STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

CONSERVATION EASEMENT AND ACCEPTANCE

THIS INDENTURE, is made this ______ day of ______, 20____, by and between Union County, North Carolina (UC) and Lancaster County Water and Sewer District, South Carolina (LCWSD) as the joint venturers which together own the Catawba River Water Supply Project (CRWSP) pursuant to a signed Joint Venture Agreement last dated May 23, 1991, authorizing and enabling the operations of the Catawba River Water Treatment Plant (CRWTP) (collectively referred to as "Grantors"), and KATAWBA VALLEY LAND TRUST, INC., a South Carolina non-profit corporation ("Grantee").

WHEREAS, Grantors are the owners in fee simple of certain real property totaling approximately 460.55 acres located in Lancaster County, South Carolina, on which Grantors have constructed a drought-contingency reservoir (the "Reservoir");

WHEREAS, the Water Quality Certification and Construction in Navigable Waters Permit, Public Notice # SAC 2009-00369-51K(3), Public Notice Date May 8, 2014 issued in favor of Grantors (the "401 Permit") requires this Conservation Easement be imposed upon the approximately 24.410 acres, more or less to protect the watershed of the unnamed tributary below embankment (the "Protected Property"), as more particularly described on Exhibit A as Conservation Easement Area A, attached hereto and incorporated herein by reference;

WHEREAS, Grantors desire to convey to Grantee a conservation easement placing certain limitations and affirmative obligations on the Protected Property which is intended by Grantors to be restricted, preserved and conserved through this Conservation Easement and for the protection of the unnamed tributary below the embankment and to restrict uses on the Protected Property to those compatible with protection and maintenance of the chemical, physical and biological integrity of the tributary;

WHEREAS, Grantee is qualified to hold a conservation easement, and is either:

(a) a governmental body empowered to hold an interest in real property under the laws of this State or the United States; or

(b) a charitable, not-for-profit or educational corporation, association, or trust, qualified under § 501(c)(3) and §170 (h) of the Internal Revenue Code, the purposes or powers of which include one or more of the purposes (a) - (d) listed below:

- (a) retaining or protecting natural, scenic, or open-space aspects of real property;
- (b) ensuring the availability of real property for recreational, educational, or open- space use;
- (c) protecting natural resources; or
- (d) maintaining or enhancing air or water quality; and

WHEREAS, Grantors and Grantee agree that third-party rights of enforcement shall be held by the U.S. Army Corps of Engineers, Charleston District and the S.C. Department of Environmental Services ("Third-Parties," to include any successor agencies), and may be exercised through the appropriate enforcement agencies of the United States and the State of South Carolina, and that these rights are in addition to, and do not limit the rights of enforcement under the Department of the Army permit number SAC-2009-00369, dated December 30, 2014 and the Nationwide Permit 32 verification letter dated June 26, 2019 (collectively, the "404 Permits"), the 401 Permit, or any permit or certification issued by the Third Parties.

COVENANTS, TERMS, CONDITIONS, AND RESTRICTIONS

A. PURPOSE

1. The purpose of this Conservation Easement is to ensure the Protected Property will be preserved in a "Natural Condition", as defined herein in perpetuity and to prevent any use of the Protected Property that will materially impair or interfere with the protection and maintenance of the chemical, physical and biological integrity of the tributary on or within the Protected Property or the uses of the Protected Property specified in the 401 Permit or 404 Permits (the "Purpose"). Grantors intend that this Conservation Easement will confine the use of the Protected Property to those activities that do not conflict or impair the Purpose.

2. Grantors and Grantee recognize the uses of the Protected Property for purposes specified in the 401 Permit and 404 Permits.

3. The term "Natural Condition," as referenced in the preceding paragraph and other portions of this conservation easement, shall mean the condition of the Protected Property, as it exists at the time this Conservation Easement is executed, as well as future restoration, enhancement, or other changes that occur directly as a result of the measures required by the 404 and/or 401 Permits including implementation, maintenance, and monitoring activities (collectively, "Compensatory Mitigation").

4. **Baseline Documentation**. The Current Conditions (which may or may not include restoration and enhancement efforts), of the Protected Property as of the date of this Conservation Easement are further documented in a "Present Conditions Report," dated February 13, 2025 and prepared by Alex "Chip" Amos, PG, which report is acknowledged as accurate by Grantors and Grantee. The present conditions report includes:

(a) a current aerial photograph of the Protected Property at an appropriate scale taken as close as possible to the date the donation is made;

(b) on-site photographs taken at appropriate locations on the Protected Property, including of major natural features; and,

(c) a surveyed plat of the Protected Property showing all relevant property lines, all existing man-made structures, improvements, features, and major, distinct natural features such as waters of the United States, and shall be recorded in the RMC office for each county in which the Protected Property is situated prior to the recording of this Conservation Easement, and is recorded at Book 2024, Page 423, in the Office of the Lancaster County Register of Deeds

The Present Conditions Report has been provided to both parties and will be used by Grantee to assure that any future changes in the use of the Protected Property will be consistent with the terms of this Conservation Easement. However, the Present Conditions Report is not intended to preclude the use of other evidence to establish the condition of the Protected Property as of the date of this Conservation Easement.

5. **Baseline Documentation Update**. Grantors, Grantee, and Third-Parties agree that the baseline documentation can and should be updated to reflect the new conditions of the Protected Property. In the event that such an update is needed, Grantors agree to provide such necessary update, including photographs, narratives, and any other data needed to accurately reflect the conditions of the Protected Property.

6. Grantors certify to Third Parties and Grantee that to the Grantors' actual knowledge, there are no previously granted easements existing on the Protected Property that interfere or conflict with the Purpose of this Conservation Easement as evidenced by the title report attached at Exhibit B.

NOW THEREFORE, for the foregoing consideration, and in further consideration of the restrictions, rights, and agreements herein, Grantors hereby convey to Grantee a conservation easement over the Protected Property consisting of the following:

B. PROHIBITED USES

Any activity on or use of the Protected Property inconsistent with the Purpose of this Conservation Easement and not reserved as a right of Grantors is prohibited. These Restrictions shall run with the land and be binding on Grantors' successors, administrators, assigns, lessees, or other occupiers and users, and are subject to the Reserved Rights which follow. The following uses by Grantors, Grantee, their respective guests, agents, assigns, employees, representatives, successors, and third parties are expressly prohibited on the Protected Property except as otherwise provided herein or unless specifically provided in the 404 Permits and any amendments thereto and/or the 401 Permit and any amendments thereto.

1. <u>General</u>. There shall be no filling, flooding, excavating, mining or drilling; no removal of natural materials; no dumping of materials; and, no alteration of the topography in any manner.

2. <u>Waters and Wetlands</u>. In addition to the General restrictions above, there shall be no draining, dredging, damming or impounding; no changing the grade or elevation, impairing the flow or circulation of waters, reducing the reach of waters; and, no other discharge or activity requiring a permit under applicable clean water or water pollution control laws and regulations, as amended.

3. <u>**Trees/Vegetation**</u>. There shall be no clearing, burning, cutting or destroying of trees or vegetation, except as expressly authorized in the Reserved Rights; there shall be no planting or introduction of non-native or exotic species of trees or vegetation (except biological controls preapproved in writing by Grantee and SC DHEC). Grantors, their successors, administrators, assigns, lessees, or other occupiers and users shall adhere to and maintain the Natural Condition of the Protected Property as outlined in "Figure G – Clearing Plan" of the "Catawba River Water Supply Project" permitted construction plans, dated April 29, 2011, which are included in the 404 Permits and are attached and incorporated into this Conservation Easement as Exhibit C.

4. <u>Activities</u>. No industrial activities, commercial activities, residential activities, or agricultural activities (including livestock grazing) shall be undertaken or allowed.

5. <u>Structures</u>. There shall be no construction, erection, or placement of buildings, billboards, or any other structures, nor any additions to existing structures.

6. <u>New Roads</u>. There shall be no construction of new roads, trails or walkways without the prior written approval of Grantee and Third-Parties, including of the manner in which they are constructed.

7. <u>Utilities</u>. There shall be no construction or placement of utilities or related facilities without the prior written approval of Grantee and Third-Parties.

8. <u>Pest Control</u>. There shall be no application of pesticides or biological controls, including for problem vegetation, without prior written approval from Grantee and Third-Parties.

9. <u>Subdivision</u>. There shall be no legal or de facto division, subdivision or portioning of the Protected Property.

10. <u>Other Prohibitions</u>. Any other use of, or activity on, the Protected Property which is or may become inconsistent with the Purpose of this Conservation Easement is prohibited.

C. GRANTEE'S RIGHTS

To accomplish the Purpose of this Conservation Easement, Grantors, their successors and assigns hereby grant and convey the following rights to Grantee and Third Parties:

1. To preserve and protect the Protected Property, including enforcing the terms of this Conservation Easement in order to assure the Protected Property remains in its "Natural Condition," defined herein, in perpetuity.

2. To enter upon the Protected Property at reasonable times in order to monitor compliance with and to otherwise enforce the terms of this Conservation Easement.

3. To prevent any activity on or use of the Protected Property that is inconsistent with the Purpose of this Conservation Easement and to require the restoration of such areas or features of the Protected Property that may Page 3 of 11

be damaged by any act, failure to act, or any use that is inconsistent with the Purpose of this Conservation Easement.

4. All mineral, air, and water rights necessary to protect and sustain the biological resources of the Property, provided that any exercise of such rights by Grantee shall not result in conflict with the Purpose.

5. All present and future development rights allocated, implied, reserved or inherent in the Protected Property; such rights are hereby terminated and extinguished, and may not be used or transferred to any portion of the Protected Property, except as may be necessary for the continued utilization and management of the Reservoir and operation of CRWTP, subject to the review and approval of Grantee and Third-Parties, such review and approval limited to protecting and preventing any use of the Protected Property that will materially impair or interfere with the protection and maintenance of the chemical, physical and biological integrity of the tributary on or within the Protected Property or uses of the Protected Property specified in the 401 or 404 Permits.

6. The right to enforce by means, including, without limitation, injunctive relief, the terms and conditions of this Conservation Easement.

D. GRANTORS' RESERVED RIGHTS

Notwithstanding the foregoing Restrictions, Grantors reserve for Grantors, their successors, administrators, and assigns the following Reserved Rights, which may be exercised upon providing prior written notice to Grantee and to Third-Parties, except where expressly provided otherwise:

1. Landscape Management. Landscaping by the Grantors to prevent severe erosion or damage to the Protected Property or portions thereof, or significant detriment to existing or permitted uses, is allowed, provided that such landscaping is generally consistent with the Purpose of this Conservation Easement.

2. **Forest Management**. Harvesting and management of timber by Grantors is limited to the extent necessary to protect the natural environment in areas where the forest is damaged by natural forces such as fire, flood, storm, insects or infectious organisms. Such timber harvest and management shall be carried out in accordance with Best Management Practices approved by the South Carolina Forestry Commission or successor agency, as amended. As required by the 401 Permit, any areas within the Protected Property that were disturbed during construction of the Reservoir or that are not currently forested shall be planted with appropriate native tree species, subject to approval by Third Parties, to speed succession. Plantings should be monitored and adaptively managed by Grantors to ensure successful reforestation.

3. <u>Recreation</u>. Grantors reserve the right to engage in any outdoor, non-commercial recreational activities, including hunting (excluding planting or burning) and fishing, with cumulatively very small impacts, and which are consistent with the continuing Natural Condition of the Protected Property and the conditions set forth in the 401 Permit and 404 Permits. No written notice required.

4. <u>Mineral Interests</u>. Grantors specifically reserve a qualified mineral interest (as defined in § 170(h)(6) of the Internal Revenue Code) in subsurface oil, gas or other minerals and the right to access such minerals. However, there shall be no extraction or removal of, or exploration for, minerals by any surface mining method, nor by any method which results in subsidence or which otherwise interferes with the continuing Natural Condition of the Protected Property.

5. **<u>Road Maintenance</u>**. Grantors reserve the right to maintain existing roads, trails or walkways. Maintenance shall be limited to: removal or pruning of dead or hazardous vegetation; application of permeable materials (e.g., sand, gravel, crushed rock) necessary to correct or impede erosion; grading; replacement of culverts, water control structures, or bridges; and, maintenance of roadside ditches.

6. <u>Vegetation, Debris, and Exotic Species Removal</u>. Grantors reserve the right to engage in the removal or trimming of vegetation and/or timber downed or damaged due to natural disaster, removal of man-made debris, removal of parasitic vegetation (as it relates to the health of the host plant), removal or trimming of vegetation hazardous to person or property and removal of non-native or exotic plant or animal species.

7. <u>Compensatory Mitigation</u>. Grantors reserve the right to perform any restoration, enhancement, and other wetland mitigation activities required by the 401 Permit and/or the 404 Permits, including the use of all equipment necessary to successfully complete any mitigation requirements contained therein.

8. <u>Security Measures</u>. Grantors reserve the right to implement site safety and security measures necessary for the protection of staff and the public, including without limitation the rights to exclude the general public and all others, as well as for compliance with applicable safety and security regulations and standards pertaining to the Reservoir.

9. <u>Other Reserved Rights</u>. Grantors reserve the right to engage in all acts or uses not prohibited by the Restrictions, and which are not inconsistent with the Purpose of this Conservation Easement.

10. **Reserved Rights of Ownership.** It is expressly understood and agreed that this Conservation Easement does not grant or convey to members of the general public any rights of ownership, entry or use of the Protected Property. This Conservation Easement is created solely for the protection of the Protected Property, and for the consideration and values set forth above, and Grantors reserve the ownership of the fee simple estate and all rights pertaining thereto, including without limitation the rights to exclude others and to use the Protected Property for all purposes consistent with this Conservation Easement.

E. GENERAL PROVISIONS

The following General Provisions shall be binding upon, and inure to the benefit of, the Grantors, Grantee and Third-Parties, and the successors, administrators, assigns, lessees, licensees and agents of each:

1. <u>Marking of Property</u>. Grantors shall install and maintain permanent signs saying "Protected Natural Area" or establish an equivalent, permanent, marking system along the boundary of the Protected Property.

2. <u>Rights of Access and Entry</u>. Grantee and Third-Parties shall have the right to enter and go upon the Protected Property for purposes of inspection, and to take actions necessary to verify compliance with the Restrictions; subject to the requirements imposed upon CRWSP by 42 US Code Chapter 6A Subchapter XII – Safety of Public Water Systems (42 USC §§ 300f-300j-27). Grantee will work with Grantors to coordinate site visits accordingly. Grantee shall also have the rights of visual access and view. No right of access or entry by the general public to any portion of the Protected Property is conveyed by this Conservation Easement.

3. **Enforcement**. In the event of a breach of the Restrictions by Grantors or another party, the Grantee or one of the Third-Parties must notify the Grantors in writing of the breach. The Grantors shall have thirty (30) days after receipt of such notice to undertake actions that are reasonably calculated to swiftly correct the conditions constituting the breach. If the Grantors fail to take such corrective action within thirty (30) days, or fail to complete the necessary corrective action, the Grantee and/or the Third-Parties may undertake such actions, including legal proceedings, as are necessary to effect such corrective action. Among other relief, Grantee and/or Third-Parties shall be entitled to a complete restoration for any breach of the Restrictions. Breaches of General Provisions of this Conservation Easement shall be actionable without notice. The costs of a breach, correction or restoration, including the Grantee's expenses, court costs, and attorneys' fees, shall be paid by Grantors, provided Grantors are determined to be responsible for the breach. Enforcement shall be at the discretion of the Grantee and/or Third-Parties, and no omission or delay in acting shall constitute a waiver of any enforcement right. These enforcement rights are in addition to, and shall not limit, enforcement rights available under other provisions of law or equity, or under any applicable permit or certification.

4. **Events Beyond Grantors' Control**. Nothing herein shall be construed to authorize the Grantee or Third-Parties to institute any proceedings against Grantors for any changes to the Protected Property caused by acts of God or circumstances beyond the Grantors' control such as earthquake, fire, flood, storm, war, civil disturbance, strike, the unauthorized acts of third persons, or similar causes.

5. <u>Obligations of Ownership</u>. Grantors are responsible for any real estate taxes, assessments, fees, or charges levied upon the Protected Property. Grantors shall keep the Protected Property free of any liens or other Page 5 of 11

encumbrances for obligations incurred by Grantors. Grantee shall not be responsible for any costs or liability of any kind related to the ownership, operation, insurance, upkeep, or maintenance of the Protected Property, except as expressly provided herein. Nothing herein shall relieve the Grantors of the obligation to comply with federal, state or local laws, regulations and permits which may apply to the exercise of the Reserved Rights.

6. **Long Term Management.** Grantors, or their assignees, will accomplish the long-term management activities identified in the 401 Permit and the 404 Permits. The required activities include but are not limited to management activities (i.e., control of invasive species, fire, for example) and the maintenance and/or replacement of structures (fences, ditch plugs, weirs, for example) that are critical to the long-term success of the preserving the Protected Property in its Natural Condition.

7. <u>Extinguishment</u>. In the event that changed conditions render impossible the continued use of the Protected Property for the Purpose, this Conservation Easement may only be extinguished, in whole or in part, by judicial proceeding, which shall be recorded in the chain of title for the Protected Property.

8. <u>Eminent Domain</u>. Whenever all or part of the Protected Property is taken in the exercise of eminent domain so as to substantially abrogate the Restrictions imposed by this Conservation Easement, the Grantors and Grantee shall join in appropriate actions at the time of such taking to recover the full value of the taking, and all incidental and direct damages due to the taking.

9. <u>Notification</u>. Any notice, request for approval, or other communication required under this Conservation Easement shall be sent by registered or certified mail, postage prepaid, to the following addresses (or such address as may be hereafter specified by notice pursuant to this paragraph):

To Grantors:	LCWSD Attn: District Manager 1400 Pageland Hwy Lancaster, S.C. 29721	Union County Attn: County Manager 500 N. Main Street Monroe, N.C. 28112
To Grantee:	Katawba Valley Land Trust, Inc. P.O. Box 1776 Lancaster, S.C. 29721	
To Third-Part	 ies: U.S. Army Corps of Engineers Attn: Regulatory Division 69A Hagood Avenue Charleston, South Carolina 29403 	South Carolina Department of Environmental Services Bureau of Water 2600 Bull Street

10. **Assignment**. This Conservation Easement is transferable, but only to a qualified holder under 501(c)(3) and § 170(h) of the Internal Revenue Code as described herein. As a condition of such transfer, the transferee shall agree to all of the restrictions, rights, and provisions herein, and to continue to carry out the Purpose of this Conservation Easement. Assignments shall be accomplished by amendment of this Conservation Easement under paragraph 13. Grantee shall notify Third-Parties at least 60 days prior to any such assignment or transfer.

Columbia, S.C. 29201

11. **Failure of Grantee**. If at any time Grantee is unable or fails to enforce this Conservation Easement, or if Grantee ceases to be a qualified holder hereunder, and if within a reasonable period of time after the occurrence of one of these events the Grantee fails to make an assignment pursuant to paragraph 10, then the Grantee's interest shall become vested in another qualified holder in accordance with an appropriate (e.g., cy pres) proceeding in a court of competent jurisdiction.

12. <u>Subsequent Transfer</u>. Grantors agree to incorporate the terms of this Conservation Easement in any deed or other legal instrument which transfers any interest in all or a portion of the Protected Property. Grantors agree to provide written notice of such transfer to Grantee and Third Parties at least 60 days prior to the date of

transfer. The failure of Grantors to comply with this paragraph shall not impair the validity or enforceability of this Conservation Easement.

13. <u>Amendment</u>. This Conservation Easement may be amended, but only in writing signed by all parties hereto, and provided such amendment does not affect the Purpose of this Conservation Easement or the status of the Grantee under any applicable laws, including S.C. Code Title 7, Chapter. Any amendments must be consistent with the Purposes of this Conservation Easement.

14. <u>Severability</u>. Should any separable part of this Conservation Easement be found void or unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect.

15. **Warranty**. Grantors warrant that they own the Protected Property in fee simple, and that Grantors either own all interests in the Protected Property which may be impaired by the granting of this Conservation Easement or that there are no outstanding mortgages, tax liens, encumbrances, or other interests in the Protected Property which have not been expressly subordinated to this Conservation Easement. Grantors further warrant that Grantee shall have the use of and enjoy all the benefits derived from and arising out of this Conservation Easement.

16. <u>Habendum Clause</u>. To have and to hold, this Easement together with all and singular the appurtenances and privileges belonging or in any way pertaining thereto, either in law or equity, either in possession or expectancy, for the proper use and benefit of the Grantee, its successors and assigns, forever.

<u>NO RESPONSIBILITY OF GRANTEE WITH RESPECT TO PERMIT COMPLIANCE</u>. NOTWITHSTANDING REFERENCES HEREIN TO THE 401 PERMIT AND 404 PERMITS (COLLECTIVELY, THE "PERMITS"), GRANTEE SHALL HAVE NO RESPONSIBILITY, OBLIGATION OR LIABILITY OF ANY KIND OR NATURE TO (A) MONITOR THE PROTECTED PROPERTY OR THE ACTIVITIES OF GRANTORS TO ASSURE COMPLIANCE WITH ANY TERM OR CONDITION OF THE PERMITS, (B) ENFORCE ANY OBLIGATIONS OF GRANTORS OR ANY OTHER PARTY UNDER THE PERMITS, OR (C) TAKE ANY OTHER ACTION OF ANY KIND OR NATURE WITH RESPECT TO ANY TERM OR CONDITION OF THE PERMITS.

[Signature Pages Attached]

IN WITNESS WHEREOF, Grantors and Grantee have executed this Conservation Easement, and the Third-Parties have approved this Conservation Easement, on the date written above. By its execution and acceptance of this Conservation Easement, Grantee accepts the third-party rights of enforcement herein.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

GRANTORS:

LANCASTER COUNTY WATER AND SEWER DISTRICT

(Witness)

Signature:

By: Bradley H. Bucy, District Manager

(Witness)

STATE OF SOUTH CAROLINA)) ss. COUNTY OF _____)

I, a Notary Public, do hereby certify that <u>Bradley H. Bucy, Manager of Lancaster County Water and</u> <u>Sewer District</u> personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of Lancaster County Water and Sewer District.

WITNESS my hand and seal this _____ day of _____, 20___.

Signature of Notary Public)

_(S

(Typed/Printed name of Notary Public)

NOTARY PUBLIC FOR SOUTH CAROLINA My Commission Expires: _____

Continuation of Signature Page For Conservation Easement	UNION COUNTY, NORTH CAROLINA
	Signature:
(Witness)	By: Brian Matthews, County Manager
(Witness)	_
STATE OF NORTH CAROLINA)) s COUNTY OF)	s
COUNTY OF)	
	nat <u>Brian Matthews, County Manager of Union County, North</u> y and acknowledged the due execution of the foregoing instrument
WITNESS my hand and seal this	day of, 20

Signature of Notary Public)

(Typed/Printed name of Notary Public)

_(S

NOTARY PUBLIC FOR NORTH CAROLINA My Commission Expires: _____ **Continuation of Signature Page For Conservation Easement**

GRANTEE: KATAWBA VALLEY LAND TRUST, INC.

Signature:

Andrew Lazenby, Board President

(Witness)

(Witness)

STATE OF SOUTH CAROLINA)) ss. COUNTY OF _____)

I, a Notary Public, do hereby certify that <u>Andrew Lazenby</u>, <u>Board President of Katawba Valley Land</u> <u>Trust</u>, <u>Inc</u>. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this _____ day of _____, 20____.

(Signature of Notary Public)

(Typed/Printed name of Notary Public)

NOTARY PUBLIC FOR SOUTH CAROLINA My Commission Expires:

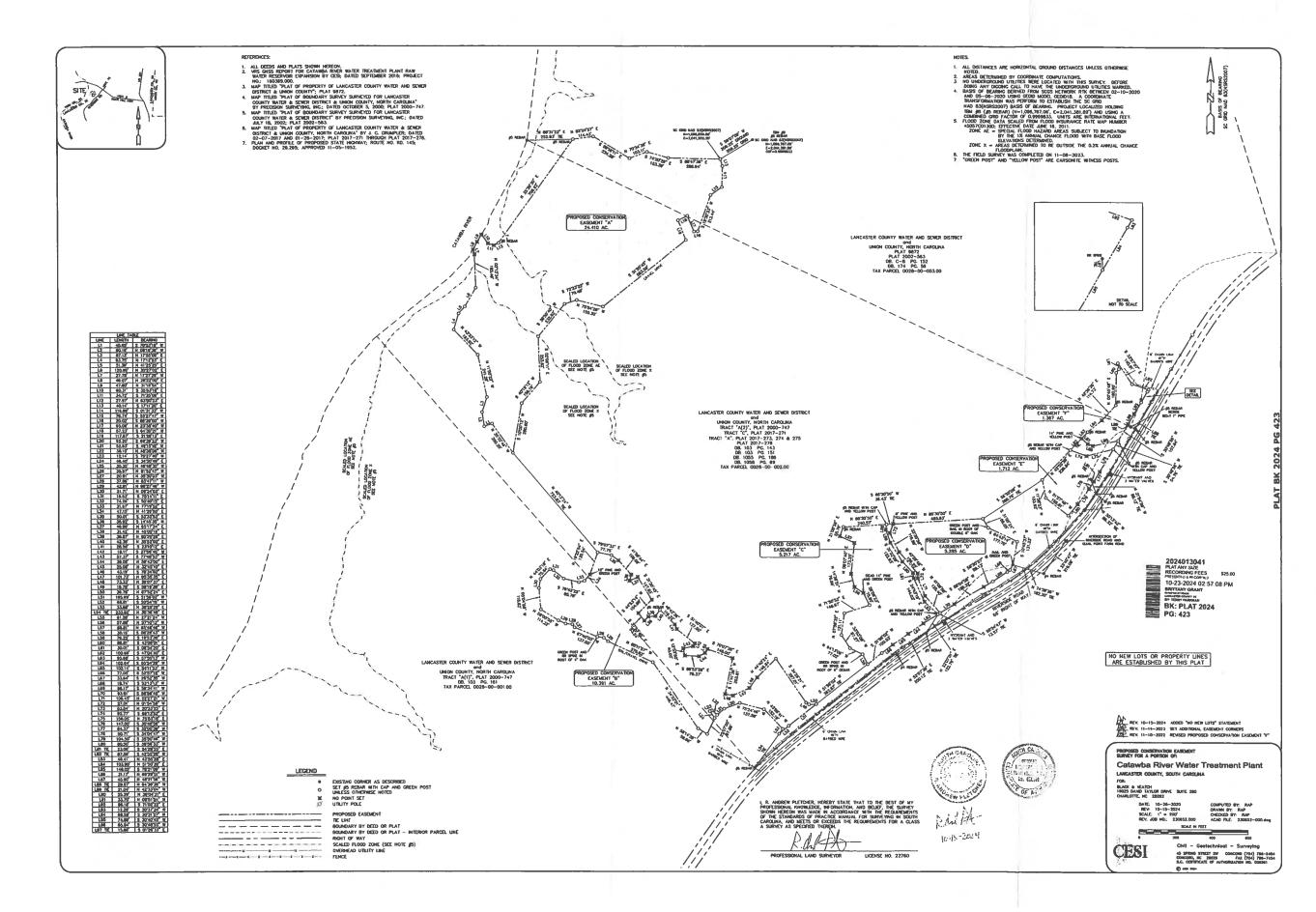
Approval by Third-Parties

S.C. Department of Environmental Services

By:	
Printed Name:	
Its:	

U.S. Army Corps of Engineers

By: ______ Printed Name: ______ Its: _____



C

EXHIBIT A

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

Date: February 27, 2025

To: Driscoll Sheedy P.A. 11520 N. Community House Road, Suite 200 Charlotte, NC 28277 ATTN: Susan E. Driscoll

Re: Search No. 23-2979-A-1

Dear Susan :

- The enclosed title search summary is limited to matters disclosed by the records filed and properly indexed in the record office for Lancaster County South Carolina, and exception is made to any matters or defects which are not disclosed by an examination of said records. The exceptions include, but are not limited to: (a) matters of survey; (b) unrecorded mechanics' liens; (c) matters of record only in federal court records, and (d) roll-back taxes under Title 12, Article 3, S.C. Code. This summary is not an abstract of title.
- (2) The liability of Absolute Title (hereinafter referred to as the Company) arising out of or in connection with this title search summary shall not in any event exceed the sum of Five Hundred Thousand (\$500,000.00) Dollars, whether such liability arises by reason of error, omission, or otherwise.
- (3) The Company will not conduct closings, prepare documents, or perform legal services.

Absolute Title, LLC

ABSOLUTE ABS

TITLE SUMMARY

Report No. 23-2979-A-1

PROPERTY:	TRACT AND A 163.25 KNOW	A AND TRACT VN AS TRACT 143 AND 105	C AS SHOWN O A (2) SHOWN O	IOWN ON PLAT 2017/276; IN PLAT 2017/271-275; TRACT IN PLAT 2007/747 LESS AND IN AS TAX MAP 0028-00-002;			
TITLE EXAMINATION:	COMMERCIA BEGINNING I COMPLETED PURCHASER	DATE: 12/06/2 THROUGH: 0	2/19/2025 @ 8:00) a.m.			
	**INDICATES	CHANGE DU	RING PERIOD SI	EARCHED			
PRESENT OWNER:	LANCASTER COUNTY WATER AND SEWER DISTRICT AND UNION COUNTY NORTH CAROLINA (See Item #1 on Last Page of this Report)						
DERIVATION:	DEED BOOK:	1058	PAGE:	69			
	DATED:	6/2/2017	RECORDED:	6/6/2017			
	GRANTOR: JO	GRANTOR: JOANNE T. VAUGHAN					
	DEED BOOK:	1055	PAGE:	186			
	DATED:	5/24/2017	RECORDED:	6/1/2017			
	under agreen 1989 as amer FAMILY TRUS	nent of GLENI nded 50.75% ST under agre	N COOPER ALEX & CHARLES M. /	STEE OF THE MARTIAL TRUST ANDER dated SEPTEMBER 11, ALEXANDER TRUSTEE of the N COOPER ALEXANDER dated			
	DEED BOOK:	103	PAGE:	151			
	DATED:	12/13/2000	RECORDED:	12/18/2000			
	GRANTOR: C	ATAWBA RIVI	ER ASSOCIATES	#2			
	DEED BOOK:	103	PAGE:	143			
	DATED:	12/13/2000	RECORDED:	12/18/2000			
	GRANTOR: C	ATAWBA RIV	ER ASSOCIATE	S #2 (QUIT-CLAIM)			
MORTGAGES OF RECORD:	NONE – PLEA	SE VERIFY!!					

ABSOLUTE ABS

JUDGMENTS:	NONE
LIS PENDENS:	NONE
MECHANICS LIENS:	NONE
RESTRICTIONS:	NONE (See Item #1 on Last Page of this Report)
EASEMENTS:	THOSE SHOWN ON PLATS
PLATS:	**2024/423 2017/276 2017/271-275 2000/747
OPEN ESTATES:	NONE
STATE TAX LIENS:	SEE ATTACHED STATE TAX LIEN REPORT
FEDERAL TAX LIENS:	NONE
FINANCING STATEMENTS:	NONE
SPECIAL NOTATIONS:	DEED OUT 1055/180 PARCEL B 2017/271-275
	DEEDS IN CHAIN CURRENT OWNER: 1058/69; 1055/186; 103/151; 103/143
REAL PROPERTY TAX DATA:	THE TAX INFORMATION LISTED BELOW IS FOR YOUR REFERENCE ONLY AND IS NOT TO BE RELIED UPON. CONTACT THE COUNTY TREASURER FOR THE CURRENT TAX STATUS. ABSOLUTE TITLE, LLC CANNOT BE HELD RESPONSIBLE FOR INCORRECT INFORMATION.
TAX MAP NUMBER:	0028-00-002
TAX DISTRICT:	01
TAXES PAID THROUGH THE YEAR:	ЕХЕМРТ
AMOUNT PAID:	\$- DATE: -
ROLL-BACK TAXES ALREADY ASSESSED:	CHECK WITH ASSESSOR IF USAGE CHANGE

NOTE: Attention is directed to the fact that changes in use may result in assessment of roll-back taxes under S.C. Code 12-43-220.

ITEM #1 - ABSOLUTE TITLE, LLC makes no representation as to whether restrictions on the property, if any, have been violated, and if there is a forfeiture or reversion of title provision in the restrictions whether a forfeiture or reversion has taken place because of said violation.

ABSOLUTE TITLE, LLC Taylor Sherriff, Abstractor/ts

by: Jaylot Munife

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

EXCEPTION IS TAKEN TO THE FOLLOWING:

- a. Matters not disclosed by an examination of the aforesaid records, which include, but are not limited to, instruments not filed or properly indexed.
- b. The completeness and accuracy of the assessor's and treasurer's records are not certified. There may exist the possibility that additional taxes will be assessed under the roll-back provisions of §12-43-220 of the Code of Laws of S.C., 1976; such taxes and/or any later determined taxes are excepted from this report.
- c. Such state of facts as would be revealed by a recent accurate survey and physical inspection of the property including, but not limited to, possession, boundaries, location of improvements and rights-of-way, public or private easements and encroachments.
- d. Unfiled mechanic's liens and/or materialmen's liens, if the statutory period for filing of any such liens has not expired.
- e. Sewerage charges from any municipal authority, public service district or private utility unrecorded in said RMC or Clerk's Office.
- f. Water bills not recorded in said RMC or Clerk's Office.
- g. All laws, ordinances and government regulations (including, but not limited to, truth in lending and consumer protection laws, building and zoning ordinances, floodway and flood plain determinations) restricting or regulating the character, use, dimensions or locations of any improvements now or, hereafter, erected on the land, prohibiting a separation in ownership, a reduction in dimensions or area of land or the effect of any violation of such law, ordinance or governmental regulation or determination.
- h. Rights of parties in possession.
- i. To judgments or proceedings filed in the Federal Court.
- j. Any environmental protection lien recorded in the public records or filed in the records of the Clerk of the United States District Court for the district in which the land is located or any environmental protection lien provided for by any state statute.

NOTICE:

This report is made solely for the benefit of the client above-named. It is personal to said client and is not transferable, assignable or sellable. No other person or entity is entitled to rely hereon and any liability to third parties is expressly disclaimed.

ABSOLUTE TITLE, LLC

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

SC STATE TAX LIENS - COUNTY RECORDS

<u>COUNTY</u>: LANCASTER

REPORT NO. 23-2979-A-1

NONE

SC STATE TAX LIENS CHECKED ON SCDOR/SCDEW SITE

SEE ATTACHED SEARCH AND RESULT LISTS

DATE CHECKED: **02/27/2025

TIME CHECKED: 8:00 AM

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• Lien ID - View additional SCDEW statewide lien information.

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• Date Satisfied - View lien satisfaction information. Print a screenshot if needed. Liens are satisfied when the debt is paid in full.

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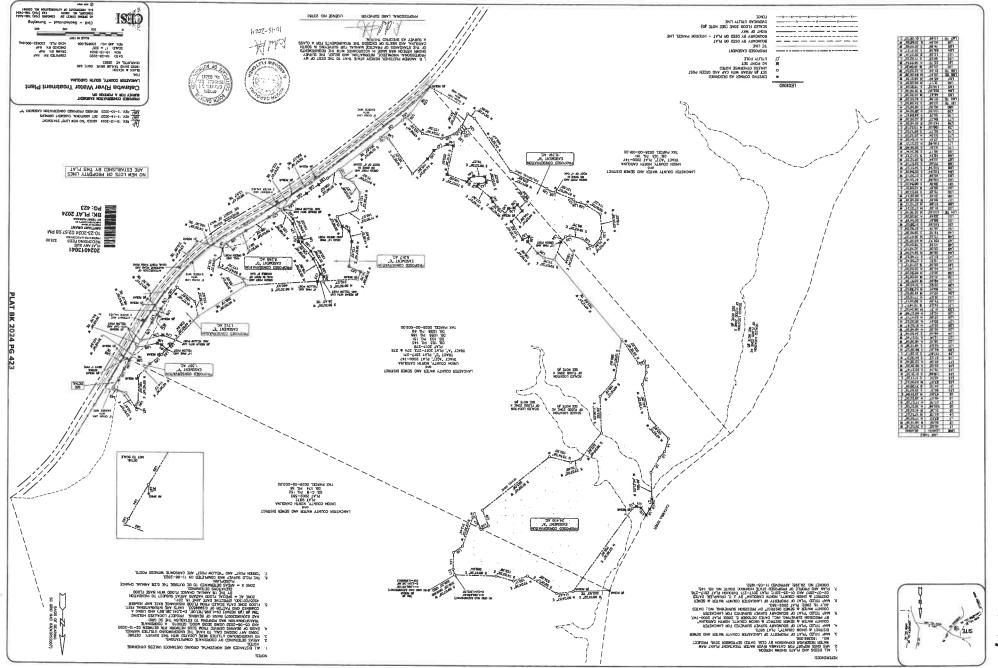
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2024/423

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

Date: February 27, 2025

To: Driscoll Sheedy P.A. 11520 N. Community House Road, Suite 200 Charlotte, NC 28277 ATTN: Susan E. Driscoll

Re: Search No. 23-2979-B-1

Dear Susan:

- The enclosed title search summary is limited to matters disclosed by the records filed and properly indexed in the record office for Lancaster County South Carolina, and exception is made to any matters or defects which are not disclosed by an examination of said records. The exceptions include, but are not limited to: (a) matters of survey; (b) unrecorded mechanics' liens; (c) matters of record only in federal court records, and (d) roll-back taxes under Title 12, Article 3, S.C. Code. This summary is not an abstract of title.
- (2) The liability of Absolute Title (hereinafter referred to as the Company) arising out of or in connection with this title search summary shall not in any event exceed the sum of Five Hundred Thousand (\$500,000.00) Dollars, whether such liability arises by reason of error, omission, or otherwise.
- (3) The Company will not conduct closings, prepare documents, or perform legal services.

Absolute Title, LLC

ABSOLUTE ABS

TITLE SUMMARY

Report No. 23-2979-B-1

PROPERTY:	TRACT CONTAINING 143.75 ACRES AS SHOWN ON PLAT 9872 AND 5.07 ACRES AS SHOWN ON PLAT 2002/563; SHOWN AS TAX MAP 0028-00- 003.00; LANCASTER COUNTY						
TITLE EXAMINATION:	COMMERCIAL UPDATE BEGINNING DATE: 12/06/2023 COMPLETED THROUGH: 02/19/2025 @ 8:00 a.m. PURCHASER NAME SEARCHED: NONE **INDICATES CHANGE DURING PERIOD SEARCHED						
PRESENT OWNER:	LANCASTER COUNTY WATER AND SEWER DISTRICT AND UNION COUNTY NORTH CAROLINA (See Item #1 on Last Page of this Report)						
DERIVATION:	DEED BOOK:	C-8	PAGE:	152			
	DATED:	12/15/1988	RECORDED:	12/16/1988			
	GRANTOR: A	LBERT L. BLAC	KWELL				
	DEED BOOK:	174	PAGE:	56			
	DATED:	10/14/2002	RECORDED:	10/23/2002			
	GRANTOR: J	OANNE T. VAU	IGHN				
MORTGAGES OF RECORD:	NONE - PLEASE VERIFY						
JUDGMENTS:	NONE						
LIS PENDENS:	NONE						
MECHANICS LIENS:	NONE						
RESTRICTIONS:	K-14/53 (See Item #1 on Last Page of this Report)						
EASEMENTS:	C-8/152 IN DEED 935/247 DUKE ENERGY CAROLINAS 936/178 DUKE ENERGY CAROLINAS 988/344 DUKE ENERGY CAROLINAS 1073/214 DUKE ENERGY CAROLINAS 1181/269 DUKE ENERGY CAROLINAS 1181/271 DUKE ENERGY CAROLINAS THOSE SHOWN ON PLATS						

ABSOLUTE ABSOLUTE

PLATS:	9872 2002/563 **2024/423
OPEN ESTATES:	NONE
STATE TAX LIENS:	SEE ATTACHED STATE TAX LIEN REPORT
FEDERAL TAX LIENS:	NONE
FINANCING STATEMENTS:	NONE
SPECIAL NOTATIONS:	T-10/62 LEASE
	NOTE THAT THE TRIANGE PORTIONSHOWN ON PLAT 9872 ON EAST SIDE OF HWY 5 IS NOT SHOWN AS A PORTION OF THIS MAP #
	SEE 23-2979-A FOR DUPLICATE COPIES
	DEED IN CHAIN: 174/56; C-8/152
	L-7/297 CONTRACT OF SALE
REAL PROPERTY TAX DATA:	THE TAX INFORMATION LISTED BELOW IS FOR YOUR REFERENCE ONLY AND IS NOT TO BE RELIED UPON. CONTACT THE COUNTY TREASURER FOR THE CURRENT TAX STATUS. ABSOLUTE TITLE, LLC CANNOT BE HELD RESPONSIBLE FOR INCORRECT INFORMATION.
TAX MAP NUMBER:	0028-00-003.00
TAX DISTRICT:	01
TAXES PAID THROUGH THE YEAR:	EXEMPT PER ASSESSOR INFORMATION
AMOUNT PAID:	\$- DATE: -
ROLL-BACK TAXES ALREADY ASSESSED:	CHECK WITH ASSESSOR IF USAGE CHANGE

NOTE: Attention is directed to the fact that changes in use may result in assessment of roll-back taxes under S.C. Code 12-43-220.

ITEM #1 - ABSOLUTE TITLE, LLC makes no representation as to whether restrictions on the property, if any, have been violated, and if there is a forfeiture or reversion of title provision in the restrictions whether a forfeiture or reversion has taken place because of said violation.

ABSOLUTE TITLE, LLC

Taylor Sherriff, Abstractor/ts

by: Jaynon Merriff

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

EXCEPTION IS TAKEN TO THE FOLLOWING:

- a. Matters not disclosed by an examination of the aforesaid records, which include, but are not limited to, instruments not filed or properly indexed.
- b. The completeness and accuracy of the assessor's and treasurer's records are not certified. There may exist the possibility that additional taxes will be assessed under the roll-back provisions of §12-43-220 of the Code of Laws of S.C., 1976; such taxes and/or any later determined taxes are excepted from this report.
- c. Such state of facts as would be revealed by a recent accurate survey and physical inspection of the property including, but not limited to, possession, boundaries, location of improvements and rights-of-way, public or private easements and encroachments.
- d. Unfiled mechanic's liens and/or materialmen's liens, if the statutory period for filing of any such liens has not expired.
- e. Sewerage charges from any municipal authority, public service district or private utility unrecorded in said RMC or Clerk's Office.
- f. Water bills not recorded in said RMC or Clerk's Office.
- g. All laws, ordinances and government regulations (including, but not limited to, truth in lending and consumer protection laws, building and zoning ordinances, floodway and flood plain determinations) restricting or regulating the character, use, dimensions or locations of any improvements now or, hereafter, erected on the land, prohibiting a separation in ownership, a reduction in dimensions or area of land or the effect of any violation of such law, ordinance or governmental regulation or determination.
- h. Rights of parties in possession.
- i. To judgments or proceedings filed in the Federal Court.
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NOTICE:

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ABSOLUTE TITLE, LLC

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

SC STATE TAX LIENS - COUNTY RECORDS

COUNTY: LANCASTER THROUGH DATE: 02/19/2025 REPORT NO. 23-2979-B-1

NONE

SC STATE TAX LIENS CHECKED ON SCDOR/SCDEW SITE

SEE ATTACHED SEARCH AND RESULT LISTS

DATE CHECKED: **02/27/2025

TIME CHECKED: 8:00 AM

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**SEE 23-2979-A FOR DUPLICATE COPIES

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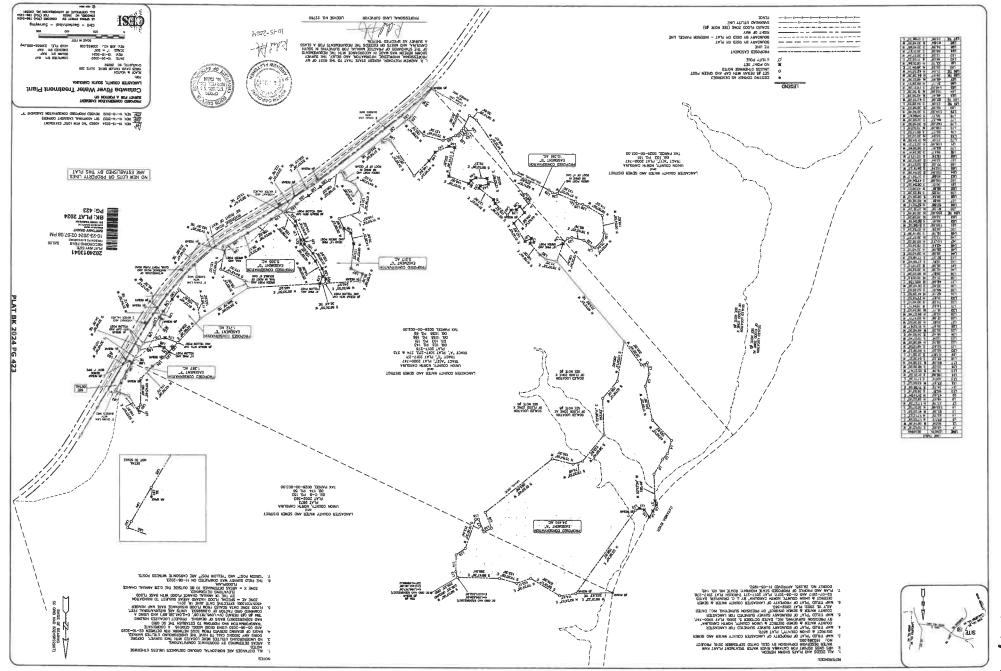
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ABSOLUTE ABS

Absolute Title, LLC

Columbia, South Carolina

Date: February 27, 2025

To: Driscoll Sheedy P.A. 11520 N. Community House Road, Suite 200 Charlotte, NC 28277 ATTN: Susan E. Driscoll

Re: Search No. 23-2979-C-1

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Absolute Title, LLC

ABSOLUTE ABS

TITLE SUMMARY

Report No. 23-2979-C-1

PROPERTY:	PARCEL A(1) CONTAINING 144.93 ACRES AS SHOWN ON PLAT 2000/747; LANCASTER COUNTY					
TITLE EXAMINATION:	COMMERCIAL UPDATE BEGINNING DATE: 12/06/2023 COMPLETED THROUGH: 02/19/2025 @ 8:00 a.m. PURCHASER NAME SEARCHED: NONE					
	**INDICATES	CHANGE DUR	ING PERIOD SI	EARCHED		
PRESENT OWNER:	COUNTY NOP	COUNTY WATI RTH CAROLINA Last Page of this R		DISTRICT AND UNION		
DERIVATION:	DEED BOOK:	103	PAGE:	161		
	DATED:	12/13/2000	RECORDED:	12/18/2000		
	GRANTOR: C	ATAWBA RIVEI	R ASSOCIATES			
MORTGAGES OF RECORD:	NONE – PLEA	SE VERIFY!!				
JUDGMENTS:	NONE					
LIS PENDENS:	NONE					
MECHANICS LIENS:	NONE					
RESTRICTIONS:	NONE (See Item #1 on L	ast Page of this Re	eport)			
EASEMENTS:	THOSE SHOW	N ON PLATS				
PLATS:	2000/747 **2024/423					
OPEN ESTATES:	NONE					
STATE TAX LIENS:	SEE ATTACH	ED STATE TAX	LIEN REPORT			
FEDERAL TAX LIENS:	NONE					
FINANCING STATEMENTS:	NONE					
SPECIAL NOTATIONS:	103/161 PROB Date	ATE AS TO JO	SEPH MCCOY	DATED PRIOR TO DOCUMENT		

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SEE 23-2979-A FOR DUPLICATE COPIES

DEED IN CHAIN: 103/161

REAL PROPERTY TAX DATA:	RELIED UPON. CONTACT	ISTED BELOW IS FOR YOUR REFERENCE ONLY AND IS NOT TO BE THE COUNTY TREASURER FOR THE CURRENT TAX STATUS. NNOT BE HELD RESPONSIBLE FOR INCORRECT INFORMATION.
TAX MAP NUMBER:	0028-00-001.00	
TAX DISTRICT:	01	
TAXES PAID THROUGH THE YEAR:	EXEMPT PER ASSES	SOR INFORMATION
AMOUNT PAID:	\$-	DATE: -
ROLL-BACK TAXES ALREADY ASSESSED:	CHECK WITH ASSES	SOR IF USAGE CHANGE

NOTE: Attention is directed to the fact that changes in use may result in assessment of roll-back taxes under S.C. Code 12-43-220.

ITEM #1 - ABSOLUTE TITLE, LLC makes no representation as to whether restrictions on the property, if any, have been violated, and if there is a forfeiture or reversion of title provision in the restrictions whether a forfeiture or reversion has taken place because of said violation.

ABSOLUTE TITLE, LLC

Taylor Sherriff, Abstractor/ts

by: Jayon Surriff

ABSOLUTE ABSOLUTE

Absolute Title, LLC

Columbia, South Carolina

EXCEPTION IS TAKEN TO THE FOLLOWING:

- a. Matters not disclosed by an examination of the aforesaid records, which include, but are not limited to, instruments not filed or properly indexed.
- b. The completeness and accuracy of the assessor's and treasurer's records are not certified. There may exist the possibility that additional taxes will be assessed under the roll-back provisions of §12-43-220 of the Code of Laws of S.C., 1976; such taxes and/or any later determined taxes are excepted from this report.
- c. Such state of facts as would be revealed by a recent accurate survey and physical inspection of the property including, but not limited to, possession, boundaries, location of improvements and rights-of-way, public or private easements and encroachments.
- d. Unfiled mechanic's liens and/or materialmen's liens, if the statutory period for filing of any such liens has not expired.
- e. Sewerage charges from any municipal authority, public service district or private utility unrecorded in said RMC or Clerk's Office.
- f. Water bills not recorded in said RMC or Clerk's Office.
- g. All laws, ordinances and government regulations (including, but not limited to, truth in lending and consumer protection laws, building and zoning ordinances, floodway and flood plain determinations) restricting or regulating the character, use, dimensions or locations of any improvements now or, hereafter, erected on the land, prohibiting a separation in ownership, a reduction in dimensions or area of land or the effect of any violation of such law, ordinance or governmental regulation or determination.
- h. Rights of parties in possession.
- i. To judgments or proceedings filed in the Federal Court.
- j. Any environmental protection lien recorded in the public records or filed in the records of the Clerk of the United States District Court for the district in which the land is located or any environmental protection lien provided for by any state statute.

NOTICE:

This report is made solely for the benefit of the client above-named. It is personal to said client and is not transferable, assignable or sellable. No other person or entity is entitled to rely hereon and any liability to third parties is expressly disclaimed.

ABSOLUTE TITLE, LLC

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Absolute Title, LLC

Columbia, South Carolina

SC STATE TAX LIENS - COUNTY RECORDS

COUNTY: LANCASTER THROUGH DATE: 02/19/2025 REPORT NO. 23-2979-C-1

NONE

SC STATE TAX LIENS CHECKED ON SCDOR/SCDEW SITE

SEE ATTACHED SEARCH AND RESULT LISTS

DATE CHECKED: **02/27/2025

TIME CHECKED: 8:00 AM

LANCASTER COUNTY WATER & SEWER DISTRICT LANCASTER COUNTY WATER AND SEWER DISTRICT COUNTY OF LANCASTER WATER & SEWER LANCASTER COUNTY WATER & SEWER DISTRICT SOUTH CAROLINA AND UNION COUNTY NORTH CAROLINA UNION COUNTY NORTH CAROLINA

**SEE 23-2979-A FOR COPIES

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Lien ID - View additional SCDEW statewide lien information.

Issued - Where the lien was issued. All liens in this registry are considered statewide liens as of June 1, 2021.

• Date Filed - Date the lien was filed.

Date Satisfied - View lien satisfaction information. Print a screenshot if needed. Liens are satisfied when the debt is paid in full.

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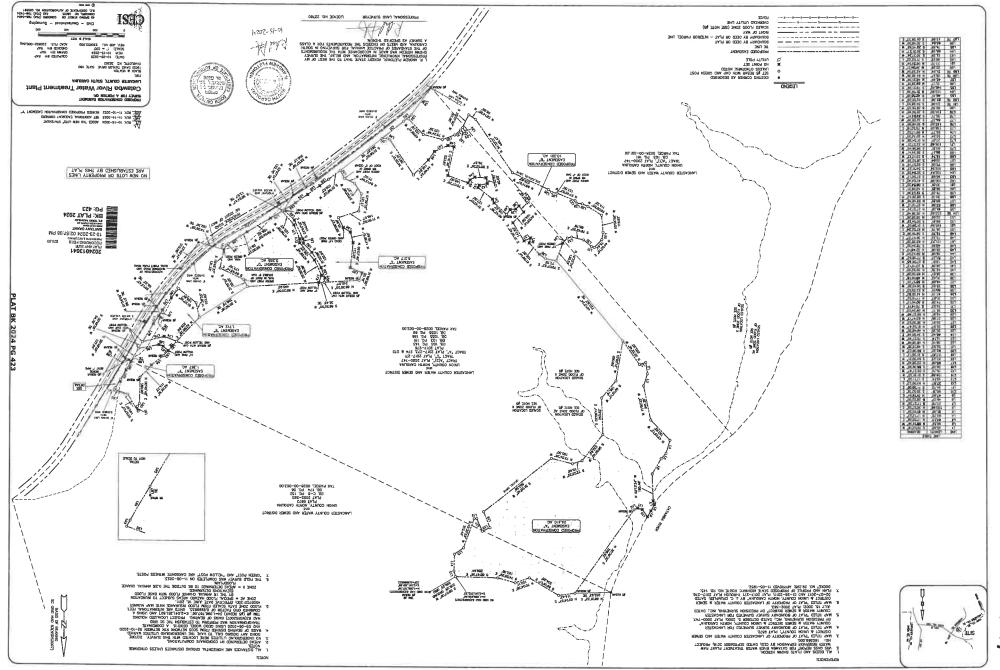
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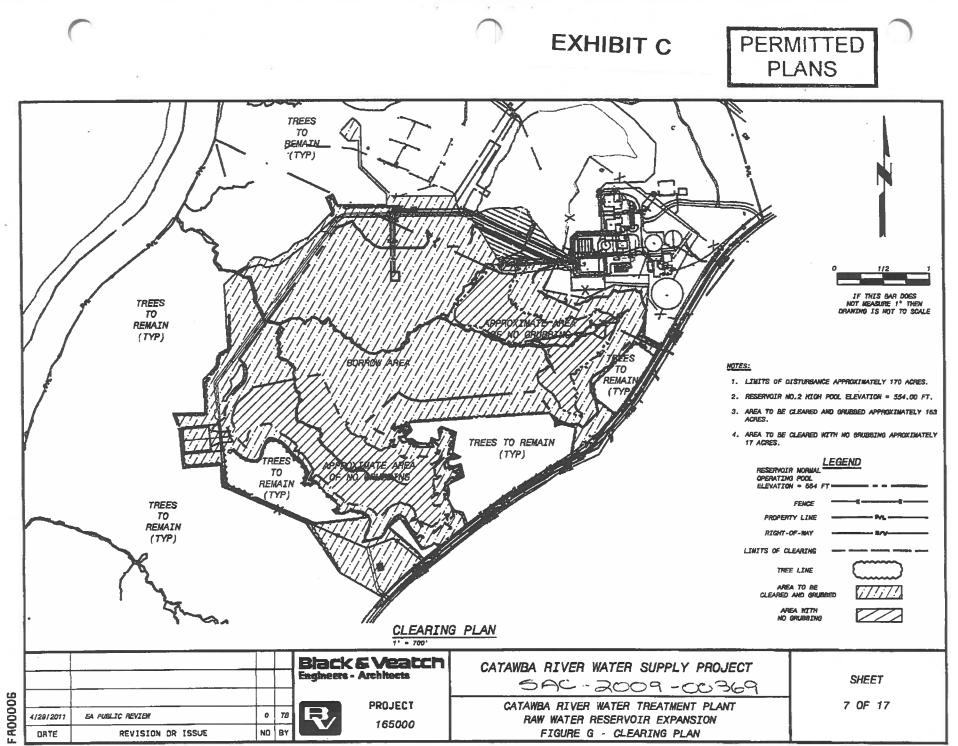
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2024/423



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