

Memorandum

To: Marcia Spencer-Famous, Land Use Regulation Commission

From: Jeffrey T. Selser

Date: February 28, 2007

Re: 20-year land division history, Stetson Mountain tract
Evergreen Wind Power V, LLC

The following is a 20-year land-division history of the Stetson Mountain tract proposed for rezoning in connection with Evergreen Wind Power V, LLC's D-PD application. This tract is depicted on the map attached hereto as Exhibit A [the *Subject Parcel*]. The Subject Parcel is currently being leased to Evergreen Wind Power V, LLC [Evergreen], and comprises land carved from two parent parcels – one in T8R3 NBPP and one in T8R4 NBPP, both in Washington County. Both parent parcels are now owned by Lakeville Shores, Inc.

T8R3 NBPP Parent Parcel

In the previous 20 years, there has been only one division of the parent parcel located in T8R3 NBPP. This division was accomplished through Land Lease Agreement dated October 12, 2006 by and between Evergreen, as Lessee, and Lakeville Shores, Inc., as Lessor, as amended, a redacted copy of which is attached hereto as Exhibit B [the *Lease*].

Prior to this division, the parent parcel in T8R3 NBPP was conveyed as a single parcel through the following instruments, listed in reverse chronological order:

1. Deed from John Hancock Mutual Life Insurance Company to Lakeville Shores, Inc. dated December 1, 1999, recorded in Book 2395, Page 115¹, a copy of which is attached hereto as Exhibit C.

2. Deed from Diamond Occidental Forest, Inc. to John Hancock Mutual Life Insurance Company dated October 7, 1993, recorded in Book 1879, Page 266, a copy of which is attached hereto as Exhibit D.

3. Deed from Diamond International Corporation to Diamond Occidental Forest, Inc. dated July 6, 1987, recorded in Book 1457, Page 55, a copy of which is attached hereto as Exhibit E.

¹ All recording references are to the Washington County Registry of Deeds.

4. Deed from Edward D. Leonard, III to Diamond International Corporation dated November 29, 1984, recorded in Book 1306, Page 5, a copy of which is attached hereto as Exhibit F.

T8R4 NBPP Parent Parcel

In the previous 20 years, the parent parcel in T8R4 NBPP has undergone considerable consolidation, fragmentation, and reconsolidation of interests, but has been divided only twice.

The first division was accomplished in 1998 through Trustee's Deed of Edward D. Leonard, III, Trustee of Land Exchange Trust to Herbert C. Haynes, Inc., dated May 29, 1998, and recorded in Book 2246, Page 137, a copy of which is attached hereto as Exhibit G.

This second division was accomplished in 2006 through the Lease.

Prior to the creation of the Subject Parcel, the parent parcel in T8R4 NBPP was conveyed to Lakeville Shores, Inc. by the following instruments (each conveying a percentage ownership interest in the parent parcel in T8R4 NBPP).

1. Deed of H.C. Haynes, Inc. to Lakeville Shores, Inc. dated December 30, 2004, and recorded in Book 2963, Page 233 (as to a 2,184,668/20,000,000 in common and undivided interest), a copy of which is attached hereto as Exhibit H.

2. Deed of 3096152 Nova Scotia Company to Lakeville Shores, Inc. dated January 25, 2006, and recorded in Book 3105, Page 49 (as to a 1,638,501/20,000,000 in common and undivided interest), a copy of which is attached hereto as Exhibit I.

3. Deed of Prentiss & Carlisle Company, Inc., Trustee f/b/o Diane Webber Wallace to Lakeville Shores, Inc. and Brent Slater, Trustee of BSQIEAT Trust dated August 1, 2006, recorded in Book 3173, Page 272 (as to a 400,235/20,000,000 in common and undivided interest), a copy of which is attached hereto as Exhibit J.

4. Deed of Brent Slater, Trustee of BSQIEAT Trust to Lakeville Shores, Inc. dated August 30, 2006, and recorded in Book 3188, Page 38 (as to a 400,235/20,000,000 in common and undivided interest), a copy of which is attached hereto as Exhibit K.

5. Deed of Lange Timber Limited Liability Company, Webber Timber, LLC, Andre Emerson Cushing Corporation, The Cushing Family Corporation, Greentrees Inc., McCrillis Timberland, LLC, and Prentiss & Carlisle Company, Inc. to Lakeville Shores, Inc. recorded December 18, 2006, in Book 3229, Page 33 (collectively as to a 15,376,361/20,000,000 in common and undivided interest), a copy of which is attached hereto as Exhibit L.

Prior to the consolidation of interests into Lakeville Shores, Inc. by the above-referenced deeds, the parent parcel in T8R4 NBPP was held as a single parcel in 10,000,000 common and

undivided ownership interests held among numerous parties at various times, but the parent parcel, itself, remained as a single lot. The sources of title for each of the deeds referenced above are set forth on Exhibit M, attached hereto.