

Melanie Arthur 4P
CARTERET COUNTY
JL Date 10/03/2005 Time 16:29:00
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NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at
the date and time and in the Book and Page shown
on the first page hereof.

✓
RAN: KRW

Melanie Arthur, Register of Deeds
By [Signature]
Reg./Deputy, Register of Deeds

State of North Carolina

OPTION

County of Carteret

This Option Agreement, made and entered into this 3rd day of October, 2005 by and between the Town of Atlantic Beach, a North Carolina Municipal Corporation, (hereinafter "Seller"); and FMB of Atlantic Beach, LLC, a North Carolina limited liability company, (hereinafter "Buyer");

STATEMENT OF EXPLANATION

The Seller and FMB, Inc. pursuant to N.C.G.S. §160A-457(4) entered into a Contract for Purchase of Real Estate dated November 21, 2003, (hereinafter the "Contract") for five parcels of land in and around the area of Atlantic Beach, North Carolina commonly known as "The Circle." FMB, Inc. has subsequently assigned its interest in the contract to FMB of Atlantic Beach, LLC, an affiliate (hereinafter "FMB").

In addition to the five (5) parcels to be purchased by FMB, the Seller agreed to grant to Buyer an option to purchase the property described herein which is located adjacent to the Seller's municipal water tower on North Carolina Highway 58 for purposes of a "repair area" for the Buyer's sewer treatment facility (hereinafter "Option"). The provisions related to the Option are in Section 4 of the Contract.

(4)

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STATEMENT OF AGREEMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

1. Buyer shall pay to Seller \$10,000.00 for the Option to purchase the property described herein, subject to the provisions, conditions, and restrictions contained in the Contract.

2. Seller does hereby give and grant unto said Buyer the right and option to purchase from said Seller, subject to the provisions, conditions, and restrictions contained in the Contract, a certain tract or parcel of real property ("the Property") lying and being in the Town of Atlantic Beach, Carteret County, North Carolina, and more particularly described as follows:

Beginning at an existing concrete monument located in the northern right of way of Salter Path Road (NC HWY 58) said point being located N 53° 15' 08" E, 1,021.54 feet from N.C.G.S. Ocean 1992. From said point and place of beginning run thence N 09° 36' 10" W 467.81 feet to a point; thence N 78° 31' 02" E, 400.94 feet to a point; thence N 50° 18' 56" E, 333.78 feet to a point; thence S 11° 39' 04" E, 268.18 feet to a point; thence S 78° 20' 56" E, 110.29 feet to a point; thence S 11° 39' 04" E, 172.09 feet to a point; thence S 50° 51' 11" E, 79.11 feet to a point; thence S 11° 39' 04" E, 121.63 feet to a point in the northern right of way of Salter Path Road; thence with the northern right of way of Salter Path Road S 78° 20' 56" W, 651.99 feet to the point and place of beginning.

3. This Option shall begin on October 3, 2005 and end 12:00 midnight on October 3, 2025. This Option may be extended as set forth in the Contract.

4. All of the terms and provisions of the Contract set forth in Section 4 captioned "Option" and any other relevant terms and provisions in the Contract are incorporated herein by reference.

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Eddie Dawkins (SEAL)
Eddie Dawkins, Mayor
Town of Atlantic Beach

ATTEST:

Sabrina Simpson
Sabrina Simpson, Deputy City Clerk
Town of Atlantic Beach



STATE OF NORTH CAROLINA
COUNTY OF CARTERET

This 3rd day of October, 2005, Sabrina Simpson personally came before me, a Notary Public of said County and State, Sabrina Simpson, who being by me duly sworn, says that she knows the common seal of said Town of Atlantic Beach, and is acquainted with Eddie Dawkins, who is the Mayor of said Town; and that she the said Sabrina Simpson is the duly appointed and designated Deputy City Clerk of said Town, and saw the said Mayor sign the foregoing instrument, and that she the said Clerk as aforesaid, affixed the said seal to said instrument, and that she the said Clerk signed her name in attestation of the execution of said instrument in the presence of said Mayor of said Town.

WITNESS my hand and official seal.

Rama H. Burt

Notary Public

My Commission Expires:
7/13/08

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IN WITNESS WHEREOF, the parties hereto have executed this instrument as
of the day and year first above written.

FMB of Atlantic Beach, LLC

By:

Fred M. Bunn
Fred M. Bunn, Manager

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

I, Mary Burrows, a Notary Public of the County and
State aforesaid, certify that Fred M. Bunn, Member/Manager of FMB of Atlantic Beach,
LLC personally appeared before me this day and acknowledged the due execution of the
foregoing instrument.

Witness my hand and official stamp or seal, this 3rd day of October, 2005.

Mary Burrows
Notary Public

My Commission Expires: 11/09/09



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