

Berkeley County
Cynthia B. Forte
Register of Deeds
Moncks Corner 294616120

00037673 Vol: 7013 Pg: 172



53 2007 00037673

Instrument Number: 2007- 00037673

As
Deed

Recorded On: November 29, 2007

Parties: THOMAS CHARLES A

To
HLIT IV SC-2 LP

Billable Pages: 11

Recorded By: HAYNSWORTH SINKLER BOYD, P.A.

Num Of Pages: 16

Comment: HLIT IV SC-2 LP

**** Examined and Charged as Follows: ****

Deed 21.00

Recording Charge: 21.00

	Tax Amount	Consideration Amount	RS#/CS#		
Deed Tax	3,145.00	849,960.00	D 8371	Deed State Tax	2,210.00
				Deed County Tax	935.00

Tax Charge: 3,145.00

RECEIVED
Nov 29, 2007
ASSESSOR
BERKELEY COUNTY SC
JANET B. JURSKO
AUDITOR BERKELEY COUNTY SC

**** THIS PAGE IS PART OF THE INSTRUMENT ****

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Berkeley County, SC

File Information:

Record and Return To:

Document Number: 2007- 00037673
Receipt Number: 153103
Recorded Date/Time: November 29, 2007 02:26:06P
Book-Vol/Pg: Bk-R VI-7013 Pg-172
Cashier / Station: L Shelton / Cash Station 10

HAYNSWORTH SINKLER BOYD, P.A.
P.O. BOX 340
CHARLESTON SC 29402



Cynthia B. Forte

Cynthia B Forte - Register of Deeds

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

WHEREAS, Dorsey Thomas died without a will on August 16, 1957, seized and possessed of the property described below (the "Property"); and

** See legal description for additional whereas clause*

WHEREAS, Charles A. Thomas, Roland D. Thomas, Deloris T. Richo, Marie T. Thomas, Clifford Thomas, Melissa Terry, Heather Parish, Thomas Parish, Claudia G. Kirkendall and Donald Thomas are the sole heirs of Dorsey Thomas; and

WHEREAS, Charles A. Thomas, Roland D. Thomas, Deloris T. Richo, Marie T. Thomas, Clifford Thomas, Melissa Terry, Heather Parish, Thomas Parish, Claudia G. Kirkendall and Donald Thomas are desirous of conveying the below described real property to HLIT IV SC-2, L.P., a Delaware limited partnership.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT WE, **CHARLES A. THOMAS, ROLAND D. THOMAS, DELORIS T. RICHO, MARIE T. THOMAS, CLIFFORD THOMAS, MELISSA TERRY, HEATHER PARISH, THOMAS PARISH, CLAUDIA G. KIRKENDALL, and DONALD THOMAS** (collectively, the "**Grantor**"), in the State aforesaid and in consideration of **EIGHT HUNDRED FORTY-NINE THOUSAND NINE HUNDRED SIXTY AND 00/100 DOLLARS (\$849,960.00)**, to us in hand paid at and before the sealing of these presents by **HLIT IV SC-2, L.P., a Delaware limited partnership** ("**Grantee**"), in the State aforesaid, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents do GRANT, BARGAIN, SELL and CONVEY unto Grantee, that certain tract of real property situated in Berkeley County, South Carolina, and described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property") and all buildings, fixtures and other improvements located on the Property, if any, together with all and singular the rights, privileges, hereditaments, and appurtenances pertaining to such real property, including, but not limited to, any right, title and interest of Grantor in and to any and all mineral interests of whatever nature, producing or

nonproducing, relating to said tract, including, but not limited to, rights of Grantor under any and all oil and gas leases covering said tract (collectively, the "Property").

SEE ATTACHED EXHIBIT "A"

TMS# 220-00-02-059

**GRANTEE'S ADDRESS: 5430 LBJ Freeway, Ste. 800
Dallas, TX 75240**

Grantor has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, without warranty, express or implied, all interest of Grantor, if any, in (1) strips and gores, if any, between the Property and any abutting properties, whether owned or claimed by deed, limitations or otherwise, and whether located inside or outside the Property; and (2) any land lying in or under the bed of any creek, stream or waterway or any highway, avenue, street, road, alley, easement or right of way, open or proposed, in, or across, abutting or adjacent to the Property.

THIS CONVEYANCE is being made by Grantor and accepted by Grantee subject only to those certain title exceptions and other matters set forth in Exhibit "B" attached hereto and made a part hereof for all purposes, but only to the extent that such exceptions are valid, existing, and, in fact, affect the Property.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee's successors and assigns forever; and subject only to the exceptions set forth on the attached Exhibit "B", Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend, all and singular, the Property unto the Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF, WE, **CHARLES A. THOMAS, ROLAND D. THOMAS, DELORIS T. RICHO, MARIE T. THOMAS, CLIFFORD THOMAS, MELISSA TERRY, HEATHER PARISH, THOMAS PARISH, CLAUDIA G. KIRKENDALL, and DONALD THOMAS**, have set our Hands and Seals this ____ day of November, in the year of our Lord two thousand and seven and in the two hundred and thirty-second year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Kathleen G. Conway
(1st witness, sign here)

Charles Thomas (L.S.)
CHARLES A. THOMAS

Rox Thomas
(2nd witness, sign here)

STATE OF NEW YORK)
)
COUNTY OF Kings)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 24th day of November, 2007, by **CHARLES A. THOMAS**.

Carl Dean Carlton
Notary Public for the State of New York
My Commission Expires: 6/30/2011
[SEAL]

CARL DEAN CARLTON
Notary Public, State of New York
No. 24-0570560
Qualified in Kings County
Commission Expires June 30, 2011

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Kathleen Rose
(1st witness, sign here)

Roland D. Thomas (L.S.)
ROLAND D. THOMAS

Rose L Thomas
(2nd witness, sign here)

STATE OF NEW YORK)
)
COUNTY OF KINGS)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 24th day of
November, 2007, by **ROLAND D. THOMAS**.

Carl Dean Carlton
Notary Public for the State of New York
My Commission Expires: 6/30/2011
[SEAL]

CARL DEAN CARLTON
Notary Public, State of New York
No. 24-0570560
Qualified in Kings County
Commission Expires June 30, 2011

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Adrian A. Johnson
(1st witness, sign here)

Deloris T. Richo (L.S.)
DELORIS T. RICHO

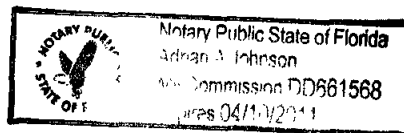
John L. Simpson
(2nd witness, sign here)

STATE OF FLORIDA)
COUNTY OF Nassau)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 20th day of November, 2007, by **DELORIS T. RICHO**.

Adrian A. Johnson
Notary Public for the State of Florida
My Commission Expires: 4/10/2011
[SEAL]



SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Elizabeth S Campsen
(1st witness, sign here)

Marie T. Thomas (P.S.)
MARIE T. THOMAS

Jane S. ...
(2nd witness, sign here)

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 28th day of November, 2007, by **MARIE T. THOMAS**.

Jane S. ...
Notary Public for the State of South Carolina
My Commission Expires: 10/12/10
[SEAL]

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Elizabeth S. Campsen
(1st witness, sign here)

Clifford Thomas (L.S.)
CLIFFORD THOMAS

Jane G. Jones
(2nd witness, sign here)

STATE OF SOUTH CAROLINA)
)
COUNTY OF Charleston)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 28th day of November, 2007, by **CLIFFORD THOMAS**.

Jane G. Jones
Notary Public for the State of South Carolina
My Commission Expires: 10/12/10
[SEAL]

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Cristal Roberts
(1st witness, sign here)

Melissa Terry (L.S.)
MELISSA TERRY

Walter Boone
(2nd witness, sign here)

STATE OF NEW YORK)
COUNTY OF Nassau)

ACKNOWLEDGMENT


THE FOREGOING instrument was acknowledged before me this 22 day of
November, 2007, by **MELISSA TERRY**.

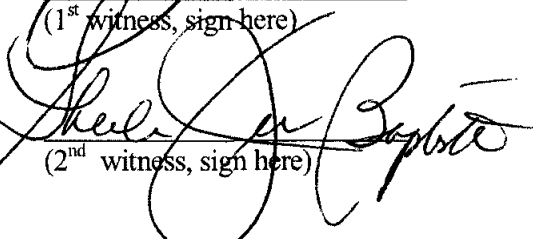
Regina S. Burnett
Notary Public for the State of New York
My Commission Expires: _____
[SEAL]

REGINA S. BURNETT
Notary Public, State of New York
No. 01BU0024613
Qualified in Nassau County
My Commission Expires 08/17/2011

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

(1st witness, sign here)



 (2nd witness, sign here)



 _____ (L.S.)
HEATHER PARISH

STATE OF NEW YORK)
)
 COUNTY OF Kings)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 16 day of November, 2007, by **HEATHER PARISH**.



 Notary Public for the State of New York
 My Commission Expires: 11/30/10
 [SEAL]

DAVID EDELSON
 Notary Public, State of New York
 No. 24-01ED6146820
 Qualified in Kings County
 Commission Expires Nov. 30, 2010

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Thomas Parish
(1st witness, sign here)

Thomas Parish (L.S.)
THOMAS PARISH

Walter B...
(2nd witness, sign here)

STATE OF NEW YORK)
)
COUNTY OF NASSAU)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 17 day of
November, 2007, by **THOMAS PARISH**.

Anthony Wright
Notary Public for the State of New York
My Commission Expires: 01-21-2011
[SEAL]

TONY WRIGHT
NOTARY PUBLIC, State of New York
No. 01WR50720-11, Nassau County
Commission Expires 1-21 2011

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

[Signature]
(1st witness, sign here)

[Signature] (L.S.)
CLAUDIA G. KIRKENDALL
aka Claudia Kirkendall

[Signature]
(2nd witness, sign here)

STATE OF NEW YORK)
)
COUNTY OF BRONX)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 19 day of
November, 2007, by **CLAUDIA G. KIRKENDALL**, aka Claudia Kirkendall.

[Signature]
Notary Public for the State of New York
My Commission Expires: _____

[SEAL]

FELIX GRIMS
Notary Public, State of New York
No. 01GR4765079
Qualified in Kings County
Commission Expires July 31, 2010

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

WITNESSES:

Pauline Agosta
(1st witness, sign here)

Kenneth A. Molyneux
(2nd witness, sign here)

Donald Thomas (L.S.)
DONALD THOMAS

STATE OF NEW YORK)
COUNTY OF NEW YORK)

ACKNOWLEDGMENT

THE FOREGOING instrument was acknowledged before me this 15 day of
November, 2007, by **DONALD THOMAS**.

Donna Marie Kostulas
Notary Public for the State of New York
My Commission Expires: July 31, 2009
[SEAL]

DONNA MARIE KOSTULAS
Notary Public, State of New York
No 01KO4513823
Qualified in New York County
Commission Expires July 31 2009

EXHIBIT "A"
Legal Description

All that certain piece, parcel or tract of land, situate, lying and being in the County of Berkeley, State of South Carolina, shown and designated as "Tract A", containing 18.888 acres, more or less, on a Plat entitled "AN ALTA/ASCM SURVEY OF TMS 220-00-02-059 BEING 18.888 ACRES AND TMS 220-00-02-091 BEING 5.948 ACRES OWNERS AS SHOWN LOCATED IN 2ND ST. JAMES GOOSE CREEK PARISH BERKELEY COUNTY, SOUTH CAROLINA" prepared by Southeastern Surveying of Charleston, Inc., dated May 31, 2007 and recorded in Plat Cabinet N, at Page 234-H, in the ROD Office for Berkeley County, South Carolina. Reference is hereby craved to said plat for a more complete and detailed description of the metes and bounds thereof.

DERIVATION: See whereas clauses above.

TMS# 220-00-02-059

**GRANTEE'S ADDRESS: 5430 LBJ Freeway, Ste. 800
Dallas, TX 75240**

a portion of
→ Being the same property conveyed to Dorsey Thomas by deed recorded in Deed Book A-98, page 120 in the Berkeley County ROD office; thereafter some, but not all, of the heirs of Dorsey Thomas, namely ~~Dorsey Thomas~~ Stephenia Thomas, Sharon Rashad, Anthony Michael Thomas, Dawn Frazier and Alva E. White conveyed any interest they had in and to the property to Marie T. Thomas by Quit Claim Deed dated November 8, 2007 and recorded in Deed Book 7009 at Page 1 in the Berkeley County ROD Office.

EXHIBIT "B"
Permitted Exceptions

1. Rights of others to use any roads or roadways located on any of the property described herein.
2. Berkeley Interstate Site Development Agreement by and between Berkeley County, South Carolina, and HW Berkeley, LLC, dated as of May 15, 2007, and recorded May 16, 2007, in Book 6572, Page 001, and re-recorded May 24, 2007, in Book 6591, Page 001, Berkeley County records.
3. All rights of federal, state or local governments, or of any third party, with respect to any stream, creek, ditch, canal, river, lake, or other waterway which is adjacent to or which crosses the Property or any portion or portions thereof, including regulatory rights of any governmental entity of those portions of the Property which may be defined as "wetlands."
4. Wetland Buffer Plat prepared by Southeastern Surveying of Charleston, Inc., dated September 25, 2007, reflects the following: Preserved Wetland Buffer, 45,637 SF, 1.048 AC; Preserved Wetland 429,614 SF, 9.863 AC.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

AFFIDAVIT

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

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred BY Charles A. Thomas, Roland D. Thomas, Deloris T. Richo, Marie T. Thomas, Clifford Thomas, Melissa Terry, Heather Parish, Thomas Parish, Claudia G. Kirkendall, and Donald Thomas to HLIT IV SC-2, L.P., a Delaware limited partnership, on November 28, 2007.
3. Check on of the following: The DEED is
 - (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (c) EXEMPT from the deed recording fee because: _____.
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$849,960.00.
 - (b) The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES or NO to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES", the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The DEED Recording Fee is computed as follows:
 - (a) \$849,960.00 the amount listed in item 4 above.
 - (b) .00 the amount listed in item 5 above (if no amount, place zero).
 - (c) \$849,960.00 Subtract Line 6(b) from Line 6(a) and place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:
8. Check if Property other than Real Property is being transferred on this Deed.
 - (a) Mobile Home
 - (b) Other
9. _____ DEED OF DISTRIBUTION – ATTORNEY’S AFFIDAVIT: Estate of _____, deceased
CASE NUMBER _____. Personally appeared before me the undersigned attorney who, being duly sworn, certified that (s)he is licensed to practice law in the State of South Carolina; that (s)he has prepared the deed of Distribution for the Personal Rep. in the Estate of _____, deceased and that the grantee(s) therein are correct and conform to the estate file for the above name decedent.
10. 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.

Sworn to before me this 28th
day of November, 2007
Elizabeth S. Campsen
Notary Public for South Carolina
My Commission Expires: 11/19/09

Grantor, Grantee or Legal Representative
connected with this transaction
David M. Swanson
David C. Humphreys III
David M. Swanson