

Limited Partnership, for itself and for the Cat Island Property Owners Association, Inc., which are recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Deed Book 466 at Page 1075, et seq., which said Declaration provides for certain easements, restrictions, covenants, and affirmative obligations. The foregoing Class "A" Covenants for Single Family Residential Areas in "the Point" portion of Cat Island are hereby adopted and made applicable to all lots in the foregoing subdivision known as "The Rookery".

This property is subject to any and all further Covenants, Conditions, Restrictions, Easements, Visible Encroachments or Projections, and Rights-of-Way filed of record in the Office of the Register of Deeds for Beaufort County, South Carolina.

This being the same property conveyed to the within Grantors by Deed of Robert N. Sloan and Caroline T. Sloan recorded in the ROD for Beaufort County, South Carolina at Book 1401, Page 313.

Tax Map No. R200/21A/134/0000

This Deed was prepared by the law office of North & Black, PC, 916 Bay Street, Suite 100, Beaufort, SC, 29902, without benefit of a title search.

TOGETHER with all and singular the rights, hereditaments, and appurtenances to the real property conveyed hereby belonging or in any way incident or appertaining, except that the Grantors to not convey and specifically retain any and all rights and claims that Grantors may have against Chowan Creek Partners, L. P. or others resulting from or relating to the failure to maintain and repair the dike and lake adjacent to said property and the damages and diminution of value of the property during the Grantors ownership of the real property only as a result of the failure to repair the breach of the dike and the loss of the lake amenity.

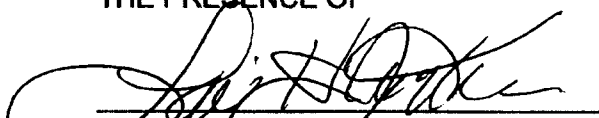
TO HAVE AND TO HOLD, all and singular, the real property unto the Grantees, and their successors and assigns, forever.

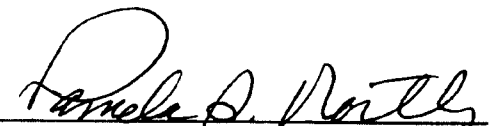
AND we do hereby bind ourselves and our heirs and assigns to warrant and forever defend, all and singular, the said Premises unto the Grantees, their heirs and

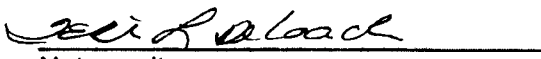
assigns forever, against us and our heirs and assigns, and all other persons whomsoever lawfully claiming, or to claim the same or any part thereof.

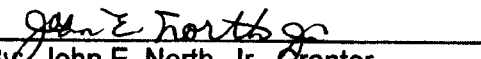
IN WITNESS WHEREOF, Grantors have caused these presents to be executed as of this 30 day of January, 2015.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF


Non-notary witness


By: Pamela S. North, formerly known as Pamela K. North, Grantor


Notary witness


By: John E. North, Jr., Grantor

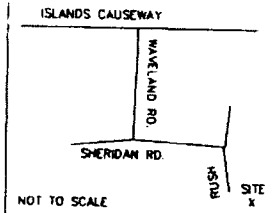
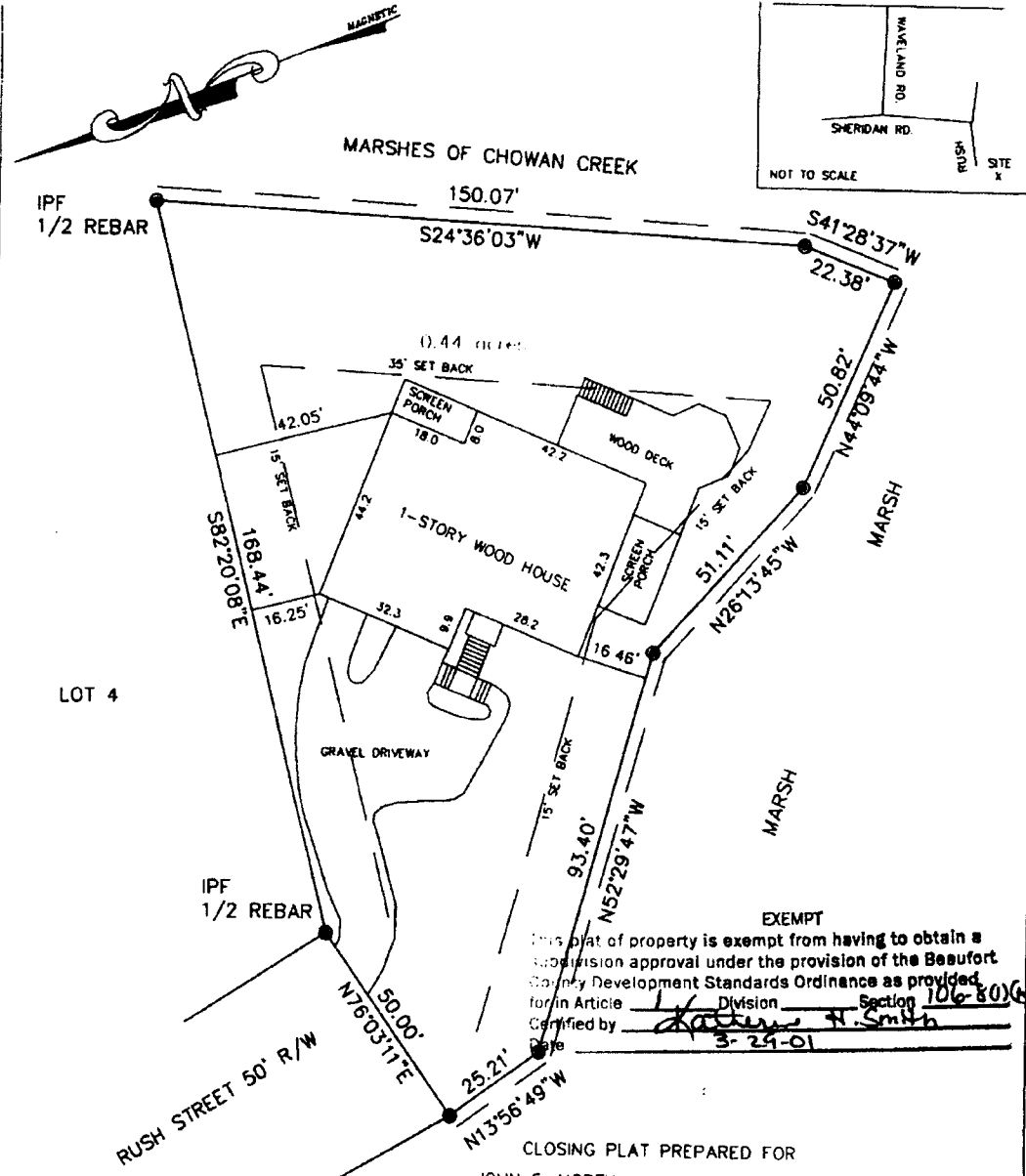
STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

I, Tei L. DeLoach, Notary Public for the State of South Carolina, do hereby certify that the Grantors, together with the foregoing witness, personally appeared before me this day and acknowledged the due execution of the foregoing instrument and made oath that (s)he saw the within named Grantor(s) sign, and as their act and deed deliver the within written deed, and that (s)he together with the other witness did witness the execution thereof.

Sworn to before me this 30 day of January, 2015.


Notary Public for South Carolina
My Commission Expires:

MY COMMISSION EXPIRES AUGUST 24, 2022



EXEMPT
 This plat of property is exempt from having to obtain a subdivision approval under the provision of the Beaufort County Development Standards Ordinance as provided for in Article 1 Division 1 Section 106-80(G)
 Certified by Katherine H. Smith
 Date 3-29-01

CLOSING PLAT PREPARED FOR
 JOHN E. NORTH AND PAMELA K. NORTH

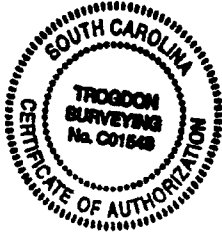
THE SAME BEING LOT 5, BLOCK A, "THE ROOKERY" CAT ISLAND AS SHOWN ON A PLAT BY R.D.TROGDON JR., DATED FEBRUARY 18, 1987, AND REVISED APRIL 5, 1988 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR BEAUFORT COUNTY, SOUTH CAROLINA IN PLAT BOOK 35 PAGE 226.

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY SPECIFIED THEREIN; ALSO THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

THIS PROPERTY IS LOCATED IN ZONE A-9 (ELEV 13.00) AS DETERMINED BY FEMA, FIRM COMMUNITY-PANEL NUMBER 450025 0125 E. DATED 11/04/92.

PIN: R200-021-00A-0134-0000

SCALE: 1" = 30'
 MARCH 28, 2001



Robert D. Trogdon
 Robert D. Trogdon IV., R.L.S. 14819
 Trogdon Surveying
 1811 Dolphin Row Drive
 Beaufort, S.C. 29906
 (803) 846-9219

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STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

KENNETH BRUNING, JANET BRUNING, DAVID FERON,
Individually and as Trustee, MARY FERON,
Individually and as Trustee, MARTHA JAMES and
DON HAARMEYER, Individually and as Co-Trustees,
and PAMELA NORTH,

Petitioners,

vs.

DOCKET NUMBER
12-ALJ-07-0434-CC

SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL and CAT ISLAND PA c/a GARY
MEYER,

Respondents.

IN RE: GARFIELD PARK PHASE 3

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CAT ISLAND POA c/o GARY MEYER,

Petitioner,

vs.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL,

Respondent.

IN RE: GARFIELD PARK PHASE 3

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DEPOSITION OF DAVID FERON
AUGUST 6, 2013



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The deposition of DAVID FERON, a witness
in the above-entitled cause, taken pursuant to
Notice and agreement, before Kyle J. Saniga,
Certified Court Reporter and Notary Public, at
the Law Offices of North & Black, P.C. 916 Bay
Street, Beaufort, South Carolina, on the 6th day
of August 2013, commencing at or about the hour
of 3:35 p.m.

1 SHAHID - FERON (DIRECT EXAMINATION)

2 point in time you had I guess low visibility
3 landscaping and now you've let things grow up,
4 is that correct?

5 A I'm trying to -- trying to block the
6 mud.

7 Q Okay. Have you suffered any property
8 damage as a result of the tidal action?

9 A I'm not so sure about Lot Number 1
10 because there's a point here where the lagoon or
11 whatever you want to call it comes in and the --
12 when the water is really high it comes out
13 really quickly and it -- it's kind of washing
14 away this little corner here.

15 Q Uh-huh. How do you know it's washing
16 it away, did you see it?

17 A Well, I just look at it. Looked at it,
18 you know, it's -- and, frankly, you can see more
19 roots on the back of this property, too, now
20 than we used to have.

21 Q Have you talked to anybody about
22 putting in a bulkhead or an erosion control
23 structure?

24 A No, I never thought I'd have to do
25 that.

1 SHAHID - FERON (DIRECT EXAMINATION)

2 Q Uh-huh.

3 A Or be necessary.

4 Q Do you think it is necessary right now?

5 Are you threatened by erosion?

6 A I'm threatened by the thought of the

7 high water, yes, but I'm not planning on

8 building a bulkhead.

9 Q So you've seen some exposed roots and

10 you believe you've lost an edge of some

11 property?

12 A I've seen additional exposed roots that

13 were not there until the dam went and I think

14 looking at the property, the corner, it looks

15 like there's more erosion there.

16 Q Okay. Have you lost any landscaping,

17 like plants?

18 A No.

19 Q Okay. Lost any trees?

20 A Well, on the other piece of property

21 there's a dead tree now but I'm not sure that

22 that -- this caused it, you know.

23 Q Is it near the water?

24 A Yes.

25 Q Okay. Does the water at high tide or

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STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

KENNETH BRUNING, JANET BRUNING, DAVID FERON,
Individually and as Trustee, MARY FERON,
Individually and as Trustee, MARTHA JAMES and
DON HAARMEYER, Individually and as Co-Trustees,
and PAMELA NORTH,
Petitioners,

vs.

DOCKET NUMBER
12-ALJ-07-0434-CC

SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL and CAT ISLAND PA c/a GARY
MEYER,

Respondents.

IN RE: GARFIELD PARK PHASE 3

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CAT ISLAND POA c/o GARY MEYER,
Petitioner,

vs.

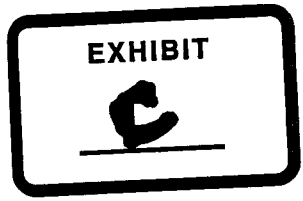
SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL,

Respondent.

IN RE: GARFIELD PARK PHASE 3

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DEPOSITION OF MARTHA JAMES
AUGUST 6, 2013



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The deposition of MARTHA JAMES, a
witness in the above-entitled cause, taken
pursuant to Notice and agreement, before Kyle J.
Saniga, Certified Court Reporter and Notary
Public, at the Law Offices of North & Black,
P.C. 916 Bay Street, Beaufort, South Carolina,
on the 6th day of August 2013, commencing at or
about the hour of 2:40 p.m.

1 SHAHID - JAMES (DIRECT EXAMINATION)

2 A Yes.

3 Q Have you had any encroachment of
4 damaging tidal water onto your property?

5 A We have had tidal water since the dam
6 broke come onto the property.

7 Q Okay. And did you suffer any loss of
8 property as a result of that?

9 A No.

10 Q Was your property damaged as a result
11 of that?

12 A No. There were no plants there.

13 Q Okay. And did the water encroach
14 further than the lake water had ever encroached?

15 A Yes.

16 Q Has that happened more than one time?

17 A Yes.

18 Q How often does that happen?

19 A I'm trying to remember. I'd say maybe
20 three or four times.

21 Q Is there any particular that causes it
22 to happen or that you attribute it to?

23 A Really high tide.

24 Q Okay. Have you -- have you lost any
25 yard or landscaping as a result of that?

1 SHAHID - JAMES (DIRECT EXAMINATION)

2 A We had none back there.

3 Q Okay. Have you lost any utility lines
4 as a result of encroaching water?

5 A No.

6 Q Do you have any oak trees on your
7 property that are showing stress of salt water
8 exposure?

9 A No.

10 Q Have you witnessed any erosion within
11 the lake bed?

12 A Yes.

13 Q Where have you seen that erosion?

14 A There is a pipe on an easement next to
15 our property that goes out into the mud hole.

16 Q Uh-huh.

17 A And there is erosion there.

18 Q Uh-huh.

19 A Where the water, storm water goes out.

20 Q Okay.

21 A And I -- there's a big ditch, it looks
22 like, in the middle of the mud hole from one end
23 to the other, the length of it that goes down
24 that I can see, that's very easy to see.

25 Q Has that damaged your property?