

MAY 02 1989

LA-North Carolina
Alligator River NWR
Durant Island Club,
Inc. (19)

Mr. Thomas B. Battle
[REDACTED]

Dear Mr. Battle:

I am pleased to inform you that the lease you signed on April 20, 1989, has been accepted on behalf of the United States. Enclosed is a copy of the completely executed lease.

Thank you for your generous contribution to the red wolf project. Please visit the Alligator River National Wildlife Refuge office in Manteo, North Carolina, if you ever have the opportunity. Our refuge manager and others involved in the project would be happy to meet you and other members of the club.

Do not hesitate to contact me should you have any questions or problems over the course of the lease.

Sincerely yours,

/s/ Pat Lehr

Pat Lehr
Realty Specialist
Refuges and Wildlife

Enclosure

cc: Refuge Manager, Alligator River NWR w/enc.
Associate Manager, North Carolina w/enc.
Warren Parker, FWS, Asheville, NC (AWE/SE)
Maryanne Young, FWS, Atlanta, GA (AWE/SE)

STATE OF NORTH CAROLINA

COUNTY OF DARE

UNITED STATES DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

LEASE

THIS AGREEMENT, made and entered into this 20th day of APRIL, 1989, by and between DURANT ISLAND CLUB, INC. a North Carolina corporation with its principal office in Rocky Mount, North Carolina, hereinafter styled the Lessor, for itself, its successors and assigns, and the UNITED STATES OF AMERICA, acting by and through the Secretary of the Interior or his authorized representative, hereinafter called the Lessee;

WITNESSETH:

WHEREAS, the Secretary of the Interior has authority to acquire tracts of land pursuant to the Fish and Wildlife Act of 1956, 16 U.S.C. sec. 742a et seq., the National Wildlife Refuge System Administration Act of 1966, 16 U.S.C. sec. 668dd et seq., and the Endangered Species Act of 1973, 16 U.S.C. 1531-1543; 87 Stat. 884, as amended, and

1. In consideration of mutual benefits, the Lessor hereby leases to the Lessee, upon the terms and conditions hereinafter set forth, the lands and other interests therein owned by it for the purpose of providing habitat for the endangered red wolf (*Canis rufus*), a tract of land situated and lying in the County of Dare, State of North Carolina, containing 813.99 acres, more or less, and more particularly described as follows:

A certain tract or parcel of land situated in Dare County, North Carolina, being the eastern portion of Durant Island, as shown on a map recorded in the Office of the Register of Deeds, Dare County, North Carolina, in Deed Book 125, Page 219.
2. The term of this lease shall be for one (1) year commencing on May 1, 1989 and renewable annually at the option of the Lessee, not to exceed five (5) years.
3. The Lessor for and in consideration of \$1.00 in hand paid by the Lessee, the receipt of which is hereby acknowledged, grants unto the Lessee the right to accept this Lease within one (1) month from the execution thereof by the Lessor, or any subsequent date as may be mutually agreed upon during the terms of this option period.

4. This lease may be amended or terminated only by written or mutual agreement by both parties.

SPECIAL PROVISIONS

1. The Lessor agrees to permit the release of red wolves onto the leased premises, and to permit needed access to, in, over and across the leased premises by the Lessee or its designated representative to secure, rescue, capture, track and monitor the wolves.
2. Pursuant to Section 22, Title 41, United States Code, it is further mutually agreed that no member of or delegate to Congress or resident commissioner, after his election or appointment, and either before or after he has qualified and during his continuance in office, shall be admitted to any share or part of this contract or agreement, or to any benefit to arise thereupon; but this provision shall not be construed to extend to this lease contract if made with a corporation for its general benefit.
3. The liability of the United States for acts or omissions of its employees which result in damages to the Lessor, shall be governed by the terms of the Federal Tort Claims Act.

IN WITNESS WHEREOF, the Lessor has hereunto set its hand and seal on the day and date first above written.

In the presence of:

DURANT ISLAND CLUB, INC.,
a North Carolina corporation

Judy B. Sullivan
Witness

By: James B. Patton
Its Vice President

Judy B. Sullivan
Witness

Attest: Richard D. Tora
Its SECRETARY

(corporate seal)

ACKNOWLEDGEMENT

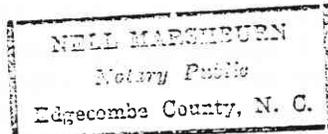
State of North Carolina

County of Edgecombe

On this 20th day of April, in the year 1989, before me personally appeared Thomas B. Batts, and Richard O. Rose ~~Vice President~~ and Secretary, respectively, of DURANT ISLAND CLUB, INC., a North Carolina corporation, known to me to be the persons who are described in the foregoing instrument and being authorized to do so executed the foregoing instrument for the purposes therein contained on behalf of the Durant Island Club, Inc.

Nell Marshburn
Notary Public

My commission expires: 1-24-90



ACCEPTANCE

The Secretary of the Interior, acting by and through his authorized representatives, has executed this agreement on behalf of the United States of America on this 28th day of April, 1989.

The United States of America
Department of the Interior
Fish and Wildlife Service

By: James W. Pulliam, Jr.
James W. Pulliam, Jr.
Regional Director
Southeast Region

MAY 02 1989

LA-North Carolina
Alligator River NWR
McMullan III, Trustee,
Harry (18)

Mr. Harry McMullan
[REDACTED]

Dear Mr. McMullan:

I am pleased to inform you that the lease you signed on April 6, 1989, has been accepted on behalf of the United States. I apologize for the delay in our acceptance of the lease. Enclosed is a copy of the fully executed lease. A check in the amount of \$1,000 has been ordered, and it will be sent to you as soon as it is received in this office.

Thank you very much for your contribution to our red wolf project. If you ever have the opportunity, please stop by the Alligator River Refuge office in Manteo, North Carolina, to meet some of the people personally involved in the project.

Sincerely yours,

/s/ Pat Lehr

Pat Lehr
Realty Specialist
Refuges and Wildlife

Enclosure

cc: Refuge Manager, Alligator River NWR w/enc.
Associate Manager, North Carolina
Warren Parker, FWS, Asheville, NC (AWE/ES) w/enc.
Maryanne Young, FWS, Atlanta, GA (AWE/ES) w/enc.

JP

JACK _____
GARY _____
BOB _____
NORA _____

MAY 04 1989

RECEIVED

JOHN _____
JIM _____
LR _____
NC _____
BP _____