this easement constitute a perpetual servitude on and run with the property. The grantee and all successors and assigns ("landowner") under this deed covenant with the United States to do or refrain from doing, severally and collectively, the various acts mentioned later in this easement. The United States is reserved the rights enumerated in this easement for itself and its successors, agents, and assigns.

## I. DESCRIPTION OF THE EASEMENT AREA.

The area subject to this Conservation Easement, referred to herein as the "easement area" is described as follows:

SEE ATTACHMENT C

Without limiting the general and specific rights of access in paragraph III-A, Middle Ground County Road will be used for access to the easement area.

## II. COVENANTS BY THE LANDOWNER

- A. No dwellings, barns, outbuildings, or other structures shall be built within the easement area.
- B. The vegetation or hydrology of the described easement area will not be altered in any way or by any means or activity on the property conveyed by this deed, or property owned by or under the control of the landowner including: (1) cutting or mowing; (2) cultivation; (3) grazing; (4) harvesting wood products; (5) burning; (6) placing of refuse, wastes, sewage, or other debris; (7) draining, dredging, channeling, filling, dicing, pumping, diking, impounding and related activities; or (8) diverting the natural flow of surface or the underground waters into, within, or out of the easement area.
- C. Notwithstanding the provisions of paragraph II-B above, the landowner shall be responsible for compliance with all Federal, state, and local laws for the control of noxious or other undesirable plants on the easement area. The responsibility for such plant control may be assumed in writing by the easement manager where the control or manipulation of such



plants is deemed by the easement manager to affect easement management programs or policies.

- D. Cattle or other stock shall not be permitted on the easement area, except that the easement manager shall permit access to and use of waters within the area necessary for stock watering under such terms and conditions as the easement manager deems necessary to protect and further the purposes of this easement, provided:
- (1) The easement manager bears the costs of building and maintaining fencing or other facilities necessary to preclude stock from entering the easement area;
  - (2) the easement manager shall consult with the landowner to determine the need for and the scope of fencing; and
  - (3) access for stock watering need not be permitted where other waters are reasonably available from other sources outside the easement area.

### III. RIGHTS RESERVED IN THE UNITED STATES.

The United States, on behalf of itself, its successors, or assigns, reserves and retains the right, at its sole discretion, to manage the easement area including the following authorities:

- A. The right of reasonable ingress and egress on and across the property conveyed by this deed as of the date of this instrument, whether or not adjacent or appurtenant to the easement area, for access to the easement area in order to conduct wetlands management, monitoring, and easement enforcement activities. The easement manager may utilize vehicles and other reasonable modes of transportation for access purposes overland or on any right of way described in paragraph I. In the event that the use of the described access right of way over the property conveyed by this deed is not practical for any reason, the easement manager may utilize any convenient route of access to the easement area over said property. With the concurrence of the easement manager, the landowner may provide a designated route for such access to and from the easement area so that damage to farm operations can be reasonably avoided.
- B. The right but not the obligation to install, operate, and maintain structures for the purpose of re-establishing, protecting, and enhancing wetlands functional values including the taking of construction materials to and from said sites.
- C. The right to establish or re-establish vegetation through seedings, plantings, or natural succession.
- D. The right but not the obligation, to manipulate vegetation, topography and hydrology on the easement area through diking, pumping, water management, excavating, island construction, burning, cutting, pesticide application, fertilizing, and other appropriate practices. The easement manager shall consult with the landowner prior to such

- C. For purposes of this easement, wetland management rights reserved by the United States include, but are not limited to, inspection for compliance with the terms of this easement, research regarding water, wetlands, fish and wildlife, and associated ecology; and any other activity consistent with the preservation and enhancement of wetland functional values.
- D. The United States, its successors and assigns, including the easement manager, shall have the right to make surveys, take photographs and prepare such other documentation as may be necessary or desirable to administer the provisions of this easement. Any such map, plat or other suitable document may be recorded in the land records of the respective county in which the property is located.
- E. Subject to paragraph III-G in this easement, the landowner and invites may hunt and fish on fish on the easement area in accordance with all Federal, State, and local game and fishery regulations.
- F. This easement shall be binding on the landowner, and the landowner's heirs, successors, or assigns. The landowner covenants to warrant and defend unto the United States, its successors or assigns, the quiet and peaceable use and enjoyment of the land and interests in the land constituting this reservation against all claims and demands.
- G. The easement manager shall be the agent of the United States or its successors, or assigns. The easement manager shall have all discretionary powers of the United States under this easement, except that the power to release or modify, in any manner, the terms of this easement may be exercised only by a designated employee of the United States Department of Agriculture. Any such succession or assignment of authority must be by express written language, and no power to modify or release all or part of the easement may be inferred from or implied by the conduct of any individual, entity or governmental entity. In the performance of any rights of the easement manager under this easement, the easement manager may permit, contract or otherwise provide for action by employees, agents, or assigns which may include the landowner.

manipulatory action occurring in order to determine the most appropriate method to avoid possible damage to the property(s) adjoining the easement area.

- E. The right to conduct predator management activities.
- F. The right but not the obligation, to construct and maintain fences in order to prevent or regulate grazing or other type of encroachment on the easement area.
- G. Notwithstanding permissive provisions of State or Federal law, the right to prohibit or regulate hunting or fishing or other taking of migratory birds, fish, and wildlife. This right to prohibit any of these activities shall be effected by (1) the easement manager posting the area, or (2) otherwise giving notice of the prohibitions to the landowner.

#### IV. EASEMENT MANAGEMENT AND ADMINISTRATION.

- A. All rights, titles, and interests of the United States in this easement are assigned to the Secretary of the Interior for administration by the United States Fish and Wildlife Service as part of the National Wildlife Refuge System pursuant to the National Wildlife Refuge System Administration Act, 16 U.S.C. §§ 668dd et seq. The U.S. Fish and Wildlife Service may enforce all the terms and conditions of this easement, along with exercising all rights and powers reserved in this easement through such general or specific regulations or orders as have been or may be, from time to time, promulgated under the authority of the Secretary of the Interior. Notwithstanding the above rights in paragraph III retained by the United States, the U.S. Fish and Wildlife Service may permit the landowner to pursue such activities on said sites as would be consistent with the preservation and enhancement of wetlands functional values.
- B. As used in this easement, the term "easement manager" shall refer to the authorized official of the U.S. Fish and Wildlife Service.

#### V. GENERAL PROVISIONS.

- A. The agreed upon purposes of this reservation are the protection and restoration of the wetland areas existing as of the date of this conveyance as well as protection and enhancement of plant and animal habitat and populations. A "wetland" is defined and determined by the Natural Resources Conservation Service of the U.S. Department of Agriculture in accordance with Title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq). Any ambiguities in this easement shall be construed in a manner which best effectuates wetland protection and restoration and fish and wildlife purposes.
- B. Any subsequent amendment to or repeal of any federal law or regulations which authorizes this reservation shall not affect the rights reserved by the United States or subsequently held by its successor or assigns.



ATTACHMENT C

PARCEL A

All that certain tract or parcel of land situate, lying and being in the 1653rd G.M. District of Screven County, Georgia, containing 68.04 acres, and designated as Parcel A according to plat of survey made by Warren E. Poythress, Surveyor, dated November 14, 1990, and recorded in Plat Book 30 page 11 of Screven County Records. Said parcel of land is more particularly described as follows: Beginning at a concrete monument at the southwestern corner of Parcel A, which monument is located on the Northern right of way line of the Middleground Public road, at a point where Parcel A adjoins other lands of the Farmers Home Administration, and proceeding thence from said point N 18 degrees 19' 07" E, for a distance of 238.78 feet, there to a point; thence N 26 degrees 11' 39" W, for a distance of 517.68 feet, there to a point; thence S 36 degrees 26' 19" W, for a distance of 173.83 feet, there to a point; thence N 85 degrees 35' 08" W, for a distance of 882.81 feet there to a point; thence N 84 degrees 42' 47" W, for a distance of 315.46 feet, there to a point; thence N 54 degrees 12' 18" W, for a distance of 1035.35 feet, there to a point; thence S 71 degrees 15' 51" W, for a distance of 271.44 feet, there to a point; thence N 54 degrees 47' 49" W, for a distance of 1445.12 feet, there to a corner; thence N 32 degrees 22' 29" E, for a distance of 389.13 feet, there to a corner; thence S 51 degrees 28' 30" E, for a distance of 254.44 feet, there to a point; thence S 40 degrees 59' 33" E, for a distance of 498.87 feet, there to a point; thence N 61 degrees 29' 19" E, for a distance of 256.48 feet, there to a point; thence N 85 degrees 36' 29" E, for a distance of 570.86 feet, there to a point; thence N 35 degrees 14' 05" W, for a distance of 634.86 feet, there to a point; thence N 03 degrees 12' 13" E, for a distance of 592.76 feet, there to a point; thence N 56 degrees 32' 49" W, for a distance of 802.21 feet, there to corner; thence N 71 degrees 32' 45" E, for a distance of 308.85 feet, there to corner; thence S 80 degrees 30' 03" E, for a distance of 182.91 feet, there to a point; thence S 73 degrees 11' 15" E, for a distance of 78.22 feet, there to a point; thence S 34 degrees 33' 27" E, for a distance of 106.99 feet, there to a point; thence S 41 degrees 47' 35" E, for a distance of 116.04 feet, there to a point; thence S 67 degrees 45' 11" E, for a distance of 167.13 feet, there to a point; thence S 67 degrees 09' 12" E, for a distance of 262.66 feet, there to a point, thence S 03 degrees 58' 01" E, for a distance of 240.50 feet, there to a point, thence S 05 degrees 49' 03" W, for a distance of 182.83 feet, there to a point; thence S 34 degrees 51' 09" E, for a distance of 292.86 feet, there to a point; thence S 62 degrees 55' 50" E, for a distance of 170.80 feet, there to a point; thence S 12 degrees 21' 52" W, for a distance of 343.19 feet, there to a point; thence S 37 degrees 56' 25" E, for a distance of 79.72 feet, there to a point, thence S 00 degrees 34' 36" E, for a distance of 94.58 feet, there to a point, thence S 57 degrees 03' 29" E, for a distance of 187.21 feet, there to point, thence S 11 degrees 58' 01" E, for a distance of 48.66 feet, there to



a point; thence S 31 degrees 22' 53" W, for a distance of 269.75 feet, there to a point; thence S 34 degrees 00' 14" W, for a distance of 256.84 feet, there to a point; thence S 45 degrees 56' 33" E, for a distance of 99.43 feet, there to a point; thence S 58 degrees 11' 47" E, for a distance of 431.94 feet, there to a point; thence S 61 degrees 13' 09" E, for a distance of 282.20 feet, there to a point; thence S 61 degrees 14' 26" E, for a distance of 114.20 feet, there to a point; thence N 59 degrees 13' 13" E, for a distance of 196.30 feet, there to a point; thence N 13 degrees 03' 44" E, for a distance of 98.24 feet, there to a point; thence S 87 degrees 18' 28" E, for a distance of 245.83 feet, there to a point; thence N 18 degrees 04' 58" E, for a distance of 25 feet, there to a point; thence S 85 degrees 31' 14" E, for a distance of 132.71 feet, there to a point; thence S 10 degrees 24' 38" W, for a distance of 79.84 feet, there to a point; thence S 40 degrees 14' 44" E, for a distance of 106.24 feet, there to a point; thence N 85 degrees 43' 13" E, for a distance of 139.18 feet, there to a point; thence S 59 degrees 34' 58" E, for a distance of 85.66 feet, there to a point; thence S 45 degrees 19' 09" E, for a distance of 95.10 feet, there to a point; thence S 63 degrees 53' 29" E, for a distance of 120.71 feet, there to a point; thence N 89 degrees 47' 53" E, for a distance of 278.72 feet, there to a point; thence S 18 degrees 20' 20" E, for a distance of 79.28 feet, there to a point; thence S 26 degrees 09' 41" E, for a distance of 143.99 feet, there to a point; thence S 84 degrees 59' 44" E, for a distance of 148.99 feet, there to a point; thence S 59 degrees 44' 08" E, for a distance of 75.39 feet, there to a point; thence S 12 degrees 42' 04" W, for a distance of 207.07 feet, there to a point; thence S 02 degrees 37' 22" E, for a distance of 173.11 feet, there to a point; thence S 08 degrees 17' 44" E, for a distance of 118.00 feet, there to a corner; thence S 47 degrees 24' 09" W, for a distance of 183.69 feet, there to a point; thence N 74 degrees 22' 51" W, for a distance of 299.10 feet, there to corner and point of beginning. Said tract of land is bounded, according to said plat, as follows: On the Northeast and East by lands of T. E. Mock, lands of Chris Powers, and lands of Myrtle Smith, on the South by the Middle Ground Public Road and lands of the Farmers Home Administration, and on the Northwest by land of Eli Owens. The Poythress plat is by reference incorporated herein for a more particular description

#### PARCEL B

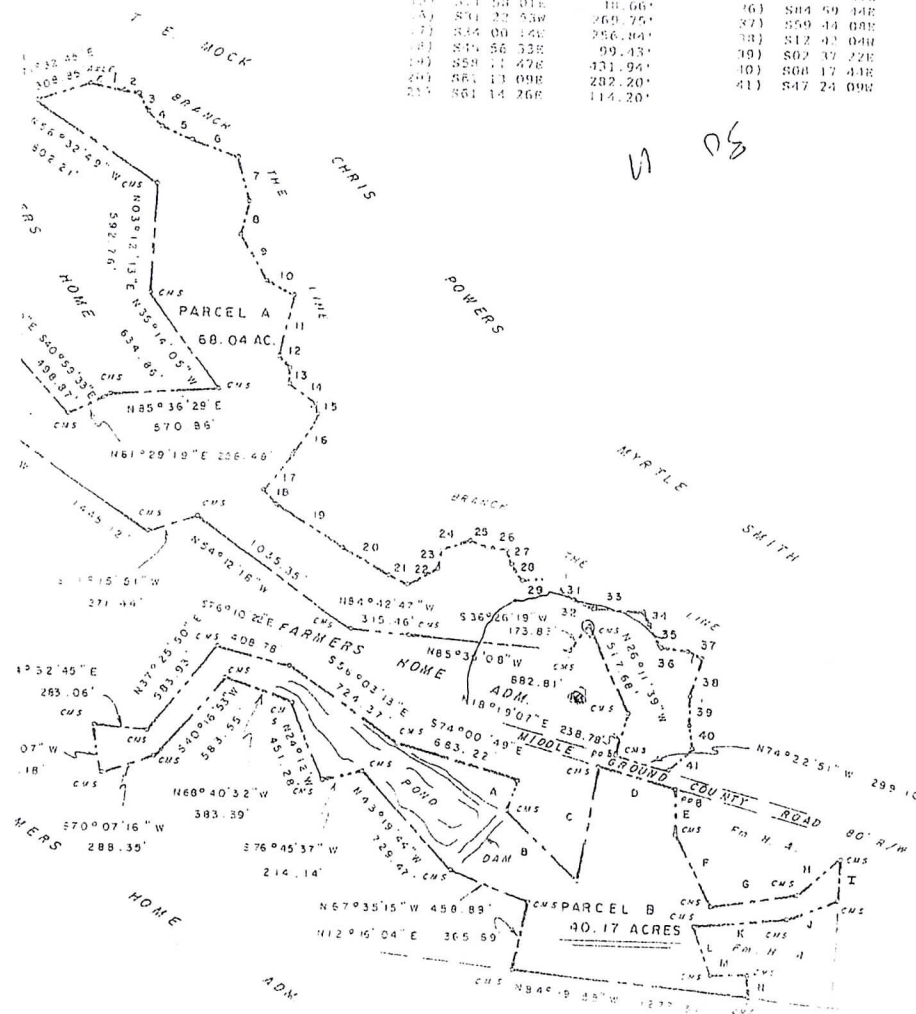
All that certain tract or parcel of land situate, lying and being in the 1653rd G. M. District of Screven County, Georgia, containing 40.17 acres, and designated as Parcel B according to plat of survey made by Warren E. Poythress, Surveyor, dated November 14, 1990 and recorded in Plat Book 30 page 11 of Screven County Records. Said parcel of land is more particularly described as follows: Beginning at a concrete monument at the northwestern corner of Parcel B, which monument is located on the southwestern right of way line of the Middle Ground Public Road at a point where Parcel B adjoins other

lands of the Farmers Home Administration, and proceeding thence from said point S 74 degrees 36' 25" E, for a distance of 437.65 feet, there to a corner; thence S 00 degrees 57' 13" E, for a distance of 259.18 feet, there to a point; thence S 25 degrees 53' 29" E, for a distance of 453.03 feet, there to a corner; thence N 79 degrees 37' 58" E, for a distance of 475.99 feet, there to a point; thence N 47 degrees 50' 59" E, for a distance of 308.25 feet, there to a corner; thence S 04 degrees 29' 28" W, for a distance of 226.05 feet, there to a corner; thence S 57 degrees 01' 39" W, for a distance of 284.11 feet, there to a point; thence S 84 degrees 10' 53" W, for a distance of 501.41 feet, there to a corner; thence S 21 degrees 10' 36" E, for a distance of 274.42 feet, there to a corner, thence S 89 degrees 46' 44" E, for a distance of 191.04 feet, there to a corner, thence S 01 degrees 51' 27" E, for a distance of 120.66 feet, there to a corner; thence N 84 degrees 19' 55" W, for a distance of 1,277.31 feet, there to a corner; thence N 12 degrees 16' 04" E, for a distance of 365.89 feet, there to a corner; thence N 67 degrees 35' 15" W, for a distance of 458.89 feet, there to a point; thence N 43 degrees 19' 44" W for a distance of 729.47 feet, there to a point; thence S 76 degrees 45' 37" W, for a distance of 214.14 feet, there to a point; thence N 24 degrees 12' W, for a distance of 451.28 feet, there to a point; thence N 68 degrees 40' 32" W, for a distance of 383.39 feet, there to a point, thence S 40 degrees 16' 53" W, for a distance of 583.55 feet, there to a point, thence S 70 degrees 07' 16" W, for a distance of 288.35 feet, there to a corner; thence N 09 degrees 41' 07" W, for a distance of 266.18 feet, there to a corner; thence S 84 degrees 32' 45" E, for a distance of 283.06 feet, there to a point; thence N 37 degrees 25' 50" E, for a distance of 583.93 feet, there to a corner; thence S 76 degrees 10' 22" E, for a distance of 408.78 feet, there to a point; thence S 56 degrees 03' 13" E, for a distance of 724.37 feet there to a point; thence S 74 degrees 00' 49" E, for a distance of 683.22 feet, there to a point; thence S 19 degrees 21' 18" W, for a distance of 174.45 feet, there to a point; thence S 45 degrees 30' 32" E, for a distance of 558.41 feet, there to a point; thence N 08 degrees 07' 12" E, for a distance of 660.34 feet, there to corner and point of beginning. Said tract of land is bounded according to said plat, as follows: On the North by lands of the Farmers Home Administration and the Middle Ground Public Road as now established; on the East by lands of the Farmers Home Administration; on the South by lands of Willie Mae Evans; and on the Southwest and West by lands of the Farmers Home Administration. The Poythress plat is by reference incorporated herein for a more particular description.

Recorded May 18, 1998

Deputy Clerk

1	51.14	95.10
2	51.14	120.71
3	51.14	178.72
4	51.14	79.76
5	51.14	131.90
6	51.14	148.96
7	51.14	75.39
8	51.14	207.07
9	51.14	173.11
10	51.14	110.00
11	51.14	101.69



1	51.14	95.10
2	51.14	120.71
3	51.14	178.72
4	51.14	79.76
5	51.14	131.90
6	51.14	148.96
7	51.14	75.39
8	51.14	207.07
9	51.14	173.11
10	51.14	110.00
11	51.14	101.69

CONSERVATION EASEMENT

FOR

FARMER'S HOME ADMINISTRATION

LOCATION: PARCEL A - BOTH C.H.D.