

STATE OF SOUTH CAROLINA )  
COUNTY OF BERKELEY ) SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Daniel Island Development Company, Inc., a South Carolina corporation (the "Grantor") in the State aforesaid, for and in consideration of Four Million, Four Hundred Twenty-Eight Thousand and no/100 (\$4,428,000.00) DOLLARS, to it in hand paid by The Daniel Island Company, Inc., a South Carolina corporation (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and released and by these Presents does grant, bargain, sell and release, subject to the Permitted Exceptions as hereinafter defined, unto the Grantee, its successors and assigns the following described property, to-wit:

ALL those certain pieces, parcels or tracts of land situate, lying and being on Daniel Island, in the City of Charleston, Berkeley County, South Carolina, measuring and containing 281.182 acres, more or less, together with certain easements, all as more fully described on the attached Exhibit A (the "Property").

Grantee's Address: 50 Broad Street  
Charleston, S.C. 29401

TMS Parcels: portion of 275-00-00-061

RECORDED THIS 25th day of June 1997  
ATTEST: BERKELEY COUNTY, S.C.

THIS CONVEYANCE IS MADE SUBJECT TO all covenants, restrictions, conditions and easements set forth in Exhibit "B" attached hereto and incorporated herein by reference (collectively the "Permitted Exceptions").

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises and easements before mentioned, subject to the Permitted Exceptions, unto the said Grantee, its successors and assigns forever.

AND Grantor hereby covenants with the Grantee that Grantor will warrant and defend the title to said premises against the lawful claims of all persons claiming by, under or through Grantor, except for the Permitted Exceptions set forth herein.

IN WITNESS WHEREOF, Daniel Island Development Company, Inc. has caused these presents to be executed by its duly authorized officer, as of the 18th day of June, 1997.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

Suzanne M. Smythe  
D. H. [Signature]

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

DANIEL ISLAND DEVELOPMENT  
COMPANY, INC.

By: James L. Ferguson  
Its: Chairman

ACKNOWLEDGEMENT

This instrument was acknowledged before me by Daniel Island Development Company, Inc.,  
by James L. Ferguson, its Chairman this 24th day of June,  
1997.

SWORN to before me this 24th  
day of June, 1997.

D. H. [Signature]  
Notary Public for South Carolina

My Commission Expires: 10-18-98

**Exhibit A**  
**Property Description**  
**Deed from Daniel Island Development Company, Inc.**  
**To The Daniel Island Company, Inc.**  
(281.182 acres)

**I. Residual Lands**

**Parcel P, Phase 1**  
(2.039 acres)

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 2.039 acres more or less, and designated as Parcel P, Phase 1 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat"), said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel Q, Phase 5**  
(37.602 acres)

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 37.602 acres more or less, and designated as Parcel Q, Phase 5 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat"), said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel Q, Phase 11**  
**Being a Portion of Fairchild Street**  
**(1.135 acres)**

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 1.135 acres more or less, and designated as Parcel Q, Phase 11 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat") said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel P, Phase 2**  
**(22.351 acres)**

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 22.351 acres more or less, and designated as Parcel P, Phase 2 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat"), said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel Q, Phase 12**  
**(51.090 acres)**

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 51.090 acres, more or less, and designated as Parcel Q, Phase 12 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat"), said parcel having such size, shape, dimensions,

boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel R, Phase 8**  
(14.802 acres)

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 14.802 acres more or less, and designated as Parcel R, Phase 8 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat") said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel R, Phase 2**  
(1.344 acres)

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 1.344 acres more or less, and designated as Parcel R, Phase 2 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat of A 269.527 Acre Tract Creating A 1.344 Acre Tract Being A Portion of Parcel R Phase 2 Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet L, Page 328A in the Berkeley County R.M.C. Office (the "Plat") said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel N Phase 4**  
(5.126 acres)

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 5.126 acres more or less, and designated as Parcel N Phase 4 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Subdivision Plat creating Parcel P, Phase 1 (2.039 Acres) and Parcel Q, Phase 11 (1.135 acres), Being a Portion of Fairchild Street, Parcel P, Phase 2 (22.351 Acres), Parcel Q, Phase 12 (51.090 Acres), Parcel Q, Phase 5 (37.602 acres), Parcel R, Phase 8 (14.802 acres) and Parcel N, Phase 4 (5.126 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 326 in the Berkeley County R.M.C. Office (the "Plat") said parcel having such size, shape, dimensions,

boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Residual Lands-Parcel U, Phase 1  
Parcel T, Phase 1, Parcel X, Phase 1  
(141.045 acres)**

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 141.045 acres more or less, and designated as Residual Lands-Parcel U Phase 1, Parcel T Phase 1, Parcel X, Phase 1 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Boundary Survey of Residual Lands of Parcel U Phase 1, Parcel T Phase 1, and Parcel X Phase 1, Being a 141.045 Acre Tract of Land, Parcel U Phase 3 (2.123 acres) and Parcel AA Phase 9 (2.125 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 328 in the Berkeley County R.M.C. Office (the "Plat") said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel N Phase 5  
(2.123 acres)**

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 2.123 acres more or less, and designated as Parcel N Phase 5 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Boundary Survey of Residual Lands of Parcel U Phase 1, Parcel T Phase 1, and Parcel X Phase 1, Being a 141.045 Acre Tract of Land, Parcel U Phase 3 (2.123 acres) and Parcel AA Phase 9 (2.125 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 328 in the Berkeley County R.M.C. Office (the "Plat") said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

**Parcel AA Phase 9  
(2.125 acres)**

ALL of that certain tract, parcel and piece of land, situate lying and being on Daniel Island, City of Charleston, Berkeley County, measuring and containing approximately 2.125 acres more or less, and designated as Parcel AA Phase 9 on that certain plat by Mark S. Busey of Southeastern Surveying, Inc. entitled "A Boundary Survey of Residual Lands of Parcel U Phase 1, Parcel T Phase 1, and Parcel X Phase 1, Being a 141.045 Acre Tract of Land, Parcel U Phase 3 (2.123 acres) and Parcel AA Phase 9 (2.125 acres) Owned by Daniel Island Development Company, Located in the City of Charleston, Berkeley County, South Carolina" and recorded in Plat Cabinet M, Page 328 in the

Berkeley County R.M.C. Office. (the "Plat") said parcel having such size, shape, dimensions, boundings and buttings as will by reference to the Plat more fully appear and which is incorporated herein by reference.

Being portions of the same property conveyed by Special Warranty Deed from Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated May 19, 1994 and recorded in the RMC Office for Berkeley County in Book 509, Page 197 on May 23, 1994 and by Special Warranty Deed from The Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated October 30, 1996 and recorded in the RMC Office for Berkeley County in Book 961, Page 346 on November 12, 1996.

## II. Easements

All of the Grantor's right title and interest, without any warranties of title, to those certain easement rights granted to Daniel Island Development Company, Inc. by The Harry Frank Guggenheim Foundation and others, including without limitation, such easements delineated in the following deeds:

1. Special Warranty Deed from Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated May 19, 1994 and recorded in the RMC Office for Berkeley County in Book 509, Page 197 on May 23, 1994 (Tract 1A, 329.463 acres as delineated on the plat recorded in Plat Cabinet K, Pages 296 through 305 )
2. Special Warranty Deed from Harry Frank Guggenheim Foundation to Daniel Island Development Company conveying the 3.953 acres in Parcels N and O to correct the property adjustment between parcels N and O dated August 22, 1995 and recorded in the RMC Office for Berkeley County in Book 734, Page 107 on September 21, 1995 (as delineated on the plat recorded in Plat Cabinet L, Pages 225-226).
3. Special Warranty Deed from Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated March 16, 1995 and recorded in the RMC Office for Berkeley County in Book 649, Page 248 on March 21, 1995 (CPW - 21.660 acres, 15.526 acres in Phase I, 15.884 acre tract in Phase II, 1.554 acres wetlands as delineated on the plat recorded in Plat Cabinet L, Pages 85-87. )
4. Special Warranty Deed from The Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated June 16, 1995 and recorded in the RMC Office for Berkeley County in Book 681, Page 378 on June 23, 1995 (210 acres, Parcels DD and EE, Phase I as delineated on the plat recorded in Plat Cabinet L, Pages 163-164.)
5. Special Warranty Deed from The Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated June 16, 1995 and recorded in the RMC Office for

Berkeley County in Book 681, Page 385 on June 23, 1995 (35.181 acres, Parcel AA, Phase 1, as delineated on plat recorded in Plat Book K, Page 165).

6. Special Warranty Deed from The Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated August 22, 1995 and recorded in the RMC Office for Berkeley County in Book 734, Page 107 (3.953 acres, Parcels N&O, as delineated on plat recorded in Plat Cabinet L, Pages 225 and 226.)
7. Special Warranty Deed from The Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated October 30, 1996 and recorded in the RMC Office for Berkeley County in Book 961, Page 346 on November 12, 1996 (238.13 acres, Parcels T, Phase 1, Parcel U, Parcel X, Phase 1, Parcel W, Phase 1, and Parcel AA Phase 2 as delineated on the plat recorded in Plat Cabinet M, Page 160).
8. Special Warranty Deed from Daniel Island Development Company conveying the 44.055 acres in Parcel T, Phase 2 and Parcel U, Phase 2, to The Most Reverend David B. Thompson, as Bishop of Charleston, a Corporation Sole, dated November 12, 1996 and recorded in the RMC Office for Berkeley County in Book 963, Page 258 on November 15, 1996.

### III. Residual Property Rights (Without Warranties of Title)

All of the Grantor's right, title and interest, without any warranties of title, in and to all real property interests on Daniel Island which are owned by Daniel Island Development Company, Inc. as of the date of delivery of this deed and which have not otherwise been conveyed by Daniel Island Development Company, Inc. to another person or entity.



**EXHIBIT B  
PERMITTED TITLE EXCEPTIONS**

**Daniel Island Development Company, Inc. To  
Daniel Island Company, Inc.**

1. Unrecorded Memorandum of Agreement by and among The Harry Frank Guggenheim Foundation, the U.S. Army Corps of Engineers, and the S.C. State Historic Preservation Office regarding archaeological sites on Daniel Island dated March 2, 1994.
2. Declaration of Covenants and Restrictions (Wetlands Mitigation Areas) dated May 19, 1994, recorded in the RMC Office for Berkeley County on May 23, 1994, in Book 509, Page 182.
3. Easements, covenants, conditions and agreements as set forth in that certain Quit-Claim Deed of The Harry Frank Guggenheim Foundation to the South Carolina State Ports Authority dated November 19, 1992, recorded in the Berkeley County RMC Office on December 11, 1992, in Book 206, Page 306.
4. Grant of Easement and Intersection Agreement between The Harry Frank Guggenheim Foundation and the South Carolina State Ports Authority dated November 19, 1992, recorded in the RMC Office for Berkeley County on December 11, 1992, in Book 206, Page 312 as amended and restated in instrument dated June 18, 1997 and recorded simultaneously herewith in Book 1093, Page 18.
5. Development Agreement among The Harry Frank Guggenheim Foundation (the "Foundation"), Daniel Island Development Company, Inc. ("DIDC") and the City of Charleston (the "City") dated as of June 1, 1995, recorded on June 23, 1995 in Book 681, Page 300 in the Berkeley County R.M.C. Office (the "Development Agreement") as amended by First Amendment to Development Agreement dated June 9, 1997 and recorded in Book 1092, Page 276.
6. Right of Way Easement among Daniel Island Development Company, Inc., The Harry Frank Guggenheim Foundation and the Commissioners of Public Works of the City of Charleston dated April 14, 1997 and recorded in the RMC Office for Berkeley County on May 1, 1997 in Book 1059, Page 58.
7. Right of Way Easement between Daniel Island Development Company, Inc. and the South Carolina Electric and Gas Company recorded in Book 683, Page 23 in the RMC Office for Berkeley County on June 26, 1995.

8. Right of Way Easement from Daniel Island Development Company, Inc. to The Commissioners of Public Works of the City of Charleston dated March 17, 1995 and recorded in the RMC Office for Berkeley County in Book 649, Page 283 on March 27, 1995.
9. Memorandum of Lease with Option to Purchase and Right of First Refusal between BellSouth Interactive Media Services, Inc. (a/k/a Daniel Island Cable, Inc.) and Daniel Island Development Company, Inc. dated November 17, 1995 and recorded in the RMC Office for Berkeley County in Book 859, Page 233 on May 13, 1996 evidencing Lease Agreement with Option to Purchase and Right of First Refusal between BellSouth Interactive Media Services, Inc., a/k/a Daniel Island Cable, Inc. and Daniel Island Development Company dated November 17, 1995.
10. Memorandum of First Rights to Purchase Property between Daniel Island Development Company and The Most Reverend David B. Thompson, as Bishop of Charleston, a Corporation Sole, dated November 12, 1996 recorded in Book 963, Page 267 on November 15, 1996.
11. Temporary Easement between Daniel Island Development Company and The Most Reverend David B. Thompson, as Bishop of Charleston, a Corporation Sole, dated November 12, 1996 and recorded in the RMC Office for Berkeley County in Book 963, Page 272 on November 15, 1996.
12. Interest created by, or limitations on use imposed by, the Federal Coastal Zone Management Act or other federal law or by SC Code, Chapter 39, Title 48, amended, or any regulations promulgated pursuant to said state or federal laws.

All easements, rights of way, conditions, restrictions and other matters shown on the following plats recorded in the RMC Office for Berkeley County:

- a. T 70 (Fishburne, February 1970)
- b. L 48 (1955)
- c. J 343-345 (Southeastern Surveying, Inc. ("SSI") June 18, 1992, last revised November 16, 1992)
- d. K 290-295 (SSI, March 11, 1994, last revised May 3, 1994)
- e. K 296-305 (SSI, March 30, 1994)
- f. K 306 (SSI, May 2, 1997)
- g. L 85-87 (Mitchell S. Freitag, December 14, 1994, last revised March 8, 1995)
- h. L 225-226 (SSI, June 2, 1995)
- i. L 310 (SSI, December 1, 1995)
- j. L 328A (SSI, June 19, 1995)
- k. L 336 (SSI, August 31, 1995)
- l. L 340 (SSI, January 25, 1996)
- m. L 376A (SSI, June 19, 1995)

- n. M 158C (SouthStar Surveying, April 11, 1995)
  - o. M 160 (SSI, August 3, 1996)
  - p. M 164 (Andrew C. Gillette, August 30, 1996, revised November 5, 1996)
  - q. M 277-279 (Hussey, Gay, Bell & Deyoung, Inc., August 10, 1995)
  - r. M 309-312 (SSI, January 3, 1997)
  - s. M 314 (SSI, August 26, 1996)
  - t. M 316 (SSI, May 28, 1997)
  - u. M 318 (SSI, April 22, 1997)
  - v. M 326 (SSI, May 28, 1997 - P1-2, Q5, Q6, Q11-12, R8, N4)
  - w. M 328 (SSI, May 30, 1997 - TUX, N5, AA9)
  - x. M 327 (SSI, May 29, 1997 - M, Phase 2)
13. Rollback taxes as provided under Title 12, South Carolina Code, as amended, including Section 12-43-220, and others.
  14. Title to that portion of the property which is or may be filled-in land, or which is or has been under water, of which lies below the mean high water mark of abutting tidal waters.
  15. Taxes for the year 1997 and subsequent years, a lien but not yet due and payable.
  16. All matters which would be revealed by an accurate survey or inspection of the property, including without limitation power line, power poles, telephone boxes, and cemetery sites.
  17. Daniel Island Declaration of Master Restriction for Docks and Breakwalls dated November 13, 1996 and recorded in the RMC Office for Berkeley County in Book 965, Page 47 on November 19, 1996.
  18. Utility Easement from Daniel Island Development Company, Inc. to South Carolina Electric and Gas Company dated October 31, 1996, recorded in the Berkeley County RMC Office in Book 964, Page 287.
  19. Utility Easement from Daniel Island Development Company, Inc. to South Carolina Electric and Gas Company dated October 31, 1996, recorded in the Berkeley County RMC Office in Book 964, Page 291.
  20. Right of Way Easement from Daniel Island Development Company, Inc. to The Commissioners of Public Works of the City of Charleston dated March 17, 1995 and recorded in the RMC Office for Berkeley County in Book 649, Page 283 on March 27, 1995.
  21. Access easements, utility easements and other rights over lands of the Daniel Island Development Company, Inc. as granted to the various grantees or reserved by the various grantees described below by the following instruments:

- a. Special Warranty Deed from Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated March 16, 1995 and recorded in the RMC Office for Berkeley County in Book 649, Page 248 on March 21, 1995 (CPW - 21.660 acres, 15.526 acres in Phase I, 15.884 acre tract in Phase II, 1.554 acres wetlands as delineated on the plat recorded in Plat Cabinet L, Pages 85-87. )
- b. Deed from Daniel Island Development Company, Inc. to The Commissioners of Public Works of the City of Charleston dated March 17, 1995 and recorded in the RMC Office for Berkeley County in Book 649, Page 273 on March 27, 1995.
- c. Quit-Claim Deed with Possibility of Reverter from Daniel Island Development Company, Inc. to The Commissioners of Public Works of the City of Charleston dated March 17, 1995 and recorded in the RMC Office for Berkeley County in Book 649, Page 268 on March 27, 1995.
- d. Deed from Daniel Island Development Company conveying the 35.181 acre parcel (Parcel AA, Phase 1) to the City of Charleston dated June 16, 1995 and recorded in the RMC Office for Berkeley County in Book 681, Page 398 on June 23, 1995 along with Corrective Deed from Daniel Island Development Company conveying the 35.181 acre parcel (Parcel AA, Phase 1) to the City of Charleston dated August 28, 1995 and recorded in the RMC Office for Berkeley County in Book 722, Page 2 on August 31, 1995.
- e. Limited Warranty Deed from Daniel Island Development Company conveying the .36 acres in Parcel R, to the Commissioners of Public Works for the City of Charleston dated May 10, 1996 and recorded in the RMC Office for Berkeley County in Book 952, Page 51 on October 24, 1996.
- f. Special Warranty Deed from Daniel Island Development Company conveying the 44.055 acres in Parcel T, Phase 2 and Parcel U, Phase 2, to The Most Reverend David B. Thompson, as Bishop of Charleston, a Corporation Sole, dated November 12, 1996 and recorded in the RMC Office for Berkeley County in Book 963, Page 258 on November 15, 1996.
- g. Special Warranty Deed from The Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated October 30, 1996 and recorded in the RMC Office for Berkeley County in Book 961, Page 346 on November 12, 1996 (238.13 acres, Parcels T, Phase 1, Parcel U, Parcel X, Phase 1, Parcel W, Phase 1, and Parcel AA Phase 2 as delineated on the plat recorded in Plat Cabinet M, Page 160).
- h. Special Warranty Deed from Daniel Island Development Company conveying the .755 acres in Parcel R, Phase 1, to BellSouth Telecommunications, Inc. dated April 16, 1996 and recorded in the RMC Office for Berkeley County in Book 841, Page 350 on April 17, 1996.

- i. Special Warranty Deed from Harry Frank Guggenheim Foundation to Daniel Island Development Company, Inc. dated May 19, 1994 and recorded in the RMC Office for Berkeley County in Book 509, Page 197 on May 23, 1994 (Tract 1A, 329.463 acres as delineated on the plat recorded in Plat Cabinet K, Pages 296 through 305 )
  - j. General Warranty Deed from Daniel Island Development Company, Inc. to the City of Charleston dated as of June 18, 1997 and recorded in Book 1092, Page 292, conveying Parcel EE, Phase 2, Parcel AA, Phase 5 and Parcel R, Phase 1, granting a temporary access easement over lands of the Grantor and The Harry Frank Guggenheim and terminating that certain reservation of temporary general easement to Parcel AA, Phase 2 and Parcel AA, Phase 3.
- 22. I-526 Interchange Agreement dated February 10, 1997 by and among South Carolina State Ports Authority, Daniel Island Company, Inc., The Harry Frank Guggenheim Foundation, and Berkeley County as amended by instrument dated as of June 18, 1997, including the obligation to dedicate lands for access roads.
  - 23. Rights of third parties to use roads located on Daniel Island.
  - 24. Rights of riparian owners in and to the waters of various rivers and creeks crossing or adjoining the property.
  - 25. Jurisdiction of the U.S. Army Corps of Engineers with respect to any portion of the property which may constitute wetlands or navigable waters.

STATE OF SOUTH CAROLINA )  
 ) AFFIDAVIT OF TRUE CONSIDERATION  
 COUNTY OF BERKELEY )

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is 281.182 acres Parcel P, Phase I, Parcel Q, Phase 5, Parcel Q, Phase 11, Parcel P, Phase 2, Parcel Q, Phase Q, Phase 12, Parcel R, Phase 8, Parcel K, Phase 2, Parcel N, Phase 4, Parcel T, Phase 1, Parcel X, Phase 1, Parcel N, Phase 5, Parcel AA, Phase 9, located on Daniel Island, City of Charleston, bearing BERKELEY COUNTY TAX MAP NUMBER \_\_\_\_\_, to The Daniel Island Company, Inc. on June 24, 1997.
3. The deed is NOT EXEMPT from the deed recording fee, and the FAIR MARKET VALUE IS \$4,428,000.00.
4. The deed is exempt from the deed recording fee because :  
 EXEMPTION \_\_\_\_ AND EXPLANATION FOR EXEMPTION: N/A
5. As required by code Section 12 -24-70, I state that I am a responsible person who was connected with the transaction as an attorney.
6. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Sandra M. Smythe, Attorney

Sworn to and subscribed by me this  
24 day of June, 1997

Elizabeth W. Acute  
 Notary Public for South Carolina  
 My Commission Expires: Oct. 17, 2004

FILED, RECORDED, INDEXED  
 06/25/1997 01:15p St Fees 11512.00  
 Rec Fees 10.00 Pages 14  
 Co Fees 4870.00  
 Register of Deeds  
 Cynthia B. Fortin