



BP0240044

RMC BK 0240 Pg 044 : pg 1 *

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 25

56+00 To 58+00 LT
 Mainline Survey
 To _____
 To _____

KNOW ALL MEN BY THESE PRESENTS, That I (or we) Baldwin Brothers, Inc., 2132 Spruill Avenue, North Charleston, SC 29405 in consideration of the sum of Three Hundred Sixty Thousand and No/100 Dollars (\$360,000.00), 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 being, 0.15 acre (6,439 SF) being the entire tract of land and a two story 4,482 sf concrete block commercial building and all improvements thereon if any owned by Baldwin Brothers Inc., shown as the "Area of Acquisition" on Exhibit A, attached hereto and made a part hereof. Tax Map No. 466-16-00-020. The above consideration is for 0.15 acre of land and all improvements thereon, if any, including rights of access as may be needed for controlled access facilities.

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.

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 7th day of February, in the year of our Lord, Two Thousand and Twelve.

Signed, sealed and delivered in the presence of:

Joseph W. Gault
 1st Witness
Willie B. Johnson
 2nd Witness

Baldwin Brothers, Inc.
Rayford A. Avant, Jr.
 By: _____ (L.S.)
President
 Its: _____ (L.S.)

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 7th day of February, 2012.

Willie B. Johnson
 Signature of Notary Public
Willie B. Johnson
 Printed Name of Notary Public

NOTARY PUBLIC FOR THE STATE OF

My Commission Expires: 10-19-19
 (Affix seal if outside SC)

GRANTEE'S ADDRESS: SCDOT, Director, Rights of Way, P.O. Box 191, Columbia, SC 29202-0191
 Checked 2-21-12 By Dot
 Recorded _____ By _____
 Project _____ File No. _____

Tract 25

FEB 23 2012

PAYMENT REQUESTED

[illegible]

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
AREA OF ACQUISITION FROM TRACT 25 FILE 10.037345A
SCALE 1"=60' ORIGINAL PREPARED 1/31/2012