

CYNTHIA B FORTE
BERKELEY COUNTY
REGISTER OF DEEDS

Po Box 6122 ~ Moncks Corner, SC 29461 (843) 719-4084

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



Instrument #:	2016000554		
Receipt Number:	9957	Return To:	HAYNSWORTH SINKLER BOYD, PA
Recorded As:	DEED		PO BOX 340
Recorded On:	January 08, 2016		CHARLESTON, SC, 29402
Recorded At:	02:08:29 PM	Received From:	HAYNSWORTH SINKLER BOYD, PA
Recorded By:	CATHY MILLS	Parties:	
Book/Page:	RB 2089: 637 - 643		Direct- FOXBANK FREDDY LLC
Total Pages:	7		Indirect- MONCKS CORNER E AND H ROSS LLC

*** EXAMINED AND CHARGED AS FOLLOWS ***

Recording Fee:	\$12.00
Consideration:	\$7,850,000.00
County Tax:	\$8,635.00
State Tax:	\$20,410.00
Tax Charge:	\$29,045.00



RECEIVED

JAN 08, 2016

ASSESSOR
BERKELEY COUNTY SC
JANET B. JUROSKO
AUDITOR BERKELEY COUNTY SC

Cynthia B. Forte
Cynthia B Forte - Register of Deeds

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

KNOW ALL MEN BY THESE PRESENTS, that Foxbank Freddy, LLC, a South Carolina limited liability company and Bottarga, LLC, a South Carolina limited liability company, (hereinafter whether singular or plural the "Grantor") in the State aforesaid, for and in consideration of the sum of Seven Million Eight Hundred Fifty Thousand and No/100s (\$7,850,000.00) DOLLARS, and subject to the Restrictions, Conditions, and Limitations hereinafter set forth, if any, to the Grantor paid by Moncks Corner (E. and H. Ross), LLC, a Delaware limited liability company, has granted, bargained, sold and released, and, by these presents, does grant, bargain, sell and release unto the said Moncks Corner (E. and H. Ross), LLC, a Delaware limited liability company, its Successors and Assigns, forever, in fee simple, the following described real property, to-wit:

ALL that certain piece, parcel or tract of land in Berkeley County, State of South Carolina, being located on U. S. Highway No. 52 Alternate near Strawberry Road and being shown on a plat prepared by Sigma Engineers, Inc., dated December 5, 1984, and duly recorded in the Register of Deeds Office for Berkeley County, South Carolina, in Plat Cabinet E at Page 393, and having according to said plat the following metes and bounds, to-wit:

BEGINNING at a CM on the southeasterly side of U. S. Highway No. 52 Alternate and running thence with the line of Tract C S. 8656'43" E. 1112.77 feet to an IO on S. C. L. Railroad; thence with the right of way of S. C. L. Railroad S. 0922'30" W. 1237.22 feet to an IO; thence with line of Standard Warehouse N. 8037'30" W. 705.00 feet to an IO; thence S. 0922'30" W. 100.00 feet to CM; thence along line of Tract A N. 8037'30" W. 412.89 feet to a CM on the southeasterly side of U. S. Highway No. 52 Alternate, said point being located 3,219.92 feet northeast of the right of way of Strawberry Road; thence with the southeasterly edge of U. S. Highway No. 52 Alternate N. 0956'08" E. 1214.77 feet to a CM, the beginning corner, containing 30.94 acres, more or less.

FURTHER shown on a plat entitled "PLAT OF A 30.94 ACRE TRACT OF LAND, A PORTION OF FOXBANK PLANTATION, LOCATED IN ST. JOHNS AND EUTAW TAX DISTRICT, BERKELEY COUNTY, SOUTH CAROLINA". By Stephens Engineering, Inc., dated October 11, 2000 and duly recorded in the Office of the Register of Deeds for Berkeley County, SC, on October 11, 2000 in Plat Cabinet O at Page 302-A.

SUBJECT to those Permitted Exceptions as listed on Exhibit A attached to and incorporated herein.

HAYNSWORTH SINKLER BOYD, P.A.
P.O. Box 340
CHARLESTON, SC 29407

THIS being the same property as conveyed to Foxbank Freddy, LLC, a South Carolina limited liability company (as to a 55% interest) by Deed of Foxbank Commercial Park, LLC, a South Carolina limited liability company, dated January 7th, 2016 and duly recorded in the Office of the Register of Deeds for Berkeley County, South Carolina, simultaneously herewith; and as conveyed to Bottarga, LLC, a South Carolina limited liability company (as to a 45% interest) by Deed of Foxbank Commerical Park, LLC, a South Carolina limited liability company, dated January 7th, 2016 and duly recorded in the Office of the Register of Deeds for Berkeley County, South Carolina, simultaneously herewith.

TMS No.: 1970001006

Grantees' Address: 35 East Wacker Drive, Suite 3300
Chicago, IL 60601

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

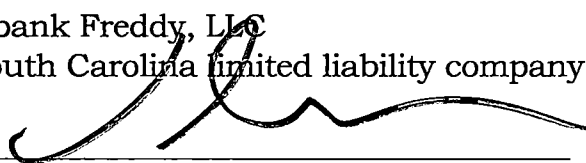
TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Grantee(s), Moncks Corner (E. and H. Ross), LLC, a Delaware limited liability company, its Successors and Assigns forever.

And subject to the matters set forth above, the Grantor does hereby bind the Grantor and the Grantor's successors and assigns, to warrant and forever to defend all and singular the said premises unto the said Grantee hereinabove named and the Grantee's successors and assigns against the Grantor and the Grantor's successors and assigns lawfully claiming, or to claim, the same or any part thereof but no others with the sole exception of Grantor's immediate successor in interest, Foxbank Commercial Park, LLC, a South Carolina limited liability company.

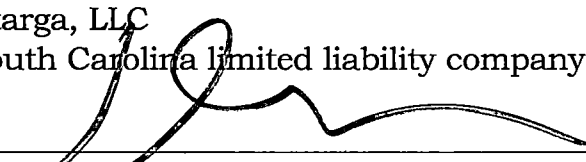
WITNESS the hand and seal of the Grantor this 7th day of **January, 2016**.

WITNESS:

Foxbank Freddy, LLC
a South Carolina limited liability company

BY: 
Frederick H. Renken, its Manager

Bottarga, LLC
a South Carolina limited liability company

BY: 
Frederick H. Renken
its Authorized Representative

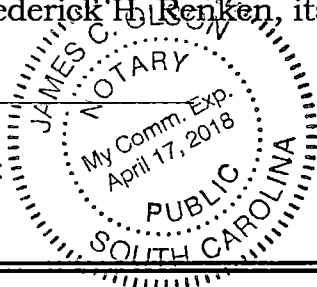
STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 7th day of January, 2016, by Foxbank Freddy, LLC, a South Carolina limited liability company, by Frederick H. Renken, its Manager, and by Bottarga, LLC, a South Carolina limited liability company, by Frederick H. Renken, its Authorized Representative.


Notary Public for
My Commission expires:



Foxbank / 15-0546

EXHIBIT A
"Permitted Exceptions"

1. Taxes for the year 2016 and subsequent years, a lien not yet due and payable.
2. Easements as described in Deed to Mimmie R. Collins dated October 8, 1940, recorded in Book A66 at page 280, in the ROD Office for Berkeley County.
3. Right of South Carolina Public Service Authority to flood the river bordering the insured premises, as reserved in Deed dated September 7, 1943, and recorded in Book C38 at page 262, in the ROD Office for Charleston County.
4. Plat of survey made by Sigma Engineers, Inc., Surveyor, dated August 10, 1978, recorded in Plat Book W at page 360, in the ROD Office for Berkeley County, discloses the following:
 - (a) 12' Berkeley Electric Co-Op, Inc. Easement
5. Easement to Sothern Bell Telephone and Telegraph Company dated March 1, 1940, and recorded April 29, 1940, in Book C31 at page 229, in the ROD Office for Berkeley County.
6. Easement to Sothern Bell Telephone and Telegraph Company dated April 9, 1940, and recorded in Book C31 at page 228, in the ROD Office for Berkeley County.
7. Easement to Southern Bell Telephone and Telegraph Company dated April 10, 1940, and recorded in Book C31 at page 226, in the ROD Office for Berkeley County.
8. Right-of-Way Easement to Berkeley Electric Cooperative dated January 5, 1976, and recorded January 14, 1976, in Book C113 at page 162, in the ROD Office for Berkeley County.
9. Right-of-Way Easement to Berkeley Electric Cooperative dated January 12, 1979, and recorded January 23, 1979, in Book C127 at page 135, in the ROD Office for Berkeley County.
10. Easement(s) to South Carolina Public Service Authority dated September 6, 1994, and recorded in Book 567 at Page 148, in the ROD Office for Berkeley County.
11. Plat of survey made by Sigma Engineers, Inc. recorded December 12, 1984, in Plat Cabinet E at page 393, in the ROD Office for Berkeley County, discloses the following:
 - (a) Above Ground Power Lines
 - (b) Railroad
 - (c) Berkeley Electric Co-op, Inc. Easement
 - (d) Underground Cable
 - (e) Power Poles
12. Plat of survey made by Stephens Engineering, Inc., Surveyor, recorded October 11, 2000, in Book O at page 302A in the ROD Office for Berkeley County , discloses the following:
 - (a) Berkeley Electric Co-Op-10' Easement
 - (b) Railroad
13. Unrecorded plat of survey entitled "ALTA/ACSM LAND TITLE SURVEY OF TMS 197-00-01-006, LOCATED NEAR MONCK'S CORNER, BERKELEY COUNTY, SOUTH CAROLINA DATE SURVEYED: NOVEMBER 12, 2015" made by Precision Surveyors, Inc. dated November 19, 2015, discloses the following:
 - a. Overhead Power Lines
 - b. Possible Sewer Easement Due to Underground Pipeline Signs
 - c. 12" RCP
 - d. Power Poles
 - e. 24" RCP Pipe (not sure where it comes from)
 - f. Ditch
 - g. Pond Area
 - h. 70' Wide Power Easement
 - i. Gravel Drive
 - j. Existing Fence line encroaches unto adjoining property



DM: 4340347 v.1

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitutes a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust as a stockholder, partner, or trust beneficiary of the entity or so as to become a stockholder, partner, or trust beneficiary of the entity as long as no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in the stock or interest held by the grantor. However, except for transfers from one family trust to another family trust without consideration or transfers from a trust established for the benefit of a religious organization to the religious organization, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee, even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceeding;
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.