

Due to the current Novel Coronavirus pandemic and the ongoing state of emergency, the general public will not be permitted to attend this meeting in person.

*To ensure the meeting remains open to the public, however, the public may observe the meeting live on the County's YouTube channel, which can be found via the County's website at Oconeesc.com. Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **886 5154 1450**.*



A G E N D A

OCONEE COUNTY CONSERVATION BANK BOARD

May 19, 2020

9:00 AM

**Oconee County Administrative Offices
Council Chambers, 415 South Pine Street, Walhalla, SC**

1. Call to Order
2. Approval of Minutes
 - February 25, 2020
3. Treasurer's Report *[handouts provided]*
 - February 2020
 - March 2020
 - April 2020
4. Discussion Items:
 - Continued discussion regarding Alternate Funding Sources
5. Unfinished / Old Business
6. New Business
 - New Application from Chapman Bridge Oconee Bell Preserve
 - TMS: 047-00-01-001, 047-00-01-017, 056-00-02-001
 - New Application from Elaine Morris
 - TMS: 036-00-02-007, 036-00-02-008
 - New Application from Gary Lyle
 - TMS: 188-00-01-004, 188-00-01-022
7. Adjourn

[This agenda is not inclusive of all issues which the board may bring up for discussion at this meeting.]

There will not be any Public Comment session at this meeting.



**OCONEE COUNTY
CONSERVATION BANK BOARD**

415 South Pine Street
Walhalla, SC 29691
c/o Clerk to Council

Treasurer's Report

Community First Bank Account: *****183

Period Ending: February 29, 2020

Month Opening Balance \$15,660.00

DEPOSITS

Deposit
TOTAL DEPOSITS \$0.00

EXPENDITURES

TOTAL EXPENDITURES \$0.00

BALANCE IN ACCOUNT
AS OF PERIOD ENDING DATE **\$15,660.00**

Report Submitted by:

Laura Havran

Laura Havran

Oconee County Conservation Bank Board Treasurer



OCONEE COUNTY
CONSERVATION BANK BOARD

415 South Pine Street
Walhalla, SC 29691
c/o Clerk to Council

Treasurer's Report

Community First Bank Account: *****183

Period Ending: March 31, 2020

Month Opening Balance \$15,660.00

DEPOSITS

Deposit
TOTAL DEPOSITS \$0.00

EXPENDITURES

TOTAL EXPENDITURES \$0.00

BALANCE IN ACCOUNT
AS OF PERIOD ENDING DATE **\$15,660.00**

Report Submitted by:


Laura Havran

Oconee County Conservation Bank Board Treasurer



OCONEE COUNTY
CONSERVATION BANK BOARD

415 South Pine Street
Walhalla, SC 29691
c/o Clerk to Council

Treasurer's Report

Community First Bank Account: *****183

Period Ending: April 30, 2020

Month Opening Balance \$15,660.00

DEPOSITS

Deposit

TOTAL DEPOSITS \$1,150.00

EXPENDITURES

TOTAL EXPENDITURES \$0.00

BALANCE IN ACCOUNT

AS OF PERIOD ENDING DATE **\$16,810.00**

Report Submitted by:

Handwritten signature of Laura Havran in cursive script.

Laura Havran
Oconee County Conservation Bank Board Treasurer



**OCONEE COUNTY
CONSERVATION BANK BOARD**

415 South Pine Street
Walhalla, SC 29691
c/o Clerk to Council

Treasurer's Report
Local Government Investment Pool

Period Ending: February 29, 2020

DEPOSITS

Month Opening Balance \$539,878.57

EXPENDITURES

Expenditures \$0.00

Reinvestments [Interest] \$747.66

BALANCE IN ACCOUNT

AS OF PERIOD ENDING DATE

\$540,626.23

Report Submitted by:



Laura Havran

Oconee County Conservation Bank Board Treasurer



OCONEE COUNTY
CONSERVATION BANK BOARD

415 South Pine Street
Walhalla, SC 29691
c/o Clerk to Council

Treasurer's Report
Local Government Investment Pool

Period Ending: March 31, 2020

DEPOSITS

Month Opening Balance \$540,626.23

EXPENDITURES

Expenditures \$0.00

Reinvestments [Interest] \$725.97

BALANCE IN ACCOUNT

AS OF PERIOD ENDING DATE

\$541,352.20

Report Submitted by:

A handwritten signature in cursive script, appearing to read "Laura Havran", is written over a horizontal line.

Laura Havran

Oconee County Conservation Bank Board Treasurer



OCONEE COUNTY CONSERVATION BANK BOARD

415 South Pine Street
Walhalla, SC 29691
c/o Clerk to Council

Treasurer's Report Local Government Investment Pool

Period Ending: April 30, 2020

DEPOSITS

Month Opening Balance	\$541,352.20
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EXPENDITURES

Expenditures	\$0.00
Reinvestments [Interest]	\$622.39

BALANCE IN ACCOUNT

AS OF PERIOD ENDING DATE	\$541,974.59
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Report Submitted by:

Laura Havran

Oconee County Conservation Bank Board Treasurer



Oconee County Conservation Bank Application for Funding

Oconee County, South Carolina

Completed Application to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or

via email: councilclerkinfo@oconeesc.com

SECTION I

I. General Information:

Acquisition type: Fee Simple ___ Conservation Easement

Landowner's Name Cliffs Timber LLC

Mailing Address: 1400 16th St, Suite 320 Denver, CO 80202

Daytime Telephones () Pat McNamara (agent) 864-270-8726

Eligible OCCB Recipient Seeking Funding
(See Oconee County Ordinance 2011-16, Section II, G)

Name of Organization Naturaland Trust

Authorized Agent Name: Mac Stone - Executive Director

Mailing Address: PO Box 728 Greenville SC 29602

Daytime Telephones () 352 359 0013

II. Property Information

Legal Description

County: Oconee

Tax Map # 047-00-01-001,
portion of 056-00-02-001,
portion of 047-00-01-017

Assessor's Plat & Lot Numbers:

Map Plat B A689 Map Plat P 10

Deed Reference [Book & Page]

2449/75

Current Zoning Classification

CW

Location on County Map (attach copy as **EXHIBIT A**)

Brief description of property including:

a. Total Acres	220
b. Total Forested	218
c. Total Cleared / Open	1.2 (cleared parking area)
d. Total Wetlands	
e. Creeks and/or Rivers	4,900 ft on unnamed blueline stream

Please include any surveys, USGS maps, directions, county locator map, or any other pertinent information.

III. Miscellaneous Information:

Who is the Party responsible for managing the land?

Name Naturaland Trust - Mac Stone

Address: PO Box 728 Greenville SC 29602

Telephone Number 352 359 0013

Who is responsible for enforcing any conservation easements or other restrictions on this property?

Name _____

Address: _____

Telephone Number _____

IV. Adjoining landowners.

Adjoining landowners must be notified of this grant request by Oconee County ordinance. Please attach an affidavit that all adjoining landowners have been notified.



Signature of Eligible OCCB Recipient (Applicant)

03/16/20

Date

Section II
To be filled out by the landowner

1. Has the Eligible OCCB Recipient seeking funding notified you in writing:
(See Oconee County Ordinance 2011-16, Section VII)
- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests from the landowner to the eligible trust fund.
- yes no
- b. That it may be in the landowner's best interests to retain independent legal counsel, appraisals, and other professional advice.
- yes no

2. Are there any existing liens, mortgages, or encumbrances that currently exist on this property?

yes no If yes, please explain below:

Mortgage will be released upon sale of property.

Oconee County Conservation Bank—Landowner Inspection Consent Agreement.

I, Stewart Tate, as the landowner or landowner's agent agree to allow inspection, or appraisal if necessary, of the property being presented to the OCCB Board for consideration. I agree to allow authorized or designated agent or staff to inspect this property as may be required. Reasonable notice of inspection will be given.

Stewart Tate, Operating Member
Signature of Landowner/Agent

3/23/20
Date

Section III

To be filled out by the Eligible OCCB Recipient seeking funding (Applicant)

Organization Name Naturaland Trust

Address PO Box 728 Greenville SC 29602

Daytime Telephones () 352 359 0013

Contact Person Mac Stone - Executive Director

Organization EIN Number: 23-7293632

NOTE: You are required to attach certification that this is a charitable not-for-profit corporation or trust authorized to do business in this state; whose principal activity is the acquisition and management of land for conservation or historic purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986 or Certification that the applicant is an otherwise qualified entity under Oconee County Ordinance 2011-16, Section II and Section VII.

How will you be able to complete the project and acquire the interests in the proposed lands?

This project is for a fee simple purchase of land. We have a purchase option on the property that expires at the end of July. Naturaland Trust will raise the remaining funds needed to close on the property during the option period.

How many total acres of lands or projects have you preserved in this State? In this County?

Naturaland Trust has played a key role in protecting over 100,000 acres since its inception over 45 years ago.

Briefly describe the lands your organization has preserved in this State, and then County, including their size, location and method of preservation. Note: this section need not be complied with for specific preserved lands if the privacy or proprietary interests of the owners of such preserved lands would be violated.)

Naturaland Trust was actively involved in the preservation of the Mountain Bridge Wilderness, the Greenville Watershed, Asbury Hills, Raven Cliff Falls, the Jocassee Gorges, Stumphouse Mountain and Nine Times Forest, among many others. Currently, we own and manage over 7,000 acres. Naturaland Trust raises funding to purchase land fee-simple and frequently donates it to the state for addition to Parks and SCDNR lands.

Has the Eligible OCCB Recipient notified the owner of the land that is the subject of the potential OCCB grant of the following in writing? (See Oconee County Ordinance 2011-16, Section VII)

a. That interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or it assignees.

Yes

b. That it may be in the landowner's interest to retain independent legal counsel, appraisals and other professional advice.

Note: Applications not having affirmation that the notice requirement of this section has been met will not be considered for funding requests.

Does the Eligible OCCB Recipient or the landowner have a general summarized land management plan for this proposal? If so, please attach.

yes no

Explain how the Eligible OCCB Recipient intends to enforce the easement restrictions on this proposal, if a conservation easement is proposed. Attach additional sheet if necessary.

This application is for a fee-simple purchase, though Naturaland Trust has a full-time Executive Director who handles land issues.

Does the Eligible OCCB Recipient agree that OCCB funds may only be used for the acquisition of interests in land including closing costs and not for management, planning, staffing, or any costs not associated with the purchase of interests in lands?

yes no

Does the Eligible OCCB Recipient have reasonable documentation to support this request? Please attach.


The proposal will not be considered without adequate substantiation of estimated Fair Market Value and a qualified and competent appraisal establishing fair market value and/or the value of the proposed easement will subsequently be required prior to closing.
(See Oconee County Ordinance 2011-16, Section VII,B,f)

yes no

What is the amount of support sought for this proposal?

\$ 88,000 (10% of appraised value)

Explain how this proposal will satisfy the Criteria listed in Sections Four and Five of the ensuing pages. **(Please attach a narrative of what your intended plans are and how you plan to accomplish them.)**



Signature of Authorized Agent for Eligible OCCB Recipient (Applicant)

Notary Signature

My commission expires: 11/21/21



Section IV
Conservation Criteria
Oconee County Ordinance 2011-16, Section VI
Information to be considered in filling out the application

1. Does the property contain or adjoin wetlands? Yes _____ No X **But myriad springs, seeps and streams**
If yes, please attach certification by USACOE or NRCS.
2. Does the property contain or adjoin a USGS Blue Line Stream or Lake? **YES**
If yes, please provide USGS topographic map showing such stream or lake in relation to property.
3. Does the property contain or adjoin Water Classified as either (i) Outstanding Natural Resource Water (ii) Outstanding Resource Water or (iii) Trout Water, by South Carolina DHEC. **NO**
If yes, please provide evidence of such classification by SC DHEC.
4. Does the property currently contain threatened or endangered species or habitat suitable for threatened or endangered species? **YES**
If yes, please provide a certification by SC DNR, NRCS, USFS or other qualified professional providing evidence of such species existence on the property or of such habitat suitability.
5. Does the property currently contain native wildlife species or habitat suitable for native wildlife species? **YES**
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such species existence on the property of such habitat suitability.
6. Does the property currently contain special or concentrated biodiversity? **YES**
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such biodiversity on the property.
7. Does the property currently contain a unique geological feature, such as a mountain, rock outcropping, waterfall or other similar feature? **YES**
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such geological feature on the property.

8. Does the property share a boundary with other Protected Land? For purposes of this question, "Protected Land" includes any land or byway substantially protected from development or designated as scenic or protected through any federal, state, or local act.

(a) If yes, what percentage of a boundary is shared with such Protected Land?

_____ 1%-25% **NO, it is separated from protected land by a power line ROW.**

_____ 26%-50%

_____ Greater than 50%

(b) If yes, please describe the Protected Land and present a legible map showing such Protected Land in relation to the property.

9. Does the property contain any of the following pre-historic or historic features or designations?

NO (a) Listing on the National Historic Register? If yes, please provide a letter or other evidence from the Department of the Interior demonstrating such listing.

NO (b) Eligible for listing on the National Historic Register? If yes, please provide a letter or other evidence from the SC State Historic Preservation Office demonstrating such eligibility.

NO (c) Contains historic or pre-historic structures? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the structure(s) on the property.

NO (d) Contains a site of historic or pre-historic significance? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the site(s) on the property.

10. Does the property contain fifty percent (50%) or greater surface area of soils classified as Prime or Important by the State of South Carolina? **NO**

(a) If yes, what percentage of the property contains soils classified as Prime or Important by the State of South Carolina?

_____ 50%-60%

_____ 61%-75%

_____ Greater than 75 %

(b) If yes, please provide a legible soil overlay map showing such Prime or Important soil types upon the property.

11. Has the property been Actively Farmed as defined under one of the following qualifications?

- NO** (a) The landowner has filed IRS Form Schedule F in the previous two tax years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application;
- NO** (b) The landowner has filed IRS Form Schedule F in seven of the last ten years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application; or
- NO** (c) The landowner can produce documentation demonstrating that the landowner has produced significant agricultural products in Oconee County in the last two years? If yes, please provide such documentation and a notarized statement affirming that such farming activities pertained to the property referred to in this application.

12. Does the property allow public viewing:

- YES** (a) ...from a Federal, State or County maintained road? If yes, please provide documentation describing precise location of point along a Federal, State or County Road where property is visible. Include a photograph taken from this point.
- (b) ...from any other public access land or waterway? If yes, please provide documentation describing precise location of point along such public access land or waterway where property is visible. Include a photograph taken from this point.

13. Does the property provide a Scenic View to the public or help maintain the Scenic Nature of an area in the County? For purposes of this question, a Scenic View includes mountain, river, lake, forest, pasture, agricultural and other pastoral views which are viewable by the public from a public roadway or other publically accessible area. **YES**

If yes, please provide photograph evidence to support the Scenic View, a description of the Scenic View and a description of the specific locations with map references from which the public may observe the Scenic View.

14. Does the proposal for the conservation project on the Property allow...

- (a) ...Limited Access by the public to the property? For purposes of this question, Limited Access means any access which is less than access on a year round and continual basis, but allows access by the public for some limited time or seasonal period(s). **YES**

If yes, please provide documentation supporting such Limited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public.

- (b) ...Unlimited Access by the public to the property? For purposes of this question, Unlimited Access means any access which provides the public access to the property on a year round and continual basis and, additionally, requires that such access is (or will be) communicated to the public. **YES**

If yes, please provide documentation supporting such Unlimited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public. In addition, please provide evidence that the Unlimited Access is (or will be) reasonably communicated to Oconee County citizens.

15. Is the property located in any one or more of the following locations? If yes, for each such location please provide an aerial map and supporting documentation which demonstrates such location in relation to the relevant municipality or other land.

- (a) Is the property located within or adjacent to land of the United States Forest Service, a South Carolina State Forest, a State Park, a County Park or a Park of Municipality located in Oconee County, South Carolina? **YES, very close**
- (b) Is the property located within 1 mile of a municipality?
- (c) Is the property located from 2-5 miles of a municipality? **YES, Salem, SC**
- (d) Is the property located greater than 5 miles from a municipality?

16. What is the approximate size (in acres) of the property? Please provide documentation to support the stated acreage, including survey(s), tax information, deeds or other similar documentation.

This property is comprised of several parcels and is approximately 220 acres.

Section V - Financial Criteria
Oconee County Ordinance 2011-16 Section VI
Information to be considered in filling out the application

1. (a) What is the Total Market Value of the proposed conservation project? \$880,000
(Total Market Value for a fee simple project is the total fair market value of the property as supported by a current appraisal. Total Market Value for a conservation easement project is the value of the conservation easement as determined under the methods prescribed in IRS Treasury Regulations 1.170A-14(h) as supported by a current appraisal.)

(b) What is the amount of the grant requested from the OCCB? \$88,000

Based on the figures above, what is the total percentage of funding requested for the project from the OCCB. *(Divide Sum (b) by Sum (a) to Find Percentage)?* 10%

2. Please list and describe any other grants, contributions or gifts from any non-governmental agencies, groups, entities or individuals which will support the proposed conservation project?
We have a pending grant with the SC Conservation Bank. We will also submit other grants to our local foundations and partners.

For any listed grant, contribution or gift, please provide evidence or a written pledge of such support from the relevant non-governmental party.

3. How does the proposal present a unique value opportunity in that it protects land at a reasonable cost? Parcel:

 X is available at a low cost per acre

 is available from a willing seller at a reasonable price

4. How does the proposal leverage OCCB funds by including funding or in-kind assets or services from other governmental sources?

Have matching funds of any kind or services-in-kind been applied for or received? **We have a pending grant with the SC Conservation Bank. We will also submit other grants to our local foundations and partners.**

Please explain and described the in-kind services or amount of financial support applied for or r received. Please also provide written documentation to support such application or receipt of such support.

5. Please describe any other financial advantage of the proposed conservation project which helps ensure that the project represents a good use of limited OCCB funds and/or provides a good return on investment for the citizens of Oconee County?

Please explain any other such financial advantage and provide documentation to support your answer to this question.

This is for fee simple purchase, but the OCCB, at \$88,000, will be spending \$400/acre to help protect this important property.

APPENDIX - NARRATIVE

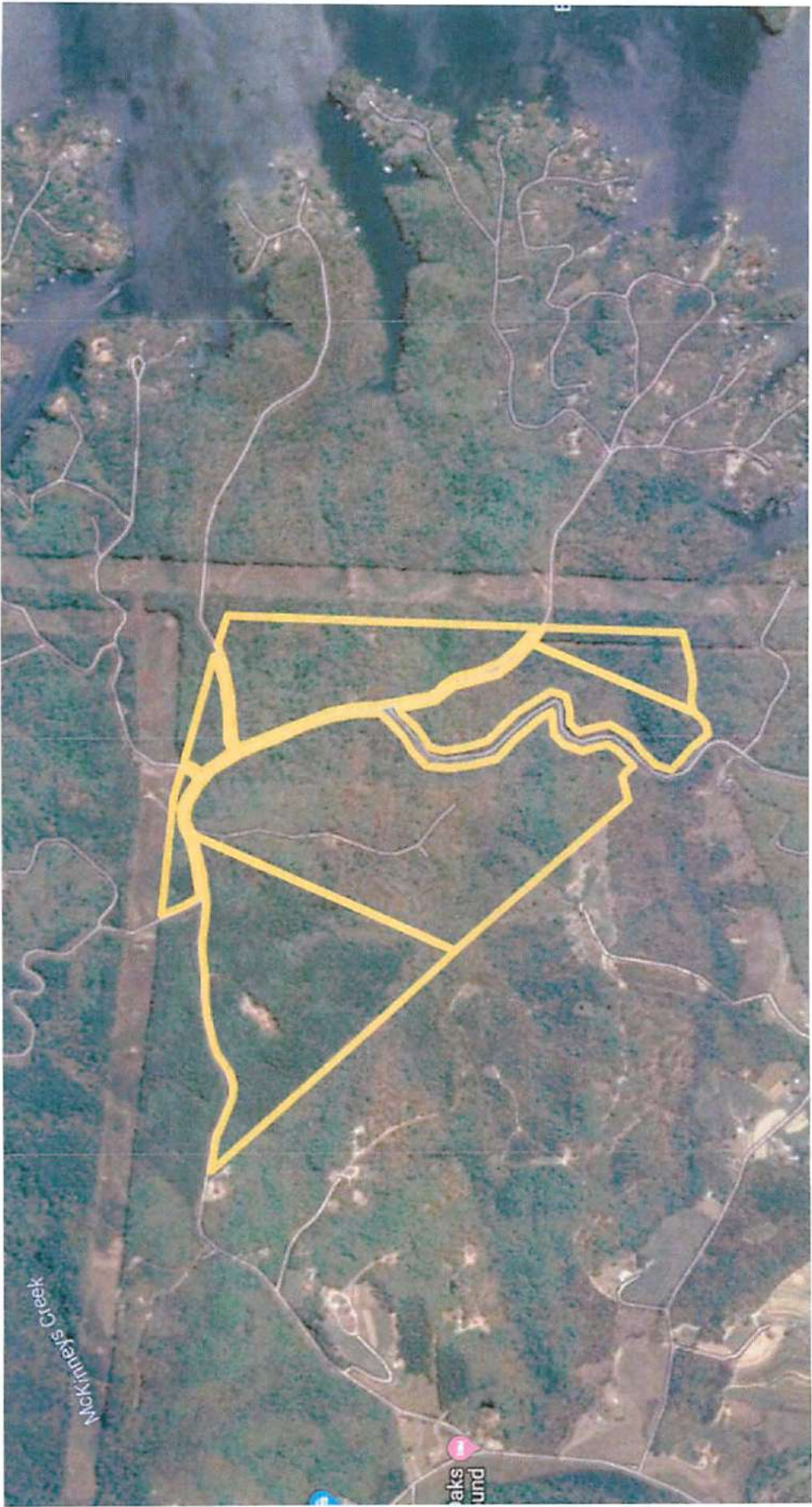
CHAPMAN BRIDGE OCONEE BELL PRESERVE

The 220-acre Chapman Bridge Oconee Bell Preserve builds on the McKinney Creek and Boones Creek Oconee Bell Preserves, located just north of Scenic Highway 11, near Devil's Fork State Park, Sumter National Forest, Lake Jocassee and Lake Keowee. Many of the tributaries that feed Lake Keowee are unprotected, contain rare and endangered species, are vulnerable to development, and pose a threat to the Lake Keowee watershed and public drinking supply if they were developed in a damaging way. The tributary that runs through this property is also the critical habitat for the Oconee Bell, the signature species of the Jocassee and Keowee watersheds.

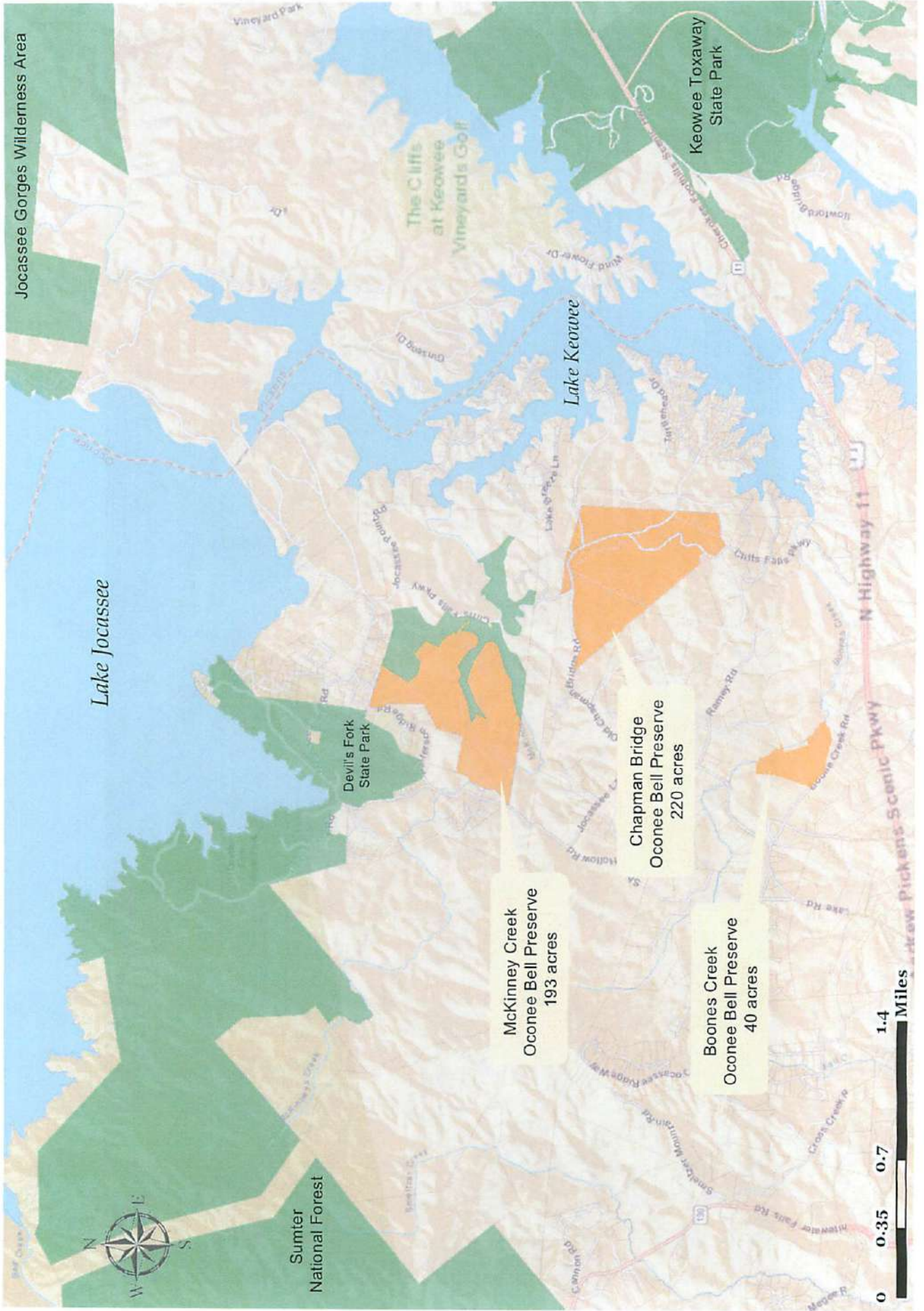
When Lake Jocassee and Lake Keowee were formed, as much as 85% of the habitat for Oconee Bells (*Shortia galacifolia*) was permanently lost. These endangered plants exist only in these watersheds and do not leave the confines of their historic range. Scientists worry that lack of genetic diversity will make these iconic plants vulnerable to the effects of climate change. Populations in adjunct and southerly colonies like the ones found in this area may contain the gene pool necessary to make this plant more resilient to environmental changes and therefore may be critical to the long-term survival of the species. On the 220-acre property, tens of thousands of Oconee Bells thrive. Waterfalls, shoals, and ravines wind through mixed hardwood forest, buffered by craggy granite boulders, which likely host endangered green salamanders. Tracks of bobcat and black bear have been seen on the property, as well. This parcel is a stunning example of how the region used to look before the lakes were built.

Prof. Patrick McMillan of Clemson University, a leading local naturalist (Dennis Chastain), and the Native Plant Society, have urged us to protect properties that contain significant populations of Oconee Bells. After visiting the site and confirming the impressive numbers of plants and striking habitat, we moved quickly to get the property under a purchase option.

Naturaland Trust decided to pursue the protection of this site because of these outstanding factors: a beautiful undamaged waterway near Devils Fork State Park and our recently protected McKinney Creek Oconee Bell Preserve; a tributary of Lake Keowee, which is, among other things, a public drinking water supply; the mature forest on the property; and most important the robust population of the endangered Oconee Bell growing in particularly significant habitat. The property has walkable trails that were either former game trails or hunting paths that cross the property and follow the gorgeous stream, making it easily accessible to hikers and researchers. If SCDNR decides not to include the property in the Heritage Preserve Program, we are open to its inclusion in the WMA program, consistent with protecting the natural facets of the land. Finally, preservation of this property and the avoidance of harmful development of this property will help to slow the beginning of a trend of harmful development along this largely undeveloped watershed of Lake Keowee.



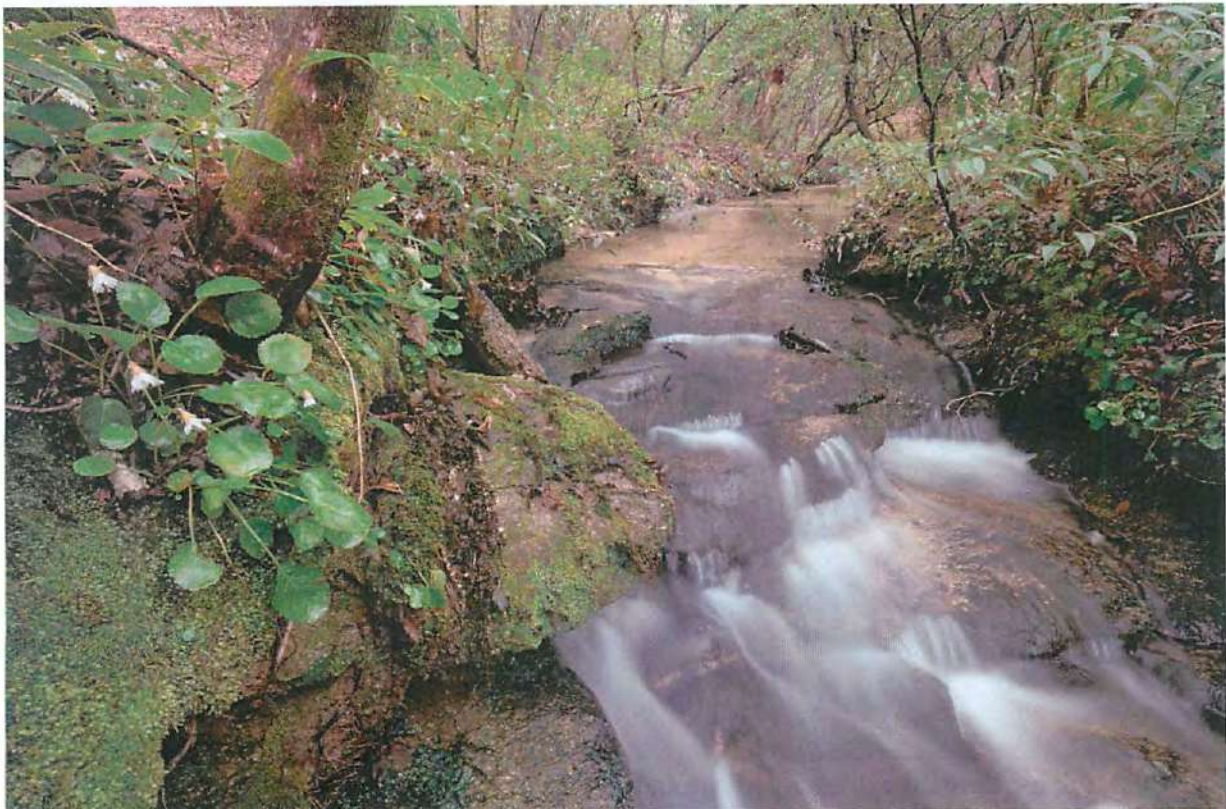
Oconee Bell Preserves



Chapman Bridge Oconee Bell Preserve



White pine and mixed hardwood dominate the 220 acres. This is looking north from the property towards the McKinney Creek Oconee Bell Preserve and Devils Fork State Park.



The unnamed stream runs along the southern end of the properties and it flows year-round.



Oconee Bells bloom en masse on the property.



Fall foliage shows the diversity of age and species of the mature canopy on the property.



Typical hardwood forest along the stream and sloping topography of the property.



Game trails bisect a large concentration of Oconee Bells on the property.



The property would support various trails for passive recreation and ample opportunities for school groups to study these southerly populations of Oconee Bells.



The creeks and springs that are all over the property are lined with Oconee Bells and mature stands of rhododendron.

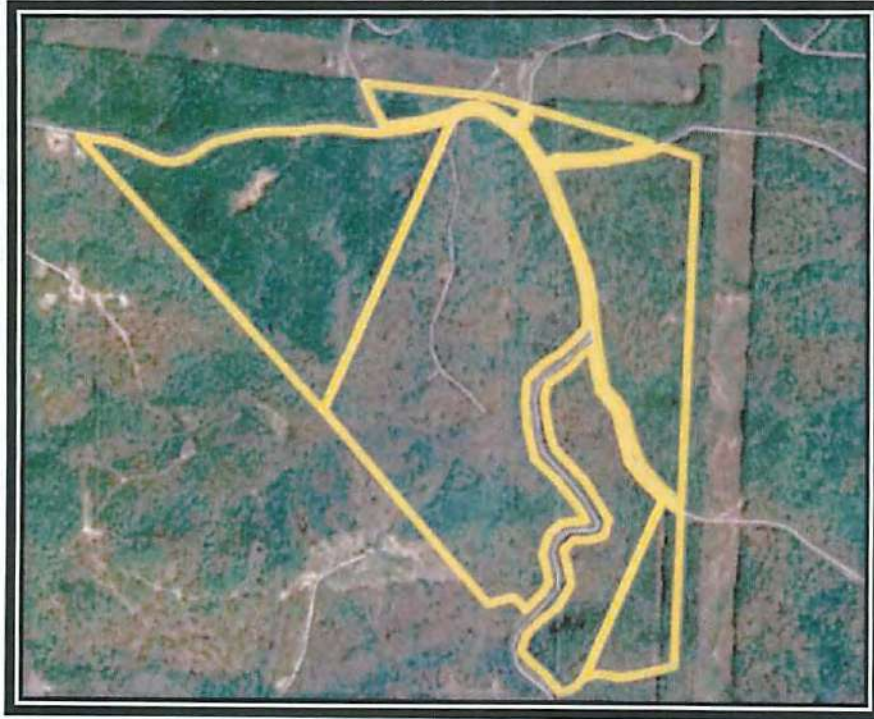
Chapman Bridge Oconee Bell Preserve

Land Management Plan

The +/- 220-acre Chapman Bridge Oconee Bell Preserve will be open for passive recreation such as hiking and birdwatching. Access will be allowed by foot traffic only. Naturaland Trust will seek to place the property in the SCDNR WMA program if DNR deems it appropriate, based on its location and in accordance with protecting the Oconee bell populations.

Naturaland Trust will also work with PRT to determine if this is a logical extension of Devil's Fork State Park to include with their Bell Fest events. Ultimately if we can acquire the connective pieces and if PRT is interested, we will donate this property to the park service.

**Appraisal of
Vacant Land (+220 acres)
Cliffs Timber
Old Chapman Bridge Road, McKinney Falls Parkway, Cliffs Falls Parkway,
Lake Breeze Lane, & Keowee Turtlehead Road
Oconee County, South Carolina**



Appraisal Report

**Prepared for
Mr. Mac Stone
Naturaland Trust
148 River Street, #110
Greenville, South Carolina 29601
and
SC Department of Natural Resources**

**Date of Inspection/Valuation
December 12, 2019**

**Prepared by
Tresco E. Shannon, Jr.
Allen D. McCravy, MAI
Stone & Associates
1100A Rutherford Road
Greenville, South Carolina 29609**



STONE & ASSOCIATES

1100A RUTHERFORD ROAD • GREENVILLE, SC 29609
TEL. (864) 232-3051 • FAX (864) 232-3053 • E-MAIL amccravy@stoneandassoc.com

December 13, 2019

Mr. Mac Stone
Naturaland Trust
148 River Street, #110
Greenville, South Carolina 29601
and
SC Department of Natural Resources

Subject: Vacant Land (±220 acres)
Cliffs Timber
Old Chapman Bridge Road, Cliffs Falls Parkway,
McKinney Falls Parkway & Keowee Turtlehead Road
Oconee County, South Carolina

Dear Mr. Stone:

In accordance with your request, we have personally inspected the above referenced tracts and have prepared an appraisal report with applicable exhibits and addenda, which explain and demonstrate the process used in completing this assignment.

This is an appraisal report that is intended to comply with the reporting requirements set forth under Standards Rule 2-2 of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. As such, it presents detailed discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraisers are not responsible for unauthorized use of this report.

The subject tracts contain a total of approximately 220 acres (combined) and are located on the northern, southern, eastern, and western sides of Old Chapman Bridge Road, eastern and western sides of Keowee Turtlehead Road, eastern and western sides of Cliffs Falls Parkway, the eastern and western side of Lake Breeze Lane, and the eastern side of McKinney Falls Parkway. These tracts are contiguous with one another with some the roads traversing the tracts. The tracts are approximately 40 miles northwest of the City of Greenville and 20 miles northwest of the City of Pickens. The tracts are located northeast of the Town of Salem, within northern Oconee County, South Carolina. The subject tracts are referenced as Oconee County Tax Parcel 047-00-01-001, portions of Tax Parcels 047-00-01-017(P/O), and 056-00-02-001(P/O).

Mr. Stone
December 13, 2019
Page Two

The purpose of this appraisal is to estimate the as is market value of the fee simple estate of the subject property. The date of value is the date of inspection, or December 12, 2019. As is market value, market value, and fee simple estate, are further defined and qualified in the following appraisal report.

After analyzing the subject property and its market, and the various factors entering into the appraisal analysis, including the Assumptions and Limiting Conditions contained in the report, it is our opinion that the as is market value of the subject property, as of December 12, 2019 is:

**Eight Hundred Eighty Thousand Dollars
(\$880,000)**

In this assignment, the existence of hazardous waste material, which may or may not be present on or in the property, was not observed by the appraiser. We have no knowledge of the existence of such materials on or near the property; however, we are not qualified to detect such substances. The presence of such material may have an effect on the value or use of the property. It is assumed that there are no hazardous materials spills, etcetera's resulting from underground storage tanks or other causes associated with the subject property. Full compliance with all environmental laws is assumed.

The client is urged to retain an expert in this field, if desired. We wish to clearly emphasize that the detection of any such hazardous materials are beyond the scope of this valuation analysis. Furthermore, it is assumed that the presence of any hazardous materials, gases or toxic substances that would cause a loss in value is assumed not to exist on the property. The appraisers do not report to be a qualified engineer trained to detect such substances and no responsibility is assumed by the appraisers relating to the presence of, or impact from, any detected substances.

The value estimate assumes no impact on value because of "Section 404 - Wetlands" as defined by the US Army Corp. of Engineers. The appraiser is not an expert in this field and urges the client to seek advice of an expert to determine any potential impact of wetlands on the above referenced property.

The appraisal analysis, opinions and conclusions were developed and this appraisal report has been prepared in conformance with (and the use of this report is subject to) all regulations issued under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) and the Uniform Standards of Professional Appraisal Practice (USPAP) 2018-2019 Edition as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Mr. Stone
December 13, 2019
Page Three

We certify that we have the experience and knowledge to competently complete an appraisal of this type, and have made other appraisals of similar properties in the past. We further certify that the subject property was inspected by Allen D. McCravy, MAI and Tresco E. Shannon, Jr.

This appraisal assignment was not conditional upon the production of a specified value, or a value within a given range. Future employment prospects are not dependent upon a specified value. Employment and the payment of the fee is not based on whether a loan application is approved or disapproved.

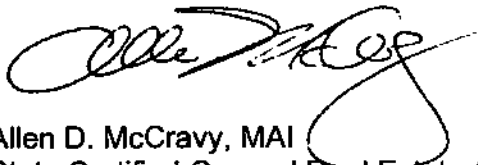
We appreciate the opportunity to be of service. If you have any questions, or require any additional information, please feel free to contact us anytime.

Respectfully submitted,

Stone & Associates



Tresco E. Shannon, Jr.
State Certified Residential Real Estate Appraiser
SC Certificate No. CR7389



Allen D. McCravy, MAI
State Certified General Real Estate Appraiser
SC Certificate No. CG3617

AFFIDAVIT

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

TO WHOM IT MAY CONCERN:

I, Mac Stone, Executive Director of Naturaland Trust being duly shown, do state as follows:

The landowners directly adjacent to the "Chapman Bridge Oconee Bell Preserve" in Oconee County have been notified of Naturaland Trust's South Carolina Conservation Bank grant request in accordance with Code Sec. 48-59-70.

A handwritten signature in black ink that reads "Mac Stone". The signature is stylized, with a large, sweeping "M" and "S".

Mac Stone, Executive Director

Internal Revenue Service

Department of the Treasury

District
Director

P. O. Box 632
Atlanta, Georgia 30301

Naturland Trust
44E Camperdown Way
Greenville, S. C. 29601

Person to Contact:
Geraldine Carroll

Telephone Number:
(404) 526-4516

Refer Reply to:

EP/EO 7201:21838

Date:

NOV 12 1976

RECEIVED

NOV 15 1976

W. B. F. & P.

Gentlemen:

We have evaluated your notification concerning foundation status and, based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are an organization described in section 170(b)(1)(A)(vi) and 509(a)(1).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes.

You must keep us informed of any changes in your sources of support and method of operation so that we may consider the effect on your status.

Please keep this determination letter in your permanent records.

This determination letter modifies our letter of July 30, 1976 holding you exempt under section 501(c)(3) to the extent that it is inconsistent with this letter.

Sincerely yours,

J. T. Wilson
Exempt Organizations Specialist



Oconee County Conservation Bank Application for Funding

Oconee County, South Carolina

Completed Application to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or

via email: councilclerkinfo@oconeesc.com

SECTION I

I. General Information:

Acquisition type: ___ Fee Simple X Conservation Easement

Landowner's Name Gary Lyle

Mailing Address: 180 Panhead Road Walhalla SC 29691

Daytime Telephones [REDACTED]

Eligible OCCB Recipient Seeking Funding

(See Oconee County Ordinance 2011-16, Section II, G)

Name of Organization Oconee Soil and Water Conservation District

Authorized Agent Name: Eddie Martin

Mailing Address: 301 West South Broad Street

 Walhalla SC 29691

Daytime Telephones (864 638)2213

II. Property Information

Legal Description

County: Oconee

Tax Map # 188-00-01-004 188-00-01-022

Assessor's Plat & Lot Numbers:

Deed Reference [Book & Page]

2167/288 963/229

Current Zoning Classification

zone free

Location on County Map (attach copy as **EXHIBIT A**)

Brief description of property including:

- | | |
|-------------------------|---|
| a. Total Acres | 165.89 |
| b. Total Forested | 130 |
| c. Total Cleared / Open | 35.89 |
| d. Total Wetlands | zero |
| e. Creeks and/or Rivers | Six streams totaling 8000+ linear ft. and borders on Ramsay Creek for 950 ft. |

Please include any surveys, USGS maps, directions, county locator map, or any other pertinent information.

*pertinent info included in ~~survey~~ Appraisal
Also a distance from Walhalla map
And a property perimeter map*

Section II
To be filled out by the landowner

1. Has the Eligible OCCB Recipient seeking funding notified you in writing:
(See Oconee County Ordinance 2011-16, Section VII)
- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests from the landowner to the eligible trust fund.
- yes no
- b. That it may be in the landowner's best interests to retain independent legal counsel, appraisals, and other professional advice.
- yes no
2. Are there any existing liens, mortgages, or encumbrances that currently exist on this property?
- yes no If yes, please explain below:

Oconee County Conservation Bank—Landowner Inspection Consent Agreement.

I, Cary D Lyle, as the landowner or landowner's agent agree to allow inspection, or appraisal if necessary, of the property being presented to the OCCB Board for consideration. I agree to allow authorized or designated agent or staff to inspect this property as may be required. Reasonable notice of inspection will be given.

Cary D Lyle
Signature of Landowner/Agent

27 JAN 2020
Date

III. Miscellaneous Information:

Who is the Party responsible for managing the land?

Name Gary Lyle

Address: 180 Panhead Road

Walhalla SC 29691

Telephone Number [REDACTED]

Who is responsible for enforcing any conservation easements or other restrictions on this property?

Name Oconee Soil and Water Conservation District

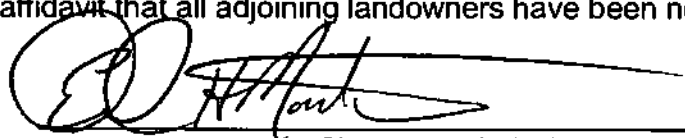
Address: 301 West South Broad Street

Walhalla SC 29691

Telephone Number 864 638 2213

IV. Adjoining landowners.

Adjoining landowners must be notified of this grant request by Oconee County ordinance. Please attach an affidavit that all adjoining landowners have been notified. *Attached*


Signature of Eligible OCCB Recipient (Applicant)

229 2020
Date

Section III

To be filled out by the Eligible OCCB Recipient seeking funding (Applicant)

Organization Name Oconee Soil and Water Conservation District

Address 301 West South Broad Street

Walhalla SC 29691

Daytime Telephones (864) 638 2213

Contact Person Eddie Martin

Organization EIN Number: 57 0369135

NOTE: You are required to attach certification that this is a charitable not-for-profit corporation or trust authorized to do business in this state; whose principal activity is the acquisition and management of land for conservation or historic purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986 or Certification that the applicant is an otherwise qualified entity under Oconee County Ordinance 2011-16, Section II and Section VII. *attached*

How will you be able to complete the project and acquire the interests in the proposed lands?

The applicant will use OCCB funds to purchase a perpetual conservation easement for the tract listed in this proposal. The OSWCD Board will conduct annual inspections to insure the landowner/manager is in compliance with the provisions of the easement.

How many total acres of lands or projects have you preserved in this State? In this County?

OSWCD holds twenty perpetual conservation easements protecting 2584.18 acres. Ninety Eight percent of these easements were purchased with leveraged funds provided by the USDA Natural Resource Conservation Service. The OSWCD has also maintained 160 flood pool easements on eight watershed lakes for over forty years.

Briefly describe the lands your organization has preserved in this State, and then County, including their size, location and method of preservation. Note: this section need not be complied with for specific preserved lands if the privacy or proprietary interests of the owners of such preserved lands would be violated.)

OSWCD has a history of working with private landowners for conservation planning since 1938. Their cooperators number approximately 650 landowners, municipalities, civic groups and other units of government. The easements held by OSWCD protect prime and state wide important soils and farmland as well as forested parcels within the 2584.18 acres covered. See Attachment B for a breakdown.

Has the Eligible OCCB Recipient notified the owner of the land that is the subject of the potential OCCB grant of the following in writing? (See Oconee County Ordinance 2011-16, Section VII) *Attached*

a. That interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or it assignees.

yes

b. That it may be in the landowner's interest to retain independent legal counsel, appraisals and other professional advice. yes

Note: Applications not having affirmation that the notice requirement of this section has been met will not be considered for funding requests.

Does the Eligible OCCB Recipient or the landowner have a general summarized land management plan for this proposal? If so, please attach. *Attached*

yes no

Explain how the Eligible OCCB Recipient intends to enforce the easement restrictions on this proposal, if a conservation easement is proposed. Attach additional sheet if necessary.

Administrative and monitoring expenses are funded with a fee to be paid by the landowner to OSWCD at closing, as has been done with all previous closings in our easement program. As a unit of government, OSWCD has taxing authority. Should there be an increase in expenses, a tax levy may be used to fund operation and maintenance of the easement.

Does the Eligible OCCB Recipient agree that OCCB funds may only be used for the acquisition of interests in land including closing costs and not for management, planning, staffing, or any costs not associated with the purchase of interests in lands?

yes no

Does the Eligible OCCB Recipient have reasonable documentation to support this request?
Please attach.

Appraisal attached

The proposal will not be considered without adequate substantiation of estimated Fair Market Value and a qualified and competent appraisal establishing fair market value and/or the value of the proposed easement will subsequently be required prior to closing.

(See Oconee County Ordinance 2011-16, Section VII, B, f)

yes no

What is the amount of support sought for this proposal?

\$ 45000.00

Explain how this proposal will satisfy the Criteria listed in Sections Four and Five of the ensuing pages. **(Please attach a narrative of what your intended plans are and how you plan to accomplish them.)**

Attached

[Handwritten Signature]

Signature of Authorized Agent for Eligible OCCB Recipient (Applicant)

Esmeralda Isidro 3/2/20
Notary Signature

My commission expires: *JULY 21, 2025*



Section IV
Conservation Criteria
Oconee County Ordinance 2011-16, Section VI
Information to be considered in filling out the application

1. Does the property contain or adjoin wetlands? Yes No

If yes, please attach certification by USACOE or NRCS.

2. Does the property contain or adjoin a USGS Blue Line Stream or Lake?

yes

If yes, please provide USGS topographic map showing such stream or lake in relation to property. *Attached*

3. Does the property contain or adjoin Water Classified as either (i) Outstanding Natural Resource Water (ii) Outstanding Resource Water or (iii) Trout Water, by South Carolina DHEC.

No

If yes, please provide evidence of such classification by SC DHEC.

4. Does the property currently contain threatened or endangered species or habitat suitable for threatened or endangered species?

yes

If yes, please provide a certification by SC DNR, NRCS, USFS or other qualified professional providing evidence of such species existence on the property or of such habitat suitability. *Attached*

5. Does the property currently contain native wildlife species or habitat suitable for native wildlife species?

yes

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such species existence on the property of such habitat suitability. *See Above Attachment*

6. Does the property currently contain special or concentrated biodiversity?

No

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such biodiversity on the property.

7. Does the property currently contain a unique geological feature, such as a mountain, rock outcropping, waterfall or other similar feature?

No

If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such geological feature on the property.

8. Does the property share a boundary with other Protected Land? For purposes of this question, "Protected Land" includes any land or byway substantially protected from development or designated as scenic or protected through any federal, state, or local act.

No

(a) If yes, what percentage of a boundary is shared with such Protected Land?

_____ 1%-25%

_____ 26%-50%

_____ Greater than 50%

(b) If yes, please describe the Protected Land and present a legible map showing such Protected Land in relation to the property.

9. Does the property contain any of the following pre-historic or historic features or designations?

No

(a) Listing on the National Historic Register? If yes, please provide a letter or other evidence from the Department of the Interior demonstrating such listing.

(b) Eligible for listing on the National Historic Register? If yes, please provide a letter or other evidence from the SC State Historic Preservation Office demonstrating such eligibility.

(c) Contains historic or pre-historic structures? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the structure(s) on the property.

(d) Contains a site of historic or pre-historic significance? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the site(s) on the property.

10. Does the property contain fifty percent (50%) or greater surface area of soils classified as Prime or Important by the State of South Carolina?

No

(a) If yes, what percentage of the property contains soils classified as Prime or Important by the State of South Carolina?

_____ 50%-60%

_____ 61%-75%

_____ Greater than 75 %

(b) If yes, please provide a legible soil overlay map showing such Prime or Important soil types upon the property.

11. Has the property been Actively Farmed as defined under one of the following qualifications?

yes (a) The landowner has filed IRS Form Schedule F in the previous two tax years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application; *Attached*

(b) The landowner has filed IRS Form Schedule F in seven of the last ten years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application; or

(c) The landowner can produce documentation demonstrating that the landowner has produced significant agricultural products in Oconee County in the last two years? If yes, please provide such documentation and a notarized statement affirming that such farming activities pertained to the property referred to in this application.

12. Does the property allow public viewing: *yes*

(a) ...from a Federal, State or County maintained road? If yes, please provide documentation describing precise location of point along a Federal, State or County Road where property is visible. Include a photograph taken from this point. *Attached*

(b) ...from any other public access land or waterway? If yes, please provide documentation describing precise location of point along such public access land or waterway where property is visible. Include a photograph taken from this point.

yes 13. Does the property provide a Scenic View to the public or help maintain the Scenic Nature of an area in the County? For purposes of this question, a Scenic View includes mountain, river, lake, forest, pasture, agricultural and other pastoral views which are viewable by the public from a public roadway or other publically accessible area. *See Above attachment*

If yes, please provide photograph evidence to support the Scenic View, a description of the Scenic View and a description of the specific locations with map references from which the public may observe the Scenic View.

No 14. Does the proposal for the conservation project on the Property allow...

(a) ...Limited Access by the public to the property? For purposes of this question, Limited Access means any access which is less than access on a year round and continual basis, but allows access by the public for some limited time or seasonal period(s).

If yes, please provide documentation supporting such Limited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public.

(b) ...Unlimited Access by the public to the property? For purposes of this question, Unlimited Access means any access which provides the public access to the property on a year round and continual basis and, additionally, requires that such access is (or will be) communicated to the public.

NO

If yes, please provide documentation supporting such Unlimited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public. In addition, please provide evidence that the Unlimited Access is (or will be) reasonably communicated to Oconee County citizens.

15. Is the property located in any one or more of the following locations? If yes, for each such location please provide an aerial map and supporting documentation which demonstrates such location in relation to the relevant municipality or other land.

- (a) Is the property located within or adjacent to land of the United States Forest Service, a South Carolina State Forest, a State Park, a County Park or a Park of Municipality located in Oconee County, South Carolina?
- (b) Is the property located within 1 mile of a municipality?
- (c) Is the property located from 2-5 miles of a municipality? *yes*
- (d) Is the property located greater than 5 miles from a municipality?

16. What is the approximate size (in acres) of the property? Please provide documentation to support the stated acreage, including survey(s), tax information, deeds or other similar documentation. *165.89 acres*

Section V - Financial Criteria
Oconee County Ordinance 2011-16 Section VI
Information to be considered in filling out the application

1. (a) What is the Total Market Value of the proposed conservation project? \$450,000.00
(Total Market Value for a fee simple project is the total fair market value of the property as supported by a current appraisal. Total Market Value for a conservation easement project is the value of the conservation easement as determined under the methods prescribed in IRS Treasury Regulations 1.170A-14(h) as supported by a current appraisal.)

(b) What is the amount of the grant requested from the OCCB? \$45000.00

Based on the figures above, what is the total percentage of funding requested for the project from the OCCB. *(Divide Sum (b) by Sum (a) to Find Percentage)?* 10%

2. Please list and describe any other grants, contributions or gifts from any non-governmental agencies, groups, entities or individuals which will support the proposed conservation project?
South Carolina Conservation Bank \$143,300.00
Upstate Forever \$9000.00

Attached

For any listed grant, contribution or gift, please provide evidence or a written pledge of such support from the relevant non-governmental party.

3. How does the proposal present a unique value opportunity in that it protects land at a reasonable cost? Parcel:

 is available at a low cost per acre

 x is available from a willing seller at a reasonable price

4. How does the proposal leverage OCCB funds by including funding or in-kind assets or services from other governmental sources?

Have matching funds of any kind or services-in-kind been applied for or received?

Please explain and described the in-kind services or amount of financial support applied for or r received. Please also provide written documentation to support such application or receipt of such support.

5. Please describe any other financial advantage of the proposed conservation project which helps ensure that the project represents a good use of limited OCCB funds and/or provides a good return on investment for the citizens of Oconee County?

Please explain any other such financial advantage and provide documentation to support your answer to this question.

165.89-Acre Tract

Gary D. Lyle and Christy O. Lyle, Owners

Walhalla, Oconee County, South Carolina

Site Setting

The 165.89 acre tract is located 4.3 miles southwest of the city of Walhalla, South Carolina and 4.5 miles north of the city of Westminster South Carolina. All of Oconee County continues to see the effect of rural development. The location of this parcel between two growing municipalities gives concern about the ability to keep it from the pressures of development. The southeastern tip of the property comes in contact with Coffee Road, a main thoroughfare between Walhalla and Westminster that has seen significant growth over the last several years.



The property has six flowing streams that contribute over eight thousand feet of fresh water tributary and the southwestern border of the property is the center of Ramsey Creek encompassing nine hundred fifty feet. The make up of the property is 135 acres of trees broken down into 50 acres of twenty year old pines, 30 acres of two year old pines, 30 acres of one year old pines, and 25 acres of mature hardwood. The remainder of the property is open and is used for hay, pasture and wildlife plantings. Sumter National Forest and the Buzzard Roost Preserve is one mile away from the parcel and wood duck boxes are placed along the waterways within.



165.89-Acre Tract

Gary D. Lyle and Christy O. Lyle, Owners

Walhalla, Oconee County, South Carolina

History

60 acres of the parcel have been owned by the Lyle's for 20 years. The remainder was purchased three years ago. The land has been in continuous production of trees since before they purchased the property. The plan is to continue tree production on the entirety of the property.



165.89-Acre Tract

Gary D. Lyle and Christy O. Lyle, Owners

Walhalla, Oconee County, South Carolina

Current Use

As stated the current use of the property is tree production and areas of wildlife planting. The different stages of development on the tract offers wonderful opportunity for wildlife habitat. Deer, turkey, song birds, small game and heavy evidence of black bear use are observed on site. This property can be considered a game corridor with its acreage coverage and proximity to Forest Service property less than a mile away and its being contiguous to several other large parcels.



Habitat Diversity

As mentioned the habitat is diverse with varying ages of pine forests, a tract of mature hardwood, acres in hay production and several wildlife plantings with native shrubs, grasses, and seed producing plants.

The streams are buffered with trees and provide the usual stream bank vegetation that grows in the upstate. This property will serve as an able sanctuary for wildlife as it is a large continuous parcel with its southern edges near development and its northern region bordered by more large tracts and USDA Forest Service parcels. The ability for it to help protect existing wildlife is great.



165.89-Acre Tract

Gary D. Lyle and Christy O. Lyle, Owners

Walhalla, Oconee County, South Carolina

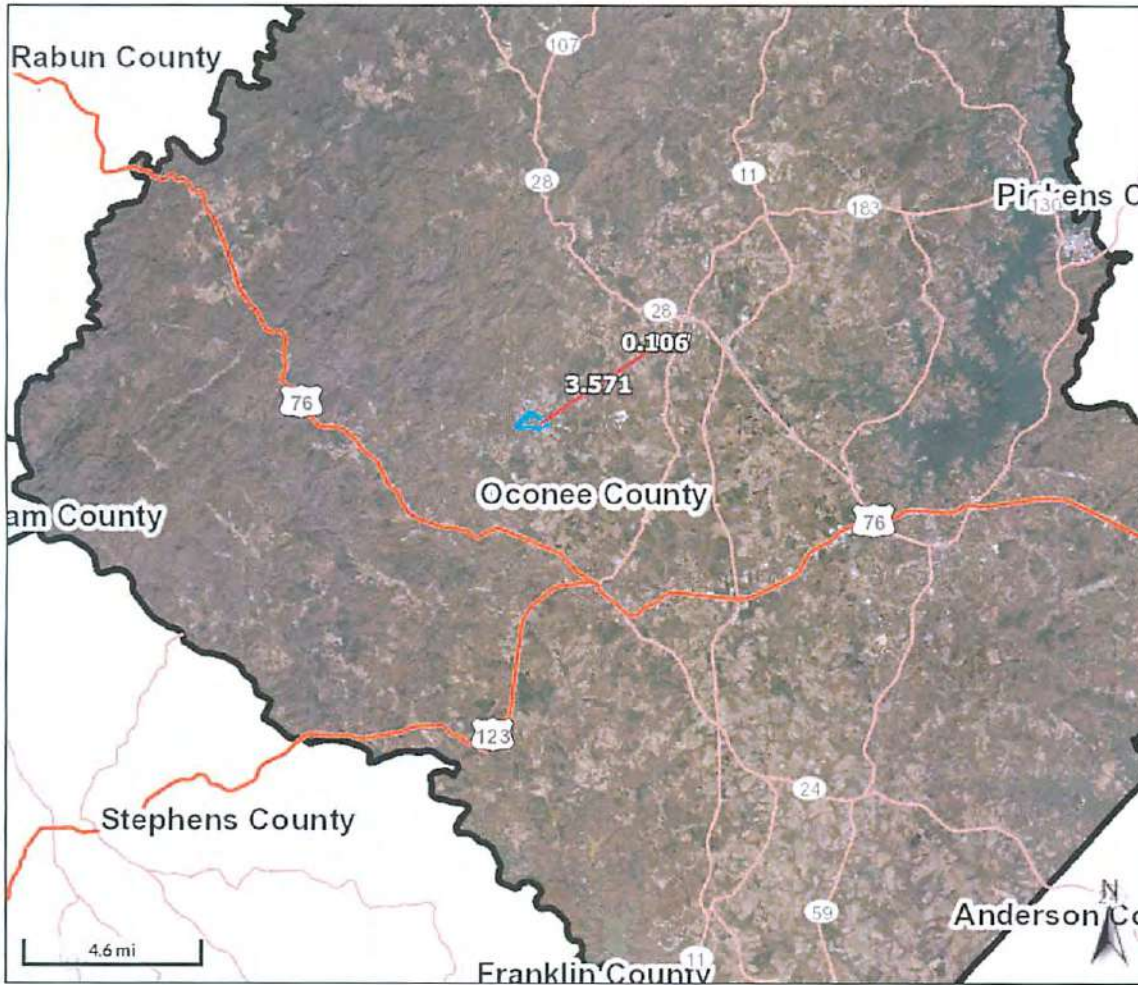


Future Use

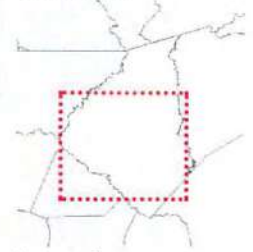
The management objective for the future is continuous production of quality timber and hardwood. As a by-product of this model wildlife habitat will be enhanced and protected. The continued vegetative state of the property will help keep the streams on site clean, protecting the watershed below the parcel, and help with carbon mitigation and air cleansing as the burden of air quality continues to rise. This is a sustainable production effort which helps produce a quality product while protecting natural resources into the future.










Exhibit A



Overview



Legend

- USA Major Highways**
 -  Limited Access
 -  Highway
 -  Major Road
 -  Local Road
 -  Minor Road
 -  Other Road
 -  Ramp
 -  Ferry
 -  Pedestrian Way
- County Outlines**
 -  <all other values>
 -  Oconee

Parcel ID	188-00-01-004	Alternate ID	20851	Owner Address	LYLE GARY D & CHRISTY O 180 PANHEAD RD WALHALLA, SC 29691	Last 2 Sales Date	3/10/2016	Price	\$285000	Reason	Valid Arms-length sale tran	Qual	Q
Sec/Twp/Rng	n/a	Class	Unclassified										
Property Address		Acreage	109.88			Last 2 Sales Date	6/20/1993	Price	\$750	Reason	Valid Arms-length sale tran	Qual	Q
District	005												
Brief	FIVE FORKS (107.79 AC)												
Tax Description	MapPlatB B-539 MapPlatP 2												
	(Note: Not to be used on legal documents)												

Date created: 3/2/2020
Last Data Uploaded: 2/28/2020 9:47:23 PM

Developed by  Schneider GEOSPATIAL

Gary Lyles PSWI (11.6%)

Date: 4/8/2019

Customer(s): GARY D. LYLES

District: OCONEE SOIL & WATER CONSERVATION DISTRICT



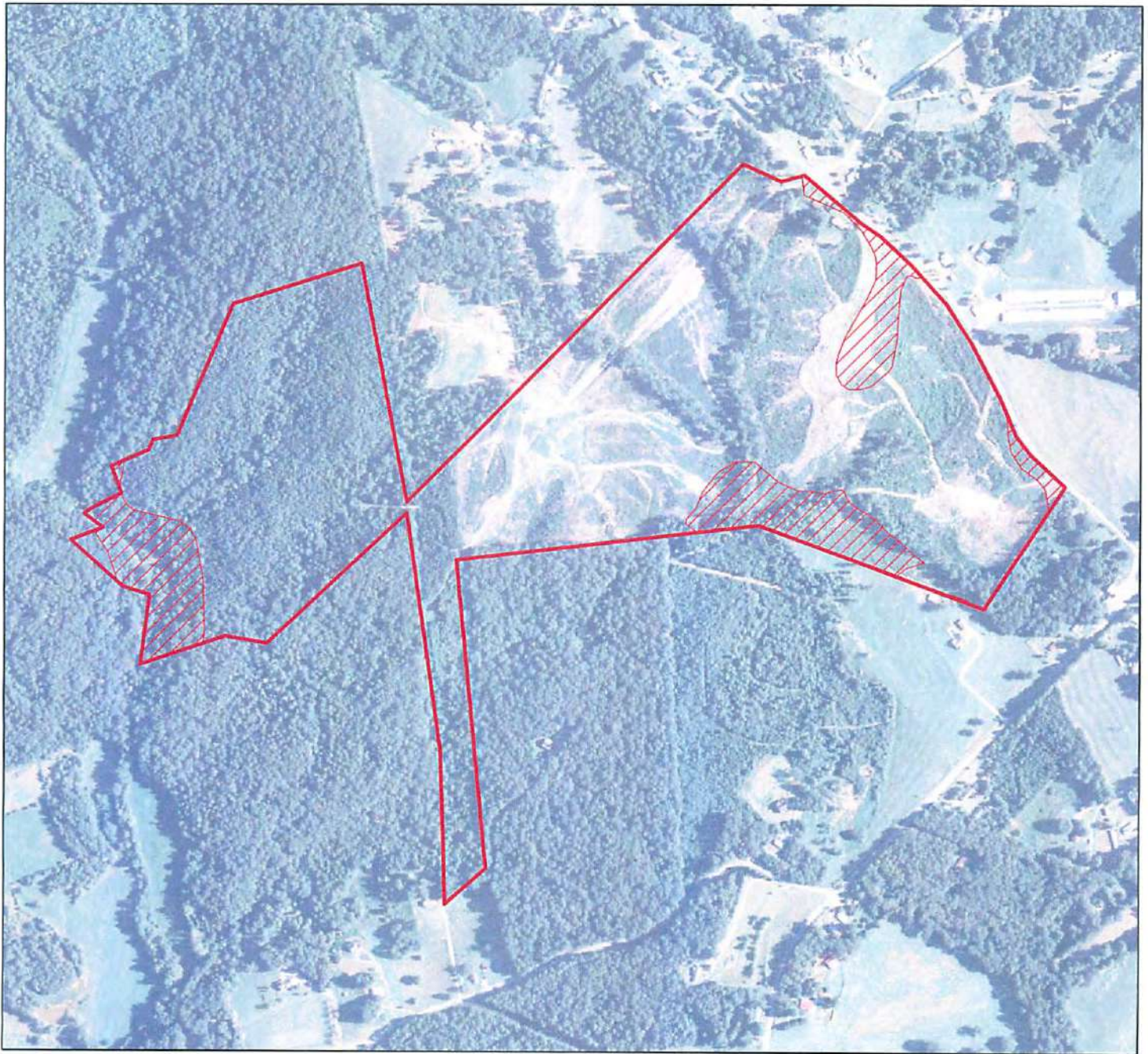
Field Office: WALHALLA SERVICE CENTER

Agency: USDA-NRCS

Assisted By: HEATHER RAMSAY



Legal Description: Farm 1830 Tract 604

State and County: SC, Oconee County, South Carolina



Prepared with assistance from USDA-Natural Resources Conservation Service

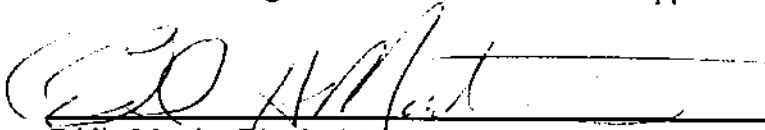
Legend

-  Soils Map
-  Gary Lyles Tract



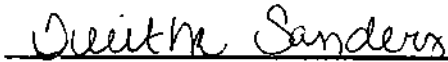
Pursuant to SC Code Sec. 48-59-70, we, the Oconee County Soil and Water Conservation District Board, have notified all adjoining landowners of our request for funding from the SCCB for the Gary Lyle Project. We have further informed them that the application may be considered at the Public Meeting to be held prior to April 2019. We have informed each adjoining landowner that they should contact the Executive Director of the SCCB, for further information about when the application will be considered for funding and to express any concerns that they may have about the proposal.

Also, pursuant to SC Code Sec. 48-59-70, B-1, B-2, we, the Oconee County Soil and Water Conservation District Board, have notified all owners of the land that is the subject of the trust fund grant or loan of the enclosed application as of January 09, 2019.



Eddie Martin, District Manager
Oconee County Soil and Water Conservation District

Sworn before me this 29th day of January, 2020.



Notary Public

My Commission Expires: 1.14.2028

South Carolina Department of
Natural Resources



DNR

Alvin A. Taylor
Director

Ken Rentiers
Deputy Director for
Land, Water and Conservatio

MEMORANDUM

TO: Whom It May Concern

FROM: Marc Cribb
Program Manager
Conservation Districts

SUBJECT: Charitable Contributions and Gifts

Corporations and individuals may make charitable contributions and gifts to the State or any political subdivision of the State pursuant to Section 170 of the United States Internal Revenue Code which was adopted (at least as to charitable gifts) by the South Carolina Legislature.

Section 170 allows as a deduction any charitable contribution. With respect to corporations, the total deduction for any taxable year shall not exceed 10 percent of the corporation's taxable income. A charitable contribution means, among other things a contribution or gift to or for the use of (1) A State, or any political subdivision of a [a State] ... but only if the contribution or gift is made for exclusively public purposes.

According to S. C. Code Ann. Section 48-9-30 (1), a District or a soil and water conservation district means a governmental subdivision of this State, a public body corporate and politic.

Based upon these statutes, corporations may make tax-deductible charitable contributions to soil and water conservation districts or other political subdivisions of the State.

Welcome to the
South Carolina - Legislature *Online*

Home > Code of Laws Title/Chapter List > Title 48

**South Carolina Code of Laws
(Unannotated)
Current through the end of the 2009 Session**

DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2009 session. The unannotated South Carolina Code, consisting only of Code text and numbering, may be copied from this website at the reader's expense and effort without need for permission.

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Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify Legislative Printing, Information and Technology Systems at LPITS@scstatehouse.gov regarding any apparent errors or omissions in content of Code sections on this website, in which case LPITS will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

Title 48 - Environmental Protection and Conservation

CHAPTER 9.

SOIL AND WATER CONSERVATION DISTRICTS LAW

ARTICLE 1.

GENERAL PROVISIONS

SECTION 48-9-10. Short title.

This chapter may be known and cited as the "Soil and Water Conservation Districts Law."

SECTION 48-9-15. Definitions.

As used in this chapter:

- (1) "Department" means the Department of Natural Resources.
- (2) "Division" means Land Resources and Conservation Districts Division of the Department of Natural Resources.

(3) "Director" means the administrative head of the department appointed by the board.

SECTION 48-9-20. Legislative declaration of purpose.

It is declared, as a matter of legislative determination:

(1) All lands of the State are among the basic assets of the State and the preservation of these lands is necessary to protect and promote the health, safety and general welfare of its people; improper land-use practices have caused and have contributed to, and are now causing and contributing to, a progressively more serious erosion of lands of this State by wind and water; the breaking of natural grass, plant and forest cover has interfered with the natural factors of soil stabilization, causing loosening of soil and exhaustion of humus and developing a soil condition that favors erosion; the topsoil is being washed and blown from the land; there has been an accelerated washing of sloping lands; these processes of erosion by wind and water speed up with the removal of absorptive topsoil, causing exposure of less absorptive and less protective but more erodible subsoil; failure of any landowner or occupier to conserve the soil and control erosion upon his lands causes a washing of soil and water from his lands onto other lands and makes the conservation of soil and control of erosion on such other lands difficult or impossible;

(2) The consequences of such soil erosion in the form of soil-washing and soil-blowing are the silting and sedimentation of stream channels, reservoirs, dams, ditches and harbors; the loss of fertile soil and material in dust storms; the piling up of soil on the lower slopes and its deposit over alluvial plains; the reduction in productivity or outright ruin of rich bottom lands by overwash of poor subsoil material, sand and gravel swept out of the hills; deterioration of soil and its fertility, deterioration of crops grown thereon and declining acre yields despite development of scientific processes for increasing such yields; loss of soil and water which causes destruction of food and cover for wildlife; a blowing and washing of soil into streams which silts over spawning beds and destroys water plants, diminishing the food supply of fish; a diminishing of the underground water reserve, which causes water shortages, intensifies periods of drought and causes crop failures; an increase in the speed and volume of rainfall runoff, causing severe and increasing floods which bring suffering, disease and death; impoverishment of families attempting to farm eroding and eroded lands and damage to roads, highways, railways, farm buildings and other property from floods and from severe dust storms; and losses in navigation, hydroelectric power, municipal water supply, drainage developments, farming and grazing; and

(3) To conserve soil and water resources and control or prevent soil erosion and prevent floodwater and sediment damages, and further the conservation, development, utilization, and disposal of water, it is necessary that land-use practices contributing to soil wastage and soil erosion be discouraged and discontinued and appropriate soil-conserving and land-use practices and works of improvement for flood prevention or the conservation, development, utilization, and disposal of water be adopted and carried out; among the procedures necessary for widespread adoption are the carrying on of engineering operations, such as the construction of terraces, terrace outlets, check dams, desilting basins, floodwater retarding structures, channel improvements, floodways, dikes, ponds, ditches and the like; the utilization of strip cropping, lister furrowing, contour cultivating and contour furrowing; land drainage and drainage control structures, irrigation, seeding and planting of waste, sloping, abandoned or eroded lands in water conserving and erosion preventing plants, trees and grasses; forestation and reforestation; rotation of crops; soil stabilization with trees, grasses, legumes and other thick growing, soil-holding crops; the addition of soil amendments, manurial materials and fertilizers for the correction of soil deficiencies or for the promotion of increased growth of soil protecting crops; retardation of runoff by increasing absorption of rainfall; and retirement from cultivation of steep, highly erodible areas and areas now badly gullied or otherwise eroded.

And it is further declared to be the policy of the General Assembly to provide for the conservation of the soil and water resources of this State and for the control and prevention of soil erosion, and for the prevention of floodwater and sediment damages, and for furthering the conservation, development, utilization, and disposal of water, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wildlife, promote recreational development, provide water storage for beneficial purposes, protect the tax base, protect public lands and protect and promote the health, safety and general welfare of the people of this State.

SECTION 48-9-30. Definitions.

Whenever used or referred to in this chapter, unless a different meaning clearly appears from the context:

(1) "District" or "soil and water conservation district" means a governmental subdivision of this State, a public body corporate and politic, organized in accordance with the provisions of this chapter for the purposes, with the powers and subject to the restrictions herein set forth;

(2) "Commissioner" means one of the members of the governing body of a district elected or appointed in accordance with the provisions of this chapter;

(3) [Deleted]

(4) "Petition" means a petition filed under the provisions of Section 48-9-510 for the creation of a district;

(5) "Nominating petition" means a petition filed under the provisions of Section 48-9-1220 to nominate candidates for the office of commissioner of a soil and water conservation district;

(6) "State" means the State of South Carolina;

(7) "Agency of this State" includes the government of this State and any subdivision, agency or instrumentality, corporate or otherwise, of the government of this State;

(8) "United States" or "agencies of the United States" includes the United States of America, the soil and water conservation service of the United States Department of Agriculture and any other agency or instrumentality, corporate or otherwise, of the United States of America;

(9) "Government" or "governmental" includes the government of this State, the government of the United States and any subdivision, agency or instrumentality, corporate or otherwise, or either of them;

(10) "Landowner" or "owner of land" includes any person who shall hold legal or equitable title to any lands lying within a district organized under the provisions of this chapter;

(11) "Land occupier" or "occupier of land" includes any person, other than the owner, who shall be in possession of any lands lying within a district organized under the provisions of this chapter, whether as lessee, renter, tenant or otherwise;

(12) "Qualified elector" includes any person qualified to vote in elections by the people under the Constitution of this State; and

(13) "Due notice" means notice published at least twice, with an interval of at least seven days between the two publication dates, in a newspaper or other publication of general circulation within the appropriate area or, if no such publication of general circulation be available, by posting at a reasonable number of conspicuous places within the appropriate area, such posting to include, when possible, posting at public places where it may be customary to post notices concerning county or municipal affairs generally.

SECTION 48-9-40. Department of Natural Resources; change of name

The name of the State Land Resources Conservation Commission is hereby changed to the Department of Natural Resources.

SECTION 48-9-45. Land Resources and Conservation Districts Division accountable to director of department.

The Land Resources and Conservation Districts Division, shall be directly accountable to and subject to the director of the department.

SECTION 48-9-50. Agencies operating public lands shall cooperate and observe regulations.

Agencies of this State which shall have jurisdiction over or be charged with the administration of any State-owned lands and agencies of any county or other governmental subdivision of the State which shall have jurisdiction over or be charged with the administration of any county owned or other publicly owned lands, lying within the

boundaries of any district organized under this chapter, shall cooperate to the fullest extent with the commissioners of such districts in the effectuation of programs and operations undertaken by the commissioners under the provisions of this chapter. The commissioners of such districts shall be given free access to enter and perform work upon such publicly owned lands. The provisions of land-use regulations adopted pursuant to Article 13 of this chapter shall be in all respects observed by the agencies administering such publicly owned lands.

SECTION 48-9-60. Adjournment of hearings.

At any hearing pursuant to due notice, at the time and place designated in such notice, adjournment may be made from time to time without the necessity of renewing such notice for such adjourned dates.

ARTICLE 3.

STATE LAND RESOURCES CONSERVATION COMMISSION

SECTION 48-9-220. Geographic areas for selection of members of Commission.

For the purpose of selecting the five soil and water conservation district commissioners to serve as members of the State Land Resources Conservation Commission, the State is divided into five areas, to wit:

- (1) Area 1, the counties of Abbeville, Anderson, Cherokee, Greenville, Laurens, Oconee, Pickens, Spartanburg and Union;
- (2) Area 2, the counties of Aiken, Calhoun, Edgefield, Greenwood, Lexington, McCormick, Newberry, Richland and Saluda;
- (3) Area 3, the counties of Chester, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Marlboro and York;
- (4) Area 4, the counties of Berkeley, Clarendon, Dillon, Florence, Georgetown, Horry, Marion, Sumter and Williamsburg; and
- (5) Area 5, the counties of Allendale, Bamberg, Barnwell, Beaufort, Charleston, Colleton, Dorchester, Hampton, Jasper and Orangeburg.

SECTION 48-9-230. Advisors to the division.

The following shall serve ex officio in an advisory capacity to the Land Resources and Conservation Districts Division of the Department of Natural Resources: The Director of the State Agricultural Extension Service, the Director of the South Carolina Agricultural Experiment Station, the president of Clemson University, the State Forester, the State Supervisor of the State Department of Vocational Agriculture, the Secretary of Commerce, the Commissioner of Agriculture and, with the concurrence of the Secretary of the United States Department of Agriculture, the State Conservationist of the Soil and Water Conservation Service, the chairman of the Purchasing and Marketing Administration State Committee and the Director of the Farmers' Home Administration.

SECTION 48-9-260. Employees; legal services.

The Department of Natural Resources may employ an administrative officer and such technical experts and other agents and employees, permanent and temporary, as it may require and shall determine their qualifications, duties and compensation. The department may call upon the Attorney General for such legal services as it may require or may employ its own counsel and legal staff.

SECTION 48-9-270. Seal; hearings; rules and regulations.

The Department of Natural Resources shall adopt a seal which shall be judicially noticed and may perform such acts, hold such public hearings and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter.

SECTION 48-9-280. Bonds; records; audit.

The Department of Natural Resources shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property, shall provide for the keeping of a full and accurate record of all its proceedings and activities and of all resolutions, regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements.

SECTION 48-9-290. General duties and powers.

In addition to the duties and powers otherwise conferred upon the Department of Natural Resources, it shall have the following duties and powers:

- (1) To offer such assistance as may be appropriate to the commissioners of soil and water conservation districts, organized as provided in this chapter, in the carrying out of any of their powers and programs;
- (2) To keep the commissioners of each of the several districts organized under the provisions of this chapter informed of the activities and experience of all other districts organized under this chapter and to facilitate an interchange of advice and experience between such districts and cooperation between them;
- (3) To coordinate the programs of the several soil and water conservation districts organized under this chapter so far as this may be done by advice and consultation;
- (4) To secure the cooperation and assistance of the United States and any of its agencies and of agencies and counties of this State, in the work of such districts;
- (5) To disseminate information throughout the State concerning the activities and programs of the soil and water conservation districts organized hereunder and to encourage the information of such districts in areas where their organization is desirable;
- (6) To receive gifts, appropriations, materials, equipment, lands and facilities and to manage, operate and disburse them for the benefit of the soil and water conservation districts;
- (7) To coordinate the development of comprehensive conservation plans for environmental improvement on all lands owned or controlled by the State;
- (8) To coordinate the development of a statewide landscape inventory and formulate guidelines for assisting local conservation districts, municipalities, counties, and other groups in implementing landscape and beautification programs;
- (9) To coordinate the development of a comprehensive plan for implementation of the standard soil survey information and to prepare guidelines for local conservation districts, counties, municipalities and other agencies of State and local government in the use of soil survey data for land use planning, development and conservation;
- (10) To coordinate the development of a statewide flood plain lands area inventory and to formulate guidelines for the conservation, protection and use of flood plain lands, excluding tidelands and marshlands;
- (11) To coordinate and assist local conservation districts, counties, and municipalities in developing policies and procedures for an adequate erosion and sediment control program; and engage in an educational informational program to acquaint municipalities, conservation districts, counties, and developers with sedimentation control management measures applicable to their activities, and familiarize these people with the program of the district;
- (12) To coordinate the development of a statewide irrigable land inventory and to formulate guidelines for the conservation, protection and use of such lands;
- (13) To coordinate the development of a statewide inventory of the availability of rural lands for recreational uses, and to formulate guidelines for the conservation, protection and use of such lands; and

(14) To coordinate the development of conservation guidelines for incorporation into local and statewide land use plans.

SECTION 48-9-300. Delegation of powers and duties; cooperation with other agencies.

The department may delegate to one or more agents or employees such powers and duties as it may deem proper and it may furnish information as well as call upon any or all State or local agencies for cooperation in carrying out the provisions of this chapter.

SECTION 48-9-310. Estimates of financial needs.

On or before the first day of November, annually, the department shall transmit to the Governor, on official blanks to be furnished by him, an estimate, in itemized form, showing the amount of expenditure requirements for the ensuing fiscal year. The estimates submitted shall state, in addition to the requirements of existing law, the following information:

- (1) The number and acreage of districts in existence or in process of organization, together with an estimate of the number and probable acreages of the districts which may be organized during the ensuing fiscal year;
- (2) A statement of the balance of funds, if any, available to the department and to the districts; and
- (3) The estimates of the department as to the sums needed for its administrative and other expenses and for allocation among the several districts during the ensuing fiscal year.

The department may require the commissioners of the respective soil and water conservation districts to submit to it such statements, estimates, budgets and other information as it may deem necessary for the purposes of this section.

SECTION 48-9-320. Allocation of State appropriations.

Unless otherwise provided by law all moneys which may from time to time be appropriated out of the State Treasury for the use of soil and water conservation districts shall be available to pay the administrative and other expenses of such districts and shall be allocated by the department among the districts already organized and to be organized during the fiscal year for which such appropriation is made. Such allocation shall be fair, reasonable and in the public interest, giving due consideration to the greater relative expense of carrying on operations within the particular districts because of such factors as unusual topography, unusual severity of erosion, special difficulty of carrying on operations, special volume of work to be done and the special importance of instituting erosion control and soil and water conservation operations immediately. In making allocations of such moneys, the department shall reserve an amount estimated by it to be adequate to enable it to make subsequent allocations in accordance with the provisions of this section from time to time among districts which may be organized within the current fiscal year after the initial allocations are made. All appropriations made for the purpose of this chapter shall be disbursed by the State Treasurer on warrants approved and signed by the department.

ARTICLE 5.

CREATION OF SOIL AND WATER CONSERVATION DISTRICTS

SECTION 48-9-510. Petition for creation of a district.

Any twenty-five owners of land lying within the limits of territory proposed to be organized into a soil and water conservation district may file a petition with the department asking that a soil and water conservation district be organized to function in the territory described in the petition.

SECTION 48-9-520. Content of petition.

Any such petition shall set forth:

(1) The proposed name of the district;

(2) That there is need, in the interest of the public health, safety and welfare, for a soil and water conservation district to function in the territory described in the petition;

(3) A description of the territory proposed to be organized as a district, which shall not be required to be given by metes and bounds or by legal subdivisions but shall be deemed sufficient if generally accurate; and

(4) Requests

(a) that the department duly define the boundaries for the district,

(b) that a referendum be held within the territory so defined on the question of the creation of a soil and water conservation district in such territory and

(c) that the department determine that such a district be created.

SECTION 48-9-530. Consolidation of overlapping petitions.

When more than one petition is filed covering parts of the same territory the department may consolidate all or any of such petitions.

SECTION 48-9-540. Hearing on petition.

Within thirty days after such a petition has been filed with the department it shall cause due notice to be given of a proposed hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of such district, upon the question of the appropriate boundaries to be assigned to such district, upon the propriety of the petition and other proceedings taken under this chapter and upon all questions relevant to such inquiries. All owners and occupiers of land within the limits of the territory described in the petition and of the lands within the limits of the territory considered for addition to such described territory and all other interested parties shall have the right to attend such hearings and to be heard. If it shall appear upon the hearing that it may be desirable to include within the proposed district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further shall be given throughout the entire area considered for inclusion in the district and such further hearing held.

SECTION 48-9-550. Determination against establishment; filing of subsequent petition.

If the department shall determine after such hearing, after due consideration of the facts presented at such hearing and such other relevant facts and information as may be available, that there is no need for a soil and water conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition. After six months shall have expired from the date of the denial of any such petition, subsequent petitions covering the same or substantially the same territory may be filed as provided in Section 48-9-510 and new hearings held and determinations made thereon.

SECTION 48-9-560. Determination of need for district; boundaries.

After such hearing, if the department shall determine, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, that there is need, in the interest of the public health, safety and welfare, for a soil and water conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall define, by metes and bounds or by legal subdivisions, the boundaries of such district. In making such determination and in defining such boundaries the department shall give due weight and consideration to the topography of the area considered and of the State, the composition of soils therein, the distribution of erosion, the prevailing land-use practices, the desirability and necessity of including within the boundaries the particular lands under consideration and the benefits such lands may receive from being included within such boundaries, the relation of the proposed area to existing watersheds and agricultural regions and to other soil and water conservation districts already organized or proposed for organization under the provisions of this chapter and such other physical, geographical and economic factors as are relevant, having due regard to the legislative determinations set forth in Section 48-9-20. The territory to be included within such boundaries need not

be contiguous.

SECTION 48-9-570. Boundaries to not include portions of other districts.

The boundaries of any such district shall include the territory as determined by the department as provided in Section 48-9-560, but in no event shall they include any area included within the boundaries of another soil and water conservation district organized under the provisions of this chapter.

SECTION 48-9-580. Referendum on establishment of district.

After the department has made and recorded a determination that there is need, in the interest of the public health, safety and welfare, for the organization of a district in a particular territory and has defined the boundaries thereof, it shall, within a reasonable time after entry of the finding that there is need for the organization of the proposed district and the determination of the boundaries thereof hold a referendum within the proposed district upon the proposition of the creation of the district and cause due notice of such referendum to be given. The question shall be submitted by ballots upon which the words "For creation of a soil and water conservation district of the lands below described and lying in the county(ies) of (and)" and "Against creation of a soil and water conservation district of the lands below described and lying in the county(ies) of (and)" shall appear with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose creation of such district. The ballot shall set forth the boundaries of such proposed district as determined by the department. All owners of lands lying within the boundaries of the territory, as determined by the department, shall be eligible to vote in such referendum. Only such landowners shall be eligible to vote.

SECTION 48-9-590. Conduct of hearings and referenda; expenses.

The department shall pay all expenses for the issuance of such notices and the conduct of such hearings and referenda and shall supervise the conduct of such hearings and referenda. It shall issue appropriate regulations governing the conduct of such hearings and referenda and providing for the registration prior to the date of the referendum of all eligible voters or prescribing some other appropriate procedure for the determination of those eligible as voters in such referendum. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice thereof shall have been given substantially as provided in Section 48-9-540 and such referendum shall have been fairly conducted.

SECTION 48-9-600. Final determination as to establishment of district.

The department shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible. If the department shall determine that the operation of such district is not administratively practicable and feasible it shall record such determination and deny the petition. If the department shall determine that the operation of such district is administratively practicable and feasible it shall record such determination and shall proceed with the organization of the district in the manner provided in Sections 48-9-610 to 48-9-630. In making such determination the department shall give due regard and weight to the attitudes of the owners and occupiers of lands lying within the defined boundaries, the number of landowners eligible to vote in such referendum who shall have voted, the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast, the approximate wealth and income of the landowners and occupiers of the proposed district, the probable expense of carrying on erosion-control operations within such district and such other economic and social factors as may be relevant to such determination, having due regard to the legislative determinations set forth in Section 48-9-20. The department shall not have authority to determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of creation of the district shall have been cast in favor of the creation of such district.

SECTION 48-9-610. Appointment of two commissioners of new district.

If the department shall determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible it shall appoint two commissioners to act with the three commissioners elected as provided in Article 11 of this chapter as the governing body of the district.

SECTION 48-9-620. Filing and contents of application by appointed commissioners with Secretary of State.

The two appointed commissioners shall present to the Secretary of State an application signed by them, which shall set forth (and such application need contain no detail other than the mere recitals) that:

- (1) A petition for the creation of the district was filed with the department pursuant to the provisions of this chapter and that the proceedings specified in this chapter were taken pursuant to such petition;
- (2) The application is being filed in order to complete the organization of the district under this chapter and the department has appointed the signers as commissioners;
- (3) The name and official residence of each of the commissioners, together with a certified copy of the appointments evidencing their right to office;
- (4) The term of office of each of the commissioners;
- (5) The name which is proposed for the district; and
- (6) The location of the principal office of the commissioners of the district.

The application shall be subscribed and sworn to by each of the commissioners before an officer authorized by the laws of this State to take and certify oaths, who shall certify upon the application that he personally knows the commissioners and knows them to be the officers as affirmed in the application and that each has subscribed thereto in the officer's presence. The application shall be accompanied by a statement by the department which shall certify (and such statement need contain no detail other than the mere recitals) that a petition was filed, notice issued and hearing held as provided in Sections 48-9-510 and 48-9-540; that the department did duly determine that there is need, in the interest of the public health, safety and welfare, for a soil and water conservation district to function in the proposed territory and did define the boundaries thereof; that notice was given and a referendum held on the question of the creation of such district and that the result of such referendum showed a majority of the votes cast in such referendum to be in favor of the creation of the district; and that thereafter the department did duly determine that the operation of the proposed district is administratively practicable and feasible. Such statement shall set forth the boundaries of the district as defined by the department.

SECTION 48-9-630. Action by Secretary of State on application.

The Secretary of State shall examine the application and statement and, if he finds that the name proposed for the district is not identical with that of any other soil and water conservation district of this State or so nearly similar as to lead to confusion or uncertainty, he shall receive and file them and shall record them in an appropriate book of record in his office. If the Secretary of State shall find that the name proposed for the district is identical with that of any other soil and water conservation district of this State or so nearly similar as to lead to confusion and uncertainty, he shall certify such fact to the department, which shall thereupon submit to the Secretary of State a new name for the district, which shall not be subject to such defects. Upon receipt of such new name, free of such defects, the Secretary of State shall record the application and statement, with the name so modified, in an appropriate book of record in his office. When the application and statement have been made, filed and recorded, as provided in Section 48-9-620 and this section, the district shall constitute a governmental subdivision of this State and a public body corporate and politic exercising public powers. The Secretary of State shall make and issue to the commissioners a certificate, under the seal of the State, of the due organization of the district and shall record such certificate with the application and statement.

SECTION 48-9-640. Subsequent petition if previous determination was against feasibility of district.

After six months shall have expired from the date of entry of a determination by the department that the operation of a proposed district is not administratively practicable and feasible and a denial of a petition pursuant to such determination, subsequent petitions may be filed as provided in Section 48-9-510 and action taken thereon in accordance with the provisions of this chapter.

SECTION 48-9-650. Certificate conclusive as to establishment of district; admissibility of certificate as evidence.

In any suit, action or proceeding involving the validity or enforcement of, or relating to, any contract, proceeding or action of the district, the district shall be deemed to have been established in accordance with the provisions of this

chapter upon proof of the issuance of the certificate by the Secretary of State as provided in Section 48-9-630. A copy of such certificate duly certified by the Secretary of State shall be admissible in evidence in any such suit, action or proceeding and shall be proof of the filing and contents thereof.

ARTICLE 7.

EXTENSION OR SUBDIVISION OF DISTRICTS

SECTION 48-9-810. Petition for enlarging existing district.

Petitions for including additional territory within an existing district may be filed with the department and the proceedings provided for in Article 5 of this chapter in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion. The department shall prescribe the form for such petition, which shall be as nearly as may be in the form prescribed in Article 5 of this chapter for petitions to organize a district. When the total number of landowners in the area proposed for inclusion shall be less than twenty-five, the petition may be filed when signed by a majority of the landowners of such area and in such case no referendum need be held. In referenda upon petitions for such inclusion, all owners of land lying within the proposed additional area shall be eligible to vote.

SECTION 48-9-820. Petition for subdivision of district.

A portion of a soil and water conservation district, such portion being composed of one or more entire counties, may withdraw from such district and constitute itself a separate soil and water conservation district by the procedure set forth in this section and Sections 48-9-830 and 48-9-840. A petition signed by a majority of the members of the governing body of the soil and water conservation district or a petition signed by twenty-five landowners of the county or counties wishing to withdraw and constitute themselves a separate district may be filed with the department asking that the subdivision be made and constitute a district. Such petition shall (a) set forth the name of the district, (b) describe the existing boundary lines of the district and boundary lines of the proposed district (subdivision) and (c) request that the department hold a public hearing upon the question of the proposed subdivision and that the department duly define the boundary lines as set out in the petition.

SECTION 48-9-830. Hearing on petition for subdivision of district.

Within thirty days after such a petition has been filed with the department, it shall cause due notice to be given of a proposed hearing upon the question of the proposed subdivision. All occupiers of land lying within the proposed district and all other interested parties shall have the right to attend such hearing and to be heard.

SECTION 48-9-840. Determination as to subdivisions.

After such hearing the department shall determine, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, whether there is need in the interest of the public health, safety and welfare for the proposed subdivision and whether the operation of the districts within the proposed boundaries will be administratively practicable and feasible. In making such determination, the department shall give due weight and consideration to the legislative determinations set forth in Section 48-9-20 and to the standards provided in Sections 48-9-560 and 48-9-600 for the guidance of the department in making its determinations in connection with the organization of districts. If the department determines that the proposed subdivision is not necessary in the interest of the public health, safety and welfare, or that the operation of the districts within the proposed boundaries would not be administratively practicable or feasible, it shall record such determination and deny the petition. If the department shall determine in favor of the proposed subdivision, it shall record such determination and define the boundary lines between the districts and shall notify the chairman of the governing body of the district to be divided of its determination.

SECTION 48-9-850. Organization of subdivision as district.

The department shall then proceed in accordance with Sections 48-9-610 to 48-9-630 to organize the subdivision into a district and to inform the Secretary of State of the change in the boundaries of the remaining district and to complete the organization of the governing body of the remaining district.



OCONEE SOIL AND WATER
CONSERVATION DISTRICT

Commissioners
Robert Winchester, Chairman
Lee Keese, Vice-Chairman
Carol Hendrix Secretary-Treasurer
L.J. Jones Rex Ramsay
Eddie Martin, District Manager

January 28, 2020

Gary D. Lyle
180 Pan Head Road
Walhalla SC 29691

Dear Mr. Lyle:

Pursuant to Section 48-59-70(B) of the South Carolina Conservation Bank Act, we hereby notify you that:

- (1) Interests in land purchased with trust funds from the Conservation Bank result in a permanent conveyance of such interests from you to the eligible fund recipient or its assignees;
- (2) It may be in your interest to retain independent legal counsel, appraisals and other professional advice.

It has been a pleasure working with you on the application.

Very truly yours,

Eddie Martin
District Manager

I acknowledge receipt of this notification today.

Sworn before me this 29th day of January 2019.

Switna Sanders

My commission expires 1.19.2028.



OCONEE SOIL AND WATER
CONSERVATION DISTRICT

Commissioners
Robert Winchester, Chairman
Lee Keese, Vice-Chairman
Carol Hendrix Secretary-Treasurer
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Very truly yours,

Eddie Martin
District Manager

I acknowledge receipt of this notification today.

Sworn before me this 29th day of January 2019.

My commission expires 1.19.2028.

Management Plan


The property will continue to be managed for tree production as it has been. Rotating stands of timber of varying ages will continue to be harvested at maturity and replanting will occur after harvest. While trees are growing the different areas will be managed as wildlife habitat. Streams will remain buffered to protect water quality. Best use practices will be observed in all procedures.

Management Plan

The property will continue to be managed for tree production as it has been. Rotating stands of timber of varying ages will continue to be harvested at maturity and replanting will occur after harvest. While trees are growing the different areas will be managed as wildlife habitat. Streams will remain buffered to protect water quality. Best use practices will be observed in all procedures.

Gary & Christy Lyle

180 Panhead Road
Walhalla SC 29691



Christy and I have lived in Oconee County all of our lives. I grew up in the Oak Grove area. I have seen the tracts of land get smaller and more people living in Oconee. We feel this property needs a conservation easement on it to keep it one parcel to be able to maintain the water quality flowing through the property and for the future generations of Oconee County. The property has an abundance of fresh water consisting of 950' +/- of Ramsey Creek adjoining it. Also 8,000' +/- of above ground tributaries flowing into Ramsey Creek and also the property is upstream and downstream of a waterfall that is on the adjoining property.

Our goal is to continue a timber farm. The property has 50 acres of planted pine. These pines were planted in 1999. The property has 25 acres of mature hardwoods. The property has 30 acres of pines planted in 2017. There will be 30 acres planted in 2018 with pines. The remaining property is open and will be used for hay production, pasture and wildlife plots. The wildlife on the property consists of all the big game that is native to Oconee County. We have wood duck boxes along Ramsey Creek. This year we have seen the Killdeer nests in the open areas with the abundance of song birds. This property is within 1 mile of Sumter National Forest and the Buzzard Roost Preserve and the property has a mountain range view along the existing roads.

The property has potential to be sub divided in 10 to 20 acre parcels due to it having 2400' of road frontage on Stribling Shoals Road and 3000' of private drive on Panhead Road. Having a conservation easement on this property would prevent this from happening in the future.

This property has been home to us and we would love to see it be kept as a farm for the future. We appreciate your time and consideration of our property for a conservation easement.

165.89-Acre Tract

Gary D. Lyle and Christy O. Lyle, Owners

Walhalla, Oconee County, South Carolina

Site Setting

The 165.89 acre tract is located 4.3 miles southwest of the city of Walhalla, South Carolina and 4.5 miles north of the city of Westminster South Carolina. All of Oconee County continues to see the effect of rural development. The location of this parcel between two growing municipalities gives concern about the ability to keep it from the pressures of development. The southeastern tip of the property comes in contact with Coffee Road, a main thoroughfare between Walhalla and Westminster that has seen significant growth over the last several years.

The property has six flowing streams that contribute over eight thousand feet of fresh water tributary and the southwestern border of the property is the center of Ramsey Creek encompassing nine hundred fifty feet. The make up of the property is 135 acres of trees broken down into 50 acres of twenty year old pines, 30 acres of two year old pines, 30 acres of one year old pines, and 25 acres of mature hardwood. The remainder of the property is open and is used for hay, pasture and wildlife plantings.

Sumter National Forest and the Buzzard Roost Preserve is one mile away from the parcel and wood duck boxes are placed along the waterways within. The streams are buffered with trees and provide the usual stream bank vegetation that grows in the upstate. Deer, turkey, song birds, small game and heavy evidence of black bear use are observed onsite.

History

60 acres of the parcel have been owned by the Lyle's for 20 years. The remainder was purchased three years ago. The land has been in continuous production of trees since before they purchased the property. The plan is to continue tree production on the entirety of the property.

The management objective for the future is continuous production of quality timber and hardwood. As a by-product of this model wildlife habitat will be enhanced and protected. The continued vegetative state of the property will help keep the streams on site clean, protecting the watershed below the parcel, and help with carbon mitigation and air cleansing as the burden of air quality continues to rise. This is a sustainable production effort which helps produce a quality product while protecting natural resources into the future.

Leverage and partnerships

Oconee Soil and Water Conservation District, as applicant for this project, is currently seeking leverage funds from the Oconee County Conservation Bank and Upstate Forever. The timing of this project is such that the application process and partnership discussions have all landed within a time frame that the SCCB application is the first to come up. If we can get a commitment for this project from SCCB we are confident the OCCB will be able to consider up to 10% of the easement value of the property and Upstate Forever plans to partner with us for an additional amount as needed as available.



The Lyle property is in the Five Forks Community near the Stribling Shoals and Coffee Road intersection, about halfway between the city of Walhalla and Westminster in Oconee County, SC. The property lies in close proximity to some other unique parcels that are owned privately, or by other state and federal government agencies. One privately held parcel is under current easement that is monitored by Upstate Forever. The other near by parcels that are held by the United States Forest Service (USFS) and South Carolina Department of Natural Resources (SCDNR) include the Blue Ridge Escarpment, along with Buzzard Roost Heritage Preserve. These properties, private and public owned, harbor a great number of biodiverse flora and fauna within their native habitats. The Lyle property will help to continue to preserve some of these same unique features under the proposed conservation easement protections.

The Lyle property is currently managed for the timber by way of practicing Best Management Practices as identified by the South Carolina Forestry Commission (SCFC) and has an active timber management prescription ongoing on the parcel. Along with the timber management, there are active pasture management activities as well that support haying, cattle and other livestock needs as well. The current land management practices provide excellent opportunities for creating an array of diverse habitat types that support the needs of the landowner and provide opportunities for the flora and fauna that inhabit the tract. The stream side management zones have good buffers to keep the streams shaded and cool, along with helping to address water quality issues. The uneven aged stands of timber represent areas where different wildlife and plant species can thrive as well, all the way from recently planted loblolly pine tree seedlings, to some mature stands of existing hardwoods.

Trail cameras placed on the property by the landowner have shown evidence of black bear, whitetail deer, coyote, bobcat, wild turkey and other game species. An area of the parcel also represents suitable habitat for some of Oconee County's rare, threatened and endangered species as specified by South Carolina Department of Natural Resources. Those rare species include the Spotted Skunk, Appalachian Cottontail, Eastern Woodrat, Wood Frog, Pickerel Frog, Southern Pygmy Shrew, and Little Brown Myotis. The at risk, threatened and endangered species that would use this parcel as habitat would include Green Salamander, Rafinesque Big-eared Bat, Monarch Butterfly, Eastern Small Footed Myotis, Smooth Coneflower, and Sun Facing Coneflower. Attached is a list of the current Oconee at risk, threatened and endangered species according to SCDNR.

R. Jason Davis

Soil Conservation Technician

USDA-NRCS Walhalla, SC

Jason.davis@usda.gov

864-638-1004 office



OCONEE SOIL AND WATER
CONSERVATION DISTRICT

Commissioners
Robert Winchester, Chairman
Lee Keese, Vice-Chairman
Carol Hendrix Secretary-Treasurer
L.J. Jones Rex Ramsay
Eddie Martin, District Manager

January 28, 2020

Gary D. Lyle
180 Pan Head Road
Walhalla SC 29691

Dear Mr. Lyle:

In partnership with you in placing an application for a conservation easement on your property located at 180 Panhead Road Walhalla SC 29691, it is required that proof be offered of farming taking place on the said property. You have provided us with three year's Schedule F required by the IRS. These Schedules are received as proof that farming has been done on the actual property we are attempting to place the easement on. If you are in agreement with this statement please provide your signature below.

It has been a pleasure working with you on the application.

Very truly yours,

Eddie Martin
District Manager

I acknowledge receipt of this notification today and affirm these schedules go with the easement property.

Sworn before me this 29th day of January 2019.

J. Sanders

My commission expires 1.19.2028.



Income Tax Returns are not subject to disclosure under the SC Freedom of Information Act. Therefore, the next 11 pages of the application are not available for public view.



From Coffee Road Lat. 234.721 Long. -83.130



From Stribling Shoals Road
Lat. 34.726 Long. -83.126

Attachment B

Oconee Soil & Water Conservation District Easements

Landowner(s)	Tract No.	Easement Date	Easement Acreage	Easement Value	Total Payment	FRPP Portion	SCCB Portion	Landowner Portion	FRPP Acres Donated
FRPP 2006 Program Year									
Golden, Grace B.	9108-Nw	9/26/2007	40.938	\$ 162,000.00	\$ 179,799.70	\$ 64,728.00	\$ 115,071.70	\$ (17,799.70)	0
Golden, Grace B.	9108-Nn	9/26/2007	68.466	\$ 180,000.00	\$ 256,952.90	\$ 90,000.00	\$ 166,952.90	\$ (76,952.90)	0
Golden, Grace B.	9108-Ne	9/26/2007	68.74	\$ 150,000.00	\$ 257,981.22	\$ 75,000.00	\$ 182,981.22	\$ (107,981.22)	0
McPhail, Floyd M.	8958-1	9/26/2007	128.293	\$ 515,000.00	\$ 481,202.59	\$ 173,233.00	\$ 307,969.59	\$ 33,797.41	0
McPhail, Floyd M.	2011-N	9/26/2007	67.12	\$ 280,000.00	\$ 247,068.72	\$ 88,945.00	\$ 158,123.72	\$ 32,931.28	0
McPhail, Floyd M.	2011-S	9/26/2007	138.493	\$ 430,000.00	\$ 522,974.54	\$ 188,271.00	\$ 334,703.54	\$ (92,974.54)	0
McPhail, Neil B.	9340 & 8959	9/27/2007	260.505	\$ 970,000.00	\$ 1,012,824.80	\$ 346,436.00	\$ 666,388.83	\$ (42,824.80)	0
Stone, Don M.	9108-S	9/26/2007	59.153	\$ 188,947.00	\$ 240,004.32	\$ 86,402.00	\$ 153,602.32	\$ (51,057.32)	0
Stone, Mendel & Linda	9107	9/26/2007	86.037	\$ 255,000.00	\$ 342,255.19	\$ 123,212.00	\$ 219,043.19	\$ (87,255.19)	0
Tokeena Farms FLP	9344	9/26/2007	87.067	\$ 230,000.00	\$ 326,579.36	\$ 115,000.00	\$ 211,579.36	\$ (96,579.36)	0
Tokeena Farms FLP	9343	9/26/2007	73.137	\$ 190,000.00	\$ 274,329.36	\$ 95,000.00	\$ 179,329.36	\$ (84,329.36)	0
TOTALS			1077.949	\$ 3,550,947.00	\$ 4,141,972.70	\$ 1,446,227.00	\$ 2,695,745.73	\$ (591,025.70)	0
FRPP 2007 Program Year									
Cain, Kenny & Patricia	2647	8/27/2008	110.698	\$ 447,000.00	\$ 290,000.00	\$ 145,000.00	\$ 145,000.00	\$ 157,000.00	37.911
Garrett, Kimberly B.	3390	12/20/2010	121.605	\$ 451,000.00	\$ 289,480.21	\$ 176,730.21	\$ 112,750.00	\$ 161,519.79	26.3
Walters, Rainey B.	2709	9/13/2011	80.7	\$ 285,000.00	\$ 198,210.97	\$ 126,960.97	\$ 71,250.00	\$ 86,789.03	8.8
TOTALS			313.003	\$ 1,183,000.00	\$ 777,691.18	\$ 448,691.18	\$ 329,000.00	\$ 405,308.82	73.011
FRPP 2011 Program Year									
Powell, M.J. & Rebecca	9381	8/19/2014	73.02	\$ 170,000.00	\$ 159,596.86	\$ 75,221.86	\$ 84,375.00	\$ 10,403.14	\$ 8.40
Shirley, John & Julia	3194	9/25/2014	393.59	\$ 760,000.00	\$ 718,195.08	\$ 338,195.08	\$ 380,000.00	\$ 41,804.92	\$ 43.30
TOTALS			466.61	\$ 930,000.00	\$ 877,791.94	\$ 413,416.94	\$ 464,375.00	\$ 52,208.06	51.700
ACEP 2015 Program Year									
Powell, Jerry M.		8/17/2017	94.41	\$ 200,000.00	\$ 190,000.00	\$ 95,000.00	\$ 95,000.00	\$ 10,000.00	0.000
Powell, J. Denver			80.26						
Powell, Amanda/Powell Denver			172.83						
TOTALS			347.5	\$ 200,000.00	\$ 190,000.00	\$ 95,000.00	\$ 95,000.00	\$ 10,000.00	0

Other Easements

McPhail, Neil B.	9431	9/24/2013	119.4	\$	260,000.00	\$	232,187.00	\$	-	\$	232,187.00	\$	27,813.00	\$	-
Green Girl Properties, LLC		8/26/2009	115.222	\$	595,000.00	\$	-	\$	-	\$	-	\$	595,000.00	\$	-
Ramey, Wayne		2/17/2015	128.324			\$	141,156.00	\$	-	\$	141,156.00	\$	(141,156.00)	\$	-
TOTALS			362.946	\$	855,000.00	\$	232,187.00	\$	-	\$	232,187.00	\$	622,813.00	\$	-
ALL EASEMENT TOTALS			2568.008	\$	6,718,947.00	\$	6,219,642.82	\$	2,403,335.12	\$	3,816,307.73	\$	499,304.18		124.711

CEV/Ac	Apprsl Date	% Value Paid	PSWI Soils	Per Ac Pmt
\$ 3,957.20	11/13/2006	111%		\$ 4,392.00
\$ 2,629.04	11/13/2006	143%		\$ 3,753.00
\$ 2,182.14	11/13/2006	172%		\$ 3,753.00
\$ 4,014.25	11/13/2006	93%		\$ 3,750.81
\$ 4,171.63	11/13/2006	88%		\$ 3,681.00
\$ 3,104.85	11/13/2006	122%		\$ 3,776.18
\$ 3,723.54	11/13/2006	104%		\$ 3,887.93
\$ 3,194.21	11/13/2006	127%		\$ 4,057.35
\$ 2,963.84	11/13/2006	134%		\$ 3,978.00
\$ 2,641.64	11/13/2006	142%		\$ 3,750.90
\$ 2,597.86	11/13/2006	144%		\$ 3,750.90
\$ 3,198.20	11/13/2006	126%		\$ 3,866.46
\$ 4,038.01	1/11/2008	65%		\$ 2,619.74
\$ 3,708.73	9/16/2010	64%		\$ 2,380.50
\$ 3,531.60	9/21/2010	70%		\$ 2,456.15
\$ 3,759.45		66%		\$ 2,485.46
\$ 2,328.13	5/10/2013	94%		\$ 2,185.66
\$ 1,930.94	9/20/2013	94%		\$ 1,824.73
\$ 2,129.54		94%		\$ 2,005.19
\$ 2,118.42	2/10/2016	95%		\$ 2,012.50
\$ 2,118.42		95%		

\$ 2,177.55	6/3/2013	89%	\$ 1,944.61
\$ 5,163.94		0%	\$ -
\$ -		#DIV/0!	\$ 1,100.00
\$ 7,341.50		45%	\$ 972.31
\$ 3,709.42		85%	\$ 2,332.36

2521.47



February 19, 2020

Oconee Soil and Water Conservation District
Eddie Martin
301 West South Broad Street
Walhalla, SC 29691

**RE: Applications for Funding from the SCCB
Lyle Property – Oconee County – 165.89 acres**

Dear Mr. Martin:

I am pleased to inform you that the South Carolina Conservation Bank Board reviewed and approved the above-mentioned project in the amount of \$143,300.00. Please note that before the Bank can disburse funding, you must satisfy the terms and conditions of the Grant Agreement, which is enclosed herewith. Please note that this approval is contingent on all due diligence being received by May 31, 2020, and a final closing being scheduled no later than June 30, 2020.

We appreciate your interest and hard work in improving the quality of life in South Carolina and are pleased that the Conservation Bank could play a role in accomplishing this project. Congratulations on your successful request and I look forward to working with you in the future.

If you have any questions, do not hesitate to contact this office.

Sincerely,

J. Raleigh West, III

J. Raleigh West III
Executive Director

cc: Gary D. Lyle
180 Panhead Road
Walhalla, SC 29691



Protecting Land & Water | Advocacy | Balanced Growth

March 10, 2020

Gary D. and Christy O. Lyle
180 Panhead Road
Walhalla, SC 29691

Eddie Martin
Oconee Soil and Water Conservation District
301 West South Broad Street
Walhalla SC 29691
Mobile 864 557 6168

RE: Letter of Commitment to Support Conservation Easement on Lyle Property in Oconee County

Dear Mr. and Mrs. Lyle and Mr. Martin,

This letter is to acknowledge that Upstate Forever is committing to support a conservation easement on the properties of Gary and Christy Lyle, in Oconee County, South Carolina. The properties in question total 165.9 acres on two parcels, which are further identified on Oconee County Tax Maps as parcel numbers 188-00-01-022 and 188-00-01-004.

The subject properties are situated less than five miles from at least seven other conservation easement held by Upstate Forever in close proximity to the Cities of Walhalla and Westminister, and is approximately one mile from the Coneross Creek Reservoir. A conservation easement on the subject properties will protect a portion of Ramsey Creek, a tributary of the Chauga River, as well as the rural character of the community.

Based on a recent appraisal of the property conducted by Stephen Anderson and Allen McCravy of Stone & Associates on January 27, 2020, Upstate Forever is willing to commit up to \$9,000 toward the purchase of a conservation easement on the subject properties pending a successful closing.

Sincerely,

A handwritten signature in blue ink that reads 'Andrea Cooper'.

Andrea Cooper
Executive Director

Martin, Edward - NRCS-CD, Walhalla, SC

Subject: FW: difficulties with the new application

Upstate forever Commitment

EDDIE MARTIN
OCONEE SOIL AND WATER CONSERVATION DISTRICT
301 WEST SOUTH BROAD STREET
WALHALLA SC 29691
MOBILE 864 557 6168

From: Chris Starker <cstarker@upstateforever.org>
Sent: Monday, February 3, 2020 4:04 PM
To: Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net>
Cc: Scott Park <spark@upstateforever.org>
Subject: Re: difficulties with the new application

Yes, this is a commitment. I can provide a letter of commitment if that helps, but I'll probably need someone else to sign off on it. Just let me know!

Chris

On Mon, Feb 3, 2020 at 10:16 AM Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net> wrote:

So is this a verified commitment that I can place in the application?. In order to make this thing work getting to 33% of easement value from SCCB I have to ask OCCB for \$45000 which is 10% of the easement value of \$450,000. Please confirm this is a commitment.

EDDIE MARTIN
OCONEE SOIL AND WATER CONSERVATION DISTRICT
301 WEST SOUTH BROAD STREET
WALHALLA SC 29691
MOBILE 864 557 6168

From: Chris Starker <cstarker@upstateforever.org>
Sent: Friday, January 31, 2020 4:25 PM
To: Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net>
Subject: Re: difficulties with the new application

It's not as much as I was hoping but based on our budget - or what's left of it - we can put in \$9,000. I was expecting to match the original OCCB number at around \$18k but that's what accounting approved. I guess something is better than nothing and I'm sure the SCCB will appreciate it, too.

On Fri, Jan 31, 2020 at 8:51 AM Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net> wrote:

A number would be great!! And of course I need it soon.

EDDIE MARTIN

OCONEE SOIL AND WATER CONSERVATION DISTRICT

301 WEST SOUTH BROAD STREET

WALHALLA SC 29691

MOBILE 864 557 6168

From: Chris Starker <cstarker@upstateforever.org>

Sent: Friday, January 31, 2020 8:44 AM

To: Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net>

Cc: Gary <[REDACTED]>; Scott Park <spark@upstateforever.org>

Subject: Re: difficulties with the new application

Thanks for keeping us in the loop, Eddie. Let me know if there's anything I can do to help.

I think you need a number from us, if I'm not mistaken? I've copied Scott on this email to see if he can chime in.

Chris

On Fri, Jan 31, 2020 at 8:36 AM Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net> wrote:

Shea's a good one and if he has already looked at these parcels he may be able to get the document prepared. My only other concern is not having the matching funds in place...the worse scenario there is they forward the application to the July date which is really not that bad. If you want to go forward ASK Shea if he thinks he could get a document ready by the seventh and I will add it to what I have and we will go forward. I tell you what I will do, I will go forward and send the application as I have it to them this morning. I will ask for the extension on the title document. If Shea can produce it by the deadline we will be good, if not we will go forward in July.

EDDIE MARTIN

OCONEE SOIL AND WATER CONSERVATION DISTRICT

301 WEST SOUTH BROAD STREET

WALHALLA SC 29691

MOBILE 864 557 6168

From: Gary [REDACTED]
Sent: Thursday, January 30, 2020 7:31 PM
To: Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net>
Subject: Re: difficulties with the new application

I will need your all advice on this situation. Shea Airey has done title work on most of the subject property already. I haven't talked with him, but I do think he would help me on this situation. I just need advice on making the best application to SCCB . Should we do it now or July?

Sent from my iPhone

On Jan 30, 2020, at 1:35 PM, Martin, Edward - NRCS-CD, Walhalla, SC <edward.martin@sc.nacdnet.net> wrote:

Gentlemen,

Since I have received the appraisal and began the process of updating the application to try to get it in by the Friday deadline I have run aground of a couple of issues. I updated all information in the previous application that I had on hand that we have used ever since the conservation bank came into existence. It was a good package. I sent it in yesterday afternoon thinking we had gotten under the wire and in good standing. I was notified at that point that the application I used was an old one and they had changed the application with the revamp of the bank. I then started the transfer of all the info into the new document. It requires several attachments that the former application did not require. The worst of these is a title commitment from a lawyer who has searched the title and can provide the results from that review. I have been offered an extension until Feb 12 to get this document prepared. I do not think a lawyers office could complete this in that time frame. Gary this

would be another out of pocket expense for you. If a lawyer you are associated with thinks they could get such a document created in a few days we can get the application in. If not, we are still required to provide it and will place the application in the July round. This would also give us the opportunity to leverage funding from upstate forever and Oconee Conservation Bank, making the application stronger. I am willing to do whatever you wish, but we will need that document prior to Feb 12th if we are to submit in this round.

EDDIE MARTIN

OCONEE SOIL AND WATER CONSERVATION DISTRICT

301 WEST SOUTH BROAD STREET

WALHALLA SC 29691

MOBILE 864 557 6168

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Chris Starker
Land Conservation Manager
Upstate Forever
507 Pettigru St.
Greenville, SC 29601
864-250-0500 ext 15

cstarker@upstateforever.org

Upstate Forever is a conservation organization that protects critical lands, waters, and the unique character of the Upstate of South Carolina. Learn more at upstateforever.org.

--
Chris Starker
Land Conservation Manager
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Consent and Subordination Agreement

165.89 Acres +/- Plat by John F. Tinsley PLS No. 16824

Title Conservation Easement and Certification For

Oconee Soil & Water Conservation District and Gary D. Lyle and Christy O. Lyle

Tax parcel(s): 188-00-01-004 and 188-00-01-022

Mortgage Holder: Benjamin H. Tinsley

Mortgage: Date of Recording: 10 March 2016 Recorded in Book: 3470 Page: 232 - 237

Mortgaged Property: 180 Panhead Road

Walhalla, South Carolina 29691 ---Oconee County

Owners: Gary D. Lyle and Christy O. Lyle

Easement Holder: OCONEE SOIL & WATER CONSERVATION DISTRICT

Address for Notices: 301 West South Broad Street, Walhalla, SC, United States

INTENDING TO BE LEGALLY BOUND, the Mortgage Holder identified above covenants and agrees as follows for the benefit of the Owners identified above and the Easement Holder identified above.

- **Consent**

The Mortgage Holder consents to the further encumbrance of the Mortgaged Property identified above by an easement in favor of the Easement Holder.

- **Sale Subject to Easement**

The Mortgage Holder confirms and agrees that the easement shall survive any sale or other execution upon the Mortgage. The term "Mortgage" when used in this agreement includes all documents and instruments secured by the Mortgage. No sale of the Mortgaged Property by the Mortgage Holder, or by, through, or under the powers vested in the Mortgage Holder pursuant to the Mortgage, shall occur except under and subject to the easement. This covenant applies not only to a sheriff's sale or other judicial sale of the Mortgaged Property on account of a default or other violation of the Mortgage but also to any sale that directly or indirectly benefits the Mortgage Holder as a creditor of the Owners or a secured creditor with respect to the Mortgaged Property. In furtherance of, but without limiting, this covenant, the Mortgage Holder agrees as follows:

- (a) The Easement Holder must not be named as an interest to be divested in any such sale.
- (b) Any such sale must be advertised as being held under and subject to the easement.

(c) The Easement Holder has the right to post signage on the Mortgaged Property or otherwise inform the public that any sale or other transfer of the Mortgaged Property is under and subject to the easement.

• **Notices**

The Mortgage Holder agrees to use reasonable efforts to notify the Easement Holder within 30 days, at its address for notices identified above, of its intent to foreclose or otherwise sell or transfer the Mortgaged Property.

• **Binding Effect**

This Agreement is both a contract and a covenant running with the land. The Mortgage Holder agrees that this agreement is binding upon the Mortgage Holder and its successors and assigns as owner of the Mortgaged Property or holder of any interest therein by, through, or under the Mortgage Holder. This includes any persons who at any time may own, or hold an interest in, the Mortgaged Property by, through or under the Mortgage Holder including any sale held on account of the Mortgage or the interest of the Mortgage Holder as a secured creditor with respect to the Mortgaged Property.

• **Consideration**

The Mortgage Holder confirms that it will received legally sufficient consideration for this agreement and understands that the Owners and Easement Holder are relying upon this agreement in granting and accepting the easement.

INTENDING TO BE LEGALLY BOUND, the Mortgage Holder has signed this agreement as of March 5th, 2020.

Witness: W. P. Z... Date 3-5-20

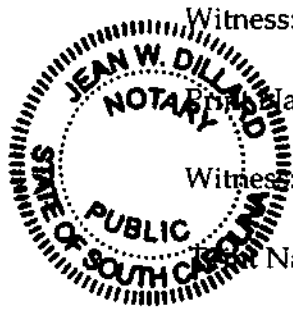
Name: Linda Torres

Witness: Jean W Dillard Date 3-5-20
Notary Public for SC - comm exp. 3-28-29

Name: Jean W. Dillard

Mortgage Holder: [Signature] Date 3-5-20

Mortgage Holder: Benjamin H Tinsley
Print Name:



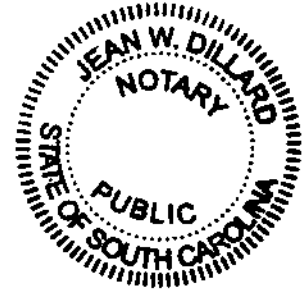
COUNTY OF OCONEE, SOUTH CAROLINA

PERSONALLY appeared the undersigned witness and made oath the (s)he say the within named mortgagor sign, seal and as his/its act and deed deliver the within written instrument and that (s)he, with the other witness subscribed about witnessed the execution therof.

W. R. Jones
Witness

Sworn to me this 5 day of March 2020

Jean W Dillard



Notary Public for South Carolina Comm exp. 3-28-29

Printed Name Jean W. Dillard

My Commission expires: 3-28-29

165.89-Acre Tract

Gary D. Lyle and Christy O. Lyle, Owners

Walhalla, Oconee County, South Carolina

Site Setting

The 165.89 acre tract is located 4.3 miles southwest of the city of Walhalla, South Carolina and 4.5 miles north of the city of Westminster South Carolina. All of Oconee County continues to see the effect of rural development. The location of this parcel between two growing municipalities gives concern about the ability to keep it from the pressures of development. The southeastern tip of the property comes in contact with Coffee Road, a main thoroughfare between Walhalla and Westminster that has seen significant growth over the last several years.

The property has six flowing streams that contribute over eight thousand feet of fresh water tributary and the southwestern border of the property is the center of Ramsey Creek encompassing nine hundred fifty feet. The make up of the property is 135 acres of trees broken down into 50 acres of twenty year old pines, 30 acres of two year old pines, 30 acres of one year old pines, and 25 acres of mature hardwood. The remainder of the property is open and is used for hay, pasture and wildlife plantings.

Sumter National Forest and the Buzzard Roost Preserve is one mile away from the parcel and wood duck boxes are placed along the waterways within. The streams are buffered with trees and provide the usual stream bank vegetation that grows in the upstate. Deer, turkey, song birds, small game and heavy evidence of black bear use are observed onsite.

History

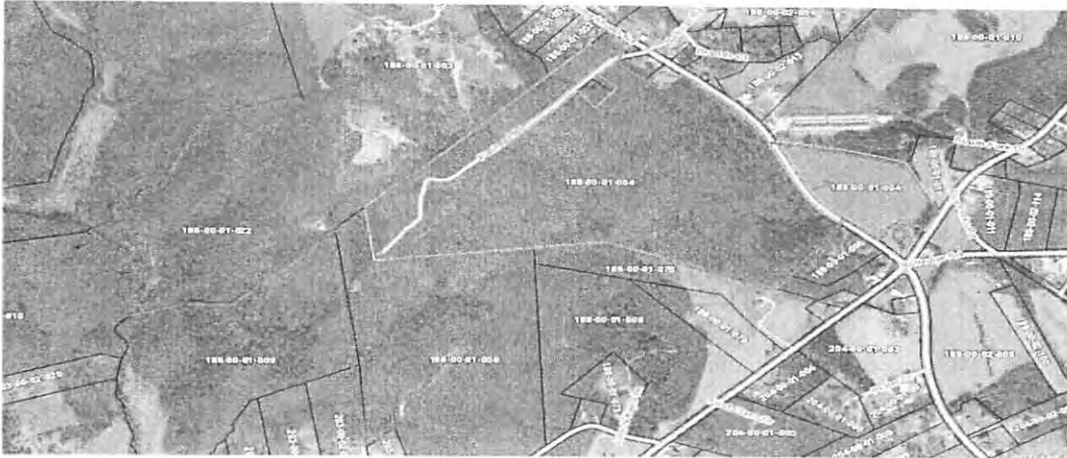
60 acres of the parcel have been owned by the Lyle's for 20 years. The remainder was purchased three years ago. The land has been in continuous production of trees since before they purchased the property. The plan is to continue tree production on the entirety of the property.

The management objective for the future is continuous production of quality timber and hardwood. As a by-product of this model wildlife habitat will be enhanced and protected. The continued vegetative state of the property will help keep the streams on site clean, protecting the watershed below the parcel, and help with carbon mitigation and air cleansing as the burden of air quality continues to rise. This is a sustainable production effort which helps produce a quality product while protecting natural resources into the future.

Leverage and partnerships

Oconee Soil and Water Conservation District, as applicant for this project, is currently seeking leverage funds from the Oconee County Conservation Bank and Upstate Forever. The timing of this project is such that the application process and partnership discussions have all landed within a time frame that the SCCB application is the first to come up. If we can get a commitment for this project from SCCB we are confident the OCCB will be able to consider up to 10% of the easement value of the property and Upstate Forever plans to partner with us for an additional amount as needed as available.

**Appraisal of
Proposed Conservation Easement
165.89-Acre Tract
Stribling Shoals Road
Near Walhalla, South Carolina 29669**



Appraisal Report

Prepared for
Mr. Gary D. Lyle
180 Panhead Road
Walhalla, SC 29691

Date of Inspection
January 25, 2020

Date of Valuation
January 25, 2020

Prepared by
Stephen C. Anderson
Allen D. McCravy, MAI
Stone & Associates
1100A Rutherford Road
Greenville, SC 29609



STONE & ASSOCIATES

1100A RUTHERFORD ROAD • GREENVILLE SC 29609
TEL (864) 232-3051 • FAX (864) 232-3053 • E-MAIL amccravy@stoneandassoc.com

January 27, 2020

Mr. Gary D. Lyle
180 Panhead Road
Walhalla, SC 29691

Subject: Proposed Conservation Easement – 165.89 acres Vacant Land
Stribling Shoals Road
Near Walhalla, Oconee County, South Carolina

Dear Mr. Lyle:

In accordance with your request, we have personally inspected the above referenced property and have prepared an appraisal. We are submitting an appraisal report with applicable exhibits and addenda, which provide in-depth discussions of the process used in completing this assignment.

This is an appraisal report that is intended to comply with the reporting requirements set forth under Standards Rule 2-2 of the Uniform Standards of Professional Appraisal Practice for an Appraisal report. As such, it presents in-depth discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraisers' opinion of value.

The subject property includes two contiguous tracts of land containing approximately 165.89 acres, or 7,226,168 square feet of land area, according to information obtained from Oconee County records. The subject tracts are located near the intersection of Stribling Shoals Road and Coffee Road approximately four miles southwest of the city of Walhalla, SC. The tracts are further identified on Oconee County Tax Maps as Parcel Numbers 188-00-01-022 and 188-00-01-004 with a physical address of 180 Panhead Road, Walhalla, South Carolina 29691.

The subject property has a pending conservation easement which will encumber the entire subject tracts. **A draft copy of the proposed conservation easement is included in the addenda section of this appraisal report (Grantee is Oconee Soil and Water Conservation District).**

Mr. Lyle
January 27, 2020
Page Two

In this assignment, the existence of hazardous waste material, which may or may not be present on or in the property, was not observed by the appraisers. We have no knowledge of the existence of such materials on or near the property. The appraisers, however, are not qualified to detect such substances. The presence of such material may have an effect on the value or use of the property. It is assumed that there are no hazardous materials spills resulting from underground storage tanks or other causes associated with the subject property. Full compliance with all environmental laws is assumed.

The purpose of this appraisal is to estimate the as is market value of the fee simple estate of the subject property prior to being encumbered by a conservation easement. It is also the purpose to estimate the market value of the subject property being encumbered by conservation easement restrictions; therefore, determining a value of the existing conservation easement. As is market value, market value, fee simple estate, and conservation easement are further defined and qualified in the following appraisal report.

After analyzing the subject property and its market, and the various factors entering into the appraisal analysis, including the assumptions and limiting conditions contained in the report, it is our opinion that the market value of the fee simple estate of the subject property as of January 25, 2020, is:

Pre-Easement (Land Only)
Seven Hundred Fifty Thousand Dollars
(\$750,000)

It is also our opinion that the market value of the subject property with the conservation easement in place, as of January 25, 2020, is:

Post-Easement (Land Only)
Three Hundred Thousand Dollars
(\$300,000)

As a result, it is our opinion that the market value of the conservation easement as of the date of inspection, which was January 25, 2020, is:

Value of Easement
Four Hundred Fifty Thousand Dollars
(\$450,000)

It is our understanding that the intended use of this appraisal will be to establish the value of the conservation easement that has been proposed for the subject tracts. The intended use of this appraisal report is for federal income tax purposes and/or planning, and the Internal Revenue Service is included as an intended user. The South Carolina Conservation Bank is also listed as an intended user.

This appraisal employs the hypothetical condition that the conservation easement is in place (as of the date of valuation), in order to provide an after value.

Mr. Lyle
January 27, 2020
Page Three

We wish to clearly emphasize that the detection of any such hazardous materials is beyond the scope of this valuation analysis. Furthermore, it is assumed that the presence of any hazardous materials, gases or toxic substances that would cause a loss in value is assumed not to exist on the property. The appraisers do not report to be qualified engineers trained to detect such substances and no responsibility is assumed by the appraisers relating to the presence of, or impact from, any detected substances.

The value estimate assumes no impact on value because of "Section 404 - Wetlands" as defined by the US Army Corp. of Engineers. The appraisers are not experts in this field and urges the client to seek advice of an expert to determine any potential impact of wetlands on the above referenced property.

The appraisal analysis, opinions and conclusions were developed and this appraisal report has been prepared in conformance with (and the use of this report is subject to) all regulations issued under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) and the Uniform Standards of Professional Appraisal Practice (USPAP) 2020-2021 Edition as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

We certify that we have the experience and knowledge to competently complete an appraisal of this type and have made other appraisals of similar properties in the past. We certify that the property, which is the subject of this report, was inspected by Stephen C. Anderson and Allen D. McCravy, MAI.

The employment of the appraiser was not conditional upon the appraisers producing a specified value, or a value within a given range. Future employment prospects are not dependent upon the appraiser producing a specified value. Employment of the appraisers and the payment of the fee are not based on whether a loan application is approved or disapproved.

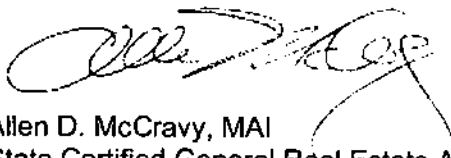
We appreciate the opportunity to be of service. If you have any questions, or require any additional information, please feel free to contact us at (864) 232-3051.

Respectfully submitted,

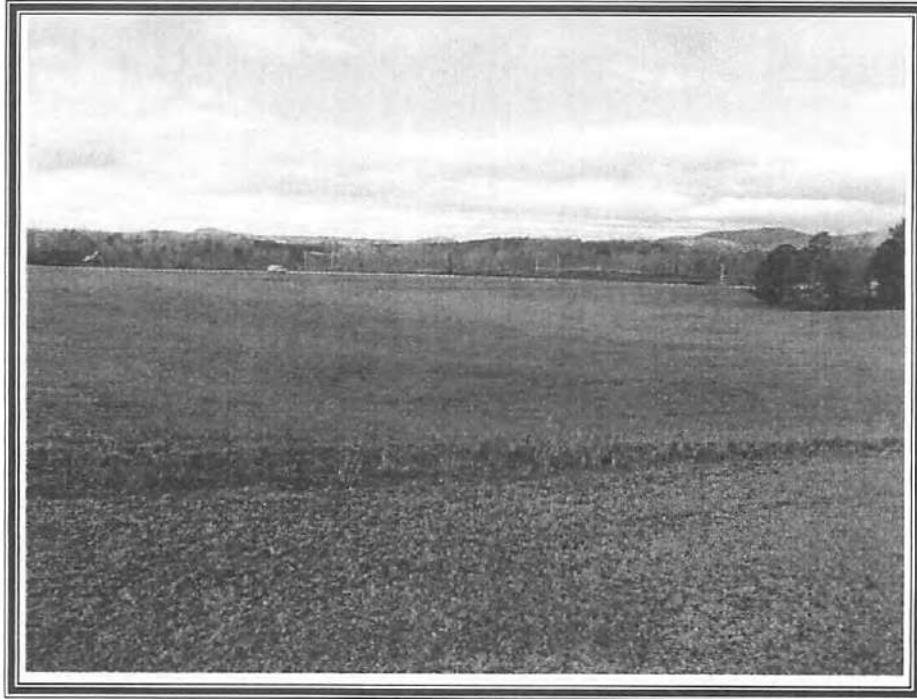
Stone & Associates



Stephen C. Anderson
State Certified General Real Estate Appraiser
SC Certificate No. CG2883



Allen D. McCravy, MAI
State Certified General Real Estate Appraiser
SC Certificate No. CG3617



Typical Interior View of Subject Property



Typical Interior View of Subject Property



Typical Interior View of Subject Property



Typical Interior View of Subject Property



Typical Interior View of Subject Property



Typical Interior View of Subject Property



Typical Interior View of Subject Property



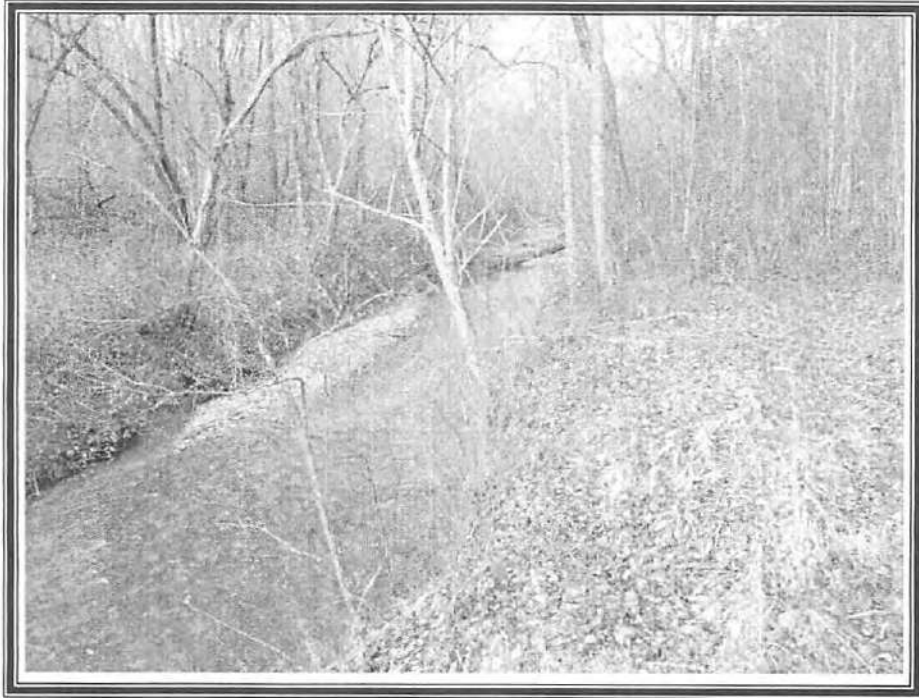
Typical Interior View of Subject Property



Typical Interior View of Subject Property



Typical Interior View of Subject Property



View along creek



Typical Interior View of Subject Property



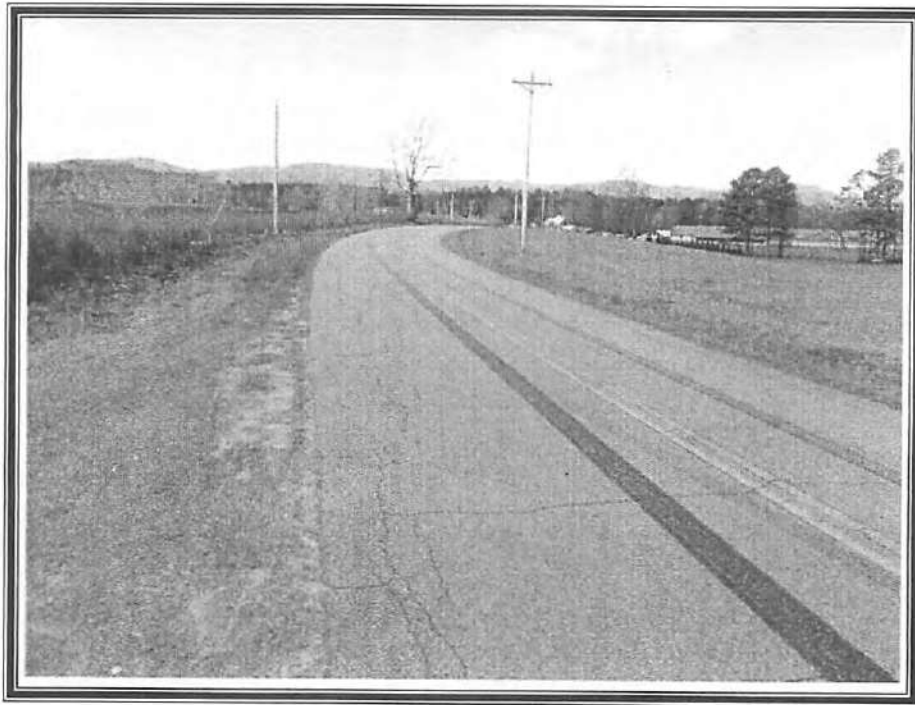
Typical Interior View of Subject Property



Typical Interior View of Subject Property



View of barn structure



**Stribling Shoals Road facing northwest
(Subject land on left and right)**



Panhead Road (Subject in Background)



Stribling Shoals Road facing southeast from Panhead Road

Table of Contents

Summary of Important Facts and Conclusions	1
Assumptions and Limiting Conditions.....	2
Scope of Work	7
Description of Real Estate Appraised	11
Neighborhood Description	20
Site Analysis.....	30
Highest and Best Use Analysis.....	35
Appraisal Process.....	39
Site Valuation	40
Conservation Easement	53
Exposure Time	62
Certification	63
Appraiser's Qualifications	65
Appraiser's Qualifications.....	66
Addenda.....	68

Summary of Important Facts and Conclusions

Property	Proposed Conservation Easement
Location	
Street	Stribling Shoals Road
City	Near Walhalla
County	Oconee County
State	South Carolina
Tax Map Number(s)	188-00-01-022 & 188-00-01-004
Owner of Record	Gary D. Lyle and Christy O. Lyle
Dates of Inspection	January 25, 2020
Date of Appraisal/Valuation	January 25, 2020
Property Rights	Fee Simple
Land Area	165.89 acres total 100% to be encumbered by easement
Improvements	Mobile Home, Barn & Ancillary Structures
Zoning	Unzoned (Oconee County)
Flood Zone – Panel No. – Date	X 45073C 0268C Dated September 11, 2009
Highest & Best Use – Vacant	Residential/Agricultural/Recreational
Total Value – Prior to Easement	\$750,000 (land only)
Total Value – After Easement	\$300,000 (land only)
Value – Conservation Easement	\$450,000
Marketing Period	12 months
Exposure Time	12 to 18 months (prior to easement) 24 to 36 months (after easement)
Inspecting Appraiser	Stephen C. Anderson
Inspecting/Reviewing Appraiser	Allen D. McCravy, MAI

Assumptions and Limiting Conditions

The following report is prepared subject to these Limiting Conditions. Do not rely on report unless you accept the following conditions:

Condition No. 1

Unless otherwise stated, the value appearing in this appraisal represents our opinion of the Market Value or the Value Defined AS OF THE DATE SPECIFIED. Market Value of Real Estate is affected by national and local economic conditions and consequently will vary with future changes in such conditions. If the value reported herein is as of a future date, no liability can be assumed for changes that may occur in any conditions or factors that would impact the value conclusions reported.

Condition No. 2

Title to the subject property is assumed to be good and marketable and is free and clear of all liens and encumbrances, unless otherwise stated herein. No responsibility is assumed for matters legal in nature, nor any opinion of title rendered herewith. Good and marketable title is assumed.

Condition No. 3

The information contained herein has been gathered from sources thought to be reliable; however, no responsibility is assumed for their accuracy.

Condition No. 4

Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report.

Condition No. 5

This appraisal report covers only the property described, and the values and rates used do not apply to any other property, however similar it may be.

Condition No. 6

It is assumed that the description of the property is correct, that the improvements are entirely and correctly located on the described property and that there are no encroachments on this property; however, no investigation or survey has been made.

Assumptions and Limiting Conditions – Continued

Condition No. 7

This appraisal was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

Condition No. 8

No responsibility is assumed for matters legal in nature, nor is any opinion of title rendered.

Condition No. 9

Neither all nor any part of the contents of this report shall be conveyed to any person or entity, other than the appraiser's or firm's client, through advertising, solicitation materials, public relations, news, sale, or other media without the written consent and approval of the authors, particularly as to valuation conclusions, the identity of the appraiser or firm with which the appraiser is connected, or any reference to (The Appraisal Institute or any of its designations.) Further, the appraiser or firm assumes no obligation, liability, or accountability to any third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all the assumptions and limiting conditions of the assignment.

Condition No. 10

It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would make it more or less valuable. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraisers. The appraisers have no knowledge of the existence of such materials on or in the property. The appraisers, however, are not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Condition No. 11

This appraisal assumes competent management and marketing.

Assumptions and Limiting Conditions – Continued

Condition No. 12

The distribution, if any, of the total valuation of this report between land and improvement applies only under the stated program of utilization. Separate valuations of land and improvements must not be used for any other purposes and are invalid if done so.

Condition No. 13

The projections of income and expenses including the reversionary value are based on economic trends as of the date of the appraisal. The real estate market is constantly fluctuating and we cannot accept responsibility for economic variables that may occur in the future which was not known as of the date of the appraisal.

Condition No. 14

It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in this appraisal report.

Condition No. 15

It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state, or national governmental, or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.

Condition No. 16

Possession of this report, or a copy thereof, does not carry with it the rights of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraisers, and in any event, only with properly written qualification and only in its entirety.

Condition No. 17

The exact location and the determination of specific availability of any particular utility are beyond the scope of this appraisal. The client and prospective user of the property must make such additional investigations and inquiries with professional engineers or directly with utility providers concerning specific utility services(s) as a part of the client's due diligence studies required for the client's intended use(s) of the property, all as the client, in the client's judgment, may deem appropriate. Any comments as to utilities

Assumptions and Limiting Conditions – Continued

contained herein are strictly limited to our physical observations, and we expressly do not warrant such comments or service(s) in any fashion. Any lack of particular utility service(s) will have a direct impact upon the valuation contained in this appraisal.

Condition No. 18

The appraisal analysis, opinions and conclusions were developed, and this appraisal report has been prepared in conformance with (and the use of this report is subject to) all regulations issued under Title XI of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) and the Uniform Standards of Professional Appraisal Practice and Advisory Opinions (USPAP) 2020 - 2021 Edition as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Condition No. 19

An extraordinary assumption is defined as an assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions (USPAP 2020 - 2021 Edition, ASB of The Appraisal Foundation). "Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis" (USPAP 2020 - 2021 Edition, ASB of The Appraisal Foundation, Comment). ***This appraisal employs no extraordinary assumptions.***

Condition No. 20

A hypothetical condition is defined as a condition, directly related to a specific assignment which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis (USPAP 2020 - 2021 Edition, ASB of The Appraisal Foundation). "Hypothetical conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis" (USPAP 2020 - 2021 Edition, ASB of The Appraisal Foundation, Comment). ***This appraisal employs the hypothetical condition that the proposed conservation easement is in place (as of the date of valuation), in order to provide an after value.***

Assumptions and Limiting Conditions – Continued

Condition No. 21

This is an appraisal report, which is intended to comply with the reporting requirements set forth under STANDARDS RULE 2-2 of the Uniform Standards of Professional Appraisal Practice and Advisory Opinions (2020 - 2021 Edition) for an appraisal report. As such, it presents in-depth discussions of the data, reasoning, and analysis that were used in the appraisal process to develop the appraisers' opinion of value. Additional supporting documentation concerning the data, reasoning, and analysis is retained in the appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated herein. The appraisers are not responsible for unauthorized use of this report.

Condition No. 22

The subject property is comprised of vacant land, as a result, the cost approach is not applicable. Additionally, there are limited similar properties in the immediate market from which to extract income information; as a result, the income approach has also been excluded from this analysis. Due to the strength of data available for the sales comparison approach, it is considered reasonable to exclude both of these approaches from this analysis.

It should be noted that the subject property is improved with a mobile home residence and miscellaneous ancillary buildings. These improvements are not considered to be affected by the proposed conservation easement, and therefore have not been included within the valuation.

Scope of Work

Intended Users

This appraisal report has been prepared for the exclusive benefit of Mr. and Mrs. Lyle, Oconee Soil and Water Conservation District, Upstate Forever, South Carolina Conservation Bank, as well as the Internal Revenue Service. It may not be used or relied upon by any other party. Any party who uses or relies upon any information in this report, without the preparers' written consent, does so at his/her own risk.

Intended Use / Effective Date

The purpose of this appraisal is to estimate the market value of the subject tracts prior to being encumbered by a conservation easement, as well as the value with the encumbrance. These before and after values are determined in order to establish the value of the proposed conservation easement as of the most recent date of inspection, or January 25, 2020.

The intended use of this report is to:

- Establish the value of the conservation easement that is proposed for the subject tracts.
- Income tax purposes and/or planning.

Value Type & Definition

As is market value, market value, fee simple estate and conservation easement are defined as follows:

As is market value is defined as: *"the estimate of the market value of real property in its current physical condition, use, and zoning as of the appraisal date".*¹

Market value is defined as: *"the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby;*

¹ The Dictionary of Real Estate Appraisal, 5th Edition, Chicago: The Appraisal Institute, 2010

Scope of Work - Continued

- 1) *buyer and seller typically are motivated;*
- 2) *both parties are well informed or well advised, and acting in what they consider their own best interest;*
- 3) *a reasonable time is allowed for exposure in the open market;*
- 4) *payment is made in terms of cash in US Dollars or in terms of financial arrangements comparable thereto; and*
- 5) *the price represents the normal consideration for the property sold, unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."*²

Fee simple estate is defined as: "*absolute ownership unencumbered by any other interest or estate; subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.*"³

The Dictionary of Real Estate Appraisal defines a conservation easement as "a restriction that limits the future use of a property to preservation, conservation, and or wildlife habitat."⁴

Subject

The subject property includes two contiguous tracts of land containing approximately 165.89 acres, or 7,226,168 square feet of land area, according to information obtained from Oconee County records. The subject tracts are located near the intersection of Stribling Shoals Road and Coffee Road approximately four miles southwest of the city of Walhalla, SC. The tracts are further identified on Oconee County Tax Maps as Parcel Numbers 188-00-01-022 and 188-00-01-004 with a physical address of 180 Panhead Road, Walhalla, South Carolina 29691.

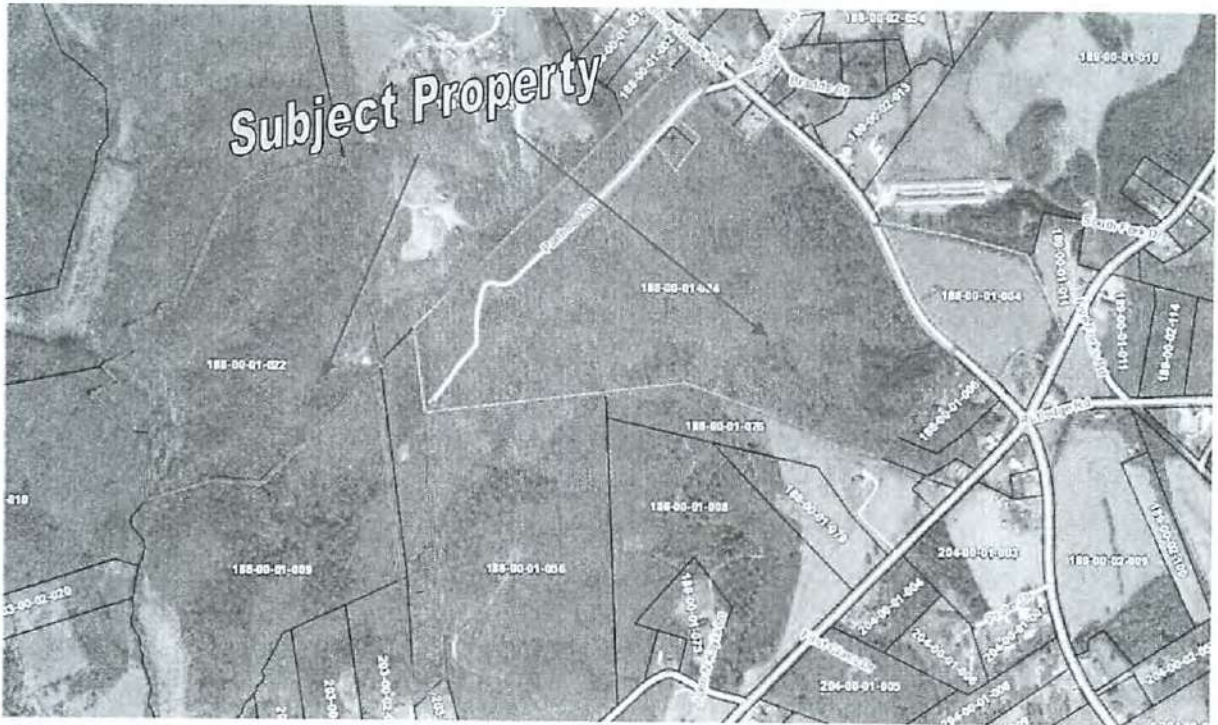
A copy of this tax map is shown on the following page:

² Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions [f].

³ The Dictionary of Real Estate Appraisal, 5th Edition. (Chicago: Appraisal Institute, 2010), p. 78.

⁴ Appraisal Institute, The Dictionary of Real Estate Appraisal, 4th ed. (Chicago: Appraisal Institute, 2002), 60.

Scope of Work - Continued



Subject Sales History

According to current courthouse documents, the owner of record is listed as Gary D. Lyle having acquired a portion of the property from Stacy Lumkin and Mike Owens. This transaction was recorded in Deed Book 963, at Page 226 in the Office of Register of Deeds for Oconee County on March 12, 1998 for a consideration of \$48,222.00. Also, the owner of record is listed as Gary D. Lyle having acquired a portion of the property from Johnny C. Peay. This transaction was recorded in Deed Book 963, at Page 229 in the Office of Register of Deeds for Oconee County on March 12, 1998 for a consideration of \$30,277.00. Also, the owner of record is listed as Gary D. Lyle having acquired a portion of the property from Robert V. Hall, Jr. This transaction was recorded in Deed Book 1082, at Page 259 in the Office of Register of Deeds for Oconee County on April 14, 2000 for a consideration of \$10,000.00. Finally, the owner of record is listed as Gary D. Lyle and Christy O. Lyle having acquired a portion of the property from Thrift Group, Inc. This transaction was recorded in Deed Book 2167, at Page 188 in the Office of Register of Deeds for Oconee County on March 9, 2016 for a consideration of \$285,000.00.

Scope of Work - Continued

Copies of these documents with legal descriptions may be found in the addenda section of this report.

To the best of our knowledge, the subject property is not currently listed for sale. The subject property transferred in 1998, 2000 and 2016 as noted above.

Assignment Conditions

In preparing this appraisal, the appraisers inspected the subject property, gathered information on comparable land sales within the surrounding neighborhood, analyzed the data and applied the sales comparison approach to value.

The scope of this appraisal encompasses the necessary research and analysis to prepare a report in accordance with the intended use, the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute, and the Uniform Standards of Professional Appraisal Practices of the Appraisal Foundation. The scope of the assignment included inspecting the subject property, gathering regional, county and neighborhood data from various public information sources and determining the Highest and Best Use of the subject property. A final estimate of value is determined after assembling and analyzing the data defined in this category. It is our opinion that this analysis leads to a credible estimation of value for the subject property.

This appraisal report is a brief recapitulation of the appraisers' data, analyses and conclusions. Supporting documentation is retained in the appraisers' file.

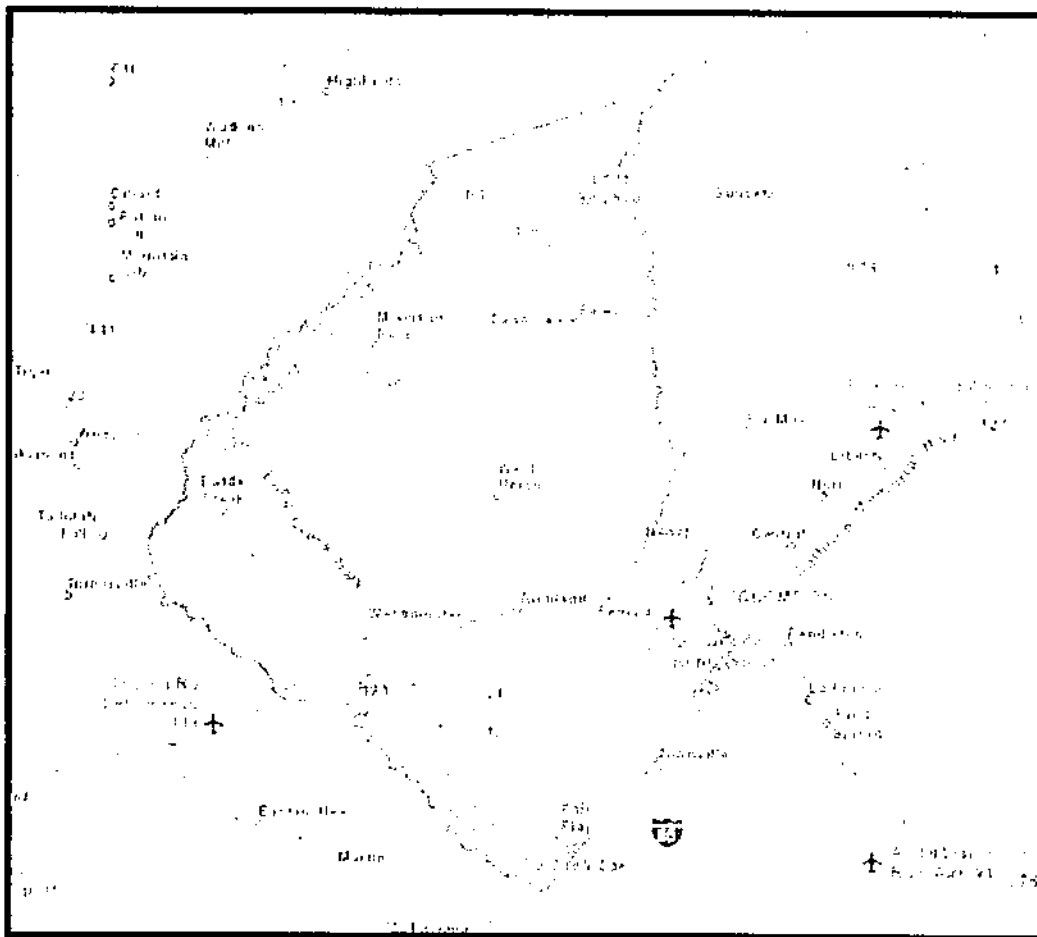
We have identified the subject tracts by information received from the client and were assisted by the Oconee County records, as well as other public information found in the Oconee County RMC Office.

We have assumed no other specific hypothetical conditions or extraordinary assumption during the valuation of the subject property, except those listed under the Assumptions and Limiting Conditions section.

Description of Real Estate Appraised

County Information

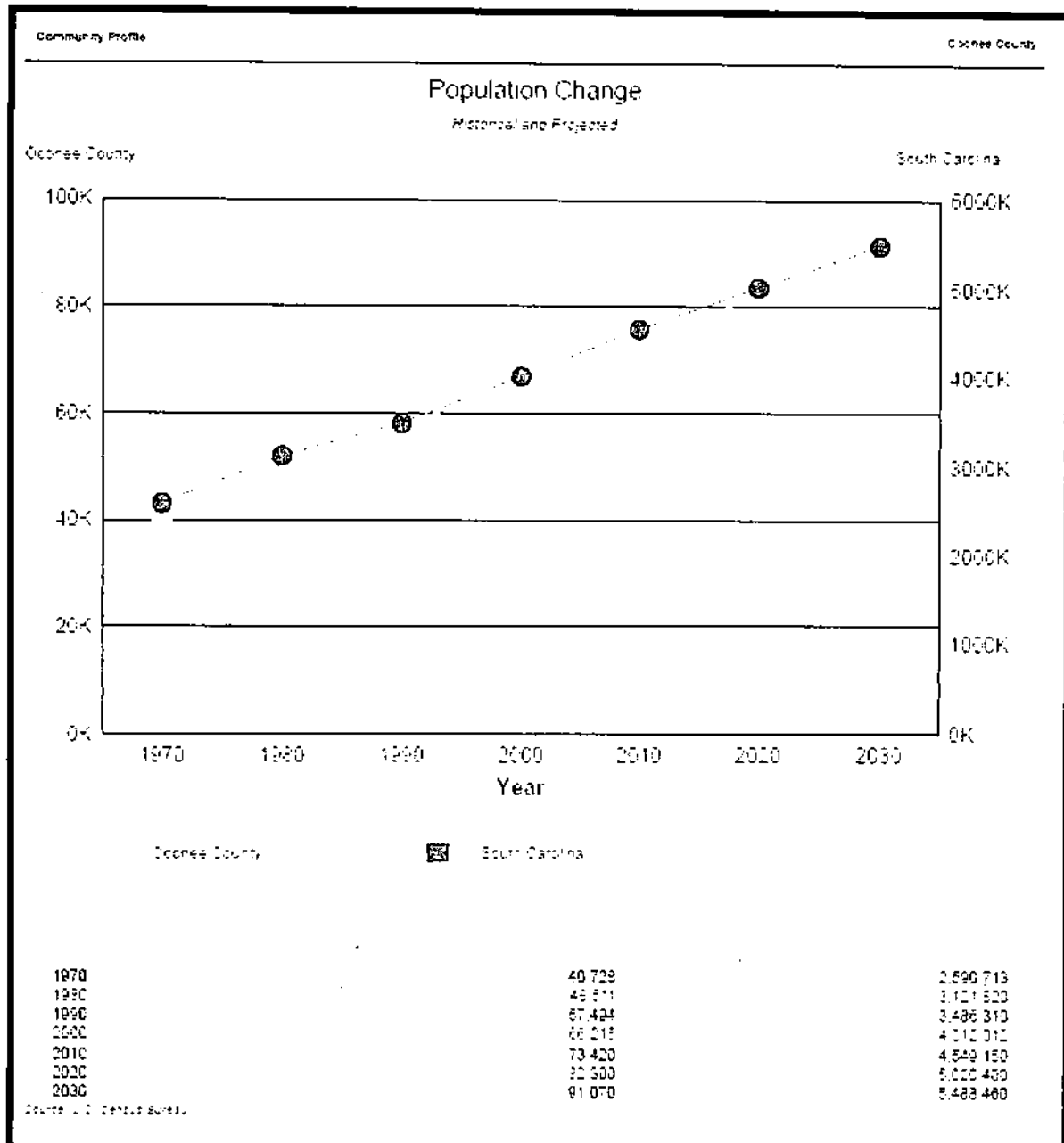
Oconee County, South Carolina contains 625 square miles out of the 30,110 for the state, and is located in the extreme northwestern corner of South Carolina. It is almost entirely surrounded by water. Lakes Keowee and Jocassee are to the east. Hartwell Reservoir is to the south and the Chattooga River is to the west. The northern boundary is the state of North Carolina. Oconee County is midway between Atlanta and Charlotte on Interstate 85. Oconee County is referred to as the "Golden Corner" of South Carolina. Walhalla is the county seat.



Oconee County Map

Description of Real Estate Appraised - Continued

Population



Industry and Economic Development

Oconee County is in the foothills of the Appalachian Mountains and encompasses rivers, lakes, and forests. Oconee County is situated in the northwestern corner of the state and is part of one of the nation's fastest growing areas, the I-85 corridor. With a diversified economic base, Oconee offers a wide variety of occupational and

Description of Real Estate Appraised - Continued

recreational opportunities. The towns of Oconee County are also located on the South Carolina National Heritage Corridor that extends from the Upstate to Charleston. The Corridor is a select series of highways, roads, towns, cities, and sights that have been defined to give visitors and residents a greater appreciation for South Carolina's history, culture, and natural beauty.

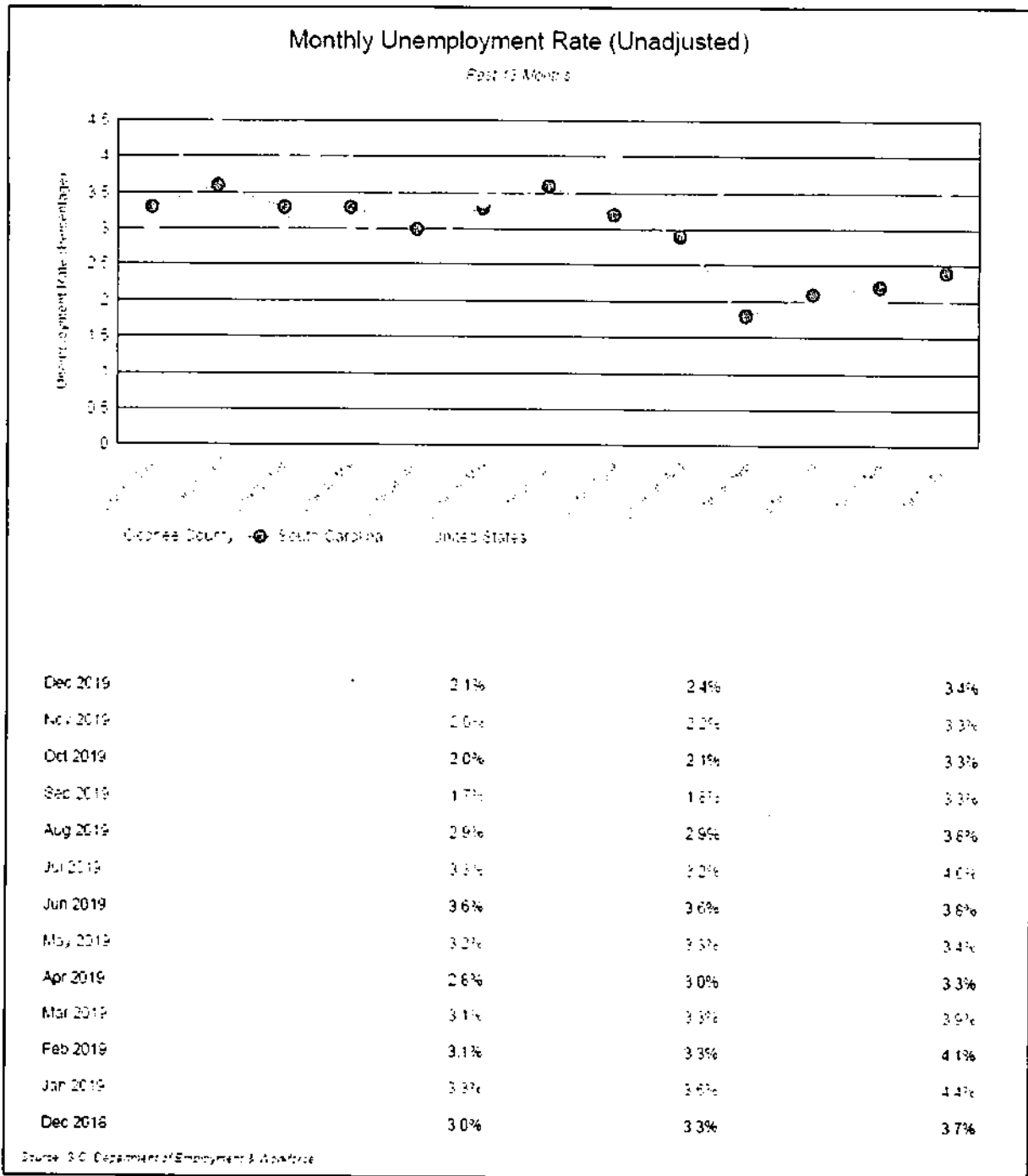
Accommodation and Food Services		854				
Administrative and Support and Waste Management and Remediation Services	650					
Agriculture, Forestry, Fishing and Hunting	103					
Arts, Entertainment, and Recreation	409					
Construction	1,263					
Finance and Insurance	559					
Health Care and Social Assistance			2,978			
Information	333					
Management of Companies and Enterprises	5					
Manufacturing						6,205
Other Services (except Public Administration)	772					
Professional, Scientific, and Technical Services	605					
Public Administration	1,167					
Real Estate and Rental and Leasing	192					
Retail Trade				3,394		
Transportation and Warehousing	195					
Wholesale Trade	470					

Source: D.C. Department of Employment & Workforce
 Quarterly Census of Employment and Wages, QCEW, 2019:12

Description of Real Estate Appraised - Continued

Labor Force

Based on current economic statistics, the December 2019 unemployment rate for Oconee County was 2.1%, which is below the state rate of 2.4% and the national rate of 3.4%.



Description of Real Estate Appraised - Continued

20 Largest Employers

(listed alphabetically)

ATLANTIC GROUP INC THE

BASF CORPORATION

BORGWARNER PDS USA INC

CITY OF SENECA

DUKE ENERGY CORPORATION

GHS PARTNERS IN HEALTH INC

GREENFIELD INDUSTRIES INC

INGLES MARKET INC

ITRON CORPORATION

JOHNSON CONTROLS BATTERY GROUP INC

KOYO BEARINGS NORTH AMERICA LLC

LIFT TECHNOLOGIES INC

OCCONEE COUNTY

OCCONEE COUNTY SCHOOL DISTRICT

OCCONEE DSN BOARD

Sandvik Machining Solutions USA LLC

SCHNEIDER ELECTRIC USA INC

U S ENGINE VALVE COMPANY

UPSTATE AFFILIATE ORGANIZATION

WAL-MART ASSOCIATES INC

Source: D.C. Department of Employment & Workforce - 2015 Q1

Description of Real Estate Appraised - Continued

Transportation

Highway Access

Interstate 85 links Oconee County with Atlanta, Georgia; Charlotte, North Carolina; and Columbia, South Carolina via US 76. The major highway in Oconee County is U.S. Highway 76/123, which extends through Greenville, Pickens, and Oconee counties to Interstate 85. Scenic Highway 11, which begins off of Interstate 85 at Gaffney, South Carolina, runs through Oconee County and reconnects with Interstate 85 just north of the Georgia state line. State Highways 13, 28, 35 and 135 are also important in the area.

		<u>Miles</u>	<u>Kilometers</u>
Nearest Interstate:	I- 85	18.6	29.76
Nearest Commercial Airport:	Greenville-Spartanburg International	48.6	77.76
Nearest Civil Airport:	Clemson-Oconee Co.	12.0	19.2
Port Access:	Port of Charleston	246	393.6
Rail Providers:	NSR		

Airports

Oconee County is presently served by two major aviation facilities, Oconee County Regional Airport and the Greenville/Spartanburg airport. The Greenville-Spartanburg Jetport is less than an hour's drive from most of Oconee County. It is located on I-85 in Greer. Six major airlines currently provide service to the areas, including American Airlines, Delta, Northwest Air, US Air, Conquest, and United Express. Passengers totaled 1,097,287 in 1992, while more than 12 million pounds of freight were shipped. Over the next two years, this facility will be expanded in order to accommodate the needs of the new BMW plant in Spartanburg County. Expansion plans include increasing the runway from 7,800 to 11,000 feet. This will allow larger aircraft to utilize the facility and will open up the potential for international flight service.

The Oconee County airport is located three miles west of Clemson, South Carolina. The airport provides service to private aircraft serving local businesses and residents. It features a 4,400-foot runway and provides 100LL aviation fuel and jet fuel with additive.

Description of Real Estate Appraised - Continued

The airport located southwest of the City of Seneca also serves southern Pickens County and is a general aviation facility providing private air service to the County, along with Anderson County airport, which is situated on 950 acres near the city of Anderson. This facility provides numerous services, including charter flights, flight instruction, rentals, and minor repairs and is equipped with ILS and approach lights. Daily airfreight service is available to Atlanta.

Rail

Rail freight service is provided by Norfolk Southern Railroad.

Government

Oconee County is governed locally by a Council-Supervisor form of government with the five members elected for four-year terms.

Medical Services

Medical services within Oconee County are provided by the 160-bed Oconee Memorial Hospital and the 79 beds Lyla Doyle Nursing Care Facility. The 531 bed Anderson Area Medical Center is located in Anderson, South Carolina, which is approximately 22 miles from Seneca, South Carolina.

Education

Educational institutions in primary and secondary levels are considered adequate. Vocational education within the county is provided by Tri-County Technical College located in Pendleton, South Carolina. Additionally, Clemson University in Clemson, South Carolina; Central Wesleyan University in Central, South Carolina; and Anderson College in Anderson, South Carolina are within daily commuting distance.

School Sites		Employees	
Elementary/Intermediate	11	Employees (2011)	1431
Middle	3	Certified Staff Members	242
High	4	Unstaffed Staff Members	545
Talent Center	1	Natural Events Certified Teachers	116
Online Learning Academy	1	Teachers with Masters Degrees and above	276
Adult Education/ESL Code	1	TRC 2011 includes professional employees in the county	
Boys & Girls Club of Seneca	1		
Boys & Girls Club of Pickens	1		

Description of Real Estate Appraised - Continued

Utilities

Electricity in Oconee County is provided by Duke Energy Corporation, Blue Ridge Electric Cooperative, Seneca Utility Department, Westminster Public Works, and the City of Walhalla. To the north of Lake Jocassee, the Bad Creek hydro-electric pump storage facility adds 1,065 additional megawatts to Duke Energy Corporation's electrical generating network. Oconee County is also home to the Duke Energy Corporation Steam Generating Plant. Duke Power Company is the eighth largest investor owned operating electric utility in the nation. Duke Power developed Lake Keowee and Lake Jocassee and is a major landowner in the Oconee and Pickens County area.

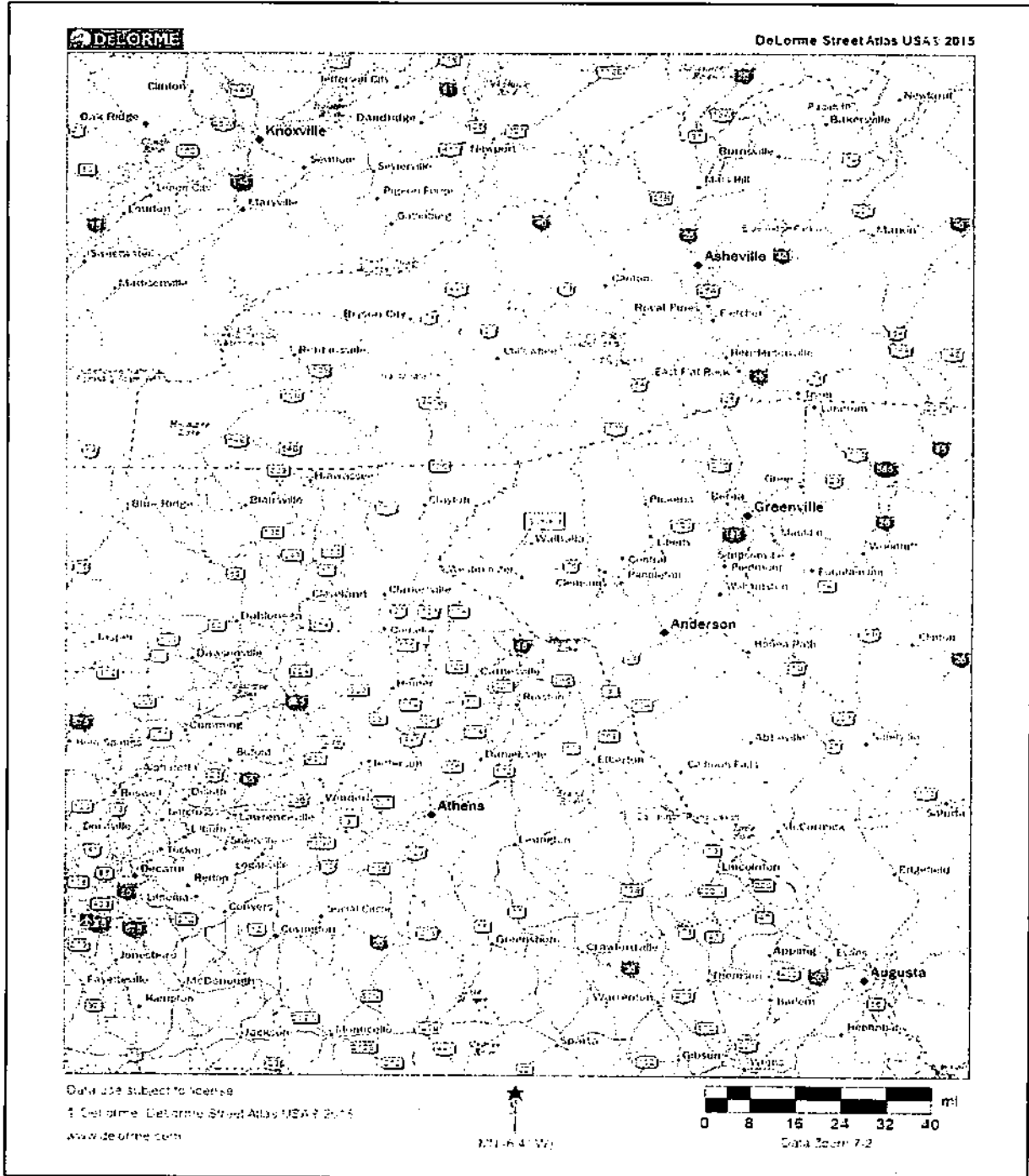
Natural gas is supplied by the Fort Hill Natural Gas Authority. The Oconee County Sewer Commission provides sewer for four (4) communities including the City of Seneca. The system has a design capacity of five (5) million gallons per day. The water supply for the City of Seneca for example, is from nearby Lake Keowee, whereas the Town of Walhalla obtains its municipal water supply from Coneross Creek. Pioneer Rural Water also serves as a water provider.

Conclusion

Oconee County appears to be continuing with an increasing population, but the overall increase appears to be slowing. The labor statistics indicate a decreasing unemployment rate, and the rates are at the lowest point in several years. This is evident on the state and national levels as well. The future outlook remains positive considering the overall location and stability of the local economy. We consider the Oconee market to be stabilized and typical growth within the coming 12 to 18 months.

Description of Real Estate Appraised - Continued

Regional Map



Neighborhood Description

Location

The subject neighborhood is bound to the north by SC Highway 28, to the east by the SC Highway 183, to the south and west by US Highway 76. The neighborhood is surrounded to the north and northwest by the Francis Marion and Sumter National Forest.

Access

US Highway 76 travels in a northwest to southeast direction along the northeastern perimeter of the neighborhood and continues in a northwesterly direction through the neighborhood before reaching Clayton, Georgia. US Highway 76 proceeds in a southeasterly direction providing direct access to the Town of Westminster to the southeast, as well as, the cities of Seneca and Clemson, South Carolina to the southeast before intersecting with Interstate 85 outside of Anderson, South Carolina. Chattooga River Road runs in a northeast to southwest direction along the western perimeter of the neighborhood as it connects the Community of Long Creek to the Community of Whetstone, South Carolina and later intersects with SC Highway 28. SC Highway 28, or Highlands Highway, extends up through Franklin, North Carolina to the north, and down through Seneca and Anderson to the south. SC Highway 183, or Pickens Highway, travels in an east to west direction, from Westminster to the west and through Greenville, South Carolina to the east.

Land Uses

The land uses within the subject neighborhood are predominantly rural residential and agricultural type uses in nature. Along the major roads and nearer Walhalla and Westminster, commercial and service-related uses are evident. However, uses within and around the neighborhood are primarily rural residential uses mixed with churches of various denominations. Agricultural uses include areas of timberland and several cattle/horse farms in the surrounding neighborhood. Single-family residential uses include residential dwellings with acreage, mobile homes, and farmhouses. Utilities include electricity and telephone service.

One of the most noteworthy uses to the north of the property is Stumphouse Tunnel. This is a portion of a failed railroad system (Blue Ridge Railroad), which was to travel from Charleston, South Carolina to Cincinnati, Ohio. This tunnel is one of three tunnels, which would be located within South Carolina. The two others, Middle Tunnel and

Neighborhood Description - Continued

Saddle Tunnel, are also located in proximity. Stumphouse Tunnel was partially completed in the 1850's, but the Civil War as well as a lack of funding, resulted in the project being abandoned.

The tunnel is approximately 1,617 feet long, and was being cut through Stumphouse Mountain. Stumphouse Tunnel is under the ownership of Clemson University, who once used a portion of the tunnel to cure blue cheese. This area is referred to as Stumphouse Tunnel Park, which is maintained by the State Parks system.



Stumphouse Tunnel

Issaqueena Falls

The other significant use, which is a portion of the Stumphouse Tunnel Park, is Issaqueena Falls. Issaqueena Falls is a 100-foot waterfall, and the City of Walhalla operates a park surrounding the falls. This waterfall has a path and overlook area, as well as a rough trail providing access to the base of the falls.



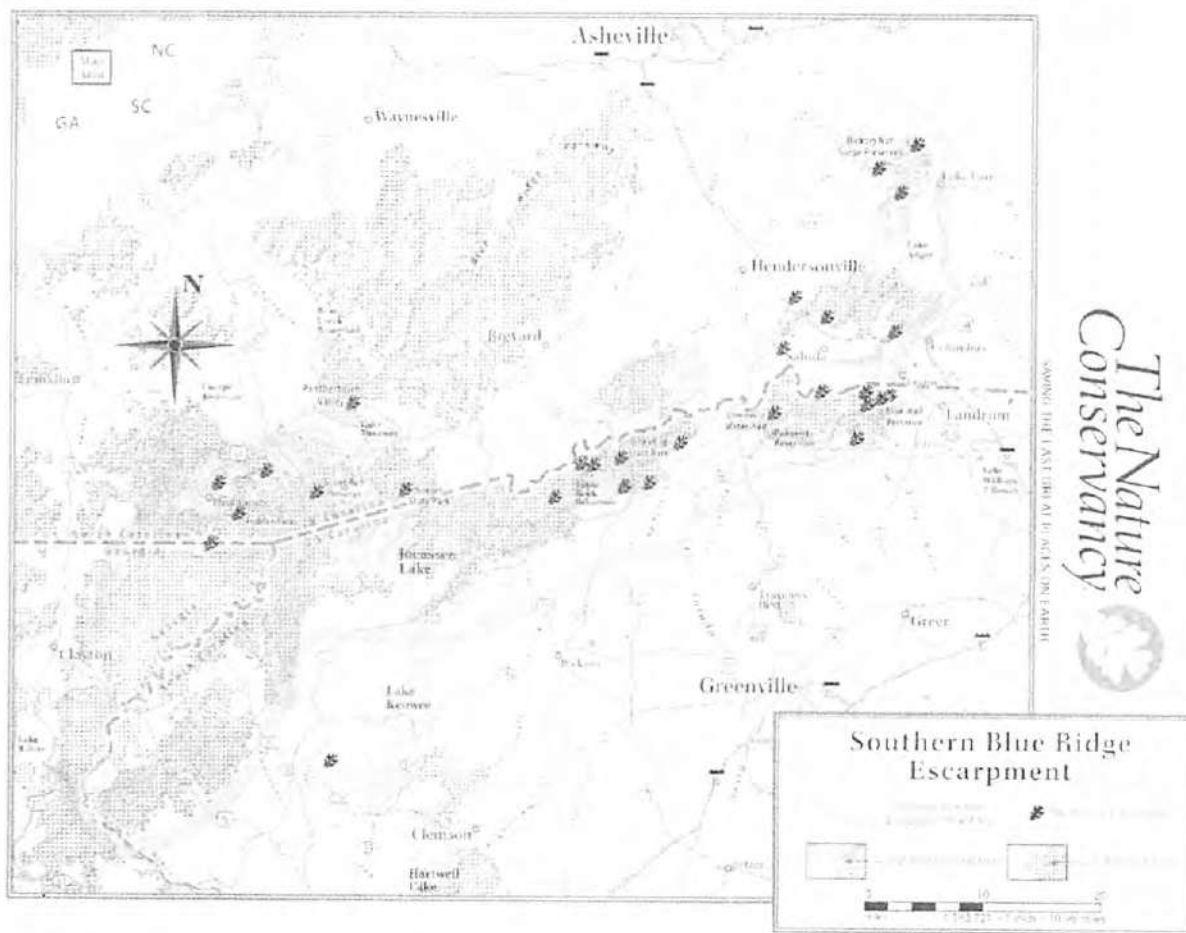
Neighborhood Description - Continued

Yellow Branch Falls

Another notable amenity within the surrounding area is Yellow Branch Falls, which is located within the Yellow Branch Picnic area. This waterfall is 50 feet high and 75 feet wide, and is located off of a 1.5-mile trail.



A portion of the subject neighborhood is located within the Blue Ridge Escarpment:



Neighborhood Description - Continued

The entire escarpment totals approximately 200,000 acres, and is an undeveloped enclave lying along the South Carolina/North Carolina border. It stretches eastward approximately 50 miles from the Chattooga River. This entire area has been protected from development. The escarpment is referencing a "Blue Wall" of hills that represent the sharp transition between the Appalachian Mountains and the Piedmont area to the south. This area includes forested slopes, which drop in elevation by 2,000 vertical feet in a matter of one to two miles. The conservation effort has many contributors.

As stated, the subject neighborhood primarily consists of agricultural and rural/residential development. Some of the terrain in this area is mountainous and therefore widely undeveloped. There is a significant amount of timberland in the surrounding neighborhood.

Additionally, the City of Walhalla is located just northeast of the subject. This area is improved with typical downtown structures and commercial related uses, as well as residential and special purpose properties.



One of the focal points of the subject neighborhood is considered to be Lake Keowee. Lake Keowee is privately owned by Duke Power Company and was originally constructed in order to generate hydroelectric power. The lake still supports a large power generating operation.

It is a very clean and clear lake; Lake Keowee gets its pristine waters from the Toxaway, Whitewater and Thompson Rivers, and from a number of smaller streams, which come directly down the Blue Ridge Mountains into the Jocassee basin. The lake serves as an important source of drinking water for surrounding municipalities. The lake is comprised of two rivers and two dams. Warpath Dam impounds the Keowee River and the second dam impounds the Little River. Lake Keowee consists of approximately 18,500 acres and 300 miles of shoreline. This lake has depths reaching to approximately 155 feet, and averaging 54 feet.

Neighborhood Description - Continued

Lake Jocassee is located just north of Lake Keowee and is separated by the Jocassee Hydro Station. Lake Jocassee is a 7,500-acre lake that was also constructed by the state in partnership with Duke Power. Lake Jocassee is also supplied by the Toxaway, Whitewater and Thompson Rivers, as well as the Horsepasture River. Lake Jocassee has depths reaching approximately 300 feet, and is also a pristine, cool water lake. Devils Fork State Park is located along Lake Jocassee.



Many of the land uses surrounding Lake Keowee are a combination of residential subdivisions, individual residences, and rural agricultural properties; with scattered commercial and/or service-related uses found predominantly along the major thoroughfares. The residential uses in the general area include the single-family homes surrounding Lake Keowee and various residential subdivisions. There are numerous developments located along the eastern and western shores of Lake Keowee.

We consider the immediate area to be stabilized, but considering the overall condition of the national and local economy, we are forecasting moderate growth within the next 12 to 18 months.

Demographics & Traffic Count

Neighborhood demographic, traffic counts and traffic flow are considerations when analyzing the potential demand for a tract of land. A good development tract would experience good exposure and visibility in order to generate a market share of demand. This demand is facilitated by proximity to densely populated residential housing and high traffic counts through the neighborhood and around the site. A drive-time demographics report is included in the following pages. A drive-time analysis is most appropriate for some types of property because it narrows down the market to those people that are most likely to frequent and to make use of the subject property's services, and/or uses.

Neighborhood Description - Continued

The neighborhood demographics indicate a rural residential base with only 55 households within a five-minute drive from the site and approximately 606 households within a ten-minute drive from the site. The average household has average levels of income.

Neighborhood Description - Continued

Neighborhood Demographics (5, 10, 15-Minute Drivetime)

	5 minutes	10 minutes	15 minutes
esri Demographic and Income Comparison Profile			
180 Pan Head Rd, Walhalla, South Carolina, 29691		Prepared by Esri	
Drive Times: 5, 10, 15 minute radii			
Census 2010 Summary			
Population	187	1,830	10,213
Households	55	606	4,014
Families	30	418	2,740
Average Household Size	2.85	2.46	2.50
Owner Occupied Housing Units	46	441	2,766
Renter Occupied Housing Units	10	165	1,246
Median Age	39.6	38.5	38.0
2019 Summary			
Population	163	1,560	10,434
Households	57	616	4,090
Families	39	421	2,750
Average Household Size	2.66	2.47	2.51
Owner Occupied Housing Units	45	413	2,550
Renter Occupied Housing Units	13	203	1,530
Median Age	41.9	40.5	39.6
Median Household Income	\$36,111	\$37,401	\$37,780
Average Household Income	\$47,821	\$47,199	\$50,548
2024 Summary			
Population	168	1,589	10,610
Households	59	629	4,159
Families	40	426	2,763
Average Household Size	2.55	2.47	2.50
Owner Occupied Housing Units	46	423	2,617
Renter Occupied Housing Units	13	206	1,542
Median Age	43.0	42.0	40.9
Median Household Income	\$39,137	\$38,535	\$40,485
Average Household Income	\$49,449	\$50,068	\$55,149
Trends: 2019-2024 Annual Rate			
Population	0.51%	0.34%	0.34%
Households	0.69%	0.35%	0.34%
Families	0.51%	0.24%	0.24%
Owner Households	0.44%	0.43%	0.44%
Median Household Income	0.01%	0.63%	1.32%

Neighborhood Description - Continued



esri

Demographic and Income Comparison Profile

160 Pan Head Rd, Walhalla, South Carolina, 29691
Drive Time: 5, 10, 15 minute radii

Prepared by Esri

2019 Households by Income	5 minutes		10 minutes		15 minutes	
	Number	Percent	Number	Percent	Number	Percent
< \$15,000	9	15.8%	104	16.8%	694	17.0%
\$15,000 - \$24,999	6	10.5%	72	11.7%	484	12.1%
\$25,000 - \$34,999	6	10.5%	103	16.7%	604	16.7%
\$35,000 - \$49,999	19	33.3%	133	21.5%	695	17.1%
\$50,000 - \$74,999	7	12.3%	106	17.2%	747	18.3%
\$75,000 - \$99,999	8	8.8%	41	6.5%	396	7.2%
\$100,000 - \$149,999	5	8.8%	51	8.3%	357	8.7%
\$150,000 - \$199,999	0	0.0%	7	1.1%	97	2.4%
\$200,000+	0	0.0%	1	0.2%	23	0.6%
Median Household Income	\$39,111		\$37,401		\$37,791	
Average Household Income	\$47,021		\$47,189		\$50,548	
Per Capita Income	\$18,568		\$18,155		\$19,751	
2024 Households by Income	Number	Percent	Number	Percent	Number	Percent
< \$15,000	9	15.3%	100	15.9%	634	15.2%
\$15,000 - \$24,999	6	10.2%	70	11.1%	460	11.1%
\$25,000 - \$34,999	6	10.2%	68	10.6%	646	15.5%
\$35,000 - \$49,999	10	16.9%	149	22.7%	751	18.1%
\$50,000 - \$74,999	7	11.9%	114	18.1%	810	19.5%
\$75,000 - \$99,999	8	8.5%	43	6.0%	329	7.9%
\$100,000 - \$149,999	6	8.5%	53	8.4%	396	9.5%
\$150,000 - \$199,999	0	0.0%	7	1.1%	100	2.6%
\$200,000+	0	0.0%	1	0.2%	27	0.6%
Median Household Income	\$39,137		\$38,585		\$40,485	
Average Household Income	\$49,448		\$50,089		\$55,149	
Per Capita Income	\$18,201		\$19,250		\$21,541	

Neighborhood Description - Continued



Demographic and Income Comparison Profile

160 Pan Head Rd, Walhalla, South Carolina, 29691
 Drive Time: 5, 10, 15 minute radii

Prepared by Esri

2010 Population by Age	5 minutes		10 minutes		15 minutes	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	9	5.7%	91	6.0%	711	7.0%
Age 5 - 9	10	6.4%	104	6.8%	675	6.5%
Age 10 - 14	13	8.3%	117	7.7%	746	7.3%
Age 15 - 19	11	7.0%	111	7.3%	731	7.2%
Age 20 - 24	9	5.7%	96	6.3%	591	5.8%
Age 25 - 34	16	10.2%	176	11.6%	1,159	11.3%
Age 35 - 44	23	14.6%	222	14.5%	1,403	13.7%
Age 45 - 54	26	16.5%	226	14.9%	1,419	13.9%
Age 55 - 64	20	12.7%	188	12.3%	1,190	11.6%
Age 65 - 74	13	8.3%	129	8.2%	917	8.9%
Age 75 - 84	7	4.5%	63	4.1%	496	4.8%
Age 85+	0	0.0%	10	0.2%	104	1.0%

2019 Population by Age	5 minutes		10 minutes		15 minutes	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	9	5.5%	85	5.4%	664	6.4%
Age 5 - 9	10	6.1%	91	5.6%	667	6.5%
Age 10 - 14	10	6.1%	93	6.0%	672	6.4%
Age 15 - 19	8	5.5%	92	5.9%	689	6.6%
Age 20 - 24	9	5.5%	95	6.1%	609	5.8%
Age 25 - 34	21	13.5%	217	13.9%	1,400	13.4%
Age 35 - 44	10	10.0%	191	12.2%	1,237	11.9%
Age 45 - 54	20	14.1%	211	14.2%	1,390	13.4%
Age 55 - 64	26	16.0%	214	13.7%	1,352	13.0%
Age 65 - 74	17	10.4%	164	10.5%	1,064	10.2%
Age 75 - 84	9	4.9%	76	4.8%	501	5.5%
Age 85+	0	0.0%	22	1.4%	179	1.7%

2024 Population by Age	5 minutes		10 minutes		15 minutes	
	Number	Percent	Number	Percent	Number	Percent
Age 0 - 4	9	5.4%	84	5.3%	651	6.1%
Age 5 - 9	9	5.4%	90	5.7%	679	6.4%
Age 10 - 14	11	6.5%	99	6.2%	729	6.9%
Age 15 - 19	10	6.0%	93	5.9%	660	6.2%
Age 20 - 24	8	4.8%	82	5.2%	530	5.0%
Age 25 - 34	20	11.9%	202	12.7%	1,270	12.0%
Age 35 - 44	11	12.5%	204	12.9%	1,317	12.4%
Age 45 - 54	20	13.7%	212	13.4%	1,314	12.4%
Age 55 - 64	24	14.3%	219	13.6%	1,307	12.1%
Age 65 - 74	20	11.9%	191	11.4%	1,177	11.1%
Age 75 - 84	11	6.5%	96	6.0%	604	5.4%
Age 85+	0	0.0%	25	1.6%	189	1.8%

Site Analysis

The subject property includes two contiguous tracts of land containing approximately 165.89 acres, or 7,226,168 square feet of land area, according to information obtained from Oconee County records. The subject tracts are located near the intersection of Stribling Shoals Road and Coffee Road approximately four miles southwest of the city of Walhalla, SC. The tracts are further identified on Oconee County Tax Maps as Parcel Numbers 188-00-01-022 and 188-00-01-004 with a physical address of 180 Panhead Road, Walhalla, South Carolina 29691.

Access and Visibility

The primary access is provided by Stribling Shoals Road which is located at its intersection with Coffee Road southwest of Walhalla and northwest of Westminster. The subject property is located adjacent to the Sumter National Forest. The tracts are irregular in shape with ample amounts of tree coverage throughout the property.

Views/Amenities

The property has six flowing streams that contribute over eight thousand feet of fresh water tributary. Ramsey Creek forms the southwestern border of the property. The property has approximately 135 acres of forested areas; including approximately 50 acres of twenty-year-old pines, 30 acres of one-year old pines and 25 acres of mature hardwoods. The remainder of the property is open and used for hay, pasture and wildlife plantings.

Topography

The topography of the subject tract appears to be rolling with steep inclines throughout.

Flood Zone

The Federal Insurance Administration designates flood prone areas or flood hazard areas as those having a one percent chance of the "100 Year Flood" level being exceeded or equal to any given year. The subject tract is designated as a Zone X, which is the Flood Hazard Rate Zone that corresponds to areas outside the "500 Year Flood" where average depths are less than one foot, areas of "100 Year Flood" where the contributing drainage area is less than one square mile, and areas protected from the "100 Year Flood" by levies. The subject tract is found on the Flood Insurance Rate Map for the County of Oconee identified as Community Panel No. 45073C 0268C, dated September 11, 2009; a copy of which is shown within.

Site Analysis - Continued

Our observation of the subject tract's flood zone status should not be relied upon as being accurate. The client should employ a professional engineer or surveyor to verify the actual flood zone status.

Utilities

Utilities to the subject tract include electricity, water, telephone service and natural gas. There is no public sewer currently available.

Easements

We are unaware of any easements other than the utility easements that are necessary for the development of the subject site. These easements are typical of the neighborhood, and do not adversely affect the utility of the subject site.

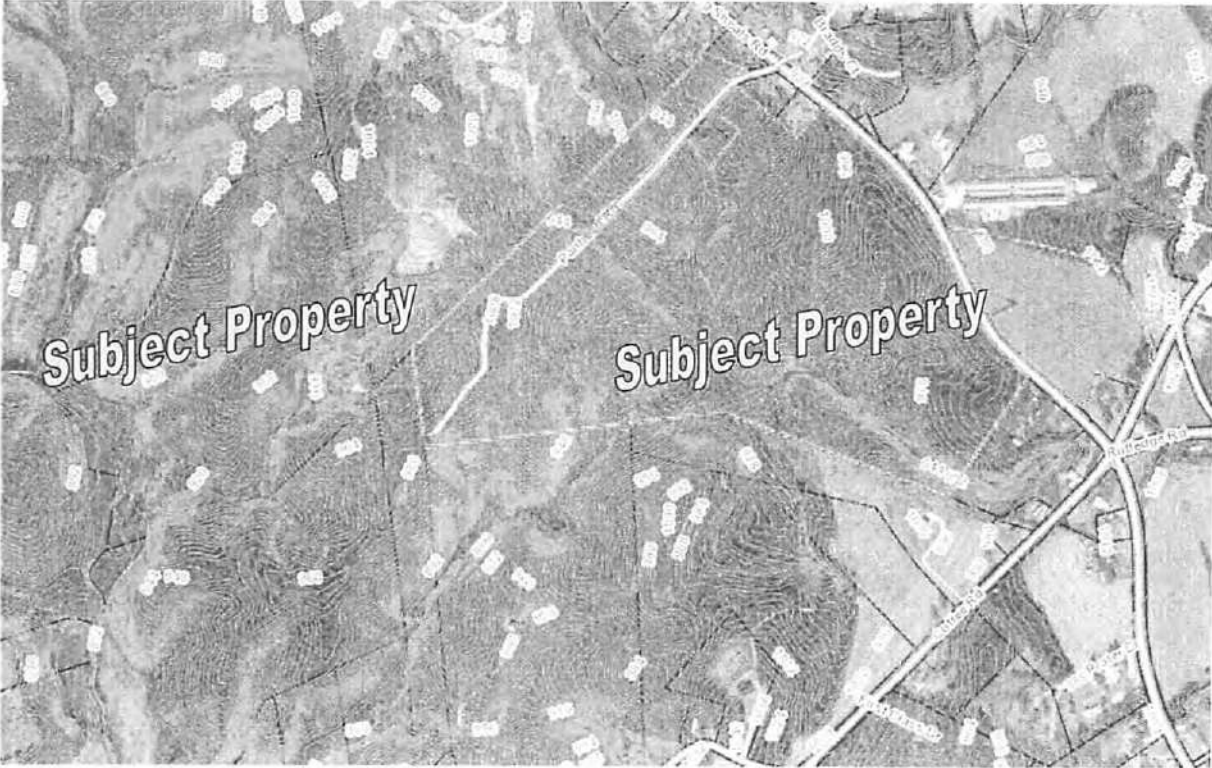
Timber

As stated, and based on our inspection of the subject tract, it appears as though there is a mixture of hardwoods and various species of pines.

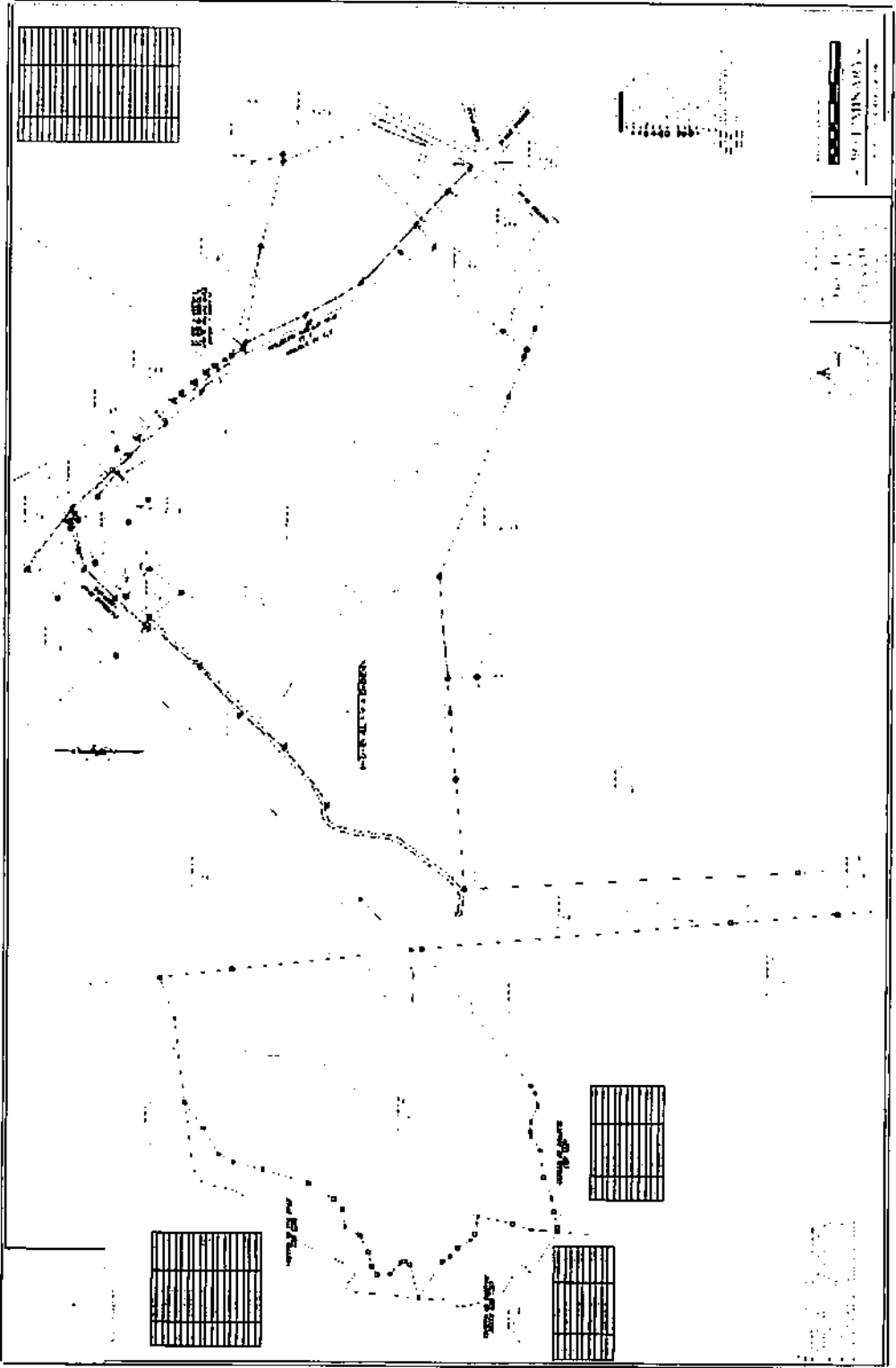
Zoning

The subject tract is located within Oconee County, and therefore it is not restricted by any specific zoning ordinances.

Topographical Map



Plat Map



Highest and Best Use Analysis

Highest and Best Use may be defined as follows:

*"the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value."*⁵

The Highest and Best Use of a specific site is typically estimated based on market actions, which reflect prices paid for similar sites under certain uses and in certain locations. The more intense or profitable the use to which the land is put, the higher the price. These actions establish growth or expansion patterns within a geographic location. Surrounding land uses typically determine the most profitable use and the highest price expected for a site.

In performing the Highest and Best Use analysis of vacant land and improved properties, consideration must be given essential criteria:

CRITERIA FOR HIGHEST AND BEST USE
LEGALLY PERMISSIBLE
PHYSICALLY POSSIBLE
FINANCIALLY FEASIBLE
MAXIMALLY PROFITABLE

Presumed in these definitions is that determination of Highest and Best Use takes into account the contribution of a specific use to the community as well as benefits to individual property owners. Also, the motivation of a particular purchaser or investor contributes to this determination. The concept of Highest and Best Use represents the premise upon which value is based. If Market Value is defined as "most probable selling price", then Highest and Best Use may be considered "most probable selling price". The Highest and Best Use may be considered most probable use, or in the context of investment value, the "most profitable use".

⁵The Appraisal of Real Estate, 13th ed. (Chicago: Appraisal Institute, 2008), p. 278.

Highest and Best Use Analysis – Continued

When determining the Highest and Best Use of a property, one must address the Highest and Best Use of the site as vacant and the highest and best use of the site as improved. The existing use of the property may or may not be different from the Highest and Best Use of the site. If a site is improved, the existing use will continue unless and until land value as if vacant exceeds the sum of the value of the entire property in its existing use and the cost to remove the improvements.

As Though Vacant

1. *Legally Permissible:*

The subject tracts are not zoned by Oconee County. The unzoned area permits a wide range of uses including, but not limited to, residential, commercial and agricultural uses.

2. *Physically Possible:*

The size, shape, and topography affect the uses to which land may be developed and the utility of a parcel of land often depends on its frontage and depth.

The subject tracts contain approximately 165.89 acres of land. The tracts have frontage along Stribling Shoals Road and is located in the northwestern portion of Oconee County. Tracts of this size could normally accommodate numerous larger sized uses. The tracts are irregular in shape and have a rolling topography. Research of surrounding properties with similar terrain and location has been done to determine a physically possible highest and best use. The subject tracts have access to local highways and proximity to the area of Walhalla, Seneca and Westminster, SC. The subject tracts are predominately utilized for rural residential and agricultural use. The surrounding area includes various uses, including residential, agricultural, and recreational. Considering the surrounding land uses, as well as the size and topography, the subject tracts could be utilized for a mixed-use, including lower density residential uses as well as agricultural/recreational uses. This would represent a physically possible land use.

3. *Financially Feasible:*

To determine the highest and best use of a vacant tract of land, the financial feasibility of the proposed actions must also be determined. The demand in the subject neighborhood assists in determining what uses may or may not be financially feasible. The location is accessible from surrounding highways and thoroughfares and is just

Highest and Best Use Analysis – Continued

southwest of Walhalla and northeast of Westminster, SC. The land uses within the surrounding area include various rural residential and recreational uses, as well as undeveloped land and scattered special purpose uses. The highest and best use of the subject tracts would be for a mixed-use, inclusive of silvicultural and residential uses that would take advantage of the physical amenities of the tracts and would not be limited by its location in a somewhat rural area.

4. Maximally Profitable:

To be maximally profitable, the highest and best use must provide a higher rate of return than other potential uses. The subject tracts, based on evidence found in the competing market area, is best suited and maximally profitable for some type of rural residential related and agricultural use.

Based on the appropriate tax maps, as well as a physical inspection of the subject property, a rural residential and recreational use is both physically possible and legally permissible. Considering the physical characteristics of the land, and the current market place, it has been determined that the maximally profitable use would be for a rural residential and agricultural related use.

Conclusion

Based upon the above analysis, the highest and best use of the land, as vacant, is for residential, recreational and agricultural use.

Post-Easement

The proposed conservation easement will not allow for any subdivision of the subject tracts. The only construction allowed is of a single-family residence, to be constructed with a maximum floor area of 2,500 SF and no more than two stories in height. Along with this SFR, no more than four ancillary structures with up to 4,000 SF can be included. Forestry uses are permitted based on a Forest Management Plan and other permitted uses include agricultural activities that are restricted on scientifically based practices. Grantor must obtain grantee's written approval of grantor's plan for the location and construction of removal, replacement or expansion of a single-family residence before any work begins. The grantor has the right to engage in low impact, non-developed recreational activities requiring no surface alteration of the land and posing no material threat to the conservation values set herein such as hunting, fishing, hiking, bird watching and control access to persons for this purpose. The subject

Highest and Best Use Analysis – Continued

cannot be subdivided, and no signs or billboards will be permitted. The grantor shall have the right to maintain the current fences and additional fencing will be permitted. Roads, bridges, and trails are permitted, providing approved by the grantee. No roads (limited exceptions) are to be paved with non-permeable materials. The construction and maintenance of no more than two additional farm ponds is permitted in accordance with current federal and state laws and regulations. Grantor reserves the right to use protected property for agricultural production and timber maintenance. The easement will allow for some limited public access.

Based on the restrictions that will be imposed by the conservation easement, the highest and best use post-easement would be primarily for recreational and agricultural use.

Appraisal Process

Traditionally the sales comparison approach is the primary method used in estimating the market value of vacant land.

Sales Comparison Approach

The sales comparison approach compares the subject tract to similar tracts, which have recently sold, are listed, or are under contract. The sales are analyzed using appropriate units of comparison, such as price per square foot or price per acre. Each unit will result in a value conclusion for the subject site and will be reconciled into a value indication by the sales comparison approach.

Site Valuation

Introduction

The sales comparison approach estimates the market value by analyzing the market for similar properties and comparing them to the subject property. Market value is estimated by comparing the subject property to similar properties that have recently sold, are listed for sale, or are under contract. A primary premise of this approach is that market value is directly related to the prices of comparable, competitive properties.

Basic to the sales comparison approach are the concepts of anticipation and change, supply and demand, substitution, balance and externalities. These principles consider all issues relevant to the estimation of value in a consistent manner that reflects local market conditions.

Prior to Easement – 165.89 Acre Tracts

Pre-Easement

In order to establish the value of the 165.89-acre tracts, it is necessary to research the subject neighborhood for recent land sales that could adequately be compared to the subject. Four land sales considered to be similar to the subject tracts from a physical characteristic and locational standpoint have been included. The subject is within northwestern Oconee County, South Carolina. The comparable sales are in Oconee County, SC. All of the tracts have similar frontage, characteristics, and have some proximity to the subject. These tracts have similar mixed highest and best use of agricultural and residential potential. The method used in estimating the value for the subject tracts is the sales comparison approach. To make appropriate comparisons, it is necessary to consider the following from each land sale: property rights conveyed, financing terms, condition of sale, post-purchase expenditures, market conditions, location, and physical characteristics.

Market Data

Included in this section are four sales of similar tracts. The following pages describe these comparable sales.

Site Valuation - Continued

Unit of Comparison

There are various units of comparison available for use in the sales comparison approach. Some of the more appropriate units of comparison for land include price per square foot, price per front foot, price per acre, and price per unit. The most appropriate unit of comparison for the subject tracts is the price per acre.

Property Rights Conveyed

All of the sales conveyed fee simple titles; therefore, no adjustments were required.

Financing Terms

All of the sales occurred with market rate financing terms or were cash transactions; therefore, none of the comparable sales required any adjustments due to favorable financial terms.

Condition of Sale

All of the sales were considered to be arm's length; therefore, no adjustments were required.

Post-Purchase Expenditures

No post-purchase expenditures were noted for any of the comparable sales during the verification process.

Market Conditions

The sale dates range from May 18, 2016 to December 23, 2019. Based on the positive changes in market conditions, 2% annual upward adjustments are considered for the comparable sales.

Location

The subject tracts are located near the intersection of Stribling Shoals Road and Coffee Road approximately four miles southwest of the city of Walhalla, SC. This area is considered to be a relatively rural area but has proximity to development. All sales are considered to be similar in location and no adjustment has been made.

Improvements

Land Sale 2 had a SFR and ancillary structures on the property and was adjusted downward for these.

Site Valuation - Continued

Size

The subject property is comprised of two contiguous tracts containing approximately 165.89 acres of land. The comparable sales range in size from 64.68 acres to 212.69 acres. Typically, there is an inverse relationship between size and price per acre, in that a smaller tract will sell for a higher price per acre. A downward size adjustment was required for Land Sale 2 for its smaller size.

Transmission Right of Way

Sale 1 has a transmission line extending through the southern portion of the property. This sale has been adjusted upward accordingly.

Shape

The subject property has an irregular shape which can limit utility of the parcel. Sales 3 and 4 have a superior shape and have been adjusted downward for their superior shape.

Summary

Prior to adjustments, the price per acre ranged from a minimum of \$3,597 to a maximum of \$5,742. The mean and median indications were \$4,861 and \$5,053 per acre, respectively. The standard deviation was \$949, or 19.53% of the mean.

After adjustments, the price per acre range tightened to a minimum of \$3,956 to a maximum of \$5,477 per acre. The mean and median indications decreased to \$4,646 and \$4,575 per acre, respectively. The standard deviation decreased to \$627, or 13.49% of the mean.

Conclusion – Prior to Easement

The sales share similar physical characteristics as the subject. Consideration has been given to all of the sales as well as the physical and locational characteristics as the subject. Based on the preceding analysis, the subject property is considered to align near the mean and median of the dataset, or \$4,500 per acre. Consequently, 165.89 acres multiplied by \$4,500 results in an indicated value of \$746,505, which has been rounded to **\$750,000**. Refer to the following page for the Site Valuation grid prior to the easement.

Site Valuation - Continued

Land Sales Adjustment Grid					
	Subject	Land Sale 1	Land Sale 2	Land Sale 3	Land Sale 4
RID No.		11935	12015	11689	10385
Use	Vacant Land	Vacant Land	Vacant Land	Vacant Land	Vacant Land
Street	180 Panhead Road	160 Chauga Heights Lane	295 Sullivan Road	SC Hwy 11	1049-1102 Old Wainhalla Hwy.
County, State	Oconee County	Oconee County, SC	Oconee County, SC	Oconee County, SC	Oconee County, SC
Tax Map No.	188-00-01-022	233-00-01-010	174-00-03-005	278-00-03-036	192-00-02-030
	188-00-01-004		189-00-01-030		
Number of Acres	165.89	212.69	64.68	181.02	204.65
Zoning	None	None	None	None	None
Sale Price		765,000	410,000	850,000	1,175,000
Plus: Demo./Site Cure		0	0	0	0
Less: Improvements		0	60,000	0	0
Effective Price		\$765,000	\$350,000	\$850,000	\$1,175,000
Price \$/Acre		\$3,597	\$5,411	\$4,696	\$5,742
Property Rights Adjustment		Fee Simple 0%	Fee Simple 0%	Fee Simple 0%	Fee Simple 0%
Financing Terms Adjustment		Cash 0%	Cash 0%	Cash 0%	Cash 0%
Condition of Sale Adjustment		Arm's Length 0%	Arm's Length 0%	Arm's Length 0%	Arm's Length 0%
Post Purchase Expenditures Adjustment		None 0%	None 0%	None 0%	None 0%
Market Conditions Adjustment		July 23, 2019 0%	December 23, 2019 0%	March 20, 2018 2%	May 18, 2016 6%
Adjustment %		0%	0%	2%	6%
Adjusted \$/Acre		\$3,597	\$5,411	\$4,790	\$6,086
<u>Location</u>					
Location					
Zoning					
<u>Physical</u>					
Size			-15%		
Access					
Transmission Right of Way		10%			
Shape				-5%	-10%
Easements					
Topography					
Flood Zone					
Adjustment %		10%	-15%	-5%	-10%
Adjusted \$/Acre		\$3,956	\$4,600	\$4,550	\$5,477
<u>All Comparables</u>					
		Before Adjustments	After Adjustments		
Minimum		\$3,597	\$3,956	Subject Size (Acres)	165.89
Maximum		\$5,742	\$5,477	Price per Acre	4,500
Mean		\$4,861	\$4,646	Value Indication	746,505
Median		\$5,053	\$4,575	Plus/Less: Residence	
Standard Deviation		\$949	\$627	Value Indication	\$746,505
% of the Mean		19.53%	13.49%	Rounded to	750,000

Site Valuation - Continued

Comparable Land Sales Summary Table

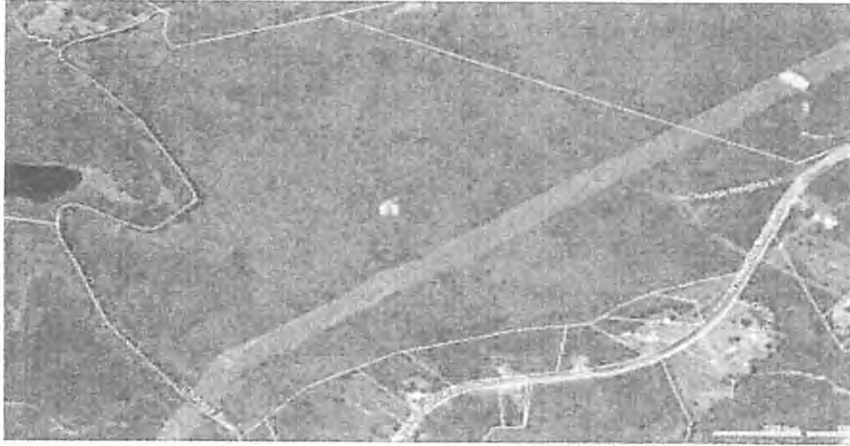
No.	Location	Sale Date	Price	Size in Acres	Price/ Acre
1.	160 Chauga Heights Lane	07/23/2019	\$765,000	212.690	\$3,597
2.	295 Sullivan Road	12/23/2019	\$350,000	64.680	\$5,411
3.	SC Hwy 11	03/20/2018	\$850,000	181.020	\$4,696
4.	1049-1102 Old Walhalla Hwy	05/18/2016	\$1,175,000	204.650	\$5,742

Land Sales Location Map

Map

Site Valuation - Continued

Land Sale No. 1



Property Identification

Record ID	11935
Property Type	Vacant Land, Vacant Land
Property Name	Vacant Land
Address	160 Chauga Heights Lane, Westminster, Oconee County, South Carolina 29693
Tax ID	233-00-01-010
Longitude, Latitude	W-83.148083, N34.675289

Sale Data

Grantor	Morgan Joel E
Grantee	Naturaland Trust
Sale Date	July 23, 2019
Deed Book/Page	2486/208
Property Rights	Fee Simple
Conditions of Sale	Arm's Length
Sale History	NPS
Verification	Tresco Shannon; Other sources: MLS, Public Records

Sale Price	\$765,000
Cash Equivalent	\$765,000
Adjusted Price	\$765,000

Land Data

Zoning	None, None
Topography	Gently Rolling
Utilities	Typical
Shape	Irregular

Land Size Information

Gross Land Size	212.690 Acres or 9,264,776 SF
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Site Valuation - Continued

Land Sale No. 1 (Cont.)

Front Footage 1,200 ft Total Frontage: 1,200 ft

Indicators

Sale Price/Gross Acre \$3,597 Actual or \$3,597 Adjusted

Sale Price/Gross SF \$0.08 Actual or \$0.08 Adjusted

Sale Price/Front Foot \$638 Actual or \$638 Adjusted

Remarks

Vacant land located near Westminster, SC just south of Long Creek Highway off of N Horseshoe Bridge Road. The tract appears to have a high-powered transmission line running through the southern portion. The majority of the tract is hard woods.

Site Valuation - Continued

Land Sale No. 2



Property Identification

Record ID	12015
Property Type	Vacant Land, Vacant Land
Property Name	Vacant Land
Address	295 Sullivan Road, Near Walhalla, Oconee County, South Carolina 29691
Tax ID	174-00-03-005 & 189-00-01-030
Longitude, Latitude	W-83.125217, N34.736986

Sale Data

Grantor	Carol V. Sullivan
Grantee	Todd Samuel Schmitt and Jennifer Spring Howard Schmitt
Sale Date	December 23, 2019
Deed Book/Page	2530/47
Property Rights	Fee Simple
Conditions of Sale	Arm's Length
Financing	Cash to seller
Verification	Other sources: Public records, third party, Confirmed by Steve Anderson

Sale Price	\$410,000
Cash Equivalent	\$410,000
Downward Adjustment	\$60,000
Adjusted Price	\$350,000

Site Valuation - Continued

Land Sale No. 2 (Cont.)

Land Data

Zoning	Not zoned
Topography	Level to rolling
Utilities	Water, electricity
Shape	Irregular

Land Size Information

Gross Land Size	64.680 Acres or 2,817,461 SF
Front Footage	Sullivan Road;

Indicators

Sale Price/Gross Acre	\$6,339 Actual or \$5,411 Adjusted
Sale Price/Gross SF	\$0.15 Actual or \$0.12 Adjusted

Remarks

This was the sale of two adjoining parcels that contained a total of 64.68 acres that sold on December 23, 2019 for \$410,000. There was an older SFR on the property that was constructed in 1957 that contained approximately 1200 SF. There were a couple of ancillary buildings on the property as well. We have subtracted the value of the improvements estimated at \$60,000 from the total.

Site Valuation - Continued

Land Sale No. 3 (Cont.)

Land Data

Zoning	No Zoning
Topography	Rolling
Utilities	Water & electricity
Shape	Irregular
Flood Info	Zone X

Land Size Information

Gross Land Size	181.020 Acres or 7,885,231 SF
Front Footage	SC Hwy 11;

Indicators

Sale Price/Gross Acre	\$4,696
Sale Price/Gross SF	\$0.11

Remarks

This was the sale of a 181.02-acre tract near Seneca, SC in Oconee County. The subject is not zoned and is currently used for agricultural or farm related use. The subject has a pole barn that is considered to have no contributory value.

Site Valuation - Continued

Land Sale No. 4



Property Identification

Record ID	10385
Property Type	Vacant Land
Property Name	Vacant Land
Address	1049-1102 Old Walhalla Highway, Oconee County, South Carolina
Location	Parker Farm
Tax ID	192-00-02-030
Longitude, Latitude	W-83.006649, N34.725170

Sale Data

Grantor	Alice P. Day
Grantee	Keowee Development & Holdings, LLC
Sale Date	May 18, 2016
Deed Book/Page	2183 - 163
Property Rights	Fee Simple
Marketing Time	2 months
Conditions of Sale	Arm's Length
Financing	Cash to Seller
Verification	Third Party; Other sources: Public Records, Confirmed by Allen McCravy
Sale Price	\$1,175,000
Cash Equivalent	\$1,175,000

Site Valuation - Continued

Land Sale No. 4 (Cont.)

Adjusted Price \$1,175,000

Land Data

Zoning No Zoning
Topography Rolling
Utilities Electricity, water, telephone
Shape Irregular

Land Size Information

Gross Land Size 204.650 Acres or 8,914,554 SF
Front Footage Old Walhalla Highway; W. Hallway Branch Road;

Indicators

Sale Price/Gross Acre \$5,742 Actual or \$5,742 Adjusted
Sale Price/Gross SF \$0.13 Actual or \$0.13 Adjusted

Remarks

This tract is located on the southern side of Old Walhalla Highway and off the northern side of Blue Ridge Boulevard. This tract is southeast of the downtown area of Walhalla, SC. The property was originally listed for \$1,750,000. The buyer has no immediate plans with this land but would eventually develop it into something commercial and revenue generating. No brokers involved.

Conservation Easement

The Dictionary of Real Estate Appraisal defines a conservation easement as “a restriction that limits the future use of a property to preservation, conservation, and or wildlife habitat.”⁶ The Uniform Conservation Easement Act defines them as:

“a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purpose of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.”⁷

According to an article written by James H. Boykin, conservation easements “convey specified future development rights of a landowner to another party, who then holds these rights in trust. Also known as open space and scenic easements, conservation easements restrict the use and development of a property. A conservation easement is a voluntary agreement. The donor can restrict the future use and development as much as he or she desires. The greater the restrictions, the higher the value of the easement rights. Such easements extend in perpetuity and run with the property’s title, meaning that future owners are bound by the terms of the easement.”⁸

A primary reason that owners place an easement on their property is to restrict future development. There are various holders of conservation easements; ranging from governmental bodies, to preservation agencies, charitable corporations, associations, and trusts. A property owner may sell a conservation easement, but many times the easement is donated. If the donation is considered to be a benefit to the public (primarily by protecting conservation resources) and meets other federal tax code requirements, the owners may be entitled to receive a federal income tax deduction. Additionally, the property owner can lower their real estate tax burden.⁹

⁶ Appraisal Institute. *The Dictionary of Real Estate Appraisal*. 4th ed. (Chicago: Appraisal Institute, 2002). 60.

⁷ James Boykin, MAI, SRA, PhD. “Valuing Scenic Land Conservation Easements.” *The Appraisal Journal* (October 2004): 420

⁸ *Ibid.*

⁹ James Boykin, MAI, SRA, PhD. “Valuing Scenic Land Conservation Easements.” *The Appraisal Journal* (October 2004): 420.

Site Valuation - Continued

The value of the easement, or the amount of the donation, equates to the difference between the market value of the subject property prior to the conservation easement, and the value of the property with the easement in place. In simple terms, this is referred to as the "before and after method".¹⁰ This method basically requires two appraisals; the first value, or "before value" assumes that no easement is in place, while the second, or "after value" assumes the subject property is encumbered by the easement.

In summary, conservation easements can vary widely based on the extent of restrictions that are placed on the subject property. In the valuation process, the appraiser must make a determination as to the highest and best use pre-easement, as well as the permitted uses and subsequent highest and best use, with the easement in place. A conservation easement is a voluntary transaction that conveys specific future development rights; the hindrance and/or enhancement created by these perpetual restrictions is vital to the valuation process.

A conservation easement has been proposed for the subject property, which creates various restrictions on the subject tract. The subject tracts are considered to have numerous conservation values, as discussed within the proposed easement document; a few of which are illustrated below:

Conservation Values

- The Protected Property currently contains special and important agricultural, open space, scenic and natural features, as well as prime and important farmland soils and significantly relatively natural habitat for wildlife and plants. All of the natural elements and ecological values of the Protected Property as described in this habitat, and unique scenic characteristics which scenic characteristics may be enjoyed by the general public from public thoroughfares adjoining the Protected Property.

The conservation values of the subject property are also typically described within the proposed conservation easement. The reserved rights and restrictions are listed below.

In the before situation, the subject property has a highest and best use of low-density residential development, agricultural, and recreational use. In the after situation, the subject property will have the reserved rights and restrictions listed below.

¹⁰ Appraisal Institute. *The Appraisal of Real Estate*. 12th ed. (Chicago: Appraisal Institute, 2001), 86-87.

Site Valuation - Continued

Summary of Restrictions and Reserved Rights

- *No subdivision is allowed*
- *Only one single-family building can be constructed (with size restrictions)*
- *No commercial activities, uses, or structures*
- *No industrial uses, activities, or structures*
- *Hunting and fishing, with the ability to lease for the same, is allowed*
- *Maintain and construct current trails, footpaths, etc., provided they adhere to easement restrictions. No roads of impervious surface can be constructed, with the exception of potential driveway to residence*
- *Agricultural uses are allowed based on certain easement restrictions*
- *Forestry uses are permitted based on Best Forest Management Practices*
- *Use the property in any manner that is not inconsistent with or prohibited by the conservation easement*
- *Some limited public access will be allowed*

This summary does not provide a complete explanation of all the reserved rights, restrictions and conditions in the conservation easement for the subject tract. Accordingly, it should not be relied on or used as a substitute for the easement itself. A draft copy of the conservation easement can be found in the Addenda section of this report.

Based on the assumption that the conservation easement restricts the subject tracts in perpetuity and carries with it the aforementioned restrictions, the tracts would have decreased utility and, therefore, a reduced value. Due to the restrictions mentioned, a diminution in value has been estimated for the subject tracts. As stated earlier in the report, it is assumed that the highest and best use in the before is for a mixed-use of low density residential, agricultural, and recreational use.

Considering the restrictions, in the after situation, a highest and best use primarily of recreational or agricultural.

We have used three techniques in order to determine a value of the subject property post-easement.

- 1.) After Value Sales**
- 2.) Reduction of Property Rights Table**
- 3.) Conservation Easement Sales**

Site Valuation - Continued

Encumbered Area

1) After Value Sales

To reflect the value of the subject tract, post easement, we have provided a table of sales, which would be more representative of the highest and best use in the after situation (agricultural, recreational). These sales are located within surrounding areas and are predominately tracts that are physically removed from accessible thoroughfares, and/or would not have the typical demand or potential for residential related uses or development. They provide support for the potential after value of the subject tract. The table shown below indicates a range of \$1,887 to \$2,219 per acre. The mean is \$2,054 per acre:

Land Sales - Comparable with Encumbered Tract				
Address	Sale Date	Acreage	Price	Price/Acre
N. Jenkins Bridge Road Westminster, SC	5/29/2018	110.39	\$245,000	\$2,219
Cleveland Pike Road Near Westminster, SC	8/29/2018	52.99	\$100,000	\$1,887
Gin House Road Westminster, SC	9/4/2019	194.6	\$400,000	\$2,055
Average				\$2,054

This is reasonable considering these tracts are not protected by conservation easements and therefore, would represent an unencumbered value.

2) Property Rights & Uses

The second method used is to analyze the rights associated with the subject tracts and partition the percentage of values associated with each. These percentages will vary as they relate to different tracts within the market. The after value of the subject tracts is reflected by the reduction, and/or removal of various rights that were previously available. These estimations are subjective but are based on a review of the subject tract and its market. Shown below is a table associated with the subject tracts.

Site Valuation - Continued

Specific Rights	Estimated % of Value	% Change (Easement in Place)
Develop (Subdivide)	30%	30%
Construction	25%	20%
Recreation (Hunt/Fish)	10%	0%
Occupy & Use	10%	5%
Timber Practices	15%	5%
Agriculture	10%	0%
Total	100%	60%

These uses mentioned are based on the market demand and influences on the subject tract. As has been discussed in this report, the subject tracts have the amenities of good overall access and frontage, amenity of creeks, pasture and timberland, and manageable topography. The surrounding neighborhood includes a combination of rural residential, agricultural/recreational, undeveloped tracts and scattered special purpose and other uses.

Due to the size of the subject tracts and the potential for future marketability, the right of subdivision carries weight; this right has been completely removed from the subject tract. Additionally, the ability for construction of any single-family residences on the subject tracts has also been predominately removed (with the exception of one SFR); therefore, this also warrants a significant diminution. Small groups or specific individuals will be allowed on the property at certain times for a few days (Make A Wish and Dream Foundation of Anderson); therefore, this would indicate a reduction in the ability to use the property. The easement allows for forestry uses based on a forest management plan with a minimum buffer of riparian areas.

Based on information provided, no additional reductions to the pre-easement value have been applied.

This equates to a total diminution in value of 60% for the subject land area; therefore, considering the above referenced percentage loss, the after value would be as follows:

Site Valuation - Continued

Conservation Area	165.89 acres
Price Per Acre	<u>4,500/acre</u>
Value of Land Area – Before (Rounded)	\$750,000
<i>Less: Diminution in Value</i>	60%
Value of Encumbered Land Area – After (Rounded)	\$300,000
Plus: Other	<u>\$0</u>
Total Value of Subject Property – Post Easement (Rounded)	\$300,000

3)

4) Conservation Easement Sales

In order to provide additional support to the property rights approach, sales of tracts of land that were encumbered by a conservation easement prior to the sales transaction have also been surveyed. A table that illustrates the sales price (encumbered) and the market value (unencumbered) as well as the resulting value change (shown as a percentage) is shown on the following page. Due to limited data, the market area has been expanded to include sales throughout South Carolina and North Carolina. Specifics on these transactions are contained in the appraiser's report file. These tracts may differ from the subject in some physical characteristics and highest and best use; but they indicate a similar reduction in value due to the existence of a conservation easement.

Site Valuation - Continued

Property	Acres	Sale Price per Acre		Market Value per Acre	% Difference
		With Easement	Without Easement		
1) NC Highway 53 E Pender County, NC	287.5	\$379	\$953	60%	
2) SC Highway 11 Pickens, SC	294.3	\$4,879	\$7,500	35%	
3) Henderson Road Vamville, SC	268.1	\$1,900	\$3,800	50%	
4) Bears Bluff Road Wadamalaw Island, SC	106.5	\$7,513	\$15,026	50%	
5) Off Reynolds Road Surry County, NC	402.9	\$1,010	\$4,000	75%	
6) Highway 17 North Near McClellanville, SC	812.6	\$3,692	\$5,500	33%	
<i>Minimum</i>	106.5	\$379	\$953	33%	
<i>Maximum</i>	812.6	\$7,513	\$15,026	75%	
<i>Mean</i>	362.0	\$3,229	\$6,130	51%	
<i>Median</i>	290.9	\$2,796	\$4,750	50%	

The difference in value as a result of the conservation easements range from 33% to 75%. The estimated diminution for the subject tracts is 60%, based on the reduction in property rights methods, which is within the range indicated by these properties. The conservation easement sales provide additional support to the estimated value – post easement.

Site Valuation - Continued

Benefits/Enhanced Parcels

Enhancement Rule

An appraiser must also consider any enhancement to the value of any other property owned by the donor or a related person resulting from the conservation easement. The amount of the conservation contribution deduction is reduced by the amount of the increase in the value of the other property, whether or not that other property is contiguous. Treas. Reg. § 1.170A-14(h)(3)(i).

We have not located any additional property owned by the donor or related party. Based on the surrounding market area, and protected tracts within South Carolina and North Carolina, we have concluded that there is not enough data to determine any additional benefit, or diminution, that could be attributed to other property based on the proposed easement.

Summary

Based on the approach utilized, the calculations for the conservation easement are shown below:

<u>Value of Conservation Easement</u>			
<u>Before & After Method</u>			Value Indication
<u>Prior to Encumbrance</u>			
Value of Subject Property	Sales Comparison Approach		750,000
		Total	<u>\$750,000</u>
<u>After Encumbrance</u>			
Value of Subject Property	Property Rights Allocation		300,000
	Conservation Easement	Reconciled	<u>\$300,000</u>
	After Value Sales		
		Difference	<u>\$450,000</u>
		<u>Value of Conservation Easement</u>	<u>\$450,000</u>

Site Valuation - Continued

Conclusion

After analyzing the subject property and its market, and the various factors entering into the appraisal analysis, including the assumptions and limiting conditions contained in the report, it is our opinion that the market value of the fee simple estate of the subject property as of January 25, 2020 is:

Pre-Easement (Land Only)
Seven Hundred Fifty Thousand Dollars
(\$750,000)

It is also our opinion that the market value of the subject property with the conservation easement in place, as of January 25, 2020 is:

Post-Easement (Land Only)
Three Hundred Thousand Dollars
(\$300,000)

As a result, it is our opinion that the **market value of the conservation easement** as of the date of inspection, which was January 25, 2020, is:

Value of Easement
Four Hundred Fifty Thousand Dollars
(\$450,000)

Exposure Time

Exposure Time is defined as:

"Reasonable exposure time is one of a series of conditions in most market value definitions. Exposure time is always presumed to precede the effective date of the appraisal.

Exposure time may be defined as: the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market.

Exposure time is different for various types of real estate and under various market conditions. It is noted that the overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. This statement focuses on the time component.

The fact that exposure time is always presumed to occur prior to the effective date of the appraisal is substantiated by related facts in the appraisal process: supply/demand conditions as of the effective date of the appraisal; the use of current cost information; the analysis of historical sales information (sold after exposure and after completion of negotiations between the seller and buyer); and the analysis of future income expectancy projected from the effective date of the appraisal."¹¹

Considering the current events within the real estate market, combined with sales of comparable properties and the rural location of the subject property, lead us to believe that a reasonable exposure time for a property such as the subject would be approximately 12 months.

¹¹ *Statement on Appraisal Standards No. 6 (SMT-6). "Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions, at Page U-87 (USPAP 2018 - 2019 Edition) Appraisal Standards Board of The Appraisal Foundation.*

Certification

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- We have not performed services as an appraiser regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- Allen D. McCravy, MAI and Stephen C. Anderson have made personal inspections of the property that is the subject of this report.

Certification - Continued

- No one provided significant real property appraisal assistance to the persons signing this certification.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, Allen D. McCravy, MAI has completed the continuing education program of the Appraisal Institute.
- As of the date of this report, Stephen C. Anderson has completed the continuing education program for Practicing Affiliates of the Appraisal Institute.



Stephen C. Anderson
State Certified General Real Estate Appraiser
SC Certificate No. CG 2883



Allen D. McCravy, MAI
State Certified General Real Estate Appraiser
SC Certificate No. CG 3617

January 27, 2020

Date

Appraiser's Qualifications Allen D. McCravy, MAI

EDUCATION:

- Graduated Presbyterian College, B.S. in Business Administration, 1997.
- Appraisal Procedures, Charlotte, North Carolina, 1999.
- Appraisal Principles, Charlotte, North Carolina, 1999.
- Standards of Professional Practice – Part A, Greensboro, North Carolina, 1999.
- Standards of Professional Practice – Part B, Greensboro, North Carolina, 1999.
- Highest and Best Use Applications, 2000.
- Valuation of Detrimental Conditions, 2000.
- Basic Income Capitalization, 2000.
- General Applications, 2001.
- Advance Income Capitalization, 2001.
- Income Valuation of Small, Mixed-Use Properties, 2001.
- Appraisal of Eminent Domain Acquisitions, 2002.
- Highest and Best Use and Market Analysis, 2003.
- Advanced Sales Comparison & Cost Approach, 2003.
- Business Practices & Ethics, 2004.
- National USPAP Update, 2004.
- Report Writing, 2004.
- Advanced Applications, 2005.
- Standards of Professional Practice Update, Greenville, South Carolina, 2006.
- Inverse Condemnation, 2007.
- Analyzing Effects of Contamination on Real Property, 2011.
- Appraising the Appraisal, 2012.
- Fundamentals of Separating Real, Personal Property, and Intangible Business Assets, Columbia, South Carolina, 2012.

(Courses sponsored by the Appraisal Institute.)

PROFESSIONAL AFFILIATIONS:

Member of Appraisal Institute with the MAI Designation
Board of Directors – Greer Chamber of Commerce (2006 – 2009)
President of Associate Council for the Appraisal Institute (2009)
Chairman of Education Committee SC Appraisal Institute (2012-2013)
Secretary of SC Chapter Appraisal Institute (2014)
Treasurer of SC Chapter Appraisal Institute (2015)
Vice President of SC Chapter Appraisal Institute (2016)
President of SC Chapter Appraisal Institute (2017)

COURT EXPERIENCE

Qualified as an expert witness in Circuit Court and Family Court

LICENSED:

South Carolina, State Certified General - License No. CG 3617
North Carolina, State Certified General – License No. A7985
Georgia, State Certified General – License No. 364211

EMPLOYMENT:

September 2015-Current: Stone & Associates, Greenville, South Carolina, Principal/Owner, Real Estate Appraiser/Consultant
February 1999-September 2015: Stone & Associates, Inc., Greenville, South Carolina, Real Estate Appraiser/Consultant

APPRAISAL EXPERIENCE:

Appraisal experience consists of various types of income-producing properties, including office buildings, mixed-use properties, industrial properties, apartments, shopping centers and motel/hotel operations. Also appraised retail establishments, highway condemnation and unimproved land. Other specific properties include church structures, convenience stores, restaurant buildings, medical office buildings, converted residences, and manufacturing facilities.

Appraiser's Qualifications Stephen C. Anderson

EDUCATION:

- Graduated Presbyterian College, B.S. in Business Administration, 1974.
 - Basic Appraisal Principles, Greenville, South Carolina, 2008
 - Basic Appraisal Procedures, Greenville, South Carolina, 2008
 - National Uniform Standards of Professional Appraisal Practice, Greenville, South Carolina, 2008
 - Residential Market Analysis and Highest & Best Use, Greenville, South Carolina, 2009
 - Real Estate Finance Statistics and Valuation Modeling, Atlanta, Georgia, 2009
 - General Site Valuation and Cost Approach, Greensboro, North Carolina, 2010
 - Spotlight on USPAP, Columbia, South Carolina, 2010
 - General Appraiser Market Analysis and Highest & Best Use, Greensboro, North Carolina, 2011
 - General Appraiser Sales Comparison Approach, Atlanta, Georgia, 2011
 - General Appraiser Income Approach, Part 1, Greensboro, North Carolina, 2011
 - General Appraiser Income Approach, Part 2, Greensboro, North Carolina, 2011
 - General Appraiser Report Writing and Case Studies, Atlanta, Georgia, 2011
 - Advanced Income Approach, Atlanta, Georgia, 2013
 - Conservation Easements and Your Taxes, Columbia, South Carolina, 2013
 - Business Practices and Ethics, Columbia, South Carolina, 2019
 - USPAP Update, Columbia, South Carolina, 2018
 - Contract or Effective Rent: Finding the Real Rent, Columbia, SC, 2016
 - Small Hotel/Motel Valuation - 2018
 - (Courses sponsored by the Appraisal Institute.)
-
- Residential Report Writing and Case Studies, Columbia, SC, 2011
(Courses sponsored by the SC School of Real Estate)

PROFESSIONAL AFFILIATIONS:

Practicing Affiliate, Appraisal Institute

LICENSED:

South Carolina, State Certified General - License No. CG2883

North Carolina, State Certified General - License No. A8126

EMPLOYMENT:

2015 - Present: Stone & Associates, Greenville, South Carolina, Commercial Real Estate Appraiser
2009 - September 2015: Owen Appraisal & Consulting Services, Inc., Commercial Real Estate Appraiser
2006 - 2008 – Access RELS (Residential Appraisers, Manager of Operations/Reviewer
1999 - 2005 – BuildersFirst Holdings, Inc., Senior Vice President
1996 - 1998 – Stone & Associates, Inc., Commercial Real Estate Appraiser
1981 - 1995 – The Loper Company (Management Consultants)

APPRAISAL EXPERIENCE:

Appraisal experience consists of various types of income-producing properties, including office buildings, mixed-use properties, industrial properties, apartments, shopping centers, and motel/hotel operations to include going concerns. Other specific properties include convenience stores, converted residences, restaurants, residential subdivisions, residential properties, unimproved land and special purpose properties.

Partial Listing of Company Clients

Lending Institutions

- Ameris Bank
- Arthur State Bank
- Bank of America
- Bank of Travelers Rest
- Bank One
- Bank Greenville
- Barclay's Business Credit, Inc.
- Bank of North Carolina
- Branch Banking and Trust Co.
- Capital Bank
- Capital Corporation
- Chemical Bank of New York
- Columbus Bank and Trust
- CertusBank
- County Bank
- First Citizens
- First National Bank of the South
- First Trust Mortgage Corporation
- First Savers Bank
- Fleet Funding
- Great Western Bank
- Greer State Bank
- Harris Bank
- Independence Bank
- LJ Melody
- Laureate Capital
- Magna Bank
- National Bank of South Carolina
- Palmetto Bank
- Park Sterling Bank
- Pinnacle Bank
- Professional Mortgage
- Regions Bank
- South Carolina Bank and Trust
- Southern First
- SunTrust Bank
- TD Bank, N.A.
- Wachovia/Wells Fargo
- WesBanco

Commercial and Other

- Alice Manufacturing
- American United Life Insurance Co.
- Belk Simpson Co.
- City of Anderson, SC
- City of Easley, SC
- City of Greenville, SC
- City of Greer, SC
- City of Simpsonville, SC
- City of Travelers Rest, SC
- Clemson University
- Coopers & Lybrand
- County of Greenville, SC
- Cryovac/Sealed Air
- Duke Power Company
- Elliott Davis
- Fidelity Mutual Life Insurance Co.
- Flagstar
- Greenville Hospital System
- Haynsworth, Marion, McKay & Guerard
- Jefferson Pilot Life Insurance Co.
- J. P. Stevens and Company, Inc.
- Love, Thornton, Arnold and Thomason
- Mays Department Stores
- McNair Law Firm
- Merrill Lynch
- Metropolitan Sewer District
- Mission Hospital
- National Housing Corporation
- Nature Conservancy
- Nelson, Mullins, Riley & Scarborough
- North Greenville College
- Saluda River Electric Cooperative, Inc.
- Santee Cooper Electric
- Smith, Moore, Leatherwood, LLP
- S.C. Dept. of Highways and Public
- S. C. Dept. of Natural Resources
- S. C. Master and Equity Court
- University of South Carolina
- USC Upstate
- U. S. Internal Revenue Service
- U. S. Postal Service
- Womble Carlyle Sandridge & Rice

Addenda

FILED OCONEE, SC
SARLE C. SMITH
CLERK OF COURT

BOOK 963 PAGE 0226

1978 MAR 13 AM 11:51

1000
 OCONEE COUNTY
 PLAT TAX 126.10
 OCCUPY TAX 5336
 RECEIPT _____
 (RKW)
 \$ 23.00

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

TITLE TO REAL ESTATE
(DEFD)

KNOW ALL MEN BY THESE PRESENTS, that, WE, STACY LUMKIN AND MIKE OWENS, in consideration of FORTY-EIGHT THOUSAND TWO HUNDRED TWENTY-TWO AND 00/100 (\$48,222.00) DOLLARS, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto GARY D. LYF, His Heirs and Assigns forever, to wit:

PARCEL #1:

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being in the State of South Carolina, County of Oconee, Tugaloo Township, containing twenty-three and twenty-nine one-hundredths (23.29) acres, more or less, and being shown and designated as Tract 2 upon a plat of survey prepared by Michael L. Henderson, R.L.S., dated February 2, 1980, and recorded in Plat Book P-46, Page 107, records of Oconee County, South Carolina, to which said plat reference is craved for a more complete description thereof.

PARCEL #2

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being in the State of South Carolina, County of Oconee, Tugaloo Township, containing 3.531 acres, more or less, and being shown and designated as Tract 1 upon a plat of survey prepared by Wayne R. Garland, R. L. S., dated October 16, 1989, and recorded in Plat Book P-57, Pages 296 and 323, records of Oconee County, South Carolina, to which said plat reference is craved for a more particular description thereof.

GIVING AND GRANTING a right-of-way for the installation of utilities across other lands owned by Robert V. Hall, Jr. located south of the above-referenced property

THIS PROPERTY DESIGNATED AS

MAP 128 SUB. 00, BLK 01, PARC 26, 110

RECORDED IN PLAT BOOK P-57, PAGE 296 & 323, 10-16-89
BY SARLE C. SMITH, CLERK OF COURT
FOR K.A. Williams
Auditor, Oconee County, S.C.

ON OCONEE COUNTY TAX MAPS
K.A. Williams
OCONEE COUNTY ASSESSOR

This conveyance is made subject to any and all easements, restrictions, covenants, conditions, rights of way, zoning rules and laws and regulations, any of which may be found of record in the Office of the Clerk of Court for Oconee County, South Carolina.

This being the identical property conveyed unto Stacey Lumkin and Mike Owens by deed of Robert V. Hall, Jr. dated March 12, 1998, and recorded March 13, 1998, in Deed Book 963, Page 223, records of Oconee County, South Carolina.


TAX MAP NO. 185-00-01-026 (portion)


GRANTEES ADDRESS: 245 Dickard Road, Seneca, SC 29672

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 grantees(s)' heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor(s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee(s)' heirs or successors and against every person whatsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantor's hand(s) and seal(s) this 12th day of March, 1998.

SIGNED, sealed and delivered in the presence of:

 (SEAL)
 STACEY LUMKIN

 (SEAL)
 MIKE OWENS

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

ACKNOWLEDGEMENT

I, Robert K. Whitney, a Notary Public for South Carolina, do hereby certify STACEY LUMKIN AND MIKE OWENS personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 12th day of March, 1998.

Robert K. Whitney

Notary Public for South Carolina (L.S.)
My Commission Expires: 7/30/06

PLATO OGDON, SC
NOTARY PUBLIC
CLERK OF COURT
1998 APR 13 04 11: 51

FILED 1989 FEB 23 10 52 AM '89
CLERK OF COURT

BOOK 963 PAGE 0229

CONCESSION	10.00	(11/2/88)
STATE TAX	77.30	1989
COUNTY TAX	33.65	7
RECEIPT		(RKW)

STATE OF SOUTH CAROLINA)
 COUNTY OF OCONEE) TITLE TO REAL ESTATE
 (DEED)

KNOW ALL MEN BY THESE PRESENTS, that I, JOHNNY C. PEAY, in consideration of THIRTY THOUSAND TWO HUNDRED SEVENTY-SEVEN AND 00/100 (\$30,277.00) DOLLARS, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto GARY D. LYLE, His Heirs and Assigns forever, to wit:

THIS PROPERTY DESIGNATED AS
 MAP 122, SUR. 26 B.K.L.L., PARCELS 2
 ON OCONEE COUNTY TAX MAPS
 K. H. Williams
 OCONEE COUNTY ASSESSOR

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being in the State of South Carolina, County of Oconee, legal township, containing 23.29 acres, more or less, and being shown and designated as Tract Number 1 upon a plat of survey prepared by Michael L. Henderson, R.L.S., dated February 2, 1980, and recorded in Plat Book P-46, Page 107, records of Oconee County, South Carolina, to which said plat reference is craved for a more particular description thereof.

This conveyance is made subject to any and all easements, restrictions, covenants, conditions, rights of way, zoning rules and laws and regulations, any of which may be found of record in the Office of the Clerk of Court for Oconee County, South Carolina.

This being the identical property conveyed unto Johnny C. Peay by deed of J. D. Reid dated October, 1989, and recorded October 27, 1989, in Deed Book 595, Page 39, records of Oconee County, South Carolina.

TAX MAP NO. 138-00-01-022

GRANTEE'S ADDRESS: 245 Dickard Rd. Sumner SC 29672

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 grantees(s) heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantors(s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s) heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantor's hand(s) and seal(s) this 12th day of March, 1998.

SIGNED, sealed and delivered in the presence of:

Carole L. Lee Johnny C. Peay (SEAL)
JOHNNY C. PEAY
Robert K. Whitney

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE) ACKNOWLEDGEMENT

I, Robert K. Whitney, a Notary Public for South Carolina, do hereby certify JOHNNY C. PEAY personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 12th day of March, 1998.

Robert K. Whitney (L.S.)
Notary Public for South Carolina
My Commission Expires 7/30/06

FILED OCONEE SO
SOUTH
COUNTY
MAR 13 AM 11:52

RKW
 11022011
 100
 OCONEE COUNTY
 STATE TAX 26.00
 COUNTY TAX 11.00
 FEES/T

BOOK 1082 PAGE 0259
 FILED LOUISE S. SMITH
 SALLIE C. SMITH
 CLERK OF COURT
 1029 APR 18 P 1:10
 (RKW)

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
 COUNTY OF OCONEE) (DEED)

KNOW ALL MEN BY THESE PRESENTS, that I, ROBERT V. HALL, JR., in consideration of TEN THOUSAND AND 00/100 (\$10,000.00) DOLLARS, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto GARY D. LYLE, His Heirs and Assigns forever, to wit:

*Recorded by A. [unclear] 10/24/91
 Page 1 of 1
 10/24/91
 R. B. Williams
 Assessor Oconee County, S.C.*

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being in the State of South Carolina, County of Oconee, Tugaloo Township, being shown and designated as Tract 2, containing 8.885 acres, more or less, as shown on a plat prepared by Wayne R. Garland, KLS #5298, dated October 16, 1989, and recorded in Plat Book P-57, Page 256, records of Oconee County, South Carolina.

This conveyance is made subject to any and all easements, restrictions, covenants, conditions, rights of way, zoning rules and laws and regulations, any of which may be found of record in the Office of the Clerk of Court for Oconee County, South Carolina.

This being a portion of the property conveyed unto Robert V. Hall, Jr. by deed of Minnie S. Owens and Louise S. Smith dated June 19, 1991, and recorded July 1, 1991, in Deed Book 659, Page 140, records of Oconee County, South Carolina.

THIS PROPERTY DESIGNATED AS
 MAP 188-00-01-026 BUK. P.L. PARC. 26
 OCONEE COUNTY TAX MAPS
Roger A. Williams
 OCONEE COUNTY ASSESSOR

TAX MAP NO. 188-00-01-026
 GRANTEE'S ADDRESS: 245 Dickson Rd Seneca SC 29672

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 grantees(s)' heirs or successors and assigns, forever And, the

BOOK 1082 PAGE 0260

grantor(s) do(es) hereby bind the grantor(s) and the grantor(s) heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s) heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantor's hand(s) and seal(s) this 14th day of April 2000.

SIGNED, sealed and delivered in the presence of:

Sandra L. De Robert V. Hall (SEAL)
ROBERT V. HALL, JR.
R. Whitney

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE) ACKNOWLEDGEMENT

I, Robert K. Whitney, a Notary Public for South Carolina, do hereby certify ROBERT V. HALL, JR. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 14th day of April 2000.

R. Whitney (L.S.)
Notary Public for South Carolina
My Commission Expires: 7/30/06

FILED OCONEE COUNTY, SC
ANNA K. DAVISON
REGISTER OF DEEDS

Doc ID: DC4713100603 Type: DEE
BK 2167 PG 188-190

2016 MAR 10 P 4: 25

Grantees Address: 180 Peachtree Road
Atlanta, GA 30339

*10/2/16
Davy*

U10209

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS that the THRIFT GROUP, INC. for and in consideration of the sum of TWO HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$285,000.00 US), to it in hand paid by GARY D. LYLE and CHRISTY O. LYLE, the receipt and sufficiency of which is hereby acknowledged, subject to the matters set forth below, have granted, bargained, sold, released, and by these presents, do hereby grant, bargain, sell and release unto GARY D. LYLE and CHRISTY O. LYLE, as joint tenants with right of survivorship and not as tenants in common, their heirs and assigns forever

All that certain piece, parcel or tract of land, together with any and all improvements located thereon lying and being situate in the State of South Carolina County of Oconee, containing 1.055 ACRES more or less, as shown and more fully described on a Plat of Survey prepared by John E. Tinsley, PLS 16824 dated February 19, 2016, and recorded in Plat Book 6539 at Page 2 records of the Register of Deeds Office for Oconee County, South Carolina, having the metes and bounds, courses and distances as appear upon said Plat, being incorporated herein by reference thereto.

This conveyance is made subject to easements, rights-of-way, set back lines, zoning ordinances, covenants and/or restrictions of record and/or appearing upon the premises.

This being a portion of the property conveyed unto Thrift Group, Inc. by Deed of Thrift Brothers, Inc. dated April 2, 1998 and recorded in Deed Book 966 at Page 341 records of the Register of Deeds Office for Oconee County, South Carolina; see also the Quit-Claim Deed of James Bruce Smith and Deborah B. Dubose, Successor Co-Trustees of the Wayne G. Thrift Revocable Trust, 1997 and recorded in Deed Book 267 at Page 184 records of the Register of Deeds Office for Oconee County, South Carolina.

FMS #: 188-00-01-004

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the above described premises belonging and in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before the aforementioned unto the said GARY D. LYLE and CHRISTY O. LYLE, as joint tenants with right of survivorship and not as tenants in common, their heirs and assigns forever.

AND, SUBJECT TO the matters set forth above, the Grantor does hereby bind the Grantor and Grantor's successors, assigns, executors and/or administrators to warrant and forever defend all and singular the said premises unto the said GARY D. LYLE and CHRISTY O. LYLE, as joint tenants with right of survivorship and not as tenants in common, their heirs

MAR 11 2016

THIS PRESENT INSTRUMENT HAS BEEN SUBMITTED TO THE REGISTER OF DEEDS OFFICE FOR OCONEE COUNTY, SOUTH CAROLINA. DATE: 03/10/16. TIME: 04:25 PM.

Anna K. Davison
REGISTER OF DEEDS

OCONEE COUNTY

STATE TAX 0.14

COUNTY TAX 313.350

Permit Fee Taxes

EXEMPT _____ Book: 2167 Page: 188 Seq: 1

and assigns, against the Grantor's successors and assigns, and against every person whomsoever lawfully claiming or purporting to claim the same or any part thereof.

WITNESS, the Grantor's hand and seal this 9th day of March, 2016.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witnesses:

[Handwritten signatures of witnesses]

THRIFT GROUP, INC.

BY: *[Signature]*
GARY V. THRIFT
Its: President

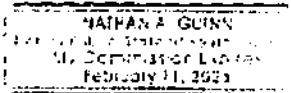
STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

)
) ACKNOWLEDGMENT
)

I, Nathan A. Guinn a Notary Public for the State of South Carolina, do hereby certify that GARY V. THRIFT, PRESIDENT OF THRIFT GROUP, INC. personally appeared before me this 9th day of March, 2016, and acknowledged the due execution of the foregoing instrument

[Signature] (15)
Notary Public for South Carolina
My Commission Expires: 2/11/2026

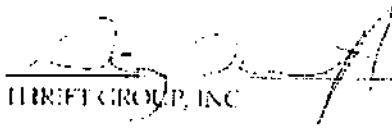


Document Prepared By:
The Airey Law Firm Ltd. Co.
1510 Blue Ridge Blvd. - Suite 201
Seneca, South Carolina 29672

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

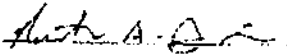
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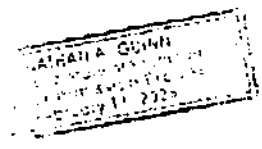
PERSONALLY APPEARED BEFORE ME, the Undersigned, who being duly sworn says that THRIFT GROUP, INC. is the Seller and is familiar with that certain transaction whereby certain real property was conveyed this date from THRIFT GROUP, INC. to GARY D. LYLE AND CHRISTY O. LYLE, and wherein the consideration was stated as "TWO HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$285,000.00 US)" that the actual consideration for this transfer was the sum of TWO HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$285,000.00 US).

 (SEAL)
THRIFT GROUP, INC

_____ (SEAL)

SWORN TO before me this
9th day of March, 2016.

 (LS)
Notary Public of South Carolina
My Commission Expires: 2-11-2026



Drafter's Note: All references must be reviewed and checked. Document must be proofed by Grantor and Grantee. Also double check that final sections meet or exceed standards of current easements of different groups.

CONSERVATION EASEMENT DEED

For and in the consideration of the sum of *(Need Sum of Money to be Provided by SC Gov. Bank and Any Other Source)* provided by the _____ and the mutual promises contained herein, the receipt and adequacy of which is hereby acknowledged, this CONSERVATION EASEMENT DEED is made, entered and given this ____ day of _____, 2013, by _____, an individual resident of Oconee County, South Carolina, hereinafter referred to as the "Grantor" unto the Oconee Soil and Water Conservation District, an entity organized under and as a part of the Government of the State of South Carolina, of 301 W. South Broad Street, Walhalla, South Carolina 29691, hereinafter referred to as the "Grantee", which conservation easement deed is given for the purpose of forever conserving the agricultural productivity of the Protected Property and the other conservation values of the Protected Property as described further herein below. The Grantor and Grantee are collectively referred to herein as "The Parties".

WITNESSETH THAT:

A. Grantor is the sole owner in fee simple of certain real property, more particularly described in Exhibit A, attached hereto and incorporated herein (hereinafter referred to as the "Protected Property") which consists of Acres, more or less, located on or near Tucker Road, Center Township, Oconee County, South Carolina, bearing Oconee County Tax Identification Number TMS = _____.

The Property includes a designated future Farmstead Area/Residence Area of _____ acres and shown on Exhibit B, attached hereto and incorporated herein. *(Weather/Eddy - Please let us know if this paragraph is applicable in this transaction).*

B. The current use of the Protected Property is for agricultural and woodland uses.

C. The Protected Property currently contains special and important agricultural, open space, scenic and natural features, as well as prime and important farmland soils and significant relatively natural habitat for wildlife and plants. All of the natural elements and ecological values of the Protected Property as described in this

habitat, and unique scenic characteristics which scenic characteristics may be enjoyed by the general public from public thoroughfares adjoining the Protected Property. In the view of Grantor and Grantee, said purposes of this Conservation Easement Deed meet one or more of the "Conservation Purposes" set forth in Section 170(h)(4) of the Internal Revenue Code of 1986, as amended (hereinafter referred to as the "Code");

H. As of the signing of this Conservation Easement Deed, the Oconee Soil and Water Conservation District, as Grantee, shall receive the real property interest contemplated in this Conservation Easement Deed, being duly qualified to do so as an entity of South Carolina State Government and as a "qualified organization" under Section 170(h) of the Code.

I. This Conservation Easement is being donated by the Grantor and the Grantor, as fee simple owner of the Protected Property, has full right and authority to donate and transfer the Conservation Easement contemplated herein. This paragraph should remain as it is.

J. Grantee agrees to enforce the terms of this Conservation Easement to ensure the preservation and protection of the Conservation Values of the Protected Property in perpetuity for the benefit of Grantee and its successors and assigns.

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants, terms, conditions and restrictions herein contained, Grantor, intending to be legally bound and intending for this Conservation Easement to remain in effect in perpetuity, agrees on behalf of himself and his successors and assigns as follows:

TERMS AND CONDITIONS

1. PURPOSES

The primary purpose of this Conservation Easement is to protect the agricultural soils, including prime, statewide and locally important agricultural soils, agricultural viability, and agricultural productivity of the Protected Property in perpetuity (hereinafter the "Primary Purpose"). No activity which shall significantly impair the actual or potential use of the Protected Property for agricultural production shall be permitted. To the extent that the preservation and protection of the additional Conservation Values of the Protected Property is consistent with the Primary Purpose of protecting the agricultural soils, agricultural viability, and agricultural productivity of the Protected Property in perpetuity it is

habitat, and unique scenic characteristics which scenic characteristics may be enjoyed by the general public from public thoroughfares adjoining the Protected Property. In the view of Grantor and Grantee, said purposes of this Conservation Easement Deed meet one or more of the "Conservation Purposes" set forth in Section 170(h)(4) of the Internal Revenue Code of 1986, as amended (hereinafter referred to as the "Code");

H As of the signing of this Conservation Easement Deed, the Oconee Soil and Water Conservation District, as Grantee, shall receive the real property interest contemplated in this Conservation Easement Deed, being duly qualified to do so as an entity of South Carolina State Government and as a "qualified organization" under Section 170(h) of the Code.

I This Conservation Easement is being donated by the Grantor and the Grantor, as fee simple owner of the Protected Property, has full right and authority to donate and transfer the Conservation Easement contemplated herein. This paragraph should remain as it is.

J Grantee agrees to enforce the terms of this Conservation Easement to ensure the preservation and protection of the Conservation Values of the Protected Property in perpetuity for the benefit of Grantor and its successors and assigns.

NOW, HEREOFRE, in consideration of the foregoing and of the mutual covenants, terms, conditions and restrictions herein contained, Grantor, intending to be legally bound and intending for this Conservation Easement to remain in effect in perpetuity, agrees on behalf of himself and his successors and assigns as follows:

TERMS AND CONDITIONS

1. PURPOSES

The primary purpose of this Conservation Easement is to protect the agricultural soils, including prime, statewide and locally important agricultural soils, agricultural viability, and agricultural productivity of the Protected Property in perpetuity (hereinafter the "Primary Purpose"). No activity which shall significantly impair the actual or potential use of the Protected Property for agricultural production shall be permitted. To the extent that the preservation and protection of the additional Conservation Values of the Protected Property is consistent with the Primary Purpose of protecting the agricultural soils, agricultural viability, and agricultural productivity of the Protected Property in perpetuity, it is

also the purpose of this Conservation Easement: to protect those additional Conservation Values of the Protected Property, and to such extent, no activity which shall significantly impair those additional Conservation Values of the Protected Property shall be permitted.

2. USE LIMITATIONS

The Conservation Easement hereby granted with respect to the Protected Property is subject to the following use limitations as described in this Section 2:

- A. As required by section 1238I of the Food Security Act of 1985, as amended, the Grantor shall conduct all agricultural operations upon any and all portions of the Protected Property which contain Highly Erodible Soils or Wetlands in a manner consistent with a Conservation Plan prepared in consultation with NRCS and approved by the Oconee Soil and Water Conservation District. This Conservation Plan shall be developed using the standards and specifications of the NRCS Field Office Technical Guide and 7 CFR part 12 that are in effect on _____, 2013, the execution date hereof. However, the Grantor may develop and implement a conservation plan that proposes a higher level of conservation and is consistent with the NRCS Field Office Technical Guide standards and specifications.

The Protected Property contains highly erodible soils, and therefore, a land use change to cropland would require a conservation plan for compliance with the provisions of the food security act.

The Protected Property shall be maintained in perpetuity as open space without there being conducted thereon any industrial or commercial activities, except agriculture, forestry and commercial activities related to agriculture and forestry which do not impair the Conservation Values of the Protected Property, and provided further that the productive capacity of the Protected Property to produce forest and/or agricultural crops or products shall not be significantly degraded by onsite activities.

For the purposes hereof of this Section 2A, the terms "agriculture" and "forestry" shall include but shall not be limited to the practices of animal husbandry; floricultural and horticultural activities; the production of plant and animal products for domestic or commercial purposes (subject to any restrictions on such activities expressly described in this Conservation Easement Deed), the

collection of biodegradable materials for composting; or the growing, stocking, cutting and sale of Christmas trees or forest trees of any size capable of producing timber or other forest products; provided however, that any and all such activities shall not impair the Conservation Values of the Protected Property.

- B. There shall be no further subdivision of the Protected Property, but the Grantor shall retain and have the rights regarding a residence and structures on the Protected Property as described in Section 3D.
- C. There are no structures located on the Protected Property. There are no other improvements or paved roads located on the Protected Property. Future structures and structural improvements may only be constructed on the Protected Property in accordance with Section 3D. All existing and future structures, improvements and/or paved roads are subject to and shall not exceed a total maximum coverage area of two-percent (2%) of the Protected Property, (being equal to approximately 2.34 acres of the Protected Property), which limitation represents the maximum allowable impervious surface coverage as described in Section 2F. However, notwithstanding the foregoing, any existing or future paved road or other impervious surface within the boundary of a utility or road right of way shall not be considered part of the two-percent (2%) impervious service limitation described in this paragraph and Section 2F.
- D. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:
 - i. are commonly necessary in the accomplishment of agricultural practices, conservation, habitat management, and/or forest management uses of the Protected Property;
 - ii. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the State of South Carolina agency having responsibility for identification and/or conservation of such species;
 - iii. are not detrimental to the Conservation Values of Protected Property; and prior to commencement of any such act, all necessary federal, state, and local permits and approvals shall be secured.

- E There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, water, or other similar materials on the Protected Property, except when any such action is reasonably necessary to legitimately pursue any activity or purpose expressly permitted under the terms of this Conservation Easement and in all such cases, any such actions shall not impair the Conservation Values of the Protected Property.

No such rock, minerals, gravel, sand, topsoil, or similar materials shall be removed from the Protected Property except for spoil pursuant to Section 3 (What is this? What is spoil and where is this referenced?). Spoil is dirt removed in the activity of grading for roads and structures and removal of invasive species.

Notwithstanding any other provision herein, there shall be no mining, quarrying, excavation or removal of oil, natural gas or any other hydrocarbons on the Protected Property.

There shall be no dumping, storage, injection, burning or burial of man-made materials, building demolition or construction debris, trash, tires, vehicle bodies or parts or similar materials, Hazardous Materials (as defined in Section 20), or any other material known to be hazardous to human health or the environment including snow from municipal plowing, construction or demolition debris. The production, storage and spreading of pesticides, feed, compost, manure, or other fertilizer under sound agricultural practices; the storage of pesticides; the storage of feed; or leaving of slash after harvested timber, are permitted in accordance with any and all label requirements, an approved conservation plan and with the then-current scientifically based practices recommended by the State of South Carolina Department of Agriculture and those recommendations (in addition to any and all label requirements) of the U.S. Environmental Protection Agency, or other government, private, or nonprofit natural resource conservation and management agencies then active. The Grantee shall impose pesticide storage regulations, or have oversight or monitoring responsibilities imposed by this Conservation Easement concerning pesticide storage, beyond the regulations and responsibilities of the agencies listed above, or their successors.

1. The maximum allowable impervious surface coverage on the Protected Property shall not exceed a total maximum coverage area of two-percent (2%) of the Protected Property, (being equal to approximately 2.34 acres of the Protected

Property), which limitation represents the maximum allowable impervious surface coverage. Impervious surfaces include all existing and future structures, driveways, roads, parking facilities and other paved or impervious surfaces, as well as any temporary structures even if the soil surface is not disturbed, including, but not limited to, plastic greenhouses and farm structures with or without a floor. Any such structure, facility or impervious cover shall be subject to this impervious surface limitation unless written exception is provided to the Grantor, or its successors, by the Grantee. However, notwithstanding the foregoing, any existing or future paved road or other impervious surface within the boundary of a utility or road right-of-way shall not be considered part of the two-percent (2%) impervious surface limitation described in this paragraph and otherwise herein.

- G. Motorized vehicles are prohibited on the Protected Property, except as required to reasonably conduct operations and activities reasonably related to use and exercise of the rights expressly reserved unto the Grantor hereunder, including without limitation agricultural, timber, residential and de minimus recreational activities.

3. RESERVED RIGHTS:

The Conservation Easement hereby granted with respect to the Protected Property is subject to the following rights which are expressly reserved unto the Grantor as described in this Section 3:

- A. Grantor reserves the right to post against hunting, fishing and/or public access or not to post as Grantor may desire from time to time.
- B. Grantor reserves the right to stockpile and compost stumps, tree and brush limbs and similar unpainted, untreated biodegradable materials generated from farm activities on the Protected Property, including but not limited to livestock manure. All compost materials shall be maintained in a sanitary manner and in accordance with all applicable laws and regulations.
- C. Grantor reserves the right to convert forest land to cultivated land or pasture land (and vice versa). Land use conversion on Highly Erodible Land must comply with the guidelines set forth by a NRCS Conservation Plan to be prepared in advance. Forestry operations on the Conservation Protected Property shall be carried out in accordance with all applicable local, state and

federal laws and regulations, and in accordance with then current, generally accepted best management practices for the sites, soils, and terrain of the Protected Property. For references, see 'Best Management Practices for Forestry in South Carolina', or similar successor publications. In addition, all commercial forestry shall be performed in accordance with a written forest management plan consistent with this Conservation Easement prepared by a licensed professional forester, the South Carolina Forestry Commission or NRCS. The forest management plan shall have been prepared not more than ten (10) years prior to the date that harvesting is expected to commence, or shall have been reviewed and updated as required by such a forester at least thirty days prior to such date.

D. *Procedure to Construct Buildings and Other Improvements*

The Grantor's rights to construct buildings and other improvements are described below in this Section 3D. Any construction not permitted below is hereby prohibited. Before undertaking any construction that requires advance permission, the Grantor shall notify Grantee and obtain written permission. All construction is subject to Oconee County regulations and must be consistent with permits required by and issued by Oconee County under its laws and ordinances for such construction activities.

(1) *Fences.* Existing fences may be repaired and replaced, and new fences may be built on the Protected Property for purposes of reasonable and customary management of livestock and wildlife or to fence off the perimeter of the Protected Property without any further permission of Grantee.

(2) *Structures & Improvements.* There are no existing structures located on the Protected Property. Structures, improvements, paved roads and other impervious surfaces located on the Protected Property shall not exceed 2 percent (_____ acres) of the total area of the Protected Property in accordance with Section 2H.

New buildings, including barns, sheds, and other structures and improvements to be used primarily for agricultural purposes (including the processing or sale of farm products predominantly grown or raised on the Property) may be built on the Protected Property without any further permission of Local Grantee provided they are located in the "Farmstead Area." Global Position System (GPS) Points define and delineate the boundaries of the Farmstead Area as shown in Exhibit B. The Farmstead Area encompasses _____ (_____) acres.

Any new agricultural buildings, structures or improvements proposed for locations outside the "Farmstead Area" may be built only with the advance written permission of the Grantee. The Grantee may give such permission within a reasonable time if it determines that the proposed building, structure, or improvement would not diminish or impair the Conservation Values of the Protected Property or adversely impact the protected soils or otherwise be inconsistent with this Conservation Easement.

(3) *Single Family Residence*. There are no existing residences located on the Protected Property. The Grantor shall retain and may exercise the following rights regarding the construction and maintenance of a residence and structures on the Protected Property:

(A) To construct and maintain no more than one (1) single family residence and no more than four (4) ancillary structures (such as sheds or barns) for such residence, subject to compliance with all of the following conditions:

(i) The residence shall not exceed a total footprint of 2,500 square feet, and the residence shall not exceed a height of two (2) stories;

(ii) The ancillary structures associated with the residence shall not exceed a total footprint of 4,000 square feet and no ancillary structure shall exceed a height of two (2) stories;

(iii) The location of the new residence and structures shall be sited in such manner as to limit negative impacts to the scenic quality of the Protected Property as observed by the traveling public on public roads adjoining the Protected Property;

(iv) The location of the new residence and structures shall be located and sited in such manner as to not impair the Conservation Values of the Protected Property;

(v) The construction of the residence and any ancillary structure shall be subject to and shall not violate the limitation on impervious surface coverage area, as further described in Section 2F hereof; and

(vi) Grantee shall approve in writing a plan before any construction on the residence or ancillary structure begins, which written approval shall indicate and acknowledge that

the Grantor has met and qualified under all pre conditions for such construction as described in this Section 3D(2).

(B) Grantor shall have the right to live on, reside in and enjoy the residence permitted under this 3D(2) as is customary for residential use and enjoyment of residential property in the geographic area surrounding or near the Protected Property, subject however, to the limitations otherwise expressed in this Conservation Easement, including, but not limited to, the prohibition of those activities which impair the Conservation Values of the Protected Property. Such customary permitted uses shall include, without limitation, Grantor's right to install and maintain a garden, a drive, fencing and other customary features of residential property in the geographic area surrounding or near the Protected Property.

- (4) *Recreational Improvements* Grantor expressly reserves the right to engage in low impact, non-developed recreational activities requiring no surface alteration of the land and posing no material threat to the Conservation Values set herein such as hunting, fishing, hiking, and bird watching, and to control access of all persons for these purposes; provided that these activities do not impact the protection and conservation of any animal habitat or other Conservation Values of the Protected Property. However, under no circumstances shall golf courses, golf ranges, airstrips, or helicopter pads be constructed, placed, or permitted to remain on the Protected Property.
- (5) *Utility Services and Septic Systems* Installation, maintenance, repair, replacement, removal, and relocation of electric, gas, and water facilities, sewer lines and/or other public or private utilities, including telephone or other communication services over or under the Protected Property for the purpose of providing electrical, gas, water, sewer, or other utilities to serve improvements on the Protected Property permitted hereon, and the right to grant easements over and under the Protected Property for such purposes, is permitted. Grantor shall not permit or grant easements for utility transmission or distribution facilities or systems except those required to provide utilities to the farm on the Protected Property, unless the Grantor has expressly consented to any such easement. Maintenance, repair or improvement of a septic system(s) or other underground sanitary system that exists on the Protected Property at the time of this

Conservation Easement, or the construction of a septic or other underground sanitary system, for the benefit of any of the improvements permitted herein, is permitted. All other utilities are prohibited on the Protected Property including, but not limited to, cellular communication towers or structures.

- (6) *Existing and Future Farm Ponds.* The construction and maintenance of no more than two (2) additional farm ponds is permitted so long as the construction and maintenance of such ponds is in accordance with all current Federal and State laws and regulations regarding impoundments. Any existing farm pond(s), as such is/are more particularly described in the Report, may be maintained in accordance with all current Federal and State laws and regulations regarding impoundments.
- (7) *Right to Use the Protected Property for Agricultural and Timber Production.* Grantor retains the right to use the Protected Property for agricultural production, or to permit others to use the Protected Property for agricultural production, in accordance with applicable law and in accordance with the NRCS Conservation Plan as described in Section 2A.

As used in this Section 3D, 'agricultural production' shall mean the production, processing, storage or retail marketing of crops, livestock, and livestock products. For purposes hereof, the terms crops, livestock and livestock products shall include, but shall not be limited to:

- (a) crops commonly found in the community surrounding the Protected Property;
- (b) field crops, including corn, wheat, oats, rye, barley, hay, potatoes, cotton, tobacco, herbs and dry beans;
- (c) fruits, including apples, peaches, grapes, cherries, nuts and berries;
- (d) vegetables, including lettuce, tomatoes, snap beans, cabbage, carrots, beets, onions, mushrooms, and soybeans;
- (e) horticultural specialties, including sod, seeds, nursery stock, ornamental shrubs, ornamental trees, Christmas trees and flowers;
- (f) livestock and livestock products, including dairy cattle, beef cattle, sheep, swine, goats, horses, poultry, fur bearing animals, bees, milk and other dairy products, eggs and furs;
- (g) timber, wood, and other wood products derived from trees; and
- (h) aquatic plants and animals and their byproducts.

(S) *Right to Construct Roads.* The Grantor may construct new roads, bridges, and trails on the Protected Property, and existing roads, bridges and trails on the Protected Property, as such are more particularly described in the Report, may be enlarged and improved, subject to compliance with all of the following conditions:

- (a) The roads and bridges are needed in order to provide access to the uses or activities expressly permitted hereunder;
- (b) Road construction shall be subject to Section 2F;
- (c) Grantee shall approve in writing a plan for the location and construction of any road to be built with the use of heavy equipment before any work begins;
- (d) Grantee shall approve in writing a plan for any bridge before construction begins;
- (e) All construction shall be done in accordance with applicable federal, state and local laws and regulations; and
- (f) Grantor shall undertake all reasonable measures to avoid or minimize adverse impacts to the Conservation Values of the Protected Property.

4. NOTIFICATION OF TRANSFER, TAXES, AND MAINTENANCE

- A. Grantor agrees to notify Grantee in writing thirty (30) days before transfer of any interest of the Grantor in or to the Protected Property.
- B. The Grantee, nor its assigns, shall be under any obligation to maintain the Protected Property or pay any taxes or assessments thereon.

5. COSTS AND LIABILITIES

Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Protected Property.

- A. *Taxes.* Grantor shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Protected

Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, this Conservation Easement.

- B. *General Indemnification.* Grantor shall indemnify and hold harmless Grantee, their employees, agents, and assigns for any and all liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions, and costs of actions, sanctions asserted by or on behalf of any person or governmental authority, and other liabilities (whether legal or equitable in nature and including, without limitation, court costs, and reasonable attorneys' fees and attorneys' fees on appeal) to which Grantee may be subject or incur relating to the Protected Property, which may arise from, but is not limited to, Grantor's negligent acts or omissions or Grantor's breach of any representation, warranty, covenant, agreements contained in this Deed, or violations of any Federal, State, or local laws, including all Environmental Laws.

6. BENEFITS, BURDENS, AND ACCESS

- A. The burden of the Conservation Easement conveyed hereby shall run with the Protected Property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of this Conservation Easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to a land trust, consistent with Section 170(c)(1) of the Code, which as a land trust, has among its purposes the conservation and preservation of land and water areas and agrees and is capable of enforcing the conservation purposes of this Conservation Easement, or to any qualified organization within the meaning of Section 170(h)(3) of the Code, which organization has among its purposes the conservation and preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of this Conservation Easement. Any such assignee or transferee shall have like power of assignment or transfer, but shall be prohibited from transferring or assigning its interest in the Protected Property to any organization not within the definition of a qualified organization under Section 170(h)(3) of the Code.
- B. The Grantee shall have reasonable access to the Protected Property for inspection as is necessary to determine compliance with and to enforce this Conservation Easement and to fully exercise the rights conveyed hereby, fulfill the responsibilities, and carry out the duties assumed by the acceptance of this Conservation Easement.

7. BREACH OF CONSERVATION EASEMENT DEED

- A. When a breach of this Conservation Easement Deed, or conduct by anyone inconsistent with this Conservation Easement, comes to the attention of the Grantee, it shall notify the Grantor in writing of such breach or conduct, delivered in hand or by certified mail, return receipt requested.
- B. The Grantor shall, within 30 days after receipt of such notice or after otherwise learning of such breach or conduct, undertake those actions, including restoration, which are reasonably calculated to cure swiftly said breach, or to terminate said conduct, and to repair any damage. The Grantor shall promptly notify the Grantee of its actions taken under this section.
- C. If the Grantor fails to take such proper action under this preceding paragraph, the Grantee shall, as appropriate to the purposes of this Conservation Easement Deed, undertake any actions that are reasonably necessary to cure such breach or to repair any damage or to terminate such conduct. The cost thereof, including the Grantee's, court costs, and legal fees, shall be paid by the Grantor, provided that the Grantor is directly or primarily responsible for the breach. If the Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate damage to the Protected Property, or to prevent action or potential action which is determined to be inconsistent with the stated purposes of this Conservation Easement, the Grantee may pursue any of its remedies under this Section 7, without prior notice to the Grantor or without waiting for the period provided for cure to expire.
- D. Nothing contained in this Conservation Easement Deed shall be construed to entitle the Grantee to bring any action against the Grantor for any injury to or change in the Protected Property resulting from causes beyond the Grantor's control, including, but not limited to, unauthorized actions by third parties, natural disasters such as fire, flood, storm, and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Protected Property resulting from such causes.
- E. The Grantee and the Grantor reserve the right, separately or collectively, to pursue all legal remedies against any third party responsible for any actions detrimental to the conservation purposes of this Conservation Easement.

F. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by the Grantor shall impair Grantee's rights or remedies or be construed as a waiver.

8. NOTICES

All notices, requests, and other communications, required or permitted to be given under this Conservation Easement Deed shall be in writing, except as otherwise provided herein, and shall be delivered in hand or sent by certified mail, return receipt requested to the appropriate address set forth above or at such other address as the Grantor or the Grantee may hereafter designate by notice given in accordance herewith. Notice shall be deemed to have been given when so delivered or so mailed.

Notices, requests and other communication shall be directed to:

TO GRANTOR:

TO GRANTEE:

Oconee Soil & Water Conservation District
301 W. South Broad Street
Walhalla, SC 29691

9. SEVERABILITY

If any provision of this Conservation Easement Deed, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award or otherwise, the remainder of the provisions of this Conservation Easement Deed or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

10. EXTINGUISHMENT

If circumstances arise in the future which render the Primary Purpose of this Conservation Easement, as set forth in Section 1 hereof, impossible to accomplish, this Conservation Easement can only be terminated or extinguished, whether in whole or in

part, by judicial proceedings in a court of competent jurisdiction, and Grantee shall be a party to such proceedings. The fact that any use of the Protected Property that is expressly prohibited by this Conservation Easement, or any other use that is inconsistent with the Primary Purpose of this Conservation Easement, as set forth in Section 1, may become more economically valuable than permitted uses, or that neighboring properties may in the future be put to uses that are not permitted hereunder, has been fully and carefully considered by Grantor in granting this Conservation Easement. It is the intent of both Grantor and Grantee that any such changes shall not constitute circumstances justifying the termination or extinguishment of this Conservation Easement pursuant to this Section 10. In addition, the inability or difficulty of carrying on any or all of the permitted uses, or the unprofitability of doing so, shall not impair the validity or enforceability of this Conservation Easement or be considered grounds for its termination or extinguishment pursuant to this Section 10.

11. CONDEMNATION

If all or any part of the Protected Property is taken through the exercise, or threat of exercise, of eminent domain, Grantor and Grantee shall each take appropriate actions at the time of such taking to recover the full value of the taking and all direct and incidental damages resulting from the taking. The amount of the proceeds to which Grantee shall be entitled, after the satisfaction of prior claims, from the condemnation or involuntary conversion of all or any portion of the Protected Property shall be determined unless otherwise provided by South Carolina law at the time, in accordance with Section 12 of this Conservation Easement. Grantee shall use all proceeds that it receives for in a manner consistent with the Primary Purposes of this Conservation Easement.

12. FAIR MARKET VALUE OF CONSERVATION EASEMENT

A. If this Conservation Easement is terminated or extinguished, pursuant to Sections 10 or 11 hereof, then Grantor (or in the event of a prior conveyance of the Protected Property, Grantor's successor or assign), as required by Treas. Reg. Sec. 1.170A-14(g)(6), shall reimburse the Grantee an amount equal to the Proportionate Share, which was determined at the time of conveyance of the fair market value of the Protected Property unencumbered by this Conservation Easement. An appraisal made by _____ was used to determine the Conservation Easement value. The fair market value of the Protected Property shall be determined at the time this Conservation Easement is terminated or extinguished.

Any increase in value attributable to improvements made after the date of the Conservation Easement Deed shall accrue to the party who made the improvements.

The Proportionate Share for the Protected Property has been determined at the time of conveyance of this Conservation Easement by subtracting the fair market value (using a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report) of this Protected Property with the Conservation Easement (\$_____) from the fair market value of the Protected Property without the Conservation Easement (\$_____). For a Conservation Easement value of \$_____ which is the difference. The total amount of consideration for this Conservation Easement is \$_____. The Proportionate Share, therefore, is equal to _____ percent (_____ %) of the fair market value without the Conservation Easement.

This Proportionate Share shall remain constant over time. Therefore, in the event of condemnation the Grantee is entitled to an amount equal to _____ percent (_____ %) of the fair market value of the Protected Property at the time this Conservation Easement is terminated or extinguished. The fair market value shall be determined by a complete summary appraisal, which meets Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report, or successor standards, is approved by the Grantee and is completed by a South Carolina certified general appraiser.

Until such time as the Grantee receives the Proportionate Share from the Grantor or Grantor's successor or assign, the Grantee shall each have a lien against the Protected Property for the amount of the Proportionate Share due them. The Grantee or its designee shall use its allocation of the Proportionate Share in a manner consistent with the conservation purposes of this Conservation Easement.

B. The balance of the land damages recovered from such taking or lawful sale, in lieu of condemnation or exercise of eminent domain attributable to the property rights held by the Grantee in this Conservation Easement, shall be paid to the Grantee. Any increase in value attributable to improvements made after the date of the Conservation Easement Deed shall accrue to the party who made the improvements.

13. ADDITIONAL CONSERVATION EASEMENTS

Subject to any applicable law, regulation or ordinance, should the Grantor determine that the expressed purpose of this Conservation Easement could better be effectuated by the conveyance of an additional Conservation Easement, the Grantor may execute an additional instrument to that effect, provided that the conservation purposes of this Conservation Easement are not diminished thereby and that a public agency or qualified organization as described in Section 6A, above, accepts and records the additional Conservation Easement. Any Conservation Easement arising after the date of execution of this Conservation Easement Deed will be subordinated, by operation of law or otherwise to this Conservation Easement.

14. NO MERGER

- A. The Grantor and the Grantee explicitly agree that it is their express intent, forming a part of the consideration hereunder, that the provisions of the Conservation Easement set forth herein are to last in perpetuity, and that to that end no purchase or transfer of the underlying fee interest in the Protected Property by or to the Grantee, or its successor or assignee shall be deemed to eliminate these Conservation Easement terms, or any portion thereof, pursuant to the doctrine of 'merger' or any other legal doctrine.
- B. In the event Grantee takes legal title to Grantor's interest in the Protected Property, Grantee shall commit the monitoring and enforcement of the Conservation Easement to a qualified organization within the meaning of Section 107(b)(3) of the Code, which organization has among its purposes the conservation and preservation of land and water areas.

15. SUBORDINATION

Any mortgage or lien arising after the date of this Conservation Easement Deed shall be subordinated to the terms of this Conservation Easement Deed.

16. BASELINE DOCUMENTATION AND STEWARDSHIP OBLIGATIONS

To facilitate the fulfillment of their responsibilities under this Conservation Easement Deed, the Grantee shall be responsible for the following (which shall include, but not be limited to):

- (A) Maintaining baseline information and annual monitoring of the Protected Property in accordance with applicable policies and guidelines;
- (B) Reasonably responding to Grantor's requests for approvals required under this Conservation Easement;
- (C) Investigating potential Conservation Easement violations and/or encroachments and responding accordingly; and
- (D) Copies of the Baseline Documentation Report shall be held by the Grantee and made available to the Grantor at all reasonable times.

17. AMENDMENT

If circumstances arise under which an amendment to this Conservation Easement would be appropriate to clarify any ambiguities or to maintain or enhance the Conservation Values, Grantor and Grantee may amend this Conservation Easement by a mutually acceptable written agreement, provided that the amendment:

- (A) Shall be consistent with the Primary Purpose of this Conservation Easement, as set forth in Section 1 hereof;
- (B) Shall not impair the Conservation Values of the Protected Property;
- (C) Shall not adversely affect the eligibility of this Conservation Easement as a "qualified conservation easement" under any applicable laws, including Section 170(h) and 2031(e) of the Code; and
- (D) Shall not adversely affect the status of Grantee as a qualified organization under Section 170(b)(3) of the Code.

Any such amendment shall be executed by Grantor and Grantee and recorded in the appropriate public office of the county or counties in which the Protected Property is located. Nothing in this Section 17 shall be construed as requiring Grantor or Grantee to enter into any discussions or negotiations regarding any amendment of this Conservation Easement or to agree to any such amendment.

18. CONTROLLING LAW, CONSTRUCTION AND INTERPRETATION

This Conservation Easement Deed shall be interpreted under the laws of the State of South Carolina and the United States. Any general rule of construction to the contrary notwithstanding, this Conservation Easement Deed shall be liberally construed to affect the purposes of the Conservation Easement Deed. If any provision in said Conservation Easement Deed is found to be ambiguous, an interpretation consistent with the purposes of said Conservation Easement Deed that would render the provision valid shall be favored over any interpretation that would render it invalid.

19. REPRESENTATION AND WARRANTY OF TITLE

To the best of his knowledge and belief, Grantor warrants that it has good title and sufficient title to the Protected Property, free from all encumbrances and hereby promises to defend the same against all claims that may be made against it. All holders of any liens or other encumbrances on or against the Protected Property, if any, have agreed to subordinate their interests in the Protected Property to this Conservation Easement.

20. ENVIRONMENTAL WARRANTY

Grantor warrants that it is in compliance with, and shall remain in compliance with, all applicable Environmental Laws. Grantor warrants that there are no notices by any governmental authority of any violation or alleged violation of, non-compliance or alleged non-compliance with or any liability under any Environmental Law relating to the operations or conditions of the Protected Property. Grantor further warrants that it has no actual knowledge of a release or threatened release of Hazardous Materials, as such substances and wastes are defined by applicable federal and state law.

Moreover, Grantor hereby promises to defend and indemnify the Grantee against all litigation, claims, demands, penalties and damages, including reasonable attorneys' fees, arising from or connected with the release or threatened release of any

Hazardous Materials on, at, beneath or from the Protected Property, or arising from or connected with a violation of any Environmental Laws by Grantor or any other prior owner of the Protected Property. Grantor's indemnification obligation shall not be affected by any authorizations provided by Grantee to Grantor with respect to the Protected Property or any restoration activities carried out by Grantee at the Protected Property; provided, however, that Grantee shall be responsible for any Hazardous Materials contributed after this date to the Protected Property by Grantee.

'Environmental Law' or 'Environmental Laws' means any and all Federal, state, local or municipal laws, rules, orders, regulations, statutes, ordinances, codes, guidelines, policies or requirements of any governmental authority regulating or imposing standards of liability or standards of conduct (including common law) concerning air, water, solid waste, hazardous materials, worker and community right-to-know, hazard communication, noise, radioactive material, resource protection, subdivision, inland wetlands and watercourses, health protection and similar environmental health, safety, building and land use as may now or at any time hereafter be in effect.

'Hazardous Materials' means any petroleum, petroleum products, fuel oil, waste oils, explosives, reactive materials, ignitable materials, corrosive materials, hazardous chemicals, hazardous wastes, hazardous substances, extremely hazardous substances, toxic substances, toxic chemicals, radioactive materials, infectious materials and any other element, compound, mixture, solution or substance which may pose a present or potential hazard to human health or the environment.

The Grantee, by accepting and recording this Conservation Easement Deed, agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein granted to and incumbent upon the Grantee, all in the furtherance of the conservation purposes for which this Conservation Easement Deed is delivered.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURE PAGES TO FOLLOW]

B011

State of South Carolina
Department of Labor, Licensing and Regulation
Real Estate Appraisers Board
ALLEN DEAN MCCRAVY
Is hereby entitled in practice as a
Certified General Appraiser
License Number **3617**
Expiration Date 06/30/2026
OFFICE COPY *Lyndee B. Stone II*
Administrator

B011

State of South Carolina
Department of Labor, Licensing and Regulation
Real Estate Appraisers Board
STEPHEN C ANDERSON
Is hereby entitled in practice as a
Certified General Appraiser
License Number **2883**
Expiration Date 06/30/2029
OFFICE COPY *Lyndee B. Stone II*
Administrator



Oconee County Conservation Bank Application for Funding

Oconee County, South Carolina

Completed Application to be forwarded to:

Oconee County Conservation Bank Board
c/o Clerk to Council
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

or

via email to: ksmith@oconeesc.com

II. Property Information

Legal Description

County: Oconee

Tax Map # 036-00-02-007, 036-00-02-008

Assessor's Plat & Lot Numbers:

MapPlatB A909 MapPlatP 7 ; MapPlatB P60 MapPlatP 377

Deed Reference [Book & Page]

1829/81

Current Zoning Classification

unzoned

Location on County Map (attach copy as **EXHIBIT A**)

Brief description of property including:

a. Total Acres

about 26.26 ac

b. Total Forested

about 25 ac

c. Total Cleared / Open

about 0.64 ac

d. Total Wetlands

about 0.6 ac

e. Creeks and/or Rivers

over 1,550 feet along Mill Creek

Please include any surveys, USGS maps, directions, county locator map, or any other pertinent information.

III. Miscellaneous Information:

Who is the Party responsible for managing the land?

Name Elaine Morris

Address: 299 Pearson Road, Tamassee, SC 29686

Telephone Number [REDACTED]

Who is responsible for enforcing any conservation easements or other restrictions on this property?

Name Upstate Forever

Address: 507 Pettigru Street, Greenville, SC 29601

Telephone Number 864 250-0500

IV. Adjoining landowners.

Adjoining landowners must be notified of this grant request by Oconee County ordinance. Please attach an affidavit that all adjoining landowners have been notified.

Scott Park

Signature of Eligible OCCB Recipient (Applicant)

March 31, 2020
Date

Affidavit

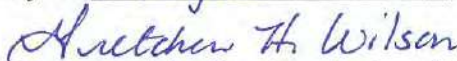
I hereby attest and affirm as follows:

1. I am the Land Conservation Director of Upstate Forever, the eligible recipient and applicant for a grant for the Oconee County Conservation Bank to acquire a conservation easement on the tracts described in the application submitted herewith.
2. I have delivered written notification of the application to the owners of all properties that adjoin the tracts that are the subject to the application.
3. I have delivered written notification of the application to the owner of the property subject to the application and notified the landowner:
 - a. that interests in land purchased with trust funds results in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or its assignees, and
 - b. it may be in the landowner's interest to retain independent legal counsel, appraisals and other professional advice.



Scott Park

Sworn to before me this 01
day of August, 2017


Notary Public for South Carolina

My commission expires: 10.29.25

Section II
To be filled out by the landowner

1. Has the Eligible OCCB Recipient seeking funding notified you in writing:
(See Oconee County Ordinance 2011-16, Section VII)
- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests from the landowner to the eligible trust fund.
 yes no
- b. That it may be in the landowner's best interests to retain independent legal counsel, appraisals, and other professional advice.
 yes no

2. Are there any existing liens, mortgages, or encumbrances that currently exist on this property?
 yes no If yes, please explain below:

Oconee County Conservation Bank—Landowner Inspection Consent Agreement.

I, Elaine Morris, as the landowner or landowner's agent agree to allow inspection, or appraisal if necessary, of the property being presented to the OCCB Board for consideration. I agree to allow authorized or designated agent or staff to inspect this property as may be required. Reasonable notice of inspection will be given.

Elaine Morris
Signature of Landowner/Agent

July 5, 2017
Date

Section III

To be filled out by the Eligible OCCB Recipient seeking funding (Applicant)

Organization Name

Upstate Forever

Address

507 Pettigru Street, Greenville, SC 29601

Daytime Telephones

(864) 250-0500 x 26

Contact Person

Scott Park

Organization EIN Number:

57-1070433

NOTE: You are required to attach certification that this is a charitable not-for-profit corporation or trust authorized to do business in this state; whose principal activity is the acquisition and management of land for conservation or historic purposes and which has tax-exempt status as a public charity under the Internal Revenue Code of 1986 or Certification that the applicant is an otherwise qualified entity under Oconee County Ordinance 2011-16, Section II and Section VII.

How will you be able to complete the project and acquire the interests in the proposed lands?

The landowner has agreed to pursue granting a conservation easement to Upstate Forever. In turn, Upstate Forever will steward the property in perpetuity.

How many total acres of lands or projects have you preserved in this State? In this County?

Upstate Forever currently has 110 conservation easements in South Carolina, and of those sites, 21 are located within Oconee County.

Briefly describe the lands your organization has preserved in this State, and then County, including their size, location and method of preservation. Note: this section need not be complied with for specific preserved lands if the privacy or proprietary interests of the owners of such preserved lands would be violated.)

Upstate Forever holds easements on over 23,500 acres within the ten-county Upstate South Carolina region as well as Polk County, NC. Over 4,300 acres are preserved in Oconee County alone. Upstate Forever only holds and stewards conservation easements without owning the land.

Has the Eligible OCCB Recipient notified the owner of the land that is the subject of the potential OCCB grant of the following in writing? (See Oconee County Ordinance 2011-16, Section VII)

- a. That interests in land purchased with trust funds result in a permanent conveyance of such interests in land from the landowner to the eligible trust fund recipient or it assignees.

Yes, to both a. and b. Please see Exhibit C and preceding affidavit.

- b. That it may be in the landowner’s interest to retain independent legal counsel, appraisals and other professional advice.

Note: Applications not having affirmation that the notice requirement of this section has been met will not be considered for funding requests.

Does the Eligible OCCB Recipient or the landowner have a general summarized land management plan for this proposal? If so, please attach.

_____ yes X no

Explain how the Eligible OCCB Recipient intends to enforce the easement restrictions on this proposal, if a conservation easement is proposed. Attach additional sheet if necessary.

Upstate Forever stewards its inventory of easements on an annual basis. If a landowner fails to report management of the site outside of the permissions in the easement, then corrective action would be pursued as stated within the easement.

Does the Eligible OCCB Recipient agree that OCCB funds may only be used for the acquisition of interests in land including closing costs and not for management, planning, staffing, or any costs not associated with the purchase of interests in lands?

yes no

Does the Eligible OCCB Recipient have reasonable documentation to support this request?
Please attach.

The proposal will not be considered without adequate substantiation of estimated Fair Market Value and a qualified and competent appraisal establishing fair market value and/or the value of the proposed easement will subsequently be required prior to closing.

(See Oconee County Ordinance 2011-16, Section VII,B,f)

yes no

What is the amount of support sought for this proposal?

Explain how this proposal will satisfy the Criteria listed in Sections Four and Five of the ensuing pages. **(Please attach a narrative of what your intended plans are and how you plan to accomplish them.)**

Scott Park

Signature of Authorized Agent for Eligible OCCB Recipient (Applicant)

A. Fletcher H. Wilson

Notary Signature

My commission expires: 10.29.25

Morris Property, Tamassee, SC

Environmental Condition, Site Management, Implementation Process, Market Value

Environmental Condition

The NRCS observed the following values of the Morris Property on July 12, 2017:

Environmental features

- Frontage on USGS Blue Line Stream and associated wetlands.
- Water quality classification of such stream by the South Carolina Department of Health and Environmental Control.
- Presence of threatened/endangered species.
- Habitat suitable for threatened/endangered species.
- Habitat suitable for native wildlife species.
- Extent of biological diversity.
- Presence of unique geological/natural features.

Historic/cultural features

- Contains historic homestead with an intact stone fireplace and stone pilings

Site Management

The landowner agrees to maintain the site in accordance with the conservation easement. Upstate Forever, as the Grantee of the easement will steward the site in perpetuity on an annual basis as well as advise on any proposed impacts to the habitat and aquatic resources. Our active stewardship program aims to observe and monitor any activity on the site in relation to the conservation easement. Our responsibility also includes directing any mitigation to damaged conservation values (habitat, river, soil, scenic value) on the property.

Implementation Process

Prior to executing the conservation easement, Upstate Forever conducts an in-depth site visit and compiles a baseline report that documents the current condition of the

site. The NRCS statement documenting the environmental condition will also be included in the baseline study.

From the time of a successful easement closing, Upstate Forever will monitor the site on an annual basis. Any proposed changes to the site may require written plans to Upstate Forever prior to executing, especially if those changes affect one of the conservation values listed in the conservation easement. Our goal is to work with the landowner to preserve and/or enhance the natural resources on the site according to the easement. Upstate Forever insures our conservation easements against any legal liabilities and challenges. Furthermore, Upstate Forever will continue to maintain its accredited status with the Land Trust Alliance. Both the insurance and accredited status aid in a robust, process oriented, stable system of support for land trusts and the properties they hold and maintain easements.

COMPLETE SELF CONTAINED
QUALIFIED APPRAISAL REPORT

FOR

The Morris Family Revocable Trust

FOR PROPERTY LOCATED

Pearson Road

Tamassee, South Carolina

Prepared By

Michael Phillips

July 2, 2017

LETTER OF TRANSMITTAL

July 9, 2017

**The Morris Family Revocable Trust
C/O Elaine Morris
299 Pearson Road
Tamassee, SC 29686**

I have conducted a complete, self contained appraisal of the real estate located along Pearson Road near Tamassee, South Carolina as you requested and submit my findings in this letter. The appraisal was made for the purpose of expressing an opinion of the market value of a conservation easement donation as of July 2, 2017. This property is in the name The Morris Family Revocable Trust dated March 17, 2011 and contains approximately 26.26 acres of land at Pearson Road, Tamassee, South Carolina. When there are no sales of similar easement-encumbered parcels, federal tax law requires comparison of the property prior to the donation of the easement and the fair market value after donation of the easement as well as consideration of any offsetting increase in value of other property owned by the donor or family of the donor. The difference is the value of the easement.

The attached report is a "qualified appraisal report" as that term is defined in applicable Internal Revenue Service regulations and was prepared for use in connection with the donation. It has been researched and written in conformity with the requirements of the Code of Professional Ethics of the Appraisal Foundation and the Uniform Standards of Professional appraisal Practice. The report is subject to assumptions and limiting conditions contained in the report.

My fee has not been based in whole or in part upon a percentage of the appraised value, nor has my fee in any way been made contingent upon the appraised value.

The attached report was prepared for your use and for submission to the Internal Revenue Service as evidence of the value of a charitable donation of a conservation easement. It is not to be distributed to or relied upon by others without my written permission. This letter must remain attached to the report in order for the value opinion set forth herein to be considered valid.

In my opinion, the fair market value of the conservation easement as of the date of the report is:

FIFTY-EIGHTTHOUSAND ONE HUNDRED DOLLARS

(\$58,100.00)

Respectfully submitted,



**Michael Phillips
1514 Breazeale Road
Easley, SC 29640**

Section IV
Conservation Criteria
Oconee County Ordinance 2011-16, Section VI
Information to be considered in filling out the application

1. Does the property contain or adjoin wetlands? Yes _____ No X
Minimal wetlands are associated with the Mill Creek stream bank.
If yes, please attach certification by USACOE or NRCS.
2. Does the property contain or adjoin a USGS Blue Line Stream or Lake?
Yes, Mill Creek and a tributary makes up property boundaries. Please see Exhibit D.
If yes, please provide USGS topographic map showing such stream or lake in relation to property.
3. Does the property contain or adjoin Water Classified as either (i) Outstanding Natural Resource Water (ii) Outstanding Resource Water or (iii) Trout Water, by South Carolina DHEC.
Yes, Mill Creek is considered trout water by DHEC. Please see Exhibit E.
If yes, please provide evidence of such classification by SC DHEC.
4. Does the property currently contain threatened or endangered species or habitat suitable for threatened or endangered species?
Yes. Please see Exhibit G.
If yes, please provide a certification by SC DNR, NRCS, USFS or other qualified professional providing evidence of such species existence on the property or of such habitat suitability.
5. Does the property currently contain native wildlife species or habitat suitable for native wildlife species?
Yes. Please see Exhibit G.
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such species existence on the property of such habitat suitability.
6. Does the property currently contain special or concentrated biodiversity?
Yes. Please see Exhibit G.
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such biodiversity on the property.
7. Does the property currently contain a unique geological feature, such as a mountain, rock outcropping, waterfall or other similar feature?
No.
If yes, please provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.) of such geological feature on the property.

8. Does the property share a boundary with other Protected Land? For purposes of this question, "Protected Land" includes any land or byway substantially protected from development or designated as scenic or protected through any federal, state, or local act.

(a) If yes, what percentage of a boundary is shared with such Protected Land?

_____ 1%-25%

X 26%-50%

_____ Greater than 50%

(b) If yes, please describe the Protected Land and present a legible map showing such Protected Land in relation to the property. The protected land is owned by SC Dept of Forestry and contains a tributary of Mill Creek that connects the main water course by way of the subject property. Please see Exhibit H.

9. Does the property contain any of the following pre-historic or historic features or designations?

(a) Listing on the National Historic Register? If yes, please provide a letter or other evidence from the Department of the Interior demonstrating such listing.

(b) Eligible for listing on the National Historic Register? If yes, please provide a letter or other evidence from the SC State Historic Preservation Office demonstrating such eligibility.

No designations, but the site has the remains of a historic homesite including fireplace and foundation piers.

(c) Contains historic or pre-historic structures? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the structure(s) on the property.

See photos in Exhibit J.

(d) Contains a site of historic or pre-historic significance? If yes, please provide evidence in the form of photographs and statement of a qualified agency or professional describing the site(s) on the property.

10. Does the property contain fifty percent (50%) or greater surface area of soils classified as Prime or Important by the State of South Carolina?

(a) If yes, what percentage of the property contains soils classified as Prime or Important by the State of South Carolina? Less than 50%

_____ 50%-60%

_____ 61%-75%

_____ Greater than 75 %

(b) If yes, please provide a legible soil overlay map showing such Prime or Important soil types upon the property.

11. Has the property been Actively Farmed as defined under one of the following qualifications?

- (a) The landowner has filed IRS Form Schedule F in the previous two tax years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application;
- None. (b) The landowner has filed IRS Form Schedule F in seven of the last ten years? If yes, please provide evidence of such tax filings and a notarized statement affirming that such farming activities pertained to the property referred to in this application; or
- (c) The landowner can produce documentation demonstrating that the landowner has produced significant agricultural products in Oconee County in the last two years? If yes, please provide such documentation and a notarized statement affirming that such farming activities pertained to the property referred to in this application.

12. Does the property allow public viewing:

- (a) ...from a Federal, State or County maintained road? If yes, please provide documentation describing precise location of point along a Federal, State or County Road where property is visible. Include a photograph taken from this point.
No, not planned viewing like a scenic overlook, but is adjacent to a public right-of-way.
- (b) ...from any other public access land or waterway? If yes, please provide documentation describing precise location of point along such public access land or waterway where property is visible. Include a photograph taken from this point.

13. Does the property provide a Scenic View to the public or help maintain the Scenic Nature of an area in the County? For purposes of this question, a Scenic View includes mountain, river, lake, forest, pasture, agricultural and other pastoral views which are viewable by the public from a public roadway or other publically accessible area.

Yes, the view of the hardwood forest from Pearson Road, a county-maintained road, will be forever preserved.
If yes, please provide photograph evidence to support the Scenic View, a description of the Scenic View and a description of the specific locations with map references from which the public may observe the Scenic View.

Please see Exhibits F and H.

14. Does the proposal for the conservation project on the Property allow...

- (a) ...Limited Access by the public to the property? For purposes of this question, Limited Access means any access which is less than access on a year round and continual basis, but allows access by the public for some limited time or seasonal period(s).

No, only visual access is provided from the public right-of-way.

If yes, please provide documentation supporting such Limited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public.

(b) ...Unlimited Access by the public to the property? For purposes of this question, Unlimited Access means any access which provides the public access to the property on a year round and continual basis and, additionally, requires that such access is (or will be) communicated to the public.

No. If yes, please provide documentation supporting such Unlimited Access, including any formal agreements with agencies or groups authorized to use the property, a description of the use(s) permitted and the times or seasons when the property will be accessible by the public. In addition, please provide evidence that the Unlimited Access is (or will be) reasonably communicated to Oconee County citizens.

15. Is the property located in any one or more of the following locations? If yes, for each such location please provide an aerial map and supporting documentation which demonstrates such location in relation to the relevant municipality or other land.

- (a) Is the property located within or adjacent to land of the United States Forest Service, a South Carolina State Forest, a State Park, a County Park or a Park of Municipality located in Oconee County, South Carolina? Yes, Exhibit H.
- (b) Is the property located within 1 mile of a municipality? No.
- (c) Is the property located from 2-5 miles of a municipality? Yes, Salem; Exhibit A.
- (d) Is the property located greater than 5 miles from a municipality? Yes.

16. What is the approximate size (in acres) of the property? Please provide documentation to support the stated acreage, including survey(s), tax information, deeds or other similar documentation.

The property is approximately 26.26 acres according to the Oconee County online geographic information system map. Please see Exhibit I.

Section V - Financial Criteria
Oconee County Ordinance 2011-16 Section VI
Information to be considered in filling out the application

1. (a) What is the Total Market Value of the proposed conservation project? \$58,100
(Total Market Value for a fee simple project is the total fair market value of the property as supported by a current appraisal. Total Market Value for a conservation easement project is the value of the conservation easement as determined under the methods prescribed in IRS Treasury Regulations 1.170A-14(h) as supported by a current appraisal.)

(b) What is the amount of the grant requested from the OCCB? \$12,500

Based on the figures above, what is the total percentage of funding requested for the project from the OCCB. *(Divide Sum (b) by Sum (a) to Find Percentage)?* 21%

2. Please list and describe any other grants, contributions or gifts from any non-governmental agencies, groups, entities or individuals which will support the proposed conservation project?

The landowner intends to donate 79% of the conservation value.

For any listed grant, contribution or gift, please provide evidence or a written pledge of such support from the relevant non-governmental party.

3. How does the proposal present a unique value opportunity in that it protects land at a reasonable cost? Parcel:

X is available at a low cost per acre

X is available from a willing seller at a reasonable price

4. How does the proposal leverage OCCB funds by including funding or in-kind assets or services from other governmental sources?

Have matching funds of any kind or services-in-kind been applied for or received? Grant funding from the Pete and Sally Smith Foundation provided staff time to compile this

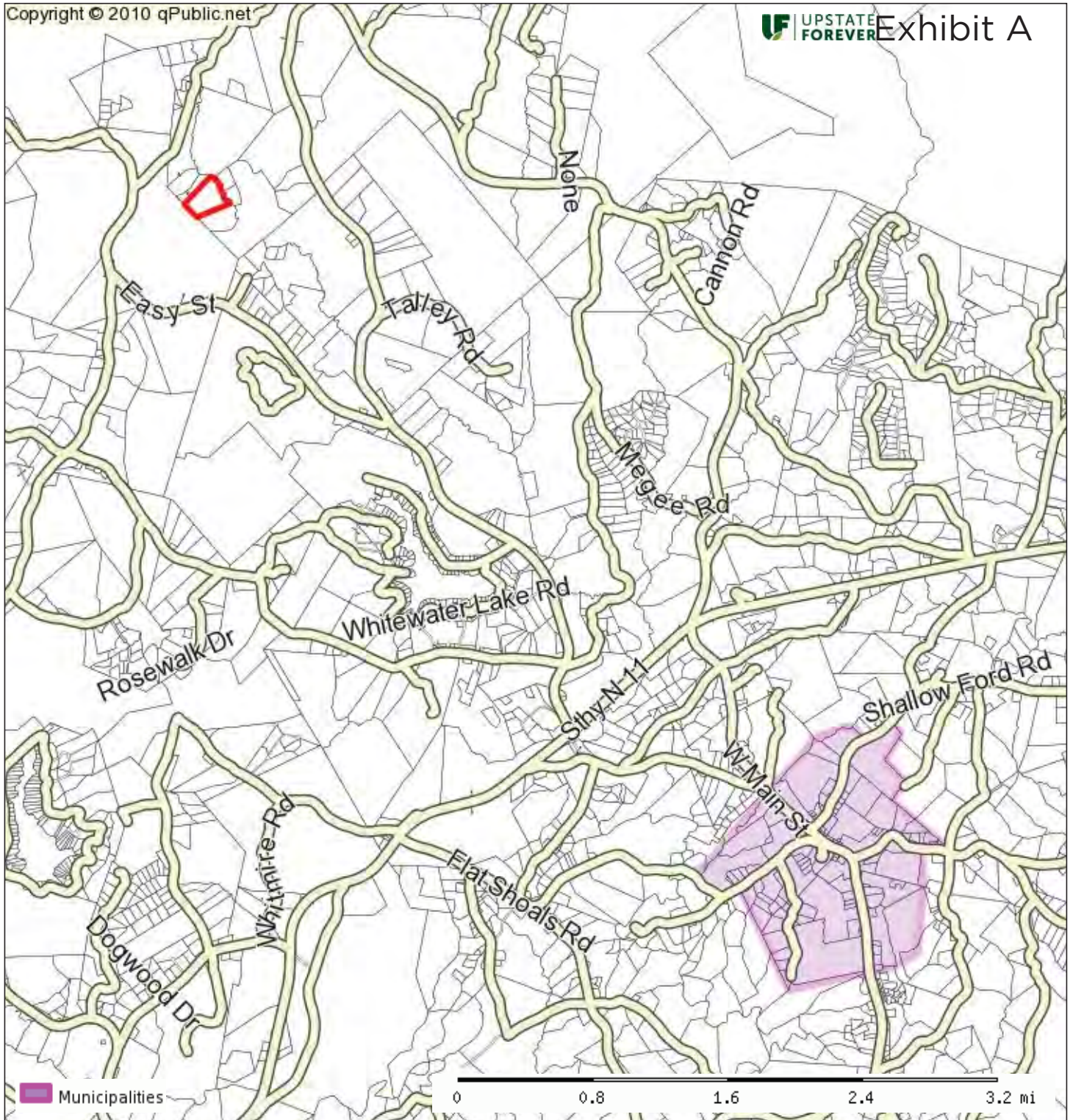
application and meet with the landowner. Furthermore, NRCS has graciously helped to characterize site resources.

Please explain and described the in-kind services or amount of financial support applied for or r received. Please also provide written documentation to support such application or receipt of such support. To date, more than \$600 has been spent for this project from the foundation. Exhibit G documents NRCS's work on the site.

5. Please describe any other financial advantage of the proposed conservation project which helps ensure that the project represents a good use of limited OCCB funds and/or provides a good return on investment for the citizens of Oconee County?

Please explain any other such financial advantage and provide documentation to support your answer to this question.

This project represents an opportunity to connect State forest with Mill Creek via a willing landowner at a fraction of the cost that would otherwise would be incurred through a fee simple purchase.



Distance to Salem, SC			
Parcel: 036-00-02-007 Acres: 15			
Name:	MORRIS FAM REV TR	Land Value:	53600
Site:		Improvement Value:	0
Sale:	\$10 on 2011-04-11 Reason=9 Qual=U	Accessory Value:	0
Mail:	299 PEARSON RD	Total Value:	53600
	TAMASSEE, SC 29686		



Oconee County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The maps on this site are not surveys. The assessment information is from the last certified taxroll. All data is subject to change before the next certified tax roll.
 Date printed: 06/15/17 : 15:34:23

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

Date: MAY 13 2003

UPSTATE FOREVER
PO BOX 2308
GREENVILLE, SC 29602-0000

Employer Identification Number:

DLN:

Contact Person: GARY L BOTKINS ID# 31463

Contact Telephone Number: (877) 829-5500

Our Letter Dated: December 1998

Addendum Applies: no

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

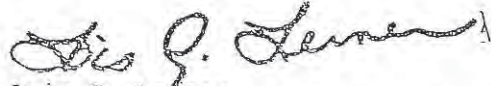
If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

UPSTATE FOREVER

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

May 18, 2017

Ms. Elaine Morris
299 Pearson Road
Tamassee, SC 29686

Re: Oconee County Conservation Bank grant potential

Dear Ms. Morris:

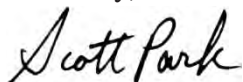
It continues to be a pleasure working with you on your conservation easement for your property. I wanted to let you know that an opportunity exists to apply for a grant with the Oconee County Conservation Bank (OCCB) to help with costs associated with applying the conservation easement on your property. I would like the opportunity to apply for this grant for this benefit.

As part of the application process, and if you agree to move forward with the process, I wanted to reiterate the following points required by the application process:

- interests in land purchased with OCCB funds result in a permanent conveyance of such interests in land from the landowner to the Eligible OCCB Recipient and its assigns; and
- That it may be in the landowner's interest to retain independent legal counsel, perform appraisals, create surveys, and seek other professional advice;

I look forward to continue working with you through this process. Of course, if you have any immediate questions, please feel free to contact me at 864 250-0500 x26 or by email at spark@upstateforever.org.

Sincerely,



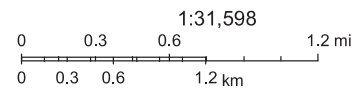
Scott Park
Land Conservation Director

Attachments: OCCB Statement of Interest Form
OCCB Application for Funding



June 20, 2017

 Morris property



03060101-03

(Little River/Lake Keowee)

General Description

Watershed 03060101-03 (formerly 03060101-050) is located in Oconee County and consists primarily of the ***Little River*** and its tributaries as it flow through ***Lake Keowee***. The watershed occupies 104,996 acres of the Blue Ridge and Piedmont regions of South Carolina. Land use/land cover in the watershed includes: 65.4% forested land, 17.2% agricultural land, 7.5% urban land, 9.2% water, 0.3% barren land, 0.2% forested wetland (swamp), and 0.2% nonforested wetland (marsh). A map depicting this watershed is found in Appendix A, page A-34.

Burgess Creek (Long Branch) and Mill Creek join to form the North Fork Little River, which accepts drainage from Craven Creek, Whitewater Lake, Smeltzer Creek, Fiddlers Creek, Barbeque Branch, and the Flat Shoals River. The Flat Shoals River is formed from the confluence of Cheohee Creek and Tamassee Creek (Horse Bone Branch). Cheohee Creek accepts drainage from White Rock Creek (Bee Cave Creek, Wilson Creek, Pack Branch), Townes Creek, and Mud Creek. Townes Creek is formed by the confluence of Crane Creek and West Fork and accepts drainage from Wash Branch and Crossland Creek before flowing through Lake Isaqueena (also known as Lake Cherokee). Moody Creek (Cantrell Creek, Cheohee Lake, White Oak Creek) and Jumping Branch also drain into Townes Creek through the lake. Flat Shoals River then accepts drainage from Reece Branch and Davey Branch before merging with the North Fork Little River to form the Little River.

Downstream of the confluence, the Little River accepts drainage from Oconee Creek (Alexander Creek, Station Creek), Yarborough Branch, Camp Bottom Branch, and Todd Branch before the river begins to impound into Lake Keowee. Beaman Branch enters the river next, followed by Neal Branch, Wilson Branch, Whetstone Creek, and Stamp Creek (Davis Branch, Cornhouse Creek). The impounded river then accepts drainage from Long Branch, Barkshed Branch, Von Hollen Creek (Frenge Branch), Big Creek, and Crooked Creek (Cater Branch). Cane Creek (Walhalla Reservoir) accepts drainage from Browns Lake, Little Cane Creek (Beaty Creek, Williams Creek), and Dodgens Creek before flowing into the Little River near the base of the watershed.

Lake Keowee, divided between 03060101-02 (Keowee River) and this watershed, is connected through a narrow channel bisected by SC 130. Waters flowing through this connection flow out of the Keowee dam at the base of 03060101-02 and into the Keowee River in 03060101-03. The Little River Dam is located near the confluence with Cane Creek at the base of this watershed and discharges waters into a segment of the Little River, which flows into the Keowee River in 03060101-03. There are a total of 339.5 stream miles and 9,758.4 acres of lake waters in this watershed. Burgess Creek, Mill Creek, White Oak Creek, Jumping Branch, West Fork, Townes Creek (from headwaters to Lake Isaqueena), and Crane Creek are classified TN. North Fork Little River and its tributaries from the confluence of Mill Creek and Burgess Creek to SC

11 is classified TPGT, below that line it is classified FW. Cheohee Creek and Tamassee Creek and their tributaries from their headwaters to the end of U.S. Forest Service land are classified ORW, below that line are classified FW. Moody Creek is classified TN from its headwaters to its confluence with and including Cantrell Creek. West Fork Townes Creek, from its headwaters to its confluence with Lake Isaqueena, is classified TN. Smeltzer Creek is classified TN from its headwaters to SC 130, below that line to its confluence with the North Fork Little River it is classified TN. All other streams in the watershed are classified FW.

Surface Water Quality

<u>Station #</u>	<u>Type</u>	<u>Class</u>	<u>Description</u>
RS-02466	RS02	TN	BURGESS CREEK AT S-37-171
SV-684	BIO	FW	CRANE CREEK AT WINDING STAIRS RD
SV-742	BIO	FW	OCONEE CREEK AT S-37-129
SV-203	W	FW	LITTLE RIVER AT S-37-24 7.1 MI NE OF WALHALLA
RL-03354	RL03	FW	LAKE KEOWEE, 1.6 MI NW OF SC 188 & 0.7 MI SE OF S-37-175
SV-312	W	FW	LAKE KEOWEE AT SC 188 – CROOKED CK ARM 4.5 MI N SENECA
RL-05466	RL05	FW	LAKE KEOWEE, 0.25 MI NWN OF S-37-340 & S-37-588
SV-361	INT	FW	LAKE KEOWEE IN FOREBAY OF LITTLE RIVER DAM
SV-342	SPRP	FW	CANE CREEK AT S-37-133
SV-807	SS	FW	LITTLE CANE CREEK AT NELLIE ROAD
SV-808	SS	FW	LITTLE CANE CREEK AT AUSTIN EDWARDS ROAD
SV-809	SS	TN	LITTLE CANE CREEK AT OCONEE BELLE LANE
SV-810	SS	FW	LITTLE CANE CREEK AT PICKENS HIGHWAY
SV-811	SS	FW	LITTLE CANE CREEK TRIBUTARY NEAR PICKENS HIGHWAY
SV-812	SS	FW	LITTLE CANE CREEK TRIBUTARY AT TAYLOR ROAD
SV-343	W/BIO	FW	LITTLE CANE CREEK AT S-37-133
SV-311	W	FW	LAKE KEOWEE AT SC 188 – CANE CK ARM 3.5 MI NW SENECA
RL-05394	RL05	FW	LAKE KEOWEE, 5.06 MI NNW OF SENECA

Burgess Creek (RS-02466) - Aquatic life uses are fully supported. Although dissolved oxygen excursions occurred, they were considered natural, not standards violations. Recreational uses are not supported due to fecal coliform bacteria excursions.

Crane Creek (SV-684) – Aquatic life uses are fully supported based on macroinvertebrate community data.

Oconee Creek (SV-742) - Aquatic life uses are fully supported based on macroinvertebrate community data.

Little River (SV-203) – Aquatic life uses are fully supported; however, there is a significant increasing trend in five-day biochemical oxygen demand. Recreational uses are partially supported due to fecal coliform bacteria excursions.

Lake Keowee – There are six SCDHEC monitoring stations along this section of Lake Keowee, and aquatic life and recreational uses are fully supported at all sites (***RL-03354, SV-312, RL-05466, SV-361, SV-311, RL-05394***). At ***SV-312***, there is a significant increasing trend in pH.

Significant decreasing trends in total phosphorus concentration and fecal coliform bacteria concentration suggest improving conditions for these parameters at this site. At *SV-361*, there are significant increasing trends in total nitrogen concentration and fecal coliform bacteria concentration. A significant increasing trend in dissolved oxygen concentration suggests improving conditions for this parameter at this site. At *SV-311*, there is a significant decreasing trend in dissolved oxygen concentration. There is a significant increasing trend in pH. A significant decreasing trend in total phosphorus concentration suggests improving conditions for this parameter at this site. *Fish tissue analyses on species caught within Lake Keowee indicate no advisories or restrictions on consumption of fish from these waters.*

Cane Creek (SV-342) - Aquatic life uses are fully supported; however, there is a significant increasing trend in five-day biochemical oxygen demand. A significant decreasing trend in total phosphorus concentration suggests improving conditions for this parameter. Recreational uses are partially supported due to fecal coliform bacteria excursions.

Little Cane Creek - There are five SCDHEC monitoring stations along Little Cane Creek. The four upstream sites were special study stations and only examined recreational uses. Recreational uses are partially supported at the furthest upstream sites (*SV-807, SV-808*), and not supported at the next two stations (*SV-809, SV-810*) due to fecal coliform bacteria excursions. At the furthest downstream site (*SV-343*), aquatic life uses are fully supported based on macroinvertebrate community data; however, there is a significant increasing trend in five-day biochemical oxygen demand. Recreational uses are not supported due to fecal coliform bacteria excursions.

Little Cane Creek Tributary - There are two SCDHEC monitoring stations along the Little Cane Creek tributary. The stations were special study stations and only examined recreational uses. Recreational uses were not supported at the upstream site (*SV-811*) and partially supported at the downstream site (*SV-812*) due to fecal coliform bacteria excursions.

Natural Swimming Areas

<i>FACILITY NAME</i>	<i>PERMIT #</i>
<i>RECEIVING STREAM</i>	<i>STATUS</i>
DIAKONIA CENTER	37-1008N
CRAVEN CREEK	ACTIVE

NPDES Program

Active NPDES Facilities

<i>RECEIVING STREAM</i>	<i>NPDES#</i>
<i>FACILITY NAME</i>	<i>TYPE</i>
DAVEY BRANCH	SC0026727
TAMASSEE DAR SCHOOL	MINOR DOMESTIC

LAKE KEOWEE TYCO HEALTHCARE KENDALL	SCG250067 MINOR INDUSTRIAL
LAKE KEOWEE KEOWEE KEY UTILITY SYSTEMS, INC.	SC0022322 MINOR DOMESTIC
LAKE KEOWEE CITY OF SENECA WTP	SCG641010 MINOR INDUSTRIAL

Nonpoint Source Management Program

Land Disposal Activities

Landfill Facilities

<i>LANDFILL NAME</i> <i>FACILITY TYPE</i>	<i>PERMIT #</i> <i>STATUS</i>
WOOD LCD & YT LANDFILL C&D	372669-1701 ACTIVE
FLAT ROCK LANDCLEARING & YD FILL C &D	372664-1701 INACTIVE
NORTHWEST GRADING LANDCLEARING C & D	372614-1701 ACTIVE

Mining Activities

<i>MINING COMPANY</i> <i>MINE NAME</i>	<i>PERMIT #</i> <i>MINERAL</i>
LOST DUTCHMANS MINING ASSOC. NEW OCONEE CAMP	1310-73 GOLD

Water Quantity

<i>WATER USER</i> <i>STREAM</i>	<i>TOTAL PUMP. CAP (MGD)</i> <i>RATED PUMP CAP (MGD)</i>
CITY OF SENECA INTAKE	30.0
LAKE KEOWEE	18.0

Growth Potential

There is a moderate potential for growth in this watershed, which contains the Town of Salem and portions of the Cities of Walhalla and Seneca. Salem and the shoreline of Lake Keowee are predicted for growth in the form of retirement communities. SC 130, running from Salem to Seneca, will be particularly prone to development. The Sumter National Forest extends across the upper portion of the watershed and would limit growth in that area.

Watershed Protection and Restoration Strategies

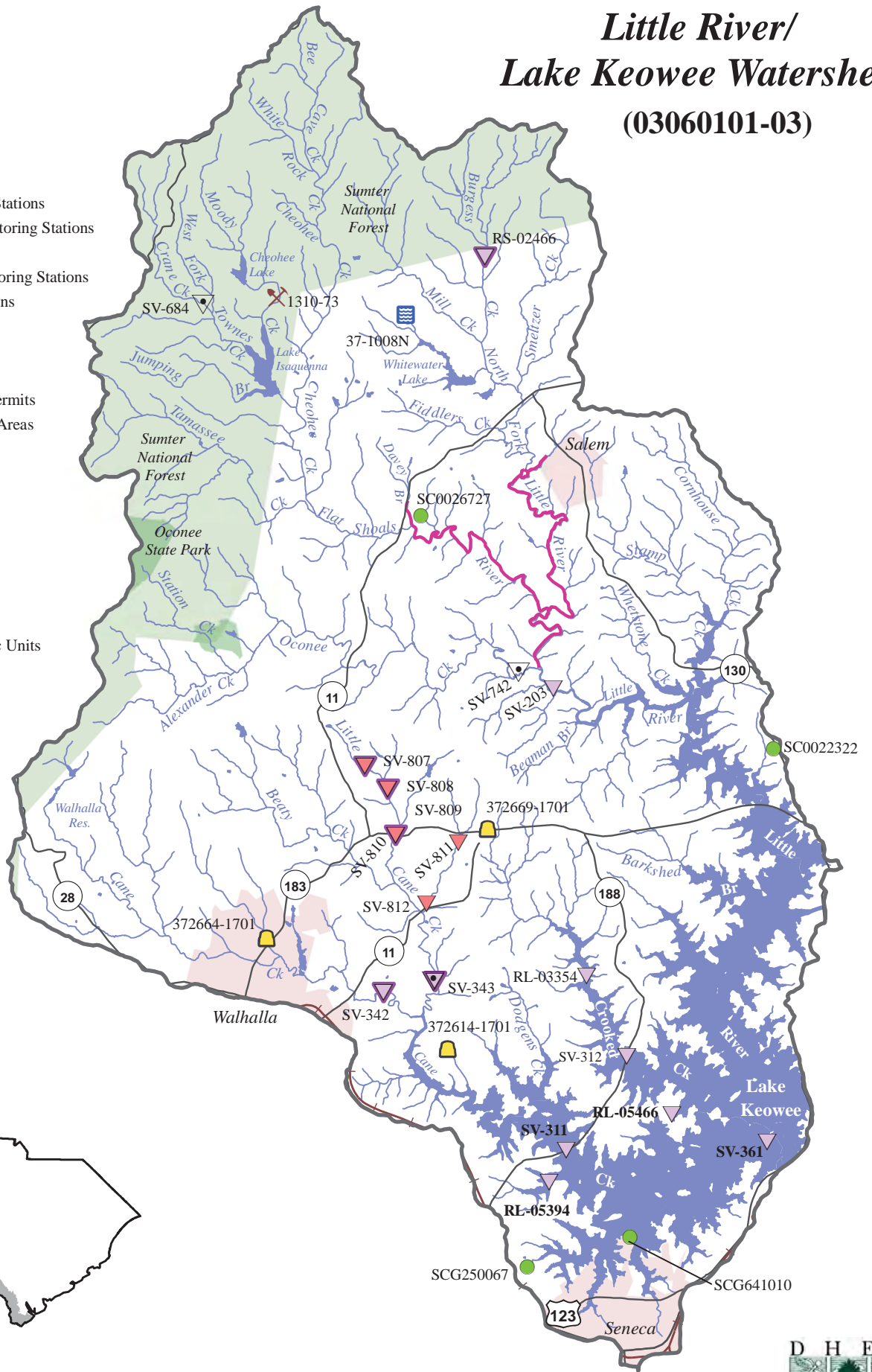
Total Maximum Daily Loads (TMDLs)

TMDLs were developed by SCDHEC and approved by the EPA for **Cane Creek** (SV-342) and **Little Cane Creek** (SV-343) to determine the maximum amount of fecal coliform bacteria these creeks can receive from sources and still meet water quality standards. The

nonpoint sources that were identified to be possible contributors to the Cane Creek impairment include grazing livestock, livestock depositing manure directly into streams, failing septic systems, and urban runoff. The possible sources of the impairment of Little Cane Creek were grazing livestock, livestock depositing manure directly into streams, failing septic systems, and land applied manure. Neither stream had a permitted point source within its drainage area. The TMDL would require reductions of 54% for Cane Creek and 65% for Little Cane Creek to the existing loads for the creeks to meet standards. The nonpoint source component of the Cane Creek TMDL has been implemented using §319 grant funds. Implementation was completed in January 2009. For more information on §319 grants, visit <http://www.scdhec.gov/water> and click on Nonpoint Source Program.

Little River/ Lake Keowee Watershed (03060101-03)

- Macroinvertebrate Stations
- Water Quality Monitoring Stations
- Approved TMDL
- Groundwater Monitoring Stations
- Special Study Stations
- Mines
- Landfills
- NPDES Permits
- Land Application Permits
- Natural Swimming Areas
- Interstates
- Railroad Lines
- Highways
- County Lines
- Modeled Stream
- Stream
- Lake
- Wetland
- 10-Digit Hydrologic Units
- Cities/Towns
- Public Lands





To: Eddie Martin, Oconee Soil and Water Conservation District
 Scott Park, Land Conservation Director - Upstate Forever

Site: Morris Property

Location assisted: Oconee County

Subject: Conservation technical assistance for the Oconee Soil and Water Conservation District. Conservation partners in the area are working to protect the property through a potential conservation easement. An abbreviated assessment of natural communities present and habitat quality was conducted.

Person providing Assistance: Sudie Daves Thomas

Date of Assistance: 7-12-17

Findings: The Morris property harbors many acres of intact forest communities that reside on various elevations. South-facing and north-facing slopes are present supporting a vast number of plant and animal species that thrive within the mosaic of high quality natural communities. Varying topographic features feature dry upland oak-hickory forests descending to meet lush riparian vegetation along the clear rocky creek. This site has not been disturbed in decades as is evident by the large size of mature trees, the presence of multiple structural layers within the forest as well as high species richness among woody and herbaceous plants, and the general lack of invasive exotic plant invasion. Only a few areas with minimal infestation were noted in the areas walked.

Several natural community types exist and grade from one to another as topography and elevation transition. Site is dominated by Oak-Hickory Forest and Basic Forest with elements of Hemlock Forest on upper slopes and Cove Forest at the slope base along the stream (John Nelson, The Natural Communities of South Carolina, Initial Classification and Description, 1986).

Other life including many bird species, butterflies, fungi, dragonflies, and damselflies were observed during this short inventory. Mature forest stands, lush mid- and understory vegetation, as well as diverse riparian habitats support an abundance of songbirds, including many species of neo-tropical migrants. We observed several woodland butterfly species that depend on the native plants present as larval host plants. Here is a short list of avian species noted. The property supports many more species that could be documented throughout the year and during early morning hours.

Bird list (midday heat, only a few active/singing)
American Goldfinch
Blue Jay
Carolina Chickadee
Carolina Wren
Indigo Bunting
Northern Cardinal
Northern Parula
Ruby -throated hummingbird
Swainson's Warbler
Tufted Titmouse
Yellow Billed Cuckoo



Tangles of Smilax and Giant Cane in riparian areas are preferred nesting habitat of Swainson's Warbler (listed as Highest Priority Conservation Species of SC by SCDNR-Comprehensive Wildlife Conservation Strategy 2005)

Conclusion/recommendations: This property harbors wonderful examples of several high quality Natural Communities of the southeast. With further investigation, it is likely rare plant species can be located and protected here (orchids, trillium, ferns, etc.). Any opportunity to preserve and protect this site will benefit countless organisms, including the humans who are able to visit and learn through their multiple senses. An abundance of possibilities for biological research, environmental education, and land stewardship exists here.

Several small open/sunny areas exist and support many sun-loving herbaceous plants including wild quinine, whorled leaf coreopsis, sunflower (*Helianthus*), *Silphium*, sensitive briar, small flowered partridge pea, native bush clover (*Lespedeza sp.*) and ticktrefoil species “(*Desmodium sp.*), and milkwort (*Polygala sp.*). Management efforts that keep these areas open with little soil disturbance will be beneficial in promoting these highly beneficial herbs. The species provide nectar, pollen, host plants, seeds, and structure that benefit countless insects and birds, among other animals. Soil disturbance may introduce and encourage the establishment of harmful exotic invasive plant species. Care should be taken to clean off equipment prior to bringing on site.

Control of invasive exotic plants before they become unmanageable is recommended. The closed canopy here and lack of recent disturbance has protected this property from harmful infestations of exotic plants. A few non-native invasive species were noted. Chinese privet is scattered sparsely near the stream and in a few spots along roads and trails. Foliar spot spraying or cutting and treating stumps of privet during winter with herbicide is recommended. Privet spreads fast and birds spread seeds as well. Other invasive plants found were Chinese lespedeza or Sericea, and Japanese stilt grass (*Microstegium viminium*). A guide for control methods can be found here: <https://www.srs.fs.usda.gov/pubs/36915>

This report serves as documentation of current site conditions and conservation planning recommendations. Please see photos on following pages as well as the plant list provided.

Please contact me with any further questions or to schedule another site visit early in the 2018 growing season.

Sudie Daves Thomas
 Wildlife Biologist, NRCS/USDA
 803-664-0806, sudie.thomas@sc.usda.gov

Date Prepared: 7-31-17

Cc: Beau Sorenson, Assistant State Conservationist - Field Operations, NRCS
 Heather Ramsay, NRCS District Conservationist, Oconee County

Trip Report



Orchid (need to check back in spring to ID!)



Wild Quinine



Agrimony

Stream



Leucothoe axillaris

Trip Report



Trip Report



Aralia spinosa



Burrow



Lobelia inflata



Click beetle



Old chimney

Morris property, Oconee County species observed 7-12-17 (many more species exist here, a more complete list can be created through multiple inventory efforts in various seasons)

Species Type	Family	Common Name	Genus (Radford)	Species (Radford)	Origin
Herbaceous	Rosaceae	Agrimony	<i>Agrimonia</i>	<i>sp.</i>	locally native
Herbaceous	Fabaceae	Hog-Peanut	<i>Amphicarpa</i>	<i>bracteata</i>	locally native
Herbaceous	Araceae	Jack in the Pulpit	<i>Arisaema</i>	<i>triphillum</i>	locally native
Herbaceous	Asteraceae	Pale Indian Plantain	<i>Arnglossum</i>	<i>atriplicifolium</i>	locally native
Herbaceous	Poaceae	Giant Cane	<i>Arundinaria</i>	<i>gigantea</i>	locally native
Herbaceous	Aspleniaceae	Ebony Spleenwort	<i>Asplenium</i>	<i>platyneuron</i>	locally native
Herbaceous	Dryopteridaceae	Lady Fern	<i>Athyrium</i>	<i>felix-femina</i>	locally native
Herbaceous	Scrophulariaceae	Smooth Yellow False Foxglove	<i>Aureolaria</i>	<i>flava</i>	locally native
Herbaceous	Fabaceae	a Baptisia, Horseflyweed	<i>Baptisia</i>	<i>tintoria</i>	locally native
Herbaceous	Utricaceae	False Nettle	<i>Boehmeria</i>	<i>cylindrica</i>	locally native
Herbaceous	Ophioglossaceae	Grape Fern sp.	<i>Botrychium</i>	<i>sp</i>	locally native
Herbaceous	Cyperaceae	Hop Sedge	<i>Carex</i>	<i>lupulina</i>	locally native
Herbaceous	Fabaceae	Wild Sensitive Plant/Partridge Pea	<i>Cassia</i>	<i>nictitans</i>	locally native
Herbaceous	Asteraceae	Whorled-Leaved Coreopsis	<i>Coreopsis</i>	<i>major</i>	locally native
Herbaceous	Fabaceae	a Beggar's Lice	<i>Desmodium</i>	<i>nudiflorum</i>	locally native
Herbaceous	Fabaceae	Beggar's Lice sp.	<i>Desmodium</i>	<i>sp.</i>	locally native
Herbaceous	Dioscoreaceae	Wild Yam sp.	<i>Dioscorea</i>	<i>sp.</i>	locally native
Herbaceous	Asteraceae	Carolina or Leafy Elephant's Foot	<i>Elephantopus</i>	<i>carolinianus</i>	locally native
Herbaceous	Asteraceae	Sweet Joe-Pye Weed	<i>Eupatorium</i>	<i>purpureum</i>	locally native
Herbaceous	Asteraceae	Round-Leaf Thouroughwort	<i>Eupatorium</i>	<i>rotundifolium</i>	locally native
Herbaceous	Euphorbiaceae	Flowering Spurge	<i>Euphorbia</i>	<i>corollata var. zinniiflora</i>	locally native
Herbaceous	Rubiaceae	Bedstraw sp.	<i>Galium</i>	<i>sp.</i>	locally native
Herbaceous	Asteraceae	Short Leaf Sneezeweed	<i>Helenium</i>	<i>brevifolium</i>	locally native
Herbaceous	Asteraceae	Sunflower sp.	<i>Helianthus</i>	<i>sp.</i>	locally native
Herbaceous	Saxifragaceae	Alumroot	<i>Heuchera</i>	<i>americana</i>	locally native
Herbaceous	Aristolochiaceae	a Heartleaf, Wild Ginger	<i>Hexastylis</i>	<i>arifolia</i>	locally native
Herbaceous	Rubiaceae	Venus' Pride (Bluet)	<i>Houstonia</i>	<i>purpurea</i>	locally native
Herbaceous	Hypericaceae	Saint Peter's Wort	<i>Hypericum</i>	<i>stans</i>	locally native

Species Type	Family	Common Name	Genus (Radford)	Species (Radford)	Origin
Herbaceous	Amaryllidaceae	Yellow Star Grass	<i>Hypoxis</i>	<i>hirsuta</i>	locally native
Herbaceous	Balsaminaceae	Jewel-weed, Touch-me-not	<i>Impatiens</i>	<i>capensis</i>	locally native
Herbaceous	Iridaceae	Dwarf Crested Iris	<i>Iris</i>	<i>cristata</i>	locally native
Herbaceous	Juncaceae	Juncus/Needlerush sp.	<i>Juncus</i>	<i>sp.</i>	locally native
Herbaceous	Asteraceae	Wild Lettuce	<i>Lactuca</i>	<i>canadensis</i>	locally native
Herbaceous	Fabaceae	Chinese Lespedeza, Sericea	<i>Lespedeza</i>	<i>cuneata</i>	exotic
Herbaceous	Fabaceae	Virginia/Slender Bush Clover	<i>Lespedeza</i>	<i>virginica</i>	locally native
Herbaceous	Campanulaceae	Indian Tobacco	<i>Lobelia</i>	<i>inflata</i>	locally native
Herbaceous	Lycopodiaceae	Ground Cedar, Running-Pine	<i>Lycopodium</i>	<i>digitatum</i>	locally native
Herbaceous	Lycopodiaceae	Clubmoss sp.	<i>Lycopodium</i>	<i>sp.</i>	locally native
Herbaceous	Liliaceae	Indian Cucumber-Root	<i>Medeola</i>	<i>virginiana</i>	locally native
Herbaceous	Poaceae	Japanese grass	<i>Microstegium</i>	<i>vimineum</i>	exotic
Herbaceous	Rubiaceae	Partridge Berry	<i>Mitchella</i>	<i>repens</i>	locally native
Herbaceous	Aspidiaceae	Sensitive Fern	<i>Onoclea</i>	<i>sensibilis</i>	locally native
Herbaceous	Poaceae	Beaked Panicum	<i>Panicum</i>	<i>anceps</i>	locally native
Herbaceous	Poaceae	Panicum sp.	<i>Panicum</i>	<i>sp.</i>	locally native
Herbaceous	Asteraceae	Wild Quinine/Feverfew	<i>Parthenium</i>	<i>integrifolium</i>	locally native
Herbaceous	Passifloraceae	Yellow Passionflower	<i>Passiflora</i>	<i>lutea</i>	locally native
Herbaceous	Polygalaceae	Orange Milkwort	<i>Polygala</i>	<i>lutea</i>	locally native
Herbaceous	Polygalaceae	Curtiss' Milkwort	<i>Polygala</i>	<i>curtissii</i>	locally native
Herbaceous	Liliaceae	Solomon's Seal	<i>Polygonatum</i>	<i>biflorum</i>	locally native
Herbaceous	Aspidiaceae	Christmas Fern	<i>Polystichum</i>	<i>acrostichoides</i>	locally native
Herbaceous	Lamiaceae	Heal-all	<i>Prunella</i>	<i>vulgaris</i>	locally native
Herbaceous	Melastomataceae	Maryland Meadow-Beauty	<i>Rhexia</i>	<i>mariana</i>	locally native
Herbaceous	Melastomataceae	Virginia Meadow Beauty, Handsome Harry	<i>Rhexia</i>	<i>virginica</i>	locally native
Herbaceous	Lamiaceae	Lyre-Leaf Sage	<i>Salvia</i>	<i>lyrata</i>	locally native
Herbaceous	Fabaceae	Sensitive Briar	<i>Schrankia</i>	<i>microrphylla</i>	locally native
Herbaceous	Liliaceae	flowering	<i>Trillium</i>	<i>spp.</i>	locally native
Herbaceous	Poaceae	Slender Wood-Oats	<i>Uniola</i>	<i>laxa</i>	locally native
Herbaceous	Violaceae	Arrow-Leaf Violet	<i>Viola</i>	<i>sagittata</i>	locally native

Species Type	Family	Common Name	Genus (Radford)	Species (Radford)	Origin
Herbaceous	Violaceae	Violet sp.	<i>Viola</i>	<i>sp.</i>	locally native
Woody	Aceraceae	Red Maple	<i>Acer</i>	<i>rubrum</i>	locally native
Woody	Aceraceae	Southern Sugar Maple	<i>Acer</i>	<i>saccharum ssp floridanum</i>	locally native
Woody	Betulaceae	Tag Alder	<i>Alnus</i>	<i>serrulata</i>	locally native
Woody	Bignoniaceae	Cross Vine	<i>Anisostichus</i>	<i>capreolata</i>	locally native
Woody	Haloragaceae	Devil's Walking Stick	<i>Aralia</i>	<i>spinosa</i>	locally native
Woody	Annonaceae	Paw Paw	<i>Asimina</i>	<i>triloba</i>	locally native
Woody	Betulaceae	Sweet Birch	<i>Betula</i>	<i>lenta</i>	locally native
Woody	Verbenacea	Beauty Berry	<i>Callicarpa</i>	<i>americana</i>	locally native
Woody	Bignoniaceae	Trumpet Vine	<i>Campsis</i>	<i>radicans</i>	locally native
Woody	Betulaceae	Ironwood/American Hornbeam	<i>Carpinus</i>	<i>caroliniana</i>	locally native
Woody	Juglandaceae	Shagbark Hickory	<i>Carya</i>	<i>ovata</i>	locally native
Woody	Juglandaceae	Mockernut Hickory	<i>Carya</i>	<i>tomentosa</i>	locally native
Woody	Cornaceae	Flowering Dogwood	<i>Cornus</i>	<i>florida</i>	locally native
Woody	Cornaceae	Swamp, Stiff, Southern Swamp Dogwood	<i>Cornus</i>	<i>stricta</i>	locally native
Woody	Ebenaceae	Persimmon	<i>Diospyros</i>	<i>virginiana</i>	locally native
Woody	Celastraceae	American Strawberry Bush	<i>Euonymus</i>	<i>americanus</i>	locally native
Woody	Fagaceae	American Beech	<i>Fagus</i>	<i>grandifolia</i>	locally native
Woody	Oleaceae	Green Ash	<i>Fraxinus</i>	<i>pennsylvanica</i>	locally native
Woody	Styracaceae	Carolina Silverbell	<i>Halesia</i>	<i>carolina</i>	locally native
Woody	Hamamelidaceae	Witch-Hazel	<i>Hamamelis</i>	<i>virginiana</i>	locally native
Woody	Saxifragaceae	Wild Hydrangea	<i>Hydrangea</i>	<i>arborescens</i>	locally native
Woody	Hypericaceae	St. Andrew's Cross	<i>Hypericum</i>	<i>hypericoides</i>	locally native
Woody	Aquifoliaceae	Deciduous Holly/Possumhaw	<i>Ilex</i>	<i>decidua</i>	locally native
Woody	Aquifoliaceae	American Holly	<i>Ilex</i>	<i>opaca</i>	locally native
Woody	Juglandaceae	Black Walnut	<i>Juglans</i>	<i>nigra</i>	locally native
Woody	Ericaceae	Mountain Laurel	<i>Kalmia</i>	<i>latifolia</i>	locally native
Woody	Ericaceae	Highland Doghobble	<i>Leucothoe</i>	<i>axillaris var. editorium</i>	locally native
Woody	Oleaceae	Chinese Privet	<i>Ligustrum</i>	<i>sinense</i>	exotic
Woody	Lauraceae	Spicebush	<i>Lindera</i>	<i>benzoin</i>	locally native

Species Type	Family	Common Name	Genus (Radford)	Species (Radford)	Origin
Woody	Hamamelidaceae	Sweet-Gum	<i>Liquidambar</i>	<i>styraciflua</i>	locally native
Woody	Magnoliaceae	Tulip Poplar, Yellow Poplar	<i>Liriodendron</i>	<i>tulipifera</i>	locally native
Woody	Magnoliaceae	Frasier Magnolia	<i>Magnolia</i>	<i>fraseri</i>	locally native
Woody	Myricaceae	Wax Myrtle/Southern Bayberry	<i>Myrica</i>	<i>cerifera</i>	locally native
Woody	Nyssaceae	Black Gum/Tupelo	<i>Nyssa</i>	<i>sylvatica</i>	locally native
Woody	Ericaceae	Sourwood	<i>Oxydendrum</i>	<i>arboreum</i>	locally native
Woody	Vitaceae	Virginia Creeper	<i>Parthenocissus</i>	<i>quinquefolia</i>	locally native
Woody	Rosaceae	Black Cherry	<i>Prunus</i>	<i>serotina</i>	locally native
Woody	Fagaceae	Red Oak (Northern)	<i>Quercus</i>	<i>rubra</i>	locally native
Woody	Fagaceae	Chestnut Oak	<i>Quercus</i>	<i>montana</i>	locally native
Woody	Fagaceae	Willow Oak	<i>Quercus</i>	<i>phellos</i>	locally native
Woody	Ericaceae	Azelea sp.	<i>Rhododendron</i>	<i>sp.</i>	locally native
Woody	Anacardiaceae	Winged Sumac	<i>Rhus</i>	<i>copallina</i>	locally native
Woody	Anacardiaceae	Poison Ivy	<i>Rhus</i>	<i>radicans</i>	locally native
Woody	Anacardiaceae	Smooth Sumac	<i>Rhus</i>	<i>glabra</i>	locally native
Woody	Rosaceae	Swamp Rose	<i>Rosa</i>	<i>palustris</i>	locally native
Woody	Rosaceae	Blackberry sp.	<i>Rubus</i>	<i>sp.</i>	locally native
Woody	Caprifoliaceae	Elderberry	<i>Sambucus</i>	<i>canadensis</i>	locally native
Woody	Lauraceae	Sassafras	<i>Sassafras</i>	<i>albidum</i>	locally native
Woody	Liliaceae	Catbrier, Fringed Greenbriar	<i>Smilax</i>	<i>bona-nox</i>	locally native
Woody	Liliaceae	Catbrier, Round leaf Greenbriar	<i>Smilax</i>	<i>rotundifolia</i>	locally native
Woody	Pinaceae	Eastern Hemlock	<i>Tsuga</i>	<i>candensis</i>	locally native
Woody	Ulmaceae	American Elm	<i>Ulmus</i>	<i>americana</i>	locally native
Woody	Ericaceae	Sparkleberry	<i>Vaccinium</i>	<i>arboreum</i>	locally native
Woody	Ericaceae	Highbush Blueberry	<i>Vaccinium</i>	<i>corymbosum</i>	locally native
Woody	Ericaceae	Elliott's Blueberry	<i>Vaccinium</i>	<i>elliottii</i>	locally native
Woody	Vitaceae	Muscadine Grape	<i>Vitis</i>	<i>rotundifolia</i>	locally native
Woody	Vitaceae	Grape sp.	<i>Vitis</i>	<i>sp</i>	locally native
Woody	Ranunculaceae	Yellow-root	<i>Xanthorhiza</i>	<i>simplicissima</i>	locally native

NONEXEMPT
GST & SCHILE
FAMILY TSTS

STANCIL
NORA

PORTER
FRANKIE L
& RUTH E

USA
% DEPT OF
AGRICULTURE

STANCIL NORA

SMITH KELLY S

OCONEE SOIL &
WATER CONSERVATI
ON DISTRICT

PEARSON
JAMES
WILLIAM

HOLCOMBE
JUNE B

STANCIL
NORA

MORRIS FAM
REV TR

PEARSON A
JEFFERSON

Public Road viewed



MORRIS
FAM
REV TR

MILL CREEK




Oconee County
Conservation Bank -
Morris Family Revocable
Trust Property

SC COMM OF
FORESTRY

ADAMS THEODORE C
& BONNIE H J / S

HOLCOMBE
MILTON W
& BETTY M

Legend

-  subject property
-  parcel
-  water

DISCLAIMER:

This map is not a land survey and is for general reference purposes only. Upstate Forever makes no warranty or representation as to the accuracy of this map and disclaims all responsibility for any costs or damages that may arise from its use.



0 0.0475 0.095 0.19 Miles

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, ©OpenStreetMap contributors, and the GIS User Community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

MEDLICOTT
CHARLES E
& JOAN A

PALMER
JOHN &
CANDACE L/E

PALMER
JOHN &
CANDACE L/E

JENNIFER L



OONEE COUNTY

Assessor's Office

"Land Beside the Water"



Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search	Oconee Home
--	---------------------------------	-----------------------------	-----------------------------------	---------------------------------------	-----------------------------

Owner and Parcel Information			
Owner Name	MORRIS FAM REV TR	Today's Date	June 20, 2017
Mailing Address	299 PEARSON RD TAMASSEE, SC 29686	Parcel Number	036-00-02-007 Tax ID: 182
Location Address		Tax District	(District 002)
Legal Description	MapPlatB A909 MapPlatP 7	2015 Millage Rate	
Property Class / Property Type	/ Unclassified Farm	Acres	15
Neighborhood	WHITEWATER TWP	Parcel Map	Show Parcel Map
Generate Owner List By Radius			

2016 Tax Year Value Information		
Land Taxable Market Value	Improvement Taxable Market Value	Total Taxable Market Value
\$ 53,600	0	\$ 53,600

Land Information					
Land Type	Frontage	Effective Frontage	Effective Depth	Acres	Square Footage
74	0	0	0	14	609,840
71	0	0	0	1	43,560

Residential Building Information
No residential building information available for this parcel.

Commercial and Miscellaneous Improvement Information						
Building Type	Year Built	Eff Year Built	Length/Width/Height	Size	Grade	Sketch
No miscellaneous information available for this parcel.						

Sale Information						
Sale Date	Sale Price	Deed Book	Deed Page	Qualification Reason	Grantor	Grantee
2011-04-11	\$ 10	1829	81	Other Not Valid	Multiple Owners	MORRIS FAM REV TR
2003-05-21	\$ 10	1280	196	Valid Arms-length sale tran	PEARSON PAUL E & MILDRED R	MORRIS RICHARD T & ELAINE L
1998-12-03		1006	0001	Valid Arms-length sale tran	PEARSON PAUL E	PEARSON PAUL E & MILDRED R

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search Page	Oconee Home
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The Oconee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: January 23, 2017



OONEE COUNTY

Assessor's Office

"Land Beside the Water"



Exhibit I, continued

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search	Oconee Home
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Owner and Parcel Information

Owner Name	MORRIS FAM REV TR	Today's Date	June 20, 2017
Mailing Address	299 PEARSON RD TAMASSEE, SC 29686	Parcel Number	036-00-02-008 Tax ID: 183
Location Address	299 PEARSON RD	Tax District	(District 002)
Legal Description	MapPlatB P60 MapPlatP 377	2015 Millage Rate	
Property Class / Property Type	/ Farm with Living Unit	Acres	11.26
Neighborhood	WHITEWATER TWP	Parcel Map	Show Parcel Map

[Generate Owner List By Radius](#)

2016 Tax Year Value Information

Land Taxable Market Value	Improvement Taxable Market Value	Total Taxable Market Value
\$ 53,040	\$ 149,420	\$ 202,460

Land Information

Land Type	Frontage	Effective Frontage	Effective Depth	Acres	Square Footage
74	0	0	0	10.26	446,926
90	0	0	0	1	43,560

Residential Building Information

Occupancy	Style	Base Area Sq Ft	Finished Living Area Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built
11	12 Bungalow	3,518	2,658	1.5	Normal for Class	AL/VINYL	1979	1979
Roof Material	Roof Type	Roof Frame	Roof Pitch	Heating Type	Rooms/Bedrooms/Bathrooms	Grade	Sketch	
Metal	Gable	Std for class		Forced hot air	7/5/2.0	Avg	Show Building Sketch	

Commercial and Miscellaneous Improvement Information

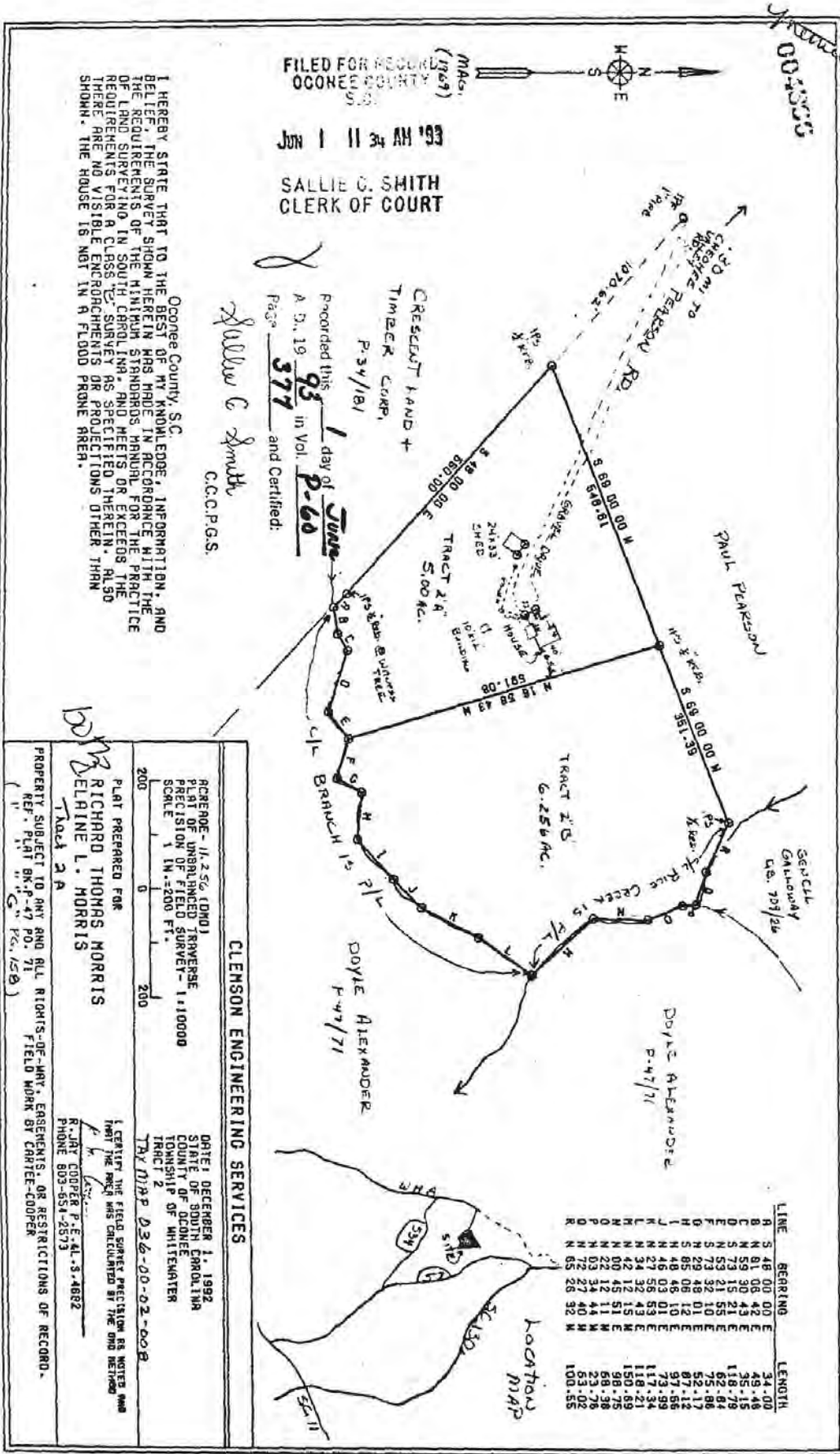
Building Type	Year Built	Eff Year Built	Length/Width/Height	Size	Grade	Sketch
UTLSHED	0	0	12 / 10 / 1	120 SF	Avg	Show Sketch
POLEBLDG	0	0	33 / 24 / 10	792 SF	Avg	Show Sketch
UTLSHED	1979	1979	10 / 10 / 10	100 SF	Avg	Show Sketch
UTLSHED	1979	1979	16 / 10 / 10	160 SF	Avg	Show Sketch

Sale Information

Sale Date	Sale Price	Deed Book	Deed Page	Qualification Reason	Grantor	Grantee
2011-04-11	\$ 10	1829	81	Other Not Valid	Multiple Owners	MORRIS FAM REV TR

Recent Sales in Neighborhood Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search Page	Oconee Home
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The Oconee County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: January 23, 2017

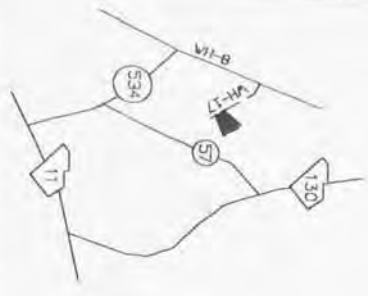


PROPERTY OF RICHARD THOMAS MORRIS

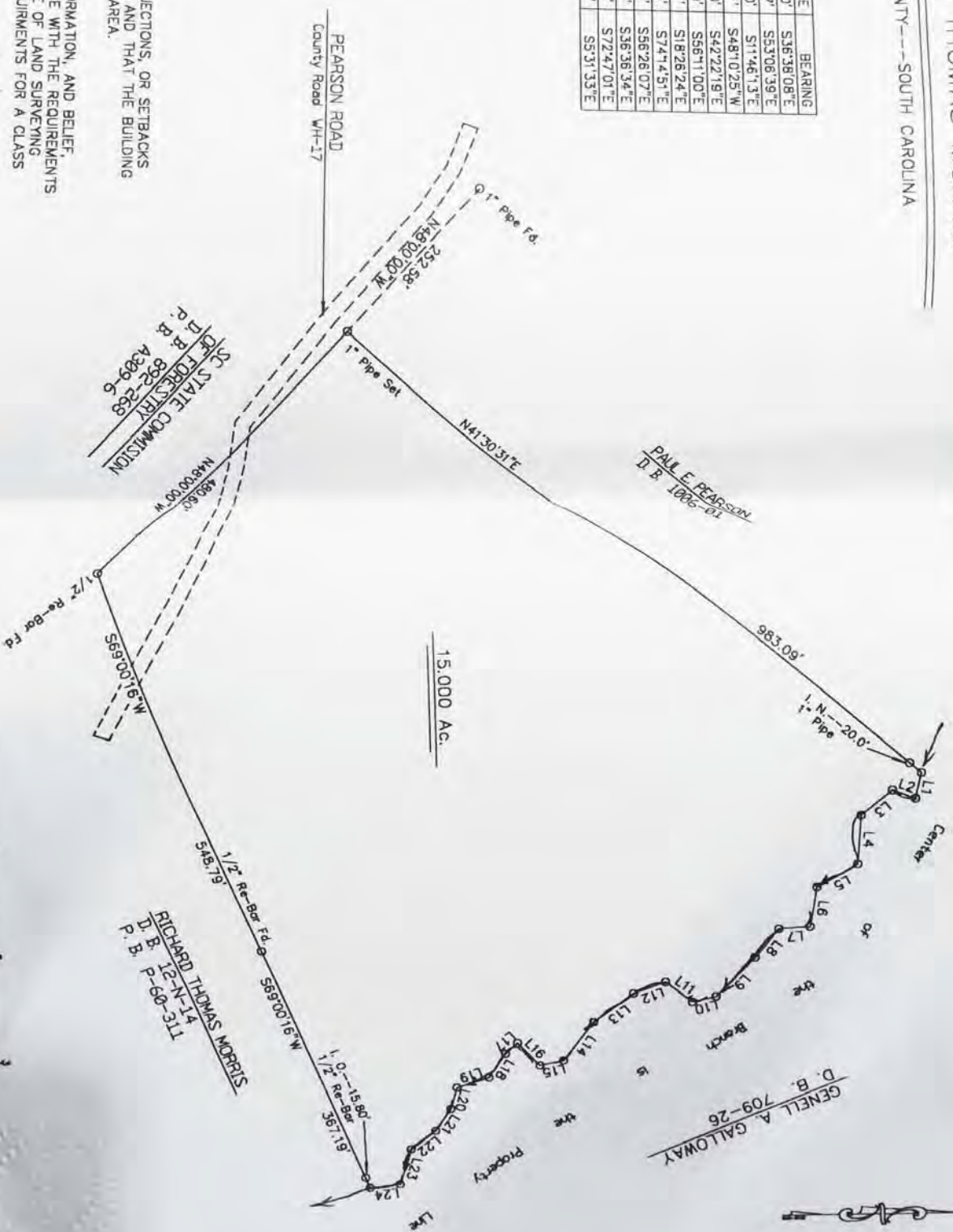
WHITEWATER TOWNSHIP---OCONEE COUNTY---SOUTH CAROLINA

DATE: OCTOBER 16, 2002
 TAX MAP #36-00-02-007
 RICHARD MORRIS, RICHARD THOMAS

NUM	DISTANCE	BEARING	NUM	DISTANCE	BEARING
L1	34.45'	S78°17'26"E	L13	65.40'	S36°38'08"E
L2	31.71'	S21°09'49"W	L14	66.67'	S53°08'39"E
L3	51.93'	S38°41'19"E	L15	32.20'	S11°46'13"E
L4	64.81'	S85°20'47"E	L16	43.31'	S48°10'25"W
L5	61.15'	S29°24'50"E	L17	21.90'	S42°22'19"E
L6	54.08'	S80°13'30"E	L18	40.69'	S56°11'00"E
L7	40.81'	S2°37'31"E	L19	44.81'	S18°26'24"E
L8	49.42'	S51°27'13"E	L20	32.35'	S74°14'51"E
L9	72.99'	S45°57'20"E	L21	37.79'	S56°26'07"E
L10	31.48'	S12°34'27"E	L22	41.57'	S36°36'34"E
L11	45.25'	S38°52'41"W	L23	54.04'	S72°47'01"E
L12	44.63'	S19°27'25"E	L24	40.21'	S5°31'33"E



LOCATION MAP--NO SCALE



SC STATE COMMISSION
 D.B. 892-268
 P.B. 4389-6

RICHARD THOMAS MORRIS
 D.B. 12-N-14
 P.B. P-60-31

GENELL A GALLOWAY
 D.B. 709-26

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARD MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN.

SURVEYED BY JAMES G. HART
 REG. L.S. # 6674
 266 FRIENDSHIP VALLEY ROAD
 SENECA, SC 29678
 TELEPHONE (864) 882-5288

James G. Hart

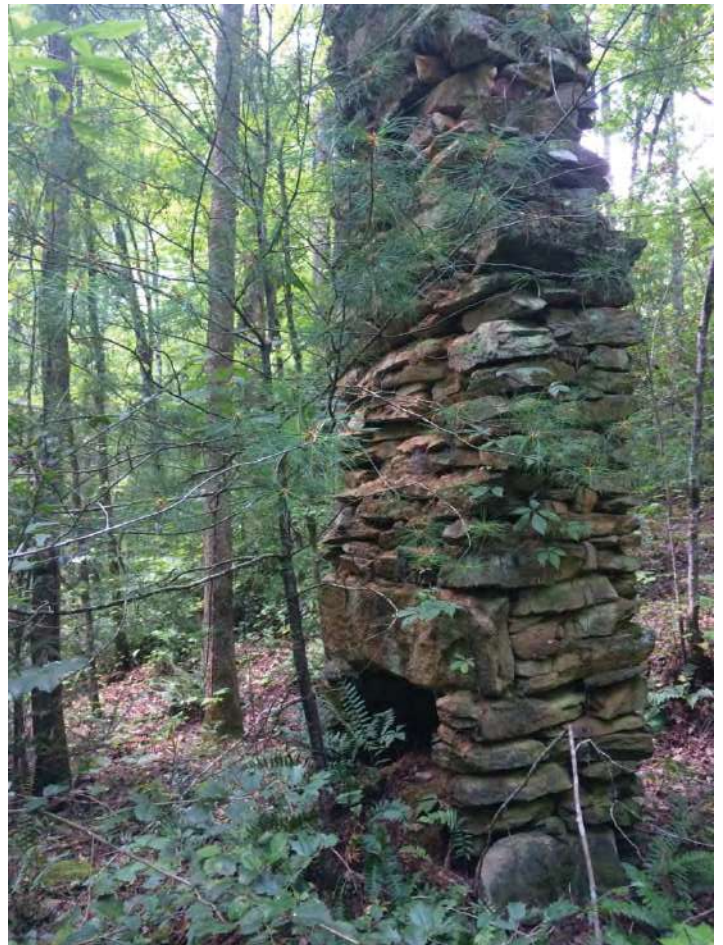


Scale : 1" = 150'

*Located near the tributary of Mill
Creek, this old homesite still
contains remnant stacked rock piers
(foreground) and fireplace
(background, right of center)*



*Intact fireplace of old homesite near
the tributary of Mill Creek.*





March 31, 2020

Andy Smith, Chair
Oconee County Conservation Bank
Katie Smith, Clerk to Council
Oconee County
415 S. Pine St.
Walhalla, SC 29691

Submitted electronically to smithlaw@mindspring.com and ksmith@oconeesc.com

RE: Application to the Oconee County Conservation Bank for support for a conservation easement on the Elaine Morris property

Dear Mr. Smith and Ms. Smith:

Please allow this letter to serve as our request for a renewed application for funding for the Elaine Morris property from the Oconee County Conservation Bank (OCCB). The OCCB Board previously awarded this project a grant for \$12,500 to support a conservation easement on the property. Due to unmitigable circumstances, we were unable to close on the conservation easement within the twelve-month time period required, nor during the six-month extension.

As we discussed, Ms. Morris has recently been addressing her own health issues and helping a family member through cancer treatment. These activities have kept her from closing on the conservation easement to protect her property. However, recent updates from Ms. Morris make the closing possible within the next two months. We have included a letter from Ms. Morris stating her situation as well as her strong intention to protect her property in perpetuity imminently.

Because the condition of the property remains nearly identical to the original application, we have chosen to resubmit the previous application, which still accurately describes the property, with only minor edits, and believe the letter from Ms. Morris will suffice as an update to her signature on page 5 of the application. Similarly, other dated or notarized portions of the application remain unchanged. Although we are currently ordering an updated appraisal, which may report an increase in the fair market value of the property - and therefore the value of the conservation easement - we have not increased the amount of our request. Rather,

we have made only minor edits to the original application to reflect the amount of the original reward granted by the OCCB Board (see Section V - Financial Criteria).

Upstate Forever and Ms. Morris would welcome the support of the Oconee County Conservation Bank for this renewal. If you have any questions or if you need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Scott Park". The signature is written in a cursive, flowing style.

Scott Park

Glenn Hilliard Director of Land Conservation
Upstate Forever

March 12, 2020

Andy Smith, Chair
Oconee County Conservation Bank
Oconee County
415 S. Pine St.
Walhalla, SC 29691

Submitted electronically to smithlaw@mindspring.com and ksmith@oconeesc.com

Dear Chairman Smith and Oconee County Conservation Bank Board Members:

Please allow this letter to serve as my request to the Oconee County Conservation Bank to consider the renewal of my application for funding a conservation easement for my property.

I have recently been addressing health issues and helping a family member through cancer treatment and have been preoccupied from closing on the conservation easement to protect my property. However, treatments are near completing, and my recovery is finding a more positive direction. My resolve to protect my property is as strong as ever.

I am working with Upstate Forever to submit and manage the application, and I seek and welcome your support.

Sincerely,



Elaine Morris
Owner

Katie Smith

From: Katie Smith
Sent: Thursday, May 14, 2020 1:33 PM
To: 'classadmgr@upstatetoday.com'
Cc: Katie Smith
Subject: Legal Ad Request

Please run in the next edition of your publication. Please respond to the email to confirm receipt.

“The Oconee County Conservation Bank Board will meet on the following dates/times in Council Chambers, 415 South Pine Street, Walhalla, SC, unless otherwise advertised: May 19, 2020; August 18, 2020; September 15, 2020; November 17, 2020; December 15, 2020; and February 9, 2021. All meetings are scheduled for 9:00 a.m.”

Please confirm receipt of this email by way of reply.

Best Regards,
Katie

Katie D. Smith
Clerk to Council
415 South Pine Street
Walhalla, SC 29691
864-718-1023
864-718-1024 [fax]

CONFIDENTIALITY NOTICE: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential, proprietary, and/or privileged information protected by law. If you are not the intended recipient, you may not read, use, copy, or distribute this e-mail message or its attachments. If you believe you have received this e-mail message in error, please contact the sender by reply e-mail or telephone immediately and destroy all copies of the original message.



HIGH SCHOOL GRADUATE

Olivia Morgan

Of all life's wonderful gifts, none is more precious than that of having a daughter like you to love. You have made us so proud!

Love, Mom and Dad

• 2x4 color ad in the featuring picture
Ads will appear in The Journal Commemorative Edition

• 18"x24" full color featuring your senior's picture

To place your ad, call (864) 973-6676 or kgast

Images are not

CLASSIFIEDS

REAL ESTATE RENT

VACATION/RESORT RENTALS

ADVERTISE YOUR VACATION PROPERTY FOR RENT OR SALE

To more than 2.1 million South Carolina newspaper readers. Your 25-word classified ad will appear in 99 S.C. newspapers for only \$375. Call Alanna Ritchie at the South Carolina Newspaper Network, 1-888-727-7377.

LEGAL NOTICES

LEGALS

The Oconee County Conservation Bank Board will meet on the following dates/times in Council Chambers, 415 South Pine Street, Walhalla, SC, unless otherwise advertised:
May 19, 2020; August 18, 2020; September 15, 2020; November 17, 2020; December 15, 2020; and February 9, 2021. All meetings are scheduled for 9:00 a.m.

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
IN THE COURT OF
COMMON PLEAS
C/A NO 2020-CP-37-00096

**ORDER APPOINTING
GUARDIAN AD LITEM**

Greenwich Revolving Trust by Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as Owner Trustee,
Plaintiff
VS

Keith Carter aka Christopher Keith Carter, individually and as Personal Representative of the Estate of David Carter aka David Lorenzo Carter, Deceased, Evelyn F. Carter aka Evelyn M. Carter, individually and as Personal Representative of the Estate of Roy Carter aka Roy A. Carter, Deceased, Yolanda J. Carter, individually and as Personal Representative of the Estate of Roger R. Carter, Deceased, Minnie P. Wright and Lula Brown aka Lula B. Brown aka Lula Bell Brown, individually and as Personal Representatives of the Estate of James William Carter aka James W. Carter, Deceased, Lawanda N. Carter aka Lawanda Carter-Black, individually and as Personal Representative of the Estate of Nellie Mae Carter, Deceased; Allen Carter

LEGAL NOTICES

LEGALS

aka Allen L. Carter, Megan Y. Carter, Christopher K. Carter aka Chris Carter aka Christopher Kylan Carter, and any other Heirs-at-Law or Devisees of David Carter aka David Lorenzo Carter, Roy Carter aka Roy A. Carter, Roger R. Carter, James William Carter aka James W. Carter and Nellie Mae Carter, Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe, Oconee County Clerk of Court and Armed Health, Defendants
IT APPEARING TO the satisfaction of the Court, upon reading the Motion for the Appointment of Kelley Y. Woody, Esquire as Guardian ad Litem for all unknown persons and persons who may be in the military service of the United States of America (which are constituted as a class designated as "John Doe") and any unknown minors and persons who may be under a disability (which are constituted as a class designated as "Richard Roe"), it is ORDERED that, pursuant to Rule 17, SCRPC, Kelley Y. Woody, Esquire is appointed Guardian ad Litem on behalf of all unknown persons and persons who may be in the military service of the United States of America (constituted as a class and designated as "John Doe"), all unknown minors or persons under a disability (constituted as a class and designated as "Richard Roe"), all of which have or may claim to have some interest in the property that is the subject of this action, commonly known as 109 Jenkinsville Road, Westminster, SC 29693, that Kelley Y. Woody, Esquire is empowered and directed to appear on behalf of and represent all unknown persons and persons who may be in the military service of the United States of America, constituted as a class and designated as "John Doe", all unknown minors and persons under a disability, constituted as a class and designated as "Richard Roe", unless the Defendants, or someone acting on their behalf, shall, within thirty (30) days after service of a copy of this Order as directed below, procure the appointment of a Guardian or Guardians ad Litem for the Defend-

LEGAL NOTICES

LEGALS

ants constituted as a class designated as "John Doe" or "Richard Roe" IT IS FURTHER ORDERED that a copy of this Order shall be served upon Christopher K. Carter aka Christopher Kylan Carter aka Christopher Kylan Carter a defendant who could not be located after diligent search, unknown Defendants by publication in the Daily Journal Messenger (Journal), a newspaper of general circulation in the County of Oconee State of South Carolina, once a week for three (3) consecutive weeks together with the Summons in the above entitled action.

SUMMONS AND NOTICE TO THE DEFENDANTS Christopher K. Carter aka Chris Carter aka Christopher Kylan Carter, ALL KNOWN PERSONS WITH A RIGHT, TITLE OR INTEREST IN THE REAL ESTATE DESCRIBED HEREIN; ALSO ANY PERSON WHO MAY BE IN THE MILITARY SERVICE OF THE UNITED STATES OF AMERICA, BEING A CLASS DESIGNATED AS JOHN DOE; ANY UNKNOWN MINORS OR PERSONS UNDER A DISABILITY; RICHARD ROE; YOU ARE HEREBY SUMMONED and required to answer the Complaint in the above action copy which is herewith served upon you, and to serve a copy of your Answer upon the undersigned at their offices, 2838 Devine Street Columbia, South Carolina 29904, within thirty (30) days after service upon you, exclusive of the day of such service, and, if you fail to answer the Complaint within the aforesaid, judgment by default will be rendered against you for the amount demanded in the Complaint.

NOTICE
NOTICE IS HEREBY GIVEN that original Complaint in this action filed in the office of the Clerk of Court for Oconee County on February 20, 2020.

NOTICE OF PENDENCY OF ACTION
NOTICE IS HEREBY GIVEN that an action has been commenced and is now pending or is about to be commenced in the Circuit Court of the complaint of the above named Plaintiff against the above named Defendant for the purpose of closing a certain mortgage of estate heretofore given by Nellie Mae Carter, James W. Carter, Lula Bell Brown aka Lula B. Brown, Minnie P. Wright aka Lula B. Brown, Roy Carter aka Roy A. Carter, and David Carter to Gr

PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

OCONEE COUNTY COUNCIL

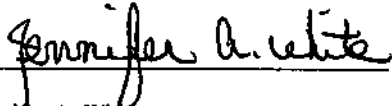
IN RE: Oconee County Conservation Bank Board Meeting

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of THE JOURNAL, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 05/15/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

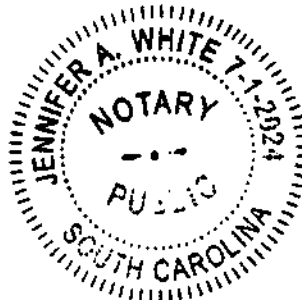


Hal Welch
General Manager

Subscribed and sworn to before me this
05/15/2020



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024





Oconee County Conservation Bank

Title: Applicant Privacy
Policy No. 0001

Effective Date:
Revision Date(s):
Page 1 of 1
Attachments: None

Purpose:

This policy establishes requirements to ensure that the personal information of eligible OCCB recipients and property owners is protected to the extent permitted under the South Carolina Freedom of Information Act.

Definitions: The definitions set forth in Chapter 2, Article IV, Division 9, Section 2-399 of the Oconee County Code of Ordinances are incorporated by this reference.

Policy:

1. An eligible OCCB recipient, either independently or in conjunction with the landowner, applying for a grant from the OCCB shall submit both an unredacted and a redacted application. The redacted form of the application shall be posted on the public website and the unredacted form of the application shall be kept confidential and available only to members of the Board and selected staff.
2. The redacted form of the application shall have ONLY the following items blacked out:
 - a. The personal telephone number (landline or cellphone), if any, of the landowner or staff of the eligible OCCB recipient
 - b. The personal email address, if any, of the landowner or staff of the eligible OCCB recipient.
 - c. If there is a mortgage on the property, the amount of the balance owed.
 - d. All federal or state income tax records submitted in support of the application.
3. An eligible OCCB recipient may petition the Board to redact information not enumerated in this policy.



Oconee County Conservation Bank Criteria Worksheet

Oconee County, South Carolina

CATEGORY	POINTS	REQUIRED EVIDENCE
Environmental Sensitivity <i>(Allow and add points for all that apply. Maximum Points = 35)</i>		
Wetlands	5	Certification by USACOE or NRCS
USGS Blue Line Streams & Lakes	5	USGS Topographic Map with Property Boundary
Adjacent to Water Classified as either (i) Outstanding Natural Resource Water (ii) Outstanding Resource Water or (iii) Trout Water, by South Carolina DHEC.	5	Proof of such classification by SC DHEC
Presence of or Habitat Suitable for Threatened/Endangered Species	5	Certification by SC DNR, NRCS, USFS or other qualified professional
Presence of or Habitat Suitable for Native Wildlife Species	5	Applicant must provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.)
Presence of special or concentrated Biodiversity	5	Applicant must provide substantial evidence (e.g. Statement from a qualified agency or professional, etc.)
Unique Geologic/Natural Feature	5	Applicant must provide substantial evidence (e.g. Statement from a qualified agency or professional, description in publication, etc.)

Percentage of Property Sharing a Boundary with Protected Land <i>(Select one appropriate category, if any. Maximum Points = 10)</i>		"Protected Land" includes any land or byway substantially protected from development or designated as scenic or protected through any federal, state, or local act. Applicant may be required to provide evidence if requested by the Board of the OCCB.
1% - 25%	4	
26% - 50%	6	
> 50%	10	

Historic/Cultural Features*(Allow points for one category, if any.**Maximum Points = 5)*

National Historic Register Designation	5	NHR designation letter from the Department of the Interior.
National Historic Register Eligible	3	Letter of eligibility from the SC State Historic Preservation Office.
Historic/Prehistoric Structures	5	Points to be determined by OCCB board according to evidence submitted by applicant. Suggested evidence may include photographs, statements by professionals regarding integrity of structures, publications, etc.
Historic/Prehistoric Site or Location of a Historic Event	5	Points to be determined by OCCB board according to evidence submitted by applicant. Suggested evidence may include photographs, statements by professionals regarding integrity of structures, publications, etc.

Prime/Statewide Important Soil**Types***(Select the appropriate category, if any.**Maximum Points = 10)*

50 – 60%	4	Prime or Statewide Important Soils overlay on current aerial photograph. Show total acreage of P/SWI Soils. This proof applies to all percentage ranges in this category.
61 – 74%	8	
>75%	10	

Actively Farmed*(Either applies or does not. If yes,**Maximum Points = 5)*

5

Applicant must provide one of the following:

- (i) IRS Form Schedule F filed two previous tax years;
- (ii) IRS Form Schedule F filed seven of the last ten years; or
- (iii) Documentation of selling and/or growing agricultural products in Oconee County for the previous two years.

OCCB Board reserves the right NOT to award points, pending assessment of natural resource protection in conjunction with Oconee Soil & Water Conservation District.

Public Visibility of Property

*(Allow points for only one category, if any.
Maximum Points = 5)*

Visible from Federal, State or County Road	5	Documentation describing precise location of point along a Federal, State or County Road where property is visible. Include a photograph taken from this point.
Visibility from Public Access Lands or Waterways	3	Documentation describing precise location of point along public access land or waterway where property is visible. Include a photograph taken from this point.

Scenic View from Property

(If applies, the OCCB Board may apply points ranging from 1-5 for the quality of the Scenic View and the public's ability to benefit from the Scenic View. Maximum Points = 5)

5

Points to be determined by OCCB Board according to evidence submitted by applicant. Suggested evidence may include photographs, publications, topographic map, description of mountains, rivers, or other features in the view.

Public Access

*(Allow points for only one category, if any.
Maximum Points = 10)*

Limited	5	Points to be determined by OCCB Board according to evidence submitted by applicant. Suggested evidence may include formal agreements with agencies or groups authorized to use the property, description of use and extent of use (times/seasons when the property is accessible).
Unlimited	10	Same as above with additional evidence that public access is reasonably advertised or communicated to the public.

Threat of Development*(Select the highest one applicable category.**Maximum Points = 5)*

Property is within or adjacent to property of USFS, State Forest, State Park, County Park or Municipal Park.	5	Documentation describing location of property in relation to such Federal, State or County property.
Property is within one mile of an incorporated municipality.	1	Measurements will be taken on aerial photography with the shortest distance between the property boundary and the municipality boundary. This proof also applies to the following two measurements of distance from municipality.
Property is 2 – 5 miles of an incorporated municipality.	3	
Property is greater than 5 miles from an incorporated municipality.	2	

Size of Protected Property*(Select the applicable category, if any.**Maximum Points = 10)*

51 Acres – 250 Acres	5	
251 Acres – 500 Acres	8	
> 500 Acres	10	

TOTAL POINTS**Maximum = 100**



Oconee County Conservation Bank Evaluation Criteria Scoring

Oconee County, South Carolina

Parcel Name

Chapman Bridge

Owner

Cliff Timber, LLC

Acres

220

Location

just off Hwy 11 near Devil's Fork State Park

Tax Map[s]

047-00-01-001; portions of 056-00-02-001 &
047-00-01-017

Section I – Conservation Criteria

Calculation of Conservation Criteria

	Score
Environmental Sensitivity	25
Sharing Boundary With Protected Land	2
Historic or Cultural Features	0
Prime or Important Soil Types	0
Actively Farmed	0
Public Visibility of Property	5
Scenic View	1
Public Access	10
Threat of Development	5
Size of Protected Property	5
TOTAL SECTION I – Max 100	53

Section II – Financial

Scoring of Financial Criteria

	None 0	Poor 2	Fair 3	Good 4	Excellent 5	Score
Funding Percentage Requested				✓		4
Matching or Other Monetary Contributions from Other Agencies or Groups					✓	5
Low Cost for Value Received					✓	5
Other Financial Benefit	✓					0
Other incentives				✓		4
TOTAL SECTION II – Max 25						18

Total OCCB Scoring Index (OSI): **71**

Comments: *Just not having a new fence for the property. The property is in good condition and the owner is willing to pay for the fence.*



Oconee County Conservation Bank Evaluation Criteria Scoring

Oconee County, South Carolina

Parcel Name Morris Property

Owner Morris Family Revocable Trust

Acres 26.26

Location Tamassee, about 2.5 miles from Salem

Tax Map[s] 036-00-02-007 & 036-00-02-008

Section I – Conservation Criteria

Calculation of Conservation Criteria

	Score
Environmental Sensitivity	23
Sharing Boundary With Protected Land	6
Historic or Cultural Features	3
Prime or Important Soil Types	0
Actively Farmed	0
Public Visibility of Property	3
Scenic View	0
Public Access	0
Threat of Development	5
Size of Protected Property	0
TOTAL SECTION I – Max 100	40

Section II – Financial

Scoring of Financial Criteria

	None 0	Poor 2	Fair 3	Good 4	Excellent 5	Score
Funding Percentage Requested			✓			3
Matching or Other Monetary Contributions from Other Agencies or Groups	✓					0
Low Cost for Value Received					✓	5
Other Financial Benefit	✓					0
Other incentives					✓	5
TOTAL SECTION II – Max 25						13

Total OCCB Scoring Index (OSI): **53**

Comments:



Oconee County Conservation Bank Evaluation Criteria Scoring

Oconee County, South Carolina

Parcel Name

Gary Lyle Property

Owner

Gary Lyle

Acres

165.89

Location

off Coffee Rd. between Walhalla & Westminster

Tax Map[s]

188-00-01-004 & 188-00-01-022

Section I – Conservation Criteria

Calculation of Conservation Criteria

	Score
Environmental Sensitivity	13
Sharing Boundary With Protected Land	0
Historic or Cultural Features	0
Prime or Important Soil Types	0
Actively Farmed	5
Public Visibility of Property	5
Scenic View	4
Public Access	0
Threat of Development	3
Size of Protected Property	5
TOTAL SECTION I – Max 100	35

Section II – Financial

Scoring of Financial Criteria

	None 0	Poor 2	Fair 3	Good 4	Excellent 5	Score
Funding Percentage Requested				✓		4
Matching or Other Monetary Contributions from Other Agencies or Groups				✓		4
Low Cost for Value Received					✓	5
Other Financial Benefit			✓			3
Other incentives					✓	5
TOTAL SECTION II – Max 25						21

Total OCCB Scoring Index (OSI): **56**

Comments:

May 18, 2020

Report to OCCB on Site Visit to Cliff Timbers – Chapman Bridge Road

Attendees: Laura Havran, Emily Hitchcock, Mac Stone, Naturaland Trust Executive Director

Laura and Emily joined Mac for a site visit and hike on the Cliff Timbers Chapman Bridge Road property, which is 220 acres. We entered the property thru the old logging gate, traversed a 1.2 acre clear cut area that was used for the saw mill and later for a hunting club's parking area, before heading down the logging road.

The property is serene and natural as it has not been logged in over 40 years. We traversed down the hills, following animal trails to the unnamed blue-line stream. Approximately 4,900 feet of stream flows thru the property. The predominate evergreen trees are white pine and loblolly. They are in a mixed deciduous and evergreen forest. The remainder of the property is deciduous trees. Abundant Mountain Laurel was still in the last phases of blooming with Rhododendrons sporting their buds. Trillium were evident as was poison ivy and many other species of plants. As we neared the banks of the stream, ferns and Oconee Bells (not in bloom) were in abundance all along the stream beds. Small waterfalls and rock formations are evident along the streams.

We hiked the animal trails down to the apex of another unnamed stream, before heading back up to the logging trail and following it back to the clear cut area. As we were exiting, we saw fresh bear scat and turkey tracks. Near the gate were the only invasive species we saw – yellow Honeysuckle and mimosa, which Mac explained that they will take care after they take possession of the property.

34°55'49" N 82°55'51" W : compass location along stream just above the small waterfall area.

During the 1.3 mile hike thru the mud and the rain, we saw no issues that concerned us. The property will make a great hiking area as well as a great way to preserve the abundant Oconee Bells.

Submitted by Laura Havran and Emily Hitchcock

