

J. Roth - Box 148

BK1803 P3251

Tax Lot No. _____ Parcel Identifier No. _____

This instrument as prepared by: Richard Glaze

DEED OF GIFT

THIS DEED OF GIFT, made this 3 day of September, 1993, by and between S & K INVESTMENTS, INC. (the Grantor); and HISTORIC BETHABARA PARK, INC. (The Grantee);

W I T N E S S E T H:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Grantor does hereby grant and convey, with General Warranty and English Covenants of Title, unto the said Grantee.

See Exhibit A attached hereto and incorporated herein by reference.

Being a portion of the same property conveyed to Grantor by Deed recorded in Deed Book 1151, Page 455 in the Office of the Register of Deeds of Forsyth County, North Carolina.

This conveyance is made subject to easements and restrictions of record affecting the above described property and rights of parties in possession under unrecorded leases, if any.

The land described in this Deed is conveyed subject to the Declaration of Covenants, Conditions and Restrictions set out herein. The Declaration shall be for the benefit of any enforceable by the citizens and residents of Forsyth County, North Carolina and the known living descendants of John A. Kent, Jr. and shall run with the land. As used in the Declaration, the following terms shall have the meaning set out herein:

"Mill Dam Graveyard" shall mean this entire boundary as described in and conveyed by this Deed.

"Dobbs Parish Cemetary" shall mean an existing ancient cemetary 60 x 96 feet in dimension, lying within the Site.

For reference see Exhibit attached hereto.

GIFT DEED

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EXHIBIT "A"

Beginning at an iron in the western right-of-way line of Midkiff Road, said iron being located South 47 deg 21' 28" West, 151.85 feet from the Southeast intersection of the right-of-way lines of Midkiff Road and Linda Circle, said point also being the Northwest corner of Lot 14, Windsor Forest, Section 1 as recorded in Plat Book 18, Page 137, Forsyth County Registry, thence from the point of beginning thus located along the Western right-of-way line of Midkiff Road North 24 deg 05' East 253.02 feet to a point in said right-of-way line; thence leaving said right-of-way line South 77 deg 01' 54" West 205.85 feet to an iron; thence South 04 deg 26' 06" West 153.21 feet to an iron; thence South 73 deg 38' 45" East 113.81 feet to the point of beginning, containing 0.673 Acres, more or less.

December 16, 1985

Steve Lineback, L-1367

The above-described property encompasses both the Mill Dam Graveyard discovered by S & K Investments, Inc. in 1985 and the inner parcel known historically as the Dobbs Parish Cemetery (1759-1825).

S & K Investments, Inc.

RESTRICTIONS ON DOBBS PARISH CEMETERY AND
MILL DAM GRAVEYARD

DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS

This declaration made on the 3 day of September,
1993, by S & K Investments, Inc., (hereinafter referred to as
"Declarant");

WITNESSETH:

WHEREAS, the Dobbs Parish Cemetery is recognized as an
important element of the early history of Winston-Salem and Forsyth
County, and;

WHEREAS, S & K Investments, Inc. is desirous of
preserving the Dobbs Parish Cemetery and Mill Dam Graveyard for the
benefit of the citizens of Winston-Salem and Forsyth County.

1. The entire perimeter of the dedicated property shall be
enclosed by a six-foot high brown or green vinyl chain link fence
or fence of not less than 6 feet or a wall at least 5 feet high and
shall be accessed only through a lockable gate. This assumes
adequate police protection to discourage vandalism to graveyard.
This will be erected along the border of the Mill Dam Graveyard
(not Dobbs Parish Cemetery), with access to be provided to Midkiff
Road by steps (concrete, stone, or an appropriate material that is
durable and stable) on the Northeast corner of the cemetery, and a
locked gate only to be open to the public during Bethabara Park
hours. Appropriate handicapped access may be permitted proximate
to the main entrance to the cemetery as required.

2. The general flora of the Mill Dam Graveyard (not Dobbs
Parish Cemetery) will be maintained, including the periwinkle
ground cover. Little or no clearing will be undertaken, other than

the bare essential of undergrowth clearance for the site's preservation. Removal of trees on the site will only be undertaken on a minimal basis for the purpose of preservation. Paths and a viewing path up to 10 feet in width around original Dobbs Parish Cemetery may be cleared, and groomed. This perimeter is caused by the presence of graves outside of Dobbs Parish Cemetery. There is no record of any of them, except the dates on the tombstones, anywhere. Thus, it is not a part of Dobbs Parish Cemetery but only graves on S & K's property - Mill Dam Graveyard.

3. Appropriate signage will be erected and maintained at the entrance gate to the site and on three sides of Dobbs Parish Cemetery, explaining the historical background, the ownership of the site by the Speas-Kent family from 1888 to 1993, the present use of the site, and the plot, names and Lot number.

4. A waist-high, 4-foot picket fence, or other suitable fencing material in keeping with the aesthetics and history of the site, will be erected on the border of the original Dobbs Parish Cemetery (60' by 96'). Inside of this 60' x 96' area, the following restrictions will be adhered to. The known damage is to be corrected. The four stones (two in the possession of Historic Bethabara Park and two from the recent grave robbery attempt) shall be replaced in their approximate location, and the dirt only from the grave robbery attempt will be used to refill the holes left. All this will be performed by hand labor only. Once this is completed, Dobbs Parish Cemetery will be a viewing cemetery only and the people buried there, abandoned in 1825 by the "Moravians" and cared about by no one except the Speas-Kent family to date, will be left alone under their blanket of green to sleep peacefully forever, undisturbed by human hands.

5. The original Dobbs Parish Cemetery will be a viewing cemetery only, with access to the general public restricted to the perimeter. Reasonable access will be provided for proven

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descendants or bona fide historical researchers after approval by the Historic Bethabara Park Board of Trustees. JAK, Jr.

WITNESS the following signature and seal:

S & K INVESTMENTS, INC.

By: John A. Kent, Jr. President (SEAL)

Attest:

John A. Kent, Jr.
Secretary

CORPORATE SEAL

STATE OF FLORIDA
COUNTY OF ORANGE

John A. Kent, Jr.

This 28th day of August, 1993, personally came before me, JOHN M. McCORMICK, a notary public, who, being by me duly sworn, says that he knows the common seal of S & K INVESTMENTS, INC., and is acquainted with JOHN A. KENT, who is the President of said Corporation, and that he, the said JOHN A. KENT, JR., is the Secretary of said Corporation, and saw the said President sign the foregoing or annexed instrument, and saw the said common seal of said Corporation affixed to said instrument by said President, and that he, the said Secretary, signed his name in attestation of the execution of said instrument in the presence of said President of said Corporation.

WITNESS my hand and official seal this 28th day of August, 1993.

John M. McCormick
Notary Public

My commission expires:



JOHN M. MCCORMICK
MY COMMISSION # CC 197997 EXPIRES
May 1, 1996
BONDED THROUGH FARM INSURANCE, INC.

EXHIBIT "A"

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate of John M. McCormick (here give name and official title of the officer signing the certificate passed upon)

Orange and REC 9/1/93

is (are) certified to be correct. This the 9th day of NOV 19 93

L. E. Speas, Register of Deeds

L. E. SPEAS
REGISTER OF DEEDS
FORSYTH CO. N.C.

By Janet Bottoms Deputy Assistant

Probate and Filing Fee \$ 16.00 paid.