

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

00025698 Vol: 9254 Pg: 329



53 2011 00025698

Instrument Number: 2011- 00025698

As
Deed

Recorded On: December 30, 2011

Parties: HANAHAN RESERVOIR PARK LLC
To
MWV-NORTH POINTE LLC

Billable Pages: 4

Recorded By: WARREN & SINKLER

Num Of Pages: 9

Comment:

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

Deed	14.00				
Recording Charge:	14.00				
		Tax Amount	Consideration Amount	RS#/CS#	
Deed Tax	18,130.00	18,130.00	4,900,000.00	D 6152	
				Deed State Tax	12,740.00
				Deed County Tax	5,390.00
Tax Charge:	18,130.00				

RECEIVED

Dec 30, 2011

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

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

I hereby certify that the within and foregoing was recorded in the Register of Deeds Office For: Berkeley County, SC

File Information:**Record and Return To:**

Document Number: 2011- 00025698
Receipt Number: 354527
Recorded Date/Time: December 30, 2011 09:48:55A
Book-Vol/Pg: Bk-R VI-9254 Pg-329
Cashier / Station: O Howell / Cash Station 6

WARREN & SINKLER

PO BOX 1254

CHARLESTON SC 29402



Cynthia B. Forte
Cynthia B Forte - Register of Deeds

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BERKELEY) **TITLE TO REAL ESTATE**

KNOW ALL MEN BY THESE PRESENTS that **Hanahan Reservoir Park, LLC**, a South Carolina limited liability company ("Grantor"), for and in consideration of the sum of Four Million Nine Hundred Thousand and 00/100 (\$4,900,000.00) Dollars to Grantor in hand paid at and before the sealing of these presents by **MWV-North Pointe, LLC**, a Delaware limited liability company ("Grantee"), the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release, unto the said Grantee, subject to the limitations, covenants, easements, conditions and restrictions set forth in **Exhibit "B"** attached hereto and incorporated herein by reference (the "Permitted Exceptions"), the real property described on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Premises").

Grantee Address: 180 Westvaco Road, Summerville, SC 29483

TOGETHER WITH all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, subject to the Permitted Exceptions, the Premises before mentioned, unto Grantee, and Grantee's successors and assigns, forever.

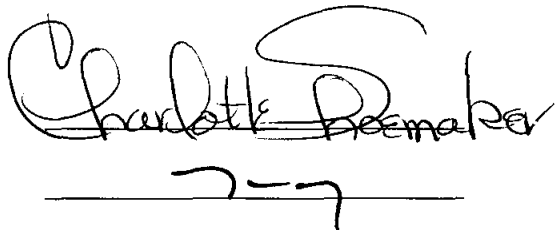
AND, subject to the Permitted Exceptions, Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend, all and singular the said Premises unto Grantee, its successors and assigns forever, against Grantor and Grantor's successors and assigns, and all persons whomsoever lawfully claiming, or to claim, the same or any part thereof.

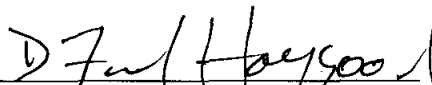
[Remainder of Page Left Blank Intentionally]

WITNESS Grantor's hand and seal this 29th day of December, 2011.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Hanahan Reservoir Park, LLC, a South
Carolina limited liability company



By: 
D. Frank Haygood, its Member

STATE OF SOUTH CAROLINA

)

ACKNOWLEDGEMENT


)

COUNTY OF CHARLESTON

)

I, the undersigned notary public, do hereby certify that Hanahan Reservoir Park, LLC, a South Carolina limited liability company, by D. Frank Haygood, its member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this 29th day of December, 2011.



Notary Public for South Carolina
My Commission Expires: 10-6-16

EXHIBIT "A"
(Real Property Description)

ALL those certain lots, pieces or parcels of land, situate, lying and being in the City of Hanahan, Berkeley County, South Carolina, and known and designated as "Parcel C1A" containing 1,034.437 sq ft, 23.747 acres, "Parcel AB3" containing 1,197.545 sq. ft., 27.492 acres, and "Tract A1" containing 440.973 sq. ft., 10.123 acres, on a plat entitled "Boundary Survey Showing Parcel C1A, Parcel AB3 and Tract A1, Owned by Hanahan Reservoir Park, LLC, Located in the City of Hanahan, Berkeley County, South Carolina", prepared by GPA Professional Land Surveyors, dated November 28, 2011 and recorded in the Register of Deeds Office for Berkeley County on December 29, 2011 in Plat Cabinet P at Page 33-P. Said lots having such size, shape, dimensions, buttings and boundings, more or less, as are shown on said plat, which is specifically incorporated herein by reference.

BEING the same property conveyed to Grantor by the following deeds: (a) deed of Ansonborough Square Limited Partnership and Franklin Ventures, LLC dated April 25, 2006, and recorded in the Berkeley County R.O.D. Office in Book 5823, Page 180; (b) deed of Ansonborough Square Limited Partnership dated April 25, 2006, and recorded in the Berkeley County R.O.D. Office in Book 5823, Page 175; and (c) deed of Franklin Ventures, LLC dated April 25, 2006, and recorded in the Berkeley County R.O.D. Office in Book 5823, Page 170.

TMS No. 259-00-01-007	(Parcel C1A)
TMS No. 259-00-01-003	(Parcel AB3)
TMS No. 259-00-00-096	(Tract A1)

EXHIBIT "B"
(Permitted Exceptions)

1. Taxes and assessments for the year 2012, and subsequent years, which are a lien but are not yet due and payable. (All parcels)
2. Right of Way Easement by Doris W. Mellard, R.S. Mellard, Linda Mellard Jenkins, Jean M. Jenkins, and Maurice E. Myer, Jr. in favor of South Carolina Department of Transportation dated September 4, 1997 and recorded February 6, 1998 in Book 1252, at Page 0014, Berkeley County ROD Office. (Parcel AB3)
3. Grant of Perpetual and Construction Easement by Doris Mellard, Dorothy P. Meyer, Robert S. Mellard, Robert Simmons Mellard, trustee, Jean M. Jenkins and Linda M. Jenkins in favor of Berkeley County Water and Sanitation Authority dated October 5, 1999 and recorded March 17, 2000 in Book 1875, at Page 301, Berkeley County ROD Office. (Parcel AB3)
4. Right of Way Grant by M.E. Meyer, Jr. W.A. Mellard, Wesley F. Mellard, Linda M. Jenkins, and Jean M. Jenkins in favor of South Carolina Electric & Gas Company dated June 23, 1987 and recorded August 10, 1987 in Book C223, at Page 82, Berkeley County ROD Office. (Parcel AB3)
5. Memorandum of Trust by Wesley F. Mellard and Doris W. Mellard dated July 11, 1995 and recorded July 20, 1995 in Book 694, at Page 107, Berkeley County ROD Office. (Parcel AB3)
6. Easement by J.A. Mallard in favor of the South Carolina Public Service Authority dated April 6, 1949 and recorded March 21, 1950 in Book C45, at Page 8, Berkeley County ROD Office. (Parcel AB3 & C1A)
7. Right of Way Grant by J.A. Mellard in favor of South Carolina Electric & Gas Company dated March 27, 1958 and recorded March 29, 1958 in Book C55, at Page 68, Berkeley County ROD Office. (Parcel AB3 & C1A)
8. Right of Way Grant by the Heirs of John A. Mellard Estate in favor of South Carolina Electric & Gas Company dated July 10, 1969 and recorded July 23, 1969 in Book C91, at Page 134, Berkeley County ROD Office. (Parcel AB3 & C1A)
9. Right of Way Grant by J.A. Mellard in favor of South Carolina Electric & Gas Company dated September 9, 1954 and recorded January 19, 1955 in Book C52, at Page 102, Berkeley County ROD Office. (Parcel AB3 & C1A)
10. Right-of-Way & Easement by Maurice E. Meyer, Jr. in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated March 31, 1982 and recorded April 6, 1982 in Book C145, at Page 329, Berkeley County ROD Office. (Parcel AB3 & C1A)
11. Right-of-Way & Easement by Jean Jenkins in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated March 31, 1982 and recorded April 6, 1982 in Book C145, at Page 332, Berkeley County ROD Office. (Parcel AB3 & C1A)
12. Right-of-Way & Easement by Charles Tumbleston in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated April 2, 1982 and recorded April 6, 1982 in Book C145, at Page 326, Berkeley County ROD Office. (Parcel AB3 & C1A)

13. Right-of-Way & Easement by Linda Jenkins in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated March 31, 1982 and recorded April 6, 1982 in Book C145, at Page 335, Berkeley County ROD Office. (Parcel AB3 & C1A)
14. Right-of-Way & Easement by Wesley F. Mellard in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated March 31, 1982 and recorded April 6, 1982 in Book C145, at Page 341, Berkeley County ROD Office. (Parcel AB3 & C1A)
15. Right-of-Way & Easement by W.A. Mellard in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated March 31, 1982 and recorded April 6, 1982 in Book C145, at Page 338, Berkeley County ROD Office. (Parcel AB3 & C1A)
16. Right-of-Way & Easement by Louise Totaro in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated April 2, 1982 and recorded April 6, 1982 in Book C145, at Page 344, Berkeley County ROD Office. (Parcel AB3 & C1A)
17. Right-of-Way & Easement by Joseph Tumbleston in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated April 2, 1982 and recorded April 6, 1982 in Book C145, at Page 348, Berkeley County ROD Office. (Parcel AB3 & C1A)
18. Right-of-Way Easement by Clyde Turner and Ethel Turner in favor of Commissioners of Public Works of the City of Charleston, South Carolina dated March 31, 1982 and recorded April 6, 1982 in Book C145, at Page 315, Berkeley County ROD Office. (Parcel AB3 & C1A)
19. S.C. Public Service Authority 100' right-of-way depicted on plat dated May 15, 1985 and recorded June 7, 1985 in Plat Cabinet F, at Page 102, Berkeley County ROD Office. (Parcel AB3)
20. Title to Real Estate by Doris Mellard, Linda Jenkins, Jean Jenkins, Robert S. Mellard and Dorothy P. Meyer to South Carolina Department of Transportation dated May 29, 1999 and recorded October 6, 1999 in Book 1759, at Page 336, Berkeley County ROD Office. (Parcel AB3)
21. Declaration of Restrictive Covenants for Reservoir Business Center (Wetlands) dated January 19, 2009 and recorded in the ROD Office for Berkeley County on January 28, 2009 in Book 7739 at Page 244 (Parcel AB3 & C1A).
22. Development and use restrictions and conditions imposed by federal, state and local laws with respect to those portions of the Land shown as "wetlands" on the plat prepared for Ansonborough Square Limited Partnership and Franklin Ventures, LLC dated December 18, 2008 and recorded in the ROD Office for Berkeley County on February 9, 2009 in Plat Cabinet N at Page 26-P. (Parcel AB3 & C1A)
23. The portion of Land marked "wetlands to be filled (0.108 Ac.)" appears to be filled-in Land and is subject to the rights of the United States of America by reason of its control over navigation and commerce, especially in time of war, for use for navigable purposes and also rights reserved to the United States of America in permit under which the Land was filled in. (Parcel AB3)
24. Title to that portion of the Land comprising the shores or bottoms of the navigable water of wetlands or to artificial accretions or fill is not insured by this policy. (Parcel AB3)
25. Plat of survey prepared from Ansonborough Square Limited Partnership and Franklin Ventures,

LLC, by Stantec Consulting Services, Inc. dated December 18, 2008 and recorded on February 9, 2009, discloses the following, together with any appropriate easements:

- (a) Jurisdictional Wetlands and Buffers (Parcels AB3 and C1A);
 - (b) Wetlands to be filled (Parcel AB3); and
 - (c) 140' SCE&G Right of way (Parcels AB3 and C1A).
- 26. Grant of Perpetual Easement by Home Place Development in favor of Berkeley County Water and Sanitation Authority dated October 8, 1999 and recorded April 10, 2000 in Book 1897, at Page 196, Berkeley County ROD Office. (Parcel AB3 & C1A)
 - 27. Drainage Easement (width varies) depicted on plat dated November 1, 2000 and recorded December 29, 2000 in Plat Book 0, at Page 344-A, Berkeley County ROD Office. (Parcel AB3 & C1A)
 - 28. Grant of Perpetual and Construction Easement by Creekside Baptist Church f/k/a Goodrich Baptist Church in favor of Berkeley County Water and Sanitation Authority dated September 30, 1999 and recorded March 17, 2000 in Book 1875, at Page 0311, Berkeley County ROD Office. (Parcel C1A)
 - 29. Right of Way Grant by Laurel Hill Properties Incorporated in favor of South Carolina Electric & Gas Company dated June 22, 1987 and recorded August 10, 1987 in Book C223, at Page 86, Berkeley County ROD Office. (Parcel C1A)
 - 30. Right of Way Grant by Goodrich Baptist Church in favor of South Carolina Electric & Gas Company dated December 3, 1992 and recorded May 21, 1993 in Book 293, at Page 272, Berkeley County ROD Office. (Parcel C1A)
 - 31. [Intentionally Omitted]
 - 32. Title to Real Estate by Creekside Baptist Church to South Carolina Department of Transportation dated January 10, 2000 and recorded April 20, 2000 in Book 1909, at Page 15, Berkeley County ROD Office. (Parcel C1A)
 - 33. Declaration of Restrictive Covenants by Westvaco Corporation dated October 22, 1998 and recorded November 10, 1998 in Book 1479, at Page 227, Berkeley County ROD Office. (Tract A-1)
 - 34. Easement by Home Place Investments, LLC in favor of Bellsouth Telecommunications, Inc. dated March 23, 2000 and recorded March 30, 2000 in Book 1887, at Page 294, Berkeley County ROD Office. (Tract A-1)
 - 35. Grant of Water Line Easement and Right of Way by West Virginia Pulp and Paper Company in favor of Commissioners of Public Works of The City of Charleston dated April 18, 1960 and recorded September 13, 1960 in Book C60, at Page 31, Berkeley County ROD Office. (Tract A-1)
 - 36. Title to Sewer System by Homplace Investments, LLC in favor of Berkeley County Water and Sanitation Authority dated September 4, 2001 and recorded September 10, 2001 in Book 2405, at

Page 249, Berkeley County ROD Office. (Tract A-1)

37. Bill of Sale by Homplace Investments, LLC in favor of Berkeley County Water and Sanitation Authority dated September 4, 2001 and recorded October 11, 2001 in Book 2444, at Page 151, Berkeley County ROD Office. (Tract A-1)
38. BCWS&A and Charleston CPW General Utility Easement depicted on plat dated July 14, 1999 and recorded March 31, 2000 in Plat Book 0, at Page 208-A, Berkeley County ROD Office. (Tract A-1)
39. Easement depicted on plat dated June 16, 1958 and recorded September 13, 1960 in Plat Book K, at Page 119, Berkeley County Clerk of Court. (Tract A-1)

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

AFFIDAVIT

Closing Date:
December 29, 2011

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 **Hanahan Reservoir Park, LLC** to **MWV-North Pointe, LLC** on the above stated Closing Date.
3. Check one of the following: **The DEED is**
 - (a) X 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 (Exemption# _____)
(Explanation If Required) _____
(If exempt, please skip items 4-6, and go to item 7 of this affidavit.)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
 - (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$4,900,000.
 - (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 XXXX 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) \$4,900,000.00 the amount listed in item 4 above
 - (b) \$ 0.00 the amount listed in item 5 above (no amount place zero)
 - (c) \$4,900,000.00 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: Grantor.
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 named 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 more than one year, or both.

Sworn to before me this 29th day
of December, 2011

Notary Public for South Carolina
My Commission Expires: 10/6/16

Hanahan Reservoir Park, LLC

By: D. Frank Haygood
D. Frank Haygood, its member