

200900001302
T & A

200900001302 EXEMPT
INGRAM MOON
COUNTY CLERK
GREENWOOD COUNTY SC
02-24-2009 02:44 pm.
REC FEE: 10.00

Prepared by: Tinsley & Adams, LLP
418 Main Street, P. O. Box 1506
Greenwood, SC 29648

STATE OF SOUTH CAROLINA

COUNTY OF GREENWOOD

Instrument Book Page
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DEED
Individual

KNOW ALL MEN BY THESE PRESENTS, that **Joseph I. Tolbert, Jr. and Thomas W. Tolbert as Trustees U/W of Joseph L. Tolbert** (hereinafter called "Grantor") for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration, to the Grantor in hand paid at and before the sealing of these presents by **Joseph Lincoln Tolbert, Sr. Family, LLC.** (hereinafter called "Grantee") the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the Grantee, his heirs, successors and assigns:

ROCK HOUSE

TAX MAP NO. 6841-171-681

All that tract or parcel of land containing 1067.1 acres, more or less, located on the Rock House Road, in the City of Greenwood, State of South Carolina, as shown on a plat made by H. B. Kinard, Surveyor, March 10, 1950, recorded in Plat Book 5, Page 67, OCC for Greenwood County, to which reference may be had for a more complete and accurate description.

ALSO: All that tract or parcel of land containing 310.3 acres, more or less, situate on Whitehall Road, known as the Hunt-Dorn tract, in the County of Greenwood, State of South Carolina, being the remainder of a tract originally containing 457.3 acres, more or less.

ALSO: All that tract of land containing 285 acres, more or less, known as the McGowan Tract, situate in the County of Greenwood, State of South Carolina, bounded as follows: north, now or formerly by property of T. P. Tolbert; East by Hunt and Seymour tracts; South by Mosely Place; and West by property of Ellias Tolbert.

This is a portion of the property conveyed to Louise Tolbert by deed of Louise Tolbert, as Executrix and Trustee u/w of Joseph L. Tolbert, deceased and Joseph L. Tolbert, Jr., and Thomas W. Tolbert, as Trustees u/w of Joseph L. Tolbert dated July 29, 1986 and recorded in Deed Book 318 at Page 307 in the Office of the Clerk of Court for Greenwood County. The said Louise Tolbert died testate April 27, 2005 as will more fully appear by record to Estate File 2005-ES-24 00204.

Grantee's Mailing Address: 1823 Apple Tree Lane, Fort Mill, SC 29715-9791

This conveyance is made subject to easements and restrictions of record and otherwise affecting the property.

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

TO HAVE AND TO HOLD, all and Singular the said Premises before mentioned unto the said Grantee, his Heirs, Successors and Assigns forever.

And the Grantor does hereby bind himself and his heirs, successors and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee, his Heirs, Successors and Assigns against him and his heirs, successors and assigns, and any person whomsoever lawfully claiming, or to claim the same, or any part thereof.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal.

DATE: February 12th, 2009

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Klaire M. Leite
Witness #1

[Signature]
Witness #2

Joseph L. Tolbert, Jr., Trustee
JOSEPH L. TOLBERT, JR., TRUSTEE
Thomas W. Tolbert, Trustee
THOMAS W. TOLBERT, TRUSTEE

STATE OF SOUTH CAROLINA

PROBATE

COUNTY OF GREENWOOD

PERSONALLY appeared before me the undersigned witness who, being first duly sworn, says that (s)he saw the within-named Grantor sign, seal, and deliver the within Deed; and that (s)he with the other witness whose signature appears above, witnessed the execution thereof.

Klaire M. Leite
Witness #1

Sworn to before me February 12th, 2009

[Signature]
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 10/24/11

STATE OF SOUTH CAROLINA)

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COUNTY OF GREENWOOD)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

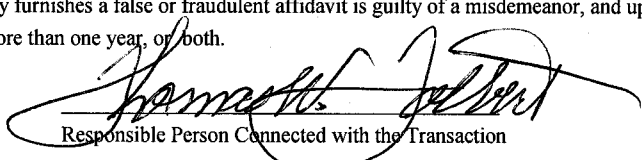
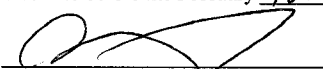
PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located at 1688.70 acres bearing GREENWOOD County Tax Map Number 6841-171-681 was transferred by Joseph I. Tolbert, Jr. and Thomas W. Tolbert as Trustees U/W of Joseph L. Tolbert to Joseph Lincoln Tolbert, Sr. Family, LLC. on February _____, 2009
3. Check one of the following: The Deed is:
 - (a) _____ 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 a distribution to a trust beneficiary.
 - (c) x Exempt from the deed recording fee because (See information section of affidavit):

(If Exempt, please skip items 4-7 and go to item 8 of this affidavit)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit).
 - (a) _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of _____
 - (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 _____ 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) Place the amount listed in item 4 above here: -0-
 - (b) Place the amount listed in item 5 above here: _____
(if no amount is listed, place zero here)
 - (c) Subtract Line 6(b) from Line 6(a) and place result here -0-
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: _____
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: _____
9. 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 not more than one year, or both.


Responsible Person Connected with the TransactionSworn to before me February 12, 2009
Notary Public for South CarolinaMy Commission Expires: 10/24/12_____
Print or Type Name Here

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, the other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are Deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A 'family partnership' is a partnership whose partners are all members of the same family. A 'family trust' is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. 'Family' means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A 'charitable entity' means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided no consideration of any kind is paid or to be paid for the corrective or quitclaim deed;
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceedings.
- (14) Transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time the original purchase as well as for the purpose of purchasing the realty
- (15) Transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.