

PROPERTY MANAGEMENT AGREEMENT

This Agreement, made this 30 day of JUNE 1976, 522
by and among the following four parties: BEAUFORT, SOUTH CAROLINA,
a City in Beaufort County, South Carolina, herein referred to as
"Grantee"; the SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND
TOURISM, a State agency organized under the laws of the State of
South Carolina, located in the City of Columbia, South Carolina,
herein referred to as the "Department"; the ECONOMIC DEVELOPMENT
ADMINISTRATION, a Federal Government agency within the United States
Department of Commerce, herein referred to as the "EDA"; and the
BUREAU OF OUTDOOR RECREATION, a Federal Government agency within the
United States Department of the Interior, herein referred to as the
"Bureau".

DEFINITIONS:

For the purposes of this Agreement, the following definitions
shall apply:

1. "PWED Act" means the Public Works and Economic Development
Act of 1965, as amended, (Public Law 89-136).
2. "LWCF Act" means the Land and Water Conservation Fund Act of
1965, as amended, (Public Law 88-578).
3. "Assistant Secretary" means the Assistant Secretary of
Commerce for Economic Development or his duly authorized represen-
tative.
4. "Secretary" means the Secretary of the Interior or his
duly authorized representative.

RECITALS:

WHEREAS, Grantee has received federal financial assistance
from the Bureau (BOR Project No. 45-00423 administered by and
through the Department) and EDA (EDA Project No. 04-11-01478) for
construction of a project on the Beaufort Waterfront; and

WHEREAS, in this project approximately 2,000 linear feet of
bulkhead is being constructed in the Beaufort River adjacent to the
northwest bank and within the downtown area of Beaufort, South
Carolina; after the bulkhead is constructed, approximately 80,000
cubic yards of fill material will be placed behind the bulkhead
creating approximately five (5) acres of land dedicated to public
outdoor recreation; and

WHEREAS, said project is constructed upon the real property
described in "Exhibit A", attached hereto and incorporated herein
as though set forth in full; and

WHEREAS, the Grantee accepted the federal financial assistance
from the Bureau and EDA subject to certain terms and conditions
among which the Grantee covenanted and agreed to comply with the
applicable requirements of the PWED Act, the LWCF Act and the rules
and regulations issued thereunder; and

WHEREAS, the LWCF Act provides that no property acquired or
developed with assistance under said Act shall be converted to other
than public outdoor recreation uses, without the prior approval of
the Secretary; and

THIS INSTRUMENT PREPARED BY:

JERRY C. FOSTER, REGIONAL COUNSEL
ECONOMIC DEVELOPMENT ADMINISTRATION
1365 PEACHTREE STREET, N. E.
ATLANTA, GEORGIA 30309

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WHEREAS, the regulations issued pursuant to the PWED Act by the EDA in Title 13, CFR, provides that projects funded by EDA shall not be used for other than the purpose for which the project was funded by EDA, unless the prior written approval of the Assistant Secretary is obtained; and 523

WHEREAS, pursuant to the requirements of Title 13, CFR, the Grantee must execute and record in the public records affecting real property in Beaufort County, South Carolina, a document containing the provisions given below so as to constitute notice to all persons of any and all restrictions on title to and use of the real property described in said Exhibit A;

NOW THEREFORE, in consideration of financial assistance hereby rendered and/or to be rendered by the Bureau and EDA and other good and valuable consideration, the receipt and adequacy of which the parties hereby acknowledge, and to assure that the benefits of the project will accrue to the public and be used as intended by parties, the parties hereto hereby covenant and agree as follows:

1. The real property described in "Exhibit A" and the project constructed thereon shall not be converted to other than public outdoor recreation uses or used for other than the purpose for which the project was funded by EDA, unless the prior written approval of the Secretary and Assistant Secretary is obtained.
2. The real property described in "Exhibit A", in whole or in part, and including any interest therein, shall not be sold, leased, transferred, conveyed or mortgaged without the prior written consent of the Secretary and Assistant Secretary.

THIS instrument is prepared in quadruplicate originals, with one copy to each of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written by their duly authorized office.

WITNESSES:

Edward E. Dureja
Jacquelyn E. Williams

CITY OF BEAUFORT, SOUTH CAROLINA

By: Ray L. Hunter
Mayor

WITNESSES:

John W. Lawrence
Patricia B. Sanford

SOUTH CAROLINA DEPARTMENT OF PARKS,
RECREATION AND TOURISM

By: Robert L. Smith

WITNESSES:

Dillie R. Lysne
Mary E. Parnell

ECONOMIC DEVELOPMENT ADMINISTRATION

By: Philip R. Parnell
Director, Southeastern Region

WITNESSES:

William F. Huie
Michael A. Parker

BUREAU OF OUTDOOR RECREATION

By: Hugh L. Watson
FOR Regional Director

STATE OF South Carolina)
COUNTY OF Beaufort) SS.

Personally appeared the undersigned witness and made oath that
(s)he saw the within named Henry C. Chamber 524
as its act and deed, acting by and
through its duly authorized officer named above, sign, seal and
as its act and deed deliver the within Property Management
Agreement, and that (s)he with the other witness subscribed above
witnessed the execution thereof.

Edward E. Dwyer

SWORN to before me this

20th day of August, 1976.

Robert D. Jenson (SEAL)
NOTARY PUBLIC FOR South Carolina

My Commission Expires: MY COMMISSION EXPIRES MARCH 28, 1977

STATE OF South Carolina)
COUNTY OF Richmond) SS.

Personally appeared the undersigned witness and made oath that
(s)he saw the within named Robert L. Gutter
as its act and deed, acting by and
through its duly authorized officer named above, sign, seal and
as its act and deed deliver the within Property Management
Agreement, and that (s)he with the other witness subscribed above
witnessed the execution thereof.

John W. Lawrence

SWORN to before me this

24th day of January, 1976.

Robert D. Jenson (SEAL)
NOTARY PUBLIC FOR

My Commission Expires: January 15, 1976

STATE OF Georgia)
COUNTY OF Fulton) SS.

Personally appeared the undersigned witness and made oath that
(s)he saw the within named Economic Development
Administration, as its act and deed, acting by and
through its duly authorized officer named above, sign, seal and
as its act and deed deliver the within Property Management
Agreement, and that (s)he with the other witness subscribed above
witnessed the execution thereof.

Lillie L. Lysne

SWORN to before me this

17th day of June, 1977.

Lillian N. Smith (SEAL)
NOTARY PUBLIC FOR

My Commission Expires: May 18, 1980

STATE OF GEORGIA
COUNTY OF FULTON SS

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Personally appeared the undersigned witness and made oath that
(s)he saw the within named HUGH L. WATSON
BUREAU OF OUTDOOR RECREATION, as its act and deed, acting by and
through its duly authorized officer named above, sign, seal and
as its act and deed deliver the within Property Management
Agreement, and that (s)he with the other witness subscribed above
witnessed the execution thereof.

W. Thomas Brown

SWORN to before me this

16 day of JUNE, 19 77.

Roger Wacker
NOTARY PUBLIC FOR

(SEAL)

My Commission Expires:

Notary Public, Georgia, State At Large
My Commission Expires Jan. 3, 1980

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ALL that certain piece, parcel or tract of land, including any riparian rights that the Grantors/Condemnees may have in and to the same, said tract of land situate, lying and being in the City of Beaufort, South Carolina and being more particularly described as follows: Commencing at an iron pin located at the intersection of the northeastern corner of Lot 907, Bay Street and the northwestern corner of Lot 908 and running thence South 19° 52' East for a distance of 109.5 feet to a point of beginning, point A; and running thence South 68° 10' East for a distance of 28 feet to point B; running thence South 72° 14' East for a distance of 31.1 feet to point C; running thence South 74° 27' East for a distance of 34.5 feet to point D; running thence South 73° 23' East for a distance of 35.9 feet to point E; and running thence South 83° 4' East for a distance of 9.18 feet to point F; and running thence South 0° 8' East for a distance of 94 feet to point G; and running thence North 89° 52' East for a distance of 60.9 feet to point H; and running thence North 89° 52' East for a distance of 59.05 feet to point I; and running thence North 0° 35' East for a distance of 31.72 feet to point J; and running thence South 86° 48' East for a distance of 60 feet to point K; and running thence South 86° 48' East for a distance of 44.38 feet to point L; and running thence South 86° 48' East for a distance of 10 feet to point M; and running thence South 86° 48' East for a distance of 28.5 feet to point N; and running thence South 7° 1' West for a distance of 25.2 feet to point O; and running thence South 5° 51' West for a distance of 39.3 feet to point P; and running thence South 84° 31' East for a distance of 75 feet to point Q; and running thence South 15° 00' West for a distance of 26 feet to point R; and running thence South 75° 00' East for a distance of 25.5 feet to point S; and running thence North 15° 00' East for a distance of 20 feet to point T; and running thence South 75° 00' East for a distance of 12 feet to point U; and running thence North 15° 00' East for a distance of 9.6 feet to point V; and running thence South 82° 45' East for a distance of approximately 12 feet to point W; and running thence South 82° 45' East for a distance of 33.75 feet to point X; and running thence South 82° 45' East for a distance of 36.3 feet to point Y; and running thence from point Z South 16° 00' East for a distance of 16.5 feet to point AA; and running thence South 52° 00' East for a distance of 33 feet to point BB; and running thence South 28° 00' East for a distance of 15.5 feet to point CC; and running thence South 14° 49' East for a distance of 34.9 feet to point DD; and running thence South 4° 51' West for a distance of 26 feet to point EE; and running thence South 82° 47' East for a distance of 80.8 feet to point FF; and running thence North 0° 18' East for a distance of 26.8 feet to point GG; and running thence North 75° 58' East for a distance of 64 feet to point HH; and running thence South 89° 33' East for a distance of 29 feet to point II; and running thence South 89° 33' East for a distance of 62 feet to point JJ; and running thence South 89° 33' East for a distance of 59.4 feet to point KK; and running thence South 89° 33' East for a distance of 33.4 feet to point LL; and running thence South 74° 11' East for a distance of 31.15 feet to point MM; and running thence South 89° 27' East for a distance of 60 feet to point NN; and running thence

North 88° 24' East for a distance of 58.87 feet to point 00; 527
and running thence South 2° 37' West for a distance of 45 feet
to point PP; and running thence South 30° 09' West for a
distance of 147 feet to point QQ; and running thence North 78°
19' West for a distance of 1014.5 feet to point RR; and running
thence North 16° 21' West for a distance of 97.07 feet to
point SS; and running thence North 4° 37' East for a distance
of 113.09 feet to point TT; and running thence North 16° 52'
East for a distance of 45.27 feet to the point of beginning;
all of which are more fully shown by reference to an individual
plat of the within described property prepared by JOHN A.
SIMMONS under date of February 7, 1974, a copy of which is
recorded in the Office of the Clerk of Court for Beaufort
County, South Carolina in Plat Book 24 at Page 67.

AND ALSO:

ALL that certain piece, parcel or tract of land, situate
lying and being in the City of Beaufort, County of Beaufort,
State of South Carolina and being more particularly described
as follows: Commencing at an iron pin located at the
intersection of the Northwestern corner of Lot 905 also
known as The City of Beaufort Municipal Parking Lot and
Bay Street and running thence S35°07'W for a distance of
9.6 feet to an iron pin; running thence S35°07'W for
a distance of 308.7 feet to a Point of Beginning, Point VV;
and running thence S17°09'W for a distance of 130 feet to
Point WW; and running thence S72°57'E for a distance of
24' to Point XX; and running thence N17°09'E for a distance
of 130 feet to Point UU; and running thence N72°57'W for
a distance of 24 feet to Point VV, the Point of Beginning;
all of which are more fully shown by reference to an
individual plat of the within described property prepared
by John H. Simmons under date of February 7, 1974, and
amended September 20, 1976, a copy of which is recorded
in the Office of the Clerk of Court for Beaufort County,
South Carolina in Plat Book 26 at Page 39.

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FILED	BEAUFORT	RECORDED
AT	COUNTY	IN
	S. C.	BOOK
11:00		256
O'CLOCK	NOV -10 1977	PAGE
A. M		522
CLERK OF COURT OF COMMON PLEAS		

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ALN

DEED FROM JOHN I. MINGAY AND ELEONORA C. MINGAY TO WHITE, EVANS, GLENNAN
PARTNERSHIP:

WHEREAS, the within deed dated September 28, 1977, was recorded in Beaufort County Deed Book 254 at Page 1198 with the omission of the Grantee being included in the Renunciation of Dower; and

WHEREAS, the omission above indicated has now been corrected and the deed herewith is re-recorded for the correction of records only;

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