

RECORDED THIS 19th DAY  
OF January 1989  
ASSASSON, BERKELEY COUNTY, S. C.

Cannon & Cannon  
100 Howard St. S. C.  
Clemson, S. C.

BOOK A 791 PAGE 238

STATE OF SOUTH CAROLINA )  
COUNTY OF BERKELEY )

29633

4:40 PM  
1-19-89  
R. J. Cannon

WHEREAS First Union National Bank of South Carolina is the  
successor in interest to Southern Bank and Trust Company by merger;

WHEREAS by a Trust Agreement dated October 4, 1985, said Trust  
Agreement being recorded in the Office of the RMC for Berkeley County in  
Vol. C183 at Page 306, Southern Bank and Trust Company was appointed  
Trustee for the former stockholders of Turner Lumber Company as they  
existed on the day the Trust was created;

WHEREAS the Trust Agreement was created pursuant to the terms and  
provisions of a certain Settlement Agreement as entered into on August  
8, 1984 between Richard H. Friedberg, W. A. Moncrief, and W. A.  
Moncrief, Jr., and Former Stockholders of Turner Lumber Company, said  
Settlement Agreement being recorded in the Office of the RMC for  
Berkeley County in Vol. C183 at Page 250;

WHEREAS certain rights and properties were conveyed to Southern  
Bank and Trust Company, Trustee under the terms of the aforementioned  
Trust Agreement by Deeds recorded in the Office of the RMC for Berkeley  
County in Deed Book A-620 at Page 121 through Page 202, a Deed recorded  
in Deed Book A-620 at 256, and a Deed recorded in Deed Book A602 at Page  
259;

WHEREAS First Union National Bank of South Carolina as Trustee  
for the Former Stockholders of Turner Lumber Company must now convey  
unto the Successor Trustee, Clifford H. Bowman, Trustee, all of its  
interests in the properties and rights conveyed, the memorandum of  
succession being attached hereto and incorporated herein along with a  
copy of the Notice from the Administrative Committee of the  
Turner-Moncrief Trust advising of their vote pursuant to paragraph nine  
(9) of the Trust Instrument to remove First Union National Bank of South  
Carolina as Trustee and their appointment of Clifford H. Bowman as  
Successor Trustee.

NOW THEREFORE the said FIRST UNION NATIONAL BANK OF SOUTH  
CAROLINA, TRUSTEE, in consideration of the sum of Five (\$5.00) Dollars,  
the receipt of which is hereby acknowledged, has granted, bargained,  
sold, and released, and by these presents does grant, bargain, sell, and  
release unto CLIFFORD H. BOWMAN, TRUSTEE, his heirs, executors and  
assigns:

I: An undivided one-half (1/2) interest in and to all the  
oil, gas, hydrocarbons, brine, salt, sulfur, sand, clay and  
gravel and other minerals of every kind and character,  
including an undivided fifty (50%) percent interest in and to  
all geo-thermal deposits, fresh water and fresh water aquifers  
(where such fresh water aquifer is below seventy five (75')  
feet in depth) and underground disposal rights; in, on or  
under those tracts or parcels of land situated in Berkeley  
County, South Carolina, and described as follows:

RECORDED THIS 19th DAY  
OF January 1989  
IN BOOK 2 PAGE 2578  
CLIFFORD H. BOWMAN  
TRUSTEE

All those two certain pieces, parcels or tracts of land situate, lying and being in the County of Berkeley, State of South Carolina, containing 143.635 acres and being more fully shown and designated as "Parcel A, 123.493 acres and Parcel B, 20.142 acres" on a plat made by Triangle Engineering and Surveying, Inc., dated June 14, 1979 entitled "Plat of Parcels 'A', 'B' Medway Plantation to be traded for Parcel 'C' of Liberty Hall between Mrs. Sidney J. Legendre and Friedberg-Moncrief" which plat has been duly recorded in Plat Cabinet D, Page 78, of the RMC Office for Berkeley County. Said parcels having such size, shape, dimensions, buttings and boundings as will by reference to said plat more fully and at large appear.

This is the identical property conveyed to the Grantor by Deed of Richard H. Friedberg, W. A. Moncrief, and W. A. Moncrief, Jr., dated May 20, 1985 and recorded in the Office of the RMC for Berkeley County in Book A-602 at Page 256.

II: "Liberty Hall Tract" - All those certain pieces, parcels and tracts of land, together with the improvements thereon, situated in Berkeley County, South Carolina, and shown and designated as "TRACT H 5.000 AC", "TRACT (I) 5.000 AC" and "TRACT J 5.000 AC" on a plat entitled "Plat of Liberty Hall Tract, Berkeley County, S.C., by D. E. Franklin, P.E. & R.L.S.," dated July 31, 1984, and recorded on the 7th day of October, 1985 in Plat Cabinet F, File 172, in the RMC Office for Berkeley County.

Together with the non-exclusive right of ingress and egress over the said Liberty Hall Tract and along the 50' rights-of-way shown as "Private Road" in order to gain access to "Tract J" and "Tract I" and shown and designated on the preceding referenced plat. Said right of way widens to 75' in front of Tract "J".

Together with an undivided one-half (1/2) interest in and to geo-thermal deposits, fresh water and fresh water aquifers (where such fresh water aquifer is below seventy-five (75') feet in depth, and underground disposal rights.

"St. Stephen Mill Site Tract" - All those certain pieces, parcels and tracts of land, together with the improvements thereon, situated in Berkeley County, South Carolina, and shown and designated as "5.00 Acres", on a plat entitled "Plat of 5.00 Acre Tract, Subdivision of Lands of Friedberg, Moncrief, and Moncrief, St. Stephens, Berkeley County, South Carolina," by D. E. Franklin, P.E. & R.L.S., dated July 31, 1984 and recorded on the 7th day of October, 1985, in Plat Cabinet F, File 173, in the RMC Office for Berkeley County.

Together with the non-exclusive rights of ingress and egress over the residual acreage commencing at the end of dedication for Santee Ave., and along the 50' right-of-way shown as "Private Road" in order to gain access to the said "5.00

Acres" and shown and designated on the preceding referenced plat.

Together with an undivided one-half (1/2) interest in and to geo-thermal deposits, fresh water and fresh water aquifers (where such fresh water aquifer is below seventy-five (75') feet in depth, and underground disposal rights.

SAVING AND EXCEPTING THEREFROM an undivided one-half (1/2) interest in and to all oils, gas, hydrocarbons, brine, salt, sulfur, sand, clay and gravel, and other minerals of every kind and character, including an undivided fifty (50%) percent interest in and to all geo-thermal deposits, fresh water and fresh water aquifers (where such fresh water aquifer is below seventy five (75') feet in depth), and underground disposal rights in, on, or under the parcels described above as reserved by Richard H. Friedberg, W. A. Moncrief, and W. A. Moncrief, Jr., in a Deed to the Grantor herein dated and recorded in the Office of the RMC for Berkeley County in Deed Book A-620 at Page 259. Grantor acknowledges by the execution of this Deed, and Grantee, by the acceptance of this Deed, acknowledges that the Mineral Deed pertaining to this property, as dated December 20, 1976 and recorded December 20, 1976 in Book A-321 at Page 109, has a "%" after the interest of each individual and each grantee as shown on Exhibit "A" to said Mineral Deed, and said "%" should be deleted, and by execution hereof Grantor and Grantee acknowledge the typographical error of adding the "%" mark.

This is the identical property conveyed to the Grantor by Deed of Richard H. Friedberg, W. A. Moncrief, and W. A. Moncrief, Jr., dated May 20, 1985 and recorded in the Office of the RMC for Berkeley County in Deed Book A-620 at Page 259.

III: All of its right, title and interest in and to all the oil, gas, hydrocarbons, brines, salts, sulfur, sand, clay, gravel and other minerals of every kind and character in, on and under the parcels of land described herein, subject however to the terms of a Settlement Agreement pertaining to said mineral rights as recorded in the RMC Office for Berkeley County, South Carolina, in Vol. C183 at Page 251.

A. Liberty Hall Tract. All that certain piece, parcel or tract of land with the improvements thereon, situate, lying and being in St. James Goose Creek, School District Number 25, Berkeley County, in the State of South Carolina, and being more fully described and delineated on a plat of said tract of land made by J. P. Gaillard, C.E., dated May 31, 1944, and made a part hereof by this reference, and the original plat was recorded in Plat Book "C", at Page 188, Berkeley County. The said tract of land is a part of a tract of land formerly known as Liberty Hall Plantation and measuring and containing, according to the aforesaid plat, fourteen hundred seventy eight (1478.00) acres, more or less.

SAVING AND EXCEPTING from the operation of this Deed a tract of Two (2) acres and another tract of Five and five hundredths (5.05) acres taken by the United States Government, and indicated as Borrow Pit Number 2 and Borrow Pit Number 3, and a tract of Eleven and sixteen one hundredths (11.16) acres, the same being a strip of land One Hundred (100') feet wide crossing the tract of land hereinabove conveyed and taken by the United States Government, and designated as Tract Number 8 in a proceedings on file in the United States District Court for the East District of South Carolina entitled "United States of America, Petitioner vs. 24.66 acres of land, more or less, and Colin McGrant Home, et al, Civil Action Number 897". The three said parcels being more fully delineated on the aforesaid plat. Also now included in the Liberty Hall tract is the W. W. North tract, described as follows:

B. W. W. North Tract. All that certain piece, parcel or tract of land, situate, lying and being in St. James Goose Creek Parish, Berkeley County, in the State of South Carolina, measuring and containing fifty (50) acres, more or less, as being more fully described and delineated on a plat thereof made July 5, 1951 by J. Philip Morgan, Registered Land Surveyor, the original plat being recorded in Plat Book "H", Page 136, in the Clerk of Court's Office for Berkeley County, and having such size, shape, buttings, boundings and dimensions as will by reference to said plat more fully and at large appear.

C. St. Stephen Mill Site Tract. All that certain piece, parcel or tract of land situate, lying and being in First St. Stephen Tax District, within the corporate limits of the Town of St. Stephen, County of Berkeley, and State of South Carolina, measuring and containing eighty four and ninety-five hundredths (84.95) acres, be the same slightly more or less, as shown on a plat entitled "Map Owned by Santee River Hardwood company, Situate in St. Stephens, Berkeley County, So. Car.", said plat being dated March 27, 1963 by E. A. Dennis, RLS, and being recorded in Plat Book Q, Pages 64 and 65, Clerk of Court's Office for Berkeley County and having metes, bounds, courses, distances, content and delineations as shown on said plat.

SAVING AND EXCEPTING, however, from the operation of this conveyance a lot of land heretofore conveyed to Willie T. Williams by Deed of Record in the Office of the Clerk of Court for Berkeley County, South Carolina, in Deed Book A-30, Page 106, dated May 4, 1963, as will by reference to said deed more fully and at large appear. (See plat dated April 15, 1963, by E. A. Dennis, RLS, recorded in Plat Book Q-24, Page 24, Office of the Clerk of Court for Berkeley County.)

Conveyed herein are the same mineral rights upon the described property as conveyed to the Grantor by Deeds of the former

Stockholders of Turner Lumber Company recorded in the office of the RMC for Berkeley County in Book A-620 at Pages 121 through 202. (Grantor by execution of this Deed acknowledges, and Grantee by the acceptance of this Deed, acknowledges that the Mineral Deed as recorded in Book A-321, Page 109, has a "\$" mark after the interest of each individual of each grantee as shown on Exhibit "A" to said Mineral Deed and said "\$" should be deleted and by execution hereof Grantor and Grantee acknowledge the typographical error in adding the "\$" mark).

ALL OF THE MINERAL RIGHTS AND PROPERTIES CONVEYED HEREIN shall be held by Clifford H. Bowman, Trustee, his heirs, executors, or assigns pursuant to the terms of the aforementioned Settlement Agreement and Trust Agreement, both of which are recorded in the Office of the RMC for Berkeley County.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee, and the grantee's heirs or successors and assigns, forever. And, the grantor does hereby bind itself and its successors to warrant and forever defend all and singular said premises unto the grantee and the grantee's heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof. Nevertheless, this warranty is limited to claims arising from the time the grantor held title to the property.

IN WITNESS WHEREOF the grantor has caused its seal to be affixed hereto and these presents to be subscribed by its duly authorized officer this 4th day of January, 1979.

SIGNED, sealed and delivered in the presence of:

FIRST UNION NATIONAL BANK OF  
SOUTH CAROLINA, TRUSTEE (SEAL)

Selma B. Edwards  
Theresa R. Wickline

By Glenn D. Ginn  
Its Vice President & Trust Officer

The Grantee's Address is: 1202 North Main Street  
Anderson, South Carolina 29621

STATE OF SOUTH CAROLINA )  
COUNTY OF Greenville )

PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named First Union National Bank of South Carolina, Trustee, by its duly authorized officer sign, seal, and as its act and deed deliver the within written Deed and that (s)he with the other witness subscribed above witnessed the execution thereof.

SWORN to before me this  
4<sup>th</sup> day of January, 1989

Cheryl R. Wickline

Selma B. Edwards (L.S.)  
Notary Public for South Carolina  
My Commission Expires: 05/16/97

RECORDED THIS 1989 JAN 17 1989

MEMORANDUM OF SUCCESSION

WHEREAS by a Trust Agreement dated October 4, 1985, between Moncrief grantors, Turner grantors, and the Southern Bank and Trust, an administrative committee was created for the purposes of coordinating and making recommendations to the Trustee regarding the administration of the Trust Estate; and

WHEREAS said administrative committee was granted the absolute right by unanimous vote to remove the Trustee and to appoint a Successor Trustee; and

WHEREAS Southern Bank and Trust was initially named Trustee and by merger with the First Union National Bank of South Carolina, First Union is the substituted trustee; and

WHEREAS by letter dated June 29, 1988, the administrative committee, by James Turner, of the Turner-Moncrief Trust, exercised its absolute right by unanimous vote to remove First Union National Bank of South Carolina as Trustee;

NOW THEREFORE, the administrative committee names Clifford H. Bowman as Successor Trustee for the Turner-Moncrief Trust, and said Trustee shall be clothed and vested with all the duties, rights, titles, and powers as if originally name as Trustee.

**JAMES A. TURNER, JR.**

P. O. DRAWER 351  
CLEMSON, SOUTH CAROLINA 29631

TELEPHONE 654-3500  
AREA CODE 803

BOOK **A791** PAGE **245**

June 29, 1988

First Union National Bank of South Carolina  
P. O. Box 1329  
Greenville, South Carolina 29602

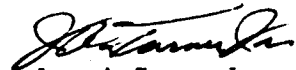
Re: 2019372678 Turner-Moncrief

Gentlemen:

In accordance with paragraph #9 of the Turner-Moncrief Trust, the administrative committee hereby exercises its absolute right by unanimous vote to remove First Union National Bank of South Carolina as trustee. The successor trustee is Clifford H. Bowman, CPA whose address is:

Clifford H. Bowman, CPA  
1202 North Main Street  
Anderson, South Carolina 29621  
Telephone (803) 225-9800

Yours truly,



James A. Turner, Jr.  
For the Administrative  
Committee  
Turner-Moncrief Trust

RECORDED THIS 1988 JUN 30