

OCONEE COUNTY

STATE TAX _____

COUNTY TAX _____

EXEMPT ☒ _____

Doc ID: 001056440004 Type: DEE
BK 1523 PG 74-77

TITLE TO REAL ESTATE

Prepared by: Collins & Collins, P.A., Attorneys at Law PO Box 25726 Greenville, SC 29616-0726	Return to: Kristina M. Austin 143 Steeplechase Belton, SC 29627 <i>env. 1000</i> <i>002660</i>
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STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

GENERAL WARRANTY DEED

(No Title Search or Opinion by Deed Preparer)

KNOW ALL MEN BY THESE PRESENTS, that the Grantor(s), **KRISTINA M. AUSTIN**, in consideration of \$1.00, love and affection, the receipt of which is hereby acknowledged, have/has granted, bargained, sold and released, and by these presents do/does grant, bargain, sell and release unto **AUSTIN GARDEN, LLC, a South Carolina Limited Liability Company**, its successors and assigns forever:

All that certain piece, parcel or lots of land situate, lying and being in the State of South Carolina, County of Oconee, being know and designated as Lots No. Five (5) and Six (6), Chastain Subdivision Lake Becky, as shown on a plat prepared by Stephen R. Edwards, SC PLS #19881, dated March 1, 2005, of record in the Office of the Register of Deeds for Oconee County, South Carolina in Book B53 at Page 10. Said lots being bounded in the aggregate on the Northeast by Lot No. Seven (7), on the Southeast by Lake Becky Road, on the Southwest by Lot No. Five (5) and on the Northwest by Lake Becky.

This being the same property conveyed unto Kristina M. Austin by deed of Sarah A. Prater, Doyle E. Coker and Aynur E. Coker dated March 4, 2005, recorded March 4, 2005, in the Office of the Register of Deeds for Oconee County, S.C., in Deed Book 1405 at Page 54.

It is mutually understood and agreed that this conveyance is made subject to the protective Covenants and restrictions as will appear in Deed Book 9-T at Page 127 in the Office of the Register of Deeds, Oconee County, South Carolina.

This conveyance is made subject to Easements, Restrictions, Covenants, and Conditions of record, including matters shown on recorded plats.

Tax Map No. 082-00-02-108

Grantee's Mailing Address: 143 Steeplechase
Belton, SC 29627

THIS PROPERTY DESIGNATED AS
MAP 082 SUB CC BLK 02 PARC 108
ON OCONEE COUNTY TAX MAPS

Heather Smith
OCONEE COUNTY ASSESSOR

Recorded this 11th day of Aug
Book 1523 Page 74-77
Fee _____
Hinda R. Trip
Auditors Oconee County, S.C.

FILED FOR RECORD
OCONEE COUNTY, S.C.
REGISTER OF DEEDS
2005 AUG 10 A 11:17

TOGETHER WITH all and singular the rights, members, hereditaments and appurtenances to said premises belonging, or in any wise incident or appertaining;

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee(s), and the Grantee's(s') heirs or successors and assigns forever.

AND THE GRANTOR(S) do(es) hereby bind the Grantor(s) and the Grantor's(s') heirs or successors, personal representatives, executors, and administrators to warrant and forever defend all and singular the said premises unto the Grantee(s) and the Grantee's(s') heirs or successors and assigns against the Grantor(s) and the Grantor's(s') heirs or successors and assigns and against all other persons whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantor's (s') hand(s) and seal(s) this 4th day of August, 2006.

SIGNED, sealed and delivered
in the presence of:

[Signature]

Kristina M. Austin (SEAL)
KRISTINA M. AUSTIN

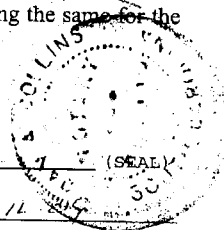
Cynthia M. Spera

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

ACKNOWLEDGMENT

On the 4th day of August, 2006, before me, the undersigned Notary Public in and for said County and State, personally appeared Kristina M. Austin, personally known to me to be the person(s) who executed the foregoing instrument, and acknowledged executing the same for the uses and purposes and consideration stated therein.

[Signature]
Notary Public for South Carolina
My commission expires: 5/12/09



STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

AFFIDAVIT

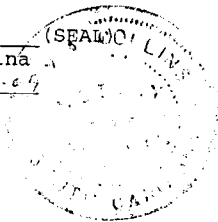
PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property was transferred by Kristina M. Austin to Austin Garden, LLC, a South Carolina Limited Liability Company.
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 in the amount of \$ _____.
 - (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. The fee is computed on the fair market value of the realty which is \$ _____.
 - (C) X EXEMPT from the deed recording fee because (See Exemptions attached) Exemption No. 8.
4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Grantor.
5. 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.

Kristina M. Austin
KRISTINA M. AUSTIN
Responsible Person Connected with the
Transaction

SWORN TO before me this
4th day of August, 2006.

[Signature]
Notary Public for South Carolina
My Commission Expires: 5-12-09



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, 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 the 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 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;
- (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 that no consideration of any kind is paid or is to be paid under 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 mortgagee or deed pursuant to foreclosure proceeding;
- (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 of 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.