

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Edward B. Cottingham, Circuit Court Judge

Case No. 2010-CP-26-07961

Appellate Case No. 2013-001759

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SC Court of Appeals

South Carolina Department of Transportation *Respondent,*

v.

David Franklin Powell *Appellant.*

APPENDIX TO RECORD ON APPEAL

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STATE OF SOUTH CAROLINA)
) COURT OF COMMON PLEAS
COUNTY OF HORRY) CASE NOS: 2010-CP-26-07999

Road/Route Interchange at US 17 Bypass
And SC 707/Farrow Parkway
File 26.036774A
Project HERR
PIN 36774 RD01
Tracts 13A

SOUTH CAROLINA DEPARTMENT)
OF TRANSPORTATION,)

Condemnor,)

-versus-)

DAVID FRANKLIN POWELL (AKA))

DAVID FRANKLYN POWELL (AKA))

DAVID F. POWELL,)

Landowners,)

AND)

JOHN DOE AND MARY ROE,)

REPRESENTING ALL UNKNOWN)

PERSONS HAVING OR CLAIMING)

TO HAVE ANY RIGHT, TITLE OR)

INTEREST IN OR TO, OR LIEN ON)

THE LANDS DESCRIBED HEREIN,)

INCLUDING ALL UNKNOWN HEIRS)

OF JAMES H. POWELL, DECEASED,)

Unknown Claimant(s).)

**THE DEPOSITION
OF
MICHAEL W. BARBEE**

July 6th, 2011
11:08 a.m. – 12:38 p.m.

CP-26 REPORTING

Melissa M. Decker, Court Reporter
PHONE: (843) 446-1691; E-MAIL: melissadecker@sc.rr.com

ROA-319

SOUTH CAROLINA DEPARTMENT
OF TRANSPORTATION,

Condemnor,

-versus-

DAVID FRANKLIN POWELL,

Landowner.

ROA-320

APPEARANCES:

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****THIS TRANSCRIPT MAY CONTAIN QUOTED MATERIAL. SUCH
MATERIAL IS REPRODUCED AS READ OR QUOTED BY THE
SPEAKER.***

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ROA-321

INDEX OF EXHIBITS

(Exhibits 1-4 premarked.)

Landowners' Deposition Exhibit Number 1	11
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ROA-322

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ROA-323

STIPULATIONS

The deposition will be taken before Melissa M. Decker, a Notary Public and Court Reporter in and for the State of South Carolina.

It is stipulated and agreed that this deposition is being taken pursuant to the governing rules.

It is stipulated and agreed that all objections, except as to the form of the question, will be reserved until the time of the trial.

It is stipulated and agreed between counsel and the above witness that the reading and signing of the above deposition be, and the same, are hereby waived.

CP-26 REPORTING

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1 MICHAEL W. BARBEE, HAVING BEEN DULY
2 SWORN, WAS DEPOSED AS FOLLOWS:

3 **EXAMINATION**

4 BY MR. SHELTON:

5 Q: Mr. Barbee, would you please state your
6 full name and address for the record?

7 A: Michael Wesley Barbee, 74 Groveswood
8 Court, Columbia, South Carolina 29212.

9 Q: And we have met before, but I'm Rob
10 Shelton. I represent the landowner,
11 David Powell, in this deposition, which
12 is actually in two cases. We've got a
13 Tract 13 and a Tract 13A.

14 A: Uh-huh (affirmative response).

15 Q: And I know you've had your deposition
16 many times, but there are a couple
17 admonitions I'm required to give you
18 before we begin. First of all, if at
19 any time you don't understand anything
20 that I've asked, please ask me to
21 restate it, okay? And let me go back.
22 The first and most important ---

23 A: I know what you're going to say.

24 Q: --- the verbal responses are required,
25 or else the court reporter will get

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ROA-325

1 angry with all of us because she cannot
2 transcribe head nods. But if I do
3 misstate or state something confusingly
4 and you don't understand any of the
5 questions I ask, please ask me to
6 restate it. If you don't ask me to
7 restate it and simply answer, I'm going
8 to assume that you understood the
9 question and that your answer is
10 genuinely responsive; is that fair?

11 A: That is fair.

12 Q: Okay. And if you at any time need a
13 drink, a restroom break or anything of
14 that sort, just let me know and we'll
15 take a break and accommodate you in any
16 way.

17 A: Okay.

18 Q: All right. Now, if you would, please,
19 give me a brief background of your
20 educational experience.

21 A: I am a 1992 graduate of North Carolina
22 State University with a Bachelors of
23 Science degree in civil engineering.

24 Q: And when you graduated, had you worked
25 in an engineering capacity during your

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ROA-326

1 schooling at all?

2 A: Yes, sir. I worked part-time for the
3 North Carolina Department of
4 Transportation my last two years of
5 college.

6 Q: And what was your role there?

7 A: Mainly I worked on the survey crew. I
8 also spent some time in the structure
9 design unit.

10 Q: Once you graduated, were you licensed as
11 an engineer immediately, or was there a
12 period of time required to work in the
13 field to get that?

14 A: There is a period of four years that is
15 required before you can apply for your
16 professional engineering license.

17 Q: And where did you work during those four
18 years?

19 A: I started out at the North Carolina
20 Department of Transportation and I also
21 worked for several consultants during
22 that time before my licensing.

23 Q: Now who did those consultants generally
24 contract with?

25 A: Almost exclusively with the North

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ROA-327

1 Carolina Department of Transportation.
2 Q: And when were you finally licensed as a
3 professional engineer?
4 A: July of 1997.
5 Q: And where have you worked since then?
6 A: Since that time I have worked for
7 various consultants and also with the
8 South Carolina Department of
9 Transportation.
10 Q: Was there a point in time when you
11 became an exclusive employee of the
12 Department of Transportation?
13 A: Yes, sir.
14 Q: When was that?
15 A: That was December of 2003.
16 Q: And have you been a South Carolina DOT
17 employee since then?
18 A: Yes, sir.
19 Q: And what is your current title with
20 SCDOT?
21 A: Currently I am the regional production
22 engineer for the Pee Dee region, which
23 encompasses a 13 county area, primarily
24 northeastern South Carolina.
25 Q: And is that an engineer for construction

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ROA-328

1 or for all purposes? Are you
2 responsible for ---

3 A: Preconstruction. I'm responsible for,
4 my, me and my staff are responsible for
5 developing the plans for our
6 construction unit to bid out and to,
7 ultimately to build.

8 Q: Okay. I'm going to hand you four
9 Exhibits marked 1, 2, 3 and 4 to your
10 deposition. The first two are notices
11 of depositions to Mike Barbee, and
12 they're separate because there's two
13 separate cases.

14 **LANDOWNERS' DEPOSITION EXHIBIT**
15 **NUMBERS ONE, TWO, THREE AND FOUR**
16 **IDENTIFIED FOR THE RECORD.**

17 One of them is for Tract 13 and one is
18 for Tract 13A. The next two are
19 identical except they require the
20 attendance at this deposition of the
21 DOT's 30(b)(6) witness, which is the
22 person who will speak as the sworn voice
23 of the Department of Transportation. Is
24 it your understanding that you will
25 serve in that capacity today?

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ROA-329

1 A: Yes, sir.
2 Q: Okay. In each of these deposition
3 notices and subpoenas has an Exhibit
4 attached to it requiring you to bring to
5 your deposition today certain materials
6 that may be in your possession related
7 to the design and construction of this
8 project. Have you brought all the
9 materials in your possession responsive
10 to this request today?
11 A: Yes, sir.
12 MR. McCUTCHEON: FOR PURPOSES OF THE
13 RECORD, ROB, HE BROUGHT
14 WITH HIM, SOME OF THE
15 STUFF WAS ALREADY HERE.
16 MR. SHELTON: OKAY.
17 MR. McCUTCHEON: THE MAZE OF STUFF
18 THAT'S IN THE BOXES
19 THAT'S IN THE
20 OTHER SIDE THAT YOU
21 LOOKED AT THE
22 LAST TIME ARE ALL HERE,
23 WOULD ALSO BE PURSUANT
24 TO THE SUBPOENAS.
25 MR. SHELTON: OKAY.

CP-26 REPORTING

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ROA-330

1 Q: Well tell me, first of all, we're
2 talking about the redesign of the
3 Backgate. That's the highway project
4 that is affecting David Powell's
5 property. So tell me, if you will, what
6 the project scope is for the redesign of
7 the Backgate.

8 A: The project scope for the Backgate
9 interchange project is to construct a
10 grade separated interchange at the
11 current at grade intersection.

12 Q: Okay. And what has been your
13 involvement? When did you become
14 involved with that project?

15 A: I became involved probably as early as
16 2005, with the initial programming and
17 start-up of the project.

18 Q: Was it always planned to be a separated
19 grade project?

20 A: Yes, sir.

21 Q: Was that always made public?

22 A: Yes, sir.

23 Q: What has been your role since 2005 in
24 developing this project?

25 A: I have been the project manager for the

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ROA-331

1 project; again, responsible just for the
2 preconstruction aspect of it.

3 Q: Who's responsible for the project
4 throughout its construction?

5 A: That would be our district office out of
6 Florence. They will assign a resident
7 construction engineer to oversee the
8 construction by one of our private
9 contractors.

10 Q: Has one been assigned to this project?

11 A: Yes, sir.

12 Q: Who is that person?

13 A: That is Balfour Beatty Infrastructure
14 out of Wilmington, North Carolina.

15 Q: And that's the resident construction
16 engineer for this project?

17 A: The resident construction engineer for
18 the project has actually been consulted
19 out to Wilbur Smith Associates out of
20 Columbia.

21 Q: Is there an individual assigned to that
22 role?

23 A: That role is filled by Mr. Johnny
24 Johnson with Wilbur Smith.

25 Q: Who made the decision not to assign

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ROA-332

1 someone from your Florence or district
2 office to that role?

3 A: That was made by our district
4 construction engineer based on workload
5 within the district.

6 Q: Okay. So what is your involvement now
7 that the preconstruction phase has
8 ended?

9 A: Well, this project is a bit unusual from
10 a DOT project in that it is exclusively
11 or predominantly county funded. So I am
12 still involved. I am the manager for
13 the project. I'm responsible to the
14 county on behalf of the financial
15 aspects of it, so I'm still involved in
16 the construction more than I would be on
17 a normal state or federal funded
18 project, mainly because of the budget.

19 Q: As the 30(b)(6) witness, the voice of
20 DOT, will you be the contact throughout
21 the construction of this project?

22 A: Well that's really, that's a hard
23 question to answer because there's going
24 to be many issues that arise during
25 construction where I'm not the primary

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ROA-333

1 person. There's going to be other
2 issues that arise during construction
3 when I am, so it's really dependent on
4 the situation.

5 Q: You would be able to tell Mr. McCutcheon
6 who would be responsible to talk to for
7 any particular incident that might come
8 up during the construction process?

9 A: Yes, sir.

10 Q: Who is the contractor that got the
11 contract to build this project?

12 A: That is Balfour Beatty Infrastructure.

13 Q: Are they using local subcontractors to
14 build it?

15 A: Yes, they are.

16 Q: In your educational and employment
17 background, under your qualifications,
18 are you or would you consider yourself a
19 traffic engineer?

20 A: No, sir.

21 Q: A hydrologist?

22 A: No, sir.

23 Q: A wetlands delineator?

24 A: No, sir.

25 Q: A site selection specialist?

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ROA-334

1 A: (No verbal response).
2 Q: Have you ever worked for any industry
3 other than a condemning authority?
4 A: I worked for a private, several private
5 companies, again, contracted by the
6 departments or various departments ---
7 Q: Have you ever had ---
8 A: ---- of transportation.
9 Q: And I didn't mean to interrupt you. I'm
10 sorry; that gets our court reporter
11 angry, too. Have you ever had an end
12 client who wasn't a condemning
13 authority?
14 A: No, sir.
15 Q: You've brought with you plans that Mr.
16 McCutcheon told me before your
17 deposition were the most current version
18 of the plans for this project; is that
19 correct?
20 A: That is correct.
21 Q: Do you expect that there will be
22 modifications to those plans, as well,
23 as we go forward?
24 A: Yes, sir.
25 Q: What would precipitate further changes

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ROA-335

1 to this?

2 MR. McCUTCHEON: OBJECT TO THE FORM OF
3 THE QUESTION. YOU MAY
4 ANSWER.

5 A: Situations in the field that may dictate
6 plan changes or that may dictate a
7 different sequence of construction that
8 is outlined here, and that is usual and
9 customary in any construction project.

10 MR. McCUTCHEON: FOR PURPOSES OF THE
11 RECORD; MR. SHELTON,
12 THOSE REVISED PLAN
13 SHEETS, IF NECESSARY,
14 AS SOON AS THEY'RE
15 AVAILABLE, THEY WILL BE
16 FURNISHED TO ME, AND I,
17 IN TURN, WILL FURNISH
18 THEM TO YOU.

19 MR. SHELTON: OKAY.

20 Q: The two tracts of land that we're
21 talking about today, Tract 13 and Tract
22 13A, were condemned by SCDOT on August
23 27th and August 30th, 2010. Tract 13
24 was the one that was on August 27th and
25 Tract 13A on August 30th. Do you have

CP-26 REPORTING

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ROA-336

1 an iteration of those highway plans as
2 of those dates?

3 A: Can you define what you mean by
4 iteration?

5 Q: There were project plans attached to the
6 condemnation notices in these two cases,
7 but not a full set.

8 MR. McCUTCHEON: THOSE ARE IN MY OFFICE,
9 ALSO, ROB. THOSE ARE
10 THE ONES I PREVIOUSLY
11 HAD.

12 Q: Can you identify for me what
13 modifications have taken place since the
14 condemnation was filed by looking at the
15 plan sheet that was attached to the
16 condemnation notice? And I'll mark
17 this, if I can keep this for my own
18 records as Exhibit 5 to your deposition,
19 but this is a document that was
20 identified in the condemnation notice as
21 Exhibit A. And it represents ---

22 **LANDOWNERS' DEPOSITION EXHIBIT NUMBER**
23 **FIVE MARKED FOR IDENTIFICATION.**

24 MR. McCUTCHEON: IS THAT 13.

25 MR. SHELTON: THIS IS TRACT 13. YES.

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ROA-337

1 Q: And looking at that document and the
2 plans you've brought today, can you tell
3 me what changes to the highway project
4 have been made thus far?
5 A: Specific to Tract 13?
6 Q: Yes. And 13A. We can look at the plan
7 sheet that came with 13A and we'll mark
8 that in a moment, but just as to 13 for
9 now.
10 A: Can I discuss this with my counsel?
11 Q: Of course.
12 COURT REPORTER'S
13 NOTE: (SHORT DISCUSSION
14 BETWEEN MR. McCUTCHEON
15 AND MR. BARBEE.)
16 MR. SHELTON: AND JUST FOR THE
17 RECORD, JACK, THE COPY
18 OF THE CONDEMNATION
19 NOTICE THAT WAS SERVED
20 ON ME DOESN'T HAVE A
21 PLAN SHEET WITH IT, SO
22 I DON'T HAVE A TRACT
23 13A COMPARISON.
24 Q: But looking at the one that we've
25 already marked as Exhibit 5 to your

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ROA-338

1 deposition, Mr. Barbee, can you identify
2 any changes that have already taken
3 place since that was filed?

4 A: Yes, sir.

5 Q: What were those changes?

6 A: There were changes to the property lines
7 that affected Tract 13A, which is not
8 identified on Exhibit 5; Tract 12A,
9 Tract 11 and Tract 12.

10 Q: Were those changes to the property lines
11 made with the consent of the property
12 owners?

13 A: Not that I'm aware of. No.

14 Q: Well what were those changes?

15 MR. McCUTCHEON: WELL HOLD ON JUST A
16 MINUTE. LET ME MAKE A
17 STATEMENT FOR THE
18 RECORD. ALL OF THOSE
19 CHANGES WERE MADE, MR.
20 SHELTON, AT THE REQUEST
21 OF THE ATTORNEY
22 REPRESENTING THE
23 LANDOWNERS BECAUSE OF
24 THE PROBLEMS WITH THE
25 PIECES OF PROPERTY.

CP-26 REPORTING

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ROA-339

1 AND AS A RESULT OF
2 THAT, CAME OUT OF IT A
3 REVISED TRACT 11, A
4 REVISED TRACT 13A AND
5 13 REMAIN THE SAME.

6 MR. SHELTON: THANK YOU, MR.
7 McCUTCHEON. THAT'S
8 EXACTLY WHAT I WAS
9 TRYING TO GET TO.

10 Q: Mr. Barbee, were there any changes to
11 the highway plans that affect directly
12 Tract 13 or 13A that were made as design
13 changes in their normal construction
14 process, not changes to the property
15 lines of the landowners?

16 A: As design changes, no.

17 Q: Okay. Or as you described before,
18 sometimes some things come up in the
19 field and modifications have to be made;
20 aside from the property line adjustment,
21 have any of those changes been made?

22 A: No, sir.

23 Q: So for all intents and purposes, as to
24 the projects contact with Tracts 13 and
25 13A, the highway plans remain the same?

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ROA-340

1 A: Correct.

2 Q: Can you tell me if there are any general
3 changes that have been made since the
4 condemnation has been filed to the whole
5 project? Or are they each individual
6 design modification?

7 A: There have been no changes to the
8 project that I've been made aware of
9 other than one change order that was
10 done in the field for some additional
11 quantities not related to this area of
12 the project that encompasses 13 and 13A.

13 Q: What do you mean additional quantity;
14 you taking more property?

15 A: No, no, sir. It's -- I'm not familiar
16 with the exact situation, but there was
17 something identified in the field where
18 the resident decided that more quantity
19 was needed than what was identified in
20 the plans.

21 Q: Okay. But as to the main corridor, the
22 on ramps, the off ramps, the
23 signalization, the speed limits, the
24 grades and the elevations, the general
25 design, none of that has changed since

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ROA-341

1 the filing?

2 A: No, sir.

3 Q: All right.

4 A: None has changed.

5 Q: When do you expect that this project
6 will be complete and open for travel?

7 A: Currently we're anticipating the project
8 to be complete -- let me make sure I get
9 my days right, fall of 2014.

10 Q: Have you held public meetings explaining
11 that recently?

12 A: Not recently. No.

13 Q: Did you hold one or attend one on May
14 27th?

15 A: Yes, that was a, what was billed as a
16 media briefing.

17 Q: And at that media briefing, did you
18 encourage, along with the
19 representatives from the various
20 government entities who were present,
21 did you encourage the media to get the
22 word out that people should choose an
23 alternate route and avoid this
24 intersection during the construction
25 process, if possible?

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ROA-342

1 A: Yes, sir, I did. I'm not sure of the
2 exact wording I used, but I did say that
3 we were desiring to partner with the
4 media to get the word out to seek
5 alternate routes to the destinations
6 that drivers were trying to get to.

7 Q: So it's the goal of DOT and the county
8 that you minimize the traffic counts at
9 this location during the construction
10 process as much as you can?

11 A: To the extent practical, yes.

12 Q: Okay. Describe for me, if you would,
13 please, the on ramps and off ramps and
14 traffic patterns that will be at this
15 intersection once it's complete. And
16 you can use the plan sheets. If you'll
17 identify the plan sheets that show that
18 as you go, that would be helpful for us.
19 This is ---

20 MR. McCUTCHEON: IF YOU LOOK AT A
21 PARTICULAR PAGE, MIKE,
22 REFER TO THE PAGE. I
23 MEAN THE SHEET NUMBER.

24 Q: And while you're doing that, I'm going
25 to go ahead and make these plans sheets

CP-26 REPORTING

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ROA-343

1 that you have with you today our next
2 Exhibit to your deposition. And we're
3 going to make a copy of these after your
4 deposition so that we can keep those for
5 ---

6 MR. McCUTCHEON: WELL, FOR PURPOSES OF
7 THE RECORD, THE MARKED
8 EXHIBIT WILL REMAIN IN
9 MY OFFICE.

10 MR. SHELTON: AND THAT'S EXHIBIT SIX;
11 IS THAT CORRECT; SIX TO
12 YOUR DEPOSITION.

13 **LANDOWNERS' DEPOSITION EXHIBIT NUMBER**
14 **SIX MARKED FOR IDENTIFICATION.**

15 A: Can you restate the question, Mr.
16 Shelton?

17 Q: Sure. If you would, please -- Actually,
18 let's go back to before the
19 condemnation. If you'll just explain,
20 generally speaking, without reference to
21 maps, because I know you don't have the
22 four maps present, but if you'll explain
23 how this intersection operated as far as
24 traffic flow and signalization in the
25 before situation.

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1 A: Okay. In the before situation, again,
2 as I mentioned, it is an at grade
3 intersection. And it operated based on
4 our analysis and what we call a level of
5 service F ---

6 Q: Okay.

7 A: --- which is the highest level of delay
8 that a driver would see.

9 Q: Did that give a level of service F from
10 all stacking directions?

11 A: From all direct, all approaches, yes,
12 sir.

13 Q: Okay.

14 A: And the other factor that is noticeable
15 to anyone is the amount of cueing that
16 takes place during the peak hours. So
17 all that is a function of the poor
18 operating condition of the intersection
19 in its current configuration now,
20 meaning an at grade intersection.

21 Q: Okay. And how will it operate once your
22 project is complete?

23 A: The existing intersection, as I
24 mentioned earlier, will be at grade,
25 will be grade separated; excuse me. The

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ROA-345

1 current traffic signal at this location
2 will be removed. There will be traffic
3 signals at the ramps as is shown on Page
4 9 of the construction plans.

5 Q: Where's the ramps shown on Page 9?

6 A: The ramps are shown on Page 9,
7 identified as Ramp A, which is U.S. 17
8 northbound exit ramp, which allows
9 access to Farrow Parkway and 707.

10 Q: Okay.

11 A: Also, on Sheet 9 is Ramp C, which allows
12 access from Farrow Parkway and 707
13 southbound to Highway 17.

14 Q: Okay.

15 A: Again on Sheet 9, Ramp B is identified,
16 and it allows access from Farrow Parkway
17 and Highway 707 northbound. The last
18 ramp in the interchange is identified on
19 ramp, on Sheet 9 as Ramp D; that allows
20 access from southbound 17 to S.C. 707
21 and Farrow Parkway.

22 Q: Okay. And you say there's a grade
23 separated; what will the highest
24 elevation of this interchange be?

25 A: In terms of the, in terms of how high it

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ROA-346

1 will be above the existing ground, or
2 the actual elevation number?
3 Q: How high it will be above the existing
4 ground? How much is the north south
5 traffic being elevated in the after
6 compared to the before condition?
7 A: The riding surface of the bridges over
8 707 and Farrow Parkway at their highest
9 point will be approximately 22 feet
10 higher than the existing elevation.
11 Q: Okay. And the speed limit will remain
12 the same?
13 A: Speed limit will remain the same. Yes,
14 sir.
15 Q: Now, taking a look at the same sheet
16 that we've been talking about, can you
17 see Tract 13 or 13A on that sheet?
18 A: No, sir.
19 Q: Will you please turn to a sheet that
20 depicts those tracts?
21 A: Sheet 10 depicts Tracts 13 and 13A.
22 Q: What was the elevation of Highway 17 as
23 it traversed past Tracts 13 and 13A in
24 the before condition?
25 A: What was the elevation?

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ROA-347

1 Q: Yes. Was it elevated above Tracts 13
2 and 13A or was it ---

3 A: No, sir.

4 Q: --- at grade?

5 A: No, sir. It was at grade.

6 Q: Okay. What will be the elevation of the
7 on ramp and the main line as it
8 traverses past Tracts 13 and 13A in the
9 after condition?

10 A: In the after condition, in the vicinity
11 of Tracts 13 and 13A, Highway 17 will be
12 approximately 2.7 feet. And let me just
13 refer to my notes here that I made.
14 Two, approximately 2.75 feet higher than
15 it is right now.

16 Q: Are those notes that you made for your
17 deposition?

18 A: No, sir. These are part of my personal.

19 Q: Are they part of your work file for this
20 project?

21 MR. McCUTCHEON: YOU CAN HAVE THEM. I
22 DON'T CARE. LET ME SEE
23 THEM. WE'LL MAKE A
24 COPY OF IT.

25 MR. SHELTON: OKAY.

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ROA-348

1 Q: Mr. Barbee, did you bring any other
2 documentation to your deposition today?

3 A: Yes, sir.

4 Q: What did you bring today?

5 A: I have brought a copy of the approved
6 environmental document for the project,
7 and a copy of the traffic analysis
8 prepared for the project.

9 Q: Is the traffic analysis on the disk in
10 the improved environmental document; is
11 that the same traffic analysis?

12 A: I'm not sure if the traffic analysis is
13 on the CD or not. My first impression
14 would be to say no, that is not, as it
15 is a separate document that is not
16 required.

17 Q: Let me just represent to you that there
18 is a traffic analysis ---

19 A: Okay.

20 Q: --- on this CD; if there is, would it be
21 this same one?

22 A: It would be this same one. I wasn't
23 aware it was on there. Traditionally we
24 don't put them on there.

25 Q: And I'm going to go ahead and mark the

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1 traffic analysis. Well let me mark
2 this. This will be Exhibit 7 and 8 to
3 your deposition.

4 **LANDOWNERS' DEPOSITION EXHIBIT NUMBERS**
5 **SEVEN AND EIGHT MARKED FOR IDENTIFICATION.**

6 Seven will be your interchange?

7 A: Traffic.

8 Q: Traffic analysis.

9 MR. McCUTCHEON: AND THE RECORD WILL
10 REFLECT THAT MR. BARBEE
11 WILL RETAIN THOSE TWO
12 EXHIBITS. I THINK
13 THERE ARE COPIES OF
14 THEM IN MY BOX.

15 MR. SHELTON: I WANT TO LOOK AND MAKE
16 SURE I HAVE A COPY OF
17 THEM, ONE WAY OR
18 ANOTHER. AND THEN
19 WE'RE GOING TO MARK
20 EXHIBIT 9, THIS SHEET
21 OF NOTES THAT YOU HAD
22 IN YOUR FILE.. JUST LET
23 ME KNOW WHEN YOU'RE
24 READY.

25 **LANDOWNERS' DEPOSITION EXHIBIT NUMBER**

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ROA-350

NINE MARKED FOR IDENTIFICATION.

1
2 Q: Now when we took a break, it was so that
3 you could confer with Mr. McCutcheon
4 about your sheet of notes. And at the
5 time you were looking at those notes to
6 answer a question I asked you about the
7 elevation of the on ramp and Highway 17
8 in the after condition as they traversed
9 past Tracts 13 and 13A. Have you
10 determined what those elevations are?

11 A: The elevation in the after will be
12 approximately 2.75 feet higher than the
13 existing.

14 Q: On the on ramp?

15 A: On Highway 17. On the on ramp, there is
16 a negligible elevation difference. At
17 that point, it will be approximately 2.6
18 feet higher for the on ramp.

19 Q: Okay. And do you know what the speed
20 limit for the on ramp is?

21 A: Not right offhand. Let me check to see
22 if it's in the signing plans. I don't
23 see a speed limit identified on the
24 ramp.

25 Q: Do you know what the speed limit for

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ROA-351

1 Farrow Parkway is?

2 A: The speed limit for Farrow Parkway is
3 not identified on these plans. That is
4 a city maintained road and I believe it
5 is currently signed as 45 miles per
6 hour. I am not a hundred percent sure
7 of that.

8 Q: Will traffic be expected to stop at all
9 exiting Farrow Parkway and entering
10 Highway 17 North?

11 A: No, sir.

12 Q: And what will the speed limit be on
13 Highway 17 North?

14 A: Highway 17 North will be 55 mile per
15 hour.

16 Q: And that traffic will have just come
17 around a curve to get onto 17 North; is
18 that correct, from Farrow Parkway?

19 A: They will come around a curve from
20 Farrow Parkway and get on the ramp,
21 which runs a considerable distance,
22 allowing them to get up to the speed of
23 Highway 17.

24 Q: So while they're on the ramp, you would
25 expect that they would be accelerating?

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ROA-352

1 A: Correct.

2 Q: So has a noise study been done along

3 that corridor?

4 A: A noise study has been done for this

5 project, including that corridor.

6 Q: Were there sites where before noise data

7 was taken along the portion of the

8 corridor that would traverse Tracts 13

9 and 13A?

10 A: Can you repeat that?

11 Q: Do you know where the noise data in the

12 before condition was recorded? Are

13 there sites that are designated where

14 the noise readings were taken?

15 A: Yes, sir.

16 Q: Do you have that information with you?

17 A: It's contained within the environmental

18 document.

19 Q: Can you tell from the environmental

20 document whether before construction

21 readings were taken near or at Highway

22 17 as it traverses past Tracts 13 and

23 13A?

24 A: Yes. And I read the environmental

25 document prior, and the site that was

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ROA-353

1 identified as what is called a receptor
2 in the document is, and I'll identify
3 the plan sheet, is the resonance on
4 Sheet 10 that is shown in these plans as
5 being on Tract 12A.

6 Q: Okay. And do you know when the noise
7 readings were taken at Tract 12A?

8 A: I don't know the exact time. If you'll
9 give me a moment I'll see if it's
10 identified here. It would have been
11 sometime probably in 2007 or 8. I'm
12 just not sure when they actually
13 recorded the physical data. Let me see
14 if it is specified in the document.

15 MR. McCUTCHEON: YOUR GUY'S REAL TARDY
16 TODAY.

17 MR. SHELTON: HE'S OBVIOUSLY
18 FORGOTTEN.

19 A: I do not see where the actual date of
20 those readings was recorded in this
21 document.

22 Q: Would that be available to you in some
23 other document?

24 A: Yes. I'm not sure if it would have been
25 specifically germane to this study, but

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ROA-354

1 I can find out when the readings were
2 taken.

3 Q: When was the study completed?

4 A: The document was signed by the DOT and
5 the Federal Highway Administration in
6 December of 2008.

7 Q: So the readings had to have been taken
8 sometime prior to that?

9 A: They would have been taken, I would
10 assume in late '7, early '08.

11 Q: Okay. And do you know what the readings
12 at Tract 12A showed the noise levels to
13 be?

14 A: Let me, again, refer to the
15 environmental document. The resonance
16 on Tract 12A is identified in the
17 environmental document as Receptor R3,
18 and the existing noise level was
19 recorded as 62.5 decibels.

20 Q: And what is the projected noise level
21 after completion of the project?

22 A: The future bill decibel level is
23 identified as 66 decibels.

24 Q: Well now were there any other receptors
25 near Tracts 13 or 13A, or north of

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ROA-355

1 Tracts 13 and 13A?

2 A: No, sir.

3 Q: Was R3 the only receptor on that side of
4 Highway 17 in that corner of this
5 project at all?

6 A: That is correct, yes.

7 Q: How many receptors are shown total?

8 A: For the entire project, there are 21
9 receptors identified.

10 Q: Okay. Are you familiar with the
11 drainage in and around Tracts 13 and 13A
12 prior to this project?

13 A: I would not say intimately, no.

14 Q: Are you familiar with the drainage
15 utilized by Highway 17 prior to this
16 project?

17 A: In a general sense, yes.

18 Q: How did it generally drain prior to this
19 project?

20 A: As I understand it, there's two forms of
21 drainage. First, there's a median
22 ditch, which provides some drainage to
23 the median, obviously.

24 Q: Is there any drainage from the median,
25 any piping or tiling? Or is it just a

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ROA-356

1 holding ditch?

2 A: It is basically a holding ditch that is,
3 for lack of a better term, pushing the
4 water north ---

5 Q: Gotcha.

6 A: --- toward a, to a, there's a drainage,
7 an outfall, what we call an outfall
8 ditch located north of this project.
9 Also there is sideline ditching that is,
10 again, in the current configuration,
11 pushing that water north from this
12 project.

13 Q: Would it be accurate to say this project
14 is adding impervious surface to the
15 corridor? --

16 A: Yes.

17 MR. McCUTCHEON: OBJECT TO THE FORM.
18 YOU MAY ANSWER.

19 Q: How much impervious surface is being
20 added to the corridor by this project?

21 A: That, I do not know.

22 Q: How many lanes are being added?

23 A: No lanes are being added on Highway 17,
24 no through lanes. There are auxiliary
25 lanes to allow ingress and egress for

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ROA-357

1 the ramps.

2 Q: So the ramps are being added?

3 A: The ramps are being added, yes, and

4 those are additional lanes.

5 Q: What about the lanes that traverse

6 across the intersection where they were

7 once at grade; is that additional

8 surface as well?

9 A: On Highway 17?

10 Q: Yes.

11 A: No, there are no additional lanes on

12 Highway 17.

13 Q: What about the lanes beneath Highway 17

14 at that intersection; are those new?

15 A: I'm not sure I understand your question

16 ---

17 Q: Farrow Parkway goes ---

18 A: --- Mr. Shelton.

19 Q: Does Farrow Parkway go under 17 in the

20 after condition?

21 A: Yes, sir.

22 Q: So whatever square footage of impervious

23 surface was at that intersection before,

24 it's been increased by the addition of

25 new lanes?

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ROA-358

1 A: Correct, yes.

2 Q: Okay.

3 A: Yes.

4 Q: Where does the water flow in the after
5 condition to the impervious surfaces
6 added to this corridor by DOT?

7 A: In the after, we have a pipe system in
8 the median of 17. We have a pipe system
9 between 17 and Ramp B, which is
10 identified on Sheets 9 and 10 of the
11 plans. Those piping systems are out-
12 letting to a ditch that we are creating,
13 that, again, mimics the drainage pattern
14 in the before, in that it is pushing the
15 water north to a drainage feature.

16 Q: Do any of the properties along Highway
17 17 in the after situation have access
18 for their drainage to enter that same
19 system?

20 A: We analyze the drainage to size the
21 pipes and the ditches based on, again,
22 the increased impervious area, and also
23 taking into account whatever offsite
24 drainage is currently going toward our
25 road in the before. So we have to

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ROA-359

1 account for both those to size the pipes
2 and ditches correctly.

3 Q: So if rain fell on Tract 13 and 13A,
4 that would eventually get into the
5 roadside ditch within your right-of-way
6 in the before condition, that rain would
7 still get into your new closed drainage
8 system after?

9 A: It would still get into our new ditch in
10 the after. The closed drainage system
11 mainly deals with the median of 17 and
12 Ramp B, identified on Sheets 9 and 10 of
13 the interchange.

14 Q: Is DOT obligated to maintain at least
15 the same level of drainage efficiency
16 that was there in the before condition?

17 A: Yes.

18 Q: Is DOT obligated to maintain that during
19 the construction process as well?

20 A: Yes.

21 Q: Is there an individual who is
22 responsible for making sure that the
23 properties adjacent to the construction
24 corridor are being properly drained
25 during the construction process?

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ROA-360

1 A: Yes.

2 Q: Who is that individual?

3 A: That is a combination of individuals.
4 It would be our district construction
5 engineer and our consultant resident
6 engineer.

7 Q: And who are those individuals?

8 A: Those individuals for the DOT, the
9 district construction engineer is Mr.
10 Kyle Berry. And our resident
11 construction engineer is Mr. Johnny
12 Johnson.

13 Q: Okay.

14 A: And could I supplement my previous
15 answer? We are required to insure
16 adequate drainage during construction;
17 that may not be similar to what was in
18 the before. There may be changes in the
19 drainage during construction, but the
20 intent is to make sure that water is
21 flowing adequately. And, again, that
22 does not mean that the same drainage as
23 in the before would be instituted.

24 Q: You're talking about drainage forms or
25 patterns. But this same amount of water

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ROA-361

1 would be able to leave the property in
2 the ---
3 A: Correct.
4 Q: --- process of construction ---
5 A: Yes.
6 Q: --- as was able to leave the property
7 prior?
8 A: Correct. It's just how we choose to
9 make it leave may alter ---
10 Q: So ---
11 A: --- from the before.
12 Q: So the efficiency of drainage remains
13 the same or better ---
14 A: Correct.
15 Q: --- throughout the construction and
16 after?
17 A: Correct.
18 Q: If you were traveling northbound on
19 Highway 17 in the before condition, how
20 would you access Tracts 13 and 13A?
21 A: If I were traveling northbound in the
22 before?
23 Q: Yes.
24 A: I would access the subject tracts via
25 Emery Road.

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ROA-362

1 Q: And to get to Emery Road you would just
2 make a right-hand turn off of Highway
3 17?

4 A: That is correct.

5 Q: If you were heading southbound in the
6 before condition, how would you access
7 the subject properties?

8 A: In the southbound, to access the subject
9 properties I would use the median
10 opening, the current median opening at
11 U.S. 17 and Emery Road.

12 Q: So you'd make a left-hand turn onto
13 Emery Road and thus reach 13 and 13A?

14 A: That is correct.

15 Q: Is Emery Road remaining open to Highway
16 17 after this project?

17 A: No.

18 Q: When do you expect that it will be
19 closed in the project timeline?

20 A: That is dependent on the sequence of
21 construction that includes the
22 construction of Ramp B. And it's
23 really, a lot of that is contractor
24 dependent. I can't give you an exact
25 time of when this median opening could

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ROA-363

1 close. It could be tomorrow if the DOT
2 and the contractor so choose. It could
3 be six months from now. Our desire when
4 we close access points that are
5 currently available to the public now is
6 to keep them open as long as possible.
7 So our intent would be, as I understand
8 it, to keep this median opening open
9 until we have to construct Ramp B
10 identified on Sheets 9 and 10. And that
11 point is in the future. I just don't
12 know the exact point in the future
13 because there is an extremely detailed
14 sequence of constructions that govern
15 this project. And it's, I'm just not
16 intimately familiar with each sequence
17 and the timeframes of those. I could
18 certainly find out if needed.

19 Q: If it's something that's ascertainable,
20 I would like to know that.

21 A: Okay.

22 Q: How -- go ahead. Just let me know when
23 you're ready.

24 A: I'm ready.

25 Q: How would a northbound Highway 17

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ROA-364

1 traveler access Tracts 13 and 13A once
2 this project is complete?

3 A: Northbound to access the subject
4 properties in the after would be,
5 there's two means to access it. First
6 would be via the interchange on Sheet 9,
7 exiting off from U.S. 17 northbound,
8 onto Ramp A as shown in Sheets 8 and 9
9 of the plans. Then from Ramp A, moving
10 toward Farrow Parkway, as identified on
11 Sheet 9 and Sheet 14 of the plans from
12 Farrow Parkway, the access would be via
13 a road that we are calling Withers
14 Connector, that is not identified on
15 these plans. But Withers Connector will
16 tie in at the existing U.S. 17 and Crow
17 Lane intersection, as identified on
18 Sheet 14 of the plans.

19 Q: Let me clarify it, just for the record.
20 You're looking at Sheet 14 of your
21 plans, which we've marked as Exhibit 7 -
22 --

23 A: Six.

24 Q: --- 6, excuse me, to your deposition.
25 And from your vantage point, looking at

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ROA-365

1 Sheet 14, upright, the traffic that
2 you're describing coming from Highway 17
3 North, that had just exited 17 and
4 gotten onto Farrow Parkway, would be
5 coming from the left-hand side of this
6 sheet across toward your right, and
7 would then make a left-hand turn on a
8 road that it is expected will be built
9 across the existing Crow Lane; is that
10 correct?

11 A: That is correct.

12 Q: And ---

13 A: And you can see the existing right-of-
14 way is identified for that road here.

15 Q: Okay.

16 A: And purchased by the City of Myrtle
17 Beach for a utility easement.

18 Q: And what will this road be called?

19 A: It's currently called Withers Connector.

20 Q: And can you show me how that will get
21 you to Tracts 13 and 13A?

22 A: Yes. I am going to refer back to Sheet
23 4C, which is the property strip map
24 overview sheet.

25 Q: Okay.

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ROA-366

1 A: And the Withers Connector I spoke with,
2 the right-of-way corridor for that is
3 shown in its entirety on Sheet 4C, and
4 that Withers Connector that I mentioned
5 will be a new location road from Farrow
6 Parkway, tying in to the existing Emery
7 Road and Railroad Bed Road intersection.

8 Q: Who owns the existing Emery Road?

9 A: That is a county maintained road.

10 Q: Who will own the new road that you're
11 describing on Sheet 4A?

12 A: That ---

13 Q: It's Sheet 4C; excuse me.

14 A: Sheet 4C, that is yet to be determined.
15 My understanding is, in talks with the
16 City of Myrtle Beach, being that, that
17 is in the city limits, that will come
18 under the maintenance auspices of the
19 city. However, I'm not aware of a
20 finalized agreement on that. Perhaps we
21 have a verbal agreement, but there would
22 be something that would need to be
23 memorialized to denote the maintenance
24 of that road.

25 Q: What is the distance from Ramp A to

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ROA-367

1 Tract 13 using that route you just
2 described?

3 A: I can give you a rough -- I can
4 approximate the distance from the point
5 you would access Farrow Parkway.

6 Q: Okay.

7 A: I did not have that distance. If you'll
8 give me one moment?

9 Q: Sure.

10 A: The distance from the access point onto
11 Farrow Parkway from Ramp A to the
12 subject properties is approximately .57
13 miles.

14 Q: So just over half a mile. Do you know
15 what the distance from that same point
16 was in the before situation, roughly?

17 A: Let me see if I understand your
18 question, Mr. Shelton. The distance
19 from that similar point ---

20 Q: Yes.

21 A: --- to the subject property in the
22 before?

23 Q: Yes.

24 A: Now the access to the subject property
25 in the before would be different.

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ROA-368

1 Q: I understand.
2 A: Okay. All right. That will be a little
3 bit easier to calculate.
4 MR. McCUTCHEON: WE'RE TALKING ABOUT
5 NORTHBOUND NOW,
6 CORRECT?
7 MR. SHELTON: THAT'S RIGHT.
8 MR. McCUTCHEON: THANK YOU.
9 A: That distance in the before, via Highway
10 17 to Emery Road to this subject
11 property is approximately .37 miles.
12 Q: Okay. And you said there were
13 alternatives in the after condition of
14 how you would access the subject
15 property. Let me ask you before we get
16 to the next alternative: Looking at the
17 page showing the exit point on Ramp A,
18 which was Sheet 9, what is the point on
19 this plan sheet when a car is committed
20 to exit on Ramp A?
21 A: To exit onto Ramp A from Highway 17?
22 Q: To exit Highway 17 North to Farrow
23 Parkway; is there a point where you no
24 longer can make a decision not to exit
25 where you've committed you're going to

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ROA-369

1 exit now?

2 A: Where you're going to exit off 17 ---

3 Q: Yes.

4 A: --- on Ramp A? Yes, sir.

5 Q: Where is that point, sir?

6 A: That point is identified on Sheet 8 of

7 the plans, and I would, the easiest way

8 for me to refer to it is to give a

9 station number.

10 Q: Okay.

11 A: And the decision point would be at

12 approximately Station 230.

13 Q: Okay. And just as the crow flies, how

14 far are you and that station from Tract

15 13 and 13A?

16 A: One moment. That distance is

17 approximately .66 miles.

18 Q: Can you, from the point that you

19 identified as the decision point on

20 Sheet 8 -- is it Sheet 8?

21 A: Yes, sir.

22 Q: Yeah. Can you see Tract 13 and 13A in

23 the after condition from the car as

24 you're driving northbound at the

25 decision point?

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ROA-370

1 A: No.

2 Q: So to access Tract 13 and 13A via that

3 route, you would have had to know where

4 13 and 13A were and where you were going

5 before you made the decision to exit

6 onto Farrow Parkway; is that correct?

7 A: That is correct.

8 Q: What are the other routes that are

9 available in the after condition?

10 A: The other route available in the after

11 on, for Highway 17 North and really for

12 Highway 17 South as well, would be to

13 pass the subject property and go up to a

14 median opening not identified on the

15 plans; that being Highway 17 and

16 Shetland Avenue. Basically using that

17 median opening, turning from northbound

18 17 onto Shetland, and accessing the

19 subject properties via Old Socastee

20 Highway, which is identified on the

21 plans on Sheets 12, 11 and 10.

22 Q: Shetland is not shown on your plans?

23 A: No, sir.

24 Q: Do you happen to know the distances

25 that, that route would take?

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ROA-371

1 A: I did at one time, Mr. Shelton, but I do
2 not know at the current time. I do have
3 that data. I just do not have it with
4 me and cannot ---

5 MR. McCUTCHEON: MAKE A NOTE ---

6 A: --- comment on that at this time.

7 MR. McCUTCHEON: --- TO GET THAT TO US.

8 Q: Let's just let the record reflect that
9 I'm going to ask you if you would please
10 find that out for me and get that
11 information to Mr. McCutcheon so that he
12 can ---

13 A: Okay.

14 Q: --- let the landowners know what that
15 distance would be. Let me know when
16 you're ready.

17 A: Okay. I'm ready.

18 Q: Okay. Now, the same analysis for
19 southbound traffic starting with the
20 exit onto Shetland, I would assume,
21 since that would be the first choice to
22 a vehicle coming southbound on 17 ---

23 A: Uh-huh (affirmative response).

24 Q: --- where, and it's not showing on your
25 plan sheets, but do you know or can you

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ROA-372

1 find out whether Tract 13 or 13A would
2 be visible to a southbound driver at the
3 point where he would have to commit to a
4 left turn on Shetland?

5 A: Well knowing that there would be no
6 obstructions vertically, my ascertainment
7 would be that it would be visible from
8 Shetland.

9 Q: At 17 and Shetland?

10 A: At the decision point to use that median
11 opening.

12 Q: And can you find out, when you find out
13 how much that distance would be going
14 northbound using Shetland, can you
15 approximate the distance southbound as
16 well, and supplement that to the
17 landowners?

18 A: Yes.

19 Q: And ---

20 MR. McCUTCHEON: LET ME MAKE SURE, ROB,
21 THAT I UNDERSTAND
22 BECAUSE THOSE DISTANCES
23 ARE GOING TO BE THE
24 SAME.

25 MR. SHELTON: NO, THE DISTANCE

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ROA-373

1 NORTHBOUND ---
2 MR. McCUTCHEON: LET ME FINISH. FROM
3 SHETLAND, WHERE
4 SHETLAND INTERSECTS,
5 FROM THAT POINT DOWN
6 OLD SOCASTEE ROAD TO
7 EMERY ROAD, IS THE
8 SAME, WHETHER YOU TURN
9 THIS WAY, OR WHETHER
10 YOU TURN THIS WAY.
11 MR. SHELTON: I UNDERSTAND THAT.
12 THAT DISTANCE IS THE
13 SAME.
14 MR. McCUTCHEON: OKAY.
15 MR. SHELTON: NORTHBOUND YOU HAVE TO
16 DRIVE THAT DISTANCE
17 TWICE.
18 MR. McCUTCHEON: YES.
19 MR. SHELTON: THAT'S THE DIFFERENCE.
20 Q: And then southbound, in the before
21 condition you explained that all you had
22 to do to get to the tracts was make a
23 left-hand turn on Emery Road. Shetland
24 is one alternative now in the after
25 condition. Are there other

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ROA-374

1 alternatives?
2 A: For southbound traffic?
3 Q: Yes.
4 A: Yes, sir.
5 Q: And what would that be?
6 A: The first alternative would be to
7 continue past the subject properties and
8 proceed southbound on 17 to the
9 interchange, and utilize the u-turn
10 movement, which is incorporated as part
11 of this project under the bridge.
12 Q: Is there a ramp associated with that u-
13 turn?
14 A: That would require access via Ramp D,
15 onto the u-turn and then from the u-turn
16 to Ramp B. Hold on one moment. That is
17 incorrect what I have said.
18 Q: Okay.
19 A: Let me start over with access -- access
20 from south would require the use of Ramp
21 D, and from Ramp D to Farrow Parkway,
22 from Farrow Parkway to the Withers
23 Connector we discussed earlier.
24 Q: Okay. Can you approximate the distance
25 from the point where a car would have

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ROA-375

1 been able to turn left onto Emery Road
2 but can no longer in the after to the
3 point where it's going to finally reach
4 13 and 13A via the route you just
5 described?

6 A: I can give you the distance similar to
7 what, the exercise we did before from
8 that decision point ---

9 Q: Okay.

10 A: --- to the subject properties. That
11 distance comes out to approximately one
12 mile.

13 Q: And I was looking at the sheet that you
14 had in your file with your handwritten
15 notes on it; do you have that sheet in
16 front of you?

17 A: Yes.

18 Q: That's Exhibit 9 ---

19 A: Yes.

20 Q: --- I believe? Under security issues
21 you've written several entries on that
22 sheet. You explain, and if I read it
23 incorrectly, please tell me. Current
24 access to U.S. 17 is .15 miles, to U.S.
25 17 northbound or southbound via Powell

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ROA-376

1 Lane to Emery Road, and the new access
2 to U.S. 17 is .8 miles. Is that .8
3 miles the distance that we've been
4 talking about up to Shetland?
5 A: No, Mr. Shelton. This, this analysis
6 that I did is not accurate as you can
7 see on the Exhibit I. My intent was to
8 X that out ---
9 Q: Oh.
10 A: --- as I did with this scribble that is
11 noted there. But this, this was not
12 correct so I disregarded that
13 information.
14 Q: Okay.
15 A: As you can know by the mark that I
16 attempted to put through the entire
17 analysis, if you can call it that.
18 Q: And do you have the traffic counts for
19 the roads shown on Plan Sheet 4C? Were
20 those taken into consideration in
21 determining whether this project was
22 necessary and how to design it?
23 A: Yes.
24 Q: And which of those roads has the
25 greatest traffic count?

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ROA-377

1 A: Highway 17 has the greatest count.

2 Q: Would you say it has the greatest count
3 by a large margin over the other roads
4 shown on Plan Sheet 4C?

5 A: Yes.

6 Q: Do you have an expectation of what that
7 traffic count will become in the future?

8 A: Yes. As is noted on the first sheet of
9 the plan, Sheet 1, 2013 traffic is
10 anticipated to be 99,000 ADT. 2033
11 traffic is anticipated to be 129,000
12 ADT.

13 Q: And at what grade will this interchange
14 function once it's open; what level of
15 operation?

16 A: I'll have to refer to see if that's
17 referenced in the traffic analysis,
18 Exhibit 7. Can you restate your
19 question again, Mr. Shelton?

20 Q: What level of operation is this
21 interchange expected to have at the
22 moment that it's open for travel?

23 A: Upon opening, meaning the year 2013?

24 Q: I believe you said the fall of 2014?

25 A: Correct. In 2013, which I say 2013

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ROA-378

1 because that was the original completion
2 date, 2013 Highway 17 South of Palmetto
3 Pointe upon opening of this project is
4 expected to operate at a level of
5 service C. North of this project in
6 2013, it is expected to operate at a
7 level of service D.

8 Q: And that would be before the increase in
9 the traffic counts that you just
10 reiterated from Page 1 of the highway
11 plan?

12 A: That would be before the, I guess
13 accumulation of traffic to the year
14 2033.

15 Q: So we're improving the operation from F
16 to D or C in this vicinity?

17 A: That is correct.

18 Q: And what would the level of operation be
19 with the increased traffic data from the
20 year 2033; has that study been done?

21 A: With the increased traffic data, the
22 level of service -- let me find it in
23 the table here. The level of service
24 south of Palmetto Pointe on Highway 17
25 would be a level of service D; north of

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ROA-379

1 Harbor Towne Drive on U.S. 17 would be a
2 level of service F. And let me qualify
3 that to say that, that is under the
4 assumption that no widening is done on
5 Highway 17 from now 'til 2033.

6 Q: Has it been the policy of SCDOT to stay
7 within its own right-of-way during this
8 project whenever possible?

9 A: When possible, yes, while also realizing
10 that for a project of this magnitude
11 that's nearly impossible.

12 Q: And in recognizing that near
13 impossibility, could SCDOT have
14 condemned a wider portion and increased
15 the level of service at opening and in
16 the year 2033 ---

17 MR. McCUTCHEON: OBJECT TO THE FORM OF
18 THE QUESTION.

19 Q: --- in this design?

20 MR. McCUTCHEON: YOU MAY ANSWER.

21 A: That is a unusual question. I have to
22 answer it in an unusual way because of
23 the funding complications.

24 Q: I understand.

25 A: Under this scenario, with local funding,

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ROA-380

1 no, the department could not have
2 condemned a wider swath of right-of-way
3 to improve Highway 17.

4 Q: So that was funding driven decision
5 making?

6 A: That was funding driven decision making,
7 yes. And it is also related to many
8 other details such as the wording of the
9 referendum that the voters passed in
10 2006. So, again, an unusual situation
11 under this scenario with the funding
12 being local, no, the DOT could not have
13 made that decision.

14 MR. SHELTON: IF YOU WILL GIVE ME A
15 MOMENT TO STEP NEXT
16 DOOR AND SPEAK WITH MY
17 CLIENT, WE MAY BE CLOSE
18 FINISHING.

19 MR. McCUTCHEON: YEAH, GO AHEAD.

20 ***OFF THE RECORD***

21 (Continuation of Examination)

22 BY MR. SHELTON:

23 Q: Thank you, Mr. Barbee. I do have a
24 couple more questions. We were talking
25 a moment ago about the southbound

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ROA-381

1 traffic using the route you described
2 through Farrow Parkway and what is now
3 the Withers Road?
4 A: Uh-huh (affirmative response).
5 Q: At what point, by station number, on 17
6 mainline would a vehicle have to commit
7 to that route?
8 A: That commitment point, if you will, is
9 identified on Plan Sheet 10, approximate
10 Station 255.
11 Q: So looking at Station 255, if you're in
12 the right-hand lane, can you still get
13 to that exit ramp?
14 A: From Station 255?
15 Q: Yes.
16 A: Yes, sir.
17 Q: How many lanes of traffic are there at
18 Station 255?
19 A: On U.S. 17 there's two, and on Ramp D
20 there's two.
21 Q: If you're in the left-hand lane can you
22 get to that exit point?
23 A: No, sir. You would have to be in the
24 right-hand lane of Highway 17.
25 Q: Okay. Is there a standard for how, and

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ROA-382

1 I know you're not a traffic engineer, so
2 if you have to defer to someone else,
3 please tell me. But is there a standard
4 as to how much distance a highway
5 designer at this speed limit should
6 provide for someone in the left-hand
7 lane to get onto an exit ramp at 55 mile
8 per hour speed limit?

9 A: There are guidelines for that. I assume
10 there are, and I believe that to be the
11 case. I can't tell you conclusively,
12 that is really an issue of more of a, in
13 my estimation, a signage issue. We have
14 signage directing people further north
15 of this project to get in the correct
16 lane configuration and make the exit.
17 The far less than ideal case is for
18 them, in the right-hand lane to make
19 that move, but none the less, they could
20 do it.

21 COURT REPORTER'S

22 NOTE: (THUNDER SOUNDS.)

23 MR. McCUTCHEON: I HOPE IT RAINS.

24 MR. SHELTON: IT IS.

25 Q: Well let me ask you this.

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ROA-383

1 MR. McCUTCHEON: THAT DON'T MEAN IT'S
2 RAINING AT MY HOUSE,
3 THOUGH.
4 Q: Mr. Barbee, the arrows that are showing
5 southbound travel on ---
6 A: Uh-huh (affirmative response).
7 Q: --- Sheet 10, where does the lane for
8 Ramp D, the two lanes for Ramp D, where
9 do they begin?
10 A: There is an auxiliary lane, meaning an
11 additional lane on 17 that begins on
12 Sheet 11 at approximate Station 267.
13 Q: Is that one lane or two?
14 A: That is one lane and there is another
15 lane that is developing in that same, I
16 would call a transitional area.
17 Q: And what is between the two lanes that
18 will continue southbound beyond this
19 project and those two new lanes at that
20 point? Is it just striping?
21 A: Yes. It's a matter of striping and ---
22 Q: Where does ---
23 A: --- delineation.
24 Q: Excuse me. Where does it become
25 something other than striping? Or where

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ROA-384

1 does the striping make illegal change of
2 lanes?

3 A: Are you talking about where is the
4 physical separation of Ramp D on Sheet
5 10 and Highway 17?

6 Q: I'm talking about if I'm driving south,
7 at what point is either the striping a
8 solid line I'm not supposed to cross, or
9 is there any kind of physical barrier
10 other than a separation that you
11 identified at 255; where is that point
12 that I am supposed to no longer leave
13 that lane?

14 A: Okay. Let me refer to the pavement
15 marking plans for better representation.

16 MR. McCUTCHEON: OFF THE RECORD.

17 *****OFF THE RECORD*****

18 (Continuation of Examination)

19 BY MR. SHELTON:

20 A: Okay. Mr. Shelton. I've located the
21 pavement marking plans. I'm on Sheet
22 P.M. 5 of the plans.

23 Q: Sheet what?

24 A: Sheet P.M. 5.

25 Q: Like pavement marking 5?

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ROA-385

1 A: Yeah, that's correct.
2 MR. McCUTCHEON: THAT MAKES SENSE.
3 A: If you could state your question again,
4 please?
5 Q: You told me at Station 255 there was a
6 physical separation of Ramp D from the
7 main line; where is there a legal
8 separation? Where is there any physical
9 barrier or a change in marking of the
10 pavement that would no longer allow you
11 to legally leave the lane dedicated to
12 Ramp D and get back on the main line?
13 A: That would be at approximate Station 255
14 plus 70 as shown on P.M. 5.
15 Q: So 70 feet before you get to 255; is
16 that what you mean by that?
17 A: Correct. And that is what is known as
18 the gore area of the 17 Ramp D
19 configuration.
20 Q: What's gore area?
21 A: Gore area is that area of pavement that
22 motorists, while it's not, there are no
23 physical raised barriers, the DOT
24 discourages motorists from traversing
25 that area of pavement. And that is

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ROA-386

1 striped accordingly to let motorists who
2 know ---
3 MR. McCUTCHEON: HOW DO YOU SPELL GORE?
4 A: G-O-R-E.
5 MR. McCUTCHEON: THANK YOU.
6 Q: Just like as in Carolyn Gore?
7 A: Yes, sir.
8 Q: Gotcha. Now, let's go back to the
9 sheet. I don't remember if it was 8 or
10 9, that showed, it showed the Withers
11 Road.
12 A: Okay. The Withers Connector.
13 Q: Okay. Or whatever it will eventually --
14 -
15 A: Right.
16 Q: --- be called.
17 A: Yeah. The representation we have for
18 that is indicated on Sheet 4C.
19 Q: Okay. And if you were traveling
20 northbound on 17 as described before and
21 exit onto Farrow Parkway, and then turn
22 left onto the Withers Connector, as a
23 road designer, an engineer, what would
24 your expectation of that traffic be once
25 they reach Emery Road? The way this is

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ROA-387

1 designed, that is really just going to
2 be a connector, a north south frontage
3 road around this intersection; is it
4 not?

5 A: It is a, I would call a component of a
6 overall frontage road system. Yes.

7 Q: So if a car made the route you described
8 and got to Emery Road in their normal
9 route of travel, what would you expect
10 that car, what would you design this
11 road expecting that car to do? Faced
12 with the intersection that is drawn at
13 Emery Road?

14 A: Well, the intersection will be drawn to
15 allow from, coming from Withers
16 Connector, it will be allowed, it will
17 be designed to allow multiple driver
18 choices, either left or right on Emery
19 Road or straight ahead.

20 Q: Which one does DOT anticipate will have
21 the largest ADT, which of those choices?

22 A: More than likely it will be the through
23 movement to go north.

24 Q: Okay. Will you be able to access 13 or
25 13A if you take that through movement

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ROA-388

1 going north, or will you have to
2 effectively bypass them?
3 A: I'm not believe, I don't believe I
4 understand your question, Mr. Shelton.
5 From Withers Connector, the access to
6 the subject tracts will be via Emery
7 Road and Powell Lane by making a left --
8 -
9 Q: But the ---
10 A: --- from ---
11 Q: --- majority of traffic will not be
12 making that left?
13 A: That is correct.
14 Q: The majority of traffic will be going
15 straight and won't be going past Tracts
16 13 or 13A at all?
17 A: That is correct.
18 Q: What purpose, I see there is one
19 property line on Emery Road shown
20 adjacent to Tract 13A. Other than the
21 portion of Emery Road that will be
22 necessary to access that one individual
23 property, what purpose will Emery Road
24 serve in the after configuration?
25 A: Well it will provide access to the

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ROA-389

1 subject tracts. It will allow an
2 alternate access onto Old Socastee. It
3 will allow access to these properties
4 here that front Old Socastee Highway and
5 Emery Road.

6 Q: Can you access those properties from the
7 new Withers Connector?

8 A: Well, once Withers Connector ties in
9 with Emery Road, it ends and this is
10 still Emery Road. But these properties
11 that currently have frontage along Emery
12 and along any of these roads will have
13 frontage in the after.

14 Q: So the portion of Emery Road that is
15 between Tract 13 and 13A in the after
16 condition, is not essential to access
17 any tract of land?

18 A: It's not essential to access other
19 tracts of land, no. It's essential to
20 access those tracts.

21 Q: If you had access to the property line
22 of 13, and you happened to also own 13A,
23 Emery Road would not be essential to
24 access 13A ---

25 MR. McCUTCHEON: OBJECT TO THE FORM OF

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ROA-390

THE QUESTION.

Q: --- would it?

MR. McCUTCHEON: YOU MAY ANSWER.

Q: Are there any other properties that will cause Emery Road to be necessary in the after configuration, other than 11, 13A and 13?

A: My answer to that would be yes. Because like I said earlier, it's, Number 1, it's in existence now, and it provides alternate access to properties that we don't have identified with a number but properties shown on Sheet 4C that currently ---

Q: That currently ---

A: Correct.

Q: --- have access in another way? Is it essential to any other tract? Is it going to landlock anybody to close Emery Road between 13 and 13A?

A: To close a portion of 13 or a portion of Emery Road between, that is in-between Tracts 13 and 13A.

Q: Would that landlock anybody?

A: No, sir.

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ROA-391

1 Q: And everyone who has access to their
2 properties now would still have access
3 to their properties if that were done?

4 A: That is correct.

5 Q: Anything else?

6 MS. WHITLOCK? NO. THAT WAS THE
7 ORIGINAL PLAN.

8 Q: Were you involved when that was the
9 original plan?

10 A: To close that portion of Emery Road?

11 Q: Yes. Were you aware that, that was the
12 original plan?

13 A: I don't recall that being placed on any
14 iteration of the plans we produced.
15 That's ---

16 Q: Were you aware that, that was the
17 original plan presented to the property
18 owner by the right-of-way acquisition
19 agent sent by SCDOT to negotiate the
20 purchase of their property?

21 A: No, sir. Again, I'm not aware that,
22 that was a material part of any sets of
23 plans produced by, in essence, the DOT's
24 consultant.

25 Q: Okay. So you wouldn't be aware of why

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1 that was changed if you weren't aware
2 that, that's what existed?

3 A: No.

4 Q: Okay. I have nothing further.

5 MR. McCUTCHEON: I JUST HAVE ONE
6 QUESTION.

7 **EXAMINATION**

8 BY MR. McCUTCHEON:

9 Q: That last series of questions, Mr.
10 Barbee, assumes that 11, 13 and 13A
11 always remained owned by the same
12 people?

13 MR. SHELTON: OBJECT TO THE FORM OF
14 THE QUESTION.

15 Q: Is that correct?

16 A: That is correct.

17 Q: About somebody being landlocked?

18 A: That is correct.

19 Q: Thank you.

20 **RE-EXAMINATION**

21 BY MR. SHELTON:

22 Q: Mr. Barbee, if you close Emery Road
23 between 13 and 13A, does Powell Lane
24 still remain open?

25 A: Yes.

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1 Q: Is Powell Lane a private road?
2 A: I'm not aware as to the ownership of it.
3 It's not, I know it's not a Department
4 owned roadway.
5 Q: Are the contractors using Powell Lane as
6 they construct your project?
7 A: Yes.
8 Q: Have they gotten any permissions to use
9 Powell Lane?
10 A: Not that I'm aware of. No. But if
11 they, if the permissions were required,
12 that would be something that would be
13 incumbent upon him to secure with no
14 involvement by the highway department.
15 Q: Is it the belief of SCDOT, as their
16 30(b)(6) witness, that they're using
17 Powell Lane legally?
18 A: Yes. It is my belief that they are
19 using Powell Lane legally.
20 Q: If that's the case and Emery Road is
21 closed between 13 and 13A, can you not
22 still reach Tracts 11, 13 and 13A via
23 Powell Lane, even if you close that
24 portion of Emery Road?
25 A: Yes.

CP-26 REPORTING

Melissa M. Decker, Court Reporter
PHONE: (843) 446-1691
E-MAIL: melissadecker@sc.rr.com

ROA-394

1 Q: Regardless of ownership?

2 A: Yes..

3 Q: I have nothing further.

4 **RE-EXAMINATION**

5 BY MR. McCUTCHEON:

6 Q: On this map right here, sir, you have
7 said that the Old Socastee Highway, this
8 is an alternative route, correct?

9 A: That's correct.

10 Q: It comes between 13 and 13A?

11 A: Correct.

12 Q: Are there other properties back behind
13 13, back in here and back in here?

14 A: Correct, yes.

15 Q: Thank you.

16 **RE-EXAMINATION**

17 BY MR. SHELTON:

18 Q: And those properties are still
19 accessible via your Withers Connector?

20 A: Yes, some of them are.

21 Q: Are there any that are not accessible if
22 the area of Emery Road between Tract 13
23 and 13A were to be closed?

24 A: Not that I'm aware of from looking at
25 the map on 4C of the plans.

CP-26 REPORTING

Melissa M. Decker, Court Reporter
PHONE: (843) 446-1691
E-MAIL: melissadecker@sc.rr.com

ROA-395

1 Q: Is the Department aware of any property
2 that would become landlocked by closing
3 that portion of Emery Road which is
4 between Tract 13 and Tract 13A?

5 A: At this time I'm not aware of any that
6 would be landlocked.

7 Q: If you become aware would you make Mr.
8 McCutcheon aware of that as well,
9 please?

10 A: Yes.

11 Q: Okay. I have nothing further.

12 (The deposition concluded at 12:38 p.m.)
13

CP-26 REPORTING

Melissa M. Decker, Court Reporter
PHONE: (843) 446-1691
E-MAIL: melissadecker@sc.rr.com

ROA-396

CERTIFICATE

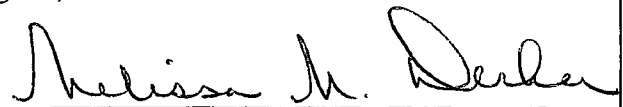
I, Melissa M. Decker, Notary Public in and for the State of South Carolina, do hereby certify that there appeared before me the foregoing witness;

That said witness was sworn by me to state the truth, the whole truth and nothing but the truth;

That the testimony was recorded by me, by open tape and Stenomask, reduced to typewriting and proofed under my direct supervision and the foregoing consecutively numbered pages are a complete and accurate record of the testimony given at said time by said witness;

That the undersigned is neither of kin nor in anywise associated with any of the parties to said cause of action, nor any counsel thereto, and that I am not interested in the event(s) thereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal this the 10th day of August, 2011.



Melissa M. Decker
Court Reporter
Notary Public in and for
The State of South Carolina
My Commission Expires: 1-23-14

CP-26 REPORTING

Melissa M. Decker, Court Reporter
PHONE: (843) 446-1691
E-MAIL: melissadecker@sc.rr.com

ROA-397



South Carolina
Department of Transportation

File-26.036774A Road/Route-Interchange at US 17 Bypass and SC 707 / Farrow
Parkway - Horry County
PIN-36774 RD01 Project-HORR Tract-13

David Franklin Powell
3190 Emery Road
Myrtle Beach, South Carolina 29577

Dear Mr. Powell:

Reference is made to the above captioned project, under which the South Carolina Department of Transportation proposes to acquire a portion of your property for this improvement as has been discussed with you previously. The Department must pay just compensation for the property which is based on an appraisal made by a qualified real estate appraiser using comparable sales in the area.

The appraisal, which is available to the landowner upon request, has been made, reviewed and approved, and I am now authorized to make you the following offer:

\$68,000.00 for fee simple title to 0.183 acre (7,951 square feet) of
land and all improvements thereon, if any

Please give this offer your prompt attention and let me know your decision as soon as possible.

If I can be of any further assistance, do not hesitate to contact me.

Sincerely,

Toni P. Elliott
Right of Way Agent
6534 Three Bend Road
Nichols, South Carolina 29581
(803) 260-4221

5-26-10
Date Offer Made

Landonner

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

COMPLETE APPRAISAL – SUMMARY REPORT

- (1) Tract Location: NE corner of Old Socastee Highway & Emory Road
 Property Owner: David Franklin Powell
 Address: 3190 Emory Road, Myrtle Beach, SC 29577



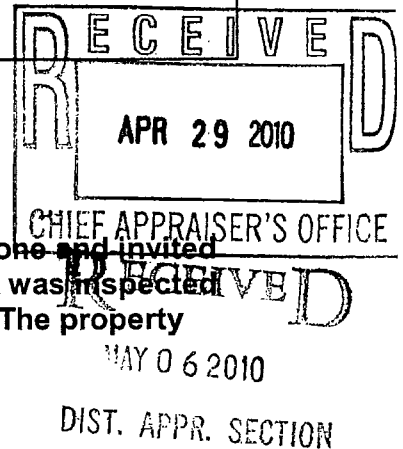
Front View of Subject Property

PREPARED FOR:
 South Carolina Department of Transportation

- (2) During the inspection the owner was contacted by telephone and invited to be present during inspection of this property. The tract was inspected on 12/8/2009 and I was accompanied by property owner. The property was reinspected most recently on 04/08/2010.
Required by Sec. 301(2) of Uniform Act.
 Explain: An onsite inspection was made.

PREPARED BY:

- 3) Inspecting Appraiser: H. Corbin Haskell, MAI
 S.C. State Certified General R/E CG 296
 Firm Name: Robinson Company of Greenville, Inc.



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**APPRAISAL SUMMARY**

- (4) Property Owner: David Franklin Powell
 Tract Location: NE corner of Old Socastee Highway & Emory Road
 Date of Appraisal: 4/28/2010 Date of Value: 4/8/2010

(5)	DESCRIPTION	BEFORE	AFTER
	Present Use:	Vacant Land	Vacant Land
	Number of Buildings:	N/A	N/A
	Primary Improvement Size:	N/A	N/A
	Building Setback (Feet)	N/A	N/A
	# of Feet Building is Above (+), at (0), or Below (-) Road Grade:	N/A	N/A
	# Parking Spaces:	N/A	N/A
	Corner Influence:	Yes	Yes
	Primary Frontage (Linear Feet):	+/-310' Old Socastee Highway +/-530' Emory Road	+/-155' Old Socastee Highway +/-260' New Transitional Right of Way +/-385' Emory Road
	Total Frontage(s) (Linear Feet):	840'	800'
	Ingress/Egress: Primary Road Secondary Road(s)	Old Socastee Highway- Full Access Emory Road - Full Access	Old Socastee Highway- Full Access Emory Road - Full Access
	Zoning Conformity:	Conforming	Conforming

(6)	Site Size (SF):	106,940	98,989
	Site Size (Ac.):	2.455	2.272
	Present or Intended Use of Site:	Vacant Land	Vacant Land
	Shape:	Irregular	Irregular
	Size of Acquisition:	0.183 Acres or 7,951 SF	

(7)	HIGHEST AND BEST USE		
	As Vacant:	Light Industrial/Secondary Commercial/Service	Light Industrial/Secondary Commercial/Service
	As Improved:	N/A	N/A

(8)	Annual Market Rent per SF:	N/A	N/A
-----	----------------------------	-----	-----

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

(9)

VALUE INDICATIONS		
Land Value:	\$ 909,000	\$ 841,000
Sales Comparison Approach:	N/A	N/A
Cost Approach:	N/A	N/A
Income Approach:	N/A	N/A
Final Value Indications:	\$ 909,000	\$ 841,000

(10)

Value of Acquisition:	\$ 68,000
-----------------------	-----------

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**APPRAISAL DETAILS AND REQUIREMENTS**

- (11) PROPERTY RIGHTS APPRAISED: Fee Simple
- (12) PURPOSE OF THE APPRAISAL: To determine the difference in the market value of this property caused by the acquisition of the right of way for the proposed construction of this project.
- (13) INTENDED USE: To assist the South Carolina Department of Transportation in negotiations with the property owner concerning an eminent domain acquisition.

Market value is defined as "The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

SOURCE: The Appraisal Institute, The Dictionary of Real Estate Appraisal, 4th Edition

- (14) EXPOSURE TIME: 12-18 Months

- (15) FIVE-YEAR SALE HISTORY:

Date	Sale Price	Deed Reference
2/21/2006	N/A	3052/114
Comments: Deed of distribution. No other transactions involving the subject have occurred within the last five years.		

- (16) CURRENT LISTING:

N/A

PENDING CONTRACT:

N/A

- (17) ASSESSMENT AND TAXES:

Tax Parcel ID #: 180-09-03-034

Tax Year: 2009

Land Value: \$	Improvement Value: \$	Total Assessed Value: \$	13,152
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Real Estate Taxes: \$ 2,758.71

*The Horry Co. Tax Assessor does not report Land and Improvement Values separately.

- (18) CURRENT ZONING ANALYSIS:

District: HC, Highway Commercial

Current Conformity: Conforming

MINIMUM REQUIREMENTS:

Front Setback: 50'

Rear Setback: 15'

Side Setback: 10'

Width: 60'

Building Height: 120'

Parking Spaces: Varies by use

Road Frontage: N/A

Maximum Building Size: N/A

Minimum Lot Size: 10,000 SF- Commercial Use & 6,000 SF Residential Use

Data use subject to license.

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0 800 1600 2400 3200 4000
Data Zoom 13-0

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (1-3)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010

Aerial view of subject



NE corner of Old Socastee Highway and Emory Road, subject on the left



Old Socastee Highway facing northeast, subject on the right



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (4-6)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC

Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010

Old Socastee Highway facing south,
subject on the left



Emory Road facing southeast,
subject on the left



Emory Road facing northwest,
subject on the right



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

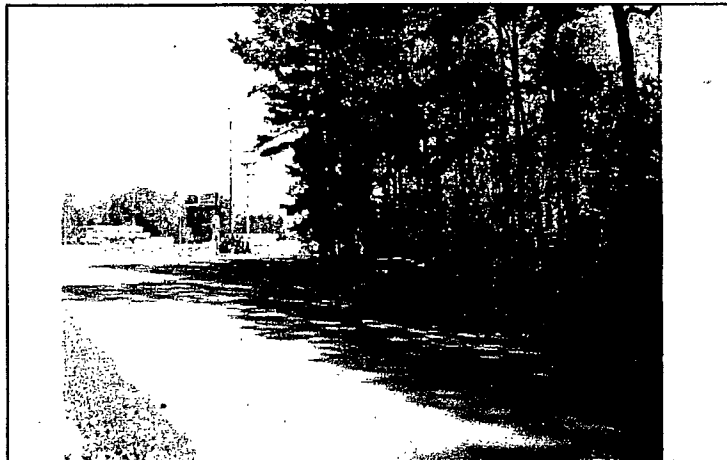
SUBJECT PHOTOGRAPHS (7-9)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
 Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010

Emory Road facing southeast
near rear property line, subject
on the left



Approximate location of the
acquisition

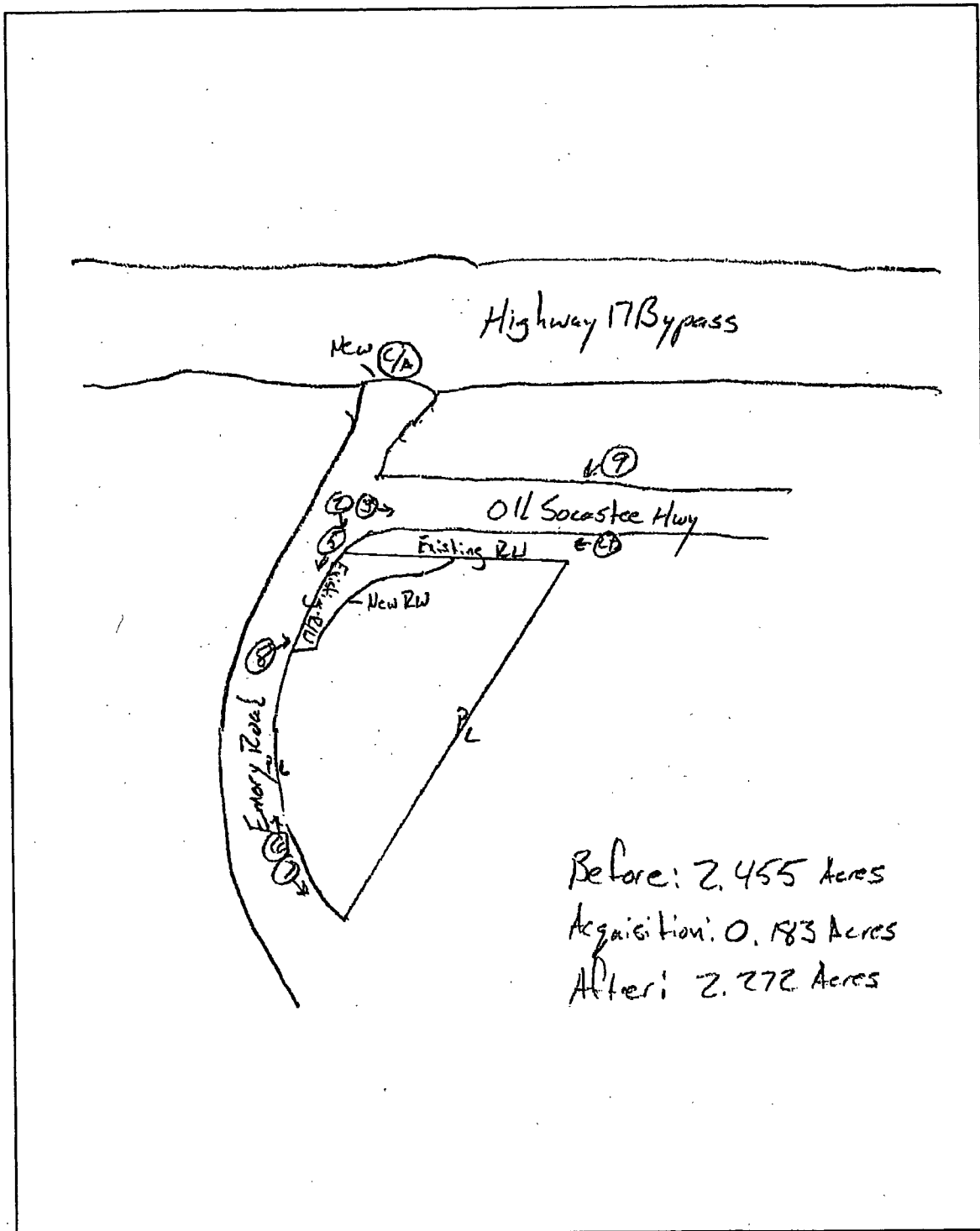


Billboard on site, not impacted
by acquisition



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PLAT\SKETCH



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 19. SCOPE OF WORK:**

In preparing this appraisal, the *scope of the appraisal* included, but is not limited to the following:

- 1) A physical inspection of the subject property.
- 2) A search of public records to gather sales data and other comparable information.
- 3) Verifying all data by public affidavit or by grantor/grantee, or a representative to the sale.
- 4) Determining the highest and best use of the subject property.
- 5) Applying all relevant approaches to value. As the appraisal is of vacant land, the only relevant approach is the Sales Comparison Approach.

The general scope started with a review of the area economic data and demographics in order to determine the health of the local economy and identify trends in the local trade area while analyzing the corresponding effects on the real estate market. A study of the subject neighborhood also known as the sub-market was also completed in order to determine local trends and the competitive standing of the subject within the sub-market. The sub-market is defined as the Grand Strand area of Horry County.

An on site inspection of the property was made on November 28, 2009 and reinspected on April 8, 2010. The property description relies on the DOT survey provided to the appraisers, an on site inspection, and Horry County public records. Other data available through the local county tax assessor and mapping department were also researched.

Data considered most relevant are outlined in this report. Acquisition and confirmation of these data included a search of public records, MLS data, CoStar, and local information obtained from local appraisers and brokers, and discussions with people active in the local and regional real estate markets. The investigative process further includes ongoing discussions with developers, appraisers, and brokers of property with regard to development costs, return objectives, market activity, and marketing time. Publications relevant to the real estate market were consulted for information on market activity, expense ratios, capitalization rates, discount rates, and other information. Improved sales and rentals of comparable facilities were researched and analyzed.

The conclusions have been reported in a SCDOT Standard format in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP).

The subject property will be impacted by the reconfiguration of the interchange of Highway 707 and Highway 17 Bypass. No other specific abnormal appraisal problems arose during the appraisal. Adequate data was available to complete the analysis.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 20-A. DESCRIPTION OF REALTY (BEFORE):****SITE DESCRIPTION**

Present Use	Vacant land
Site Size	2.455 acres or 106,940square feet. It is recommended that a qualified surveyor inspect the subject for existing property lines and easements that are unable to be detected by the appraiser(s).
Curb and Gutters	None
Sidewalk	No
# of Lanes	2 lanes- Old Socastee Highway 2 lanes- Emory Road
Traffic Level	Low- Old Socastee Highway Low- Emory Road
Traffic Control	None
Shape	Irregular
Ingress/Egress	The subject has frontage and access along Old Socastee Highway and Emory Road. The subject has exposure from Highway 17 Bypass, but has no direct ingress/egress.
Access to the Improvements	N/A
Frontage	+/-310' Old Socastee Highway +/-530' Emory Road
Grade at Road Level	At or near road grade
Visibility/Exposure	Average
Topography	Level
Drainage	Adequate
Flood Plain:	
Map Number	45051C0692H (See Flood Map in <i>Addendum</i>)
Date	9/17/2003
Zone	X
Landscaping	Average
Utilities	
Water	Yes
Sewer	Yes
Electricity	Yes
Natural Gas	Yes
Telephone	Yes

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

Zoning	
Designation	HC, Highway Commercial (Horry County)
Uses Allowed	"It is the intent of this section that the Highway Commercial District be established and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district." A wide variety of retail and commercial uses are allowed. Single-family homes are also allowed.
Easements/ Encroachments	Based upon my inspection and examination of the subject site, as well as my review of plats and deeds of the property, I did not detect adverse easements other than normal utility easements and rights of way. These are not believed to have a detrimental impact on property value. It should be noted that I am not qualified to detect easements and encroachments and legal counsel should be retained if there are any indications of title defects.
Environmental	I am unaware of potential environmental hazards on the property. Environmental aspects of the subject property are beyond my expertise. If necessary, I recommend a professional in environmental expertise be retained.
Comments	Subject appears to be a conforming use as vacant.
Personal Property, FF&E, etc. (Included in the opinion of value)	None noted
Relocation Items (Not included in the opinion of value)	None noted

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 20-B. DESCRIPTION OF REALTY (BEFORE):****IMPROVEMENT DESCRIPTION**

There is a billboard located on the subject property near the northern property line along Old Socastee Highway. The billboard does not appear to be impacted by the road project.

PARAGRAPH 21. HIGHEST AND BEST USE (BEFORE):

Highest and Best Use is defined in The Appraisal of Real Estate – 13th Edition as, "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value."

AS VACANT:***Physically Possible:***

The subject site contains approximately 2.455 acres. The site is at or near road grade and generally level. The property is located along two secondary thoroughfares with adequate access. The subject has exposure from but does not have direct access to Highway 17 Bypass. This is fairly common to the neighborhood and does not limit the use of the subject for secondary commercial, service, or light industrial uses common to the neighborhood. All utilities are directly available to the site. As vacant, a variety of uses, including nearly all uses common to the neighborhood are physically possible for the subject.

Legally Permissible:

As to the legally permissible uses, the subject property is zoned "HC", Highway Commercial District. According to the Horry County Zoning Ordinance, a wide variety of commercial uses as well as residential uses are legally permissible as vacant.

Financially Feasible:

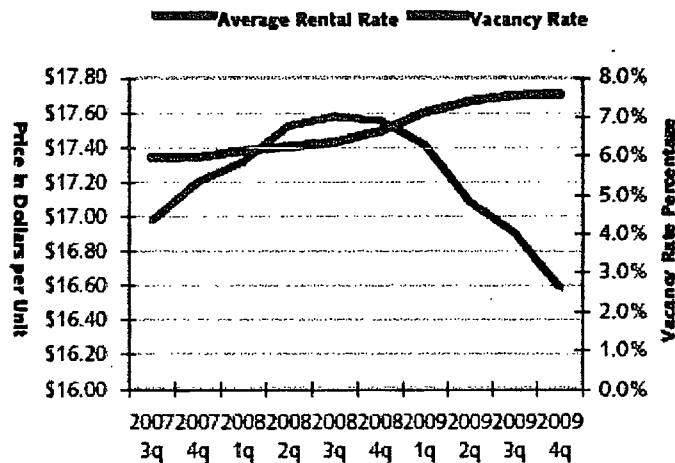
The subject property is located along an established commercial corridor north of the intersection of Highway 17 Bypass and Highway 707. Land uses around this intersection include but are not limited to fast food, convenience stores, banks, restaurants, retail strip centers, self-storage, pharmacy, and other retail operations. However, moving north of the intersection land uses become more secondary commercial, service, and light industrial in nature. Properties along Old Socastee Highway are developed with a variety of established, small light industrial or service buildings. Development to the rear consists of established residential uses. The subject also benefits from its proximity to the newly developed Withers Preserve and to Market Common. However, new development in the immediate subject area has been slow to occur in recent years.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

As discussed in more detail in the Comparable Data Brochure, the national and local economy is slowly recovering from the recent recession. For the remainder of 2010, there are a number of factors which will slow the real estate market including a tightening of lending practices and the slowdown in the economy in general. New construction will be limited due to the lack of financing and lack of quality tenants. Vacancy will rise and rental rates will decrease.

U.S. VACANCY COMPARISON

Past 10 Quarters



Source: CoStar Property

In the short term, the immediate subject area will not see the growth and appreciation it has over the last several years. However, based on its positive market fundamentals, overall economic conditions are good for the long term.

The site is physically suited for secondary commercial, service, or light industrial development. Constructing a speculative building at this time is not ideal due to the current economic conditions. Based on the current conditions and projections, it would be most financially feasible to either hold the subject property for future development or develop the property with a build-to-suit and/or owner occupied building. As vacant, based on current market conditions, the subject tract should be held speculatively until it can be put to its highest and best use, which includes a variety of scenarios assuming the proper tenant and/or owner occupant.

Maximally Productive:

To provide the highest return to the land, the proper building improvements providing the optimum land-to-building ratio should be developed. This should allow for adequate ingress and egress to and from the property along with no excess land. Development for commercial use assuming the proper improvements and a proper land-to-building

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ratio would be the maximally productive use, as vacant. Constructing a speculative building at this time is not ideal due to the current economic conditions.

Therefore, based on the preceding discussion my opinion of the highest and best use of the property, as vacant and available for development, is to hold for secondary commercial, service, or light industrial utilization.

PARAGRAPH 22. VALUATION BEFORE THE ACQUISITION:

LAND VALUATION (BEFORE):

Land value is derived separately using the sales comparison approach and a minimum of three comparable sales. The South Carolina Department of Transportation requires that the Sales Comparison Approach be demonstrated for all improved properties unless unusual circumstances preclude its development or the improvements are determined to be unaffected by the acquisition. The Cost Approach shall be considered when the impacted improvements are less than ten years old, a special-use property, or when sufficient comparable sale or lease information is not available. The SCDOT requires application of the Income Approach on all investment and income-producing properties where existing improvements might be impacted by the project.

To value the subject land, the Sales Comparison Approach is used. A thorough search for sales activity in the immediate subject neighborhood and in nearby similar neighborhoods was completed to locate comparable land sales. Land sales have been selected for further analysis and direct comparison on the basis of similarities and location, physical characteristics, and other categories.

Three comparable sales have been identified and analyzed. A complete description of each comparable is provided in the Comparable Data Brochure. A Land Sales Map is attached in the *Addendum*. The land sales are summarized in the following chart.

LAND SALES SUMMARY CHART- BEFORE						
Tract 13						
Sale #	Name/Location	Sales Date	Use	Sales Price	Land Size (Ac./SF)	Sales Price/SF
14	1600 Farrow Parkway Myrtle Beach	12/12/2007	Retail Center	\$1,958,000	3.543 154,333	\$12.69
21	Socastee Blvd. Myrtle Beach	9/11/2008	Service Center	\$825,000	3.000 130,680	\$6.31
22	Highway 501 Myrtle Beach	1/15/2008	Service	\$825,000	2.230 97,139	\$8.49
ANALYSIS						
Low						\$6.31
High						\$12.69
Mean						\$9.16
Median						\$8.49

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**EXPLANATION OF ADJUSTMENTS:**

The following analysis outlines adjustments made for differences existing between the sales and the subject in an effort to determine what each property may have sold had it been identical to the subject in all respects. The analysis grid following the discussion summarizes the pertinent facts of each sale in the adjustment process. Due to lack of market data, in most cases adjustments in this appraisal are based on my judgment. The typical unit of comparison for the local market is the price per square foot.

Property Rights: Each of the sales included the Fee Simple Interest with no adjustments necessary.

Financing: Each sale is a cash or cash equivalent transaction indicating no adjustments for financing or cash equivalency.

Conditions of Sale: Each of the sales is an arm's length transaction with no adjustment necessary under this category.

Market Conditions: A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. Based on a paired data analysis, a +3% adjustment per year on average is appropriate with each of the sales having been adjusted accordingly. However, it should be noted that over the last several years there has been a slowing in the appreciation of unimproved tracts of land within the immediate and general area. Therefore, the sales are adjusted for market conditions up to October 2008.

Location: Efforts to show a market-extracted location adjustment based on paired data analysis were inconclusive. Therefore, adjustments for location are based on logical conclusions made by the appraiser when comparing the locations of the comparable sales to that of the subject. Based on this comparison, Sale 14 received a downward adjustment as it is in a superior location, in a more primary commercial area within the Withers Preserve development. Sale 21 received an upward adjustment, as its location on a secondary thoroughfare is inferior to the subject. Sale 22 has a similar location and no adjustment is necessary.

Size: Generally, larger tracts of land are transferred on a lower cost per unit basis than smaller tracts, all other factors being equal. Conversely, smaller tracts are generally transferred on a higher cost per unit basis than are larger tracts. The subject tract contains approximately 2.455 acres of land while the comparable sales used contain between 2.23

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

acres and 3.543 acres. Therefore, Sale 14 received an upward adjustment, as it is larger than the subject. Sales 21 and 22 are adequately comparable under this category and no adjustments are necessary.

Shape:

The shape of a tract of land can often dictate its development potential and hence its value. The shape of the subject, although irregular does not limit the use of the subject and is comparable to the three sales and no adjustments are necessary.

Topography:

The topographic features of a tract of land can often dictate its development potential and affect the overall cost of development. The subject property is at or near road grade and generally level. Each of the sales used has comparable topographic features and therefore no adjustments were necessary.

Zoning:

The zoning and/or other land use restrictions to a tract of land affect land value and therefore are considered in the appraisal. The subject property is zoned HC, Highway Commercial by Horry County. Each of the sales used has similar zoning restrictions and no adjustments are required.

**Access/Frontage
and Exposure:**

Adjustments are made for access/frontage and exposure based on a direct comparison between the comparable sales and the subject for these characteristics. The subject tract has adequate access, frontage, and exposure. However, the subject does not have direct access on to a major thoroughfare. Sales 14 and 21 have superior access, thus downward adjustments are necessary. Sale 22 has comparable access, frontage, and exposure features and therefore no adjustment is necessary.

The following chart shows the adjustments necessary for each of the comparable sales compared with the subject property.

File #: 26.036774A PIN #: 36774 Project #: HERR Tract #: 13

LAND SALES ADJUSTMENT CHART- BEFORE				
Tract 13				
Comparable No.	Subject	14	21	22
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Financing	Market	Market	Market	Market
Condition of Sale	Arms Length	Arms Length	Arms Length	Arms Length
Date Of Sale	-	12/12/2007	9/11/2008	1/15/2008
Sales Price	-	\$1,958,000	\$825,000	\$825,000
Location	Old Socastee	1600 Farrow	Socastee	Highway 501
City	Highway & Emory Road	Parkway	Blvd.	Myrtle Beach
Physical Characteristics:	Myrtle Beach	Myrtle Beach	Myrtle Beach	Myrtle Beach
Size; Acres	2.455	3.543	3.000	2.230
S.F.	106,940	154,333	130,680	97,139
Shape	Irregular	Irregular	Irregular	Irregular
Topography	Level	Level	Level	Level
Access/Frontage/Exposure	Average	Average	Average	Average
Other	-	-	-	-
Sales Price/SF		\$12.69	\$6.31	\$8.49
ADJUSTMENTS				
Property Rights		-	-	-
Financing		-	-	-
Conditions of Sale		-	-	-
Market Conditions		2.42%	0.16%	2.14%
Adjusted Price/SF		\$12.99	\$6.32	\$8.67
Location		-25%	25%	-
Physical Characteristics:				
Size		5%	-	-
Shape		-	-	-
Topography		-	-	-
Zoning		-	-	-
Access/Frontage/Exposure		-10%	-10%	-
Other		-	-	-
Total Adjustments		-30%	15%	0%
Final Adjusted Price / SF		\$9.10	\$7.27	\$8.67
ANALYSIS				
Low	\$7.27			
High	\$9.10			
Mean	\$8.35			
Median	\$8.67			

LAND VALUATION (BEFORE) CONCLUSION:

Prior to adjustments, the sales range from \$6.31 per square foot to \$12.69 per square foot. Adjustments deemed necessary were for market conditions, location, size, and access.

After all necessary adjustments, the sales indicate a range from \$7.27 per square foot to \$9.10 per square foot with a mean of \$8.35 per square foot and a median of \$8.67 per square foot.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

Sale 14 is in the immediate subject neighborhood. However, it is best suited for retail use, as opposed to the subject which is better suited for service use. Thus, Sale 14 is given least weight. Sale 21 is similar to the subject with the exception of an inferior location. Sale 22 is located on a similar roadway, with similar access, and was purchased for use as a printing business. Sale 22 is considered to be the most comparable and the strongest indicator of market value. Therefore, based on the preceding sales and analysis, it is my opinion that the subject land has a market value of \$8.50 per square foot prior to the acquisition.

The indicated market value of the subject is shown as follows:

106,940 SF	X	\$8.50 per SF	=	\$908,988
Rounded to:				\$909,000

PARAGRAPH 22-B. COST APPROACH TO VALUE (BEFORE):

Not Applicable

PARAGRAPH 22-C INCOME CAPITALIZATION APPROACH TO VALUE (BEFORE)

Not Applicable

PARAGRAPH 23. RESOLUTION OF BEFORE VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. The Sales Comparison Approach is a direct reflection of actions of buyers and sellers and is particularly relevant when recent sales of comparable properties are available. The opinion of value developed in this approach can be subjective when adjusting for variations and locational physical characteristics, but serves as a primary guide for buyers and sellers in setting the parameters for a potential transaction.

In this analysis, a number of land sales in the subject neighborhood and in nearby similar neighborhoods were available for comparison. Though there is subjectivity in the adjustment process, the Sales Comparison Approach and analysis is well supported in the appraisal based on qualitative adjustments and analysis.

Cost Approach – N/A

Income Approach – N/A

Therefore, based on the information contained in this report, the market value of the subject property as of the date of this report is \$909,000.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 24. DESCRIPTION OF THE ACQUISITION:**

The new right of way acquires 0.183 acres or 7,951 square feet of the subject property along the corner of Old Socastee Highway and Emory Road. There are no improvements within the acquisition.

PARAGRAPH 25. DESCRIPTION OF THE REMAINDER:

Prior to the acquisition, the subject contained 2.455 acres of land. The acquisition reduces the total land size to 2.272 acres. The subject condition "after" will be similar to the condition "before".

After the acquisition, there will be new controlled access along Highway 17 Bypass, thus closing the intersection with Emory Road and Highway 17 Bypass to the west of the subject. Access will now be from Old Socastee Road, which should not limit future development of the subject for light industrial, service, or secondary commercial uses common to the neighborhood.

The acquisition does not appear to significantly affect the property's shape, topography, frontage, or exposure. Based on the DOT elevation plans provided, it does not appear there is a significant change in road grade with Old Socastee Road and Emory Road after the acquisition. There is sufficient frontage to the north of the acquisition along Old Socastee Highway to support a driveway for future development. Additionally, there is sufficient frontage to the east of the acquisition along Emory Road to support a driveway for future development. The fee simple ownership interest is reduced, but the remaining land area is sufficient to support the highest and best use as "before" the acquisition.

PARAGRAPH 26. HIGHEST AND BEST USE (AFTER):**AS VACANT:**

The proposed road project requires a fee acquisition along the subject frontage with portions of Old Socastee Highway and Emory Road. The acquisition has minimal affect on the remainder as vacant. The property continues to possess sufficient size, shape, topography, access, and exposure to support development common to the neighborhood. In my opinion, the highest and best use of the land "after", as vacant, remains to hold for secondary commercial, service, or light industrial utilization.

AS IMPROVED:

Not Applicable

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 27. VALUE AFTER THE ACQUISITION:**

"After" values and conclusions are based upon plans provided by the SCDOT and the completion of the proposed road construction.

Consideration has been given to relevant aspects of the property affected by the acquisition for analysis and comparison to the subject's "before" condition and the comparable data.

LAND VALUATION (AFTER):

Based on the highest and best use "after", the opinion of value of the land per square foot does not change from the previous opinion of value "before". Therefore, the opinion of land value formed in the "before" value of \$8.50 per square foot is applied to the 98,989 square feet remaining "after" the acquisition.

LAND VALUATION (AFTER) CONCLUSION:

The indicated market value of the subject is shown as follows:

98,989 Square Feet	X	\$ 8.50 per SF	=	\$ 841,407
Rounded to:				\$ 841,000

PARAGRAPH 28. RESOLUTION OF AFTER VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. As discussed, there was no change in the value per acre due the acquisition.

Cost Approach – N/A

Income Approach – N/A

Therefore, based on the information contained in this report, the opinion of market value of the subject property after the acquisition is \$841,000.

PARAGRAPH 29. UNECONOMIC REMAINDER:

Not applicable.

File #: 26.036774A

PIN #: 36774

Project #: HERR

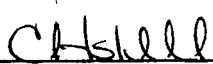
Tract #: 13

DISTRIBUTION OF VALUES

(30)	Value Components:	Before (Paragraph 22)	After (Paragraph 27)	Difference
	Land Value:	\$909,000	\$841,000	\$68,000
	Building Value:	\$0	\$0	\$0
	Site Improvements:	\$0	\$0	\$0
	TOTAL:	\$909,000	\$841,000	\$68,000

(31)	Value Components of the Acquisition:			
	Right of Way Acquired:			
	Land:	7,951.00	sf @:	\$8.50
				\$68,000
	Value of Buildings within the Acquisition Area:			\$0
	Value of Site Improvements within the Acquisition Area:			\$0
	Total for the Acquisition:			\$68,000
	plus Damages (if any to the remainder)			\$0
	less Benefits (if any to the remainder)			
	Total for the Acquisition (Right of way, plus damages, less benefits):			\$68,000

(32)	Final Statement of Value:		
	a)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property before the acquisition is:	\$909,000
	b)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property after the acquisition is:	\$841,000
	c)	The difference between the indicated value of the property before the acquisition, and the indicated value of the remainder, after the acquisition is:	\$68,000

(33)	The appraisal is made as of:	April 8, 2010
	Date of Report:	April 28, 2010
		
	S.C. Certified General Real Estate Appraiser CG 296	

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

General Assumptions - This appraisal has been completed and the appraisal report prepared with the following **general assumptions**:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. The titles to the property are assumed to be good and marketable unless otherwise stated. Any plats, maps, or photographs in this appraisal are used merely to help the reader visualize the property and its surroundings and are not certified to be accurate.
2. Any liens or encumbrances (except for any lease encumbrance that might be referred to in the appraisal) which may exist have been disregarded, and the property has been appraised as though no delinquency in the payment of general taxes or special assessment exists and as though free of indebtedness.
3. It is assumed that the utilization of the land and improvements are within the boundaries of the lines of the property described and that there is no encroachment or trespass unless noted in the report. No survey of the subject property was made or caused to be made by us, and no responsibility is assumed for the occurrence of such matters.
4. A visual inspection of the subject site was made and all engineering is assumed to be correct. The plot plan and illustrative materials in this report are included only to assist the reader in visualizing the property and to show the reader the relationship of its boundaries. The appraiser is not a construction engineer and is not responsible for structural or cosmetic inadequacies associated with any of the improvements unless otherwise noted in the report.
5. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them. The soil for the area under appraisal appears to be firm and solid, unless otherwise stated. Subsidence in the area is unknown or uncommon; and the appraiser(s) does not warrant against this condition or occurrence.
6. Subsurface rights (minerals and oil) were not considered in this appraisal unless otherwise stated. In addition, no potential timber value was considered.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**General Assumptions Continued**

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. Unless otherwise stated in this report, the appraiser did not observe the existence of hazardous materials or gases, which may or may not be present on the property. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is 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 is predicated on the assumption that there are no such materials on or in the property, which 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.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming use has been stated, defined, and considered in the appraisal report.
9. It is assumed that all required licenses, certifications of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value contained in this report is based.
10. This appraisal assumes water and sewer services will always be provided for the subject.
11. Responsible ownership and competent property management are assumed.
12. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I (we) have not made a specific compliance survey and an analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact on the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider

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non-compliance with the requirements of ADA in determining the value of the property.

13. There is currently a good deal of discussion regarding the potential hazards of Electro-Magnetic Fields and the possible health risk of being located near high voltage transmission lines. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not there are potentially hazardous effects from EMF's. It is possible that a compliance survey of the property together with a detailed analysis could reveal that there is EMF levels, which are above a safe level. If so, this fact could have a negative impact on the value of the subject property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider EMF levels in determining the value for the property.
14. At the store managers request no pictures were allowed. Additionally access to storage areas, office, or coolers was not allowed. This appraisal assumes average condition for these areas.

General Limiting Conditions – This appraisal has been completed and the appraisal report has been prepared with the following **general limiting conditions**.

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used. The opinions of value provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value, unless such proration or division or interests has been set forth in this report.
2. Neither possession of this appraisal or copy thereof carries with it the right to publication, nor may it be used for any purpose by anyone but the applicant without previous consent of the appraiser(s).
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially as to value, the identity of the appraiser, or the firm with which the appraiser is associated) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

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General Limiting Conditions Continued

5. Information, estimates, and opinions contained in this report are obtained from sources considered reliable, however the appraiser assumes no liability for such sources.
6. The information supplied to the appraiser is considered to be accurate. The information supplied by the client has been accepted without further verification as correctly reflecting the property's current condition unless otherwise noted.
7. The various opinions of value presented in this report apply to this appraisal only and may not be used out of the context presented herein. This appraisal is valid only for the appraisal date or dates specified herein and only for the appraisal purpose specified herein.

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CERTIFICATE OF APPRAISER

I Hereby certify:

That I have personally inspected the property herein and that I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making the appraisal were as represented in the comparable data brochure which supplements this appraisal. That Wadley R. Glenn, III, MAI provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief the statements contained in the appraisal herein set forth are true, and information upon which the opinions expressed therein are based is correct: subject to the limiting conditions therein set forth.

That I understand that such appraisal may be used in connection with acquisition of right of way for a highway to be constructed by the State of South Carolina with the assistance of Federal-aid highway funds, or other Federal Funds.

That such appraisal has been made in conformity with the appropriate State and Federal laws regulations, policies and procedures applicable to that appraisal of right of way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items, which are non-compensable under the established law of South Carolina.

That neither my employment nor my compensation for preparing this appraisal report is in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the South Carolina Department of Transportation or officials of the Federal Highway Administration and I will not do so until so authorized by the State officials or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That the owner or his designated representative was given the opportunity to accompany me during my inspection of the property.

That any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement for which such property is being acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration with in the reasonable control of the owner, has been disregarded in determining the compensation for the property.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Code of Professional Ethics and the Standards of Professional 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.

I have not appraised the subject previously within the last three years.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

That my opinion of the fair market value of the acquisition as of April 8, 2010 is \$68,000 based upon my independent appraisal and the exercise of my professional judgment.

As of the date of this report, I have completed the requirements for continuing education as set forth by the Uniform Standards of Professional Appraisal Practice.

As of the date of this report, H. Corbin Haskell, MAI has completed the continuing education program of the Appraisal Institute.

Date: April 28, 2010


H. Corbin Haskell, MAI
State Certified General Real Estate Appraiser
#296

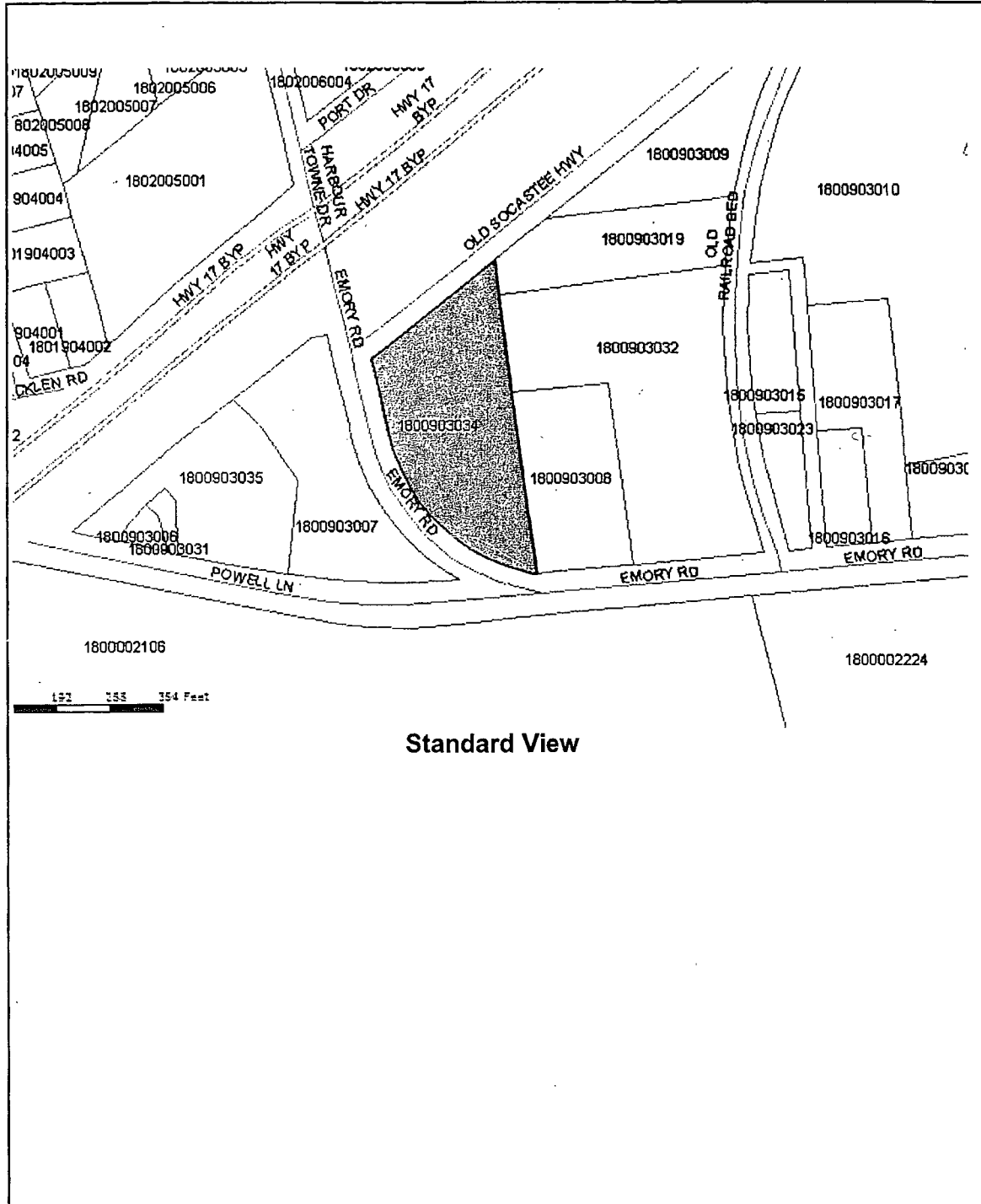
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ADDENDUM

File: 26.036774A	Project No.: HERR	PIN: 36774
Road/Route: US 17 Bypass and SC 707/Farrow Pkwy Interchange		County: Horry

TAX MAP

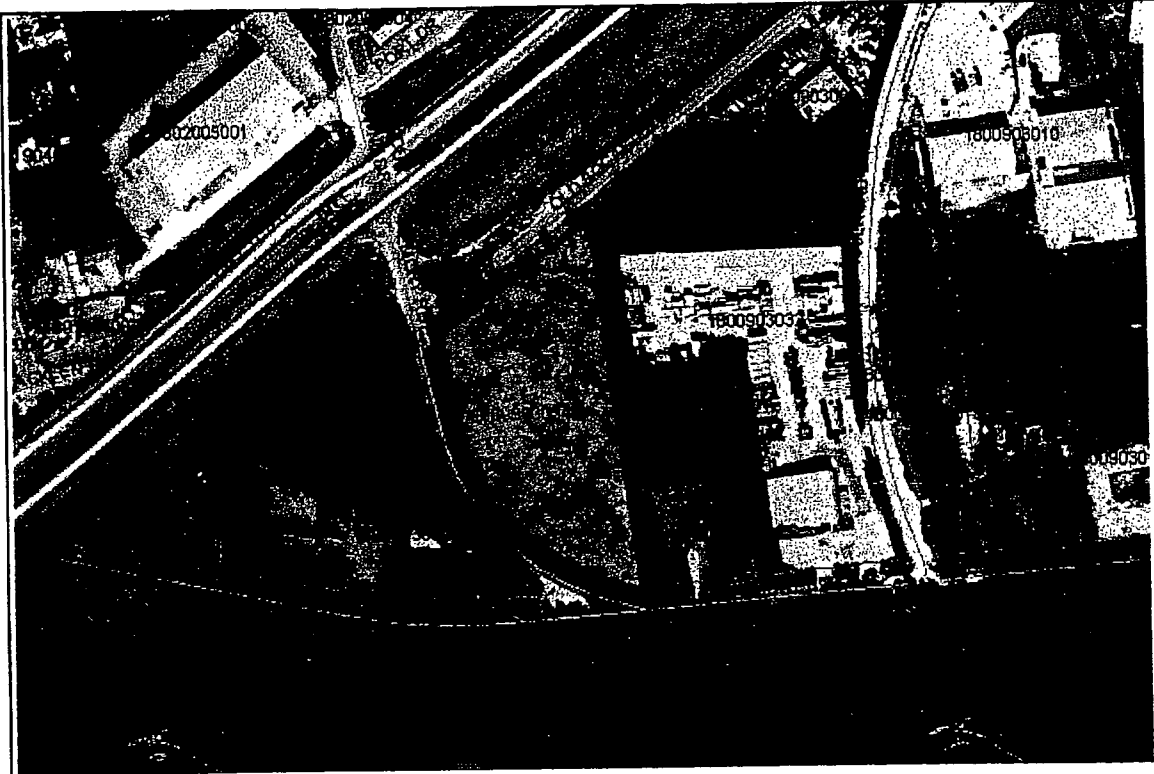
Tax Map Number: 180-09-03-034



Standard View

ROA-428

File: 26.036774A	Project No.: HRR	PIN: 36774
Road/Route: US 17 Bypass and SC 707/Farrow Pkwy Interchange	County: Horry	



Aerial View

File: 26.036774A

Project No.: HORR

PIN: 36774

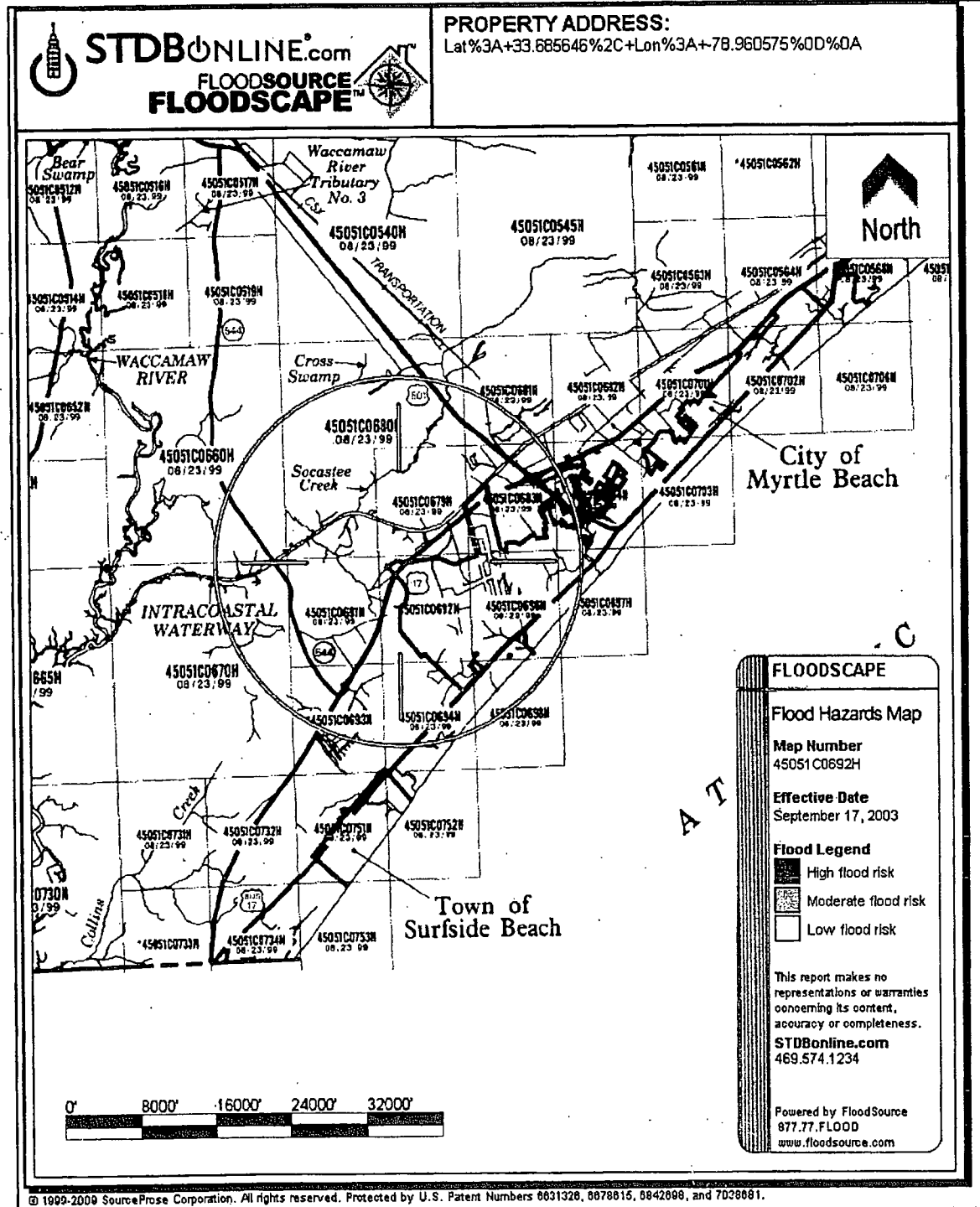
Road/Route: US 17 Bypass and SC 707/Farrow Pkwy
Interchange

County: Horry

FEMA FLOOD MAP

Flood Panel: 45051C0692H

Date: September 17, 2003



ROA-430

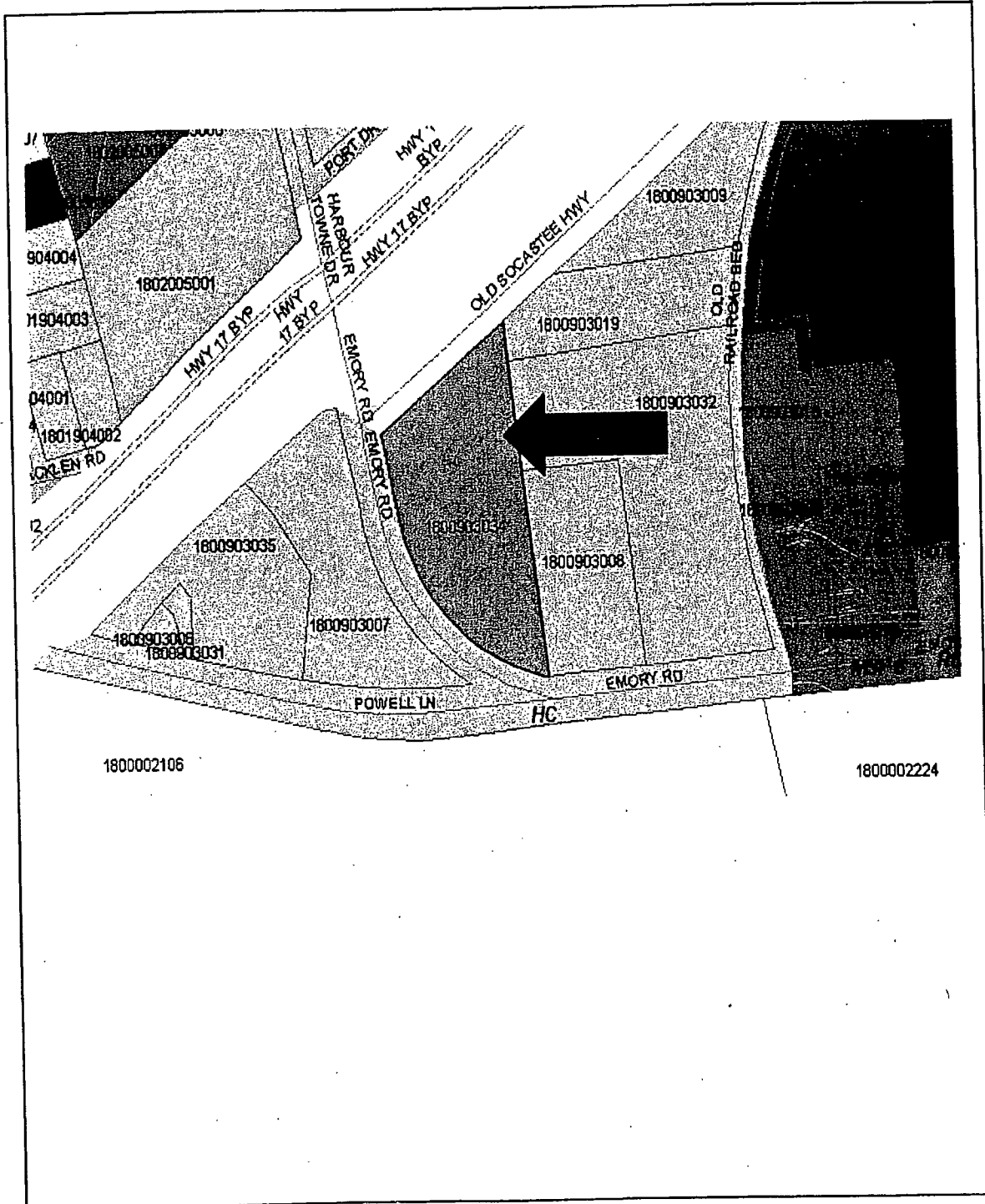
Right of Way Section

SCDOT

File: 26.036774A	Project No.: HRR	PIN: 36774
Road/Route: US 17 Bypass and SC 707/Farrow Pkwy Interchange	County: Horry	

ZONING MAP

Zoning Classification: H-C, Highway Commercial



ROA-431

Right of Way Section

SCDOT

File: 26.036774A

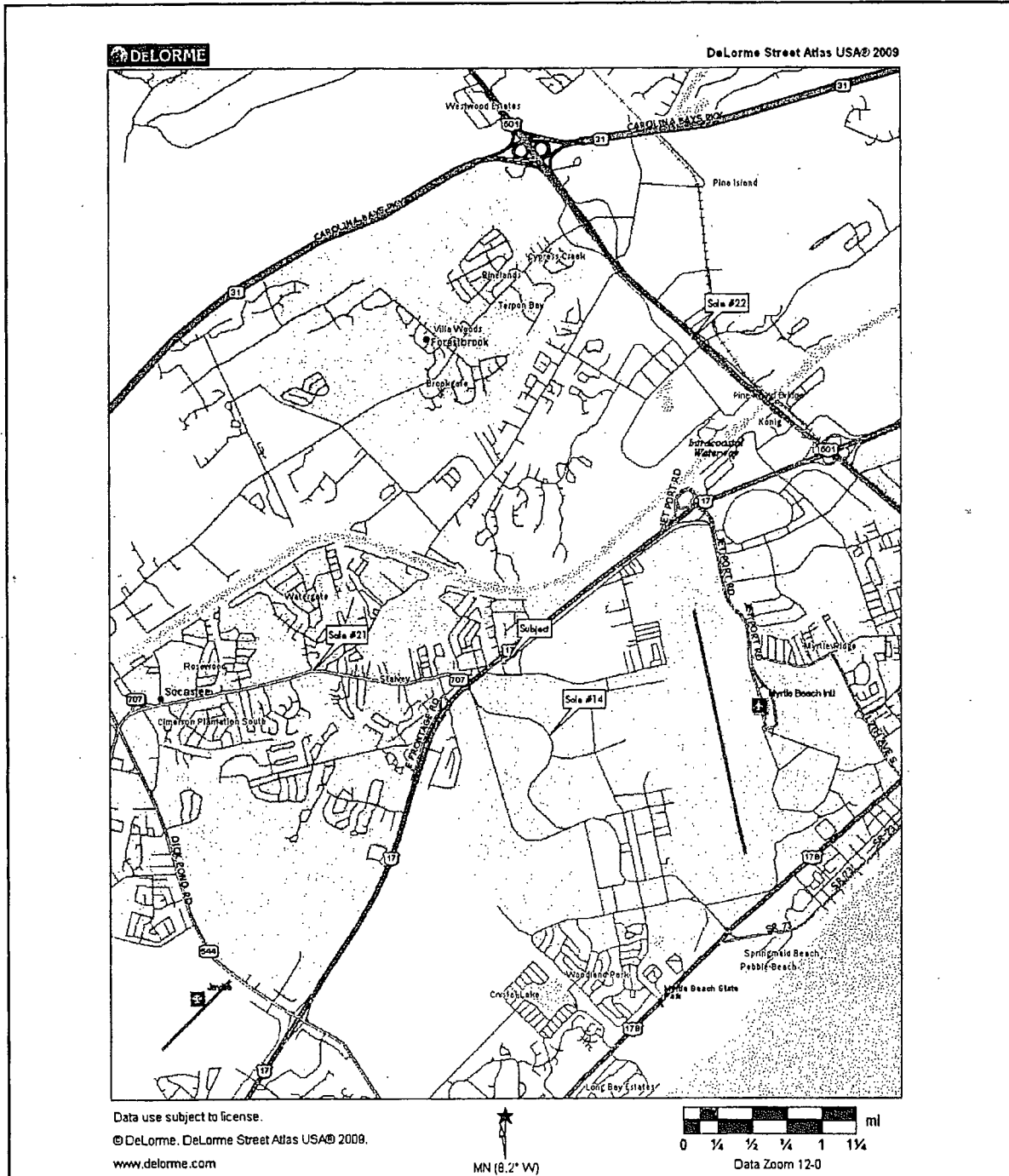
Project No.: HORR

PIN: 36774

Road/Route: US 17 BYPASS AND SC 707/FARROW PKWY

County: HORRY

COMPARABLE LAND SALES LOCATION MAP



ROA-432

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

COMPLETE APPRAISAL – SUMMARY REPORT

- (1) Tract Location: NE corner of Old Socastee Highway & Emory Road
 Property Owner: David Franklin Powell
 Address: 3190 Emory Road, Myrtle Beach, SC 29577



Front View of Subject Property

PREPARED FOR:

South Carolina Department of Transportation

- (2) During the inspection the owner was contacted by telephone and invited to be present during inspection of this property. The tract was inspected on 12/8/2009 and I was accompanied by property owner. The property was reinspected 04/08/2010 and again 4/18/2011.

Required by Sec. 301(2) of Uniform Act.

Explain: An onsite inspection was made. The property was re-inspected 4/18/2011. This appraisal is retrospective as of the date of condemnation or 9/27/10.

PREPARED BY:

- 3) Inspecting Appraiser: H. Corbin Haskell, MAI
 S.C. State Certified General R/E CG 296
 Firm Name: Robinson Company of Greenville, Inc.

File #: 26.036774A PIN #: 36774 Project #: HERR Tract #: 13

APPRAISAL SUMMARY

- (4) Property Owner: David Franklin Powell
 Tract Location: NE corner of Old Socastee Highway & Emory Road
 Date of Appraisal: 5/11/2011 Date of Value: 9/27/2010

(5) DESCRIPTION	BEFORE	AFTER
Present Use:	Vacant Land	Vacant Land
Number of Buildings:	N/A	N/A
Primary Improvement Size:	N/A	N/A
Building Setback (Feet)	N/A	N/A
# of Feet Building is Above (+), at (0), or Below (-) Road Grade:	N/A	N/A
# Parking Spaces:	N/A	N/A
Corner Influence:	Yes	Yes
Primary Frontage (Linear Feet):	+/-310' Old Socastee Highway +/-530' Emory Road	+/-155' Old Socastee Highway +/-260' New Transitional Right of Way +/-385' Emory Road
Total Frontage(s) (Linear Feet):	840'	800'
Ingress/Egress: Primary Road Secondary Road(s)	Old Socastee Highway- Full Access Emory Road - Full Access	Old Socastee Highway- Full Access Emory Road - Full Access
Zoning Conformity:	Conforming	Conforming

(6) Site Size (SF):	106,940	98,989
Site Size (Ac.):	2.455	2.272
Present or Intended Use of Site:	Vacant Land	Vacant Land
Shape:	Irregular	Irregular
Size of Acquisition:	0.183 Acres or 7,951 SF	

(7) HIGHEST AND BEST USE		
As Vacant:	Light Industrial/Secondary Commercial/Service	Light Industrial/Secondary Commercial/Service
As Improved:	N/A	N/A

(8) Annual Market Rent per SF:	N/A	N/A
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File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

(9)

VALUE INDICATIONS		
Land Value:	\$ 936,000	\$ 866,000
Sales Comparison Approach:	N/A	N/A
Cost Approach:	N/A	N/A
Income Approach:	N/A	N/A
Final Value Indications:	\$ 936,000	\$ 866,000

(10)

Value of Acquisition:	\$ 70,000
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File #: 26.036774A PIN #: 36774 Project #: HERR Tract #: 13

APPRAISAL DETAILS AND REQUIREMENTS

- (11) PROPERTY RIGHTS APPRAISED: Fee Simple
- (12) PURPOSE OF THE APPRAISAL: To determine the difference in the retrospective market value of this property caused by the acquisition of the right of way for the proposed construction of this project as of the date of condemnation 9/27/2010.
- (13) INTENDED USE: To assist the South Carolina Department of Transportation in negotiations with the property owner concerning an eminent domain acquisition.

Market value is defined as "The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

SOURCE: The Appraisal Institute, The Dictionary of Real Estate Appraisal, 4th Edition

- (14) EXPOSURE TIME: 12-18 Months

- (15) FIVE-YEAR SALE HISTORY:

Date	Sale Price	Deed Reference
2/21/2006	N/A	3052/114
Comments: Deed of distribution. No other known transactions involving the subject have occurred within the last five years.		

- (16) CURRENT LISTING:

N/A

- PENDING CONTRACT:

N/A

- (17) ASSESSMENT AND TAXES:

Tax Parcel ID #: 180-09-03-034

Tax Year: 2010

Fair Market Value: \$ 219,200

Total Assessed Value: \$ 13,152

Real Estate Taxes: \$ 2,614.04

- (18) CURRENT ZONING ANALYSIS:

District: HC, Highway Commercial Current Conformity: Conforming

MINIMUM REQUIREMENTS:

Front Setback: 50'

Rear Setback: 15'

Side Setback: 10'

Width: 60'

Building Height: 120'

Parking Spaces: Varies by use

Road Frontage: N/A

Maximum Building Size: N/A

Minimum Lot Size: 10,000 SF- Commercial Use & 6,000 SF Residential Use

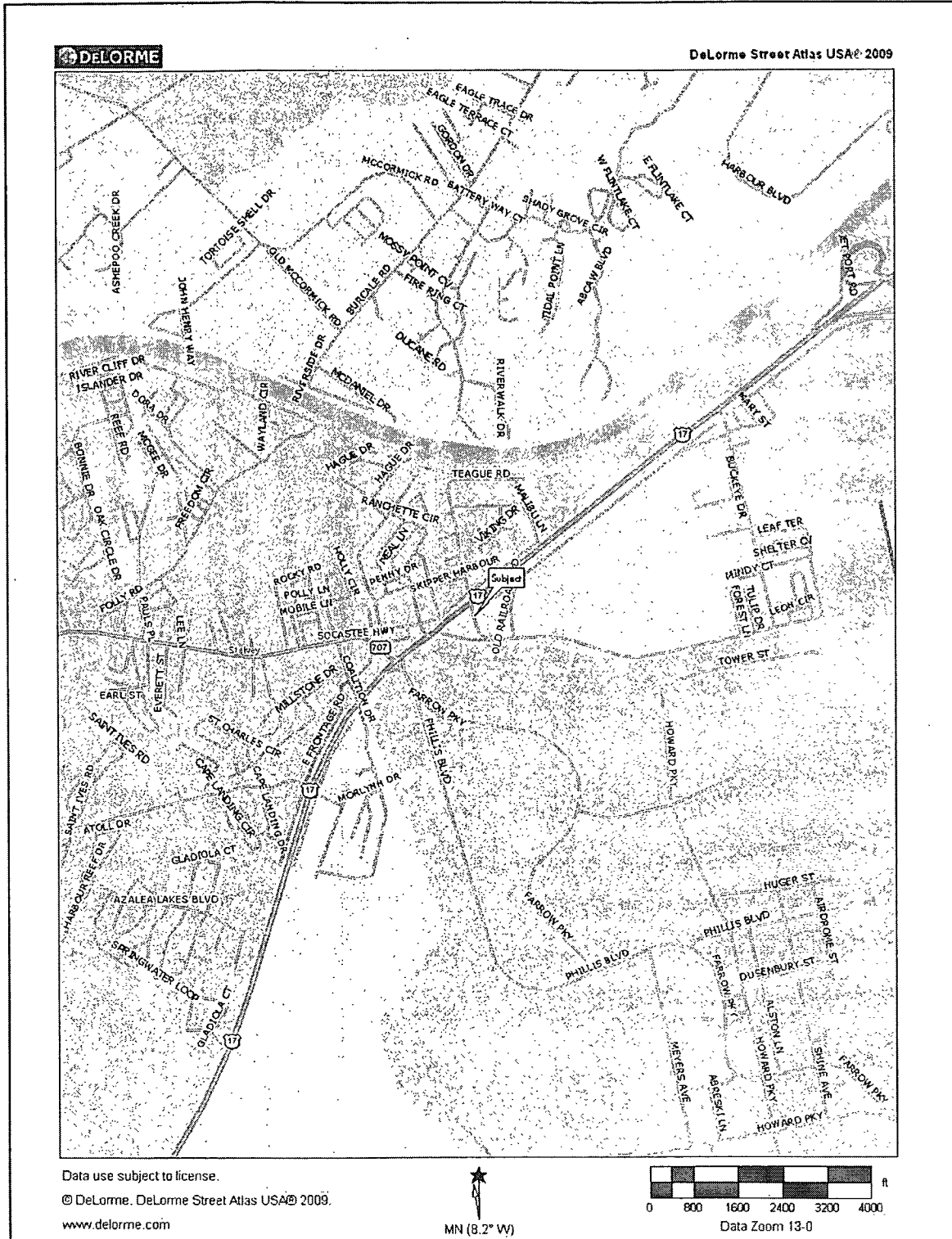
File #: 26.036774A

PIN #: 36774

Project #: HÖRR

Tract #: 13

SUBJECT LOCATION MAP

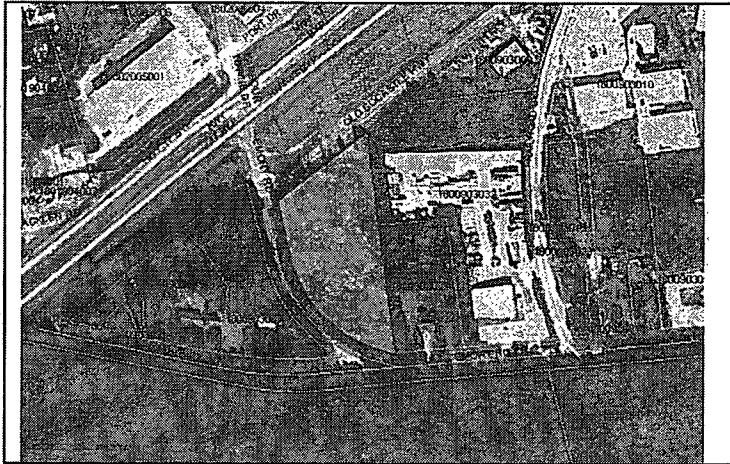


File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (1-3)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

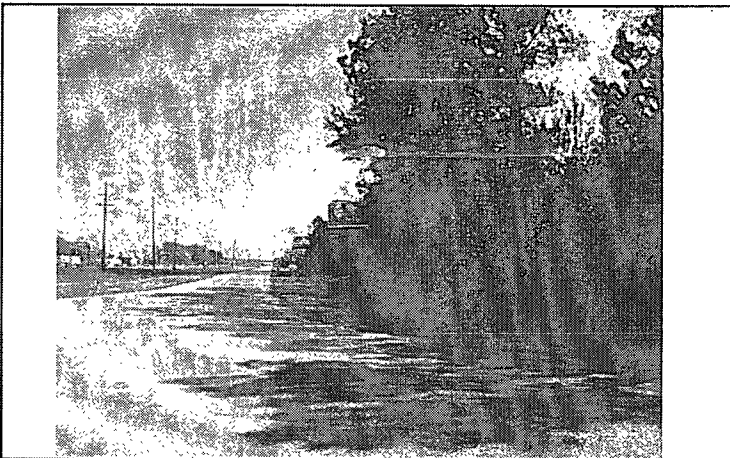
Aerial view of subject



NE corner of Old Socastee Highway and Emory Road, subject on the left



Old Socastee Highway facing northeast, subject on the right



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (4-6)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

Old Socastee Highway facing south, subject on the left



Emory Road facing southeast, subject on the left



Emory Road facing northwest, subject on the right

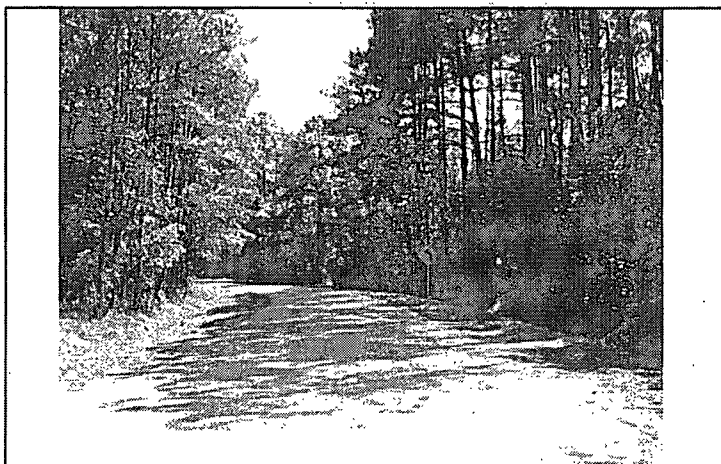


File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (7-9)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
 Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

Emory Road facing southeast
near rear property line, subject
on the left



Approximate location of the
acquisition



Billboard on site, not impacted
by acquisition



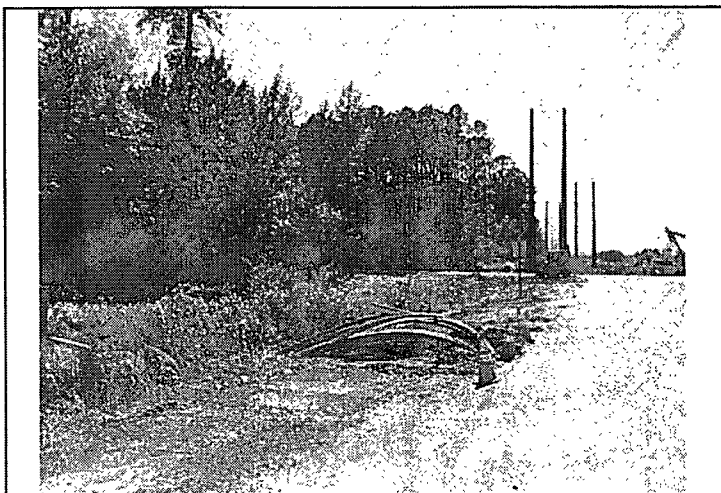
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (10)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC

Photos Taken By: Corbin Haskell Date of Photos: 4/18/2011

Approximate location of
acquisition on Old Socastee
Highway, facing south.



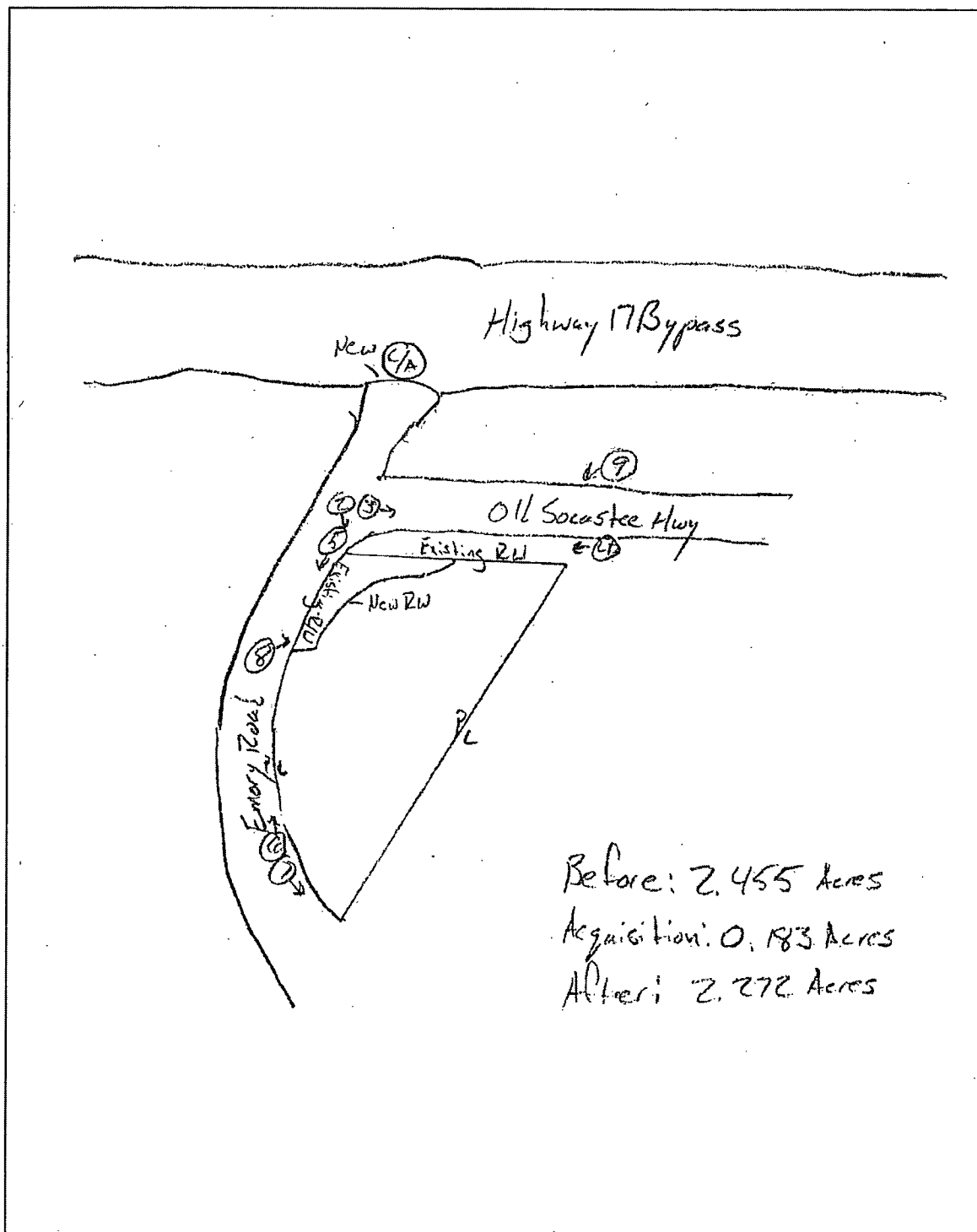
File #: 26.036774A

PIN #: 36774

Project #: HERR

Tract #: 13

SUBJECT PLAT\SKETCH



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 19. SCOPE OF WORK:**

In preparing this appraisal, the *scope of the appraisal* included, but was not limited to the following:

- 1) A physical inspection of the subject property.
- 2) A search of public records to gather sales data and other comparable information.
- 3) Verifying all data by public affidavit or by grantor/grantee, or a representative to the sale.
- 4) Determining the highest and best use of the subject property.
- 5) Applying all relevant approaches to value. As the appraisal is of vacant land, the only relevant approach is the Sales Comparison Approach.

The general scope started with a review of the area economic data and demographics in order to determine the health of the local economy and identify trends in the local trade area while analyzing the corresponding effects on the real estate market. A study of the subject neighborhood also known as the sub-market was also completed in order to determine local trends and the competitive standing of the subject within the sub-market. The sub-market is defined as the Grand Strand area of Horry County.

An on site inspection of the property was made on November 28, 2009, April 8, 2010 and most recently on April 18, 2011. The retrospective market value of the subject is as of the date of condemnation or September 27, 2010. The property description relies on the DOT survey provided to the appraisers, an on site inspection, and Horry County public records. Other data available through the local county tax assessor and mapping department were also researched.

Data considered most relevant are outlined in this report. Acquisition and confirmation of these data included a search of public records, MLS data, CoStar, and local information obtained from local appraisers and brokers, and discussions with people active in the local and regional real estate markets. The investigative process further includes ongoing discussions with developers, appraisers, and brokers of property with regard to development costs, return objectives, market activity, and marketing time. Publications relevant to the real estate market were consulted for information on market activity, expense ratios, capitalization rates, discount rates, and other information. Improved sales and rentals of comparable facilities were researched and analyzed.

The conclusions have been reported in a SCDOT Standard format in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP).

The subject property will be impacted by the reconfiguration of the interchange of Highway 707 and Highway 17 Bypass. No other specific abnormal appraisal problems arose during the appraisal. Adequate data was available to complete the analysis.

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PARAGRAPH 20-A.

DESCRIPTION OF REALTY (BEFORE):

SITE DESCRIPTION

Present Use	Vacant land
Site Size	2.455 acres or 106,940square feet. It is recommended that a qualified surveyor inspect the subject for existing property lines and easements that are unable to be detected by the appraiser(s).
Curb and Gutters	None
Sidewalk	No
# of Lanes	2 lanes- Old Socastee Highway 2 lanes- Emory Road
Traffic Level	Low- Old Socastee Highway Low- Emory Road
Traffic Control	None
Shape	Irregular
Ingress/Egress	The subject has frontage and access along Old Socastee Highway and Emory Road. The subject has exposure from Highway 17 Bypass, but has no direct ingress/egress.
Access to the Improvements	N/A
Frontage	+/-310' Old Socastee Highway +/-530' Emory Road
Grade at Road Level	At or near road grade
Visibility/Exposure	Average
Topography	Level
Drainage	Adequate
Flood Plain:	
Map Number	45051C0692H (See Flood Map in Addendum)
Date	9/17/2003
Zone	X
Landscaping	Average
Utilities	
Water	Yes
Sewer	Yes
Electricity	Yes
Natural Gas	Yes
Telephone	Yes

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Zoning	
Designation	HC, Highway Commercial (Horry County)
Uses Allowed	"It is the intent of this section that the Highway Commercial District be established and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district." A wide variety of retail and commercial uses are allowed. Single-family homes are also allowed.
Easements/ Encroachments	Based upon my inspection and examination of the subject site, as well as my review of plats and deeds of the property, I did not detect adverse easements other than normal utility easements and rights of way. These are not believed to have a detrimental impact on property value. It should be noted that I am not qualified to detect easements and encroachments and legal counsel should be retained if there are any indications of title defects.
Environmental	I am unaware of potential environmental hazards on the property. Environmental aspects of the subject property are beyond my expertise. If necessary, I recommend a professional in environmental expertise be retained.
Comments	Subject appears to be a conforming use as vacant.
Personal Property, FF&E, etc. (Included in the opinion of value)	None noted
Relocation Items (Not included in the opinion of value)	None noted

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 20-B. DESCRIPTION OF REALTY (BEFORE):****IMPROVEMENT DESCRIPTION**

There is a billboard located on the subject property near the northern property line along Old Socastee Highway. The billboard does not appear to be impacted by the road project.

PARAGRAPH 21. HIGHEST AND BEST USE (BEFORE):

Highest and Best Use is defined in The Appraisal of Real Estate – 13th Edition as, "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value."

AS VACANT:***Physically Possible:***

The subject site contains approximately 2.455 acres. The site is at or near road grade and generally level. The property is located along two secondary thoroughfares with adequate access. The subject has exposure from but does not have direct access to Highway 17 Bypass. This is fairly common to the neighborhood and does not limit the use of the subject for secondary commercial, service, or light industrial uses common to the neighborhood. All utilities are directly available to the site. As vacant, a variety of uses, including nearly all uses common to the neighborhood are physically possible for the subject.

Legally Permissible:

As to the legally permissible uses, the subject property is zoned "HC", Highway Commercial District. According to the Horry County Zoning Ordinance, a wide variety of commercial uses as well as residential uses are legally permissible as vacant.

Financially Feasible:

The subject property is located along an established commercial corridor north of the intersection of Highway 17 Bypass and Highway 707. Land uses around this intersection include but are not limited to fast food, convenience stores, banks, restaurants, retail strip centers, self-storage, pharmacy, and other retail operations. However, moving north of the intersection land uses become more secondary commercial, service, and light industrial in nature. Properties along Old Socastee Highway are developed with a variety of established, small light industrial or service buildings. Development to the rear consists of established residential uses. The subject also benefits from its proximity to the newly developed Withers Preserve and to Market Common. However, new development in the immediate subject area has been slow to occur in recent years.

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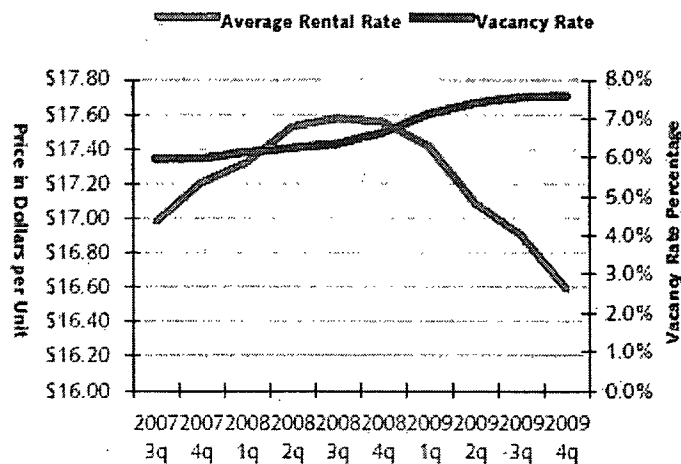
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As discussed in more detail in the Comparable Data Brochure, the national and local economy is slowly recovering from the recent recession. For the remainder of 2010, there are a number of factors which will slow the real estate market including a tightening of lending practices and the slowdown in the economy in general. New construction will be limited due to the lack of financing and lack of quality tenants. Vacancy will rise and rental rates will decrease.

U.S. VACANCY COMPARISON

Past 10 Quarters



Source: CoStar Property

In the short term, the immediate subject area will not see the growth and appreciation it has over the last several years. However, based on its positive market fundamentals, overall economic conditions are good for the long term.

The site is physically suited for secondary commercial, service, or light industrial development. Constructing a speculative building at this time is not ideal due to the current economic conditions. Based on the current conditions and projections, it would be most financially feasible to either hold the subject property for future development or develop the property with a build-to-suit and/or owner occupied building. As vacant, based on current market conditions, the subject tract should be held speculatively until it can be put to its highest and best use, which includes a variety of scenarios assuming the proper tenant and/or owner occupant.

Maximally Productive:

To provide the highest return to the land, the proper building improvements providing the optimum land-to-building ratio should be developed. This should allow for adequate ingress and egress to and from the property along with no excess land. Development for commercial use assuming the proper improvements and a proper land-to-building

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ratio would be the maximally productive use, as vacant. Constructing a speculative building at this time is not ideal due to the current economic conditions.

Therefore, based on the preceding discussion my opinion of the highest and best use of the property, as vacant and available for development, is to hold for secondary commercial, service, or light industrial utilization.

PARAGRAPH 22. VALUATION BEFORE THE ACQUISITION:

LAND VALUATION (BEFORE):

Land value is derived separately using the sales comparison approach and a minimum of three comparable sales. The South Carolina Department of Transportation requires that the Sales Comparison Approach be demonstrated for all improved properties unless unusual circumstances preclude its development or the improvements are determined to be unaffected by the acquisition. The Cost Approach shall be considered when the impacted improvements are less than ten years old, a special-use property, or when sufficient comparable sale or lease information is not available. The SCDOT requires application of the Income Approach on all investment and income-producing properties where existing improvements might be impacted by the project.

To value the subject land, the Sales Comparison Approach is used. A thorough search for sales activity in the immediate subject neighborhood and in nearby similar neighborhoods was completed to locate comparable land sales. Land sales have been selected for further analysis and direct comparison on the basis of similarities and location, physical characteristics, and other categories.

Five comparable sales have been identified and analyzed. A complete description of each comparable is provided in the Comparable Data Brochure. A Land Sales Map is attached in the *Addendum*. The land sales are summarized in the following chart.

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LAND SALES SUMMARY CHART- BEFORE*Tract 13*

Sale #	Name/Location	Sales Date	Use	Sales Price	Land Size (Ac./SF)	Sales Price/SF
14	1600 Farrow Parkway Myrtle Beach	12/12/2007	Retail Center	\$1,958,000	3.543 154,333	\$12.69
21	Socastee Blvd. Myrtle Beach	9/11/2008	Service Center	\$825,000	3.000 130,680	\$6.31
22	Highway 501 Myrtle Beach	1/15/2008	Service	\$825,000	2.230 97,139	\$8.49
23	Highway 501 Myrtle Beach	7/16/2010	Vacant	\$495,000	1.260 54,886	\$9.02
25	Mr. Joe White Blvd Myrtle Beach	8/17/2010	Vacant	\$500,000	1.200 52,272	\$9.57

ANALYSIS

Low	\$6.31
High	\$12.69
Mean	\$9.22
Median	\$9.02

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EXPLANATION OF ADJUSTMENTS:

The following analysis outlines adjustments made for differences existing between the sales and the subject in an effort to determine what each property may have sold had it been identical to the subject in all respects. The analysis grid following the discussion summarizes the pertinent facts of each sale in the adjustment process. Due to lack of market data, in most cases adjustments in this appraisal are based on my judgment. The typical unit of comparison for the local market is the price per square foot.

Property Rights: Each of the sales included the Fee Simple Interest with no adjustments necessary.

Financing: Each sale is a cash or cash equivalent transaction indicating no adjustments for financing or cash equivalency.

Conditions of Sale: Each of the sales is an arm's length transaction with no adjustment necessary under this category.

Market Conditions: A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. Based on the recent economic downturn and recession, there has been no measurable appreciation in tracts of land within the last 36 months. Thus, no adjustments are necessary.

Location: Efforts to show a market-extracted location adjustment based on paired data analysis were inconclusive. Therefore, adjustments for location are based on logical conclusions made by the appraiser when comparing the locations of the comparable sales to that of the subject. Based on this comparison, Sale 14 received a downward adjustment as it is in a superior location, in a more primary commercial area within the Withers Preserve development. Sale 21 received an upward adjustment, as its location on a secondary thoroughfare is inferior to the subject. Sale 22 has a similar location and no adjustment is necessary. Sales 23 and 24 have slightly inferior locations on less traveled thoroughfares and small upward adjustments are reasonable.

Size: Generally, larger tracts of land are transferred on a lower cost per unit basis than smaller tracts, all other factors being equal. Conversely, smaller tracts are generally transferred on a higher cost per unit basis than are larger tracts. The

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subject tract contains approximately 2.455 acres of land while the comparable sales used contain between 1.2 acres and 3.543 acres. Therefore, Sale 14 received an upward adjustment, as it is larger than the subject. Sales 21 and 22 are adequately comparable under this category and no adjustments are necessary. Sales 23 and 25 are smaller and downward adjustments are reasonable.

Shape:

The shape of a tract of land can often dictate its development potential and hence its value. The shape of the subject although irregular does not limit the use of the subject and is comparable to the comparable sales and no adjustments are necessary.

Topography:

The topographic features of a tract of land can often dictate its development potential and affect the overall cost of development. The subject property is at or near road grade and generally level. Each of the sales used has comparable topographic features and therefore no adjustments were necessary.

Zoning:

The zoning and/or other land use restrictions to a tract of land affect land value and therefore are considered in the appraisal. The subject property is zoned HC, Highway Commercial by Horry County. Each of the sales used has similar zoning restrictions and no adjustments are required.

**Access/Frontage
and Exposure:**

Adjustments are made for access/frontage and exposure based on a direct comparison between the comparable sales and the subject for these characteristics. The subject tract has adequate frontage and exposure. However, the subject does not have direct access on to a major thoroughfare. Sales 14 and 21 have superior access, thus downward adjustments are necessary. The remaining sales have fairly comparable access, frontage, and exposure features and therefore no adjustments are necessary.

The following chart shows the adjustments necessary for each of the comparable sales compared with the subject property.

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LAND SALES ADJUSTMENT CHART - BEFORE						
Tract 13						
Comparable No.	Subject	14	21	22	23	25
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Financing	Market	Market	Market	Market	Market	Market
Condition of Sale	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length
Date Of Sale	-	12/12/2007	9/11/2008	1/15/2008	7/16/2010	8/17/2010
Sales Price	-	\$1,958,000	\$825,000	\$825,000	\$495,000	\$500,000
Location	Old Socastee Highway & Emory Road	1600 Farrow Parkway	Socastee Blvd.	Highway 501	Hwy 501	Mr. Joe White Blvd
City	Myrtle Beach	Myrtle Beach	Myrtle Beach	Myrtle Beach	Myrtle Beach	Myrtle Beach
Physical Characteristics:						
Size; Acres	2.455	3.543	3.000	2.230	1.260	1.200
S.F.	106,940	154,333	130,680	97,139	54,886	52,272
Shape	Irregular	Irregular	Irregular	Irregular	Regular	Regular
Topography	Level	Level	Level	Level	Level	Level
Access/Frontage/Exposure	Average	Average	Average	Average	Average	Average
Other	-	-	-	-	-	-
Sales Price/SF		\$12.69	\$6.31	\$8.49	\$9.02	\$9.57
ADJUSTMENTS						
Property Rights		-	-	-	-	-
Financing		-	-	-	-	-
Conditions of Sale		-	-	-	-	-
Market Conditions		0.00%	0.00%	0.00%	0.00%	0.00%
Adjusted Price/SF		\$12.69	\$6.31	\$8.49	\$9.02	\$9.57
Location		-25%	25%	-	5%	5%
Physical Characteristics:						
Size		5%	-	-	-10%	-10%
Shape		-	-	-	-	-
Topography		-	-	-	-	-
Zoning		-	-	-	-	-
Access/Frontage/Exposure		-10%	-10%	-	-	-
Other		-	-	-	-	-
Total Adjustments		-30%	15%	0%	-5%	-5%
Final Adjusted Price / SF		\$8.88	\$7.26	\$8.49	\$8.57	\$9.09
ANALYSIS						
Low		\$7.26				
High		\$9.09				
Mean		\$8.46				
Median		\$8.57				

LAND VALUATION (BEFORE) CONCLUSION:

Prior to adjustments, the sales range from \$6.31 per square foot to \$12.69 per square foot. Adjustments deemed necessary were for location, size, and access.

After all necessary adjustments, the sales indicate a range from \$7.26 per square foot to \$9.09 per square foot with a mean of \$8.46 per square foot and a median of \$8.57 per square foot.

Sale 14 is in the immediate subject neighborhood. However, it is best suited for retail use, as opposed to the subject which is better suited for service use. Thus, Sale 14 is given least weight. Sale 22 is located on a similar roadway, with similar access, and was purchased for use as a printing business. Sale 22 is considered to be a strong

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indicator of market value. Sales 23 and 25 are the most recent and are given more emphasis. Therefore, based on the preceding sales and analysis, it is my opinion that the subject land has a market value of \$8.75 per square foot prior to the acquisition.

The indicated retrospective market value of the subject is shown as follows:

106,940 SF	X	\$8.75 per SF	=	\$935,723
Rounded to:				\$936,000

PARAGRAPH 22-B. COST APPROACH TO VALUE (BEFORE):

Not Applicable

PARAGRAPH 22-C INCOME CAPITALIZATION APPROACH TO VALUE (BEFORE)

Not Applicable

PARAGRAPH 23. RESOLUTION OF BEFORE VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. The Sales Comparison Approach is a direct reflection of actions of buyers and sellers and is particularly relevant when recent sales of comparable properties are available. The opinion of value developed in this approach can be subjective when adjusting for variations and locational physical characteristics, but serves as a primary guide for buyers and sellers in setting the parameters for a potential transaction.

In this analysis, a number of land sales in the subject neighborhood and in nearby similar neighborhoods were available for comparison. Though there is subjectivity in the adjustment process, the Sales Comparison Approach and analysis is well supported in the appraisal based on qualitative adjustments and analysis.

Cost Approach – N/A

Income Approach – N/A

Therefore, based on the information contained in this report, the retrospective opinion of market value of the subject property as of the date of this report is \$936,000.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 24. DESCRIPTION OF THE ACQUISITION:**

The new right of way acquires 0.183 acres or 7,951 square feet of the subject property along the corner of Old Socastee Highway and Emory Road. There are no improvements within the acquisition.

PARAGRAPH 25. DESCRIPTION OF THE REMAINDER:

Prior to the acquisition, the subject contained 2.455 acres of land. The acquisition reduces the total land size to 2.272 acres. The subject condition "after" will be similar to the condition "before".

After the acquisition, there will be new controlled access along Highway 17 Bypass, thus closing the intersection with Emory Road and Highway 17 Bypass to the west of the subject. Access will now be from Old Socastee Road, which should not limit future development of the subject for light industrial, service, or secondary commercial uses common to the neighborhood.

The acquisition does not appear to significantly affect the property's shape, topography, frontage, or exposure. Based on the DOT elevation plans provided, it does not appear there is a significant change in road grade with Old Socastee Road and Emory Road after the acquisition. There is sufficient frontage to the north of the acquisition along Old Socastee Highway to support a driveway for future development. Additionally, there is sufficient frontage to the east of the acquisition along Emory Road to support a driveway for future development. The fee simple ownership interest is reduced, but the remaining land area is sufficient to support the highest and best use as "before" the acquisition.

PARAGRAPH 26. HIGHEST AND BEST USE (AFTER):**AS VACANT:**

The proposed road project requires a fee acquisition along the subject frontage with portions of Old Socastee Highway and Emory Road. The acquisition has minimal affect on the remainder as vacant. The property continues to possess sufficient size, shape, topography, access, and exposure to support development common to the neighborhood. In my opinion, the highest and best use of the land "after", as vacant, remains to hold for secondary commercial, service, or light industrial utilization.

AS IMPROVED:

Not Applicable

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 27. VALUE AFTER THE ACQUISITION:**

"After" values and conclusions are based upon plans provided by the SCDOT and the completion of the proposed road construction.

Consideration has been given to relevant aspects of the property affected by the acquisition for analysis and comparison to the subject's "before" condition and the comparable data.

LAND VALUATION (AFTER):

Based on the highest and best use "after", the opinion of value of the land per square foot does not change from the previous opinion of value "before". Therefore, the opinion of land value formed in the "before" value of \$8.75 per square foot is applied to the 98,989 square feet remaining "after" the acquisition.

LAND VALUATION (AFTER) CONCLUSION:

The indicated retrospective market value of the subject is shown as follows:

98,989 Square Feet	X	\$ 8.75 per SF	=	\$ 866,154
Rounded to:				\$ 866,000

PARAGRAPH 28. RESOLUTION OF AFTER VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. As discussed, there was no change in the value per acre due the acquisition.

Cost Approach – N/A

Income Approach – N/A

Therefore, based on the information contained in this report, the retrospective opinion of market value of the subject property after the acquisition is \$866,000.

PARAGRAPH 29. UNECONOMIC REMAINDER:

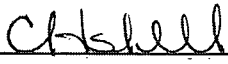
Not applicable.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**DISTRIBUTION OF VALUES**

(30)	Value Components:	Before (Paragraph 22)	After (Paragraph 27)	Difference
	Land Value:	\$936,000	\$866,000	\$70,000
	Building Value:	\$0	\$0	\$0
	Site Improvements:	\$0	\$0	\$0
	TOTAL:	\$936,000	\$866,000	\$70,000

(31)	Value Components of the Acquisition:			
	Right of Way Acquired:			
	Land:	7,951.00	sf @:	\$8.75
				\$70,000
	Value of Buildings within the Acquisition Area:			\$0
	Value of Site Improvements within the Acquisition Area:			\$0
	Total for the Acquisition:			\$70,000
	plus Damages (if any to the remainder)			\$0
	less Benefits (if any to the remainder)			
	Total for the Acquisition (Right of way, plus damages, less benefits):			\$70,000

(32)	Final Statement of Value:		
	a)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property before the acquisition is:	\$936,000
	b)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property after the acquisition is:	\$866,000
	c)	The difference between the indicated value of the property before the acquisition, and the indicated value of the remainder, after the acquisition is:	\$70,000

(33)	The appraisal is made as of:		September 27, 2010
	Date of Report:		May 11, 2011
			
	S.C. Certified General Real Estate Appraiser CG 296		

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GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

General Assumptions - This appraisal has been completed and the appraisal report prepared with the following **general assumptions**:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. The titles to the property are assumed to be good and marketable unless otherwise stated. Any plats, maps, or photographs in this appraisal are used merely to help the reader visualize the property and its surroundings and are not certified to be accurate.
2. Any liens or encumbrances (except for any lease encumbrance that might be referred to in the appraisal) which may exist have been disregarded, and the property has been appraised as though no delinquency in the payment of general taxes or special assessment exists and as though free of indebtedness.
3. It is assumed that the utilization of the land and improvements are within the boundaries of the lines of the property described and that there is no encroachment or trespass unless noted in the report. No survey of the subject property was made or caused to be made by us, and no responsibility is assumed for the occurrence of such matters.
4. A visual inspection of the subject site was made and all engineering is assumed to be correct. The plot plan and illustrative materials in this report are included only to assist the reader in visualizing the property and to show the reader the relationship of its boundaries. The appraiser is not a construction engineer and is not responsible for structural or cosmetic inadequacies associated with any of the improvements unless otherwise noted in the report.
5. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them. The soil for the area under appraisal appears to be firm and solid, unless otherwise stated. Subsidence in the area is unknown or uncommon, and the appraiser(s) does not warrant against this condition or occurrence.
6. Subsurface rights (minerals and oil) were not considered in this appraisal unless otherwise stated. In addition, no potential timber value was considered.

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7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. Unless otherwise stated in this report, the appraiser did not observe the existence of hazardous materials or gases, which may or may not be present on the property. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is 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 is predicated on the assumption that there are no such materials on or in the property, which 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.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming use has been stated, defined, and considered in the appraisal report.
9. It is assumed that all required licenses, certifications of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value contained in this report is based.
10. This appraisal assumes water and sewer services will always be provided for the subject.
11. Responsible ownership and competent property management are assumed.
12. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I (we) have not made a specific compliance survey and an analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact on the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider

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non-compliance with the requirements of ADA in determining the value of the property.

13. There is currently a good deal of discussion regarding the potential hazards of Electro-Magnetic Fields and the possible health risk of being located near high voltage transmission lines. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not there are potentially hazardous effects from EMF's. It is possible that a compliance survey of the property together with a detailed analysis could reveal that there is EMF levels, which are above a safe level. If so, this fact could have a negative impact on the value of the subject property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider EMF levels in determining the value for the property.
14. At the store managers request no pictures were allowed. Additionally access to storage areas, office, or coolers was not allowed. This appraisal assumes average condition for these areas.

General Limiting Conditions – This appraisal has been completed and the appraisal report has been prepared with the following **general limiting conditions**.

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used. The opinions of value provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value, unless such proration or division or interests has been set forth in this report.
2. Neither possession of this appraisal or copy thereof carries with it the right to publication, nor may it be used for any purpose by anyone but the applicant without previous consent of the appraiser(s).
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially as to value, the identity of the appraiser, or the firm with which the appraiser is associated) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

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General Limiting Conditions Continued

5. Information, estimates, and opinions contained in this report are obtained from sources considered reliable, however the appraiser assumes no liability for such sources.
6. The information supplied to the appraiser is considered to be accurate. The information supplied by the client has been accepted without further verification as correctly reflecting the property's current condition unless otherwise noted.
7. The various opinions of value presented in this report apply to this appraisal only and may not be used out of the context presented herein. This appraisal is valid only for the appraisal date or dates specified herein and only for the appraisal purpose specified herein.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

CERTIFICATE OF APPRAISER

I Hereby certify:

That I have personally inspected the property herein and that I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making the appraisal were as represented in the comparable data brochure which supplements this appraisal. That Wadley R. Glenn, III, MAI provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief the statements contained in the appraisal herein set forth are true, and information upon which the opinions expressed therein are based is correct: subject to the limiting conditions therein set forth.

That I understand that such appraisal may be used in connection with acquisition of right of way for a highway to be constructed by the State of South Carolina with the assistance of Federal-aid highway funds, or other Federal Funds.

That such appraisal has been made in conformity with the appropriate State and Federal laws regulations, policies and procedures applicable to that appraisal of right of way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items, which are non-compensable under the established law of South Carolina.

That neither my employment nor my compensation for preparing this appraisal report is in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the South Carolina Department of Transportation or officials of the Federal Highway Administration and I will not do so until so authorized by the State officials or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That the owner or his designated representative was given the opportunity to accompany me during my inspection of the property.

That any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement for which such property is being acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration with in the reasonable control of the owner, has been disregarded in determining the compensation for the property.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Code of Professional Ethics and the Standards of Professional 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.

I have appraised the subject previously within the last three years.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

That my opinion of the retrospective fair market value of the acquisition as of September 27, 2010 is \$70,000 based upon my independent appraisal and the exercise of my professional judgment.

As of the date of this report, I have completed the requirements for continuing education as set forth by the Uniform Standards of Professional Appraisal Practice.

As of the date of this report, H. Corbin Haskell, MAI has completed the continuing education program of the Appraisal Institute.

Date: May 11, 2011


H. Corbin Haskell, MAI
State Certified General Real Estate Appraiser
#296

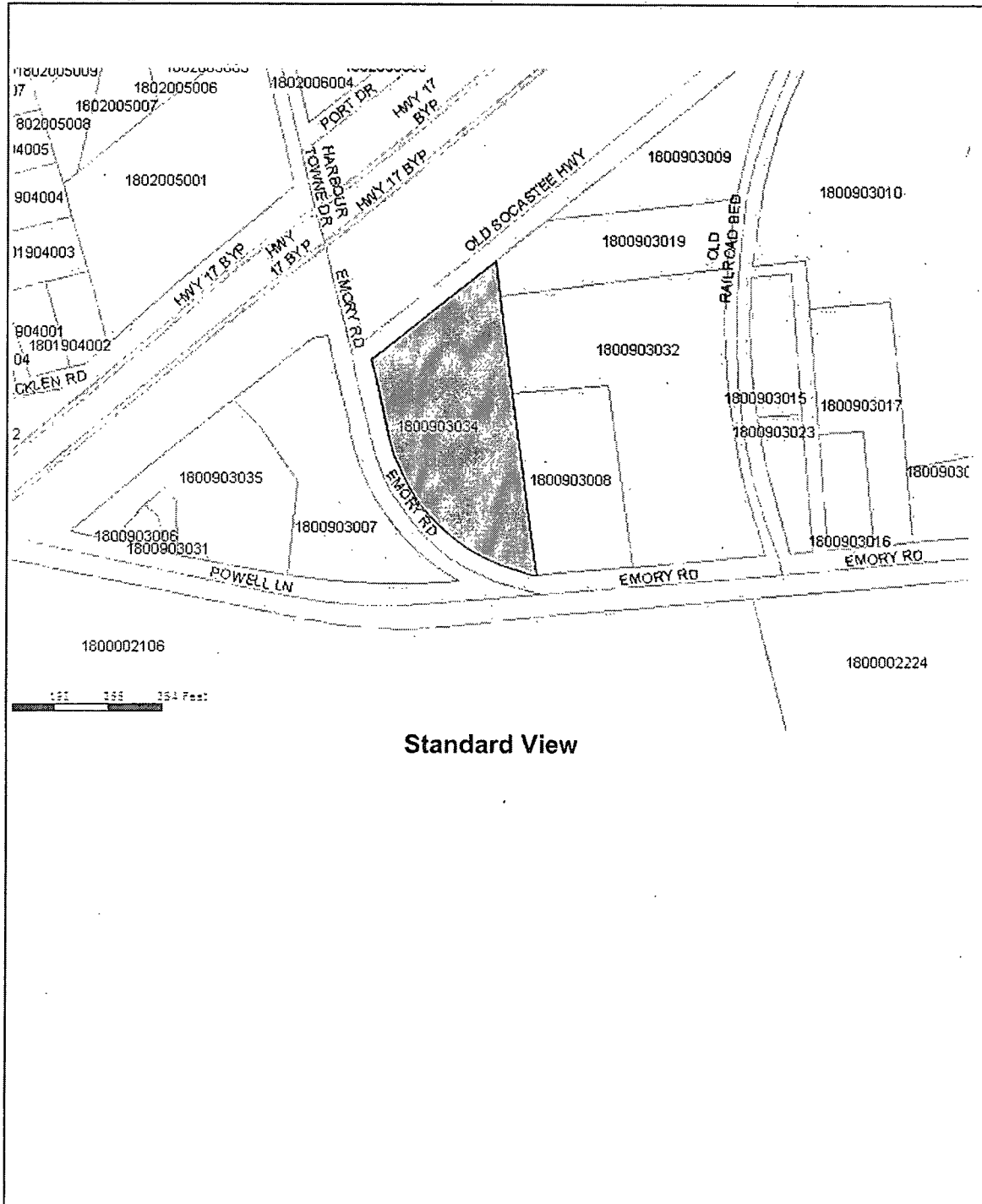
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ADDENDUM

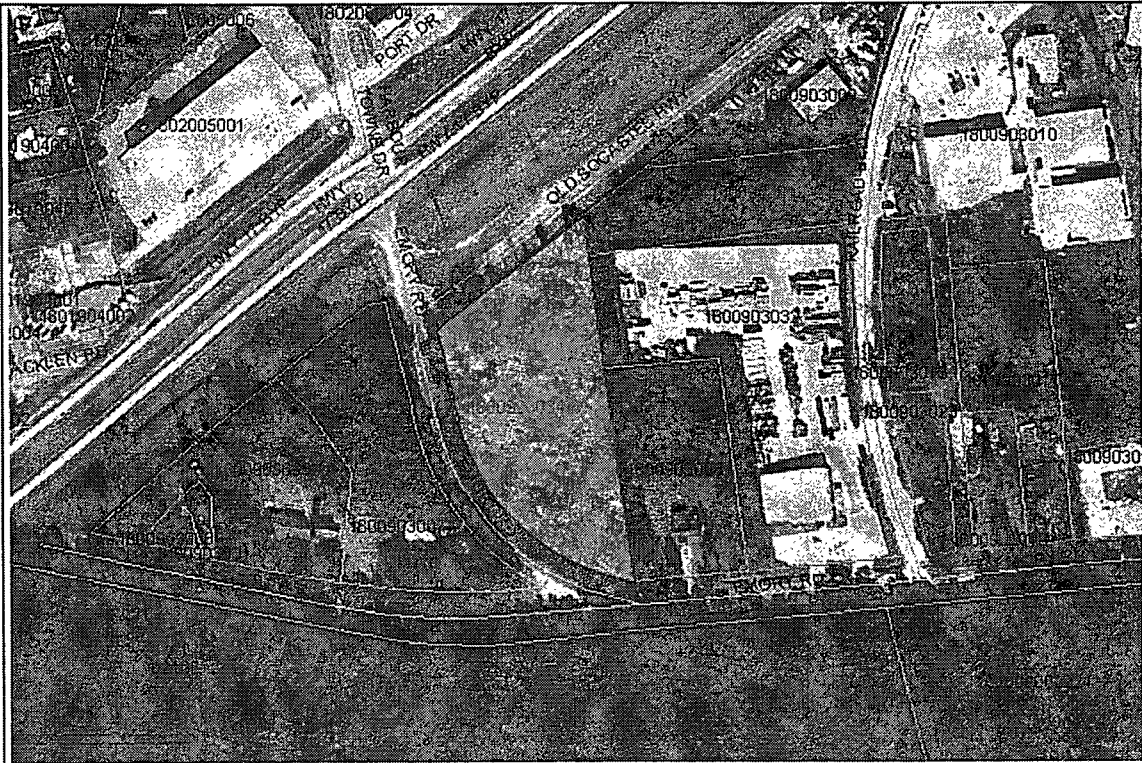
File: 26.036774A	Project No.: HRR	PIN: 36774
Road/Route: US 17 Bypass and SC 707/Farrow Pkwy Interchange	County: Horry	

TAX MAP

Tax Map Number: 180-09-03-034



File: 26.036774A	Project No.: HRR	PIN: 36774
Road/Route: US 17 Bypass and SC 707/Farrow Pkwy Interchange	County: Horry	



Aerial View

Date: September 17, 2003



File: 26.036774A

Project No.: H0RR

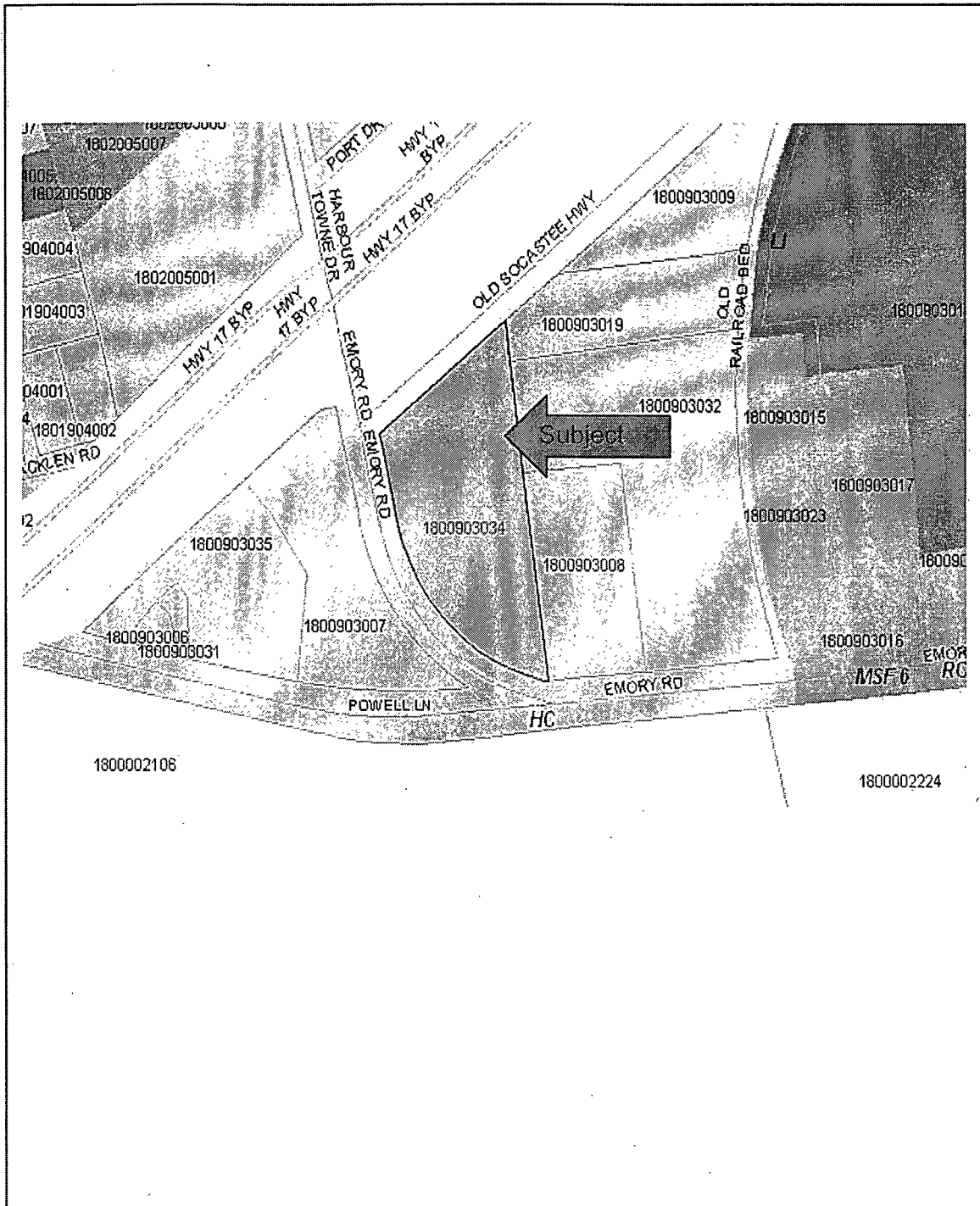
PIN: 36774

Road/Route: US 17 Bypass and SC 707/Farrow Pkwy
Interchange

County: Horry

ZONING MAP

Zoning Classification: H-C, Highway Commercial



File: 26.036774A

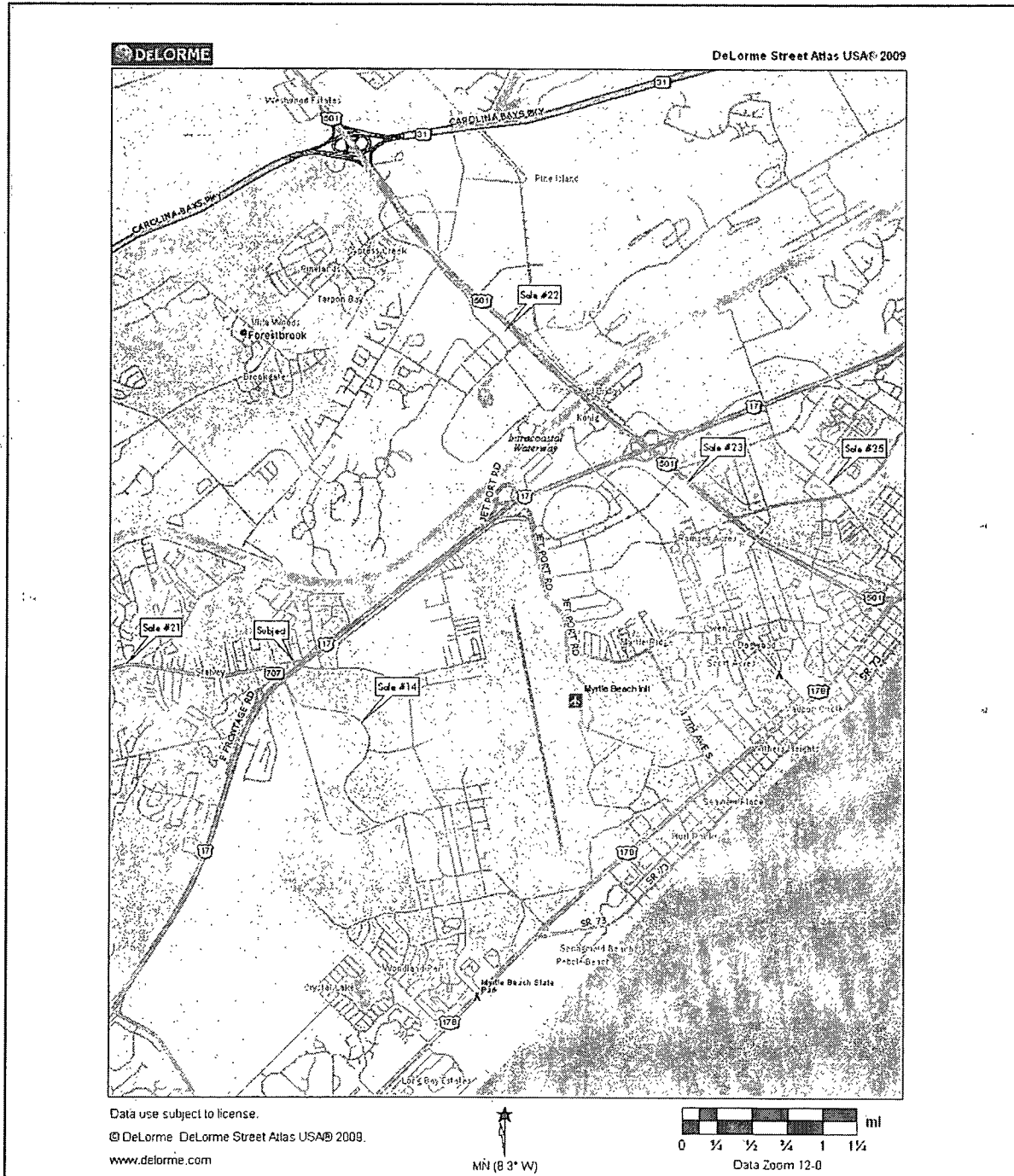
Project No.: HARR

PIN: 36774

Road/Route: US 17 BYPASS AND SC 707/FARROW PKWY

County: HORRY

COMPARABLE LAND SALES LOCATION MAP

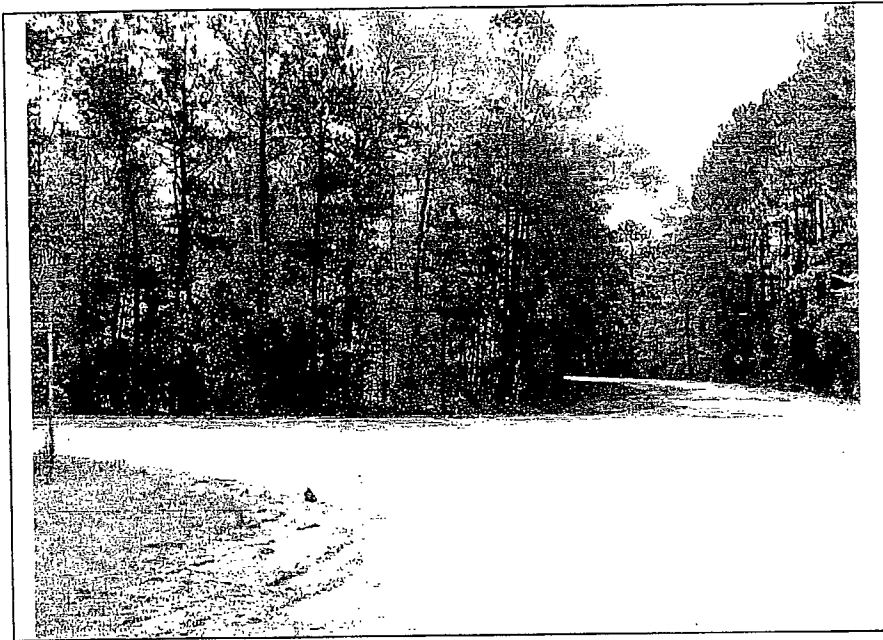


SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

COMPLETE APPRAISAL – SUMMARY REPORT

- (1) Tract Location: NE corner of Old Socastee Highway & Emory Road
Property Owner: David Franklin Powell
Address: 3190 Emory Road, Myrtle Beach, SC 29577



Front View of Subject Property

PREPARED FOR:

South Carolina Department of Transportation

- (2) During the inspection the owner was contacted by telephone and invited to be present during inspection of this property. The tract was inspected on 12/8/2009 and I was accompanied by property owner. The property was reinspected 04/08/2010, 4/18/2011, and 6/7/2011.
Required by Sec. 301(2) of Uniform Act.

Explain: An onsite inspection was made. The property was inspected most recently 6/7/2011. This appraisal is retrospective as of the date of condemnation or 8/27/10.

PREPARED BY:

- 3) Inspecting Appraiser: H. Corbin Haskell, MAI
S.C. State Certified General R/E CG 296
Firm Name: Robinson Company of Greenville, Inc.

Right of Way Section

1

SCDOT

SCDOT RAW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

APPRAISAL SUMMARY

- (4) Property Owner: David Franklin Powell
 Tract Location: NE corner of Old Socastee Highway & Emory Road
 Date of Appraisal: 6/13/2011 Date of Value: 8/27/2010

(5)	DESCRIPTION	BEFORE	AFTER
	Present Use:	Vacant Land	Vacant Land
	Number of Buildings:	N/A	N/A
	Primary Improvement Size:	N/A	N/A
	Building Setback (Feet)	N/A	N/A
	# of Feet Building is Above (+), at (0), or Below (-) Road Grade:	N/A	N/A
	# Parking Spaces:	N/A	N/A
	Corner Influence:	Yes	Yes
	Primary Frontage (Linear Feet):	+/-310' Old Socastee Highway +/-530' Emory Road	+/-155' Old Socastee Highway +/-260' New Transitional Right of Way +/-385' Emory Road
	Total Frontage(s) (Linear Feet):	840'	800'
	Ingress/Egress: Primary Road Secondary Road(s)	Old Socastee Highway- Full Access Emory Road - Full Access	Old Socastee Highway- Full Access Emory Road - Full Access
	Zoning Conformity:	Conforming	Conforming
(6)	Site Size (SF):	106,940	98,989
	Site Size (Ac.):	2.455	2.272
	Present or Intended Use of Site:	Vacant Land	Vacant Land
	Shape:	Irregular	Irregular
	Size of Acquisition:	0.183 Acres or 7,951 SF	
(7)	HIGHEST AND BEST USE		
	As Vacant:	Light Industrial/Secondary Commercial/Service	Light Industrial/Secondary Commercial/Service
	As Improved:	N/A	N/A
(8)	Annual Market Rent per SF:	N/A	N/A

SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

(9)

VALUE INDICATIONS		
Land Value:	\$ 962,000	\$ 891,000
Sales Comparison Approach:	N/A	N/A
Cost Approach:	N/A	N/A
Income Approach:	N/A	N/A
Final Value Indications:	\$ 962,000	\$ 891,000

(10)

Value of Acquisition:	\$ 71,000
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SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**APPRAISAL DETAILS AND REQUIREMENTS**

- (11) PROPERTY RIGHTS APPRAISED: Fee Simple
- (12) PURPOSE OF THE APPRAISAL: To determine the difference in the retrospective market value of this property caused by the acquisition of the right of way for the proposed construction of this project as of the date of condemnation 8/27/2010.
- (13) INTENDED USE: To assist the South Carolina Department of Transportation in negotiations with the property owner concerning an eminent domain acquisition.

Market value is defined as "The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress."
 SOURCE: The Appraisal Institute, The Dictionary of Real Estate Appraisal, 4th Edition

- (14) EXPOSURE TIME: 12-18 Months

- (15) FIVE-YEAR SALE HISTORY:

Date	Sale Price	Deed Reference
2/21/2006	N/A	3052/114
Comments: Deed of distribution. No other known transactions involving the subject have occurred within the last five years.		

- (16) CURRENT LISTING: N/A PENDING CONTRACT: N/A

- (17) ASSESSMENT AND TAXES:

Tax Parcel ID #: 180-09-03-034

Tax Year: 2010

Fair Market Value: \$ 219,200 Total Assessed Value: \$ 13,152

Real Estate Taxes: \$ 2,614.04

- (18) CURRENT ZONING ANALYSIS:

District: HC, Highway Commercial Current Conformity: Conforming

MINIMUM REQUIREMENTS:

Front Setback: 50'

Rear Setback: 15'

Side Setback: 10'

Width: 60'

Building Height: 120'

Parking Spaces: Varies by use

Road Frontage: N/A

Maximum Building Size: N/A

Minimum Lot Size: 10,000 SF- Commercial Use & 6,000 SF Residential Use

Right of Way Section

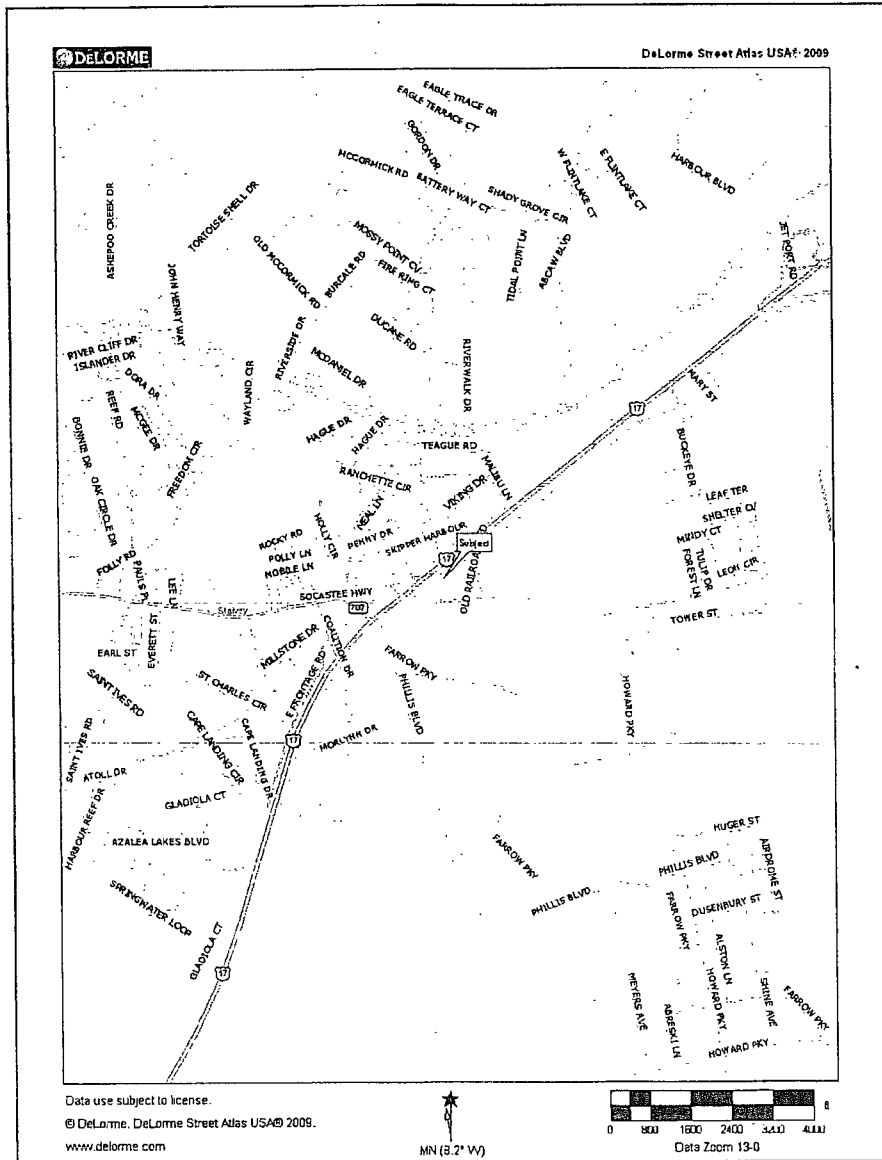
4

SCDOT

SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HERR Tract #: 13

SUBJECT LOCATION MAP



Right of Way Section

5

SCDOT

ROA-473

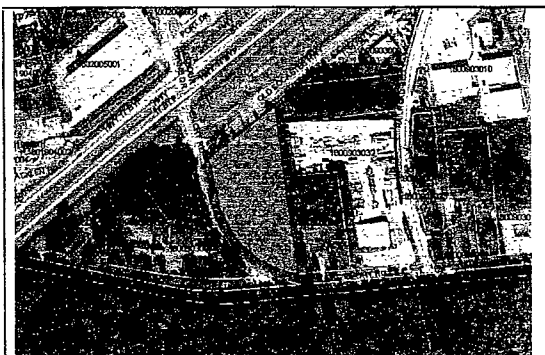
SCDOT RW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (1-3)

Address/Location : NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

Aerial view of subject



NE corner of Old Socastee Highway and Emory Road, subject on the left



Old Socastee Highway facing northeast, subject on the right



Right of Way Section

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SCDOT

SCDOT RW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (4-6)

Address/Location : NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/16/2011

Old Socastee Highway facing south, subject on the left



Emory Road facing southeast, subject on the left



Emory Road facing northwest, subject on the right



Right of Way Section

7

SCDOT

ROA-475

SCDOT RW Form 110A (04-09)

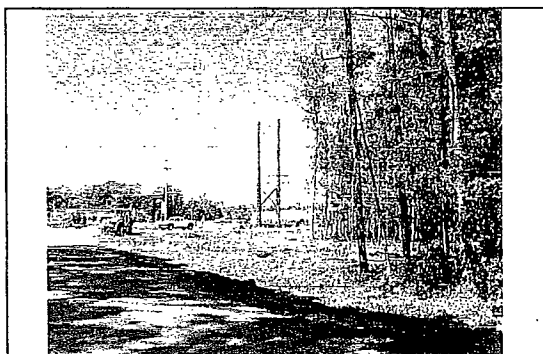
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**SUBJECT PHOTOGRAPHS (7-9)**

Address/Location : NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

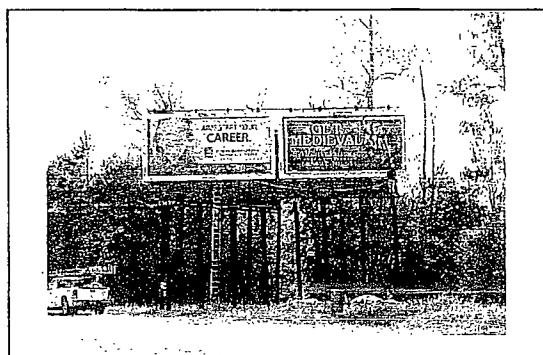
Emory Road facing southeast
near rear property line, subject
on the left



Approximate location of the
acquisition



Billboard on site, not impacted
by acquisition



Right of Way Section

8

SCDOT

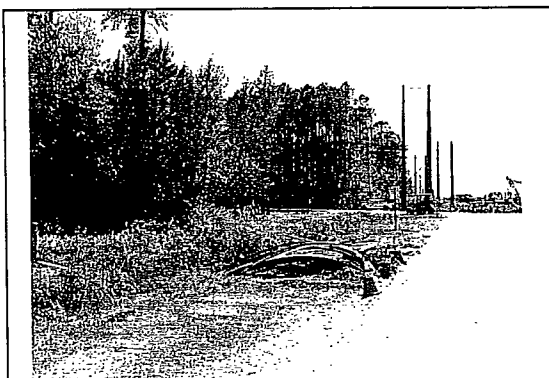
SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (10)

Address/Location : NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/18/2011

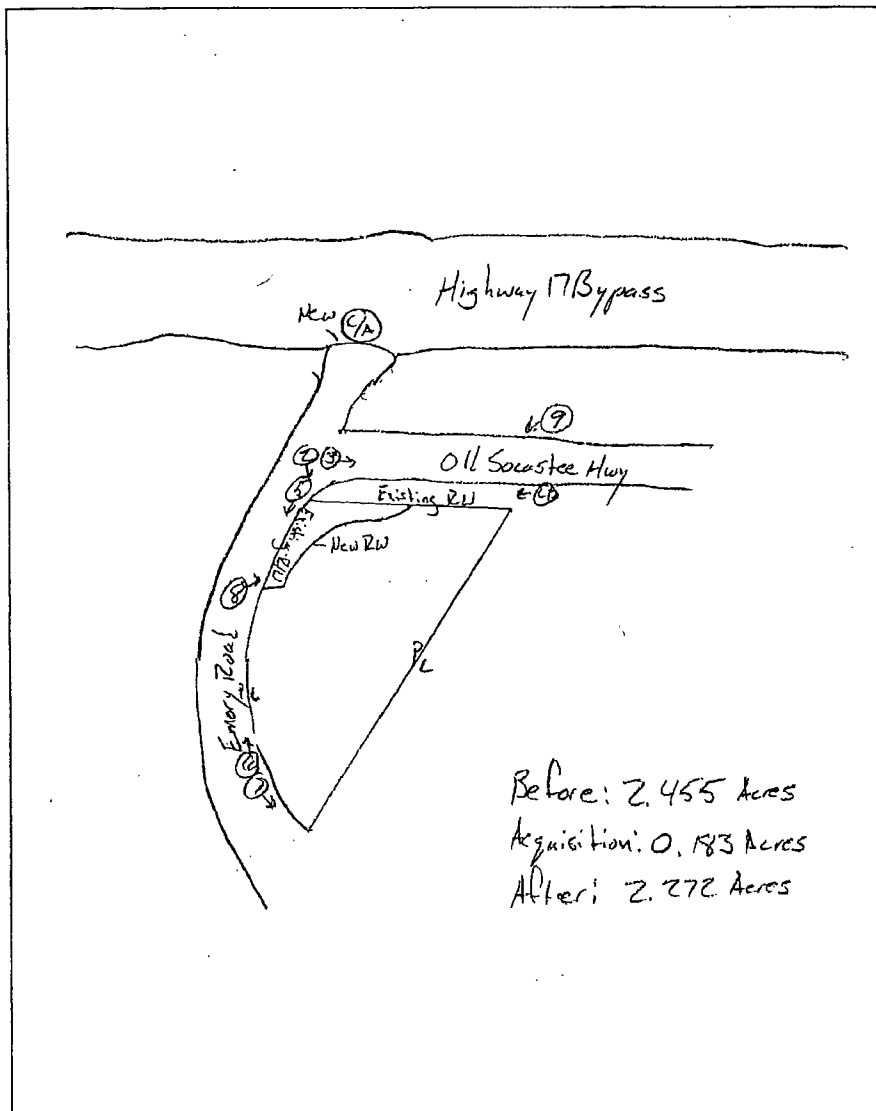
Approximate location of
acquisition on Old Socastee
Highway, facing south.



SCDOT RAW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PLATISKETCH



Right of Way Section

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SCDOT

ROA-478

SCDOT RAW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 19. SCOPE OF WORK:**

In preparing this appraisal, the *scope of the appraisal* included, but was not limited to the following:

- 1) A physical inspection of the subject property.
- 2) A search of public records to gather sales data and other comparable information.
- 3) Verifying all data by public affidavit or by grantor/grantee, or a representative to the sale.
- 4) Determining the highest and best use of the subject property.
- 5) Applying all relevant approaches to value. As the appraisal is of vacant land, the only relevant approach is the Sales Comparison Approach.

The general scope started with a review of the area economic data and demographics in order to determine the health of the local economy and identify trends in the local trade area while analyzing the corresponding effects on the real estate market. A study of the subject neighborhood also known as the sub-market was also completed in order to determine local trends and the competitive standing of the subject within the sub-market. The sub-market is defined as the Grand Strand area of Horry County.

An on site inspection of the property was made most recently on June 7, 2011. The retrospective market value of the subject is as of the date of condemnation or August 27, 2010. The property description relies on the DOT survey provided to the appraisers, an on site inspection, and Horry County public records. Other data available through the local county tax assessor and mapping department were also researched.

Data considered most relevant are outlined in this report. Acquisition and confirmation of these data included a search of public records, MLS data, CoStar, and local information obtained from local appraisers and brokers, and discussions with people active in the local and regional real estate markets. The investigative process further includes ongoing discussions with developers, appraisers, and brokers of property with regard to development costs, return objectives, market activity, and marketing time. Publications relevant to the real estate market were consulted for information on market activity, expense ratios, capitalization rates, discount rates, and other information. Improved sales and rentals of comparable facilities were researched and analyzed.

The conclusions have been reported in a SCDOT Standard format in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP).

The subject property will be impacted by the reconfiguration of the interchange of Highway 707 and Highway 17 Bypass. No other specific abnormal appraisal problems arose during the appraisal. Adequate data was available to complete the analysis.

SCDOT RAW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

PARAGRAPH 20-A. DESCRIPTION OF REALTY (BEFORE):**SITE DESCRIPTION**

Present Use	Vacant land
Site Size	2.455 acres or 106,940square feet. It is recommended that a qualified surveyor inspect the subject for existing property lines and easements that are unable to be detected by the appraiser(s).
Curb and Gutters	None
Sidewalk	No
# of Lanes	2 lanes- Old Socastee Highway 2 lanes- Emory Road
Traffic Level	Low- Old Socastee Highway Low- Emory Road
Traffic Control	None
Shape	Irregular
Ingress/Egress	The subject has frontage and access along Old Socastee Highway and Emory Road. The subject has exposure from Highway 17 Bypass, but has no direct ingress/egress. Emory Road intersects with Highway 17 Bypass. However, due to the current configuration and heavy traffic on Highway 17 Bypass, accessing the southbound lanes from the neighborhood is difficult.
Access to the Improvements	N/A
Frontage	+/-310' Old Socastee Highway +/-530' Emory Road
Grade at Road Level	At or near road grade
Visibility/Exposure	Average
Topography	Level
Drainage	Adequate
Flood Plain:	
Map Number	45051C0692H (See Flood Map in Addendum)
Date	9/17/2003
Zone	X
Landscaping	Average
Utilities	
Water	Yes
Sewer	Yes
Electricity	Yes

Right of Way Section

12

SCDOT

SCDOT RW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

Natural Gas	Yes
Telephone	Yes
Zoning	
Designation	HC, Highway Commercial (Horry County)
Uses Allowed	"It is the intent of this section that the Highway Commercial District be established and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district." A wide variety of retail and commercial uses are allowed. Single-family homes are also allowed.
Easements/ Encroachments	Based upon my inspection and examination of the subject site, as well as my review of plats and deeds of the property, I did not detect adverse easements other than normal utility easements and rights of way. These are not believed to have a detrimental impact on property value. It should be noted that I am not qualified to detect easements and encroachments and legal counsel should be retained if there are any indications of title defects.
Environmental	I am unaware of potential environmental hazards on the property. Environmental aspects of the subject property are beyond my expertise. If necessary, I recommend a professional in environmental expertise be retained.
Comments	Subject appears to be a conforming use as vacant.
Personal Property, FF&E, etc. (Included in the opinion of value)	None noted
Relocation Items (Not included in the opinion of value)	None noted

SCDOT RAW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 20-B. DESCRIPTION OF REALTY (BEFORE):****IMPROVEMENT DESCRIPTION**

There is a billboard located on the subject property near the northern property line along Old Socastee Highway. The bill board does not appear to be impacted by the road project.

PARAGRAPH 21. HIGHEST AND BEST USE (BEFORE):

Highest and Best Use is defined in The Appraisal of Real Estate - 13th Edition as, "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value."

AS VACANT:***Physically Possible:***

The subject site contains approximately 2.455 acres. The site is at or near road grade and generally level. The property is located along two secondary thoroughfares with adequate access. The subject has exposure from but does not have direct access to Highway 17 Bypass. This is fairly common to the neighborhood and does not limit the use of the subject for secondary commercial, service, or light industrial uses common to the neighborhood. All utilities are directly available to the site. As vacant, a variety of uses, including nearly all uses common to the neighborhood are physically possible for the subject.

Legally Permissible:

As to the legally permissible uses, the subject property is zoned "HC", Highway Commercial District. According to the Horry County Zoning Ordinance, a wide variety of commercial uses as well as residential uses are legally permissible as vacant.

Financially Feasible:

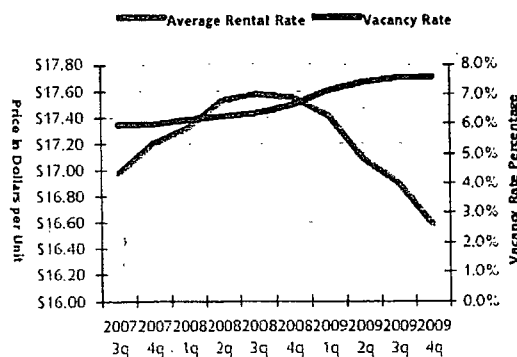
The subject property is located along an established commercial corridor north of the intersection of Highway 17 Bypass and Highway 707. Land uses around this intersection include but are not limited to fast food, convenience stores, banks, restaurants, retail strip centers, self-storage, pharmacy, and other retail operations. However, moving north of the intersection land uses become more secondary commercial, service, and light industrial in nature. Properties along Old Socastee Highway are developed with a variety of established, small light industrial or service buildings. Development to the rear consists of established residential uses. The subject also benefits from its proximity to the newly developed Withers Preserve and to Market Common. However, new development in the immediate subject area has been slow to occur in recent years.

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As discussed in more detail in the Comparable Data Brochure, the national and local economy is slowly recovering from the recent recession. For the remainder of 2010, there are a number of factors which will slow the real estate market including a tightening of lending practices and the slowdown in the economy in general. New construction will be limited due to the lack of financing and lack of quality tenants. Vacancy will rise and rental rates will decrease.

U.S. VACANCY COMPARISON Past 10 Quarters



Source: Costar Perspective

In the short term, the immediate subject area will not see the growth and appreciation it has over the last several years. However, based on its positive market fundamentals, overall economic conditions are good for the long term.

The site is physically suited for secondary commercial, service, or light industrial development. Constructing a speculative building at this time is not ideal due to the current economic conditions. Based on the current conditions and projections, it would be most financially feasible to either hold the subject property for future development or develop the property with a build-to-suit and/or owner occupied building. As vacant, based on current market conditions, the subject tract should be held speculatively until it can be put to its highest and best use, which includes a variety of scenarios assuming the proper tenant and/or owner occupant.

Maximally Productive:

To provide the highest return to the land, the proper building improvements providing the optimum land-to-building ratio should be developed. This should allow for adequate ingress and egress to and from the property along with no excess land. Development for commercial use assuming the proper improvements and a proper land-to-building

SCDOT RAW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ratio would be the maximally productive use, as vacant. Constructing a speculative building at this time is not ideal due to the current economic conditions.

Therefore, based on the preceding discussion my opinion of the highest and best use of the property, as vacant and available for development, is to hold for secondary commercial, service, or light industrial utilization.

PARAGRAPH 22. VALUATION BEFORE THE ACQUISITION:**LAND VALUATION (BEFORE):**

Land value is derived separately using the sales comparison approach and a minimum of three comparable sales. The South Carolina Department of Transportation requires that the Sales Comparison Approach be demonstrated for all improved properties unless unusual circumstances preclude its development or the improvements are determined to be unaffected by the acquisition. The Cost Approach shall be considered when the impacted improvements are less than ten years old, a special-use property, or when sufficient comparable sale or lease information is not available. The SCDOT requires application of the Income Approach on all investment and income-producing properties where existing improvements might be impacted by the project.

To value the subject land, the Sales Comparison Approach is used. A thorough search for sales activity in the immediate subject neighborhood and in nearby similar neighborhoods was completed to locate comparable land sales. Land sales have been selected for further analysis and direct comparison on the basis of similarities and location, physical characteristics, and other categories.

Five comparable sales have been identified and analyzed. A complete description of each comparable is provided in the Comparable Data Brochure. A Land Sales Map is attached in the *Addendum*. The land sales are summarized in the following chart.

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File #: 26.036774A PIN #: 36774 Project #: HRR Tract #: 13

LAND SALES SUMMARY CHART- BEFORE**Tract 13**

Sale #	Name/Location	Sales Date	Use	Sales Price	Land Size (Ac./SF)	Sales Price/SF
14	1600 Farrow Parkway Myrtle Beach	12/12/2007	Retail Center	\$1,958,000	3.543 154,333	\$12.69
21	Socastee Blvd. Myrtle Beach	9/11/2008	Service Center	\$825,000	3.000 130,680	\$6.31
22	Highway 501 Myrtle Beach	1/15/2008	Service	\$825,000	2.230 97,139	\$8.49
23	Highway 501 Myrtle Beach	7/16/2010	Vacant	\$495,000	1.260 54,886	\$9.02
25	Mr. Joe White Blvd Myrtle Beach	8/17/2010	Vacant	\$500,000	1.200 52,272	\$9.57

ANALYSIS

Low	\$6.31
High	\$12.69
Mean	\$9.22
Median	\$9.02

EXPLANATION OF ADJUSTMENTS:

The following analysis outlines adjustments made for differences existing between the sales and the subject in an effort to determine what each property may have sold had it been identical to the subject in all respects. The analysis grid following the discussion summarizes the pertinent facts of each sale in the adjustment process. Due to lack of market data, in most cases adjustments in this appraisal are based on my judgment. The typical unit of comparison for the local market is the price per square foot.

Property Rights: Each of the sales included the Fee Simple Interest with no adjustments necessary.

Financing: Each sale is a cash or cash equivalent transaction indicating no adjustments for financing or cash equivalency.

Conditions of Sale: Each of the sales is an arm's length transaction with no adjustment necessary under this category.

Market Conditions: A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. Based on the recent economic downturn and recession, there has been no measurable

SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

appreciation in tracts of land within the last 36 months. Thus, no adjustments are necessary.

Location:

Efforts to show a market-extracted location adjustment based on paired data analysis were inconclusive. Therefore, adjustments for location are based on logical conclusions made by the appraiser when comparing the locations of the comparable sales to that of the subject. Based on this comparison, Sale 14 received a downward adjustment as it is in a superior location, in a more primary commercial area within the Withers Preserve development. Sale 21 received an upward adjustment, as its location on a secondary thoroughfare is inferior to the subject. Sale 22 has a similar location and no adjustment is necessary. Sales 23 and 25 have slightly inferior locations on less traveled thoroughfares and small upward adjustments are reasonable.

Size:

Generally, larger tracts of land are transferred on a lower cost per unit basis than smaller tracts, all other factors being equal. Conversely, smaller tracts are generally transferred on a higher cost per unit basis than are larger tracts. The subject tract contains approximately 2.455 acres of land while the comparable sales used contain between 1.2 acres and 3.543 acres. Therefore, Sale 14 received an upward adjustment, as it is larger than the subject. Sales 21 and 22 are adequately comparable under this category and no adjustments are necessary. Sales 23 and 25 are smaller and downward adjustments are reasonable.

Shape:

The shape of a tract of land can often dictate its development potential and hence its value. The shape of the subject although irregular does not limit the use of the subject and is comparable to the comparable sales and no adjustments are necessary.

Topography:

The topographic features of a tract of land can often dictate its development potential and affect the overall cost of development. The subject property is at or near road grade and generally level. Each of the sales used has comparable topographic features and therefore no adjustments were necessary.

Zoning:

The zoning and/or other land use restrictions to a tract of land affect land value and therefore are considered in the appraisal. The subject property is zoned HC, Highway Commercial by Horry County. Each of the sales used has similar zoning restrictions and no adjustments are required.

SCDOT RW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**Access/Frontage
and Exposure:**

Adjustments are made for access/frontage and exposure based on a direct comparison between the comparable sales and the subject for these characteristics. The subject tract has adequate frontage and exposure. However, the subject does not have direct access on to a major thoroughfare. Sales 14 and 21 have superior access, thus downward adjustments are necessary. The remaining sales have fairly comparable access, frontage, and exposure features and therefore no adjustments are necessary.

The following chart shows the adjustments necessary for each of the comparable sales compared with the subject property.

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LAND SALES ADJUSTMENT CHART - BEFORE						
Tract 13						
Comparable No.	Subject	14	21	22	23	25
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Financing	Market	Market	Market	Market	Market	Market
Condition of Sale	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length
Date Of Sale	-	12/12/2007	9/11/2008	1/15/2008	7/16/2010	8/17/2010
Sales Price	-	\$1,958,000	\$825,000	\$825,000	\$495,000	\$500,000
Location	Old Socastee Highway & Emory Road Myrtle Beach	1600 Farrow Parkway Myrtle Beach	Socastee Blvd Myrtle Beach	Highway 501 Myrtle Beach	Highway 501 Myrtle Beach	Mr. Joe White Blvd Myrtle Beach
Physical Characteristics:						
Size, Acres	2.455	3.543	3.000	2.230	1.260	1.200
S.F.	106,940	154,333	130,680	97,139	54,886	52,272
Shape	Irregular	Irregular	Irregular	Irregular	Regular	Regular
Topography	Level	Level	Level	Level	Level	Level
Access/Frontage/Exposure	Average	Average	Average	Average	Average	Average
Other	-	-	-	-	-	-
Sales Price/SF		\$12.69	\$6.31	\$8.49	\$9.02	\$9.57
ADJUSTMENTS						
Property Rights		-	-	-	-	-
Financing		-	-	-	-	-
Conditions of Sale		-	-	-	-	-
Market Conditions		0.00%	0.00%	0.00%	0.00%	0.00%
Adjusted Price/SF		\$12.69	\$6.31	\$8.49	\$9.02	\$9.57
Location		-25%	25%	-	5%	5%
Physical Characteristics:						
Size		5%	-	-	-5%	-5%
Shape		-	-	-	-	-
Topography		-	-	-	-	-
Zoning		-	-	-	-	-
Access/Frontage/Exposure		-10%	-10%	-	-	-
Other		-	-	-	-	-
Total Adjustments		-30%	15%	0%	0%	0%
Final Adjusted Price /SF		\$8.88	\$7.26	\$8.49	\$9.02	\$9.57
ANALYSIS						
Low		\$7.26				
High		\$9.57				
Mean		\$8.64				
Median		\$8.88				

LAND VALUATION (BEFORE) CONCLUSION:

Prior to adjustments, the sales range from \$6.31 per square foot to \$12.69 per square foot. Adjustments deemed necessary were for location, size, and access.

After all necessary adjustments, the sales indicate a range from \$7.26 per square foot to \$9.57 per square foot with a mean of \$8.64 per square foot and a median of \$8.88 per square foot.

Sale 14 is in the immediate subject neighborhood. However, it is best suited for retail use, as opposed to the subject which is better suited for service use. Thus, Sale 14 is given least weight. Sale 22 is located on a similar roadway, with similar access, and was purchased for use as a printing business. Sale 22 is considered to be a strong

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indicator of market value. Sales 23 and 25 are the most recent and are given more emphasis. Therefore, based on the preceding sales and analysis, it is my opinion that the subject land has a market value of \$9.00 per square foot prior to the acquisition.

The indicated retrospective market value of the subject is shown as follows:

106,940 SF	X	\$9.00 per SF	=	\$962,458
Rounded to:				\$962,000

PARAGRAPH 22-B. COST APPROACH TO VALUE (BEFORE):

Not Applicable

PARAGRAPH 22-C INCOME CAPITALIZATION APPROACH TO VALUE (BEFORE)

Not Applicable

PARAGRAPH 23. RESOLUTION OF BEFORE VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. The Sales Comparison Approach is a direct reflection of actions of buyers and sellers and is particularly relevant when recent sales of comparable properties are available. The opinion of value developed in this approach can be subjective when adjusting for variations and locational physical characteristics, but serves as a primary guide for buyers and sellers in setting the parameters for a potential transaction.

In this analysis, a number of land sales in the subject neighborhood and in nearby similar neighborhoods were available for comparison. Though there is subjectivity in the adjustment process, the Sales Comparison Approach and analysis is well supported in the appraisal based on qualitative adjustments and analysis.

Cost Approach - N/A

Income Approach - N/A

Therefore, based on the information contained in this report, the retrospective opinion of market value of the subject property as of the date of this report is \$962,000.

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PARAGRAPH 24. DESCRIPTION OF THE ACQUISITION:

The new right of way acquires 0.183 acres or 7,951 square feet of the subject property along the corner of Old Socastee Highway and Emory Road. There are no improvements within the acquisition.

PARAGRAPH 25. DESCRIPTION OF THE REMAINDER:

Prior to the acquisition, the subject contained 2.455 acres of land. The acquisition reduces the total land size to 2.272 acres. The subject condition "after" will be similar to the condition "before".

After the acquisition, there will be new controlled access along Highway 17 Bypass, thus closing the intersection with Emory Road and Highway 17 Bypass to the west of the subject. Access will now be from Old Socastee Road, which should not limit future development of the subject for light industrial, service, or secondary commercial uses common to the neighborhood.

The acquisition does not appear to significantly affect the property's shape, topography, frontage, or exposure. Based on the DOT elevation plans provided, it does not appear there is a significant change in road grade with Old Socastee Road and Emory Road after the acquisition. There is sufficient frontage to the north of the acquisition along Old Socastee Highway to support a driveway for future development. Additionally, there is sufficient frontage to the east of the acquisition along Emory Road to support a driveway for future development. The fee simple ownership interest is reduced, but the remaining land area is sufficient to support the highest and best use as "before" the acquisition.

PARAGRAPH 26. HIGHEST AND BEST USE (AFTER):**AS VACANT:**

The proposed road project requires a fee acquisition along the subject frontage with portions of Old Socastee Highway and Emory Road. The acquisition has minimal affect on the remainder as vacant. The property continues to possess sufficient size, shape, topography, access, and exposure to support development common to the neighborhood. In my opinion, the highest and best use of the land "after", as vacant, remains to hold for secondary commercial, service, or light industrial utilization.

AS IMPROVED:

Not Applicable

SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**PARAGRAPH 27. VALUE AFTER THE ACQUISITION:**

"After" values and conclusions are based upon plans provided by the SCDOT and the completion of the proposed road construction.

Consideration has been given to relevant aspects of the property affected by the acquisition for analysis and comparison to the subject's "before" condition and the comparable data.

LAND VALUATION (AFTER):

Based on the highest and best use "after", the opinion of value of the land per square foot does not change from the previous opinion of value "before". Therefore, the opinion of land value formed in the "before" value of \$9.00 per square foot is applied to the 98,989 square feet remaining "after" the acquisition.

LAND VALUATION (AFTER) CONCLUSION:

The indicated retrospective market value of the subject is shown as follows:

98,989 Square Feet	X	\$ 9.00 per SF	=	\$ 890,901
Rounded to:				\$ 891,000

PARAGRAPH 28. RESOLUTION OF AFTER VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. As discussed, there was no change in the value per acre due the acquisition.

Cost Approach - N/A

Income Approach - N/A

Therefore, based on the information contained in this report, the retrospective opinion of market value of the subject property after the acquisition is \$891,000.

PARAGRAPH 29. UNECONOMIC REMAINDER:

Not applicable.

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DISTRIBUTION OF VALUES

(30)	Value Components:	Before (Paragraph 22)	After (Paragraph 27)	Difference
	Land Value:	\$962,000	\$891,000	\$71,000
	Building Value:	\$0	\$0	\$0
	Site Improvements:	\$0	\$0	\$0
	TOTAL:	\$962,000	\$891,000	\$71,000

(31)	Value Components of the Acquisition:			
	Right of Way Acquired:			
	Land:	7,951.00	sf @: \$9.00	\$71,000
	Value of Buildings within the Acquisition Area:			\$0
	Value of Site Improvements within the Acquisition Area:			\$0
	Total for the Acquisition:			\$71,000
	plus Damages (if any to the remainder)			\$0
	less Benefits (if any to the remainder)			
	Total for the Acquisition (Right of way, plus damages, less benefits):			\$71,000

(32)	Final Statement of Value:		
	a)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property before the acquisition is:	\$962,000
	b)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property after the acquisition is:	\$891,000
	c)	The difference between the indicated value of the property before the acquisition, and the indicated value of the remainder, after the acquisition is:	\$71,000

(33)	The appraisal is made as of: August 27, 2010		
	Date of Report: June 13, 2011		
	S.C. Certified General Real Estate Appraiser CG 296		

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File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

General Assumptions - This appraisal has been completed and the appraisal report prepared with the following **general assumptions** :

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. The titles to the property are assumed to be good and marketable unless otherwise stated. Any plats, maps, or photographs in this appraisal are used merely to help the reader visualize the property and its surroundings and are not certified to be accurate.
2. Any liens or encumbrances (except for any lease encumbrance that might be referred to in the appraisal) which may exist have been disregarded, and the property has been appraised as though no delinquency in the payment of general taxes or special assessment exists and as though free of indebtedness.
3. It is assumed that the utilization of the land and improvements are within the boundaries of the lines of the property described and that there is no encroachment or trespass unless noted in the report. No survey of the subject property was made or caused to be made by us, and no responsibility is assumed for the occurrence of such matters.
4. A visual inspection of the subject site was made and all engineering is assumed to be correct. The plot plan and illustrative materials in this report are included only to assist the reader in visualizing the property and to show the reader the relationship of its boundaries. The appraiser is not a construction engineer and is not responsible for structural or cosmetic inadequacies associated with any of the improvements unless otherwise noted in the report.
5. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them. The soil for the area under appraisal appears to be firm and solid, unless otherwise stated. Subsidence in the area is unknown or uncommon, and the appraiser(s) does not warrant against this condition or occurrence.
6. Subsurface rights (minerals and oil) were not considered in this appraisal unless otherwise stated. In addition, no potential timber value was considered.

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File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**General Assumptions Continued**

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. Unless otherwise stated in this report, the appraiser did not observe the existence of hazardous materials or gases, which may or may not be present on the property. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is 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 is predicated on the assumption that there are no such materials on or in the property, which 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.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming use has been stated, defined, and considered in the appraisal report.
9. It is assumed that all required licenses, certifications of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value contained in this report is based.
10. This appraisal assumes water and sewer services will always be provided for the subject.
11. Responsible ownership and competent property management are assumed.
12. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I (we) have not made a specific compliance survey and an analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact on the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider

SCDOT R/W Form 110A (04-09)

File #: 25.036774A PIN #: 36774 Project #: HORR Tract #: 13**General Assumptions Continued**

- non-compliance with the requirements of ADA in determining the value of the property.
13. There is currently a good deal of discussion regarding the potential hazards of Electro-Magnetic Fields and the possible health risk of being located near high voltage transmission lines. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not there are potentially hazardous effects from EMF's. It is possible that a compliance survey of the property together with a detailed analysis could reveal that there is EMF levels, which are above a safe level. If so, this fact could have a negative impact on the value of the subject property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider EMF levels in determining the value for the property.
 14. At the store managers request no pictures were allowed. Additionally access to storage areas, office, or coolers was not allowed. This appraisal assumes average condition for these areas.

General Limiting Conditions - This appraisal has been completed and the appraisal report has been prepared with the following **general limiting conditions**.

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used. The opinions of value provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value, unless such proration or division or interests has been set forth in this report.
2. Neither possession of this appraisal or copy thereof carries with it the right to publication, nor may it be used for any purpose by anyone but the applicant without previous consent of the appraiser(s).
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially as to value, the identity of the appraiser, or the firm with which the appraiser is associated) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

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General Limiting Conditions Continued

5. Information, estimates, and opinions contained in this report are obtained from sources considered reliable, however the appraiser assumes no liability for such sources.
6. The information supplied to the appraiser is considered to be accurate. The information supplied by the client has been accepted without further verification as correctly reflecting the property's current condition unless otherwise noted.
7. The various opinions of value presented in this report apply to this appraisal only and may not be used out of the context presented herein. This appraisal is valid only for the appraisal date or dates specified herein and only for the appraisal purpose specified herein.

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CERTIFICATE OF APPRAISER

I hereby certify:

That I have personally inspected the property herein and that I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making the appraisal were as represented in the comparable data brochure which supplements this appraisal. That Wadley R. Glenn, III, MAI provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief the statements contained in the appraisal herein set forth are true, and information upon which the opinions expressed therein are based is correct: subject to the limiting conditions therein set forth.

That I understand that such appraisal may be used in connection with acquisition of right of way for a highway to be constructed by the State of South Carolina with the assistance of Federal-aid highway funds, or other Federal Funds.

That such appraisal has been made in conformity with the appropriate State and Federal laws regulations, policies and procedures applicable to that appraisal of right of way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items, which are non-compensable under the established law of South Carolina.

That neither my employment nor my compensation for preparing this appraisal report is in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the South Carolina Department of Transportation or officials of the Federal Highway Administration and I will not do so until so authorized by the State officials or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That the owner or his designated representative was given the opportunity to accompany me during my inspection of the property.

That any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement for which such property is being acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration with in the reasonable control of the owner, has been disregarded in determining the compensation for the property.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Code of Professional Ethics and the Standards of Professional 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.

I have appraised the subject previously within the last three years.

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That my opinion of the retrospective fair market value of the acquisition as of August 27, 2010 is \$71,000 based upon my independent appraisal and the exercise of my professional judgment.

As of the date of this report, I have completed the requirements for continuing education as set forth by the Uniform Standards of Professional Appraisal Practice.

As of the date of this report, H. Corbin Haskell, MAI has completed the continuing education program of the Appraisal Institute.

Date: June 13, 2011

H. Corbin Haskell, MAI
State Certified General Real Estate Appraiser
#296

SCDOT R/W Form 110A (04-09)

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ADDENDUM

Right of Way Section

SCDOT

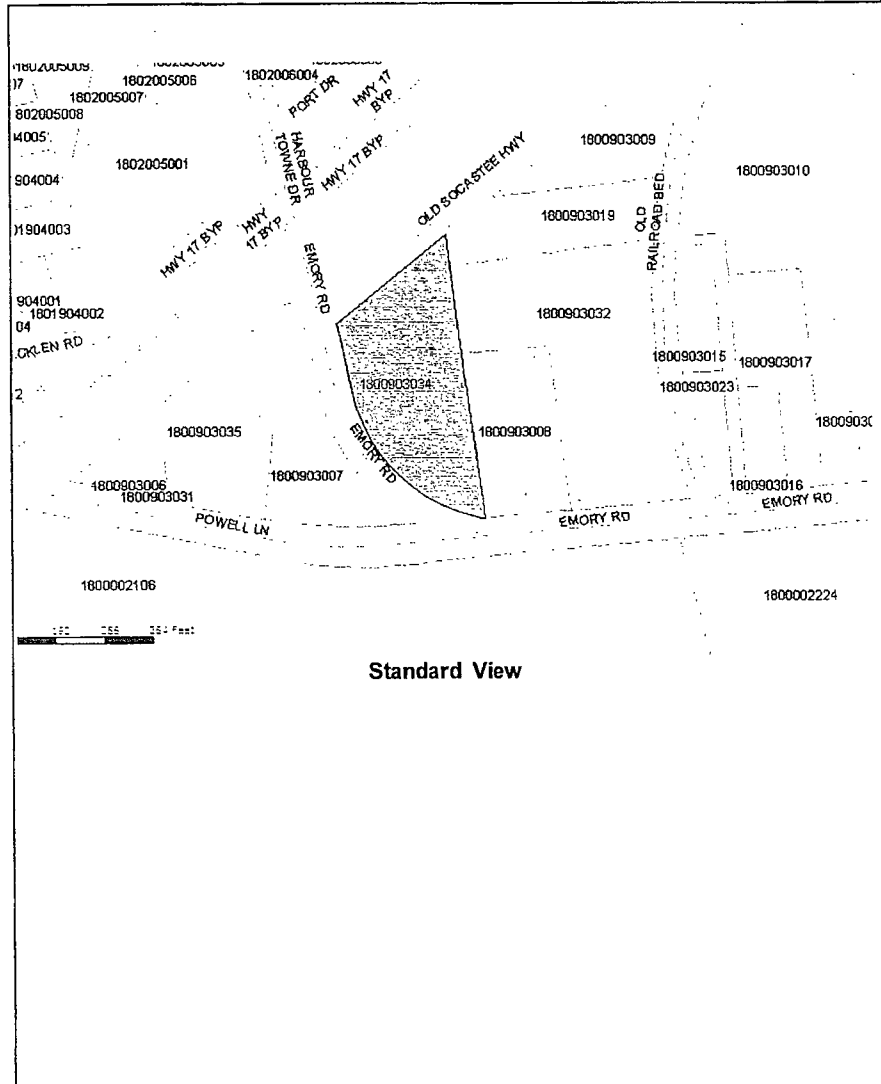
ROA-499

SCDOT R/W Form 110A (04-09)

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TAX MAP

Tax Map Number: 180-09-03-034

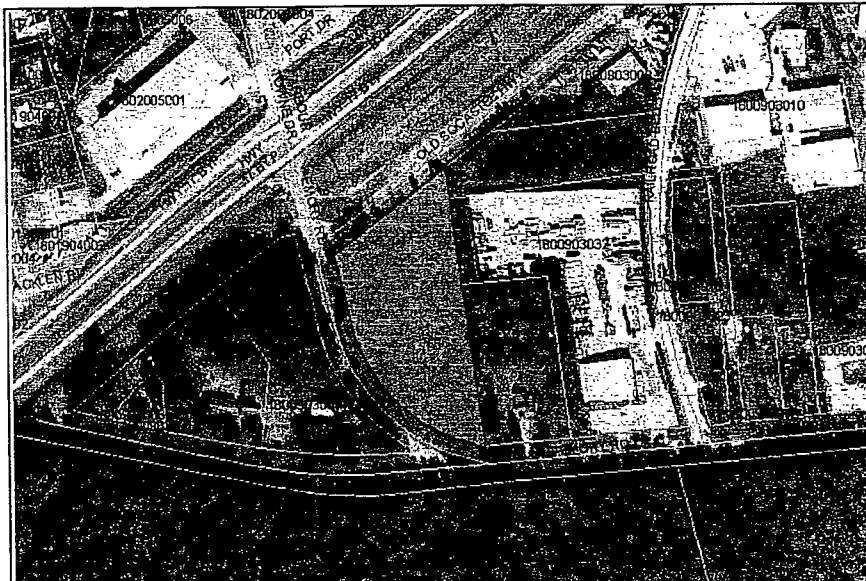


Right of Way Section

SCDOT

SCDOT RW Form 110A (04-09)

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Aerial View

Right of Way Section

SCDOT

ROA-501

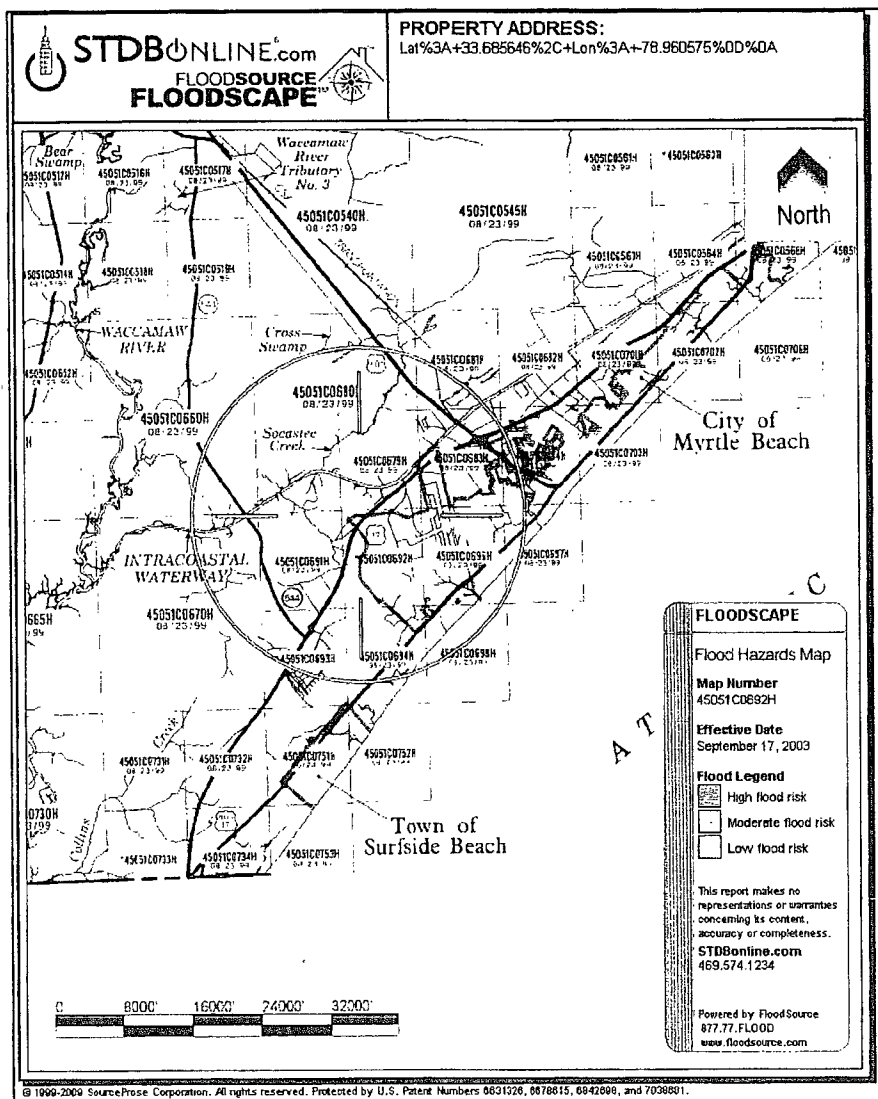
SCDOT R/W Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HRR Tract #: 13

FEMA FLOOD MAP

Flood Panel: 45051C0692H

Date: September 17, 2003



Right of Way Section

SCDOT

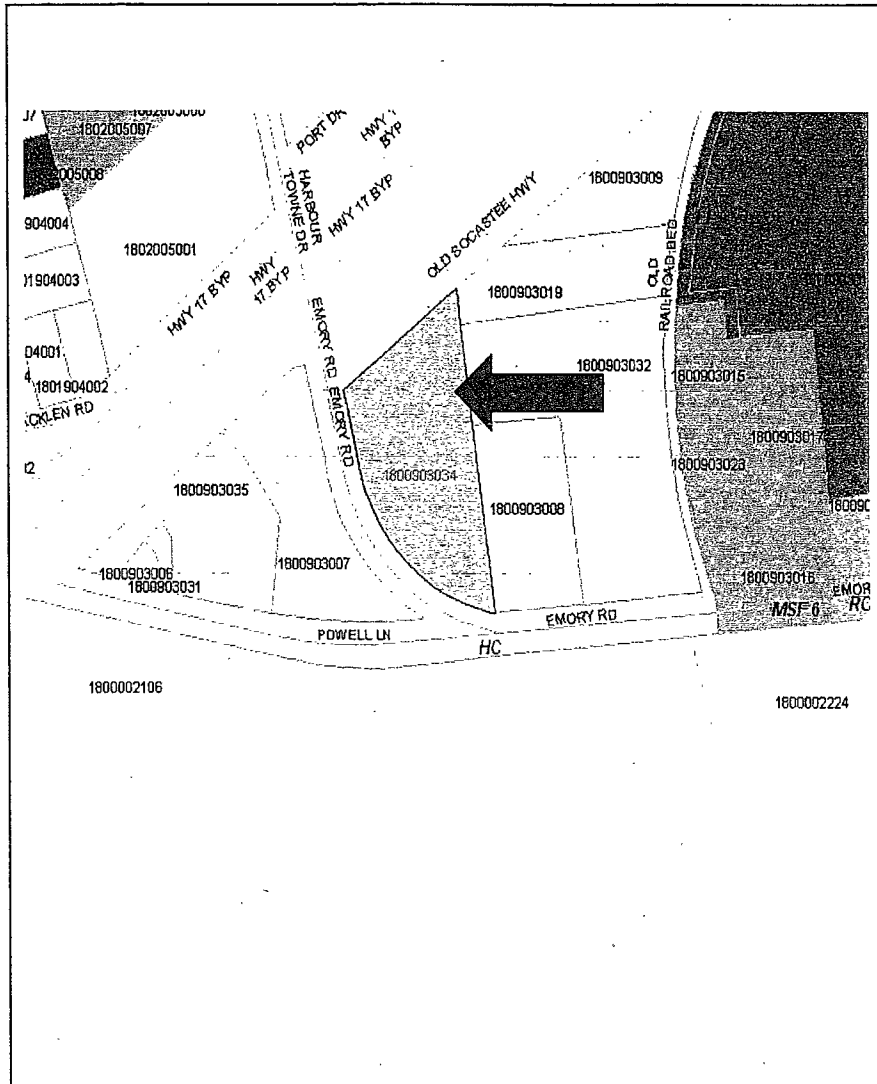
ROA-502

SCDOT RW Form 110A (04-09)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ZONING MAP

Zoning Classification: H-C, Highway Commercial



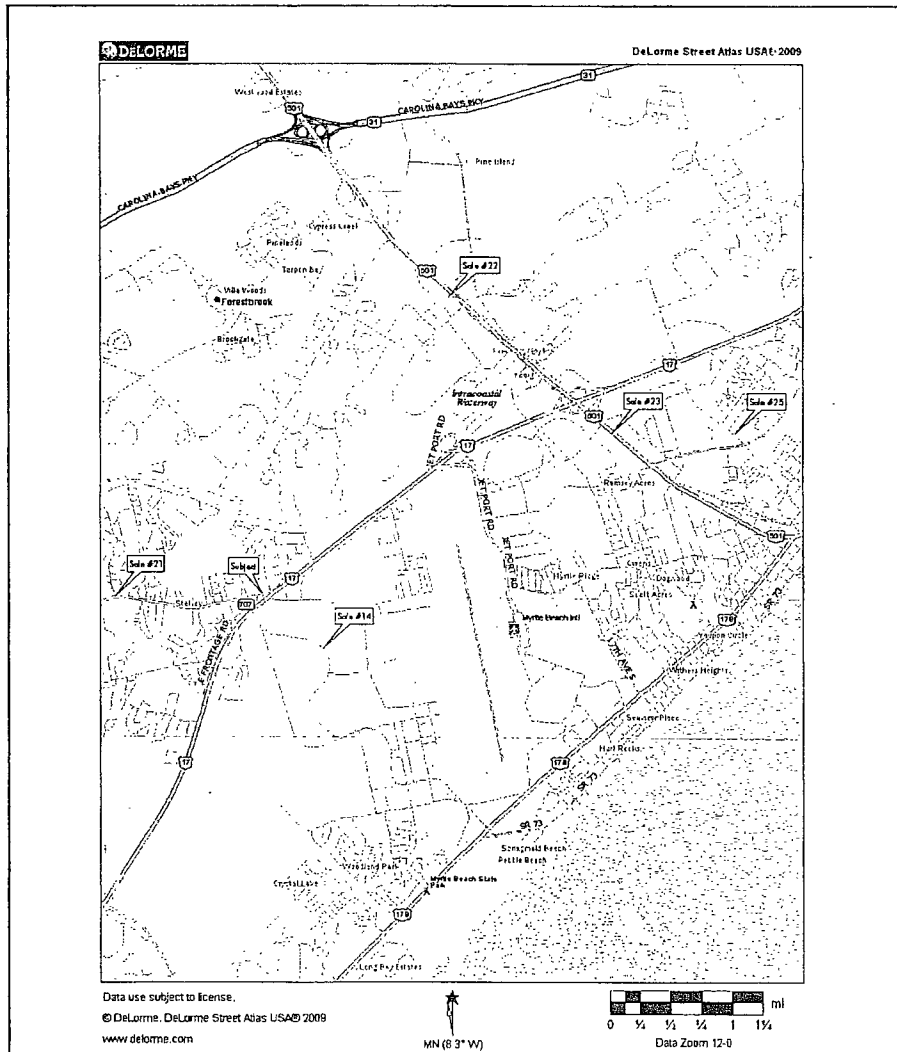
Right of Way Section

SCDOT

ROA-503

SCDOT RAW Form 110A (04-09)

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COMPARABLE LAND SALES LOCATION MAP

Right of Way Section

SCDOT

ROA-504

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

COMPLETE APPRAISAL – SUMMARY REPORT

- (1) Tract Location: NE corner of Old Socastee Highway & Emory Road
 Property Owner: David Franklin Powell
 Address: 3190 Emory Road, Myrtle Beach, SC 29577



Front View of Subject Property

PREPARED FOR:

South Carolina Department of Transportation

- (2) During the inspection the owner was contacted by telephone and invited to be present during inspection of this property. The tract was inspected on 12/8/2009 and I was accompanied by property owner. The property was reinspected several times, most recently 3/11/2013.

Required by Sec. 301(2) of Uniform Act.

Explain: An onsite inspection was made. This appraisal is retrospective as of the date of condemnation or 8/27/10.

I have been requested to revise my appraisal since legal counsel advises that the reconfiguration of the roadways does not constitute damages to the remainder in this case. Therefore, there are no damages to the subject as the property will have full ingress/egress via an adjoining road "after" the acquisition. (See the *Description of The Remainder* section for further discussion)

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

PREPARED BY:

3) Inspecting Appraiser: H. Corbin Haskell, MAI
S.C. State Certified General R/E CG 296
Firm Name: Robinson Company of Greenville, Inc.

File #: 26.036774A PIN #: 36774 Project #: HERR Tract #: 13

APPRAISAL SUMMARY

(4) Property Owner: David Franklin Powell
 Tract Location: NE corner of Old Socastee Highway & Emory Road
 Date of Appraisal: 3/14/2013 Date of Value: 8/27/2010

DESCRIPTION	BEFORE	AFTER
Present Use:	Vacant Land	Vacant Land
Number of Buildings:	N/A	N/A
Primary Improvement Size:	N/A	N/A
Building Setback (Feet)	N/A	N/A
# of Feet Building is Above (+), at (0), or Below (-) Road Grade:	N/A	N/A
# Parking Spaces:	N/A	N/A
Corner Influence:	Yes	Yes
Primary Frontage (Linear Feet):	+/-310' Old Socastee Highway +/-530' Emory Road	+/-155' Old Socastee Highway +/-260' New Transitional Right of Way +/-385' Emory Road
Total Frontage(s) (Linear Feet):	840'	800'
Ingress/Egress: Primary Road Secondary Road(s)	Old Socastee Highway- Full Access Emory Road - Full Access	Old Socastee Highway- Full Access Emory Road - Full Access
Zoning Conformity:	Conforming	Conforming

(6)

Site Size (SF):	109,336	101,385
Site Size (Ac.):	2.51	2.327
Present or Intended Use of Site:	Vacant Land	Vacant Land
Shape:	Irregular	Irregular
Size of Acquisition:	0.183 Acres or 7,951 SF	

(7)

HIGHEST AND BEST USE		
As Vacant:	Light Industrial/Secondary Commercial/Service	Light Industrial/Secondary Commercial/Service
As Improved:	N/A	N/A

(8)

Annual Market Rent per SF:	N/A	N/A
----------------------------	-----	-----

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

(9)	VALUE INDICATIONS		
	Land Value:	\$ 984,000	\$ 912,000
	Sales Comparison Approach:	N/A	N/A
	Cost Approach:	N/A	N/A
	Income Approach:	N/A	N/A
	Final Value Indications:	\$ 984,000	\$ 912,000
(10)	Value of Acquisition:		\$ 72,000

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**APPRAISAL DETAILS AND REQUIREMENTS**

- (11) PROPERTY RIGHTS APPRAISED: Fee Simple
- (12) PURPOSE OF THE APPRAISAL: To determine the difference in the retrospective market value of this property caused by the acquisition of the right of way for the proposed construction of this project as of the date of condemnation 8/27/2010.

- (13) INTENDED USE: To assist the South Carolina Department of Transportation in negotiations with the property owner concerning an eminent domain acquisition.

Market value is defined as "The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress."

SOURCE: The Appraisal Institute, The Dictionary of Real Estate Appraisal, 4th Edition

- (14) EXPOSURE TIME: 12-18 Months

- (15) FIVE-YEAR SALE HISTORY:

Date	Sale Price	Deed Reference
2/21/2006	N/A	3052/114
Comments: Deed of distribution. No other known transactions involving the subject have occurred within the last five years.		

- (16) CURRENT LISTING: N/A PENDING CONTRACT: N/A

- (17) ASSESSMENT AND TAXES:

Tax Parcel ID #: 180-09-03-034

Tax Year: 2010

Fair Market Value: \$ 219,200

Total Assessed Value: \$ 13,152

Real Estate Taxes: \$ 2,614.04

- (18) CURRENT ZONING ANALYSIS:

District: HC, Highway Commercial Current Conformity: Conforming

MINIMUM REQUIREMENTS:

Front Setback: 50'

Rear Setback: 15'

Side Setback: 10'

Width: 60'

Building Height: 120'

Parking Spaces: Varies by use

Road Frontage: N/A

Maximum Building Size: N/A

Minimum Lot Size: 10,000 SF- Commercial Use & 6,000 SF Residential Use

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT LOCATION MAP

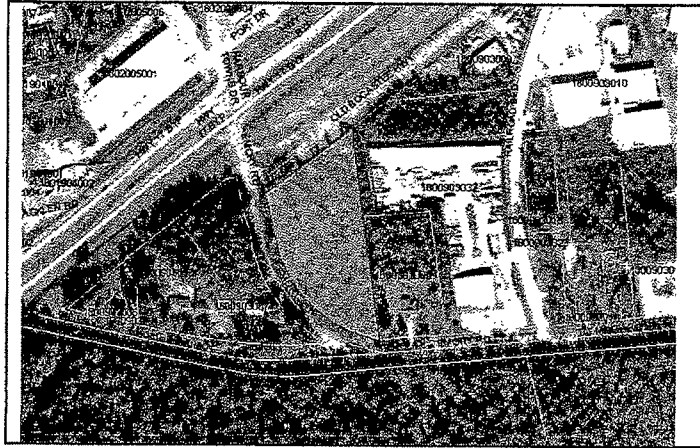


File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (1-3)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

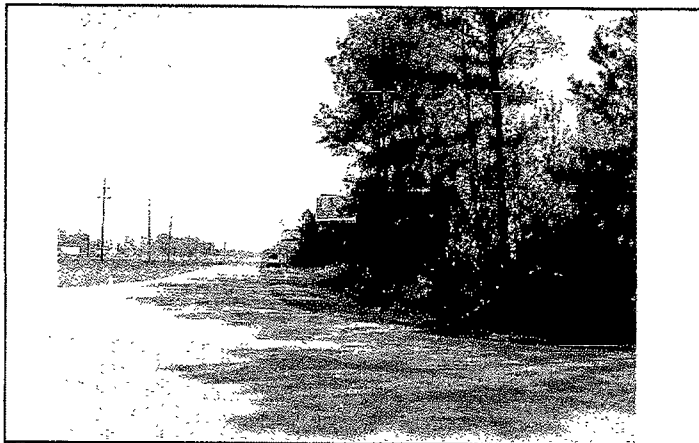
Aerial view of subject



NE corner of Old Socastee Highway and Emory Road, subject on the left



Old Socastee Highway facing northeast, subject on the right



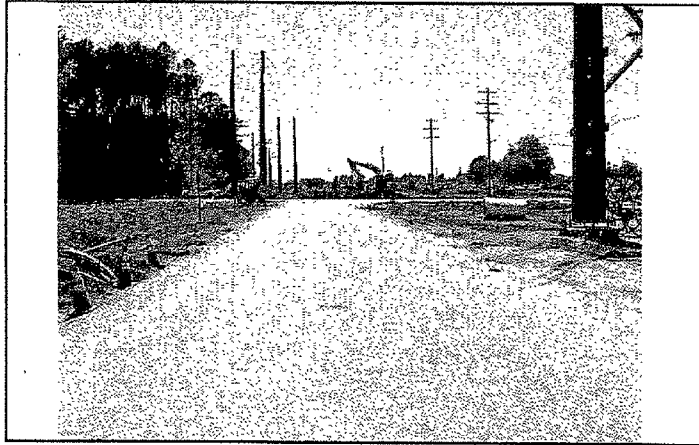
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (4-6)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC

Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

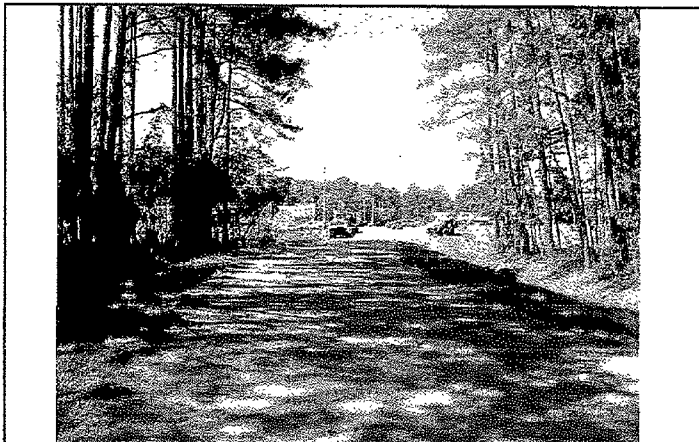
Old Socastee Highway facing south, subject on the left



Emory Road facing southeast, subject on the left



Emory Road facing northwest, subject on the right

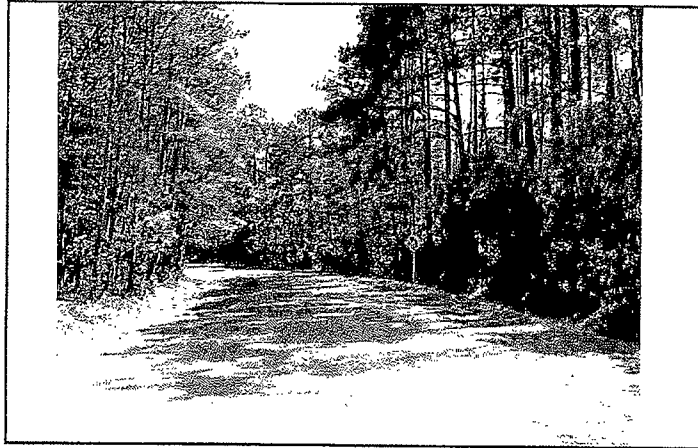


File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

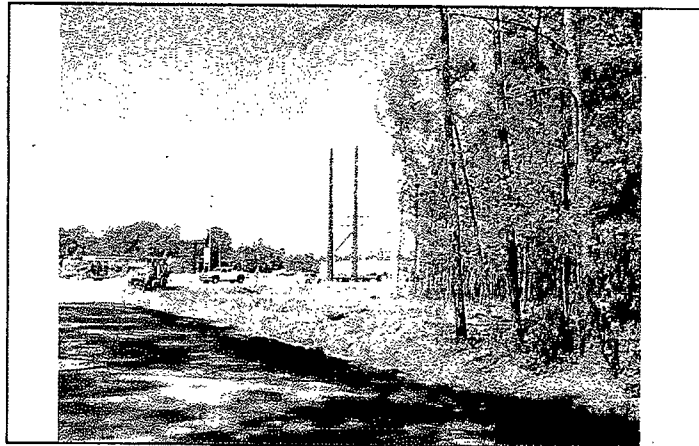
SUBJECT PHOTOGRAPHS (7-9)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC
 Photos Taken By: Corbin Haskell Date of Photos: 4/08/2010 & 4/18/2011

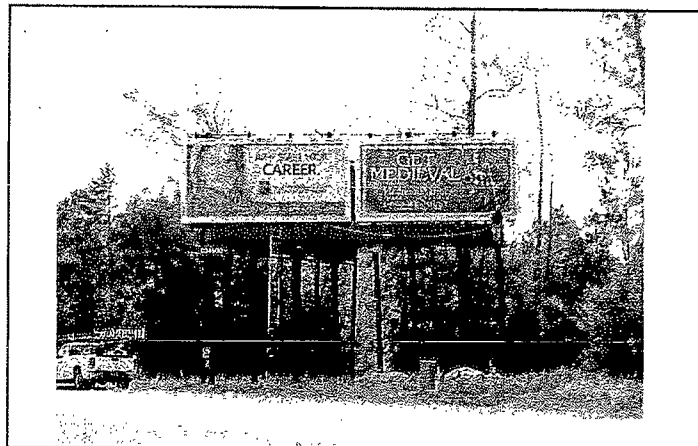
Emory Road facing southeast
near rear property line, subject
on the left



Approximate location of the
acquisition



Billboard on site, not impacted
by acquisition



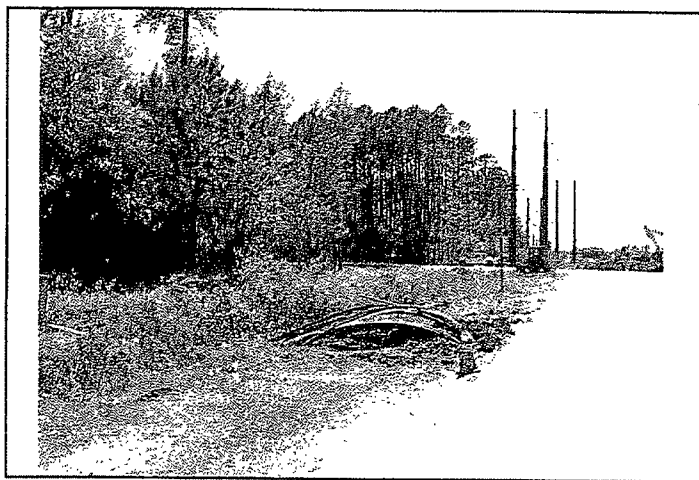
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

SUBJECT PHOTOGRAPHS (10)

Address/Location: NE corner of Old Socastee Hwy & Emory Road, Myrtle Beach, SC

Photos Taken By: Corbin Haskell Date of Photos: 4/18/2011

Approximate location of
acquisition on Old Socastee
Highway, facing south.



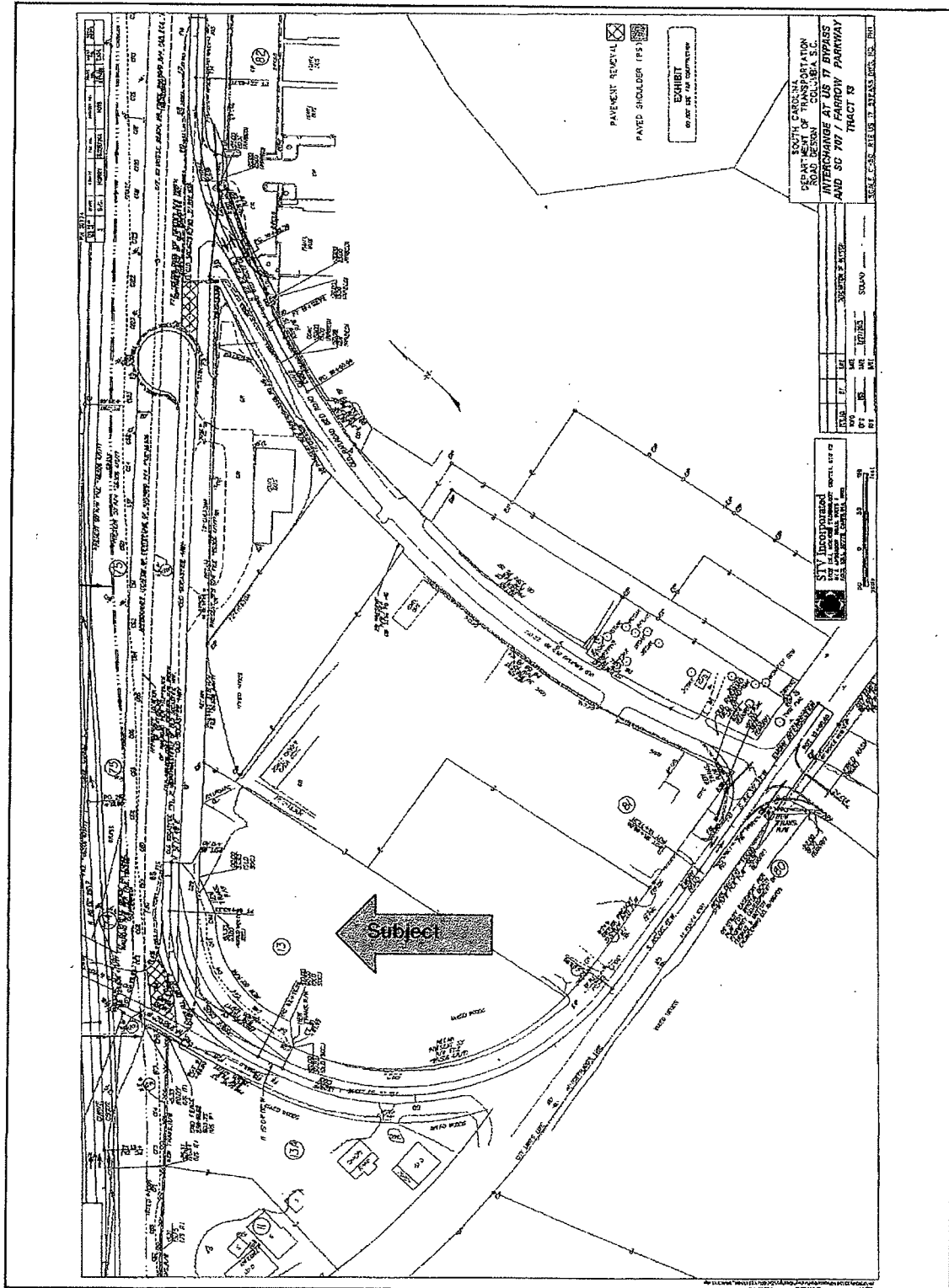
File #: 26.036774A

PIN #: 36774

Project #: HERR

Tract #: 13

SUBJECT PLAT



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

PARAGRAPH 19. SCOPE OF WORK:

In preparing this appraisal, the *scope of the appraisal* included, but was not limited to the following:

- 1) A physical inspection of the subject property.
- 2) A search of public records to gather sales data and other comparable information.
- 3) Verifying all data by public affidavit or by grantor/grantee, or a representative to the sale.
- 4) Determining the highest and best use of the subject property.
- 5) Applying all relevant approaches to value. As the appraisal is of vacant land, the only relevant approach is the Sales Comparison Approach.

The general scope started with a review of the area economic data and demographics in order to determine the health of the local economy and identify trends in the local trade area while analyzing the corresponding effects on the real estate market. A study of the subject neighborhood also known as the sub-market was also completed in order to determine local trends and the competitive standing of the subject within the sub-market. The sub-market is defined as the Grand Strand area of Horry County.

An on site inspection of the property was made most recently on March 11, 2013. The retrospective market value of the subject is as of the date of condemnation or August 27, 2010. The property description relies on the DOT survey provided to the appraisers, an on site inspection, and Horry County public records. Other data available through the local county tax assessor and mapping department were also researched.

Data considered most relevant are outlined in this report. Acquisition and confirmation of these data included a search of public records, MLS data, CoStar, and local information obtained from local appraisers and brokers, and discussions with people active in the local and regional real estate markets. The investigative process further includes ongoing discussions with developers, appraisers, and brokers of property with regard to development costs, return objectives, market activity, and marketing time. Publications relevant to the real estate market were consulted for information on market activity, expense ratios, capitalization rates, discount rates, and other information. Improved sales and rentals of comparable facilities were researched and analyzed.

The conclusions have been reported in a SCDOT Standard format in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP).

No specific abnormal appraisal problems arose during the appraisal. Adequate data was available to complete the analysis.

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PARAGRAPH 20-A. DESCRIPTION OF REALTY (BEFORE):**SITE DESCRIPTION**

Present Use	Vacant land
Site Size	2.51 acres or 109,336 square feet. (size based on information provided by the property owner) It is recommended that a qualified surveyor inspect the subject for existing property lines and easements that are unable to be detected by the appraiser(s).
Curb and Gutters	None
Sidewalk	No
# of Lanes	2 lanes- Old Socastee Highway 2 lanes- Emory Road
Traffic Level	Low- Old Socastee Highway Low- Emory Road
Traffic Control	None
Shape	Irregular
Ingress/Egress	The subject has frontage and access along Old Socastee Highway and Emory Road. The subject has exposure from Highway 17 Bypass, but has no direct ingress/egress. Emory Road intersects with Highway 17 Bypass. However, due to the current configuration and heavy traffic on Highway 17 Bypass, accessing the southbound lanes from the neighborhood is difficult.
Access to the Improvements	N/A
Frontage	+/-310' Old Socastee Highway +/-530' Emory Road
Grade at Road Level	At or near road grade
Visibility/Exposure	Average
Topography	Level
Drainage	Adequate
Flood Plain:	
Map Number	45051C0692H (See Flood Map in Addendum)
Date	9/17/2003
Zone	X
Landscaping	Average
Utilities	
Water	Yes
Sewer	Yes

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Electricity	Yes
Natural Gas	Yes
Telephone	Yes
Zoning	
Designation	HC, Highway Commercial (Horry County)
Uses Allowed	"It is the intent of this section that the Highway Commercial District be established and appropriate land reserved for general business purposes and with particular consideration for the automobile-oriented commercial development existing or proposed along the county's roadways. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, service, amusement, entertainment and professional uses which benefit from being located in close proximity to each other; and to discourage any encroachment by industrial or other uses capable of adversely affecting the basic commercial character of the district." A wide variety of retail and commercial uses are allowed. Single-family homes are also allowed.
Easements/ Encroachments	Based upon my inspection and examination of the subject site, as well as my review of plats and deeds of the property, I did not detect adverse easements other than normal utility easements and rights of way. These are not believed to have a detrimental impact on property value. It should be noted that I am not qualified to detect easements and encroachments and legal counsel should be retained if there are any indications of title defects.
Environmental	I am unaware of potential environmental hazards on the property. Environmental aspects of the subject property are beyond my expertise. If necessary, I recommend a professional in environmental expertise be retained.
Comments	Subject appears to be a conforming use as vacant.
Personal Property, FF&E, etc. (Included in the opinion of value)	None noted
Relocation Items (Not included in the opinion of value)	None noted

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PARAGRAPH 20-B. DESCRIPTION OF REALTY (BEFORE):

IMPROVEMENT DESCRIPTION

There is a billboard located on the subject property near the northern property line along Old Socastee Highway. The billboard does not appear to be impacted by the road project.

PARAGRAPH 21. HIGHEST AND BEST USE (BEFORE):

Highest and Best Use is defined in The Appraisal of Real Estate – 13th Edition as, "The reasonably probable and legal use of vacant land or an improved property, that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value."

AS VACANT:

Physically Possible:

The subject site contains approximately 2.51 acres. The site is at or near road grade and generally level. The property is located along two secondary thoroughfares with adequate access. The subject has exposure from but does not have direct access to Highway 17 Bypass. This is fairly common to the neighborhood and does not limit the use of the subject for secondary commercial, service, or light industrial uses common to the neighborhood. All utilities are directly available to the site. As vacant, a variety of uses, including nearly all uses common to the neighborhood are physically possible for the subject.

Legally Permissible:

As to the legally permissible uses, the subject property is zoned "HC", Highway Commercial District. According to the Horry County Zoning Ordinance, a wide variety of commercial uses as well as residential uses are legally permissible as vacant.

Financially Feasible:

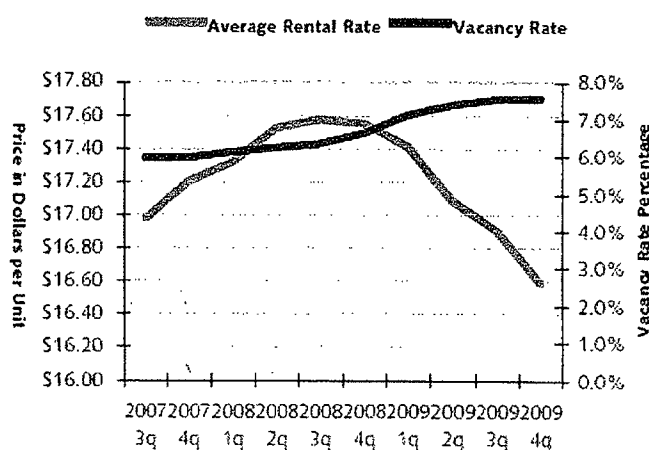
The subject property is located along an established commercial corridor north of the intersection of Highway 17 Bypass and Highway 707. Land uses around this intersection include but are not limited to fast food, convenience stores, banks, restaurants, retail strip centers, self-storage, pharmacy, and other retail operations. However, moving north of the intersection land uses become more secondary commercial, service, and light industrial in nature. Properties along Old Socastee Highway are developed with a variety of established, small light industrial or service buildings. Development to the rear consists of established residential uses. The subject also benefits from its proximity to the newly developed Withers Preserve and to Market Common. However, new development in the immediate subject area has been slow to occur in recent years.

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As discussed in more detail in the Comparable Data Brochure, the national and local economy is slowly recovering from the recent recession. For the remainder of 2010, there are a number of factors which will slow the real estate market including a tightening of lending practices and the slowdown in the economy in general. New construction will be limited due to the lack of financing and lack of quality tenants. Vacancy will rise and rental rates will decrease.

U.S. VACANCY COMPARISON

Past 10 Quarters



Source: CoStar Property

In the short term, the immediate subject area will not see the growth and appreciation it has over the last several years. However, based on its positive market fundamentals, overall economic conditions are good for the long term.

The site is physically suited for secondary commercial, service, or light industrial development. Constructing a speculative building at this time is not ideal due to the current economic conditions. Based on the current conditions and projections, it would be most financially feasible to either hold the subject property for future development or develop the property with a build-to-suit and/or owner occupied building. As vacant, based on current market conditions, the subject tract should be held speculatively until it can be put to its highest and best use, which includes a variety of scenarios assuming the proper tenant and/or owner occupant.

Maximally Productive:

To provide the highest return to the land, the proper building improvements providing the optimum land-to-building ratio should be developed. This should allow for adequate ingress and egress to and from the property along with no excess land. Development for commercial use assuming the proper improvements and a proper land-to-building

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ratio would be the maximally productive use, as vacant. Constructing a speculative building at this time is not ideal due to the current economic conditions.

Therefore, based on the preceding discussion my opinion of the highest and best use of the property, as vacant and available for development, is to hold for secondary commercial, service, or light industrial utilization.

PARAGRAPH 22. VALUATION BEFORE THE ACQUISITION:

LAND VALUATION (BEFORE):

Land value is derived separately using the sales comparison approach and a minimum of three comparable sales. The South Carolina Department of Transportation requires that the Sales Comparison Approach be demonstrated for all improved properties unless unusual circumstances preclude its development or the improvements are determined to be unaffected by the acquisition. The Cost Approach shall be considered when the impacted improvements are less than ten years old, a special-use property, or when sufficient comparable sale or lease information is not available. The SCDOT requires application of the Income Approach on all investment and income-producing properties where existing improvements might be impacted by the project.

To value the subject land, the Sales Comparison Approach is used. A thorough search for sales activity in the immediate subject neighborhood and in nearby similar neighborhoods was completed to locate comparable land sales. Land sales have been selected for further analysis and direct comparison on the basis of similarities and location, physical characteristics, and other categories.

Five comparable sales have been identified and analyzed. A complete description of each comparable is provided in the Comparable Data Brochure. A Land Sales Map is attached in the *Addendum*. The land sales are summarized in the following chart.

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13**LAND SALES SUMMARY CHART- BEFORE****Tract 13**

Sale #	Name/Location	Sales Date	Use	Sales Price	Land Size (Ac./SF)	Sales Price/SF
14	1600 Farrow Parkway Myrtle Beach	12/12/2007	Retail Center	\$1,958,000	3.543 154,333	\$12.69
21	Socastee Blvd. Myrtle Beach	9/11/2008	Service Center	\$825,000	3.000 130,680	\$6.31
22	Highway 501 Myrtle Beach	1/15/2008	Service	\$825,000	2.230 97,139	\$8.49
23	Highway 501 Myrtle Beach	7/16/2010	Vacant	\$495,000	1.260 54,886	\$9.02
25	Mr. Joe White Blvd Myrtle Beach	8/17/2010	Vacant	\$500,000	1.200 52,272	\$9.57

ANALYSIS

Low	\$6.31
High	\$12.69
Mean	\$9.22
Median	\$9.02

EXPLANATION OF ADJUSTMENTS:

The following analysis outlines adjustments made for differences existing between the sales and the subject in an effort to determine what each property may have sold had it been identical to the subject in all respects. The analysis grid following the discussion summarizes the pertinent facts of each sale in the adjustment process. Due to lack of market data, in most cases adjustments in this appraisal are based on my judgment. The typical unit of comparison for the local market is the price per square foot.

Property Rights: Each of the sales included the Fee Simple Interest with no adjustments necessary.

Financing: Each sale is a cash or cash equivalent transaction indicating no adjustments for financing or cash equivalency.

Conditions of Sale: Each of the sales is an arm's length transaction with no adjustment necessary under this category.

Market Conditions: A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. A market conditions adjustment is necessary in the appraisal to account for the changes that have occurred in the market between the time the sale occurred and the date of this appraisal. Based on the recent economic downturn and recession, there has been no measurable

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appreciation in tracts of land within the last 36 months. Thus, no adjustments are necessary.

Location:

Efforts to show a market-extracted location adjustment based on paired data analysis were inconclusive. Therefore, adjustments for location are based on logical conclusions made by the appraiser when comparing the locations of the comparable sales to that of the subject. Based on this comparison, Sale 14 received a downward adjustment as it is in a superior location, in a more primary commercial area within the Withers Preserve development. Sale 21 received an upward adjustment, as its location on a secondary thoroughfare is inferior to the subject. Sale 22 has a similar location and no adjustment is necessary. Sales 23 and 25 have slightly inferior locations on less traveled thoroughfares and small upward adjustments are reasonable.

Size:

Generally, larger tracts of land are transferred on a lower cost per unit basis than smaller tracts, all other factors being equal. Conversely, smaller tracts are generally transferred on a higher cost per unit basis than are larger tracts. The subject tract contains approximately 2.51 acres of land while the comparable sales used contain between 1.2 acres and 3.543 acres. Therefore, Sale 14 received an upward adjustment, as it is larger than the subject. Sales 21 and 22 are adequately comparable under this category and no adjustments are necessary. Sales 23 and 25 are smaller and downward adjustments are reasonable.

Shape:

The shape of a tract of land can often dictate its development potential and hence its value. The shape of the subject although irregular does not limit the use of the subject and is comparable to the comparable sales and no adjustments are necessary.

Topography:

The topographic features of a tract of land can often dictate its development potential and affect the overall cost of development. The subject property is at or near road grade and generally level. Each of the sales used has comparable topographic features and therefore no adjustments were necessary.

Zoning:

The zoning and/or other land use restrictions to a tract of land affect land value and therefore are considered in the appraisal. The subject property is zoned HC, Highway Commercial by Horry County. Each of the sales used has similar zoning restrictions and no adjustments are required.

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***Access/Frontage
and Exposure:***

Adjustments are made for access/frontage and exposure based on a direct comparison between the comparable sales and the subject for these characteristics. The subject tract has adequate frontage and exposure. However, the subject does not have direct access on to a major thoroughfare. Sales 14 and 21 have superior access, thus downward adjustments are necessary. The remaining sales have fairly comparable access, frontage, and exposure features and therefore no adjustments are necessary.

The following chart shows the adjustments necessary for each of the comparable sales compared with the subject property.

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LAND SALES ADJUSTMENT CHART - BEFORE

		<i>Tract 13</i>				
Comparable No.	Subject	14	21	22	23	25
Property Rights	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Financing	Market	Market	Market	Market	Market	Market
Condition of Sale	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length	Arms Length
Date Of Sale	-	12/12/2007	9/11/2008	1/15/2008	7/16/2010	8/17/2010
Sales Price	-	\$1,958,000	\$825,000	\$825,000	\$495,000	\$500,000
Location	Old Socastee Highway & Emory Road Myrtle Beach	1600 Farrow Parkway Myrtle Beach	Socastee Blvd. Myrtle Beach	Highway 501 Myrtle Beach	Highway 501 Myrtle Beach	Mr. Joe White Blvd Myrtle Beach
City						
Physical Characteristics:						
Size; Acres	2.510	3.543	3.000	2.230	1.260	1.200
S.F.	109,336	154,333	130,680	97,139	54,886	52,272
Shape	Irregular	Irregular	Irregular	Irregular	Regular	Regular
Topography	Level	Level	Level	Level	Level	Level
Access/Frontage/Exposure	Average	Average	Average	Average	Average	Average
Other	-	-	-	-	-	-
Sales Price/SF		\$12.69	\$6.31	\$8.49	\$9.02	\$9.57

ADJUSTMENTS

Property Rights	-	-	-	-	-
Financing	-	-	-	-	-
Conditions of Sale	-	-	-	-	-
Market Conditions	0.00%	0.00%	0.00%	0.00%	0.00%
Adjusted Price/SF	\$12.69	\$6.31	\$8.49	\$9.02	\$9.57
Location	-25%	25%	-	5%	5%
Physical Characteristics:					
Size	5%	-	-	-5%	-5%
Shape	-	-	-	-	-
Topography	-	-	-	-	-
Zoning	-	-	-	-	-
Access/Frontage/Exposure	-10%	-10%	-	-	-
Other	-	-	-	-	-
Total Adjustments	-30%	15%	0%	0%	0%
Final Adjusted Price / SF	\$8.88	\$7.26	\$8.49	\$9.02	\$9.57

ANALYSIS

Low	\$7.26
High	\$9.57
Mean	\$8.64
Median	\$8.88

LAND VALUATION (BEFORE) CONCLUSION:

Prior to adjustments, the sales range from \$6.31 per square foot to \$12.69 per square foot. Adjustments deemed necessary were for location, size, and access.

After all necessary adjustments, the sales indicate a range from \$7.26 per square foot to \$9.57 per square foot with a mean of \$8.64 per square foot and a median of \$8.88 per square foot.

Sale 14 is in the immediate subject neighborhood. However, it is best suited for retail use, as opposed to the subject which is better suited for service use. Thus, Sale 14 is given least weight. Sale 22 is located on a similar roadway, with similar access, and was purchased for use as a printing business. Sale 22 is considered to be a strong

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indicator of market value. Sales 23 and 25 are the most recent and are given more emphasis. Therefore, based on the preceding sales and analysis, it is my opinion that the subject land has a market value of \$9.00 per square foot prior to the acquisition.

The indicated retrospective market value of the subject is shown as follows:

109,336 SF	X	\$9.00 per SF	=	\$984,020
Rounded to:				\$984,000

PARAGRAPH 22-B. COST APPROACH TO VALUE (BEFORE):

Not Applicable

PARAGRAPH 22-C INCOME CAPITALIZATION APPROACH TO VALUE (BEFORE)

Not Applicable

PARAGRAPH 23. RESOLUTION OF BEFORE VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. The Sales Comparison Approach is a direct reflection of actions of buyers and sellers and is particularly relevant when recent sales of comparable properties are available. The opinion of value developed in this approach can be subjective when adjusting for variations and locational physical characteristics, but serves as a primary guide for buyers and sellers in setting the parameters for a potential transaction.

In this analysis, a number of land sales in the subject neighborhood and in nearby similar neighborhoods were available for comparison. Though there is subjectivity in the adjustment process, the Sales Comparison Approach and analysis is well supported in the appraisal based on qualitative adjustments and analysis.

Cost Approach – N/A

Income Approach – N/A

Therefore, based on the information contained in this report, the retrospective opinion of market value of the subject property as of the date of this report is \$984,000.

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PARAGRAPH 24. DESCRIPTION OF THE ACQUISITION:

The new right of way acquires 0.183 acres or 7,951 square feet of the subject property along the corner of Old Socastee Highway and Emory Road. There are no improvements within the acquisition.

PARAGRAPH 25. DESCRIPTION OF THE REMAINDER:

Prior to the acquisition, the subject contained 2.51 acres of land. The acquisition reduces the total land size to 2.327 acres. After the acquisition, there will be new controlled access along Highway 17 Bypass, thus closing the intersection with Emory Road and Highway 17 Bypass to the west of the subject. Additionally, just north of the subject Old Socastee Road will be closed with a cul-de-sac. Access from the subject will now be from Emory Road traveling east/northeast. Emory Road provides access to Farrow Parkway to the southwest via Fred Nash Boulevard. Emory Road also intersects with Old Railroad Bed Road, which will provide eventual access to Old Socastee Road/Highway 17 Bypass to the northeast. **Again, legal counsel advises that the reconfiguration of the roadways does not constitute damages to the remainder in this case. Therefore, there are no damages to the subject as the property will have full ingress/egress via an adjoining road "after" the acquisition.**

Therefore, the acquisition does not appear to significantly affect the property's shape, topography, frontage, or exposure. Based on the DOT elevation plans provided, it does not appear there is a significant change in road grade with Old Socastee Road and Emory Road after the acquisition. There is sufficient frontage to the north of the acquisition along Old Socastee Highway to support a driveway for future development. Additionally, there is sufficient frontage to the east of the acquisition along Emory Road to support a driveway for future development.

The fee simple ownership interest is reduced and the remaining land area is sufficient to support future development "after" the acquisition.

PARAGRAPH 26. HIGHEST AND BEST USE (AFTER):

AS VACANT:

The proposed road project requires a fee acquisition along the subject frontage with portions of Old Socastee Highway and Emory Road. The property continues to possess sufficient size, shape, topography, access, and exposure to support development common to the neighborhood. In my opinion, the highest and best use of the land "after", as vacant, remains to hold for secondary commercial, service, or light industrial utilization.

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Not Applicable

PARAGRAPH 27. VALUE AFTER THE ACQUISITION:

"After" values and conclusions are based upon plans provided by the SCDOT and the completion of the proposed road construction.

Consideration has been given to relevant aspects of the property affected by the acquisition for analysis and comparison to the subject's "before" condition and the comparable data.

LAND VALUATION (AFTER):

Based on the highest and best use "after", the opinion of value of the land per square foot does not change from the previous opinion of value "before". Therefore, the opinion of land value formed in the "before" value of \$9.00 per square feet is applied to the 101,385 square feet remaining "after" the acquisition.

LAND VALUATION (AFTER) CONCLUSION:

The indicated market value of the subject is shown as follows:

101,385 Square Feet	X	\$ 9.00 per SF	=	\$ 912,465
Rounded to:				\$ 912,000

PARAGRAPH 28. RESOLUTION OF AFTER VALUE:

Sales Comparison Approach - As the appraisal is of a vacant tract of land, the only applicable approach is the Sales Comparison Approach to value. As discussed, there was no change in the value per acre due the acquisition.

Cost Approach – N/A

Income Approach – N/A

Therefore, based on the information contained in this report, the opinion of market value of the subject property after the acquisition is \$912,000.

PARAGRAPH 29. UNECONOMIC REMAINDER:

Not applicable.

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File No: 26.036774A

PIN No: 36774

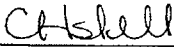
Tract #: 13

DISTRIBUTION OF VALUES

(30)	Value Components:	Before (Paragraph 22)	After (Paragraph 27)	Difference
	Land Value:	\$984,000	\$912,000	\$72,000
	Building Value:	\$0	\$0	\$0
	Site Improvements:	\$0	\$0	\$0
	TOTAL:	\$984,000	\$912,000	\$72,000

(31)	Value Components of the Acquisition:			
	Right of Way Acquired:			
	Land:	7,951.00	sf @:	\$9.00
				\$72,000
	Value of Buildings within the Acquisition Area:			\$0
	Value of Site Improvements within the Acquisition Area:			\$0
	Total for the Acquisition:			\$72,000
	plus Damages (if any to the remainder)			\$0
	less Benefits (if any to the remainder)			
	Total for the Acquisition (Right of way, plus damages, less benefits):			\$72,000

(32)	Final Statement of Value:		
	a)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property before the acquisition is:	\$984,000
	b)	Having considered all applicable approaches, it is my opinion that the indicated value of the whole property after the acquisition is:	\$912,000
	c)	The difference between the indicated value of the property before the acquisition, and the indicated value of the remainder, after the acquisition is:	\$72,000

(33)	The appraisal is made as of:		August 27, 2010
	Date of Report:		March 14, 2013
			
	S.C. Certified General Real Estate Appraiser CG 296		

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GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

General Assumptions - This appraisal has been completed and the appraisal report prepared with the following **general assumptions**:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. The titles to the property are assumed to be good and marketable unless otherwise stated. Any plats, maps, or photographs in this appraisal are used merely to help the reader visualize the property and its surroundings and are not certified to be accurate.
2. Any liens or encumbrances (except for any lease encumbrance that might be referred to in the appraisal) which may exist have been disregarded, and the property has been appraised as though no delinquency in the payment of general taxes or special assessment exists and as though free of indebtedness.
3. It is assumed that the utilization of the land and improvements are within the boundaries of the lines of the property described and that there is no encroachment or trespass unless noted in the report. No survey of the subject property was made or caused to be made by us, and no responsibility is assumed for the occurrence of such matters.
4. A visual inspection of the subject site was made and all engineering is assumed to be correct. The plot plan and illustrative materials in this report are included only to assist the reader in visualizing the property and to show the reader the relationship of its boundaries. The appraiser is not a construction engineer and is not responsible for structural or cosmetic inadequacies associated with any of the improvements unless otherwise noted in the report.
5. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them. The soil for the area under appraisal appears to be firm and solid, unless otherwise stated. Subsidence in the area is unknown or uncommon, and the appraiser(s) does not warrant against this condition or occurrence.
6. Subsurface rights (minerals and oil) were not considered in this appraisal unless otherwise stated. In addition, no potential timber value was considered.

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General Assumptions Continued

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. Unless otherwise stated in this report, the appraiser did not observe the existence of hazardous materials or gases, which may or may not be present on the property. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is 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 is predicated on the assumption that there are no such materials on or in the property, which 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.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming use has been stated, defined, and considered in the appraisal report.
9. It is assumed that all required licenses, certifications of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value contained in this report is based.
10. This appraisal assumes water and sewer services will always be provided for the subject.
11. Responsible ownership and competent property management are assumed.
12. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I (we) have not made a specific compliance survey and an analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact on the value of the property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider

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General Assumptions Continued

non-compliance with the requirements of ADA in determining the value of the property.

13. There is currently a good deal of discussion regarding the potential hazards of Electro-Magnetic Fields and the possible health risk of being located near high voltage transmission lines. I (we) have not made a specific compliance survey and analysis of this property to determine whether or not there are potentially hazardous effects from EMF's. It is possible that a compliance survey of the property together with a detailed analysis could reveal that there is EMF levels, which are above a safe level. If so, this fact could have a negative impact on the value of the subject property. Since I (we) have no direct evidence relating to this issue, I (we) did not consider EMF levels in determining the value for the property.
14. At the store managers request no pictures were allowed. Additionally access to storage areas, office, or coolers was not allowed. This appraisal assumes average condition for these areas.

General Limiting Conditions – This appraisal has been completed and the appraisal report has been prepared with the following **general limiting conditions**.

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used. The opinions of value provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value, unless such proration or division or interests has been set forth in this report.
2. Neither possession of this appraisal or copy thereof carries with it the right to publication, nor may it be used for any purpose by anyone but the applicant without previous consent of the appraiser(s).
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor part of the contents of this report (especially as to value, the identity of the appraiser, or the firm with which the appraiser is associated) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

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General Limiting Conditions Continued

5. Information, estimates, and opinions contained in this report are obtained from sources considered reliable, however the appraiser assumes no liability for such sources.
6. The information supplied to the appraiser is considered to be accurate. The information supplied by the client has been accepted without further verification as correctly reflecting the property's current condition unless otherwise noted.
7. The various opinions of value presented in this report apply to this appraisal only and may not be used out of the context presented herein. This appraisal is valid only for the appraisal date or dates specified herein and only for the appraisal purpose specified herein.

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CERTIFICATE OF APPRAISER

I Hereby certify:

That I have personally inspected the property herein and that I have also made a personal field inspection of the comparable sales relied upon in making this appraisal. The subject and the comparable sales relied upon in making the appraisal were as represented in the comparable data brochure which supplements this appraisal. That Wadley R. Glenn, III, MAI provided significant professional assistance to the appraiser in completion of this report.

That to the best of my knowledge and belief the statements contained in the appraisal herein set forth are true, and information upon which the opinions expressed therein are based is correct: subject to the limiting conditions therein set forth.

That I understand that such appraisal may be used in connection with acquisition of right of way for a highway to be constructed by the State of South Carolina with the assistance of Federal-aid highway funds, or other Federal Funds.

That such appraisal has been made in conformity with the appropriate State and Federal laws regulations, policies and procedures applicable to that appraisal of right of way for such purposes; and that to the best of my knowledge, no portion of the value assigned to such property consists of items, which are non-compensable under the established law of South Carolina.

That neither my employment nor my compensation for preparing this appraisal report is in any way contingent upon the values reported herein.

That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property appraised.

That I have not revealed the findings and results of such appraisal to anyone other than the proper officials of the South Carolina Department of Transportation or officials of the Federal Highway Administration and I will not do so until so authorized by the State officials or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That the owner or his designated representative was given the opportunity to accompany me during my inspection of the property.

That any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement for which such property is being acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to the physical deterioration with in the reasonable control of the owner, has been disregarded in determining the compensation for the property.

The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Code of Professional Ethics and the Standards of Professional 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.

I have appraised the subject previously within the last three years.

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That my opinion of the retrospective fair market value of the acquisition as of August 27, 2010 is **\$72,000** based upon my independent appraisal and the exercise of my professional judgment.

As of the date of this report, I have completed the requirements for continuing education as set forth by the Uniform Standards of Professional Appraisal Practice.

As of the date of this report, H. Corbin Haskell, MAI has completed the continuing education program of the Appraisal Institute.

Date: March 14, 2012


H. Corbin Haskell, MAI
State Certified General Real Estate Appraiser
#296

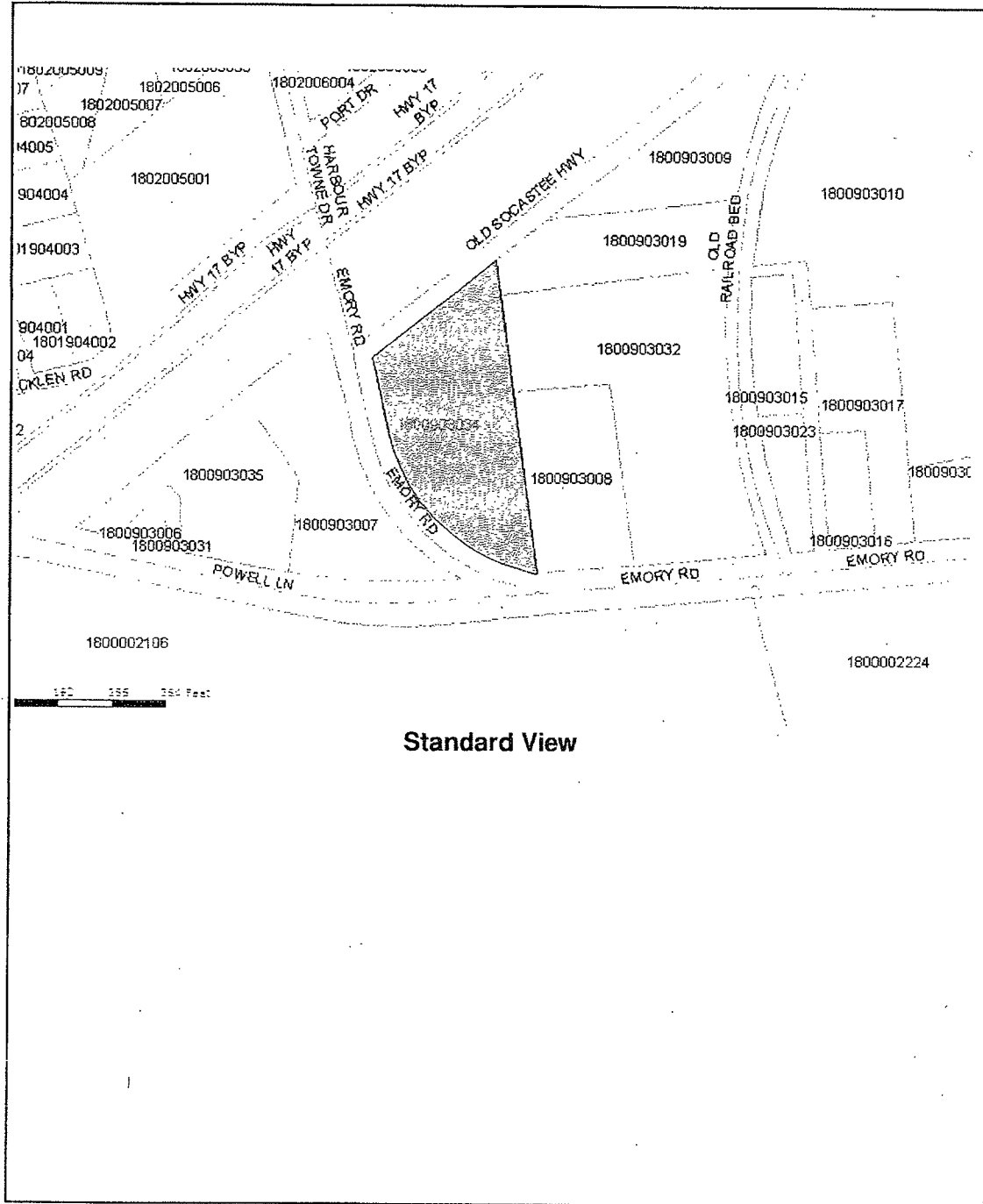
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ADDENDUM

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

TAX MAP

Tax Map Number: 180-09-03-034



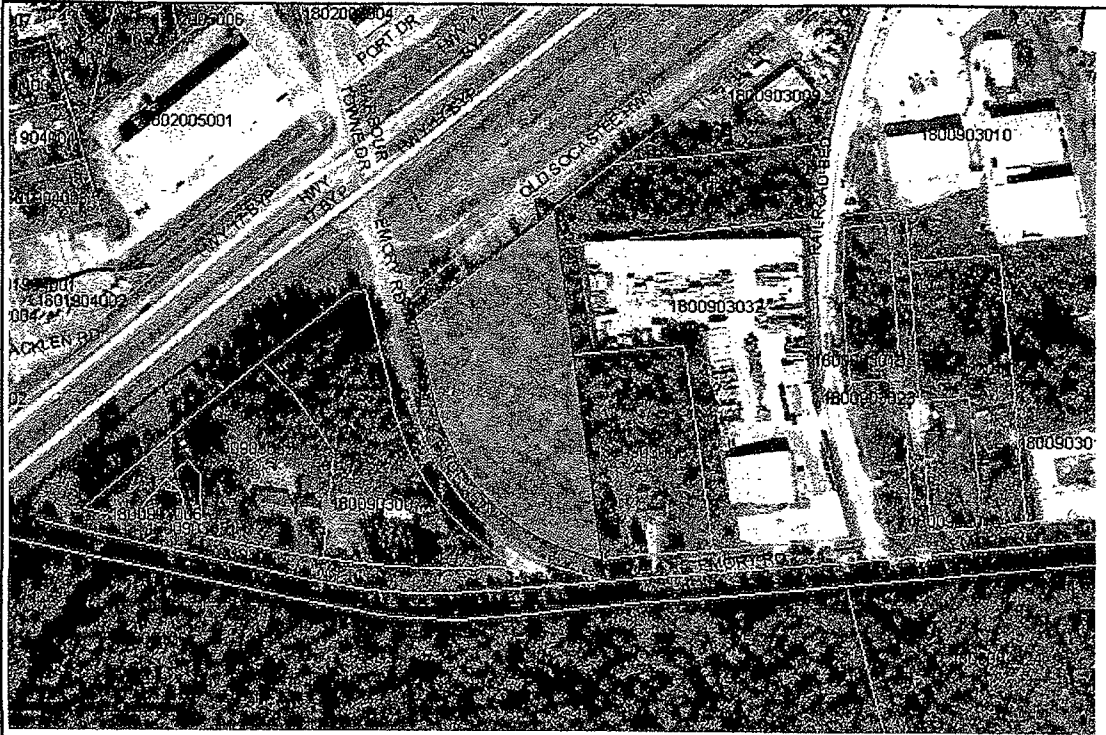
Standard View

File #: 26.036774A

PIN #: 36774

Project #: HERR

Tract #: 13



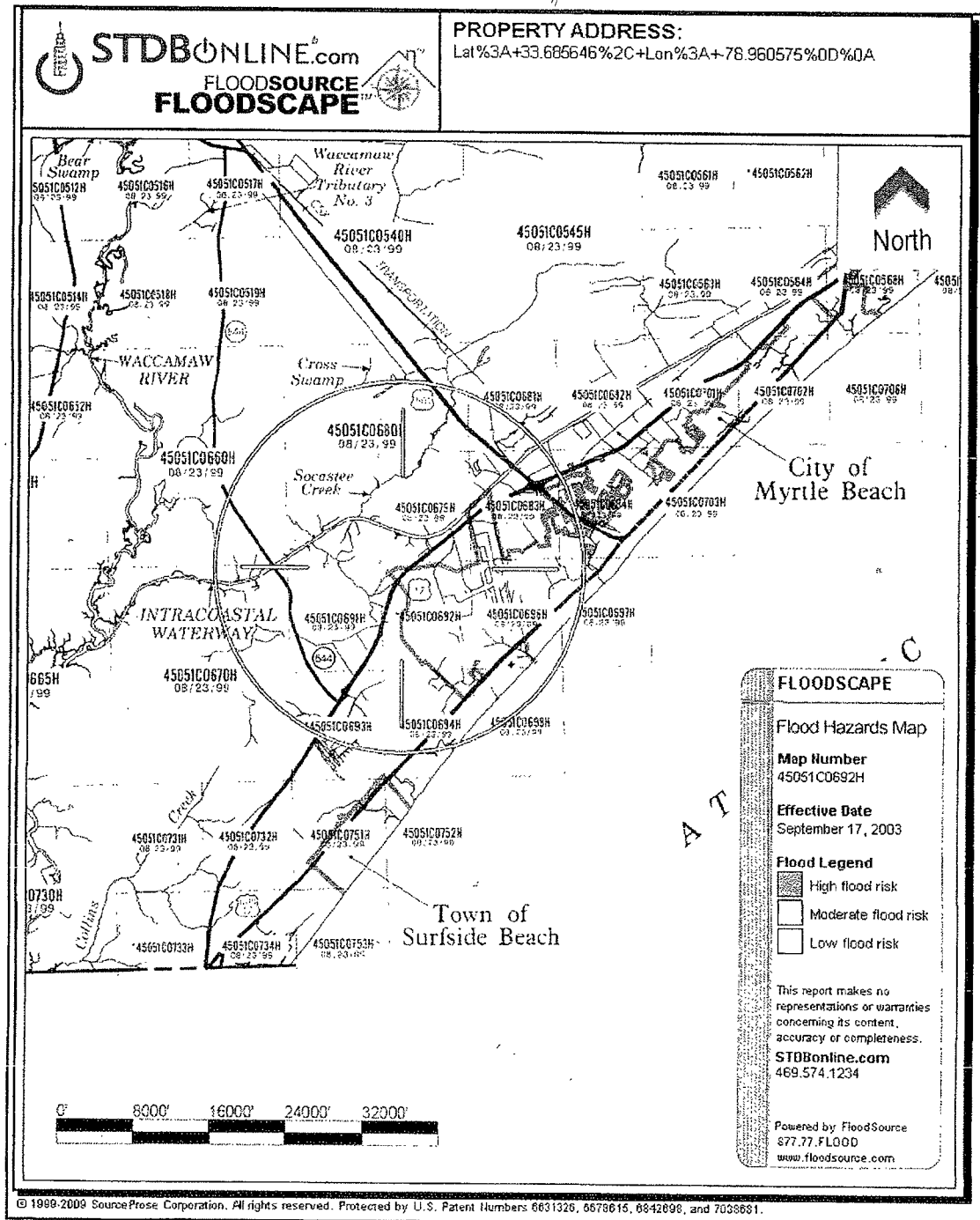
Aerial View

File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

FEMA FLOOD MAP

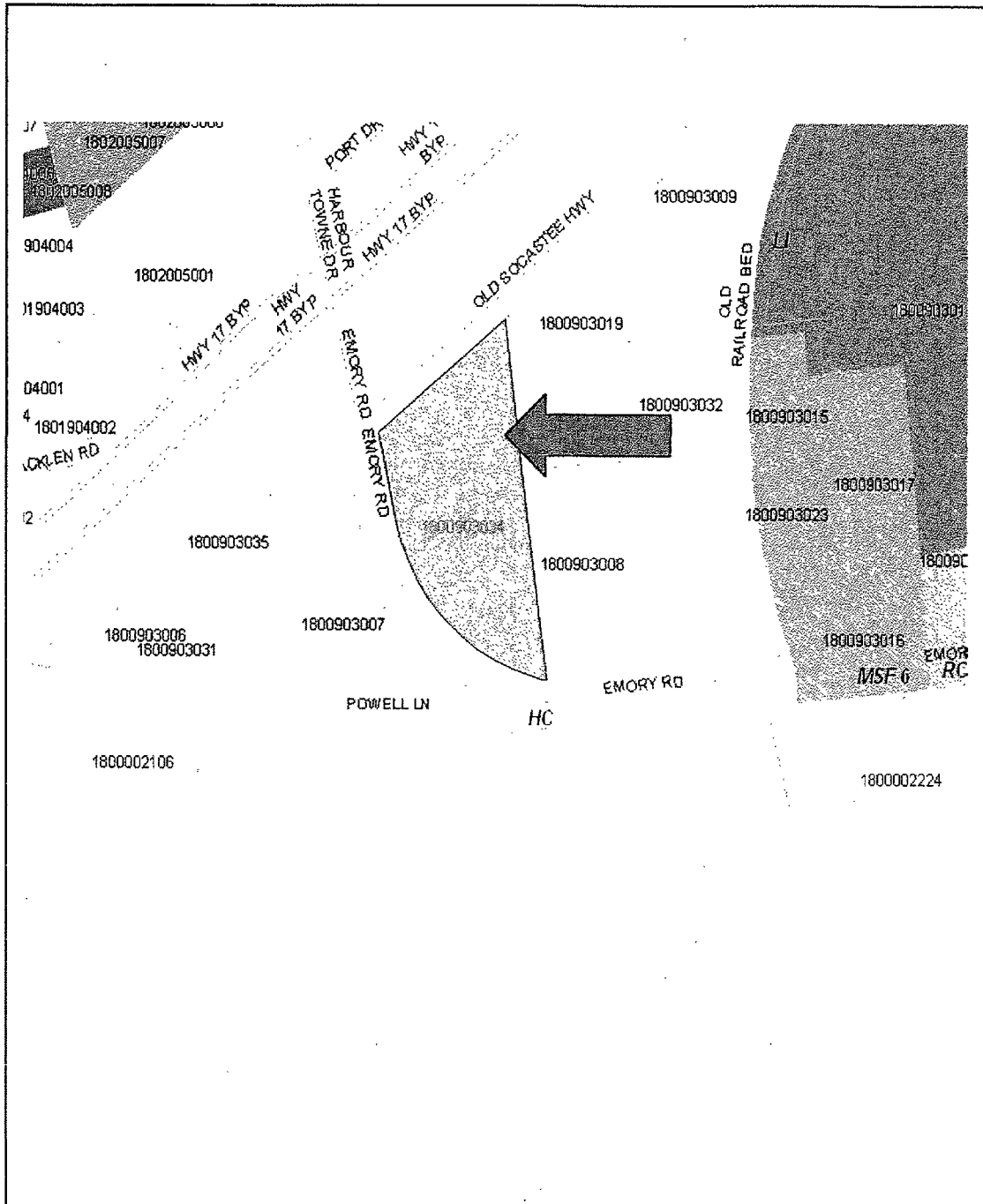
Flood Panel: 45051C0692H

Date: September 17, 2003



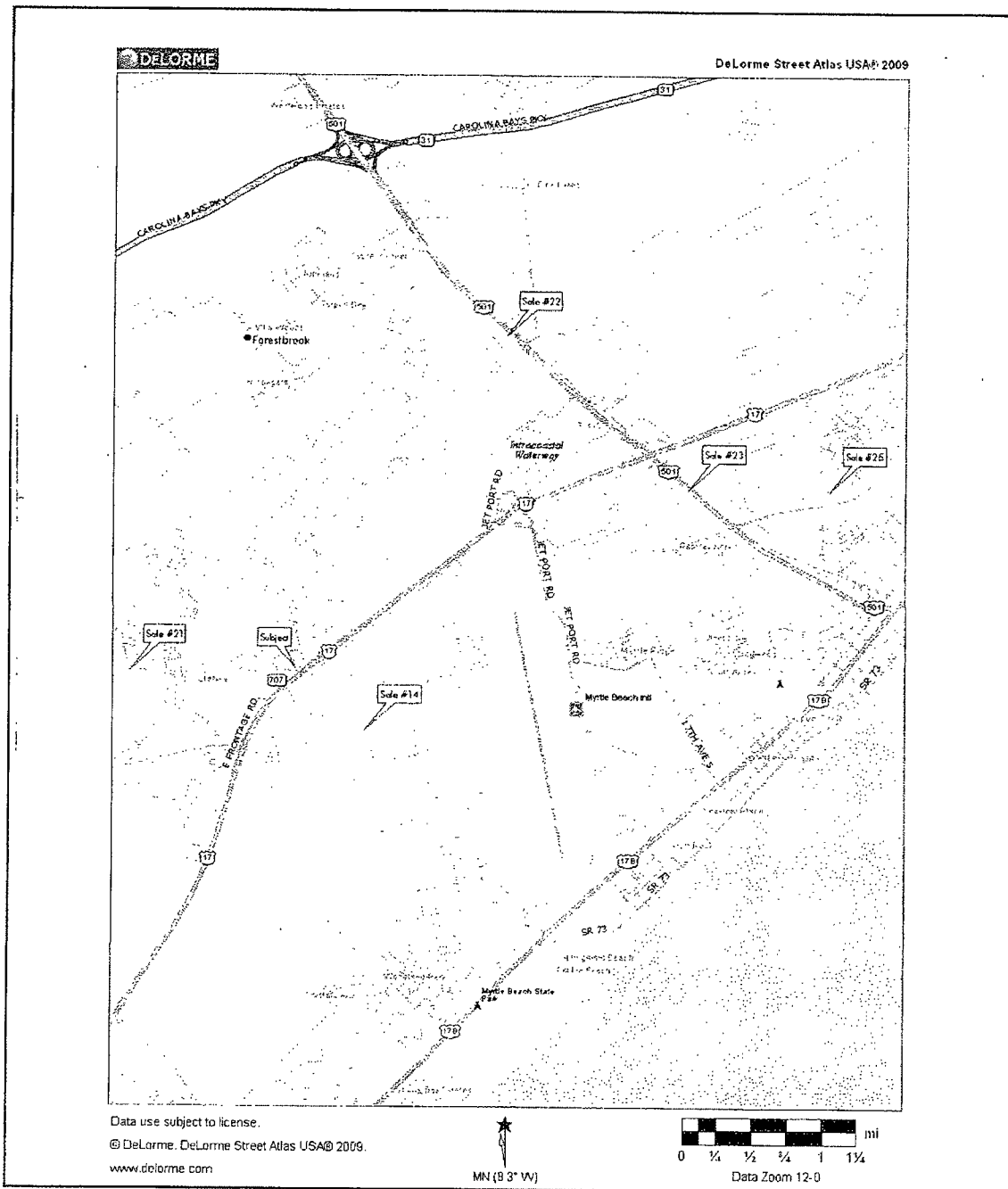
File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

ZONING MAP Zoning Classification: H-C, Highway Commercial



File #: 26.036774A PIN #: 36774 Project #: HORR Tract #: 13

COMPARABLE LAND SALES LOCATION MAP



Right of Way Section

ROA-542

SCDOT

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Edward B. Cottingham, Circuit Court Judge

Case No. 2010-CP-26-07961

Appellate Case No. 2013-001759

South Carolina Department of Transportation *Respondent,*

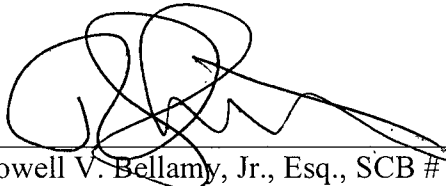
v.

David Franklin Powell *Appellant.*

CERTIFICATE OF COUNSEL

The undersigned certifies that this Appendix to Record on Appeal complies with Rule 212(b), SCACR.

Respectfully submitted,



Howell V. Bellamy, Jr., Esq., SCB # 00642
Robert S. Shelton, Esq., SCB # 68543
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Post Office Box 357
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Attorneys for Appellant

Myrtle Beach, South Carolina
December 18, 2013

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Edward B. Cottingham, Circuit Court Judge

Case No. 2010-CP-26-07961

Appellate Case No. 2013-001759

South Carolina Department of Transportation *Respondent,*

v.

David Franklin Powell *Appellant.*

PROOF OF SERVICE

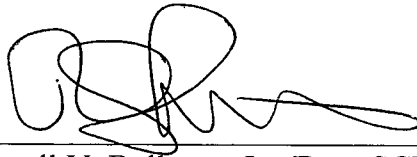
I certify that I have served a copy of the Appendix to Record on Appeal in the above-captioned matter on the following individuals by United States Mail, with sufficient first-class postage affixed, addressed as follows:

John B. McCutcheon, Jr., Esq.
Thompson & Henry, P.A.
P.O. Box 1740
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Counsel for Respondent

and

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Assistant Chief Counsel
South Carolina Department of Transportation
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Columbia, SC 29202

RECEIVED
DEC 23 2013
SC Court of Appeals



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Attorneys for Appellant

Myrtle Beach, South Carolina

December 19, 2013