Bond No. 810019296

SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS, That we,

Muscoxx NC, LLC, as Principal, and

Atlantic Specialty Insurance Company, as Surety, are held and firmly bound unto

Caldwell County, North Carolina, hereinafter called the

Obligee, in the penal sum of One Hundred Sixty-six Thousand Ten and 00/100

Dollars ($ 166,010.00) lawful money of the United States of America to be paid to said Obligee, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS the Muscoxx NC, LLC, Principal, has made application to Caldwell County, North Carolina which plans include provision for site improvements at

NC Pin 2827-01-7692 & 2827-01-5823

as required by all applicable ordinances, rules, regulations, standards, and specifications of

Land Subdivision Ordinance of Caldwell County, North Carolina, all as described on Exhibit A.

WHEREAS, said plat shows thereon, among other things, a tract or parcel of land named

Blackberry Homestead and Whereas, the above bounden Principal and Surety Company has agreed to and with the Obligee, said plat to be completed in a manner acceptable to and approved by the County for

Caldwell County, North Carolina, Obligee.

NOW, THEREFORE, the condition of this obligation is such that, if the above plat is finally approved by the County for Caldwell County, North Carolina, Obligee, and if the said Principal shall in all things do and perform the completion of the said plat in the manner specified, and shall fully and faithfully do and perform each and every matter and thing to be performed by the said Principal for the benefit of the Obligee according to the terms and conditions of this bond, shall comply with all the requirements of the laws of ordinances of the Caldwell County, North Carolina Subdivision Regulations, then this obligation shall be null and void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the Principal and the Surety has hereunto set their hands and seals this 1st day of August, 2024.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

Muscoxx NC, LLC

Principal

By:

Atlantic Specialty Insurance Company

By:

Mary Langley, Attorney-In-Fact

intact INSURANCE

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Albert Melendez, Christina Rogers, Erik Johansson, Frederic M. Archerd Jr., Mary Langley, Melissa Lopez, Richard P. Russo Jr., Tanya L. Russo**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this first day of January, 2023.

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

By _____
Sarah A. Kolar, Vice President and General Counsel

STATE OF MINNESOTA
HENNEPIN COUNTY

On this first day of January, 2023, before me personally came Sarah A. Kolar, Vice President and General Counsel of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and she acknowledged the execution of the same, and being by me duly sworn, that she is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

ALISON DWAN NASH-TROUT
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2025

_____
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 1st day of August, 2024

ATLANTIC SPECIALTY INSURANCE COMPANY CORPORATE SEAL 1986 NEW YORK

This Power of Attorney expires
January 31, 2025

_____
Kara L.B. Barrow, Secretary

Please direct bond verifications to surety@intactinsurance.com

Shatley Investments

515 Clarence Lyall Road
West Jefferson, NC 28694
336-877-8824
Fax: 336-877-8821
E-Mail: chrisyoung@shatleyconstruction.com

May 14, 2024
Reggie Bray
Blackberry Rd.

Setup and Pave Phase 2 Road - 1,621 l.ft.

Setup 3463 square yard area with 6" of ABC Stone, watered and compacted (1205-ton allowance). Pave 3463 square yard area with 2" of RS9.5C Surface Mix Asphalt. This includes a 257'x12' section to run from the cemetery area to tie into the road between lots 8 and 9.

Total $132,808.00

The above prices, specifications and conditions are satisfactory and are hereby accepted. Shatley Paving is authorized to do the work as specified. Payment is due and payable in full at job completion. This proposal is based off the NC DOT Asphalt Index of $610 per ton for July 2023. This proposal is subject to change due to the changes in liquid asphalt pricing from the suppliers.

Signature Reggie Bray **Date** 5/14/24

L^2

L SQUARED ENGINEERING, PLLC
828-335-2878

September 27, 2024
Patrick Warren, PE
Warren Consulting & Design, PLLC
850 9th Ave NW
Hickory NC 28601

Re: Paving
Blackberry Homestead Subdivision Phase 2
Caldwell County. NC

Dear Mr. Warren:

In accordance with your request and authorization the undersigned engineer from L Squared Engineering (LSE) provides commentary on a cost proposal to do asphalt paving, including aggregate base course (ABC) at the referenced site. As reported approximately 3,463 square yards of 6" ABC and 2" of asphalt were placed.

Costs for similar work for other projects have been provided and reviewed. On a pro rata basis the fee of $132,808 for the referenced project is certified as commensurate with pricing for other projects.

If you have any questions or comments regarding this correspondence, or require any further information, please contact me at your earliest opportunity.

Sincerely,
L Squared Engineering
Laurence F. Lindsey, P.E.

DocuSign Envelope ID: E67223A4-046B-4DA1-BEA2-A58AEDF869E9

EXHIBIT A

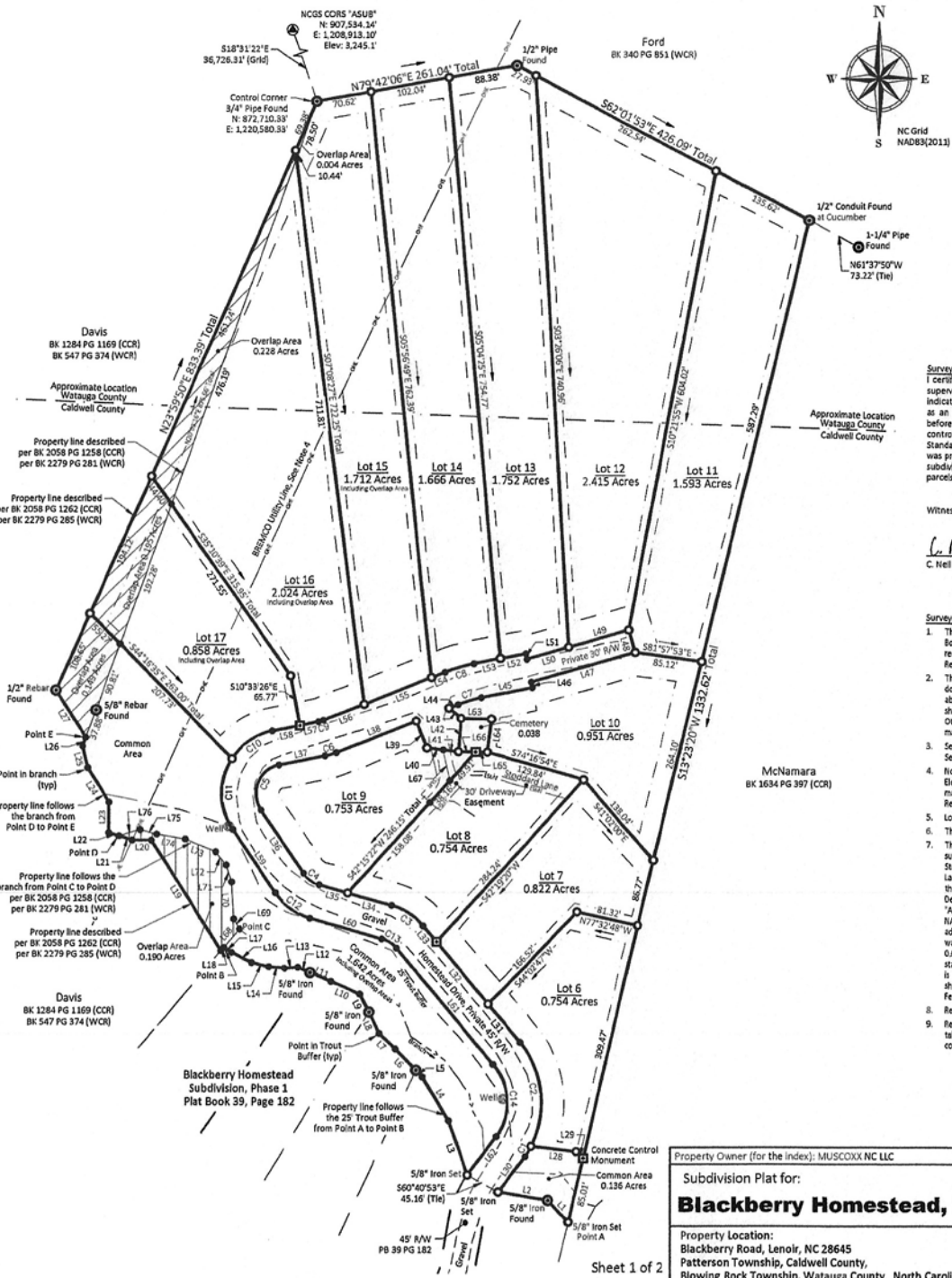
Curve Table				
Curve #	Length	Radius	Chord Bearing	Chord Length
C1	15.57'	122.50'	N30° 51' 13"E	15.56'
C2	143.29'	122.50'	N06° 06' 38"W	135.26'
C3	49.35'	82.50'	N56° 46' 56"W	48.62'
C4	25.96'	37.50'	S54° 05' 26"E	25.44'
C5	74.04'	37.50'	S22° 18' 11"W	62.59'
C6	15.04'	82.50'	N73° 38' 39"E	15.02'
C7	31.47'	177.50'	S73° 30' 03"W	31.43'
C8	39.45'	222.50'	S73° 30' 03"W	39.40'
C9	6.84'	37.50'	N73° 38' 39"E	6.83'
C10	65.81'	82.50'	S56° 01' 00"W	64.07'
C11	97.09'	82.50'	S00° 32' 51"E	91.58'
C12	57.11'	82.50'	S54° 05' 26"E	55.97'
C13	22.38'	37.50'	N56° 44' 19"W	22.05'
C14	100.53'	77.50'	N02° 29' 05"W	93.63'

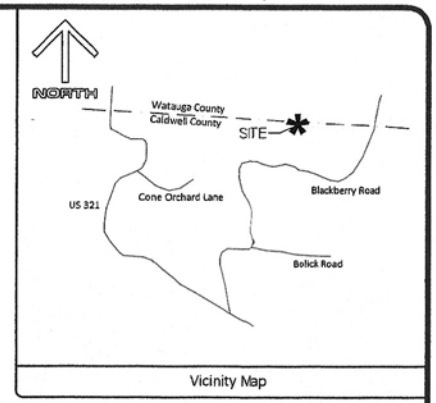
Line Table		
Line #	Length	Direction
L1	38.79	N43° 50' 07"W
L2	65.59	N80° 28' 49"W
L3	74.11	N19° 17' 50"W
L4	65.94	N30° 31' 39"W
L5	11.94	N43° 41' 42"W
L6	38.17	N44° 32' 33"W
L7	28.68	N45° 07' 12"W
L8	30.87	N25° 58' 01"W
L9	26.04	N26° 43' 06"W
L10	39.92	N66° 08' 38"W
L11	29.91	N66° 56' 49"W
L12	17.68	N67° 08' 24"W
L13	17.48	S86° 11' 06"W
L14	20.62	N85° 28' 48"W
L15	23.44	N76° 13' 54"W
L16	29.72	N63° 50' 37"W
L17	11.57	N55° 40' 14"W
L18	5.61	S40° 46' 29"W
L19	169.45	N32° 16' 48"W
L20	24.60	S89° 36' 19"W
L21	18.08	N71° 31' 16"W
L22	13.43	N71° 31' 56"W
L23	39.44	N00° 39' 59"E
L24	52.06	N31° 29' 09"W
L25	28.77	N13° 39' 22"W
L26	11.96	N20° 05' 23"E
L27	72.39	N32° 16' 48"W
L28	59.74	N83° 17' 50"W
L29	12.37	N47° 30' 08"W
L30	57.56	N37° 12' 02"E
L31	63.74	N39° 38' 39"W
L32	104.58	N39° 38' 39"W
L33	26.63	N39° 38' 39"W
L34	58.84	N73° 55' 13"W
L35	37.97	N73° 55' 13"W
L36	99.11	N34° 15' 40"W
L37	61.89	N78° 52' 03"E
L38	110.79	N68° 25' 16"E

Line Table		
Line #	Length	Direction
L39	37.50	S21° 34' 44"E
L40	20.75	S83° 18' 30"E
L41	19.56	S83° 18' 30"E
L42	43.18	N04° 52' 04"E
L43	20.40	N50° 04' 05"W
L44	12.47	N68° 25' 16"E
L45	67.29	N78° 34' 49"E
L46	7.45	N11° 25' 11"W
L47	141.33	N74° 10' 35"E
L48	30.00	N15° 49' 25"W
L49	81.91	S74° 10' 35"W
L50	57.11	S74° 10' 35"W
L51	7.46	N11° 25' 11"W
L52	33.51	S78° 34' 49"W
L53	33.78	S78° 34' 49"W
L54	18.57	S68° 25' 16"W
L55	93.46	S68° 25' 16"W
L56	56.23	S68° 25' 16"W
L57	24.96	S78° 23' 44"W
L58	86.94	S79° 11' 10"W
L59	99.11	S34° 15' 40"E
L60	96.87	S73° 55' 13"E
L61	194.95	S39° 38' 39"E
L62	61.77	S36° 59' 40"W
L63	39.40	S88° 28' 28"E
L64	43.03	S07° 05' 48"W
L65	15.08	S88° 53' 52"E
L66	22.66	S88° 53' 52"E
L67	40.56	S12° 07' 17"E
L68	31.25	N40° 44' 51"E
L69	15.13	N30° 25' 21"W
L70	48.02	N03° 09' 03"W
L71	22.96	N17° 39' 44"W
L72	21.76	N37° 58' 32"W
L73	43.33	N67° 42' 22"W
L74	37.50	N79° 38' 18"W
L75	22.31	N74° 57' 58"W
L76	28.80	S73° 23' 21"W

LEGEND

- Property Line (surveyed)
- Tie Line (surveyed)
- Adjoiner Line (not surveyed)
- Easement
- Overhead Electric
- Right-of-Way
- Building Setback Line
- Trout Buffer Line
- (CCR) Caldwell County Registry
- (WCR) Watauga County Registry
- Computed Point
- 5/8" Iron Set
- Iron Found (as noted)
- Concrete Control Monument





Vicinity Map

Surveyor's Certification

I certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description and/or deed references below); that the boundaries not surveyed are indicated as drawn from the information noted on this plat of survey; that this survey is classified as an Urban Land Survey (Class A) having a calculated ratio of precision better than 1:10,000 before adjustments, and/or neither axis of the 95 percent confidence level error ellipse for any control point or property corner exceeds 0.10 feet; that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1603); and that this plat was prepared in accordance with G.S. 47-30 as amended. I further certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Witness my signature, seal and date.

C. Neil Shepherd 7/3/2024

C. Neil Shepherd, PLS #L-4746

NORTH CAROLINA PROFESSIONAL SEAL L-4746 LAND SURVEYOR C. NEIL SHEPHERD

Surveyor's Notes:

1. The property which is the subject of this survey is a portion of the land described in Deed Book 2058, Page 1262, shown in Plat Book 38, Page 99, Caldwell County Registry, and also recorded in Deed Book 2279, Page 285, shown in Plat Book 28, Page 500, Watauga County Registry. The property owner shown in the deed at the time of survey was: MUSCOXX NC LLC.
2. This plat reflects information discovered by the surveyor in the normal course of work and does not necessarily show every possible condition affecting the property. A complete title abstract was not performed by Survey Pros. Underground utilities may exist which are not shown. This property may be subject to easements and/or rights-of-way of record not shown. Other easements, rights-of-way, building ordinances, zoning, and other legal encumbrances may also exist. Adjoining property owner information was obtained from the local GIS.
3. Setbacks shown hereon taken from plans prepared by Warren Consulting & Design PLLC. Setbacks shown on plans are 30' Front, 10' Side, 25' Rear, and 15' Side abutting R/W.
4. No recorded easement found for existing overhead power lines shown hereon. Blue Ridge Electric Membership Corporation (BREMCO) claims an easement by prescription for maintained limits per email dated 4-20-2022. See Plat Book 39, Page 99, Caldwell County Registry; and Plat Book 28, Page 500, Watauga County Registry.
5. Lots shown hereon are zoned RA-20 according to Caldwell County planning department.
6. There is a 10' underground utility easement along all lot lines.
7. The grid tie shown on this map was taken from an actual GPS survey made under my supervision. The GPS portion of this survey meets the classification requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1607) for an Urban Land Survey (Class A) such that neither axis of the 95 percent confidence level error ellipse for the project control point(s) exceeds 0.10 feet. The static GPS survey was performed on December 5, 2021 with Trimble R8s receivers. National Geodetic Survey (NGS) CORS station "ASUB" was used as the fixed control station having published NC Grid coordinates NAD83(2011) and orthometric height (elevation) NAVD 88 as shown hereon. Vectors were adjusted utilizing Trimble Geomatics Office Business Solutions software. The geoid model used was GEOID18. The horizontal positional accuracy relative to the remote control station was 0.08 feet prior to adjustment. The vertical positional accuracy relative to the remote control station was 0.2 feet prior to adjustment. The combined grid factor at the project control point is 0.9998668942. All bearings shown are relative to NC Grid, NAD 83(2011). All elevations shown are relative to NAVD 88. All distances shown are horizontal distances in U.S. Survey Feet unless otherwise noted. All areas shown were computed by coordinate computation.
8. Revised on 3-20-2024 to show well locations.
9. Revised on 7-3-2024 to show road names, additional drive easement, site design information taken from plan designed by Warren Consulting & Design PLLC, and planning department comments.

Scale: 1 inch
0 100'

Property Owner (for the Index): MUSCOXX NC LLC

Subdivision Plat for:

Blackberry Homestead, Phase 2

Property Location:
Blackberry Road, Lenoir, NC 28645
Patterson Township, Caldwell County,
Blowing Rock Township, Watauga County, North Carolina

www.NCSurveyPros.com

SurveyPros
(336) 667-5533

Survey Pros, PLLC
924 Main Street, Suite 300
North Wilkesboro, NC 28659

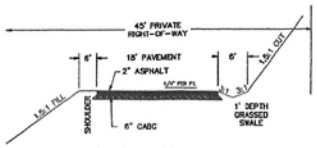
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Date: 12-12-2023

Sheet 1 of 2

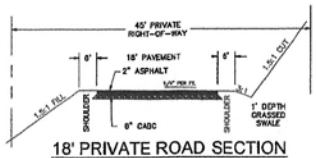
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Information per Caldwell County Planning Department comments

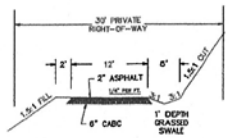
Information per design plan by Warren Consulting & Design, PLLC



18' PRIVATE ROAD SECTION
CROSS SLOPE > 30%
NOT TO SCALE

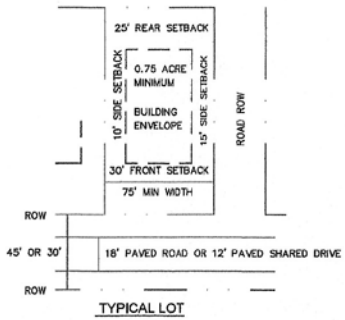


18' PRIVATE ROAD SECTION
CROSS SLOPE < 30%
NOT TO SCALE

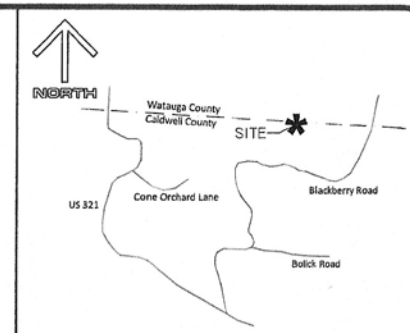


12' PRIVATE SHARED DRIVE SECTION
NOT TO SCALE

Information per design plan by Warren Consulting & Design, PLLC



TYPICAL LOT



Vicinity Map

OWNER / CONSULTANTS :

OWNER :
Muscoxx NC, LLC
P.O. Box 1374
Blowing Rock, NC 28605

DEVELOPER :
Muscoxx NC, LLC
P.O. Box 1374
Blowing Rock, NC 28605

ENGINEER :
WARREN CONSULTING & DESIGN, PLLC
J. PATRICK WARREN, PE NC #19380
850 9TH AVE NW
HICKORY, NC 28601
TELE. 828-493-6988

SURVEYOR :
SURVEY PROS, PLLC
C. NEIL SHEPERD, PLS NC #L-4746
924 MAIN ST, SUITE 300
NORTH WILKESBORO, NC 28659
TELE. 336-667-5533

ENVIRONMENTAL :
INTERFACE ENVIRONMENTAL CONSULTING, PLLC
CARRIE CAVINESS, PhD
476 HIDDEN POND RD
BOONE, NC 28607
TELE. 919.656.4543

SOILS :
LAND RESOURCE MANAGEMENT
WALKER FERGUSON, RSS
PO BOX 9251
ASHEVILLE, NC 28815
TELE. 828-900-8700

SITE INFORMATION :

1. **PROPERTY IS ZONED RA-20.**
2. **PROPERTY ID# 2827017692 & 2827015823.**
3. **TOTAL TRACT AREA = 24.59 ACRES.**
4. **TOTAL 17 LOTS. PHASE 1 - 5, PHASE 2 - 12.**
5. **MINIMUM LOT SIZE = 0.75 AC OR 32,670 SQ FT. MAXIMUM LOT SIZE IS 2.4 ACRES (LOT 12)**
6. **BOUNDARY SURVEY, CREEK & TROUT BUFFER LOCATION SURVEY BY SURVEY PROS, PLLC AND INTERFACE ENVIRONMENTAL CONSULTING, PLLC.**
7. **Total Length of Road & Shared Drive = 1,621 lft**

Certificate of Final Approval of a Minor Subdivision

We, the undersigned hereby certify that the subdivision entitled Blackberry Homestead, Phase 2 fully meets the minimum requirements of the Caldwell County Subdivision Regulations, however before any lot can be built upon, an improvement permit must be obtained from the Caldwell County Health Department to allow a septic tank disposal system to be located thereon and to approve the placement of any well thereon. The approval of the Caldwell County Planning Department not the recordation of this map in any way guarantees that any lot shown hereon can or will be permitted for a septic tank or for placement of a well.

Caldwell County Planning Department — Date

Review Officer Certification

State of North Carolina
County of Caldwell

I, _____, Review Officer of Caldwell County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer — Date

Certificate of Ownership and Dedication

I (We) hereby certify that (I am)(we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish minimum building lines, and dedicate all roads, alleys, walks, parks, and other sites to public or private use as noted.Further, I (we) certify the land as shown hereon is within the platting jurisdiction of Caldwell County.

Owner or Authorized Agency — Date

Review Officer Certification

State of North Carolina
County of Watauga

I, _____, Review Officer of Watauga County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer — Date

NORTH CAROLINA PROFESSIONAL SEAL L-4746 LAND SURVEYOR C. NEIL SHEPHERD

C. Nil Shepherd
7/3/2024

*See Certification on Sheet 1

Sheet 2 of 2

Property Owner (for the Index): MUSCOXX NC LLC

Subdivision Plat for:

Blackberry Homestead, Phase 2

Property Location:
Blackberry Road, Lenoir, NC 28645
Patterson Township, Caldwell County,
Blowing Rock Township, Watauga County, North Carolina

www.NCSurveyPros.com

SurveyPros
(336) 667-5533

Survey Pros, PLLC
924 Main Street, Suite 300
North Wilkesboro, NC 28659

Firm Number: P-2218
File Number: 21-031
Date: 12-12-2023