

SPECIAL REFEREE'S TITLE
State of South Carolina)
County of PICKENS)

TO ALL WHOM THESE PRESENTS SHALL CONCERN:

I, Charles B. Simmons, Jr., as Special Referee for Pickens County, the said State, send greetings:

WHEREAS, in an action in the Court of Common Pleas in Pickens County between

Aspire Commodities, LP, a Texas limited partnership

as plaintiff and College Avenue Development, LLP, a South Carolina Limited Liability Partnership, et. al., as defendants, by an Order dated August 7, 2013, it was decreed that the property hereinafter described should be sold by the Special Referee for Pickens County or his designee, on the terms and for the purposes mentioned in the Order granted in the case (see Judgement Roll No. 2012-CP-39-1599) (**A MORTGAGE FORECLOSURE ACTION-TRANSFERRING REALTY**).

NOW THEREFORE KNOW ALL MEN, That I, the undersigned, as Special Referee for Pickens County, pursuant to the foregoing and in consideration of the sum of **One Million Six Hundred Thousand and no/100s (\$1,600,000.00) Dollars** as paid by the hereinafter named grantee, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant and release unto the grantee, Aspire Commodities, LP, a Texas limited partnership, the following real property to wit:

ALL that certain piece, parcel or lot of land with all improvements thereon, situate, lying and being in the City of Clemson, County of Pickens, and being designated as **Units 201, 302, 401 and 402** of 393 College Horizontal Property Regime (the "Regime"), as set forth, established, described, and defined in that certain Declaration (Master Deed) of 393 College Horizontal Property Regime dated June 15, 2011, and recorded on June 27, 2011 in the Office of the Register of Deeds for Pickens County, South Carolina in Deed Book 1393 at Page 73 (the "Declaration"), which Regime is depicted on that certain plat of survey incorporated into and made a part of the Declaration entitled "Survey for College Avenue Development, LLC" prepared by Triad Surveyors and Land Planners, Inc., and certified by William R. Cureton, PLS No, 19011, dated May 22, 2006, and recorded in the Office of the Register of Deeds for Pickens County, South Carolina in Plat Book 570 at Page 3, (the "Plat"), and which Units are depicted upon the Plot Plans and Floor Plans incorporated into and made a part of the Declaration, prepared and certified by RMS Architecture, LLC, dated June 13, 2011, and recorded in the Office of the Register of Deeds for Pickens County, South Carolina on June 27, 2011 in Plat Book 596 at Page 119 (the "Plans"). Reference is made to the Declaration, including the Plat and Plans, for a more complete

1 

description of the above Units and of the Regime.

TOGETHER WITH an undivided right, title and interest to the Common Elements, including the Limited Common Elements (if any) appurtenant to these Units, all as set forth, established, described depicted, and defined in the Declaration.

TOGETHER WITH the non-exclusive rights, exercisable in common with Grantor and all other Owners of Units in 393 College Horizontal Property Regime, in and to the use and enjoyment of the recorded easements that benefit the Regime.

TMS# P/O 4044-20-72-6352 (4 notices).

Address: 393 College Avenue, Units 201, 302, 401 and 402, Clemson, SC 29631.

**Grantee's Address: Aspire Commodities, LP, a Texas limited partnership
3333 Allen Parkway Drive, #1605
Houston, TX 77019**

*Dev: conveyed to grantor 1129107 in Deed Book 1070 page 27 and
Deed Book 1070 page 84*

THIS property was sold subject to any past due or accruing property taxes, assessments, existing easements and restrictions of record and any other senior encumbrances.

TOGETHER with all and singular the hereditaments, rights, members and appurtenances whatsoever to the said property belonging or in any wise incident or appertaining, and the reversions and remainders, rents, issues, and profits thereof, and also any estate, right, title, interest, dower, possession, benefit, claim or demand therein whatsoever of all parties to the said suit and of all other person who might rightfully claim the same or any part thereof, by, from, or under them, or either of them;

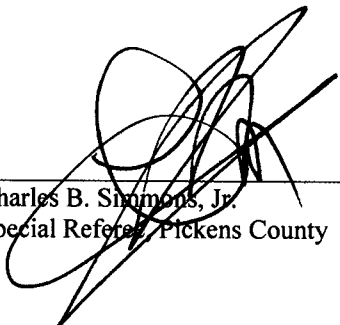
TO HAVE AND TO HOLD the said property, with its hereditaments, privileges and appurtenances, unto the said grantee, its successors and assigns for their own use, benefit, and behoof, forever.



IN WITNESS WHEREOF, I, the said Special Referee under and by virtue of the said Order, have hereunto set my Hand and Seal at Pickens, South Carolina this 21st day of **October**, 2013.

SIGNED, SEALED AND DELIVERED
IN THE Presence of:

Anna D Campbell
Dave Dobb




Charles B. Simmons, Jr.
Special Referee, Pickens County

State of South Carolina)
County of Pickens)

I, *Dave Dobb* do hereby certify that Judge Charles B. Simmons, Jr., as Special Referee for Pickens County, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this
21st day of October, 2013



Notary Public of South Carolina
My commission expires: 5/20/21

INFORMATION

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

Exempted from the fee are fees:

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