



STATE OF FLORIDA )  
 )  
COUNTY OF PINELLAS )

PROBATE

I, CAROL LEACH, a Notary Public for Norman M. Doyon, do hereby certify that Norman M. Doyon personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and (where an official seal is required by law) official seal this 20<sup>th</sup> day of July, 2009.

Carol Leach [SEAL]  
Signature of Notary Public  
My commission expires: 2-11-12

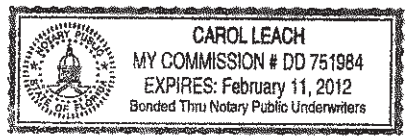


EXHIBIT A

Legal Description

ALL that certain piece, parcel or tract of land situate, lying and being in the City of Easley, Pickens County, State of South Carolina, and containing 3.217 acres, according to a survey captioned "ALTA/ACSM Land Title Survey For D&L Doyon Investments, LLC, 6410 Calhoun Memorial Highway, Pickens County, Easley, South Carolina, (Ryan's)" dated April 6, 2009 by Site Design, Inc. and recorded in Plat Book 593, Page 229, Pickens County Register of Deeds, with the following metes and bounds to wit:

BEGINNING at an old 5/8" rebar iron pin located on the northern right of way of U.S. Highway 123 By-Pass Calhoun Memorial Highway and the joint corner of Diane H. Hutton property now or formerly, said iron pin also being located 180'± from the western right of way of South E Street, thence running along said right of way S 75-17-15 W 215.27 feet to a nail set at the joint corner of Anthony Champlin property now or formerly, thence turning and leaving said right of way and running along the line of the Champlin property N 37-57-00 W 225.39 feet to an old 3/4" open top iron pin, thence turning and running S 44-08-41 W 98.93 feet to an old 3/4" solid rod at the joint corner of Terry W. Caldwell property now or formerly, thence turning and running along the line of the Caldwell property N 83-41-09 W 100.05 feet to an old 3/4" crimp top iron pin, thence turning and running N 05-56-55 E 158.47 feet to an old 1/2" rebar iron pin located on the southern right of way of Avalon Circle, thence turning and running along said right of way N 80-22-55 E 75.00 feet to a 5/8" rebar iron pin set, thence turning and running N 40-52-28 E 99.83 feet to an old 1" open top iron pin, thence turning and running N 29-12-18 E 34.92 feet to an old 1" crimp top iron pin, thence turning and running N 08-31-38 W 48.28 feet to an old 1" crimp top iron pin at the joint corner of the K. Stephens property now or formerly, thence turning and leaving said right of way and running along the line of the Stephens property N 73-47-52 E 162.65 feet to an old 1" open top iron pin (bent) on the line of Edna Harris Mauldin property now or formerly, thence turning and running along the line of the Mauldin property and the line of James E. Cassell property now or formerly S 35-48-52 E 107.33 feet to an old bolt at the joint corner of Richard B. Reeves property now or formerly, thence turning and running along the line of the Reeves property S 21-18-49 E 81.03 feet to an old 1/2" rebar iron pin at the joint corner of Anthony G. Balzano property now or formerly, thence turning and running along the line of the Balzano property S 21-95-28 E 92.36 feet to an old 3/4" solid rod at the joint corner of Diane H. Hutton property now or formerly, thence turning and running along the line of the Hutton property S 20-17-45 E 195.77 feet to the Point of Beginning.

Said property being the same conveyed to Norman M. Doyon by deed of FIGRYANH LLC dated April 15, 2009 recorded May 14, 2009 in Deed Book 1252, Page 250, Pickens County Register of Deeds.

TMS #5029-18-41-4520

EXHIBIT B

Exceptions

1. Ad valorem property taxes for the current year and subsequent years which are a lien but not yet due or payable.
2. All matters which would be shown by a current accurate survey and physical inspection of the conveyed Premises.
3. All applicable statutes and ordinances including, without limitation, zoning, subdivision and land use ordinances.
4. All recorded easements and restrictions.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF PICKENS )

**AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS**

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

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located at 6420 Calhoun Memorial Highway, Easley, SC 29640, bearing Pickens County Tax Map Number 5029-18-41-4520, was transferred by Norman M. Doyon to N&L Doyon Investments, LLC on July \_\_\_\_, 2009.
3. Check one of the following: The deed is
  - (a) \_\_\_\_ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (b) \_\_\_\_ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
  - (c) X exempt from the deed recording fee because (see Information section of Affidavit): Exemption 8 – Transfer to LLC for Membership Interest (If exempt, please skip items 4 - 7 and go to item 8 of this Affidavit.)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (see Information section of this Affidavit):
  - (a) \_\_\_\_ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \_\_\_\_\_.
  - (b) \_\_\_\_ The fee is computed on the fair market value of the realty which is \_\_\_\_\_.
  - (c) \_\_\_\_ The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_.
5. Check Yes \_\_\_\_ or No \_\_\_\_ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes", the amount of the outstanding balance of this lien or encumbrance is \_\_\_\_\_.
6. The deed recording fee is computed as follows:
  - (a) Place the amount listed in item 4 above here: \_\_\_\_\_
  - (b) Place the amount listed in item 5 above here: \_\_\_\_\_  
(If no amount is listed, place zero here)
  - (c) Subtract Line 6(b) from Line 6(a) and place result here: \_\_\_\_\_
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is \_\_\_\_\_.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the

transaction as Grantor.

9. I further understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Norman M. Poyon  
Responsible Person Connection with the Transaction

SWORN to before me this 20<sup>TH</sup>  
day of July, 2009

Carol Leach  
Notary Public for South Carolina FLORIDA  
My Commission Expires: 2-11-12





## 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 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 are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars; 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 whereby no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A). This exemption will exempt transfers to a spouse and most transfers that are the result of 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, partnership, or a trust in order to become, or as a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction of 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 grantor's spouse, parents, sisters, brothers, grandparents, children, step children, grandchildren and the spouse 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;
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- (13) Foreclosure - Mortgagor to Mortgagee; or
- (14) transferring realty from an agent to an 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 purchaser as well as for the purpose of purchasing realty.

## PHASE I ENVIRONMENTAL SITE ASSESSMENT

FORMER RYAN'S STEAK HOUSE  
6420 CALHOUN MEMORIAL HIGHWAY  
EASLEY, SOUTH CAROLINA

### 1.0 EXECUTIVE SUMMARY

Froehling & Robertson, Inc. (F&R) performed a Phase I Environmental Site Assessment (ESA) of the 3.23 acre site (Former Ryan's Steak House) consisting of one land parcel located at 6420 Calhoun Memorial Highway (US Hwy 123) in Easley, South Carolina ("the project site"). The land parcel is identified on the Pickens County GIS website by parcel identification number 5029-18-41-4520. One building constructed in 1985 and covering approximately 9,284 square feet is located within the project site boundaries.

The following is a summary of our findings and is not intended to replace more detailed information contained elsewhere in this report.

Based on the results of the site reconnaissance, review of regulatory records, review of historical information and interviews conducted by F&R, evidence of recognized environmental conditions (RECs), historical recognized environmental conditions (HRECs), de minimis conditions, and/or off-site RECs were not revealed at the site.

*Environmental  
Study  
18. Woods Lake Rd  
Greenville, S.C. 29607  
864-271-2840  
Fax 864-271-8124*