



BP0228996

**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 3

5778+00 To 5791+00 LT
I-26
To _____
To _____

RMC Bk 0228 Pg 996 : pg 1 *

KNOW ALL MEN BY THESE PRESENTS, That Twenty First Properties, Inc., ("Grantor"), with a notice address of 2121 South Columbia Avenue, Suite 650, Tulsa, OK 74114 in consideration of the sum of Nine Hundred Fifty Thousand and NO/100 Dollars (\$950,000.00), to it in hand paid, and other valuable consideration at and before the sealing and delivering thereof, by the South Carolina Department of Transportation (sometimes referred to herein as "Grantee"), receipt of which is hereby acknowledged, has, subject to all matters of public record, all matters that an accurate survey and/or physical inspection of the property would reflect and the remaining terms of this instrument (collectively, the "Permitted Exceptions") granted, bargained, sold and released, and by these presents does 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 Easement Area (as hereafter defined) 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 Easement Area may be used in the future by public utility or others granted the statutory right to use the right of way.

SPECIAL PROVISIONS:

The easement and rights described herein are granted with respect to that certain parcel of land consisting of 1.66 acres and all improvements thereon, if any, depicted and shown as the "Area of Acquisition" on Exhibit A, attached hereto and made a part hereof. Tax Map No. 466-07-00-006 (the "Easement Area").

THE GRANTEE ACKNOWLEDGES THAT THE EASEMENT AND OTHER RIGHTS GRANTED HEREIN ARE BEING GRANTED ON AN "AS-IS/WHERE-IS" BASIS.

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 Grantor hereby dedicates its interest in said strip of land to public use for such purposes.

* including rights of access as may be needed for controll^{of} access facilities

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

Checked 11-15-11 By [Signature]

Recorded _____ By _____ Tract 3

Project GEN8 File 10.037345A

[Signature]

PAYMENT REQUESTED NOV 18 2011

It is agreed that buildings, fences, signs or other obstructions will not be erected by Grantor or its lessees, heirs, assigns or administrators within the limits of the Easement Area and that such buildings and fences are now within the Easement Area herein conveyed will be moved from the Easement Area and restored, within 30 days of such removal, in as good condition as before moving, at the expense of the South Carolina Department of Transportation.

IN WITNESS WHEREOF, the Grantor has set its hand and seal hereto as of the 7th day of September, in the year of our Lord, Two Thousand and Eleven.

Signed, sealed and delivered in the presence of:

Twenty First Properties, Inc.

1st Witness

By: PAUL WILSON

(L.S.)

2nd Witness

Its:

(L.S.)

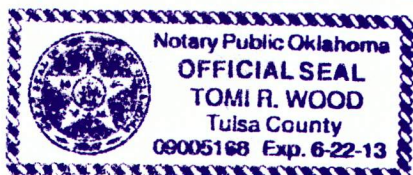
NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Transportation.

THE STATE OF SOUTH CAROLINA Oklahoma
COUNTY OF Tulsa

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 September, 2011.



NOTARY PUBLIC FOR THE STATE OF

My Commission Expires:
(Affix seal if outside SC)

Tomi R. Wood

Signature of Notary Public

Tomi R. Wood

Printed Name of Notary Public

Oklahoma

June 22, 2013

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

Checked _____

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