



THE STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

RIGHT OF WAY EASEMENT
Approximate Survey Station

Road/Route Port Access Road
File 10.037345A
Item _____
Project GEN8
PIN 37345 RD01
Tract 23

_____ 5853+00 To _____ 5856+00 RT & LT
Line C
To _____
To _____

KNOW ALL MEN BY THESE PRESENTS, That I (or we) Shipyard Barge, LLC, 3 Broad Street, Suite 400, Charleston, South Carolina 29401 in consideration of the sum of One Hundred Eighty-Nine Thousand Four Hundred and NO/00 Dollars (\$189,400.00), to me (or us) in hand paid, and other valuable consideration at and before the sealing and delivering thereof, by the South Carolina Department of Transportation, receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, give, bargain, sell and release, unto the said South Carolina Department of Transportation, its successors and assigns, an easement or right of way for the construction, improvement, operation and maintenance of a public road known as a State Highway **From: I-26 (Exit 216) To: Proposed Port Terminal on Port Access Road (R/W Corridor)**. State and County aforesaid, as shown on plans prepared by the South Carolina Department of Transportation, upon and across the land which I (or we) may own, in whole or in part, between the survey stations referenced above and as depicted and described on the above reference plans together with, all and singular, the rights, members, hereditaments, and appurtenances thereunto belonging, or in any way incident or appertaining. The grantor expressly recognizes the possibility that the property herein may be used in the future by public utility or others granted the statutory right to use the right of way.

SPECIAL PROVISIONS: All that certain parcel of land owned by Shipyard Barge, LLC shown as the "Area of Acquisition" on Exhibit A, attached hereto and made a part hereof. Tax Map No. 466-16-00-083. The above consideration is for .35 acres of land and all improvements thereon, if any.

TO HAVE AND TO HOLD, all and singular, the said easement or right of way and the rights hereinabove granted, unto the said South Carolina Department of Transportation, its successors and assigns forever for a public road, highway, other public transportation purposes or other public uses as are permitted within and in conjunction with highway rights of way and the grantors hereby dedicated their respective interest in said strip of land to public use for such purposes, including rights of access as may be needed for controlled access facilities.

It is agreed that buildings, fences, signs or other obstructions will not be erected by me (or us), my (or our) heirs, assigns or administrators within the limits of the right of way herein conveyed and that such buildings and fences are now within the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of the South Carolina Department of Transportation.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand(s) and seal(s) this 28th day of February, in the year of our Lord, Two Thousand and Eleven.

Signed, sealed and delivered in the presence of:

Shipyard Barge, LLC
By: LUCY M. DUNCAN-SCHEMAN (L.S.)
President, CEO
Its: _____ (L.S.)

1st Witness Gitta P. Wombwell
2nd Witness _____

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Transportation.

THE STATE OF South Carolina
COUNTY OF Charleston

ACKNOWLEDGEMENT

Personally appeared before me the above named Grantor(s) and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 28th day of February 2011.

Gitta P. Wombwell
Signature of Notary Public
Gitta P Wombwell
Printed Name of Notary Public

NOTARY PUBLIC FOR THE STATE OF South Carolina

My Commission Expires: January 20, 2020
(Affix seal if outside SC)

GRANTEE'S ADDRESS: SCDOT, Director, Rights of Way, P.O. Box 191, Columbia, SC 29202-0191

Checked 4/12/11 By CPC
Recorded _____ By _____
Project _____ File No. _____

Tract 23

[illegible]

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF ACQUISITION FROM TRACT 23 FILE 10.037345A
SCALE 1"=60' ORIGINAL PREPARED 2/15/2011