

JOINT APPLICATION
FOR
A DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS PERMIT,
STATE OF GEORGIA MARSHLAND PROTECTION PERMIT,
REVOCABLE LICENSE AGREEMENT
AND REQUEST FOR
WATER QUALITY CERTIFICATION
AS APPLICABLE

INSTRUCTIONS FOR SUBMITTING APPLICATION:

Every Applicant is Responsible to Complete The Permit Application and Submit as Follows: One copy each of application, location map, drawings, copy of deed and any other supporting information to addresses 1, 2, and 3 below. If water quality certification is required, send only application, location map and drawing to address No. 4.

1. For Department of the Army Permit, mail to: Commander, U.S. Army Engineer District, Savannah ATTN: CESAS-OP-F, P.O. Box 889, Savannah, Georgia 31402-0889. Phone (912)652-5347 and/or toll free, Nationwide 1-800-448-2402.

2. For State Permit - State of Georgia (six coastal counties only) mail to: Habitat Management Program, Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.

3. For Revocable License - State of Georgia (six coastal counties plus Effingham, Long, Wayne, Brantley and Charlton counties only) - Request must have State of Georgia's assent or a waiver authorizing the use of State owned lands. All applications for dock permits in the coastal counties, or for docks located in tidally influenced waters in the counties listed above need to be submitted to Real Estate Unit. In addition to instructions above, you must send two signed form letters regarding revocable license agreement to: Ecological Services Coastal Resources Division, Georgia Department of Natural Resources, 1 Conservation Way, Brunswick, Georgia 31523. Phone (912) 264-7218.

4. For Water Quality Certification State of Georgia, mail to: Water Protection Branch, Environmental Protection Division, Georgia Department of Natural Resources, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354 (404) 675-1631.

The application must be signed by the person authorized to undertake the proposed activity. The applicant must be the owner of the property or be the lessee or have the authority to perform the activity requested. Evidence of the above may be furnished by copy of the deed or other instrument as may be appropriate. The application may be signed by a duly authorized agent if accompanied by a statement from the applicant designating the agent. See item 6, page 2.

1. Application No. _____

2. Date _____

3. For Official Use Only _____

4. Name and address of applicant.
Savannah Bulk Terminal, LLC
21 East Broad Street
Savannah, GA 31401
Attn: Mr. Frank Peeples

5. Location where the proposed activity exists or will occur.

Savannah River
Lat. 32.079334° Long. -81.063729°

<u>Chatham</u>		
County	Military District	In City or Town
<u>Savannah</u>		
Near City or Town	Subdivision	Lot No.
Lot Size	Approximate Elevation of Lot	<u>Georgia</u> State
<u>Savannah River</u>		
Name of Waterway	Name of Nearest Creek, River, Sound, Bay or Hammock	

14. Description of operation: (If feasible, this information should be shown on the drawing).

A. Purpose of excavation or fill To facilitate the installation of two berthing dolphins

1. Access channel : length _____ depth _____ width _____

2. Boat basin : length _____ depth _____ width _____

3. Fill area : length _____ depth _____ width _____

4. Other: length _____ depth _____ width _____

(Note: If channel, give reasons for need of dimensions listed above.)

B. 1.If bulkhead, give dimensions N/A

2.Type of bulkhead construction (material)N/A

Backfill required: Yes _____ No X Cubic yards _____

Where obtained _____

C. Excavated material :

1.Cubic yards N/A

2.Type of material N/A

15.Type of construction equipment to be used Standard marine construction associated with construction

A. Does the area to be excavated include any wetland? Yes _____ No _____

B. Does the disposal area contain any wetland? Yes _____ No _____

C. Location of disposal area N/A

D. Maintenance dredging, estimated amounts, frequency, and disposal sites to be utilized:N/A

E. Will dredged material be entrapped or encased? N/A

F. Will wetlands be crossed in transporting equipment to project site? N/A

G. Present rate of shoreline erosion (if known) N/A

16. WATER QUALITY CERTIFICATION: In some cases, Federal law requires that a Water Quality Certification from the State of Georgia be obtained prior to issuance of a Federal license or permit. Applicability of this requirement to any specific project is determined by the permitting Federal agency. The information requested below is generally sufficient for the Georgia Environmental Protection Division to issue such a certification if required. Any item which is not applicable to a specific project should be so marked. Additional information will be requested if needed.

A. Please submit the following:

1. A plan showing the location and size of any facility, existing or proposed, for handling any sanitary or industrial waste waters generally on your property.

2. A plan of the existing or proposed project and your adjacent property for which permits are being requested.

3. A plan showing the location of all points where petro-chemical products (gasoline, oils, cleaners) used and stored. Any above-ground storage areas must be diked, and there should be no storm drain catch basins within the diked areas. All valving arrangements on any petro-chemical transfer lines should be shown.

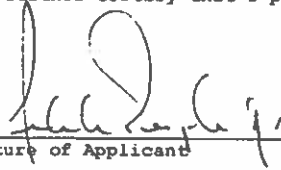
4. A contingency plan delineating action to be taken by you in the event of spillage of petro-chemical products or other materials from your operation.

5. Plan and profile drawings showing limits of areas to be dredged, areas to be used for placement of spoil, locations of any dikes to be constructed showing locations of any weir(s), and typical cross sections of the dikes.

B. Please provide the following statements:

1. A statement that all activities will be performed in a manner to minimize turbidity in the stream.
2. A statement that there will be no oils or other pollutants released from the proposed activities which will reach the stream.
3. A statement that all work performed during construction will be done in a manner to prevent interference with any legitimate water uses.

17. Application is hereby made for a permit or permits to authorize the activities described herein. Water Quality Certification from the Georgia Environmental Protection Division is also requested if needed. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities.



Signature of Applicant

18. U.S.C. Section 1001 provides that: Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined no more than \$10,000 or imprisoned not more than 5 years or both.

PRIVACY ACT NOTICE

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act and Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972. These laws require permits authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Information provided will be used in evaluating the application for a permit. Information in the application is made a matter of public record through issuance of a public notice. Disclosure of the information requested is voluntary, however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

SUPPORTING REMARKS:

See Attached.

STATE OF GEORGIA

REVOCABLE LICENSE REQUEST FOR THE USE OF TIDAL WATERBOTTOMS

APPLICANTS NAME(S): Savannah Bulk Terminal, LLC c/o Frank K. Peeples, Jr.

MAILING ADDRESS: Post Office Box 2253 Savannah Georgia 31401
(Street) (City) (State) (Zip)

PROJECT ADDRESS/LOCATION: 136 Marine Terminal Drive Savannah Georgia 31404

COUNTY: Chatham WATERWAY: Savannah River DATE: 6/22/21

LOT, BLOCK & SUBDIVISION NAME FROM DEED:

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

I am requesting that I be granted a revocable license from the State of Georgia to encroach on the beds of tidewaters, which are state owned property. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or rights in, or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit or authorization required by State law. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR or his/her designee has signed a copy of this request.

Sincerely,

By: [Signature] (Applicant), title if applicable

By: (Applicant), title if applicable

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be constructed and completed within the specified timeframe associated with the authorization and/or transmittal letter associated with this revocable license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

STATE OF GEORGIA
Office of the Governor

By: For: Mark Williams, Commissioner-DNR

Date:

Coastal Marina, Community or Commercial Dock Checklist

(fill in the blanks as indicated or answer yes or no)

LOCATION:

County Chatham Landmarks Existing Savannah Bulk Terminal
Municipality City of Savannah Waterway Savannah River

FACILITY:

Facility Type Private Public Commercial Other
Dock Space Leased Sold Rented Other

Size of Upland Area (sq. ft.) +/-27 acres Size of Submerged Area (sq. ft) +/-1.26 acres

WATERWAY INFORMATION:

open water river creek basin

Tidal Range (ft MLW) +/- 7 feet Water Depth (ft. MLW) > 10 feet

Channel Width (ft. MLW) +/- 958 feet Depth of Dredging (ft. MLW) N/A

Distance facility will extend into the waterway beyond MLW Existing limits of facility will not change

EXISTING OR PLANNED SERVICES IN JURISDICTION:

<input type="checkbox"/> boat ramp	<input type="checkbox"/> hoist	<input type="checkbox"/> mobile lift	<input type="checkbox"/> vessel TV hookup
<input type="checkbox"/> railway	<input type="checkbox"/> fuel	<input type="checkbox"/> propeller repair	<input type="checkbox"/> electrical repair
<input type="checkbox"/> pump-out vessels	<input type="checkbox"/> hull repair	<input type="checkbox"/> engine repair	<input type="checkbox"/> vessel electric hookup
<input type="checkbox"/> boat building	<input type="checkbox"/> ship's store	<input type="checkbox"/> dockmaster's office	<input type="checkbox"/> fire protection
<input type="checkbox"/> restrooms	<input type="checkbox"/> showers	<input type="checkbox"/> restaurant	<input type="checkbox"/> laundromat
<input type="checkbox"/> hotel	<input type="checkbox"/> # of vehicle (only) parking spaces		<input type="checkbox"/> # of trailer parking spaces

DREDGING/FILLING/ShORELINE STABILIZATION:

No Will dredging be required for the access channel?
No Will dredging be required for boat basin?
No Is filling proposed in tidal wetlands?
No Is filling proposed in open water?
No Will dredge disposal sites be required?
NA Have future dredge disposal sites been identified?
NA Have future dredge spoil sites been set aside with deeds or easements?
No Is shoreline stabilization proposed? If so, what type?
No Is the project in or near a US Army Corps of Engineers maintained channel or basin with an authorization depth of 12 feet or greater? (if so, contact the Corps of Engineers)

HABITAT/WILDLIFE/CULTURAL RESOURCES: (contact GADNR Wildlife Resources Division, US Fish & Wildlife Service, GADNR Coastal Resources Division- Marine Fisheries, National Marine Fisheries Service OR GADNR Historic Resources)

Yes Is this site located near a wildlife refuge, wilderness area, special management area, or other area specifically located for the protection of fish and wildlife?
If yes, what is the distance? 3 Miles

Yes *Is this habitat identified as “essential fish habitat”?

Yes Are rare, threatened, endangered or otherwise designated unique or outstanding aquatic or terrestrial species or their habitats known to be present at or near the project site?

No Do oyster or clam beds occur in or near the project site or access channels?
If yes, what is the distance? _____ If yes, what is the acreage? _____

No *Is project site near active crabbing areas?

No *Is the project site in designated bait zones?

No Is the project site in or near an area of historic, archeological, or scenic value?
If yes, explain _____

* GA DNR Coastal Resources Division's Marine Fisheries staff can direct the applicant to appropriate source materials.

ATTACHMENT H

ADJACENT LANDOWNER INFORMATION

Adjacent Property Owners

Downstream
CSX TRANSPORTATION INC
ATTN: RAE AKERS
500 WATERS ST
JACKSONVILLE FL 32202

Upstream
MMA/PSP SAVANNAH RIVER LLC
744 S VILLAGE CIR
TAMPA FL 33606

From: [Pearson, Kyle](#)
To: [Bennett, Buck](#)
Subject: RE: Legal review of a Coastal Marshlands Protection Act Permit Application
Date: Thursday, August 5, 2021 1:22:05 PM

Buck,

Since the property is the same site that was previously permitted by CMPC Permits 691 and 765 for the same applicant (and since CMPC Permit 691 was for the same project), the applicant has met the condition in 12-5-286(b)(4). I don't see anything in the documents regarding the property that have been submitted since Permit 765 that would adversely affect the applicant's claim of title for CMPA purposes.

Kyle

From: Bennett, Buck <Buck.Bennett@dnr.ga.gov>
Sent: Wednesday, August 4, 2021 11:39 AM
To: Pearson, Kyle <Kyle.Pearson@dnr.ga.gov>
Cc: Andrews, Jill <Jill.Andrews@dnr.ga.gov>
Subject: RE: Legal review of a Coastal Marshlands Protection Act Permit Application

Kyle,

I'm sorry I didn't clarify my question(s)....Does the applicant qualify as the applicant under the CMPA? Is the applicant the eligible person as described in the law?

Sincerely,

Buck

Charles "Buck" Bennett
Compliance and Enforcement Manager
[Coastal Resources Division](#)
(912) 262-3132 | M: (912) 617-0446
[Facebook](#) • [Twitter](#) • [Instagram](#)
[Buy a hunting or fishing license today!](#)

A division of the
GEORGIA DEPARTMENT OF NATURAL RESOURCES

From: Pearson, Kyle <Kyle.Pearson@dnr.ga.gov>
Sent: Wednesday, August 4, 2021 10:49 AM
To: Bennett, Buck <Buck.Bennett@dnr.ga.gov>
Subject: RE: Legal review of a Coastal Marshlands Protection Act Permit Application

Buck, what is the issue you need assistance with? Which particular documents do you need confirmed or denied? Kyle

From: Bennett, Buck <Buck.Bennett@dnr.ga.gov>

Sent: Wednesday, August 4, 2021 9:50 AM

To: Pearson, Kyle <Kyle.Pearson@dnr.ga.gov>

Cc: Andrews, Jill <Jill.Andrews@dnr.ga.gov>; Noble, Josh <Josh.Noble@dnr.ga.gov>; Haymans, Doug <Doug.Haymans@dnr.ga.gov>; Shelton, Amanda <amanda.shelton@dnr.ga.gov>; Cummins, Katherine <katherine.cummins@dnr.ga.gov>; Barreiro, Deb <Deb.Barreiro@dnr.ga.gov>

Subject: Legal review of a Coastal Marshlands Protection Act Permit Application

Kyle,

Good morning. I apologize up front for this massive document dump. We've got a request to install dolphins to an existing structure from Savannah Bulk in Chatham County. Applicant: Frank Peeples, Jr. Background info: the applicant allowed CMPC Permit 765 to expire, so they need a new CMPC Permit. There is a legislative easement associated with this, multiple easements, and involvement of multiple corporations.

Because of the volume of material I'm going to have to send you the information in multiple emails.

I'm attaching:

- a. CMPC Permit 691. Previous permit for the same site.
- b. CMPC Permit 765. Previous permit issued for the same site. I'm sending the legal documents in the file that were previously approved by Kevin Brady. This site is very complicated and Kevin placed over 100 pages of deeds and plats in the file to document the site.
- c. The attorney for the applicant, James Gerard submitted a letter and additional documents. I talked with him this morning and he seemed to think that the documents submitted with CMPC Permit 765 were still relevant but were missing new documents (which he submitted)
- d. I've attached the cover letter and application from Alton Brown. After receiving the application packet I called Mr. Brown and advised him he needed to engage an attorney to confirm or deny the legal documents. I sent Mr. Brown and Mr. Gerard the documents that were accepted with CMPC Permit 765.

Please call me if you have any questions. Thank you for assisting me with this.

Sincerely,

Buck

Charles "Buck" Bennett
Compliance and Enforcement Manager
[Coastal Resources Division](#)
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[Facebook](#) • [Twitter](#) • [Instagram](#)
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Policy No.

SCHEDULE A

Policy No.: 2730710-89328350

Loan No.: N/A

File No.: 10631-7

Address Reference: 24.486 acres, more or less, and all improvements of the East Coast Terminal located in Savannah, Georgia 31404
CHATHAM County, State of GEORGIA

Amount of Insurance: \$7,500,000.00

Date of Policy: JUNE 27, 2013

1. Name of Insured: UNITED COMMUNITY BANK, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR RESPECTIVE INTERESTS MAY APPEAR

2. The estate or interest in the Land that is encumbered by the Insured Mortgage is: Fee Simple.

3. Title is vested in: EAST COAST TERMINALS ASSOCIATES, LTD.

4. The Insured Mortgage and its assignments, if any, are described as follows:

Deed to Secure Debt, Assignment of Rents, and Security Agreement from East Coast Terminals Associates, Ltd., to United Community Bank, dated June 7, 2013, filed for record and recorded on June 27, 2013, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 388-R, Page 962, conveying a security interest in the subject property as collateral for the payment of a promissory note of even date made by East Coast Terminals Associates, Ltd., to the order of United Community Bank in the original principal amount of \$7,500,000.00 due and payable on or before June 1, 2023.

5. The Land referred to in this policy is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

6. This policy incorporates by reference those ALTA endorsements selected below:

- 4-06 (Condominium)
- 4.1-06
- 5-06 (Planned Unit Development)
- 5.1-06
- 6-06 (Variable Rate)
- 6.2-06 (Variable Rate-Negative Amortization)
- 8.1-06 (Environmental Protection Lien) Paragraph b refers to the following state statute(s):
- 9-06 (Restrictions, Encroachments, Minerals)
- 13.1-06 (Leasehold Loan)
- 14-06 (Future Advance-Priority)
- 14.1-06 (Future Advance-Knowledge)
- 14.3-06 (Future Advance-Reverse Mortgage)
- 22-06 (Location) The type of improvement is a FILL IN, and the street address is as shown above.

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED



EXHIBIT "A"

LEGAL DESCRIPTION

ALL that certain tract or parcel of land situate, lying and being in Chatham County, Georgia, containing 22.213 acres, more or less, known as the "Terminal Parcel," and being described as follows:

Commencing at the point of intersection of the North right-of-way line of Harbor Street (f/k/a Saint Julian Street) (100' r/w) and the East right-of-way line of Commerce Street (40' r/w) and run thence along the North line of Harbor Street South 73°16' East for a distance of 244.00 feet; thence, continuing along said Street line South 80°27' East for a distance of 151.30 feet to a point, which is marked by an iron pipe; thence leaving said Street line and running along the West property line of lands now or formerly owned by Peeples North 16°43' East for a distance of 390 feet to a point; running thence along the North property line of said lands South 81°24' East for a distance of 1024.42 feet to a point on the East line of Bilbo Canal (20' r/w); running thence along said East line North 20°39' East for a distance of 269.03 feet to a point on the approximate high water line and/or bulkhead line which is the Point of Beginning.

From said Point of Beginning, running thence along said line the following courses and distances:

South 88°01' East for a distance of 551.51 feet; thence North 78°23'40" East for a distance of 349.61 feet; running thence North 75°04'10" East for a distance of 1405.18 feet; running thence North 13°18' West for a distance of 15.00 feet; running thence North 76°17'50" East for a distance of 331.52 feet to a point; thence leaving said line and running South 18°28' East for a distance of 226.32 feet to a point; running thence South 81°34' West for a distance of 341.15 feet to a point; running thence South 10°35'50" East for a distance of 335.29 feet to a point; running thence South 84°02'30" West for a distance of 1431.80 feet to a point; running thence South 80°43' West for a distance of 458.33 feet to a point; running thence South 73°16' West for a distance of 147.33 feet to a point; running thence South 84°07' West for a distance of 503.49 feet to a point on the East line of Bilbo Canal; and, running thence along said East line North 20°39' East for a distance of 432.20 feet to the Point of Beginning.

ALSO, all that certain tract or parcel of land situate, lying, and being in Chatham County, Georgia, containing 2.273 acres, more or less, and being described as follows:

Beginning at a point on the East line of Bilbo Canal, said point being located South 20°39' West 432.20 feet from the same Point of Beginning established for the Terminal Parcel and running thence along the North line of the Road Parcel the following courses and distances:

North 84°07' East for a distance of 503.49 feet; running thence North 73°16' East for a distance of 147.33 feet; running thence North 80°43' East for a distance of 458.33 feet; and, running thence North 84°02'30" East for a distance of 1431.80 feet to a point;

Thence leaving said North line and running South 10°35'50" East for a distance of 40.13 feet to a point on the South line of said Road Parcel; and, running thence along said South line the following courses and distances:

South 84°02'30" West for a distance of 1433.89 feet; running thence South 81°59'50" West for a distance of 455.34 feet; running thence South 69°21'50" West for a distance of 149.53 feet; and, running thence South 84°07' West for a distance of 527.26 feet to a point on the East line of the Bilbo Canal;

Running thence along said East line North 20°39' West for a distance of 44.71 feet to the Point of Beginning.

ALSO, all those certain lots, tracts or parcels of land situate, and being located in the 5th G.M. District of Chatham County, Georgia, being two property strips of varying widths across property n/f of CSX Transportation, Inc., as shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Pages 23A & 23B, being more



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particularly described below:

(a) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' r/w) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' r/w); thence along the southern line of property n/f of CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property n/f of CSX Transportation, Inc., N15°18'26"E for a distance of 75.16' to a point, and being the Point of Beginning; thence continuing through said property n/f of CSX Transportation, Inc., N15°18'26"E for a distance of 206.01' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad tract crossing property n/f of CSX Transportation, Inc., N84°05'30"E for a distance of 84.78' to a point; thence S15°18'26"W for a distance of 526.96' to a point; thence parallel and distant 25' northerly from the center of the northernmost railroad track crossing the property n/f of CSX Transportation, Inc., and Lot 2, CSX Transportation Inc. Subdivision (Subdivision Map Book 13-S, Page 73) N78°14'01"W for a distance of 100.19' to the Point of Beginning; and containing 0.969 acre.

(b) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' r/w) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' r/w), and corner for property n/f of CSX Transportation, Inc., and being the Point of Beginning; thence along the southern boundary of property n/f of CSX Transportation, Inc., and being the south side of an existing 20' private road right-of-way, N78°19'42"W for a distance of 345.74' to a point; thence crossing said 20' private road right-of-way and through the property n/f of CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point; thence S78°19'42"E for a distance of 100.20' to a point; thence S15°18'26"W for a distance of 15.06' to a point; thence crossing through said property n/f of CSX Transportation, Inc., and along the line of Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°18'30"E for a distance of 244.20' to a point; thence crossing said 20' private road right-of-way S11°39'57"W, for a distance of 20.98' to the Point of Beginning; and containing 0.201 acre.

Together with non-exclusive access easements and utility easements, on, over or across two (2) strips of property of varying widths now or formerly owned by CSX Transportation, Inc., a Virginia corporation ("CSX"), which property strips are located in the 5th G.M. District of Chatham County, State of Georgia, are individually referred to as "Parcel 4 (a/k/a Legal 2): Track Crossing South End" and "Parcel 5 (a/k/a Legal 4): Track Crossing North End," and are shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Page 23-A, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distances of the easement premises which are described therein as follows:

Parcel 4 (a/k/a Legal 2) Track Crossing South End

Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' r/w) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' r/w); thence along the southern line of property n/f of CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property n/f of CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point, and being the Point of Beginning; thence continuing through said property n/f of CSX Transportation, Inc., N15°18'26"E for a distance of 38.99' to a point; thence parallel and distant 25.00' northerly from the center of the northernmost railroad track crossing property n/f of CSX Transportation, Inc., and Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°14'01"E for a distance of 100.19' to a point; thence S15°18'26"W for a distance of 38.83' to a point; thence N78°19'42"W for a distance of 100.20' to the Point of Beginning; and containing 0.089 acre.



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Parcel 5 (a/k/a Legal 4)
Track Crossing North End

Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' r/w) N12°49'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' r/w); thence along the southern line of property n/f of CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through the property n/f of CSX Transportation, Inc., N15°18'26"E for a distance of 281.17' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point, and being the Point of Beginning; thence continuing through the property n/f of CSX Transportation, Inc., N8°59'56"E for a distance of 34.06' to a point on the southern boundary of property n/f of East Coast Terminals Associates, Ltd., and being on the south side of an existing access & utility easement; thence along the common line of property n/f of CSX Transportation, Inc., and n/f of East Coast Terminals Associates, Ltd., N84°02'30"E for a distance of 88.83' to a point; thence crossing through the property n/f of CSX Transportation, Inc., S15°18'26"W for a distance of 35.39' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad track crossing property n/f of CSX Transportation, Inc., S84°05'30"W for a distance of 84.78' to the Point of Beginning; and containing 0.066 acre.

The terms and conditions of the above-described easement are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company, Inc., dated July 29, 2008, filed for record and recorded on August 13, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 343-X, Page 442, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.



Fidelity National Title Company

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Except as provided in Schedule B - Part II, this policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

PART I

- 1 Taxes and assessments required to be paid to the City of Savannah, Georgia, and Chatham County, Georgia for year 2013, and for subsequent years, said taxes constituting liens not now past due and payable.
- 2 Those special assessments by governmental entities which become due and payable subsequent to the effective date of the policy to be issued.
- 3 All applicable governmental restrictions and regulations as may be imposed upon the Property.
- 4 Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
- 5 Easements, or claims of easements, not shown by the Public Records.
- 6 Easement rights reserved by CSX Transportation, Inc., in that certain deed between CSX Transportation, Inc., and East Coast Terminals Associates, Ltd., dated December 16, 1987, filed for record and recorded on December 18, 1987, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 136-U, Folio 682, specifically being (a) a thirty (30') foot wide easement running 15 feet in each direction from the center of railroad tracks crossing the subject property, for the maintenance, use, repair, replacement, and removal of said trackage, and (b) a perpetual easement of ingress and egress running over the roadway located along the southern boundary of the subject property to provide access to property now or formerly of CSX Transportation, Inc., located both South and East of the subject property until Dulaney Road is extended northwardly to connect with the existing road along the southern boundary line of the subject property.
- 7 That certain covenant contained in the deed from CSX Transportation, Inc., to East Coast Terminals Associates, Ltd., dated December 16, 1987, filed for record and recorded on December 18, 1987, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 136-U, Folio 682, obligating the owner of the subject property to maintain the existing drainage on the subject property in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water run-off or streams into said drainage or upon the right-of-way or lands and other facilities of CSX Transportation, Inc., and in the event the existing drainage is modified or improved, obligating the owner of the subject property to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the subject property to the nearest public or third party owned drainage or storm sewer system in order to prevent the discharge of roof, surface, stream, and other drainage waters upon the right-of-way or lands and other facilities or properties of CSX Transportation, Inc.
- 8 That certain Wharf and Access Easement Agreement between East Coast Terminal Associates, Ltd., and East Coast Terminal Co., dated November 26, 1997, filed for record and recorded on December 2, 1997, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 189-0, Folio 546, conveying to East Coast Terminal Co., a non-exclusive right and easement to engage in the berthing of vessels, stevedoring activities, truck loading and off-loading activities, transportation of cargo and activities associated therewith on the dock and

- wharf located on the northern portion of the subject property, together with a road easement (the "Wharf Road") for purposes of access, ingress, and egress to the dock and wharf from warehouse improvements located on property (the "Warehouse Property") across the Road Parcel and to the South of the subject property, running between Warehouse 5 and Warehouse 6 on the subject property, said Agreement being amended by an instrument dated May 6, 1998, filed for record and recorded on the same date in the aforesaid Clerk's Office in Deed Record Book 193-D, Folio 141, extending the use of the easement to any of certain other properties (the "Unimproved Land") now or formerly owned by Frank K. Peeples, Sr., Elizabeth Peeples, Woodchips Export Corporation, and East Coast Terminals Associates, Ltd., located to the West of the subject property (more particularly described in a plat recorded in the aforesaid Clerk's Office in Plat Record Book 15-P, Page 44) where the warehouse improvements of East Coast Terminal Co., may be relocated, conveying to the owner of such other property an easement or right to use the Road Parcel of the subject property to access the Wharf Road from such other property, and conveying to East Coast Terminal Co. (i) a non-exclusive easement benefitting the Warehouse Property on, over, and across the Road Parcel for purposes of access, ingress and egress to the Warehouse Property from that certain parcel of Unimproved Land owned by Elizabeth Peeples, and (ii) a non-exclusive easement on, over, and across the Road Parcel for purposes of access, ingress, and egress to the Wharf Road from the Warehouse Property.
- 9 That certain Easement from East Coast Associates, Ltd., to Savannah Bulk Terminal, LLC, dated October 1, 2007, filed for record and recorded on January 2, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 336-A, Folio 28, conveying a perpetual non-exclusive right and easement for access over and across the "Road Parcel" portion of the subject property, as corrected by an instrument dated December 24, 2012, filed for record and recorded on December 27, 2012, in the aforesaid Clerk's Office in Deed Record Book 383-O, Folio 876.
- 10 That certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated July 31, 2008, filed for record and recorded on August 26, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Folio 312, conveying the right to use a twenty (20') foot wide road in accessing adjacent property now or formerly of Savannah Bulk Terminal, LLC, from Dulany Road, as affected by that certain Scrivener's Affidavit dated January 6, 2010, filed for record and recorded on March 24, 2010, in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 297.
- 11 That certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated July 31, 2008, filed for record and recorded on August 26, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Folio 287, conveying the right to cross certain railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road known as "Parcel 4 (a/k/a Legal 2); Track Crossing South End" and "Parcel 5 (a/k/a Legal 4); Track Crossing North End," in accessing adjacent property now or formerly of Savannah Bulk Terminal, LLC, from Dulany Road, which easement includes a private road grade crossing agreement of which the holder of the easement is a party.
- 12 Reservations, restrictions, covenants, and agreements set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company, Inc., to East Coast Terminals Associates, Ltd., dated July 29, 2008, filed for record and recorded on August 13, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 343-X, Folio 442, relating to the crossing of the above-mentioned railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road.
- 13 Reservations, restrictions, covenants, and agreements set forth in that certain Deed of Easement from CSX Transportation, Inc., to Southern States Phosphate and Fertilizer Company, Inc., dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Folio 327, relating to the crossing of the above-mentioned railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road.

- 14 That certain Private Road Crossing Agreement by and between Golden Isles Terminal Railroad, Inc., and Southern States Phosphate and Fertilizer Company dated June 23, 2008, filed for record and recorded on August 28, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Folio 293, governing the crossing of railroad rights-of-way known as "Parcel 4 (a/k/a Legal 2); Track Crossing South End" and "Parcel 5 (a/k/a Legal 4); Track Crossing North End" in accessing the subject property from Dulany Road.
- 15 Those certain reservations, restrictions, covenants, and agreements set forth in that certain Quitclaim Deed dated July 21, 2008, from Southern States Phosphate and Fertilizer Company to East Coast Terminal Associates, Ltd., recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 343-X, Folio 436, relating to the above-mentioned twenty (20') foot wide access road and related access rights to Dulany Road, as affected by that certain Scrivener's Affidavit dated January 6, 2010, filed for record and recorded on March 24, 2010, in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 297, and as amended by that certain Name Affidavit dated January 8, 2010, and recorded in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 292.
- 16 Those certain reservations, restrictions, covenants, and agreements set forth in that certain Quitclaim Deed dated June 24, 2008, from CSX Transportation, Inc., to Southern States Phosphate and Fertilizer Company, recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Folio 320, refiled for record and re-recorded in the aforesaid Clerk's Office in Deed Record Book 342-R, Folio 117, relating to the above-mentioned twenty (20') foot wide access road and related access rights to Dulany Road.
- 17 That certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Folio 357, refiled for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record 342-K, Folio 670, conveying the right to use the above-mentioned twenty (20') foot wide road in accessing property owned by Concrete Consumers Association, LLC (now owned by Savannah Bulk Terminal, LLC), located to the East of the subject property.
- 18 That certain pipeline easement from East Coast Terminals Associates, Ltd., to Southern States Phosphate and Fertilizer Company, Inc., dated December 15, 2004, filed for record and recorded on April 9, 2009, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 350-G, Folio 24, as affected by that certain Name Affidavit dated January 8, 2010, filed for record and recorded on March 24, 2010, in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 292.
- 19 That certain Wharf and Access Easement Agreement by and between East Coast Terminal Associates, Ltd., and Dulany Industries, Inc., dated May 16, 2008, filed for record and recorded on April 10, 2009, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 350-H, Folio 195, granting Dulany Industries, Inc., a permanent, non-exclusive right, privilege and easement to engage in stevedoring activities and activities directly associated therewith on certain wharfs, docks, breasting, dolphins, catwalks, ramps, and bollards located on the subject property, together with a permanent, non-exclusive easement for purposes of ingress and egress to said wharf improvements from adjacent property now or formerly of Dulany Industries, Inc., including, but not limited to, vehicular and pedestrian access and the right to install, maintain, repair, rebuild, modify, expand and remove a pipeline receiving system for transporting bulk products between the wharf improvements and the property now or formerly of Dulany Industries, Inc.
- 20 That certain easement from East Coast Terminals Associates, Ltd., to Georgia Power Company dated August 15, 2008, filed for record and recorded on September 30, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 345-E, Folio 135,

conveying the right to construct, operate, and maintain an underground electric transmission system through the subject property.

- 21 The following matters of survey shown on a plat of survey of the subject property dated March, 1999, made by Bert B. Barrett, Jr., Georgia Registered Land Surveyor No. 1239:
 - (a) encroachment of wharves and buildings over the bulkhead line on the northern boundary of the subject property; and,
 - (b) aboveground liquid sulfur pipelines crossing the eastern portion of the subject property.

- 22 That certain lease dated October 2, 2004, between East Coast Terminal Co., as Landlord, and Savannah Cement Company, LLC, as Tenant, as amended by that certain Amended and Restated Lease Agreement effective November 1, 2006, and as assigned, as to the landlord's interest, to East Coast Terminals Associates, Ltd., on February 1, 2012, covering a portion of the subject property containing a flat storage warehouse located at 102 Marine Terminal Drive in Savannah, Georgia.

- 23 That certain lease dated December 23, 2005, between East Coast Terminal Co., as Landlord, and Liberty Terminals, LLC, as Tenant, filed for record and recorded on January 5, 2006, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 300-C, Folio 424, as amended by that certain Addendum to Land Lease dated May 2, 2006, filed for record and recorded on June 2, 2006, in the aforesaid Clerk's Office in Deed Record Book 307-K, Folio 1, as further amended by that certain Supplemental Agreement and Lease Modification dated March 10, 2008, between East Coast Terminal Associates, LP, East Coast Terminal Co., and Liberty Terminals, LLC, recorded in the aforesaid Clerk's Office in Deed Record Book 338-O, Folio 361, as further amended by that certain Addendum No. 2 to Land Lease by and between East Coast Terminal Co. and Liberty Terminals, LLC, dated March 10, 2008, and recorded in the aforesaid Clerk's Office in Deed Record Book 338-O, Folio 369, as further amended by that certain Addendum No. 3 to Land Lease (modifying access to the leased property) by and between East Coast Terminal Co. and Liberty Terminals, LLC, dated August 23, 2008, and recorded in the aforesaid Clerk's Office in Deed Record Book 345-V, Folio 737, and as assigned, as to the landlord's interest, to East Coast Terminals Associates, Ltd., on February 1, 2012, said Lease covering a portion of the subject property containing a flat storage warehouse located on Harbor Street and along the Savannah River, and granting first refusal purchase rights as to the leased premises.

- 24 Terms and provisions of that certain unrecorded Lease by and between Seaboard Coast Line Railroad Company as Lessor and Chatham Service Corporation as Lessee, dated October 15, 1972, as amended by an unrecorded Supplemental Agreement by and between the former Seaboard Coast Line Railroad Company, now Seaboard System Railroad, Inc., and Chatham Services Corporation, dated June 25, 1984, as amended by an unrecorded Second Supplemental Agreement to Lease Agreement by and between East Coast Terminal Associates, Ltd., as successor Lessor (successor by Assignment dated December 3, 1987) and Chatham Services Corporation, dated February 1, 1999, and further amended by that certain Supplemental Agreement and Lease Modification by and among East Coast Terminal Associates, L.P., East Coast Terminal Co., and Liberty Terminals, LLC, dated March 10, 2008, and recorded in the aforesaid Clerk's Office in Deed Record Book 338-O, Folio 361.

- 25 Title, rights or claims of the State of Georgia to any part of the insured premises which is or may be alleged by the State to be, or is hereafter deemed to be, salt marsh, tidelands or meadowland or land now or formerly flowed by the waters of the ocean or any bays, rivers, streams, creeks, or their tributaries, or which is marshland as defined in the Coastal Marshlands Protection Act of 1970.

- 26 Rights of the United States, other governmental entities, the public or other riparian owners in that part of the land which extends beyond the mean high water mark of the Savannah River.

SCHEDULE B

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:

NONE.

Type: EASE
Kind: EASEMENT
Recorded: 12/28/2020 7:40:00 PM
Fee Amt: \$25.00 Page 1 of 4
Chatham, Ga. Clerk Superior Court
Tammie Mosley Clerk Superior Court

After recording, return to:
Georgia Power Company
Attn: Land Acquisition (Recording)
241 Ralph McGill Blvd NE
Bldg 10151
Atlanta, GA 30308-3374

Participant ID: 6020739957

BK 2187 PG 305 - 308

PROJECT 2020100061 LETTER FILE DEED FILE MAP FILE
ACCOUNT NUMBER 69596-VBS-0-E17920-0-GFS30-30000000-0
NAME OF LINE/PROJECT: 136 MARINE TERMINAL DRIVE (CHATHAM COUNTY) DISTRIBUTION LINE

PARCEL NUMBER 001

STATE OF GEORGIA
CHATHAM COUNTY

U N D E R G R O U N D E A S E M E N T

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, SAVANNAH BULK TERMINAL, LLC (the "Grantee"), which term shall include heirs, successors and/or assigns, whose mailing Address is P. O BOX 2253, SAVANNAH, GEORGIA 31402, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at 136 MARINE TERMINAL DRIVE, SAVANNAH, GEORGIA 31404 (Tax Parcel ID No. 1035901004) in the 2, 5 GMD (Georgia Militia District) of Chatham County, Georgia.

The "Easement Area" is defined as any portion of the Property located (a) within ten (10) feet of the centerline of the underground distribution line(s) as installed in the approximate location(s) shown on "Exhibit A" attached hereto and made a part hereof, and (b) within ten (10) feet from each side of any related above-ground equipment and facilities, including without limitations cabinets, transformers and service pedestals, as installed in the approximate location(s) shown in "Exhibit A".

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with wires, transformers, service pedestals, manholes, conduits, cables and other necessary

PARCPL 001

NAME OF
LINE/PROJECT:

136 MARINE TERMINAL DRIVE (CHATHAM COUNTY)
DISTRIBUTION LINE

apparatus, fixtures and appliances; the right to stretch communication or other lines of any other company or person under the Easement Area; the right to assign this Underground Easement in whole or in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the Company shall remain the property of the owner of said timber.

The Undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

{Signature(s) on Following Page(s)}

PARCEL 001

NAME OF
LINE/PROJECT:

136 MARINE TERMINAL DRIVE (CHATHAM COUNTY)
DISTRIBUTION LINE

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their
hand(s) and seal(s), this 15 day of October, 2020.

Signed, sealed and delivered in the presence of: SAVANNAH BULK TERMINAL, LLC

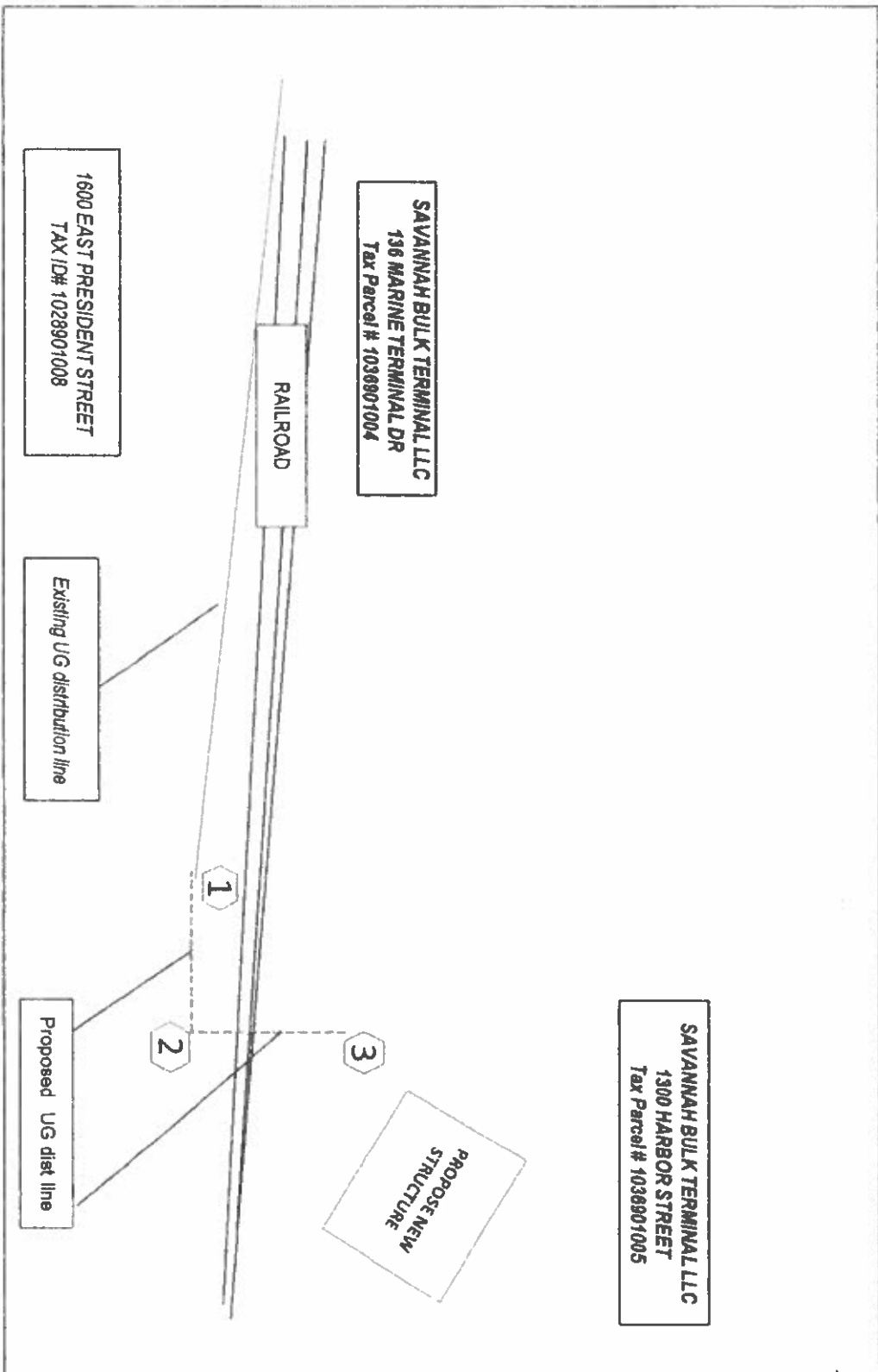
[Signature]
Witness

By: [Signature] (SEAL)
Name: Brod Orwig
Title: MANAGING MEMBER

[Signature]
Witness



Exhibit "A"



Environmental & Natural Resources

Parcel 001

DRAWING NOT TO SCALE

136 MARINE TERMINAL DRIVE (CHATHAM COUNTY) DISTRIBUTION LINE
LIMS # 2020100061
WORK LOCATION: 1-3



Doc ID: 030600390014 Type: EASE
Recorded: 09/18/2017 at 04:31:11 PM
Fee Amt: \$36.00 Page 1 of 14
Chatham, Ga. Clerk Superior Court
Tammie Mosley Clerk Superior Court

BK 1176 pg 612-625

Return to: (JPG)
Oliver Maner LLP
P. O. Box 10186
Savannah, GA 31412
912-236-3311

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

WHARF AND ACCESS EASEMENT AGREEMENT

THIS WHARF AND ACCESS EASEMENT AGREEMENT (“Agreement”) is made as of the 1st day of September, 2017, by EAST COAST TERMINALS ASSOCIATES, LTD., a Georgia limited liability partnership (“ECTA”), and GEORGIA MARINE WAREHOUSE COMPANY, a Georgia corporation (“GMW”).

WHEREAS, ECTA is the owner of a tract of land (hereinafter referred to as the “ECTA Property”) located in the 5th G.M.D., City of Savannah, Chatham County, Georgia, being more particularly described in Exhibit “A” attached hereto and by reference made a part hereof; and,

WHEREAS, GMW is the owner of an adjacent tract or land (hereinafter referred to as the “GMW Property”) located in the 5th G.M.D., City of Savannah, Chatham County, Georgia, being more particularly described in Exhibit “B” attached hereto and by reference made a part hereof; and,

WHEREAS, the parties desire that GMW have access to and the use of the wharfs, docks, breasting dolphins, cat walks, ramps, bollards (collectively the “Wharf”) which are located on the ECTA Property;

NOW, THEREFORE, for and in consideration of the premises, the mutual covenants and agreements set forth herein, and other good and valuable consideration, all of which each party respectively agrees constitutes sufficient consideration received at or before the execution hereof, the parties agree as follows:

1. Grant of Nonexclusive Wharf and Access Easement Subject to the Terms and Conditions set forth herein. Subject to the terms and conditions set forth herein, ECTA hereby grants and conveys to GMW, its successors and assigns, for the benefit of the GMW property located adjacent to the Property (the "GMW Property"), and as a burden upon the ECTA Property, a nonexclusive, right, privilege and easement to engage in stevedoring activities and activities directly associated therewith on the Wharf, together with a permanent, nonexclusive easement for purposes of ingress and egress to the Wharf from the GMW Property, including, but not limited to, vehicular and pedestrian access between the Wharf and the GMW Property. The location of the Wharf and Access Easement granted herein is a twenty (20') foot wide strip of property running adjacent to and to the West of that certain twenty-five (25') foot wide acid and steam line easement area more fully shown on a plat prepared by Carl R. Jackson, Georgia Registered Land Surveyor No. 2555, dated December 2, 2004, which is incorporated herein by reference (a copy of which plat being attached hereto as Exhibit "C"). Notwithstanding the foregoing, GMW agrees that its rights under this Wharf and Access Easement Agreement will be limited and restricted as follows:

1.1 So long as ECTA or an affiliate or assignee is in possession of the Wharf and the ECTA Property, all stevedoring and activities directly

associated therewith on the Wharf and in the Wharf and Access Easement area shall be performed only by ECTA's participating terminal stevedores ("ECTA Stevedores"). In the event an ECTA Stevedore is not available, GMW shall continue to have the right to uninterrupted stevedoring services and to accomplish this may perform said stevedoring and associated activities thereon with its own personnel, or it may contract with another stevedore to perform such services. Nevertheless, GMW shall exercise its best efforts to fully utilize such stevedoring and associated services from or through ETCA. However, in this situation, ECTA may not take any action, directly or indirectly, which would prevent GMW, directly or through its independent stevedores, from performing said stevedoring and associated activities on the Wharf and within the Wharf Access Easement area.

1.2 GMW shall coordinate the scheduling of dockage of the vessels for which it is responsible with other vessels so as to maximize the ability of all parties to fully utilize the Wharf. As part of such obligation, GMW shall be subject to ECTA's customary practice of "first to tender notice of readiness, first to berth" with respect to the Wharf, requiring all vessels for which it is providing berthing to make application for same, specifying the date, expected time of arrival, expected arrival draft, last port call, and tons to be lifted, as far in advance of the date of docking as possible. In the event of conflicting berth reservations, the vessel that first tenders notice of readiness shall be the vessel first berthed, provided that the majority of cargo is on hand for the vessel and that the vessel is in all

respects ready for loading. In the event the shipping party of a vessel for which GMW is providing berthage does not have sufficient cargo to complete loading and a third party's vessel is waiting at the berth, GMW shall cause the loading vessel to vacate the berth and allow the waiting vessel to load.

1.3 GMW shall be responsible for the payment to ECTA of fees for wharfage at the rate of \$1.50 per short ton (to be increased by 5% every five years), and for fees for dockage and line handling charged at rates agreed upon in advance by the parties or, in the absence of such an agreement, the rates set forth in the Georgia Ports Authority Terminal Tariff No. 1-H, FMC-T003, Savannah, as same may be modified and amended from time to time.

1.4 GMW agrees that as a condition of its easement hereunder, it accepts all berths within the easement area in an "as is," "where is" condition, with all faults and defects, acknowledging that ECTA has not made, does not make, and specifically negates and disclaims any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express or implied, oral or written, or arising by operation of law, of, as to, concerning, or with respect to: (i) the condition of the berths; (ii) the suitability of the berths for any and all activities and uses which may be conducted thereof; (iii) the compliance of or by the berths with any laws, rules, ordinances or regulations of any applicable governmental authority or body; (iv) the

fitness of the berths for any particular use or purpose; or (v) any other matter or information concerning the berths. Under no circumstances shall ETCA be responsible for the maintenance of the berths or for the depth of the water alongside same.

1.5 In exercising its right hereunder, GMW shall be subject to, and shall comply with, ECTA's security plan applicable to the ECTA Property which has been approved by the Department of Homeland Security.

1.6 ECTA, its successors and assigns, shall retain the right, and GMW, its successors and assigns, shall not object, to provide a suitable and equivalent alternate wharf access on the ECTA Property at its sole expense. ECTA, its successors and assigns, shall provide this alternate berth and riparian rights when necessary to accommodate cargo delivery by ocean going vessels delivering or receiving product from or through GMW. GMW, its successors and assigns, shall cooperate and assist ECTA in obtaining the necessary permits to provide an alternate wharf (all costs associated with permitting shall be for ECTA's account). This alternate berth shall be operational prior to the termination of GMW's right to use the original wharf access area. The alternate wharf shall not materially change GMW's ship unloading and conveying methods, and unloading rates.

2. Not a Public Dedication. The easement granted herein is not and shall not be deemed to be a public dedication, and no party shall have the right in, to, or under this Agreement except as expressly permitted hereunder.

3. Binding Effect. Every agreement, covenant, promise, undertaking, condition, easement, right, privilege, obligation, option and restriction made, granted or assumed, as the case may be, by any party to this Agreement is made by such party not only personally for the benefit of the parties hereto but also for any and all owners of the ECTA Property and the GMW Property, and the same shall constitute an equitable servitude on each Property appurtenant to and for the benefit of the other Property. Any transferee of any part of either party's Property shall automatically be deemed, by acceptance of the title or rights to any portion of that Property, to have assumed all obligations and rights under this Agreement relating thereto to the extent of its interest in the portion of the Property owned or leased by such party and to have agreed to execute any and all instruments and to do any and all things required to carry out the intention of this Easement. The easement and covenants contained herein shall run with the land.

4. Nature of Easement. This Agreement does not convey any title to the real property benefitted and burdened hereby, but merely grants the covenants, rights, privileges and easements expressly contained herein. The parties shall retain the right to use and occupy their respective properties for all purposes not inconsistent with this Agreement.

5. Indemnity. Each party to this Agreement shall protect, indemnify, defend, and hold the other party harmless from all claims for personal injury,

including death, and damage to or loss of any property arising out of or connected with the activities or services rendered or to be rendered under this Agreement which were caused by its own negligence or the negligence of its employees or agents.

6. Termination of Easement. If during the term of this Agreement ECTA should cease to use the ECTA Property as a shipping terminal or warehouse facility and such new use of the ECTA Property should be inconsistent with the use by GMW of the Wharf, or should GMW default in the payment of fees to ECTA as required in accordance with Section 1.3 hereof, or defaults in the performance of its other obligations hereunder, and fails to cure such default within thirty (30) days following written notice thereof, then ECTA will be entitled to terminate the Wharf and Access Easement Agreement by delivering written notice thereof to GMW or to such of its successors or assigns then entitled to exercise the rights under this Wharf and Access Easement Agreement.

7. Miscellaneous. This Agreement contains the entire understanding between the parties with respect to the subject matter hereof and fully supersedes any and all prior agreements or understandings between the parties hereto pertaining to the subject matter hereof. This Agreement and the easement granted herein shall be binding upon and shall inure to the benefit of the parties hereto, their successors and assigns. This Agreement shall not be released, discharged, supplemented, interpreted, amended, varied, or modified in any manner except by an instrument in writing duly executed by the parties to be charged. Time is of the essence. "Including", means including without limitation. Section headings are for

reference purposes only and shall not control or alter the meaning of this Agreement. ECTA represents and warrants that it is the true owner of record and operator of the ECTA Property, and that it is in sole possession thereof, subject only to the rights of GMW hereunder.

IN WITNESS WHEREOF, ECTA and GMW have caused this instrument to be executed and sealed as of the date first set forth above.

EAST COAST TERMINALS ASSOCIATES, LTD.

By: Wentworth Industries, Ltd., its sole General partner

By: [Signature], Pres.
Frank K. Peeples, Jr.

Its: President

Attest: [Signature]
Regina Morgan Labis

Its: Secretary

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public



GEORGIA MARINE WAREHOUSE COMPANY

By: [Signature], Pres.
Frank K. Peeples, Jr.

Its: President/CEO

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

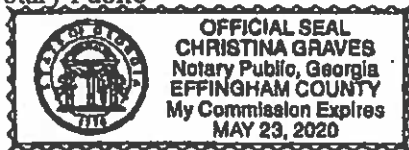


EXHIBIT "A"

LEGAL DESCRIPTION OF ECTA PROPERTY

ALL that certain tract or parcel of land situate, lying and being in Chatham County, Georgia, containing 22.213 acres, more or less, known as the "Terminal Parcel," and being described as follows:

Commencing at the point of intersection of the North right-of-way line of Harbor Street f/k/a Saint Julian Street) (100' r/w) and the East right-of-way line of Commerce Street (40' r/w) and run thence along the North line of Harbor Street South 73°16' East for a distance of 244.00 feet; thence, continuing along said Street line South 80°27' East for a distance of 151.30 feet to a point, which is marked by an iron pipe; thence leaving said Street line and running along the West property line of lands now or formerly owned by Peeples North 16°43' East for a distance of 390 feet to a point; running thence along the North property line of said lands South 81°24' East for a distance of 1024.42 feet to a point on the East line of Bilbo Canal (20' r/w); running thence along said East line North 20°39' East for a distance of 269.03 feet to a point on the approximate high water line and/or bulkhead line which is the Point of Beginning.

From said Point of Beginning, running thence along said line the following courses and distances:

South 88°01' East for a distance of 551.51 feet; thence North 78°23'40" East for a distance of 349.61 feet; running thence North 75°04'10" East for a distance of 1405.18 feet; running thence North 13°18' West for a distance of 15.00 feet; running thence North 76°17'50" East for a distance of 331.52 feet to a point; thence leaving said line and running South 18°28' East for a distance of 226.32 feet to a point; running thence South 81°34' West for a distance of 341.15 feet to a point; running thence South 10°35'50" East for a distance of 335.29 feet to a point; running thence South 84°02'30" West for a distance of 1431.80 feet to a point; running thence South 80°43' West for a distance of 458.33 feet to a point; running thence South 73°16' West for a distance of 147.33 feet to a point; running thence South 84°07' West for a distance of 503.49 feet to a point on the East line of Bilbo Canal; and, running thence along said East line North 20°39' East for a distance of 432.20 feet to the Point of Beginning.

ALSO, all that certain tract or parcel of land situate, lying, and being in Chatham County, Georgia, containing 2.273 acres, more or less, known as the "Road Parcel," and being described as follows:

Beginning at a point on the East line of Bilbo Canal, said point being located South 20°39' West 432.20 feet from the same Point of Beginning established for the Terminal Parcel and running thence along the North line of the Road Parcel the following courses and distances:

North 84°07' East for a distance of 503.49 feet; running thence North 73°16' East for a distance of 147.33 feet; running thence North 80°43' East for a distance of 458.33 feet; and, running thence North 84°02'30" East for a distance of 1431.80 feet to a point;

Thence leaving said North line and running South 10°35'50" East for a distance of 40.13 feet to a point on the South line of said Road Parcel; and, running thence along said South line the following courses and distances:

South 84°02'30" West for a distance of 1433.89 feet; running thence South 81°59'50" West for a distance of 455.34 feet; running thence South 69°21'50" West for a distance of 149.53 feet; and, running thence South 84°07' West for a distance of 527.26 feet to a point on the East line of the Bilbo Canal;

Running thence along said East line North 20°39' West for a distance of 44.71 feet to the Point of Beginning.

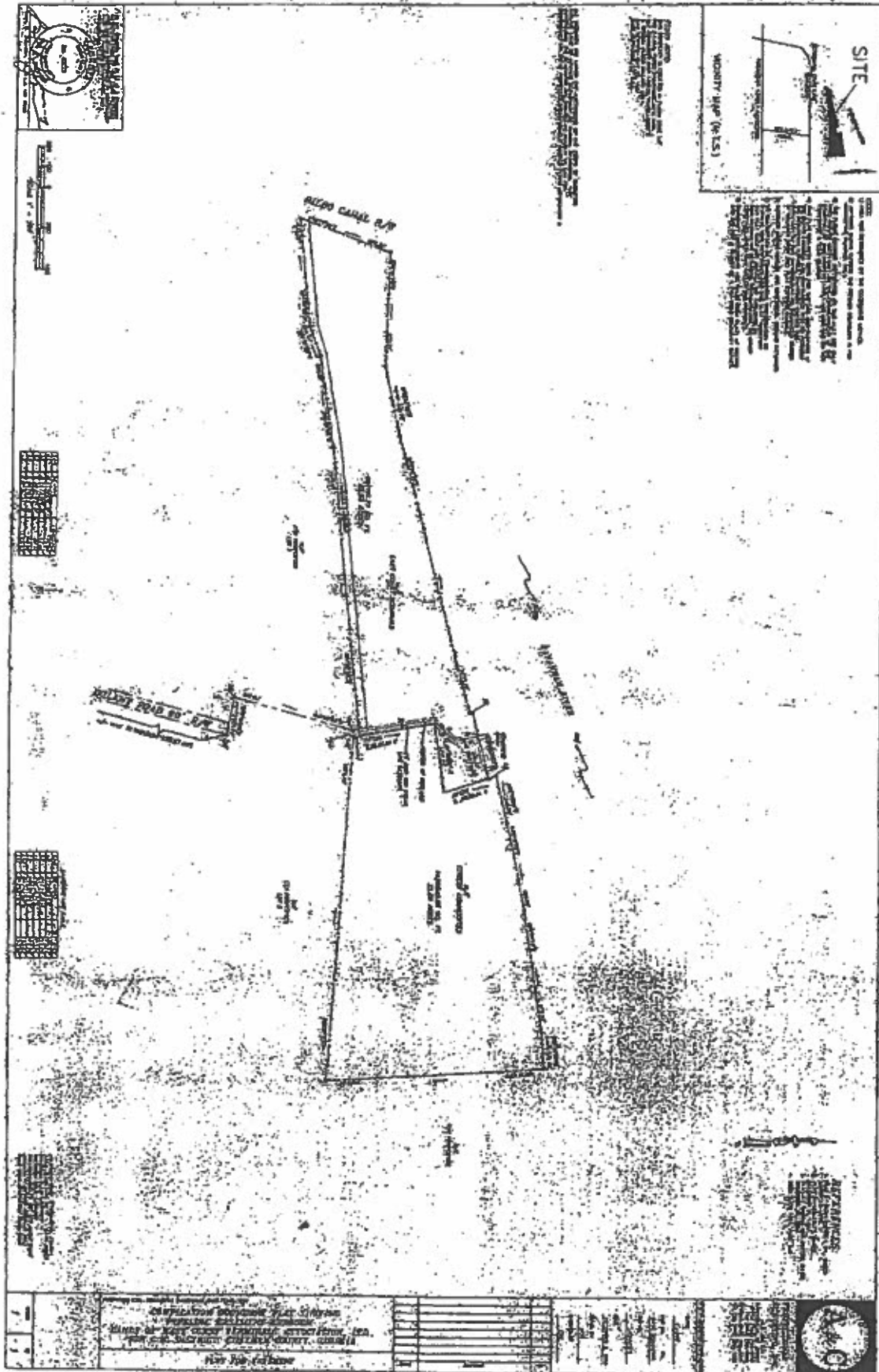
EXHIBIT "B"

LEGAL DESCRIPTION OF GMW PROPERTY

All that certain lot, tract or parcel of land lying and being in the 5th G.M.D., Chatham County, Georgia, being a portion of the CSX Transportation Property and being more particularly described as follows:

Commencing at a concrete right-of-way monument found at the intersection of the northern right-of-way line of President Street Extension (R/W varies) and the western right-of-way line of Dulany Road (r/w varies); thence along the aforesaid right-of-way line of Dulany Road N 57° 30' 11" E a distance of 40.04 feet to a concrete right-of-way monument found; thence N 12° 43' 57" E a distance of 1044.87 feet to a point; thence N 41° 14' 52" W a distance of 67.53 feet to a concrete right-of-way monument found; thence N 15° 23' 00" E a distance of 88.38 feet to a point on the northern right-of-way line of a 20' unnamed road; thence along the aforesaid unnamed road right-of-way line N 78° 20' 15" W a distance of 113.52 feet to a point; thence N 78° 34' 30" W a distance of 100.17 feet to a ¾" iron pipe set; thence leave the aforesaid right-of-way line of the unnamed road N 15° 03' 38" E a distance of 40.79 feet to ¾" iron pipe set at the Point of Beginning; thence 90.65 feet along the arc of a curve turning to the right, having a radius of 907.70 feet, a chord length of 90.61 feet, and a chord bearing N 74° 42' 09" W to a ¾" iron pipe set; thence N 71° 50' 30" W a distance of 53.18 feet to a ¾" iron pipe set; thence 58.28 feet along the arc of a curve turning to the left, having a radius of 513.86 feet, a chord length of 58.24 feet, and a chord bearing N 75° 05' 26" W to a ¾" iron pipe set; thence N 78° 29' 25" W a distance of 1125.93 feet to a ¾" iron pipe set; thence N 83° 45' 29" E a distance of 1041.56 feet to a ¾" iron pipe set; thence 87.12 feet along the arc of a curve turning to the left, having a radius of 806.26 feet, a chord length of 87.07 feet, and a chord bearing N 80° 39' 46" E to a ¾" iron pipe set; thence N 77° 34' 02" E a distance of 194.52 feet to a ¾" iron pipe set; thence 66.36 feet along the arc of a curve turning to the right, having a radius of 580.66 feet, a chord length of 66.33 feet, and a chord bearing N 80° 50' 29" E to a ¾" iron pipe set; thence N 84° 06' 57" E a distance of 69.77 feet to a ¾" iron pipe set; thence S 08° 45' 11" W a distance of 207.93 feet to a ¾" iron pipe set; thence S 44° 48' 19" W a distance of 90.75 feet to a ¾" iron pipe set; thence S 15° 03' 38" W a distance of 204.21 feet to the Point of Beginning, having an area of 304,484 square feet or 6.99 acres of land.

EXHIBIT "C"



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STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

Return to: (JPG)
Oliver Maner LLP
P. O. Box 10186
Savannah, GA 31412
(912) 236-3311

CONSENT AGREEMENT

UNITED COMMUNITY BANK, hereinafter referred to as "Lender", holding a security interest in the foregoing property by virtue of a debt deed from East Coast Terminals Associates, Ltd., to Lender, dated June 7, 2013, filed for record and recorded on August 27, 2013, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 388-R, Folio 962, does hereby consent to the foregoing instrument conveying to Georgia Marine Warehouse Company, an easement providing access to and the use of the wharfs, docks, breasting dolphins, cat walks, ramps, and bollards located on said property, and does hereby agree that foreclosure of said debt deed with respect to the property shall not eliminate the easement.

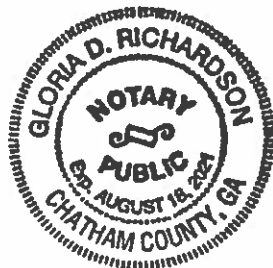
IN WITNESS WHEREOF, the undersigned has caused these presents to be executed by its duly authorized officers and affixed its seal on this the 18th day of September, 2017.

UNITED COMMUNITY BANK

Signed, sealed, and delivered
on this 18th day of September, 2017
in the presence of:

Michelle Dugg
Witness
[Signature]
Notary Public

By: [Signature]
Title: EVP
Attest: [Signature]
Title: SVFP





Doc ID: 030309220004 Type: EASE
 Recorded: 04/07/2017 at 12:37:24 PM
 Fee Amt: \$16.00 Page 1 of 4
 Chatham, Ga. Clerk Superior Court
 Tammie Mosley Clerk Superior Court

BK **1047** PG **584-587**

Georgia Power Company
 Attention: Connie Martin
 Land Department - Bin 10151
 241 Ralph McGill Boulevard, NE
 Atlanta, GA 30308-3374

 Name of Line 136 MARINE TERMINAL DRIVE (CHATHAM COUNTY) DISTRIBUTION LINE
 No 18147
 Parcel No 001 Account No 69596-VBS-0-D03717-0-GP530-3000000
 Letter File 9-15231 Deed File 24443 Map File N/A

State of Georgia
Chatham County

EASEMENT

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, Savannah Bulk Terminal, LLC (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing address is 21 East Broad Street, Savannah, GA 31401, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at Harbor Street, Savannah, GA 31404 (Tax Parcel ID No. 1-0373-02-004) in the 5th GMD (Georgia Militia District) of Chatham County, Georgia.

The "Easement Area" is defined as any portion of the Property located within fifteen (15) feet of the centerline of the overhead distribution line(s) as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof and any portion of the Property located within ten (10) feet of the centerline of the underground distribution line(s) and related equipment as installed in the approximate location shown on "Exhibit A".

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with poles, wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical, communication or other purposes; the right to assign this Easement in whole or

Parcel 001 Name of Line 136 MARINE TERMINAL DRIVE (CHATHAM COUNTY)
DISTRIBUTION LINE

in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said overhead or underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said overhead or underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the Company shall remain the property of the owner of said timber.

The Undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

[Signature(s) on Following Page(s)]

Parcel 001 Name of Line 136 MARINE TERMINAL DRIVE (CHATHAM COUNTY)
DISTRIBUTION LINE

IN WITNESS WHEREOF, the undersigned has/have hereunto set his/her/their
hand(s) and seal(s), this 21st day of March, 2017.

Signed, sealed and delivered
in the presence of:

Savannah Bulk Terminal, LLC

[Signature]
Witness

By: [Signature] (SEAL)
Name:
Title: Project Manager

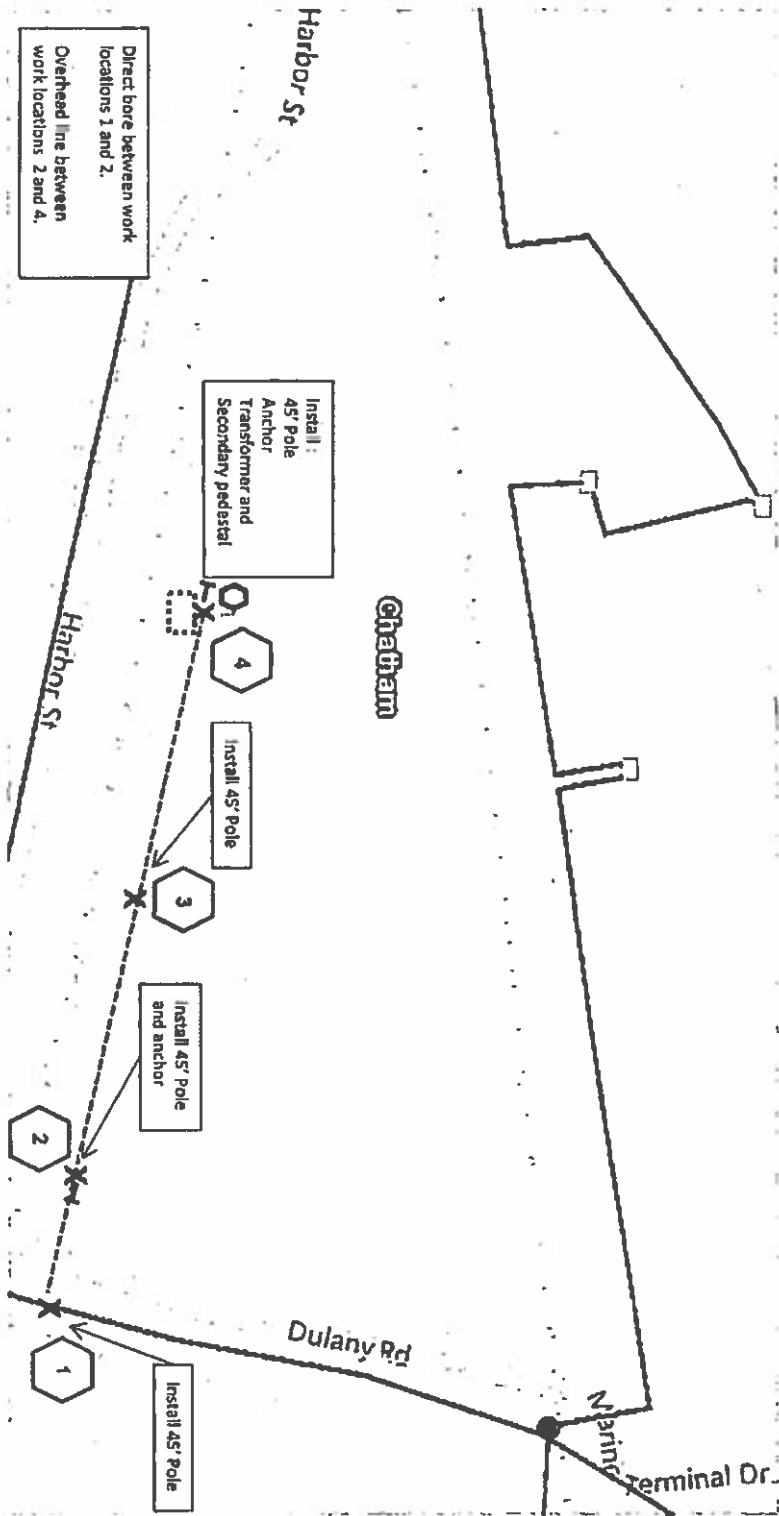
[Signature]
Notary Public

ANTONIO ALBERTO CROZCO
NOTARY PUBLIC
BULLOCH COUNTY, GEORGIA
MY COMM. EXPIRES 01-05-19

[Faint notary seal impression]

[Faint notary seal impression]

Exhibit "A"



 **Georgia Power**
Land Department
Exhibit Prepared on 3/14/2017

Parcel 001
DRAWING NOT TO SCALE

**136 MARINE TERMINAL DRIVE
(CHATHAM COUNTY) DISTRIBUTION LINE
LAC # 18147
Work Location(s): 1, 2, 3 AND 4**

WILLIAM P. FRANKLIN, JR.
DAVID H. DICKEY
T. GREGORY HODGES
ROBERT W. SCHIVERA (GA & NC)
PATRICK T. O'CONNOR
JAMES P. GERARD
PATRICIA T. PAUL
TIMOTHY D. ROBERTS
LEE A. SUMMERFORD
ANDREW M. WILKES
WILLIAM J. HUNTER
BENJAMIN M. PERKINS (GA & FL)
PAUL H. THRELKELD
GEORGE T. MAJOR, JR.
JACOB D. MASSEE (GA & CO.)
T. LAWRENCE EVANS
R. BENJAMIN LINGLE
BRYAN A. SCHIVERA
DAVID B. MULLENS, III
I. WILLIAM DROUGHT, III
J. RYAN BEASLEY
GRACIE G. SHEPHERD
STUART F. SUMNER
S. CHASE PARKER (GA, SC, TN)
K. ELIZABETH HOLLAND
BRIAN D. GRIFFIN

**OLIVER
MANER**
LLP
ATTORNEYS AT LAW

218 WEST STATE STREET
SAVANNAH, GEORGIA 31401

POST OFFICE BOX 10186
SAVANNAH, GA 31412

TELEPHONE (912) 236-3311
FACSIMILE (912) 236-8725
WWW.OLIVERMANER.COM

TWIGGS & OLIVER
1897-1905

OLIVER & OLIVER
1906-1941

OLIVER, OLIVER & DAVIS
1942-1955

OLIVER, DAVIS & MANER
1955-1963

OLIVER & MANER
1963-1967

OLIVER MANER & GRAY
1967-2008

JULIAN R. FRIEDMAN
OF COUNSEL

August 2, 2021

Mr. Charles "Buck" Bennett
Georgia Department of Natural Resources
Compliance and Enforcement Manager
Coastal Resources Division
Buck.Bennett@DNR.GA.Gov

Re: Legal Documents Associated with CMPC Permit 765

Dear Mr. Bennett:

I reviewed your title documents for East Coast Terminals Associates, Ltd., and Savannah Bulk Terminal LLC, and have the following comments:

A. East Coast Terminals Associates, LTD.

I have enclosed herein my last title insurance policy for the property owned by East Coast Terminals Associates, Ltd. ("ECTA"). Since issuing the policy, ECTA conveyed a quit claim deed to the Mayor and Alderman of the city of Savannah for Bilbo Canal drainage improvements, and also entered into a Wharf and Access Easement Agreement with Georgia Marine Warehouse Company, copies of which I have enclosed herein for your review and reference.

B. Savannah Bulk Terminal LLC.

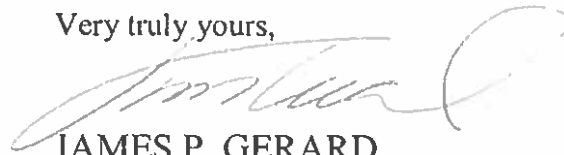
Since issuing my last title insurance policy on properties owned by Savannah Bulk Terminal LLC ("SBT") on January 3, 2017

Mr. Charles "Buck" Bennett
August 2, 2021
Page Two

(a copy of which you already have in your file), SBT conveyed two easements to Georgia Power Company, copies of which I have enclosed herein for your review and reference.

With the exception of the above-mentioned documents, the 113 pages of paperwork which you sent me for review accurately reflect the state of title for the Savannah River properties owned by ECTA and SBT. If you have further questions, please let me know.

Very truly yours,



JAMES P. GERARD

For the Firm

JPG/ba
Enclosures

Clock#: 615666
FILED FOR RECORD

12/31/2004 01:13pm

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

Prepared by and return to:
Edwin W. King, Jr. PAID: 22.00
Post Office Box 9873
Savannah, GA 31412
Susan D. Prouse, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

PAID \$4365.00

WARRANTY DEED

THIS INDENTURE, made this 30th day of December, 2004 for Edwin W. King, Jr. Clerk of Superior Court

COMMODITY CORPORATION, a Georgia corporation, of the State of Georgia, and County of Chatham, party of the first part, and SAVANNAH BULK TERMINAL, L.L.C. a Georgia limited liability company, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN AND NO 100'S DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed unto the said party of the second part, its successors and assigns its interest in that tract or parcel of land lying and being in Chatham County, Georgia, described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of it, the said part of the second part, its successors and assigns forever, **IN FEE SIMPLE**

AND THE SAID PARTY of the first party, for its successors and assigns will warrant and forever defend the right and title to the above described property unto the said property of the second

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part, its successors and assigns, against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal, the day and year above written.

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Signed, sealed, and delivered
in the presence of:

[Signature]
Witness

FOREST COMMODITY CORPORATION

By: [Signature] (CEO)
Frank K. Peoples, Jr.

Attest: [Signature]
[CORPORATE SEAL] SECRETARY [CORPORATE SEAL]

Jean L. McCullough
Notary Public
My Commission Expires February 4, 2008
J.EAN L. McCULLOUGH
Notary Public, Chatham County, GA
My Commission Expires February 4, 2008



LEGAL DESCRIPTION

PARCEL 1:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East a distance of 248.87 feet; thence South 55 degrees, 5 minutes 40 seconds East a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East a distance of 851.09 feet to a point; running thence North 85 degrees 51 minutes 25 seconds West a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West a distance of 227.57 feet to the point of Beginning.

Said tract contains 29.851 acres, more or less, according to survey and plat thereof dated October 30, 1989, by Bert S. Barrett, Sr., Georgia R.L.S., which is hereby incorporated as a part hereof by references.

PARCEL 2:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

Commencing at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point, which is the Point of Beginning.

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Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to harbor line point No. P-115; thence North 81 degrees 04 minutes 13 seconds East a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West a distance of 42.43 feet to the Point of Beginning.

PARCEL 3:

A perpetual non-exclusive right and easement over and across the hereinafter described property situate, lying and being in the 5th G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less.

Beginning at a point on the East line of Bilbo Canal where it intersects the Southwestern corner of property now or formerly of East Coast Terminals Associates, Ltd., as shown on the afore referenced survey dated October 30, 1989, made by Bert S. Barrett, Sr., Georgia R. L. S., and running thence North 84 degrees 07 minutes East a distance of 503.49 feet to a point, running thence North 73 degrees 16 minutes East a distance of 147.33 feet to a point; running thence North 80 degrees 43 feet East a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West a distance of 149.53 feet; running thence South 84 degrees 07 minutes West a distance of 527.26 feet to a point on the East line of the Bilbo Canal; running thence along said East line North 20 degrees 39 minutes East a distance of 44.71 feet to the Point of Beginning.

PARCEL 4:

A perpetual nonexclusive right and easement over and across the hereinafter described property:

ALL that certain tract or parcel of land situate, lying and being in the City of Savannah, Chatham County, Georgia, in Lamar Ward, containing 1.88 acres, more or less, being a former portion of Harbor Street (formerly known as St. Julian Street) and being described as follows:

Beginning at the point of intersection of the West right-of way street, as the same existed on January 13, 1980, which point is marked by a concrete monument and running thence South 83

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degrees 49 minutes West a distance of 877.15 feet to a point on the right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 60 degrees 11 minutes West along the Easterly right-of-way line of Harbor Street a distance of 90.91 feet to a point on the North right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 83 degrees 49 minutes East along the right-of-way line of Harbor Street, as the same existed on January 13, 1980, a distance of 926.30 feet to a point on the West right-of-way line at Bilbo Canal, which point is marked by a concrete monument; thence running South 22 degrees 13 minutes West along the West right-of-way line at Bilbo Canal a distance of 103.35 feet to the point of beginning.

Said tract as shown on a plat of survey dated January 31, 1980 made by Bert S. Barrett, Georgia RLS, and recorded in Plat Record Book DD, Folio 133 of the Records of Chatham County, Georgia, and on a plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS, to both of which surveys reference is hereby made for a more complete description.

PARCEL 5:

ALL right, title and interest of Grantor under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, recorded in Deed Book 112-M, page 739 of the records of Chatham County, Georgia in and to the following described property:

ALL that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the south bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which form the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor on pier line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the Northward projection of the Eastern property line of the tract described in said lease from said high water line to harbor line marker P-117; and on the West by the northward projection of the Western property line of the tract described in said Lease from said high water line to harbor line marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in Plat Book BB, Folio 13, of the records of Chatham County, Georgia.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal", a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land

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between said high water line or mark (adjacent to said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the south harbor or pier line of the Savannah River, wherever its exact location.

The property described in said irrevocable easement is the same property described as Parcel 2.

LESS AND EXCEPT FROM PROPERTY DESCRIBED IN SCHEDULE "A"

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia and being known and designated as Lot 2 of a recombination (showing all access easements) of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Subdivision Map Book 29-S, at page 42. Said Lot 2 contains 5.659 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or formerly of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, recorded in Deed Book 143-Z, Page 540, in said Clerk's office.

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AND ALSO, all of the Grantor's right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat, on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line, on the South by the aforesaid lower low water line of the Savannah River line of the Savannah River, and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

AND ALSO, for the benefit of Cement Consumers Association, LLC ("CEMPAC"), a Georgia limited liability company, (which is purchasing said Lot 2 from Grantee) and CEMPAC'S successors and assigns;

- (1) A permanent, non-exclusive access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the southwest corner of said Lot 2 over, under and across the adjoining Lot 1 now owned by FCC and extending westward over, under and across lands now or formerly of CSX and East Coast Terminals Association to Harbor Street, a public street in the City of Savannah.
- (2) A permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003 between FCC and CEMPAC, connecting said Lot 2 with the

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8/31/2012 04:36pm

PAID: 26.00

Daniel W. Massey, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

PAID \$1844.90

Cheri Phillips
For Clerk of Superior Court

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STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

RETURN TO: (JPG)
OLIVER MANER LLP
P. O. Box 10188
Savannah, GA 31412
(912) 238-3311

LIMITED WARRANTY DEED

THIS INDENTURE made and entered into as of the 16th day of August, 2012, by and between CEMPAC PROPERTTES, LLC, F/K/A CEMENT CONSUMERS ASSOCIATION, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the First Part, and SAVANNAH BULK TERMINAL, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the Second Part;

WITNESSETH:

THAT the said Party of the First Part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration to it in hand paid by the said Party of the Second Part, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Party of the Second Part, its successors and assigns, all the following described tract or parcel of land, to-wit:

Parcel 1 (Lot 2):

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia, being known and designated as Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42. Said Lot 2 contains 5.608 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or former of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses, and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, and recorded in the aforesaid Clerk's Office in Deed Record Book 143-2, Page 540.

Parcel 2 (Area North of Lot 2):

ALSO, all right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat; on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line; on the South by the aforesaid Lot 2; and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

Parcel 3 (Access and Utility Easements):

(a) A permanent, non-exclusive forty (40') foot wide access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the Southwest corner of said Lot 2 along and parallel to the southern boundary line of Lot 1 and along and within the easternmost 186.17 feet of the southern boundary line of lands now or formerly owned by East Coast Terminals Associates, Ltd.

(b) Non-exclusive access easements and utility easements, on, over or across two (2) strips of property of varying widths now or formerly owned by CSX Transportation, Inc., a Virginia corporation ("CSX"), which property strips are located in the 5th G.M. District of Chatham County, State of Georgia, are individually referred to as "Parcel 4 (a/k/a Legal 2): Track Crossing South End" and "Parcel 5 (a/k/a Legal 4): Track Crossing North End", and are shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to

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Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Page 23-A, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distances of the easement premises which are described therein as follows:

Parcel 4 (a/k/a Legal 2)
Track Crossing South End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 354.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 38.99' to a point; thence parallel and distant 25.00' northerly from the center of the northernmost railroad track crossing property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°14'01"E for a distance of 100.19' to a point; thence S15°18'26"W for a distance of 38.83' to a point; thence N78°19'42"W for a distance of 100.20' to the Point of Beginning; and containing 0.089 acre.

Parcel 5 (a/k/a Legal 4)
Track Crossing North End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°49'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 281.17' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point, and being the Point of Beginning; thence continuing through the property of n/f CSX Transportation, Inc., N8°59'56"E for a distance of 34.06' to a point on the southern boundary of property of n/f East Coast Terminals Associates, Ltd., and being on the south side of an existing access & utility easement; thence along the common line of property of n/f CSX Transportation, Inc., and n/f East Coast Terminals Associates, Ltd., N84°02'30"E for a distance of 88.83' to a point; thence crossing through the property of n/f CSX Transportation, Inc.,

S15°18'26"W for a distance of 35.39' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad track crossing property of n/f CSX Transportation, Inc., S84°05'30"W for a distance of 84.78' to the point of beginning; and containing 0.066 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-1, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.

(c) Perpetual non-exclusive rights and easements for access over and across that certain all those certain lots, tracts or parcels of land situate, and being located in the 5th G.M. District of Chatham County, Georgia, being two property strips of varying widths across property of n/f CSX Transportation, Inc., as shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Pages 23A & 23B, being more particularly described below:

(i) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 75.16' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 206.01' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad tract crossing property of n/f CSX Transportation, Inc., N84°05'30"E for a distance of 84.78' to a point; thence 15°18'26"W for a distance of 526.96' to a point; thence parallel and distant 25' northerly from the center of the northernmost railroad track crossing the property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation Inc. Subdivision (Subdivision Map Book 13-S, Page 73) N78°14'01"W for a distance of 100.19' to the Point of Beginning; and containing 0.969 acre.

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(ii) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W), and corner for property of n/f CSX Transportation, Inc., and being the Point of Beginning; thence along the southern boundary of property of n/f CSX Transportation, Inc., and being the south side of an existing 20' private road right-of-way, N78°19'42"W for a distance of 345.74' to a point; thence crossing said 20' private road right-of-way and through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point; thence S78°19'42"E for a distance of 100.20' to a point; thence S15°18'26"W for a distance of 15.06' to a point; thence crossing through said property of n/f CSX Transportation, Inc., and along the line of Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°18'30"E for a distance of 244.20' to a point; thence crossing said 20' private road right-of-way S11°39'57"W, for a distance of 20.98' to the Point of Beginning; and containing 0.201 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.

Parcel 4 (Wharf and Access Easement):

ALSO, a permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003, between Forest Commodity Corporation and Cement Consumers Association, LLC, connecting said Lot 2 with the wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

Parcel 5 (Railroad Track Easement):

ALSO, a permanent, non-exclusive easement having a width of ten (10') feet on either side of the railroad tracks located in that portion of said Lot 1 lying adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and

related equipment which may be necessary for the proper loading and unloading at a terminal located on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

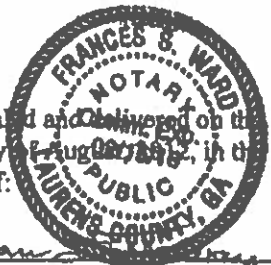
TO HAVE AND TO HOLD the said premises, together with all and singular the rights, members, hereditaments, and appurtenances thereof, to the same being or in anywise appertaining, to the only proper use, benefit, and behoof of the said Party of the Second Part, its successors and assigns forever, IN FEE SIMPLE, subject only to the matters set forth in the attached Exhibit "A" which is incorporated herein and made a part hereof ("Permitted Exceptions").

AND PARTY OF THE FIRST PART WILL WARRANT and forever defend the right and title to the above-described property unto PARTY OF THE SECOND PART against the claims of all persons owning, holding, or claiming by, through, or under the Party of the First Part, except for claims arising under or by virtue of the Permitted Exceptions.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed by its duly authorized officers and its seal affixed thereto all as of the day and year first above written.

CEMPAC PROPERTIES, LLC, *aka*
CEMENT CONSUMERS ASSOCIATION, LLC

By: *[Signature]*
Ben H. Hall, Manager



Signed, sealed and delivered on the
16th day of August, 2016, in the
presence of:

[Signature]
Witness

[Signature]
Notary Public

Exhibit "A"
Permitted Exceptions

1. All taxes for year 2012 and subsequent years, which constitute liens but are not yet due and payable.
2. Those special assessments by governmental entities which become due and payable subsequent to the effective date of the policy to be issued pursuant hereto.
3. Those certain easement rights reserved by CSX Transportation, Inc., in that certain deed between CSX Transportation, Inc., and Forest Commodity Corporation, dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, specifically being a twenty (20') foot wide easement running 10 feet in each direction from the center of railroad tracks crossing the subject property, for the maintenance, use, repair, replacement, and removal of said trackage, together with the right of ingress and egress to and from said trackage.
4. That certain covenant contained in the deed from CSX Transportation, Inc., to Forest Commodity Corporation, dated East Coast Terminals Associates, Ltd., dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, obligating the owner of the subject property to maintain the existing drainage on the subject property in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water run-off or streams into said drainage or upon the right-of-way or lands and other facilities of CSX Transportation, Inc.; and in the event the existing drainage is modified or improved, obligating the owner of the subject property to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the subject property to the nearest public or third party owned drainage or storm sewer system in order to prevent the discharge of roof, surface, stream, and other drainage waters upon the right-of-way or lands and other facilities or properties of CSX Transportation, Inc.
5. That certain permanent, non-exclusive wharf and access easement agreement dated November 6, 2003, by and between Forest Commodity Corporation and Cement Consumers Association, LLC, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 235, connecting Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation, on a recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the aforesaid Clerk's Office in Subdivision Map Book 29-S, Page 42, with the wharf or dock located on Lot 1 as shown on said recombination plat, to be used for the purpose of installing, uninstalling, maintaining, replacing, and operating a belt conveyor

BOOK PAGE
380 L 531

or pneumatic system which will transport cement and bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement area shown on said plat. Said easement is set forth in that certain limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the aforesaid Clerk's Office in Deed Record Book 261-O, Page 229.

6. That certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
7. That Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.
8. Those certain restrictive covenants set forth in the limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 229, as amended by that certain Amendment to Limited Warranty Deed dated January 31, 2005, filed for record and recorded on February 4, 2005, in the aforesaid Clerk's Office in Deed Record Book 282-Y, Page 680.
9. That certain Memorandum of Agreement between Southern States Phosphate and Fertilizer Company and Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 361, re-filed for record and re-recorded on July 3, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-R, Page 99, evidencing the existence of an Indemnification Agreement between the parties, dated June 24, 2008, involving the easement premises described in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
10. Terms and conditions of an unrecorded Lease Agreement between Cement Consumers Association, LLC, as Landlord, and Carbo Ceramics, as Tenant, dated July 22, 2009,

commencing September 16, 2009, and terminating September 15, 2011, with automatic six month renewal terms.

11. Matters of survey shown on a plat of survey of the subject property dated May 16, 2002, made by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 26-S, Page 42, including a railroad easement running in a westerly/easterly direction over the southern portion of the subject property.
12. Matters of survey shown on a plat of survey of the subject property dated October 30, 1989, revised June 22, 1995, made by Bert B. Barrett, Jr., Georgia Registered Land Surveyor No. 1239, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42, including railroad tracks running in a westerly/easterly direction across the southern portion of the subject property with ten (10') foot wide railroad easements running on either side.
13. Matters of survey shown on that certain recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42.
14. Such facts as may be shown on that certain plat entitled "Remaining Portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property," prepared by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, of Thomas & Hutton Engineering Co., dated December 7, 2009, and last revised January 7, 2010, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 43-P, Page 42A-G.
15. Such state of facts as shown on plat recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Historical Map Book 1, Page 51, Subdivision Map Book 13-S, Page 73, Plat Record Book 38-P, Page 23 A&B.
16. Title, rights or claims of the State of Georgia to any part of the premises which is or may be alleged by the State to be, or is hereafter deemed to be, salt marsh, tidelands or meadowland or land now or formerly flowed by the waters of the ocean or any bays, rivers, streams, creeks, or their tributaries, or which is marshland as defined in the Coastal Marshlands Protection Act of 1970.
17. Rights of the United States, other governmental entities, the public or other riparian owners in that part of the land which extends beyond the mean high water mark of the Savannah River.

Property Deed - East Coast Terminals Associates, LTD

This instrument prepared by or under the direction of:

Chatham County MS87335A.26

Richard C. Keene

RICHARD C. KEENE
SENIOR GENERAL ATTORNEY
Attorney for Grantor
Business Address:
500 Water Street
Jacksonville, Florida 32202

Filed For Record At 4:00 O'Clock P M. On The
18 Day Of Dec., 1987
Recorded in Record Book 136-14 Folio 682
On The 18 Day Of Dec., 1987

Doris A. Stephens
CLERK SUPERIOR COURT, CHATHAM CO., GA.

RECEIVED
FOR RECORD
DEC 18 4 00 PM '87
DORIS A. STEPHENS
CLERK S.C.C.G.

THIS DEED, made this 16th day of December, 1987, between TRANSPORTATION, INC., a Virginia corporation, hereinafter called "Grantor", and EAST COAST TERMINALS ASSOCIATES, LTD., a Georgia limited partnership, whose mailing address is Post Office Box 2253, Savannah, Georgia 31402, hereinafter called "Grantee"; and UNITED STATES TRUST COMPANY OF NEW YORK, Trustee, as hereinafter provided, and CHEMICAL BANK, Trustee, as hereinafter provided; WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT Grantor, for and in consideration of the sum of TWO MILLION FIVE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$2,590,000.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, its successors and assigns, those two (2) certain tracts or parcels of land situate, lying and being at Savannah, County of Chatham, State of Georgia, hereinafter designated "the Premises," more particularly described in Exhibit A, description attached hereto and incorporated herein, and together containing 24.486 acres, more or less.

EXCEPTING unto Grantor the ownership in and to the tracks on the south side of Warehouse Nos. 4 and 5 and all appurtenant track material (including switches, signals, ties, ballast, drainage structures, communication lines, etc.) in and on the Premises.

RESERVING unto Grantor a railroad easement thirty (30) feet in width, fifteen (15) feet in each direction from the center of said excepted track(s), for the continued location, maintenance, use, repair, replacement and removal of said trackage; TOGETHER WITH the right of ingress and egress to and from said trackage and facilities. Said railroad easement shall automatically terminate should Grantee purchase said trackage from Grantor.

ALSO RESERVING unto Grantor a perpetual easement of ingress and egress over the existing roadway located along the southerly boundary of said Premises to provide Grantor access to its property located both south and east of said Premises, until Dulaney Road is extended northwardly to connect with

081840A001 12/18/87TRANSFER 2590.00
Real Estate Transfer Tax
Paid \$ 590.00
12-18-87
Doris A. Stephens
For Clerk of Sup. Court

the existing road along the south line of said Premises as described in Exhibit A - Road Parcel.

TOGETHER WITH all other buildings, structures and improvements thereon, and all and singular the rights, alleys, ways, waters, privileges, hereditaments and appurtenances to said Premises belonging or in anyway incident or appertaining.

TO HAVE AND TO HOLD the said Premises and appurtenances unto Grantee, Grantee's heirs and assigns or successors and assigns, in fee simple forever.

SUBJECT to that certain Lease dated as of October 15, 1972, between Grantor's predecessor Seaboard Coast Line Railroad Company as Lessor and Chatham Service Corporation as Lessee, as supplemented on several occasions, the last of which is Supplemental Agreement dated June 25, 1984, the Lease as supplemented being hereinafter referred to as "the Lease."

SUBJECT to the Lease, reservations, conditions, restrictions and easements of record, all public utilities, or items apparent from an inspection of the Premises, AND SUBJECT to canals that run in a northwardly and southwardly direction along the easterly and westerly portions of the Premises, Grantor hereby WARRANTS that the Premises are free from encumbrances, that it is seized of said Premises in fee and that it will forever defend all and singular said Premises unto Grantee against claims of or by Grantor and all other persons lawfully claiming or to claim the same or any part thereof, by, through or under Grantor.

Grantee, by acceptance of this deed, hereby covenants that Grantee shall maintain the existing drainage in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water runoff or streams into said drainage or upon the right-of-way or lands and other facilities of Grantor. If said Premises or existing drainage are modified or improved, Grantee agrees to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the Premises to the nearest public or non-Grantor owned drainage or storm sewer system, in order to prevent the discharge of roof, surface, stream and other drainage waters upon the right-of-way or lands and other facilities or properties of Grantor. Said covenant(s) shall run with title to Premises conveyed, and bind upon Grantee, Grantee's heirs, legal representatives and assigns, or corporate successors and assigns, and anyone claiming title to or holding Premises through Grantee.

AND THIS DEED FURTHER WITNESSETH that United States Trust Company of New York, Corporate Trustee under the former Atlantic Coast Line Railroad Company's First (formerly General) Mortgage dated March 1, 1950, as supplemented and modified, has executed this deed for the sole purpose of releasing and does hereby release all estate, right, title, lien and interest of the Trustee under said Mortgage, in and to the property herein conveyed, or in and to the estate, right, title and interest herein quitclaimed, pursuant to the provisions of Section 6.01 of Article Six of said Mortgage. This release is subject to any and all the same rights, reservations, exceptions, limitations and agreements herein specified on behalf of the Grantor, and is without covenant or warranty, express or implied, and without recourse against

said Trustee in any event, and recitals of fact herein are to be taken only as recitals of Grantor and not of Trustee(s).

AND THIS DEED FURTHER WITNESSETH that Chemical Bank, a New York corporation, Corporate Trustee under the former Seaboard Coast Line Railroad Company's Consolidated Mortgage dated March 15, 1971, as supplemented, has executed this deed for the sole purpose of releasing and does hereby release all estate, right, title, lien and interest of the Trustee under said Mortgage, in and to the property herein conveyed, or in and to the estate, right, title and interest herein quitclaimed, pursuant to the provisions of Section 5.17 of Article Five of said Mortgage; Individual Trustee, L. F. Sadler of Jacksonville, Florida, being relieved of any obligation to join in such release by Section 10.06 of Article Ten of said Mortgage. This release is subject to any and all the same rights, reservations, exceptions, limitations and agreements herein specified on behalf of the Grantor, and is without covenant or warranty, express or implied, and without recourse against said Trustee in any event, and recitals of fact herein are to be taken only as recitals of Grantor and Grantee and not of Trustee(s).

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., UNITED STATES TRUST COMPANY OF NEW YORK and CHEMICAL BANK (as the aforesaid Trustees), pursuant to due corporate authority, have caused their names to be signed hereto by their officers hereunto duly authorized and their corporate seals, duly attested, to be hereunto affixed.

Signed, sealed and delivered in the presence of:

Robert H. Cheafon

CSX TRANSPORTATION, INC.:

By Ronald W. Drucker
Ronald W. Drucker
President and Chief Executive Officer
CSX Rail Transport

Attest David M. Yearwood (SEAL)
Assistant Secretary

Kathryn R. Casey
Notary Public
Notarized this 16th day of December, 1987.


NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Aug. 24, 1990
Bonded thru Patterson - Becht Agency



Signed, sealed and delivered
in the presence of:

UNITED STATES TRUST COMPANY OF
NEW YORK, as Corporate Trustee
as aforesaid:

685


Robert E. Patterson III
Notary Public

By [Signature]
ASSISTANT VICE PRESIDENT
Attest [Signature]
CORPORATE SEAL

ROBERT EARLY PATTERSON, III
NOTARY PUBLIC, State of New York
No. 4784543
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires October 31, 1989

ASST. SECRETARY

Notarized this 31ST day
of October, 1989.

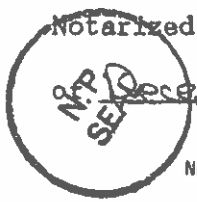
Signed, sealed and delivered
in the presence of:

CHEMICAL BANK, as Corporate
Trustee as aforesaid:

Edward Brekin
Frank S. Fecko
Notary Public

By [Signature]
SENIOR TRUST OFFICER
Attest [Signature]
TRUST OFFICER
CORPORATE SEAL

Notarized this 17th day
of DECEMBER, 1987.



FRANK S. FECZKO
Notary Public, State of New York
No. 41-4861375
Qualified in Queens County
Certificate Filed in New York County
Commission Expires June 2, 1988

EXHIBIT A

686

Description of property at: Savannah, Georgia
To: East Coast Terminals Associates, LTD.
Deed File No.: Chatham County

A parcel of land situated in Chatham County, Georgia, more particularly described as follows:

For a point of reference, commence at the point of intersection of the north line of Saint Julian Street (100-foot right-of-way) and the east line of Commerce Street (40-foot right-of-way); thence along the north line of Saint Julian Street S 73°16'00" E 244.00 feet, thence continuing along said street line S 80°27'00" E 151.30 feet to an iron pipe found; thence leaving said street line and with the west property line of N/F F. Peeples N 16°43'00" E 390 feet; thence with the north property line of same S 81°24'00" E 1024.42 feet to a point on the east line of Bilbo Canal (20-foot right-of-way); thence along said east line of Bilbo Canal N 20°39'00" E 269.03 feet to the POINT OF BEGINNING on the approximate high water line and/or Bulkhead line; thence along said line the following courses and distances:

S 88°01'00" E 551.51 feet, N 78°23'40" E 349.61 feet, N 75°04'10" E 1,405.18 feet, N 13°18'00" W 15.00 feet, thence N 76°17'50" E 331.37 feet to a point; thence leaving said line S 18°28'00" E 227.57 feet; thence S 81°34'00" W 341.15 feet; thence S 10°35'50" E 333.15 feet; thence S 84°02'30" W 1,431.80 feet; thence S 80°43'00" W 458.33 feet; thence S 73°16'00" W 147.33 feet; thence S 84°07'00" W 503.38 feet to a point on east line of Bilbo Canal; then along said east line N 20°39'00" E 432.20 feet to the POINT OF BEGINNING containing 22.213 acres, more or less.

Road Parcel

Begin at a point in the east line of Bilbo Canal, said point located S 20°39'00" W 432.20 feet from the above described POINT OF BEGINNING; thence along the north line of the Road Parcel the following courses and distances:

N 84°07'00" E 503.38 feet, N 73°16'00" E 147.33 feet, N 80°43'00" E 458.33 feet, N 84°02'30" E 1,431.80 feet to a point, thence leaving said north line S 10°35'50" E 40.13 feet to a point on the south line of said Road Parcel; thence along said south line the following courses and distances:

S 84°02'30" W 1,433.89 feet, S 81°59'50" W 455.34 feet, S 69°21'50" W 149.53 feet, S 84°07'00" W 527.15 feet to a point on the east line of the Bilbo Canal; thence along said east line N 20°39'00" E 44.71 feet to the POINT OF BEGINNING; containing 2.273 acres, more or less.

BEING all or part of the same property acquired by Grantor, or its predecessor, by the following deeds, recorded in the Public Records of Chatham County, Georgia:

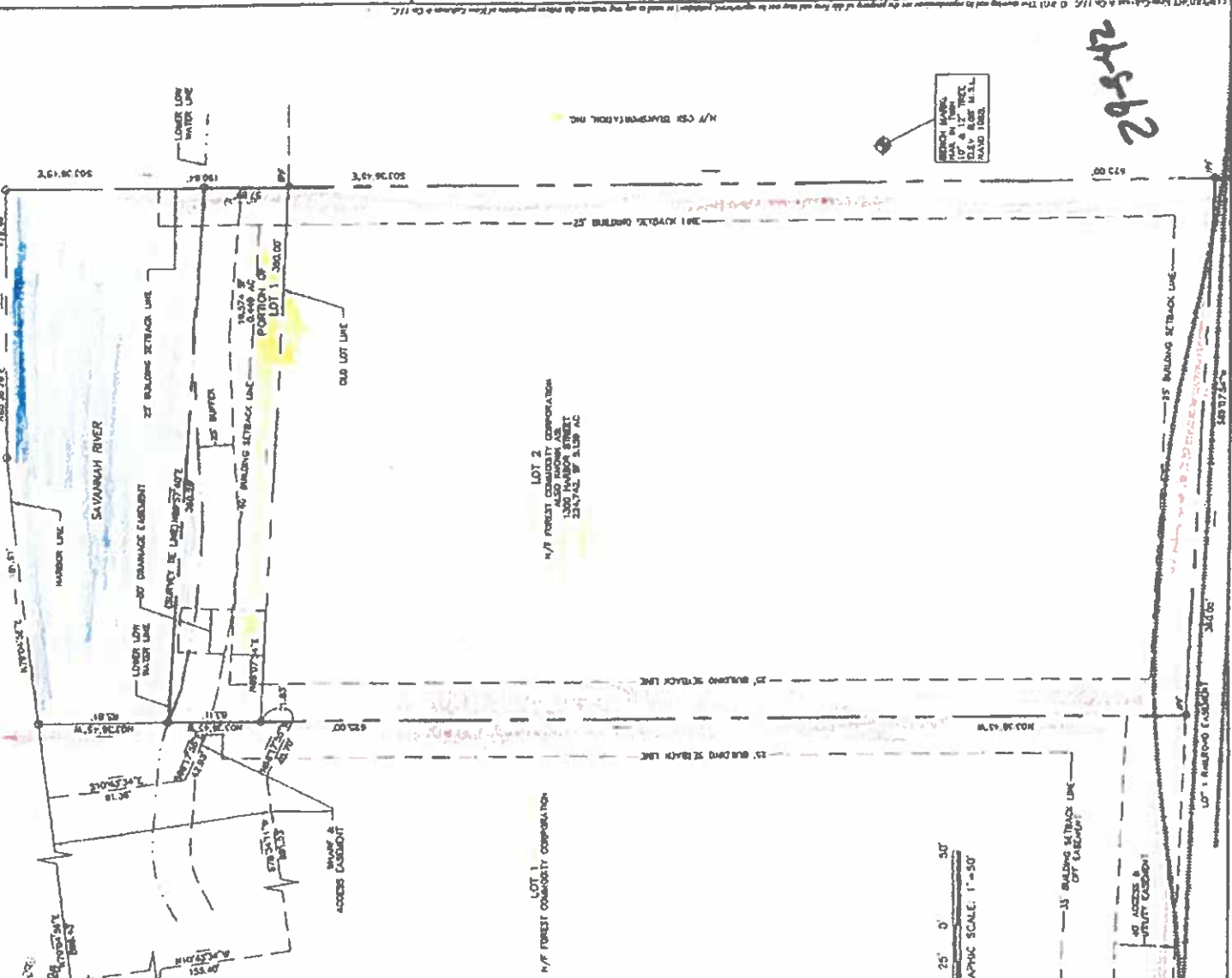
<u>Acquired from</u>	<u>Date of Deed</u>	<u>Book</u>	<u>Page No.</u>
Wm. S. Lawton	July 29, 1870	4-M	133
Hugh McComer	June 4, 1880	5-N	292
Hugh McComer	June 7, 1883	5-H	361
Wm. S. Lawton, et al, Trustees	February 1, 1875	4-R	393
John Screven, et al	October 15, 1880	4-Z	331
John Screven, et al	June 20, 1884	5-L	109
John Screven, et al	May 19, 1874	4-Q	77
Thomas Screven, et al	June 2, 1869	4-P	354



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Exhibit B. Property Boundary Plats



GA STATE PLANS EAST ZONE
 2003-08-19
 2003-08-19
 2003-08-19

NOTICE: THIS IS NOT A SURVEY. THE SURVEY IS THE PROPERTY OF THE SURVEYOR AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF GEORGIA LAWS AND IS SUBJECT TO RECORDING.

[Signature]
 SURVEYOR
 CL. NO. 12345
 DATE: 11/3/03

- LEGEND**
- CURB CONC. MONUMENT FOUND
 - U.L.F. IRON ROD FOUND
 - U.L.F. IRON AND SET
 - P.P. IRON PPK FOUND
 - U.L.F. IRON PPK SET
 - C.M.S. CONC. MONUMENT SET
 - RAILROAD TRACK
- VICINITY MAP**
 NOT TO SCALE

APPROVED BY THE CHATHAM COUNTY ENGINEER
 COUNTY ENGINEER: [Signature] DATE: 3/16/03

APPROVED BY THE METROPOLITAN PLANNING COMMISSION
 EXECUTIVE DIRECTOR: [Signature] DATE: 11/3/03

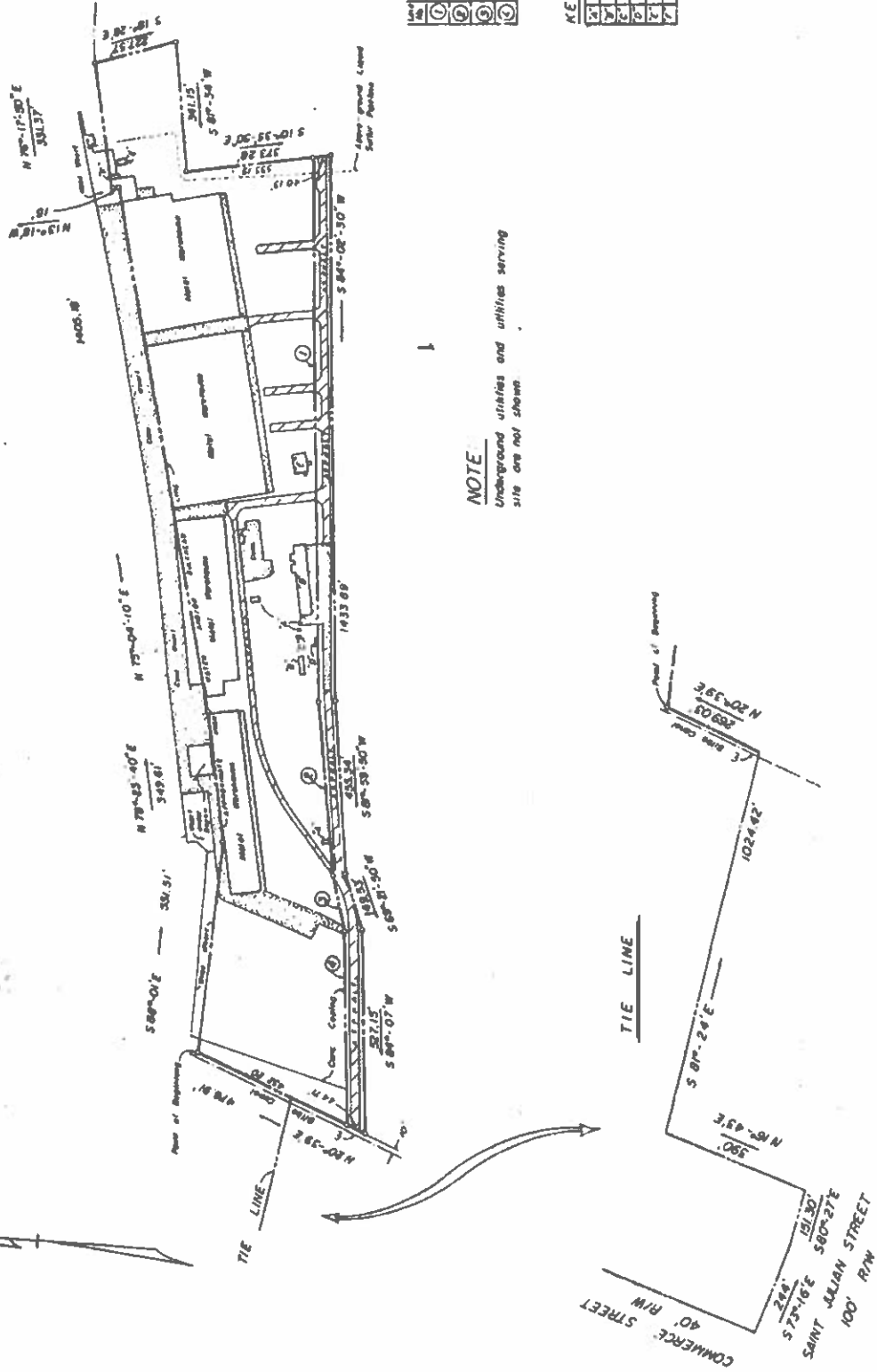
APPROVED BY CHATHAM COUNTY DEPARTMENT OF PUBLIC HEALTH
 DIRECTOR: [Signature] DATE: 11/3/03

SUBMISSION NOTES:

1. THE BOUNDARY CORNERS 1, LOT 2.
2. TOTAL AREA: 5.401 ACRES (240,313 S.F.).
3. LOTS TO BE SERVED BY CITY OF SAVANNAH WATER AND SEWERAGE DEPARTMENT.
4. LOCATED IN ZONE A1, A SPECIAL FLOOD HAZARD AREA AS ESTABLISHED BY FLOOD INSURANCE RATE MAPS C-10000-B, BASE ELEVATION: 17' M.S.L. HAZ. 1000 1524.
5. ALL LOT CORNERS ARE MARKED BY "IRON PPKS".
6. ALL ELEVATIONS ARE BASED ON LOW SEA LEVEL DATUM.
7. THE FEDERAL GOVERNMENT ALL SUCH ISLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. LOT OWNERS ARE SUBJECT TO PENALTY BY LAW FOR OBSTRUCTION TO THESE PROTECTED PROTECTED AREAS WITHOUT PROPER PERMIT APPROVED BY THE FEDERAL GOVERNMENT.
8. NO LAND DISTURBANCE ACTIVITIES SHALL TAKE PLACE WITHIN 25 FEET OF THE MARSH WITHOUT APPROVAL OF THE CHATHAM COUNTY DEPARTMENT OF ENVIRONMENTAL AFFAIRS.
9. THE PRIVATE ACCESS EASEMENT SHALL BE FOR THE USE OF AND MAINTAINED BY THE OWNERS OF LOTS 1 & 2 AND SHALL NOT BECOME THE RESPONSIBILITY OF CHATHAM COUNTY. THIS EASEMENT WAS CREATED BY A MINOR SUBDIVISION OF LOT 1 AND LOT 2.
10. ALL ACCESS EASEMENTS OR "WALKS" EASEMENTS ARE AUCUS FOR PUBLIC USE AND HEREBY DEDICATED FOR THE USE INTENDED.

[Signature]
 ENGINEER

SAVANNAH RIVER



Area	Quantity	Distance
1	5 84'-02" x 30' W	1431' FU
2	5 60'-43" W	458.33'
3	5 73'-16" W	147.33'
4	5 84'-07" W	503.98'

- KEY
- A METAL BUILDING
 - B 3' HIGH METAL BUILDING
 - C CONC. BLOCK BUILDING
 - D CONC. AND TWP GAS PIPING
 - E STORY FRAME BUILDING
 - F METAL TRAILER

NOTE
Underground utilities and utilities serving site are not shown

Plot of a portion of the Seaboard Coast Line Railroad Property

For: **PEEPLER INDUSTRIES, INC.**

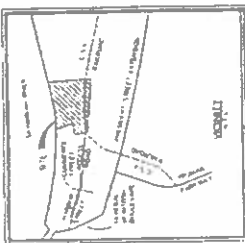
Scale: 1" = 200' 16 Dec 1987



As the engineer, I am a licensed professional engineer in the State of Georgia and I hereby certify that this plan has been prepared in accordance with the laws of the State of Georgia and I am a duly licensed professional engineer in the State of Georgia.

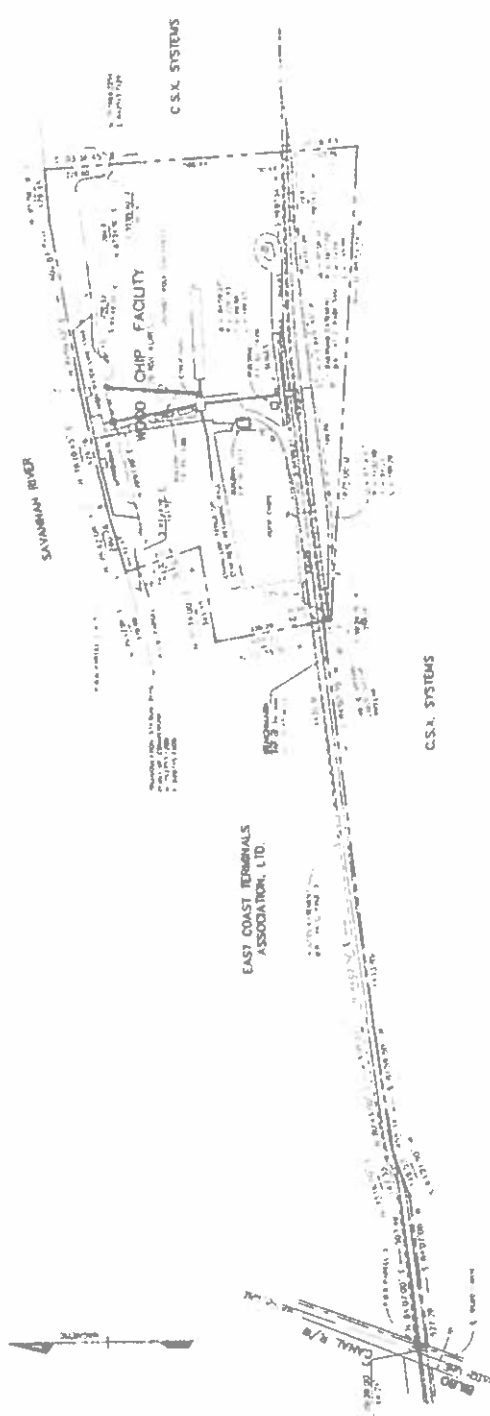
Erlay Surveyors, Inc.
Savannah, Georgia

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JAN 27 2019
GA DNR / HMP



LEGEND

PROPERTY AND
CROSSING RIGHTS
CROSSING RIGHTS
CROSSING RIGHTS



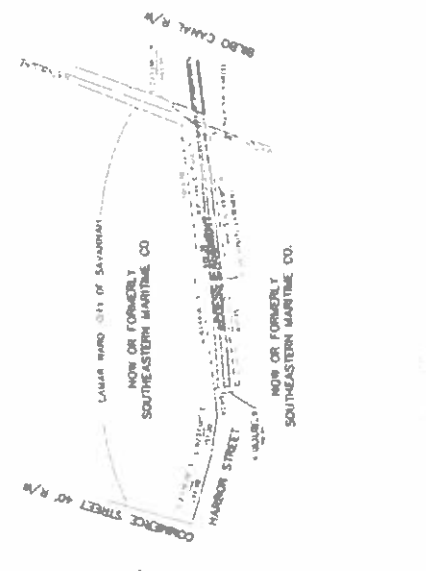
C.S.A. SYSTEMS

CHIP FACILITY

SAVANNAH RIVER

C.S.A. SYSTEMS

EAST COAST TERMINALS ASSOCIATION, LTD.



BASEL AGREEMENT

THE BASEL AGREEMENT, entered into between the United States of America and the United Kingdom, provides for the control of the movement of hazardous waste and other materials from developed countries to developing countries. The Agreement is designed to ensure that hazardous waste is managed in an environmentally sound manner and to prevent the transfer of such waste to countries that do not have adequate facilities for its management.

STATE OF GEORGIA
DeKalb County

PLAT OF 28.683± ACRE PORTION OF C.S.A. SYSTEMS
SAVANNAH RIVER WHAARF PROPERTY LOCATED IN THE 5th G.M.D.
AND THE ACCESS FROM HARBOR STREET.

FOR FOREST COMMUNITIES, CORP.

DATE: 11/11/1989

PLAT: 11/11/1989

BARRETT LAND SURVEYING, INC.
1111 N. W. 11th St.
Miami, Florida 33136

DATE: 11/11/1989

PLAT: 11/11/1989

BARRETT LAND SURVEYING, INC.
1111 N. W. 11th St.
Miami, Florida 33136

RECEIVED
JAN 22 2019
GA DNR / HMP

11/11/1989 11:11 AM

Exhibit C. Property Deeds



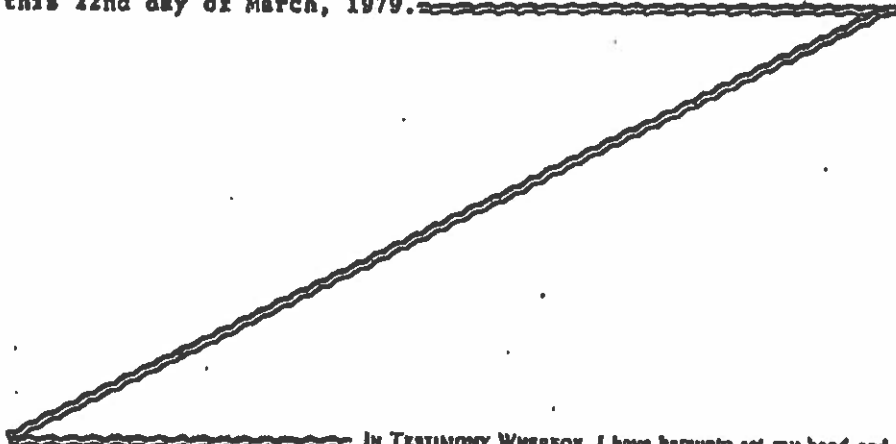
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GA DNR / HMP

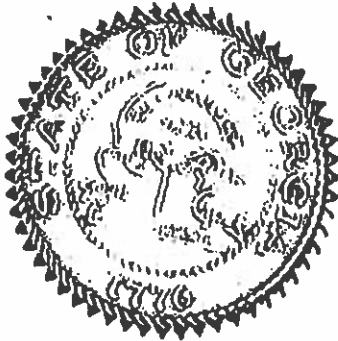


437

I, Ben W. Fortson, Jr., Secretary of State of the State of Georgia, do hereby certify, that the five pages hereto attached form an original Irrevocable Easement, executed March 21, 1979 between State Properties Commission, as Grantor, and Forest Commodity Corporation, as Grantee, covering certain real property in Chatham County, Georgia; and I further certify that said Irrevocable Easement has been made of record in this office as Deed Record Number 6593, this 22nd day of March, 1979.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 22nd day of March, in the year of our Lord One Thousand Nine Hundred and Seventy-Nine and of the Independence of the United States of America the Two Hundred and Thirtieth.



Ben W. Fortson, Jr.
 BEN W. FORTSON, JR., SECRETARY OF STATE.

ORIGINAL

STATE OF GEORGIA)
)
COUNTY OF FULTON)

ORIGINAL

438

THIS INDENTURE, made and entered into this the 21st day of March, 1979, by and between the STATE PROPERTIES COMMISSION, for and on behalf of the State of Georgia, hereinafter sometimes referred to as Grantor, and FOREST COMMODITY CORPORATION, a Georgia corporation, hereinafter sometimes referred to as Grantee.

W I T N E S S E T H:

WHEREAS, by Resolution Act No. 33 (House Resolution No. 276-1053) approved by the Governor of the State of Georgia on March 30, 1977, the 1977 Regular Session of the General Assembly of Georgia authorized the State Properties Commission, for and on behalf of the State of Georgia, to grant and convey to CHATHAM SERVICE CORPORATION, a Georgia corporation, its successors and assigns, an irrevocable easement over, under, across and through certain property owned by the State of Georgia and located in Chatham County, Georgia; and

WHEREAS, said Resolution referred to Chatham Service Corporation as being the long-term tenant of Seaboard Coast Line Railroad Company of a tract of land on the Savannah River and such easement was required to enable it to install certain docking facilities in the river adjacent to said tract; and

WHEREAS, at the meeting of the State Properties Commission held on May 5, 1977, representatives of Chatham Service Corporation informed the members of the Commission that a new lease was being negotiated between Seaboard Coast Line Railroad Company and Forest Commodity Corporation, a corporate affiliate of Chatham Service Corporation, and the Commission approved the grant of the said easement to Forest Commodity Corporation as the successor of Chatham Service Corporation; and

RECORDED
BY R. FORTSON, JR.
SECRETARY OF STATE
REAL PROPERTY DIV.
MAR 22 10 42 AM

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WHEREAS, Seaboard Coast Line Railroad Company did on July 26, 1977, enter into such lease with Grantee, and Grantee is the long-term tenant of a tract of land on the Savannah River in Chatham County, Georgia, on which it has constructed and maintains receiving, storing and loading-unloading facilities; and

WHEREAS, a portion of such facilities is located adjacent to said property leased by Grantee, on certain property owned by the State of Georgia, in Chatham County, Georgia; and

WHEREAS, the General Assembly in the aforesaid Resolution deemed it beneficial for the State of Georgia for such facilities to be established, and that the State of Georgia is willing to grant and convey an irrevocable easement for the purposes outlined herein and in consideration of the sum specified herein;

NOW, THEREFORE, Grantor for and in consideration of these presents and the sum of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS in hand paid, the receipt whereof is hereby acknowledged, and other good and valuable considerations, does hereby grant unto the said Grantee, its successors and assigns, an irrevocable easement to use, occupy, employ and enjoy for the purposes of constructing, installing, operating, maintaining, repairing and replacing berthing, docking, storage and loading-unloading facilities and improvements, including breasting dolphins, piers, warehouses, conveyor systems, and loading-unloading towers, and all facilities and improvements that shall be reasonably necessary in connection therewith, and of dredging the river bottom for navigational purposes, across, under, over and through the bed or bottom of the Savannah River, and the inter-tidal area of the south bank thereof, the property subject to said easement being more particularly described in that certain Legal Description marked EXHIBIT A attached hereto, incorporated in and specifically made a part hereof.

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This irrevocable easement is subject always to Grantee's initial and continuing compliance with all applicable laws pertaining to the subject matter hereof and to the properties affected hereby. This easement is further subject always to the use and enjoyment by the public of any streams involved herein.

The right to dredge the river bottom within the easement area shall, within the scope of the permits heretofore or hereafter granted by the U.S. Army Corps of Engineers, be for the purpose only of improving navigation.

This easement is made only for the purposes aforesaid and shall continue only so long as Forest Commodity Corporation, its successors and assigns, continues to maintain and operate the aforesaid facilities and in the event that said facilities are abandoned by Grantee or the use for the aforesaid purposes discontinued, said easement shall, by operation of law, terminate automatically, without the necessity of re-entry by Grantor.

IN WITNESS WHEREOF, the Honorable George Busbee, Governor of the State of Georgia, acting for and on behalf of the State Properties Commission, as Chairman of the Commission, has caused these presents to be signed, sealed and delivered, for and on behalf of the State of Georgia, the same being attested to by the Secretary of State, as Secretary of the Commission, who has hereunto affixed the Seal of the State Properties Commission, on the day, month and year first written above.

Signed, sealed and delivered in the presence of: (As to the signatures of the Chairman and Secretary)

C. C. Silvers
Witness

Richard Adams
Notary Public
My Commission Expires:
U.S. Notary Public, Georgia State at Large
My Commission Expires May 17, 1981
NOTARY SEAL

STATE PROPERTIES COMMISSION

BY: *George Busbee* (U.S.)
Governor, George Busbee,
as Chairman

ATTEST: *Ben W. Fortson, Jr.* (U.S.)
Secretary of State
Ben W. Fortson, Jr.,
as Secretary




SS 00659

From a Natural Resources and environmental standpoint, the terms, conditions, covenants, agreements and provisions of this EASEMENT are hereby approved.

STATE DEPARTMENT OF NATURAL RESOURCES

BY: 
Name: Joe D. Tanner
Title: Commissioner

BY: 
Name: Leonard Ledbetter
Title: Director, Environmental Protection Division

SS 006900 SS

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EXHIBIT A

ALL that portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the South bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which forms the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor or Pier Line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the Northward projection of the Eastern property line of the tract described in said Lease from said high water line to Harbor Line Marker P-117; and on the West by the Northward projection of the Western property line of the tract described in said Lease from said high water line to Harbor Line Marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company Drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Plat Book BB, page 13.

Said easement area is also shown on that certain plat dated January 26, 1976 entitled "Proposed Bulk Handling Facility, East Coast Terminal," a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats; however, it is the intention of the foregoing description to include, during the period for which the Easement is granted, all land between said high water line or mark (adjacent to the said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the South Harbor or Pier Line of the Savannah River, wherever its exact location.

Handed to Howard A. ... 27 ...
 ... 27 ...
 Recorded to Record Book 112: 27 ...
 To The ... Day Of ...

COO'S

SCHEDULE A

Policy No.: 5648-1-11195-11 SBT Refi-2017.2730710-210485200
File No.: 11195-11 SBT Refi
Loan No.:

Address Reference 6 Parcels on the Savannah River in Savannah,
Chatham County, State of GEORGIA

Amount of Insurance: \$ 16,796,000.00
Premium: \$ 20,371.28

Date of Policy: January 3, 2017 at 10:20:19 A.M.

1. Name of Insured:

BRANCH BANKING AND TRUST COMPANY

2. The estate or interest in the Land that is encumbered by the Insured Mortgage is:

Fee Simple (as to Parcels 1 and 2) and Easement (as to Parcels 3, 4, 5 & 6)

3. Title is vested in:

SAVANNAH BULK TERMINAL, LLC

4. The Insured Mortgage and its assignments, if any, are described as follows:

That certain Georgia Security Deed and Security Agreement from Savannah Bulk Terminal, LLC, to Branch Banking and Trust Company, dated December 29, 2016, filed for record and recorded on January 3, 2017, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 979, Folio 628, conveying a first priority security interest in the subject property as collateral for the payment of a promissory note of even date made by Savannah Bulk Terminal, LLC, to the order of Branch Banking and Trust Company, in the original principal amount of \$16,796,000.00, due and payable on or before January 1, 2035.

5. The Land referred to in this policy is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

6. This policy incorporates by reference those ALTA endorsements selected below:

- 4-06 (Condominium)
- 4.1-06
- 5-06 (Planned Unit Development)
- 5.1-06
- 6-06 (Variable Rate)
- 6.2-06 (Variable Rate-Negative Amortization)
- 8.1-06 (Environmental Protection Lien) Paragraph b refers to the following state statute(s):
- 9-06 (Restrictions, Encroachments, Minerals)
- 13.1-06 (Leasehold Loan)
- 14-06 (Future Advance-Priority)
- 14.1-06 (Future Advance-Knowledge)
- 14.3-06 (Future Advance-Reverse Mortgage)
- 22-06 (Location) The type of improvement is a FILL IN, and the street address is as shown above.

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel 1:

ALL that certain tract or parcel of land situate, lying, and being in the 5th G.M.D., Chatham County, Georgia, being part of Forest Commodity Corporation's former Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757.753.12 and running North 75 degrees 42 minutes 08 seconds East for a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East for a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East for a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East for a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East for a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East for a distance of 248.87 feet; thence South 55 degrees 5 minutes 40 seconds East for a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East for a distance of 851.09 feet to a point; thence North 85 degrees 51 minutes 25 seconds West for a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West for a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East for a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West for a distance of 227.57 feet to the Point of Beginning.

Said tract contains 29.851 acres, more or less, according to a survey and plat thereof dated October 30, 1989, by Bert B. Barrett, Sr., Georgia Registered Land Surveyor, which is recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42, which is hereby incorporated as a part hereof by reference.

Parcel 2:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Forest Commodity Corporation's former Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757, 753.12 and running North 75 degrees 42 minutes 08 seconds East for a distance of 370.00 feet to a point, which is the Point of Beginning.

Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds for a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East for a distance of 426.16 feet to No. P-115; thence North 81 degrees 04 minutes 13 seconds East for a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East for a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East for a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction for a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West for a distance of 42.43 feet to the Point of Beginning.

For a more particular description of the subject property, reference is hereby made to that certain plat dated October 30, 1989, prepared by Bert B. Barrett, Sr., Georgia Registered Land Surveyor, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42, which plat is incorporated herein by reference and made a part hereof.

Parcel 3:

A perpetual non-exclusive right and easement for access over and across the hereinafter described property situate, lying, and being in the 5th G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less, as set forth in that certain Deed of Easement from East Coast Associates, Ltd., to Savannah Bulk Terminal, LLC, dated October 1, 2007, filed for record and recorded on January 2, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 336-A, Page 28:

Beginning at a point on the East line of Bilbo Canal where it intersects the southwestern corner of the Road Parcel now or formerly of East Coast Terminals Associates, Ltd., as shown on that certain survey dated March 12, 1999, made by Bert S. Barrett, Sr., Georgia R.L.S., and running thence North 20 degrees 39 minutes East along the East

line of the Bilbo Canal, distance of 44.71 feet to a point; running thence North 84 degrees 07 minutes East for a distance of 503.49 feet to a point; running thence North 73 degrees 16 minutes East for a distance of 147.33 feet to a point; running thence North 80 degrees 43 minutes East for a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East for a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East for a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West for a distance of 1433.89 feet to a point; running thence South 81 degrees 59 minutes 50 seconds West for a distance of 455.34 feet to a point; running thence South 69 degrees 21 minutes 50 seconds West for a distance of 149.53 feet to a point; and running thence South 84 degrees 07 minutes West for a distance of 527.26 feet to a point on the East line of the Bilbo Canal, said point being the Point of Beginning.

Parcel 4:

A perpetual non-exclusive right and easement for access over and across that certain all those certain lots, tracts or parcels of land situate, and being located in the 5th G.M. District of Chatham County, Georgia, being two property strips of varying widths across property of n/f CSX Transportation, Inc., as shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Pages 23A & 23B, being more particularly described below:

(a) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 75.16' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 206.01' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad tract crossing property of n/f CSX Transportation, Inc., N84°05'30"E for a distance of 84.78' to a point; thence S15°18'26"W for a distance of 526.96' to a point; thence parallel and distant 25' northerly from the center of the northernmost railroad track crossing the property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation Inc. Subdivision (Subdivision Map Book 13-S, Page 73) N78°14'01"W for a distance of 100.19' to the Point of Beginning; and containing 0.969 acre.

(b) Commencing at the intersection of the northern right-of-way

of President Street (width varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W), and corner for property of n/f CSX Transportation, Inc., and being the Point of Beginning; thence along the southern boundary of property of n/f CSX Transportation, Inc., and being the south side of an existing 20' private road right-of-way, N78°19'42"W for a distance of 345.74' to a point; thence crossing said 20' private road right-of-way and through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point; thence S78°19'42"E for a distance of 100.20' to a point; thence S15°18'26"W for a distance of 15.06' to a point; thence crossing through said property of n/f CSX Transportation, Inc., and along the line of Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°18'30"E for a distance of 244.20' to a point; thence crossing said 20' private road right-of-way S11°39'57"W, for a distance of 20.98' to the Point of Beginning; and containing 0.201 acre.

The terms and conditions of the above-described easement are set forth in (1) that certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated July 31, 2008, filed for record and recorded on August 26, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Page 312, as affected by that certain Scrivener's Affidavit dated January 6, 2010, and recorded on March 24, 2010, in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 297, (2) that certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated October 17, 2016, filed for record and recorded on October 20, 2016, in the aforesaid Clerk's Office in Deed Book 925, Folio 717, and (3) that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-I, Folio 357, and refiled for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Folio 670.

Parcel 5:

Non-exclusive access easements and utility easements, on, over or across two (2) strips of property of varying widths now or formerly owned by CSX Transportation, Inc., a Virginia corporation ("CSX"), which property strips are located in the 5th G.M. District of Chatham County, State of Georgia, are individually referred to as "Parcel 4 (a/k/a Legal 2): Track Crossing South End" and "Parcel 5 (a/k/a Legal 4): Track Crossing North End", and are shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Page 23-A, said plat being incorporated herein by reference and being made a part hereof for better

determining the metes, ls, courses, and distances of the ment premises which are described therein as follows:

**Parcel 4 (a/k/a Legal 2)
Track Crossing South End**

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 354.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 38.99' to a point; thence parallel and distant 25.00' northerly from the center of the northernmost railroad track crossing property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°14'01"E for a distance of 100.19' to a point; thence S15°18'26"W for a distance of 38.83' to a point; thence N78°19'42"W for a distance of 100.20' to the Point of Beginning; and containing 0.089 acre.

**Parcel 5 (a/k/a Legal 4)
Track Crossing North End**

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°49'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 281.17' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point, and being the Point of Beginning; thence continuing through the property of n/f CSX Transportation, Inc., N8°59'56"E for a distance of 34.06' to a point on the southern boundary of property of n/f East Coast Terminals Associates, Ltd., and being on the south side of an existing access & utility easement; thence along the common line of property of n/f CSX Transportation, Inc., and n/f East Coast Terminals Associates, Ltd., N84°02'30"E for a distance of 88.83' to a point; thence crossing through the property of n/f CSX Transportation, Inc., S15°18'26"W for a distance of 35.39' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad track crossing property of n/f CSX Transportation, Inc., S84°05'30"W for a distance of 84.78' to the point of beginning; and containing 0.066 acre.

The terms and conditions of the above-described easement are set forth in (1) that certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk

Terminal, LLC, dated July 29, 2008, filed for record and recorded on August 26, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Page 287, (2) that certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated October 17, 2016, filed for record and recorded on October 20, 2016, in the aforesaid Clerk's Office in Deed Record Book 925, Folio 708, (3) that certain Deed of Easement from Southern States Phosphate and Fertilizer Company, Inc., to East Coast Terminals Associates, Ltd., dated July 29, 2008, filed for record and recorded on August 13, 2016, in the aforesaid Clerk's Office in Deed Record Book 343-X, Folio 442, and (4) that certain Deed of Easement from Southern States Phosphate and Fertilizer Company, Inc., to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-I, Folio 332, all such Deeds incorporating Private Road Grade Crossing Agreement of which the holder of the easement is a party.

Parcel 6:

ALL right, title and interest created under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 112-M, Folio 437, in and to the following described property:

All that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the South bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which forms the northernmost land portion of a tract now or formerly leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor or Pier Line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the northward projection of the eastern property line of the tract described in said Lease from said high water line to Harbor Line Marker P-117; and on the West by the northward projection of the western property line of the tract described in said Lease from said high water line to Harbor Line Marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company Drawing S-891 dated August 19, 1975, last revised July 20, 1977, and recorded in the aforesaid Clerk's Office in Plat Record Book BB, Page 13.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal," a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert B. Barrett, Sr., Georgia Registered Land Surveyor.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land between said high water line or mark (adjacent to said tract leased by

Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the South Harbor or Pier Line of the Savannah River, wherever its exact location.

The above-described property constitutes the same property which Savannah Bulk Terminal received from (1) Forest Commodity Corporation by Warranty Deed dated December 30, 2004, filed for record and recorded on December 31, 2004, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 281-H, Page 323, and (2) from CEMPAC Properties, LLC, f/k/a Cement Consumers Association, LLC, by Limited Warranty Deed dated August 16, 2012, filed for record and recorded on August 31, 2012, in the aforesaid Clerk's Office in Deed Record Book 380-L, Page 525.

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Except as provided in Schedule B - Part II, this policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

PART I

1. All taxes for the year 2017 and subsequent years, not yet due and payable.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Rights or claims of parties in possession not shown by the Public Records.
4. Those special assessments by governmental entities which become due and payable subsequent to the effective date of the policy to be issued.
5. All applicable governmental restrictions and regulations as may be imposed upon the Property.
6. That certain Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated October 1, 2007, filed for record and recorded on January 2, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 336-A, Folio 28, conveying a perpetual non-exclusive right and easement for access over and across the grantor's "Road Parcel" described therein, as corrected by an instrument dated December 24, 2012, filed for record and recorded on December 27, 2012, in the aforesaid Clerk's Office in Deed Record Book 383-O, Folio 876.
7. That certain Deed of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated July 31, 2008, filed for record and recorded on August 26, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Folio 312, conveying the right to use a twenty (20') foot wide road in accessing the subject property from Dulany Road, as affected by that certain Scrivener's Affidavit dated January 6, 2010, filed for record and recorded on March 24, 2010, in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 297.
8. That certain Deed of Easement from South State Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Folio 357, refiled for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Folio 670, conveying the right to use the above-mentioned twenty (20') foot wide road to Concrete Consumers Association, LLC, the former owner of a portion of Parcel 1.
9. Those certain reservations, restrictions, covenants, and agreements set forth in that certain Quitclaim Deed dated July 29, 2008, from Southern States Phosphate and Fertilizer

Company to East Coast Terminals Associates, Ltd., filed for record and recorded on August 13, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 343-X, Folio 436, relating to the above-mentioned twenty (20') foot wide access road and related access rights to Dulany Road, as affected by that certain Scrivener's Affidavit dated January 8, 2010, filed for record and recorded on March 24, 2010, in the aforesaid Clerk's Office in Deed Record 359-T, Folio 297, and as amended by that certain Name Affidavit dated January 8, 2010, and recorded in the aforesaid Clerk's Office in Deed Record Book 359-T, Folio 292.

10. Those certain reservations, restrictions, covenants, and agreements set forth in that certain Quitclaim Deed dated June 24, 2008, from CSX Transportation, Inc., to Southern States Phosphate and Fertilizer Company, recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Folio 320, refiled for record and re-recorded in the aforesaid Clerk's Office in Deed Record Book 342-R, Folio 117, relating to the above-mentioned twenty (20') foot wide access road and related access rights to Dulany Road.
11. Those certain Deeds of Easement from East Coast Terminals Associates, Ltd., to Savannah Bulk Terminal, LLC, dated July 31, 2008, and October 17, 2016, filed for record and recorded on August 26, 2008, and on October 20, 2016, respectively, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Folio 287, and in Deed Record Book 925, Folio 708, respectively, conveying the right to cross certain railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road known as "Parcel 4 (a/k/a Legal 2); Track Crossing South" and "Parcel 5 (a/k/a Legal 4); Tract Crossing North End," in accessing the subject property from Dulany Road, which easement incorporates a Private Road Grade Crossing Agreement of which the holder of the easement is a party.
12. That certain Deed of Easement from Southern Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Folio 332, conveying to Concrete Consumers Association, LLC, the former owner of a portion of Parcel 1, the right to cross the above-mentioned railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road.
13. Those certain reservations, restrictions, covenants, and agreements set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer, Inc., to East Coast Terminals Associates, Ltd., dated July 29, 2008, filed for record and recorded on August 13, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 343-X, Folio 442, relating to the crossing of the above-mentioned railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road.
14. Those certain reservations, restrictions, covenants, and agreements set forth in that certain Deed of Easement from CSX Transportation, Inc., to Southern States Phosphate and Fertilizer Company, Inc., dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in

Deed Record Book 342-I, Folio 327, relating to the crossing of the above-mentioned railroad rights-of-way traversing the above-mentioned twenty (20') foot wide access road.

15. That certain Private Road Crossing Agreement by and between Golden Isles Terminal Railroad, Inc., and Southern States Phosphate and Fertilizer Company dated June 23, 2008, filed for record and recorded on August 28, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-F, Folio 293, governing the crossing of railroad rights-of-way known as "Parcel 4 (a/k/a Legal 2); Track Crossing South End" and Parcel 5 (a/k/a Legal 4); Track Crossing North End" in accessing the subject property from Dulany Road.
16. Those certain easement rights reserved by CSX Transportation, Inc., in that certain deed between CSX Transportation, Inc., and Forest Commodity Corporation, dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Folio 540, specifically being a twenty (20') foot wide easement running 10 feet in each direction from the center of railroad tracks crossing the subject property, for the maintenance, use, repair, replacement, and removal of said trackage, together with the right of ingress and egress to and from said trackage.
17. That certain covenant contained in the deed from CSX Transportation, Inc., to Forest Commodity Corporation, dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Folio 540, obligating the owner of the subject property to maintain the existing drainage on the subject property in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water run-off or streams into said drainage or upon the right-of-way or lands and other facilities of CSX Transportation, Inc.; and in the event the existing drainage is modified or improved, obligating the owner of the subject property to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the subject property to the nearest public or third party owned drainage or storm sewer system in order to prevent the discharge of roof, surface, stream, and other drainage waters upon the right-of-way or lands and other facilities or properties of CSX Transportation, Inc.
18. That certain Declaration of Easement published by Savannah Bulk Terminal, LLC, on May 15, 2014, filed for record and recorded on May 29, 2014, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 396-M, Folio 174, dedicating a drainage easement over and across Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation Savannah River Wharf Property, for the benefit of both Lot 1 and Lot 2 as shown on a plat recorded in the aforesaid Clerk's Office in Plat Record Book 48-P, Page 137.
19. The following matters of survey shown on a plat of survey of the subject property dated May 16, 2002, made by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 26-S, Page 42:

- (a) building setback line of twenty-five (25') feet from the western boundary line of the subject property;
- (b) an access and utility easement running in a westerly/easterly direction through the subject property;
- (c) a railroad easement running in a westerly/easterly direction over the southern portion of the subject property; and,
- (d) scales located adjacent to the above-mentioned access and utility easement.
20. The following matters of survey shown on a plat of survey of the subject property dated October 30, 1989, revised June 22, 1995, made by Bert B. Barrett, Jr., Georgia Registered Land Surveyor No. 1239, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42:
- (a) overhead power lines running across the southeastern portion of the subject property; and,
- (b) railroad tracks running in a westerly/easterly direction across the southern portion of the subject property with ten (10') foot wide railroad easements running on either side.
21. Matters of survey shown on that certain recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42.
22. Such facts as may be shown on that certain plat entitled "Remaining Portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property," prepared by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, of Thomas & Hutton Engineering Co., dated December 7, 2009, and last revised January 7, 2010, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 43-P, Page 42A-G.
23. Such state of facts as shown on plat recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Historical Map Book 1, Page 51, Subdivision Map Book 13-S, Page 73, and Plat Record Book 38-P, Page 23 A&B.
24. As to Parcel 1, that certain Deed of Easement from Savannah Bulk Terminal, LLC, to Southern States Phosphate and Fertilizer Company, dated July 31, 2008, filed for record and recorded August 21, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 344-B, Page 563, conveying an exclusive access easement and utility easement over a strip of property shown on a plat thereof dated June 10, 2008, prepared by Dale E. Yawn, Georgia Registered Land Surveyor No. 2510, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 40-P, Page 94.

25. As to Parcel 1, that certain Lease Agreement dated March 24, 2010, between Savannah Bulk Terminal, LLC, as Landlord, and Georgia Biomass, LLC, as Tenant, as evidenced by that certain Memorandum of Lease filed for record and recorded on March 24, 2010, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 359-T, Folio 271.
26. As to Parcel 1, that certain Lease Agreement by and between Savannah Bulk Terminal, L.L.C., as Landlord, and East Coast Terminals, LLC, as Tenant, dated April 1, 2011, as to a recombination of Lot 2 and a portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property, 5th G.M. District, Chatham County, Georgia (5.608 acres).
27. As to Parcel 1, that certain Lease Agreement by and between Savannah Bulk Terminal, L.L.C., as Landlord, and East Coast Terminals, L.L.C, as Tenant, dated September 1, 2012, as to a 21.9 acre portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property, 5th G.M. District, Chatham County, Georgia.
28. As to Parcel 6, the terms, conditions, restrictions, and reservations set forth in that certain easement by and between the State Properties Commission for the State of Georgia, and Forest Commodity Corporation, dated March 21, 1979, filed for record and recorded on March 29, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 112-M, Folio 437, including, but not limited to the provision relating to the automatic termination thereof.
29. Title, rights or claims of the State of Georgia to any part of the insured premises which is or may be alleged by the State to be, or is hereafter deemed to be, salt marsh, tidelands or meadowland or land now or formerly flowed by the waters of the ocean or any bays, rivers, streams, creeks, or their tributaries, or which is marshland as defined in the Coastal Marshlands Protection Act of 1970.
30. Rights of the United States, other governmental entities, the public or other riparian owners in that part of the land which extends beyond the mean high water mark of the Savannah River.
31. This policy shall not insure the amount of acreage in the subject property.

SCHEDULE B

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:

- (a) That certain Assignment of Leases and Rents between Savannah Bulk Terminal, LLC, and Branch Banking and Trust Company, dated December 29, 2016, filed for record and recorded on January 3, 2017, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 979, Folio 641, conveying a security interest in all rents and leases generated by the subject property as collateral for the repayment of a promissory note of even date made by Savannah Bulk Terminal, LLC to the order of Branch Banking and Trust Company, in the original principal amount of \$16,796,000.00, due and payable on or before January 1, 2035.
- (b) That certain Assignment of Leases and Rents between East Coast Terminal Company, and Branch Banking and Trust Company, dated December 29, 2016, filed for record and recorded on January 3, 2017, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 979, Folio 653, conveying a security interest in all rents and leases generated by the subject property as collateral for the repayment of a promissory note of even date made by Savannah Bulk Terminal, LLC to the order of Branch Banking and Trust Company, in the original principal amount of \$16,796,000.00, due and payable on or before January 1, 2035.

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the existing road along the south line of said Premises as described in Exhibit A - Road Parcel.

TOGETHER WITH all other buildings, structures and improvements thereon, and all and singular the rights, alleys, ways, waters, privileges, hereditaments and appurtenances to said Premises belonging or in anyway incident or appertaining.

TO HAVE AND TO HOLD the said Premises and appurtenances unto Grantee, Grantee's heirs and assigns or successors and assigns, in fee simple forever.

SUBJECT to that certain Lease dated as of October 15, 1972, between Grantor's predecessor Seaboard Coast Line Railroad Company as Lessor and Chatham Service Corporation as Lessee, as supplemented on several occasions, the last of which is Supplemental Agreement dated June 25, 1984, the Lease as supplemented being hereinafter referred to as "the Lease."

SUBJECT to the Lease, reservations, conditions, restrictions and easements of record, all public utilities, or items apparent from an inspection of the Premises, AND SUBJECT to canals that run in a northwardly and southwardly direction along the easterly and westerly portions of the Premises, Grantor hereby WARRANTS that the Premises are free from encumbrances, that it is seized of said Premises in fee and that it will forever defend all and singular said Premises unto Grantee against claims of or by Grantor and all other persons lawfully claiming or to claim the same or any part thereof, by, through or under Grantor.

Grantee, by acceptance of this deed, hereby covenants that Grantee shall maintain the existing drainage in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water runoff or streams into said drainage or upon the right-of-way or lands and other facilities of Grantor. If said Premises or existing drainage are modified or improved, Grantee agrees to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the Premises to the nearest public or non-Grantor owned drainage or storm sewer system, in order to prevent the discharge of roof, surface, stream and other drainage waters upon the right-of-way or lands and other facilities or properties of Grantor. Said covenant(s) shall run with title to Premises conveyed, and bind upon Grantee, Grantee's heirs, legal representatives and assigns, or corporate successors and assigns, and anyone claiming title to or holding Premises through Grantee.

AND THIS DEED FURTHER WITNESSETH that United States Trust Company of New York, Corporate Trustee under the former Atlantic Coast Line Railroad Company's First (formerly General) Mortgage dated March 1, 1950, as supplemented and modified, has executed this deed for the sole purpose of releasing and does hereby release all estate, right, title, lien and interest of the Trustee under said Mortgage, in and to the property herein conveyed, or in and to the estate, right, title and interest herein quitclaimed, pursuant to the provisions of Section 6.01 of Article Six of said Mortgage. This release is subject to any and all the same rights, reservations, exceptions, limitations and agreements herein specified on behalf of the Grantor, and is without covenant or warranty, express or implied, and without recourse against

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said Trustee in any event, and recitals of fact herein are to be taken only as recitals of Grantor and not of Trustee(s).

AND THIS DEED FURTHER WITNESSETH that Chemical Bank, a New York corporation, Corporate Trustee under the former Seaboard Coast Line Railroad Company's Consolidated Mortgage dated March 15, 1971, as supplemented, has executed this deed for the sole purpose of releasing and does hereby release all estate, right, title, lien and interest of the Trustee under said Mortgage, in and to the property herein conveyed, or in and to the estate, right, title and interest herein quitclaimed, pursuant to the provisions of Section 5.17 of Article Five of said Mortgage; Individual Trustee, L. F. Sadler of Jacksonville, Florida, being relieved of any obligation to join in such release by Section 10.06 of Article Ten of said Mortgage. This release is subject to any and all the same rights, reservations, exceptions, limitations and agreements herein specified on behalf of the Grantor, and is without covenant or warranty, express or implied, and without recourse against said Trustee in any event, and recitals of fact herein are to be taken only as recitals of Grantor and Grantee and not of Trustee(s).

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., UNITED STATES TRUST COMPANY OF NEW YORK and CHEMICAL BANK (as the aforesaid Trustees), pursuant to due corporate authority, have caused their names to be signed hereto by their officers hereunto duly authorized and their corporate seals, duly attested, to be hereunto affixed.

Signed, sealed and delivered
in the presence of:

Robert H. Treapton

CSX TRANSPORTATION, INC.:

By Ronald W. Drucker
Ronald W. Drucker
President and Chief Executive Officer
CSX Rail Transport

Kathleen R. Casey
Notary Public
Notarized this 16th day of
December, 1987.

Attest David M. Yearwood (SEAL)
Assistant Secretary

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Aug. 24, 1990
Bonded thru Patterson - Becht Agency



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JAN 22 1989

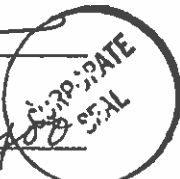
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Signed, sealed and delivered
in the presence of:

UNITED STATES TRUST COMPANY OF
NEW YORK, as Corporate Trustee
as aforesaid:

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 [Signature]
Robert E. Patterson III
Notary Public

By [Signature]
ASSISTANT VICE PRESIDENT
Attest [Signature]
ASST. SECRETARY 

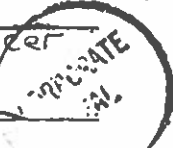
Notarized this 31ST day
of October, 1989.

ROBERT EARLY PATTERSON, III
NOTARY PUBLIC, State of New York
No. 4784543
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires October 31, 1989

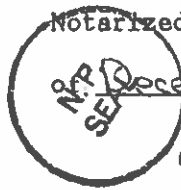
Signed, sealed and delivered
in the presence of:

CHEMICAL BANK, as Corporate
Trustee as aforesaid:

[Signature]
Edward Brekin
[Signature]
Frank S. Fezko
Notary Public

By [Signature]
SENIOR TRUST OFFICER
Attest [Signature]
TRUST OFFICER 

Notarized this 17th day
of December, 1987.



FRANK S. FEZKO
Notary Public, State of New York
No. 41-4061375
Qualified in Queens County
Certificate Filed in New York County
Commission Expires June 2, 1988

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EXHIBIT A

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Description of property at: Savannah, Georgia
To: East Coast Terminals Associates, LTD.
Deed File No.: Chatham County

A parcel of land situated in Chatham County, Georgia, more particularly described as follows:

For a point of reference, commence at the point of intersection of the north line of Saint Julian Street (100-foot right-of-way) and the east line of Commerce Street (40-foot right-of-way); thence along the north line of Saint Julian Street S 73°16'00" E 244.00 feet, thence continuing along said street line S 80°27'00" E 151.30 feet to an iron pipe found; thence leaving said street line and with the west property line of N/F F. Peeples N 16°43'00" E 390 feet; thence with the north property line of same S 81°24'00" E 1024.42 feet to a point on the east line of Bilbo Canal (20-foot right-of-way); thence along said east line of Bilbo Canal N 20°39'00" E 269.03 feet to the POINT OF BEGINNING on the approximate high water line and/or Bulkhead line; thence along said line the following courses and distances:

S 88°01'00" E 551.51 feet, N 78°23'40" E 349.61 feet, N 75°04'10" E 1,405.18 feet, N 13°18'00" W 15.00 feet, thence N 76°17'50" E 331.37 feet to a point; thence leaving said line S 18°28'00" E 227.57 feet; thence S 81°34'00" W 341.15 feet; thence S 10°35'50" E 332.15 feet; thence S 84°02'30" W 1,431.80 feet; thence S 80°43'00" W 458.33 feet; thence S 73°16'00" W 147.33 feet; thence S 84°07'00" W 503.38 feet to a point on east line of Bilbo Canal; then along said east line N 20°39'00" E 432.20 feet to the POINT OF BEGINNING containing 22.213 acres, more or less.

Road Parcel

Begin at a point in the east line of Bilbo Canal, said point located S 20°39'00" W 432.20 feet from the above described POINT OF BEGINNING; thence along the north line of the Road Parcel the following courses and distances:

Bilbo
Canal

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N 84°07'00" E 503.38 feet, N 73°16'00" E 147.33 feet, N 80°43'00" E 458.33 feet, N 84°02'30" E 1,431.80 feet to a point, thence leaving said north line S 10°35'50" E 40.13 feet to a point on the south line of said Road Parcel; thence along said south line the following courses and distances:

S 84°02'30" W 1,433.89 feet, S 81°59'50" W 455.34 feet, S 69°21'50" W 149.53 feet, S 84°07'00" W 527.15 feet to a point on the east line of the Bilbo Canal; thence along said east line N 20°39'00" E 44.71 feet to the POINT OF BEGINNING; containing 2.273 acres, more or less.

BEING all or part of the same property acquired by Grantor, or its predecessor, by the following deeds, recorded in the Public Records of Chatham County, Georgia:

<u>Acquired from</u>	<u>Date of Deed</u>	<u>Book</u>	<u>Page No.</u>
Wm. S. Lawton	July 29, 1870	4-M	133
Hugh McComer	June 4, 1880	5-N	292
Hugh McComer	June 7, 1883	5-H	361
Wm. S. Lawton, et al, Trustees	February 1, 1875	4-R	393
John Screven, et al	October 15, 1880	4-Z	331
John Screven, et al	June 20, 1884	5-L	109
John Screven, et al	May 19, 1874	4-Q	77
Thomas Screven, et al	June 2, 1869	4-P	354

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Clock#: 615666
FILED FOR RECORD

12/31/2004 01:13pm

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

Prepared by and return to:
Edwin W. King, Jr. PAID: 22 00
Post Office Box 9873
Savannah, GA 31412
Suzan D. Frouse, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

WARRANTY DEED

PAID \$4365.90

THIS INDENTURE, made this 30th day of December, 2004, between Edwin W. King, Jr.

COMMODITY CORPORATION, a Georgia corporation, of the State of Georgia, and County of Chatham, party of the first part, and SAVANNAH BULK TERMINAL, L.L.C. a Georgia limited liability company, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN AND NO 100'S DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed unto the said party of the second part, its successors and assigns its interest in that tract or parcel of land lying and being in Chatham County, Georgia, described on Exhibit "A" attached hereto and made a part hereof

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of it, the said part of the second part, its successors and

Parcels 1, 2 + 5 are water/river bottoms lotz Tracts, parcels of land.

f the first party, for its successors and assigns will warrant and c above described property unto the said property of the second

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part, its successors and assigns, against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and
affixed its seal, the day and year above written.

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Signed, sealed, and delivered
in the presence of:

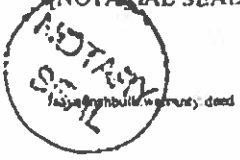
[Signature]
Witness

FOREST COMMODITY CORPORATION

By: [Signature] CEO
Frank K. Peoples, Jr.

Attest: [Signature] SECRETARY
[CORPORATE SEAL]

[Signature]
Notary Public
My Commission Expires Notary Public, Chatham County, GA
[NOTARIAL SEAL] My Commission Expires February 4, 2009



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LEGAL DESCRIPTION

PARCEL 1:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757.753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East a distance of 248.87 feet; thence South 55 degrees, 5 minutes 40 seconds East a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East a distance of 851.09 feet to a point, running thence North 85 degrees 51 minutes 25 seconds West a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West a distance of 227.57 feet to the point of Beginning.

Said tract contains 29.851 acres, more or less, according to survey and plat thereof dated October 30, 1989, by Bert S. Barrett, Sr., Georgia R.L.S., which is hereby incorporated as a part hereof by references.

PARCEL 2:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

Commencing at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point, which is the Point of Beginning.

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Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to harbor line point No. P-113; thence North 81 degrees 04 minutes 13 seconds East a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West a distance of 42.43 feet to the Point of Beginning.

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PARCEL 3:

A perpetual non-exclusive right and easement over and across the hereinafter described property situate, lying and being in the 5th G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less.

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Beginning at a point on the East line of Bilbo Canal where it intersects the Southwestern corner of property now or formerly of East Coast Terminals Associates, Ltd., as shown on the afore referenced survey dated October 30, 1989, made by Bert S. Barrett, Sr., Georgia R.L.S., and running thence North 84 degrees 07 minutes East a distance of 503.49 feet to a point, running thence North 73 degrees 16 minutes East a distance of 147.33 feet to a point; running thence North 80 degrees 43 feet East a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West a distance of 149.53 feet; running thence South 84 degrees 07 minutes West a distance of 527.26 feet to a point on the East line of the Bilbo Canal; running thence along said East line North 20 degrees 39 minutes East a distance of 44.71 feet to the Point of Beginning.

PARCEL 4:

A perpetual nonexclusive right and easement over and across the hereinafter described property:

ALL that certain tract or parcel of land situate, lying and being in the City of Savannah, Chatham County, Georgia, in Lamar Ward, containing 1.88 acres, more or less, being a former portion of Harbor Street (formerly known as St. Julian Street) and being described as follows:

Beginning at the point of intersection of the West right-of way street, as the same existed on January 13, 1980, which point is marked by a concrete monument and running thence South 83

degrees 49 minutes West a distance of 877.15 feet to a point on the right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 60 degrees 11 minutes West along the Easterly right-of-way line of Harbor Street a distance of 90.91 feet to a point on the North right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 83 degrees 49 minutes East along the right-of-way line of Harbor Street, as the same existed on January 13, 1980, a distance of 926.30 feet to a point on the West right-of-way line at Bilbo Canal, which point is marked by a concrete monument; thence running South 22 degrees 13 minutes West along the West right-of-way line at Bilbo Canal a distance of 103.35 feet to the point of beginning.

Said tract as shown on a plat of survey dated January 31, 1980 made by Bert S. Barrett, Georgia RLS, and recorded in Plat Record Book DD, Folio 133 of the Records of Chatham County, Georgia, and on a plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS, to both of which surveys reference is hereby made for a more complete description.

PARCEL 5:

ALL right, title and interest of Grantor under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, recorded in Deed Book 112-M, page 739 of the records of Chatham County, Georgia in and to the following described property:

ALL that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the south bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which form the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor on pier line of the Savannah River (as designated by the U.S. Army Corps of Engineers), on the East by the Northward projection of the Eastern property line of the tract described in said lease from said high water line to harbor line marker P-117, and on the West by the northward projection of the Western property line of the tract described in said Lease from said high water line to harbor line marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in Plat Book BB, Folio 13, of the records of Chatham County, Georgia.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal", a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land

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between said high water line or mark (adjacent to said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the south harbor or pier line of the Savannah River, wherever its exact location.

The property described in said irrevocable easement is the same property described as Parcel 2.

LESS AND EXCEPT FROM PROPERTY DESCRIBED IN SCHEDULE "A"

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia and being known and designated as Lot 2 of a recombination (showing all access easements) of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Subdivision Map Book 29-S, at page 42. Said Lot 2 contains 5.659 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or formerly of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, recorded in Deed Book 143 Z, Page 540, in said Clerk's office.

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AND ALSO, all of the Grantor's right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat, on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line, on the South by the aforesaid lower low water line of the Savannah River line of the Savannah River, and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

AND ALSO, for the benefit of Cement Consumers Association, LLC ("CEMPAC"), a Georgia limited liability company, (which is purchasing said Lot 2 from Grantee) and CEMPAC'S successors and assigns;

- (1) A permanent, non-exclusive access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the southwest corner of said Lot 2 over, under and across the adjoining Lot 1 now owned by FCC and extending westward over, under and across lands now or formerly of CSX and East Coast Terminals Association to Harbor Street, a public street in the City of Savannah.
- (2) A permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003 between FCC and CEMPAC, connecting said Lot 2 with the

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wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

- (3) A permanent, non-exclusive easement over that portion of said Lot 1 located adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and related equipment which may be necessary for the proper loading and unloading at CEMPAC's terminal to be built on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

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Chatham County, Georgia

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HUNTER, MACLEAN, EXLEY & DUNN, PC.
P.O. BOX 0848
SAVANNAH, GA 31412-0048
ATTN: RT Alley

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

NAME AFFIDAVIT

RE: EAST COAST TERMINALS
ASSOCIATES, LTD., a Georgia
Limited Partnership

- INSTRUMENTS:
- (1) Easement from East Coast Terminals Association, Ltd., to Southern States Phosphate & Fertilizer Company, Inc., dated December 15, 2004, and recorded on April 9, 2009, in Deed Record Book 350-G, Page 24, in the Office of the Clerk of the Superior Court of Chatham County, Georgia.
 - (2) Quitclaim Deed from Southern States Phosphate & Fertilizer Company to East Coast Terminal Associates, Ltd., dated July 21, 2008, and recorded in Deed Record Book 343-X, Page 436, in the Office of the Clerk of the Superior Court of Chatham County, Georgia.

Before a notary public duly authorized to administer oaths, personally appeared JOHN R. BENTON, JR., who being first duly sworn on oath, deposes and says:

1. I am the Vice President of WENTWORTH INDUSTRIES, LTD., a Georgia corporation, which is the sole general partner of EAST COAST TERMINALS ASSOCIATES,

(912) 313-3189
fpeeplesjr@peeplesind.com

STATE OF GEORGIA

Secretary of State
Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

Annual Registration

Electronically Filed
Secretary of State
Filing Date: 02/28/2018 12:06:21

BUSINESS INFORMATION

BUSINESS NAME : EAST COAST TERMINAL CO.
CONTROL NUMBER : J102070
BUSINESS TYPE : Domestic Profit Corporation

BUSINESS INFORMATION CURRENTLY ON FILE

PRINCIPAL OFFICE ADDRESS : PO BOX 2253, SAVANNAH, GA, 31402-2253, USA
REGISTERED AGENT NAME : John R. Benton
REGISTERED OFFICE ADDRESS : 21 E Broad Street, Chatham, Savannah, GA, 31401, USA

OFFICER	TITLE	ADDRESS
FRANK K PEEPLES, JR.	CEO	PO BOX 2253, SAVANNAH, GA, 31402, USA
John R BENTON, JR	CFO	PO BOX 2253, SAVANNAH, GA, 31402, USA
REGINA J MORGAN	Secretary	PO BOX 2253, SAVANNAH, GA, 31402, USA

UPDATES TO ABOVE BUSINESS INFORMATION

PRINCIPAL OFFICE ADDRESS : PO BOX 2253, SAVANNAH, GA, 31402-2253, USA
REGISTERED AGENT NAME : JAMES GERARD
REGISTERED OFFICE ADDRESS : 218 W STATE ST, Chatham, SAVANNAH, GA, 31401, USA

OFFICER	TITLE	ADDRESS
FRANK K PEEPLES, JR.	CEO	PO BOX 2253, SAVANNAH, GA, 31402, USA
REGINA J MORGAN	Secretary	PO BOX 2253, SAVANNAH, GA, 31402, USA
YVETTE STEWART	CFO	PO BOX 2253, SAVANNAH, GA, 31402, USA

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE : Regina Morgan
AUTHORIZER TITLE : Officer



GEORGIA
CORPORATIONS
DIVISION

GEORGIA SECRETARY OF STATE
**BRAD
RAFFENSPERGER**

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	SAVANNAH BULK TERMINAL, L.L.C.	Control Number:	0473336
Business Type:	Domestic Limited Liability Company	Business Status:	Active/Owes Current Year AR
Business Purpose:	NONE		
Principal Office Address:	P. O. Box 2253, SAVANNAH, GA, 31402, USA	Date of Formation / Registration Date:	12/17/2004
State of Formation:	Georgia	Last Annual Registration Year:	2018

REGISTERED AGENT INFORMATION

Registered Agent
Name: **Frank K. Peeples, Jr.**

Physical Address: **21 E Broad Street, Savannah, GA, 31401, USA**

County: **Chatham**

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STATE OF GEORGIA

Secretary of State
Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

Annual Registration

Electronically Filed
Secretary of State
Filing Date: 03/07/2018 10:58:57

BUSINESS INFORMATION

BUSINESS NAME : SAVANNAH BULK TERMINAL, L.L.C.
CONTROL NUMBER : 0473336
BUSINESS TYPE : Domestic Limited Liability Company

BUSINESS INFORMATION CURRENTLY ON FILE

PRINCIPAL OFFICE ADDRESS : P. O. Box 2253, SAVANNAH, GA, 31402, USA
REGISTERED AGENT NAME : Frank K. Peeples, Jr.
REGISTERED OFFICE ADDRESS : 21 E Broad Street, Chatham, Savannah, GA, 31401, USA

UPDATES TO ABOVE BUSINESS INFORMATION

PRINCIPAL OFFICE ADDRESS : P. O. Box 2253, SAVANNAH, GA, 31402, USA
REGISTERED AGENT NAME : Frank K. Peeples, Jr.
REGISTERED OFFICE ADDRESS : 21 E Broad Street, Chatham, Savannah, GA, 31401, USA

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE : Regina Morgan
AUTHORIZER TITLE : Authorized Person



**GEORGIA
CORPORATIONS
DIVISION**

GEORGIA SECRETARY OF STATE
**BRAD
RAFFENSPERGER**

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BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	EAST COAST TERMINAL CO.	Control Number:	J102070
Business Type:	Domestic Profit Corporation	Business Status:	Active/Owes Current Year AR
Business Purpose:	NONE		
Principal Office Address:	PO BOX 2253, SAVANNAH, GA, 31402-2253, USA	Date of Formation / Registration Date:	2/24/1981
State of Formation:	Georgia	Last Annual Registration Year:	2018

REGISTERED AGENT INFORMATION

Registered Agent Name: **JAMES GERARD**

Physical Address: **218 W STATE ST, SAVANNAH, GA, 31401, USA**

County: **Chatham**

OFFICER INFORMATION

Name	Title	Business Address
FRANK K PEEPLES, JR.	CEO	PO BOX 2253, SAVANNAH, GA, 31402, USA
REGINA J MORGAN	Secretary	PO BOX 2253, SAVANNAH, GA, 31402, USA
YVETTE STEWART	CFO	PO BOX 2253, SAVANNAH, GA, 31402, USA

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Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530, Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <http://www.sos.ga.gov/>

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Daniel W. Massey, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

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Cheri Phillips
For Clerk of Superior Court

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STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

RETURN TO: (JPG)
OLIVER MANER LLP
P. O. Box 10188
Savannah, GA 31412
(912) 236-3311

LIMITED WARRANTY DEED

THIS INDENTURE made and entered into as of the 16th day of August, 2012, by and between CEMPAC PROPERTIES, LLC, F/K/A CEMENT CONSUMERS ASSOCIATION, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the First Part, and SAVANNAH BULK TERMINAL, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the Second Part;

WITNESSETH:

THAT the said Party of the First Part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration to it in hand paid by the said Party of the Second Part, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Party of the Second Part, its successors and assigns, all the following described tract or parcel of land, to-wit:

Parcel 1 (Lot 2):

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia, being known and designated as Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42. Said Lot 2 contains 5.608 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or former of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses, and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, and recorded in the aforesaid Clerk's Office in Deed Record Book 143-Z, Page 540.

Parcel 2 (Area North of Lot 2):

ALSO, all right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat; on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line; on the South by the aforesaid Lot 2; and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

Parcel 3 (Access and Utility Easements):

(a) A permanent, non-exclusive forty (40') foot wide access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the Southwest corner of said Lot 2 along and parallel to the southern boundary line of Lot 1 and along and within the easternmost 186.17 feet of the southern boundary line of lands now or formerly owned by East Coast Terminals Associates, Ltd.

(b) Non-exclusive access easements and utility easements, on, over or across two (2) strips of property of varying widths now or formerly owned by CSX Transportation, Inc., a Virginia corporation ("CSX"), which property strips are located in the 5th G.M. District of Chatham County, State of Georgia, are individually referred to as "Parcel 4 (a/k/a Legal 2): Track Crossing South End" and "Parcel 5 (a/k/a Legal 4): Track Crossing North End", and are shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to

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Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Page 23-A, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distances of the easement premises which are described therein as follows:

Parcel 4 (a/k/a Legal 2)
Track Crossing South End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 354.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 38.99' to a point; thence parallel and distant 25.00' northerly from the center of the northernmost railroad track crossing property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°14'01"E for a distance of 100.19' to a point; thence S15°18'26"W for a distance of 38.83' to a point; thence N78°19'42"W for a distance of 100.20' to the Point of Beginning; and containing 0.089 acre.

Parcel 5 (a/k/a Legal 4)
Track Crossing North End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°49'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 281.17' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point, and being the Point of Beginning; thence continuing through the property of n/f CSX Transportation, Inc., N8°59'56"E for a distance of 34.06' to a point on the southern boundary of property of n/f East Coast Terminals Associates, Ltd., and being on the south side of an existing access & utility easement; thence along the common line of property of n/f CSX Transportation, Inc., and n/f East Coast Terminals Associates, Ltd., N84°02'30"E for a distance of 88.83' to a point; thence crossing through the property of n/f CSX Transportation, Inc.,

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S15°18'26"W for a distance of 35.39' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad track crossing property of n/f CSX Transportation, Inc., S84°05'30"W for a distance of 84.78' to the point of beginning; and containing 0.066 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-1, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.

(c) Perpetual non-exclusive rights and easements for access over and across that certain all those certain lots, tracts or parcels of land situate, and being located in the 5th G.M. District of Chatham County, Georgia, being two property strips of varying widths across property of n/f CSX Transportation, Inc., as shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Pages 23A & 23B, being more particularly described below:

(1) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 75.16' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 206.01' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad tract crossing property of n/f CSX Transportation, Inc., N84°05'30"E for a distance of 84.78' to a point; thence 15°18'26"W for a distance of 526.96' to a point; thence parallel and distant 25' northerly from the center of the northernmost railroad track crossing the property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation Inc. Subdivision (Subdivision Map Book 13-S, Page 73) N78°14'01"W for a distance of 100.19' to the Point of Beginning; and containing 0.969 acre.

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(ii) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W), and corner for property of n/f CSX Transportation, Inc., and being the Point of Beginning; thence along the southern boundary of property of n/f CSX Transportation, Inc., and being the south side of an existing 20' private road right-of-way, N78°19'42"W for a distance of 345.74' to a point; thence crossing said 20' private road right-of-way and through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point; thence S78°19'42"E for a distance of 100.20' to a point; thence S15°18'26"W for a distance of 15.06' to a point; thence crossing through said property of n/f CSX Transportation, Inc., and along the line of Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°18'30"E for a distance of 244.20' to a point; thence crossing said 20' private road right-of-way S11°39'57"W, for a distance of 20.98' to the Point of Beginning; and containing 0.201 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.

Parcel 4 (Wharf and Access Easement):

ALSO, a permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003, between Forest Commodity Corporation and Cement Consumers Association, LLC, connecting said Lot 2 with the wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

Parcel 5 (Railroad Track Easement):

ALSO, a permanent, non-exclusive easement having a width of ten (10') feet on either side of the railroad tracks located in that portion of said Lot 1 lying adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and

related equipment which may be necessary for the proper loading and unloading at a terminal located on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, members, hereditaments, and appurtenances thereof, to the same being or in anywise appertaining, to the only proper use, benefit, and behoof of the said Party of the Second Part, its successors and assigns forever, IN FEE SIMPLE, subject only to the matters set forth in the attached Exhibit "A" which is incorporated herein and made a part hereof ("Permitted Exceptions").

AND PARTY OF THE FIRST PART WILL WARRANT and forever defend the right and title to the above-described property unto PARTY OF THE SECOND PART against the claims of all persons owning, holding, or claiming by, through, or under the Party of the First Part, except for claims arising under or by virtue of the Permitted Exceptions.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed by its duly authorized officers and its seal affixed thereto all as of the day and year first above written.

CEMPAC PROPERTIES, LLC, f/k/a
CEMENT CONSUMERS ASSOCIATION, LLC

By: *Ben H. Hall*
Ben H. Hall, Manager

Signed, sealed and delivered on the
16th day of August, 2019, in the
presence of:



Frances Wied
Witness

Frances Wied
Notary Public

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Exhibit "A"
Permitted Exceptions

1. All taxes for year 2012 and subsequent years, which constitute liens but are not yet due and payable.
2. Those special assessments by governmental entities which become due and payable subsequent to the effective date of the policy to be issued pursuant hereto.
3. Those certain easement rights reserved by CSX Transportation, Inc., in that certain deed between CSX Transportation, Inc., and Forest Commodity Corporation, dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, specifically being a twenty (20') foot wide easement running 10 feet in each direction from the center of railroad tracks crossing the subject property, for the maintenance, use, repair, replacement, and removal of said trackage, together with the right of ingress and egress to and from said trackage.
4. That certain covenant contained in the deed from CSX Transportation, Inc., to Forest Commodity Corporation, dated East Coast Terminals Associates, Ltd., dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, obligating the owner of the subject property to maintain the existing drainage on the subject property in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water run-off or streams into said drainage or upon the right-of-way or lands and other facilities of CSX Transportation, Inc.; and in the event the existing drainage is modified or improved, obligating the owner of the subject property to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the subject property to the nearest public or third party owned drainage or storm sewer system in order to prevent the discharge of roof, surface, stream, and other drainage waters upon the right-of-way or lands and other facilities or properties of CSX Transportation, Inc.
5. That certain permanent, non-exclusive wharf and access easement agreement dated November 6, 2003, by and between Forest Commodity Corporation and Cement Consumers Association, LLC, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 235, connecting Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation, on a recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the aforesaid Clerk's Office in Subdivision Map Book 29-S, Page 42, with the wharf or dock located on Lot 1 as shown on said recombination plat, to be used for the purpose of installing, uninstalling, maintaining, replacing, and operating a belt conveyor

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- or pneumatic system which will transport cement and bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement area shown on said plat. Said easement is set forth in that certain limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the aforesaid Clerk's Office in Deed Record Book 261-O, Page 229.
6. That certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
 7. That Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.
 8. Those certain restrictive covenants set forth in the limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 229, as amended by that certain Amendment to Limited Warranty Deed dated January 31, 2005, filed for record and recorded on February 4, 2005, in the aforesaid Clerk's Office in Deed Record Book 282-Y, Page 680.
 9. That certain Memorandum of Agreement between Southern States Phosphate and Fertilizer Company and Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 361, re-filed for record and re-recorded on July 3, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-R, Page 99, evidencing the existence of an Indemnification Agreement between the parties, dated June 24, 2008, involving the easement premises described in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
 10. Terms and conditions of an unrecorded Lease Agreement between Cement Consumers Association, LLC, as Landlord, and Carbo Ceramics, as Tenant, dated July 22, 2009,

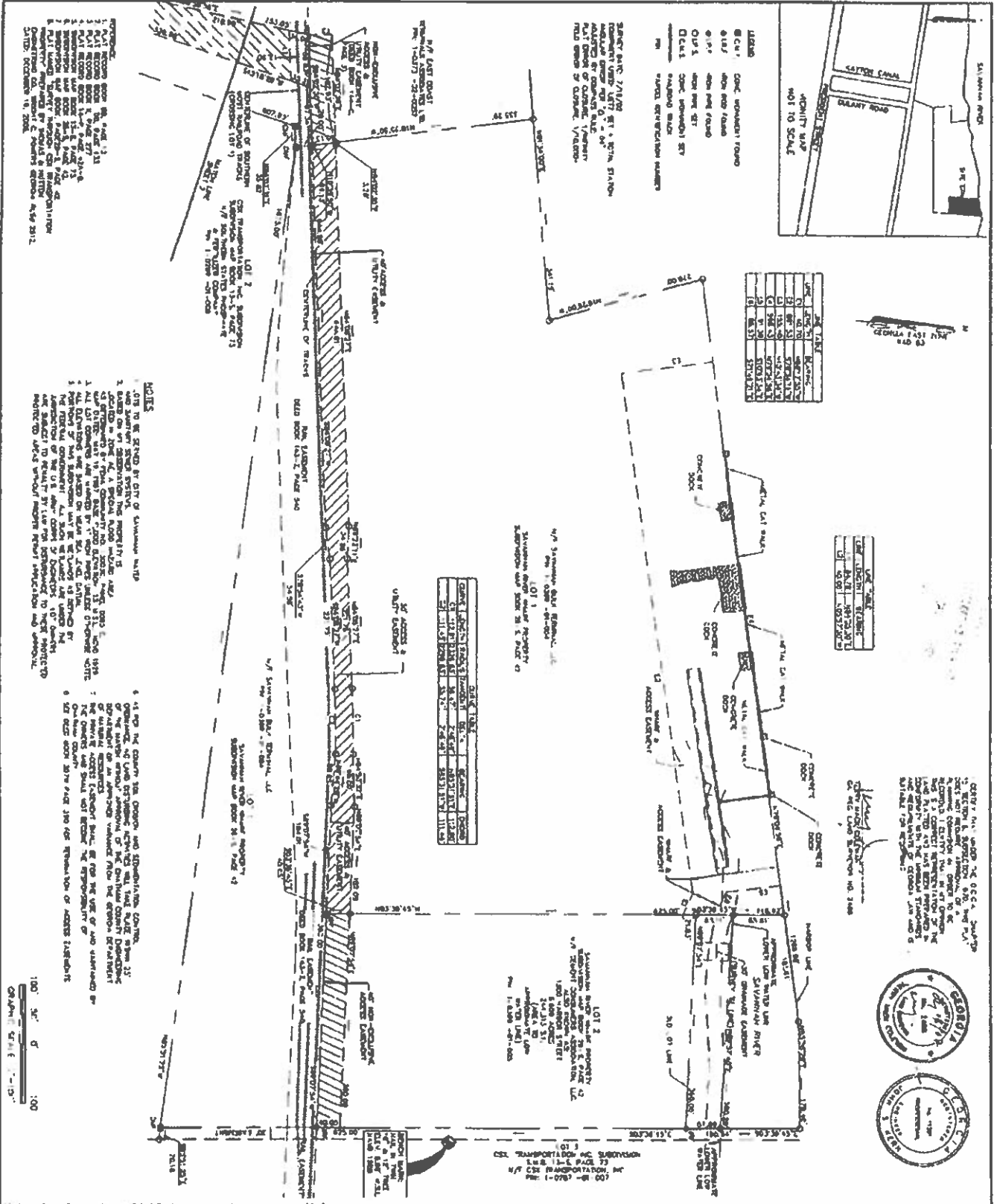
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BOOK PAGE

commencing September 16, 2009, and terminating September 15, 2011, with automatic six month renewal terms.

11. Matters of survey shown on a plat of survey of the subject property dated May 16, 2002, made by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 26-S, Page 42, including a railroad easement running in a westerly/easterly direction over the southern portion of the subject property.
12. Matters of survey shown on a plat of survey of the subject property dated October 30, 1989, revised June 22, 1995, made by Bert B. Barrett, Jr., Georgia Registered Land Surveyor No. 1239, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42, including railroad tracks running in a westerly/easterly direction across the southern portion of the subject property with ten (10') foot wide railroad easements running on either side.
13. Matters of survey shown on that certain recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42.
14. Such facts as may be shown on that certain plat entitled "Remaining Portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property," prepared by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, of Thomas & Hutton Engineering Co., dated December 7, 2009, and last revised January 7, 2010, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 43-P, Page 42A-G.
15. Such state of facts as shown on plat recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Historical Map Book 1, Page 51, Subdivision Map Book 13-S, Page 73, Plat Record Book 38-P, Page 23 A&B.
16. Title, rights or claims of the State of Georgia to any part of the premises which is or may be alleged by the State to be, or is hereafter deemed to be, salt marsh, tidelands or meadowland or land now or formerly flowed by the waters of the ocean or any bays, rivers, streams, creeks, or their tributaries, or which is marshland as defined in the Coastal Marshlands Protection Act of 1970.
17. Rights of the United States, other governmental entities, the public or other riparian owners in that part of the land which extends beyond the mean high water mark of the Savannah River.



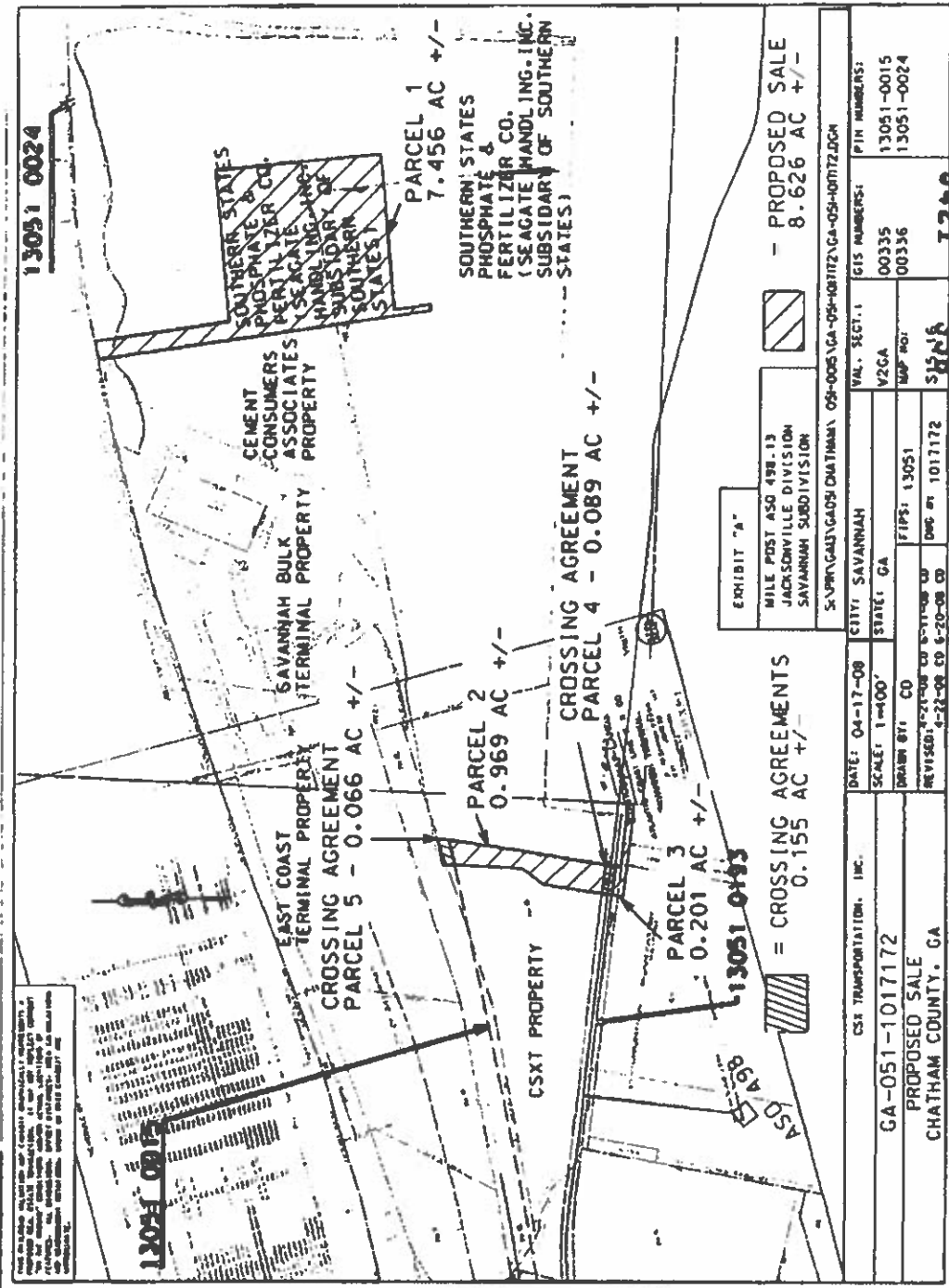
387004
 EASEMENT
 PLAT
 1/2

**A PLAT OF ACCESS AND UTILITY EASEMENTS
 EXTENDING FROM DULANY ROAD TO VARIOUS WHARF LOTS
 5TH G.M. DISTRICT, CHATHAM COUNTY,
 STATE OF GEORGIA**
 PREPARED FOR: SAVANNAH BULK TERMINAL, L.L.C.

Kern-Coleman & Co., L.L.C.
 Consulting Engineers • Land Surveyors • Land Planners
 1400 Peachtree Street, N.E., Atlanta, Georgia 30309
 Telephone: 404.525.1100 Fax: 404.525.1101
 www.kern-coleman.com

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13051 0024

13051 0193

PARCEL 1
7.456 AC +/-

SOUTHERN STATES
PHOSPHATE &
FERTILIZER CO.
(SEAGATE HANDLING, INC.
SUBSIDIARY OF SOUTHERN
STATES)

SOUTHERN STATES
PHOSPHATE &
FERTILIZER CO.
(SEAGATE HANDLING, INC.
SUBSIDIARY OF SOUTHERN
STATES)

CEMENT
CONSUMERS
ASSOCIATES

SAVANNAH BULK
TERMINAL PROPERTY

EAST COAST
TERMINAL PROPERTY

CROSSING AGREEMENT
PARCEL 5 - 0.066 AC +/-

PARCEL 2
0.969 AC +/-

CROSSING AGREEMENT
PARCEL 4 - 0.089 AC +/-

PARCEL 3
0.201 AC +/-

CROSSING AGREEMENTS
0.155 AC +/-

PROPOSED SALE
8.626 AC +/-

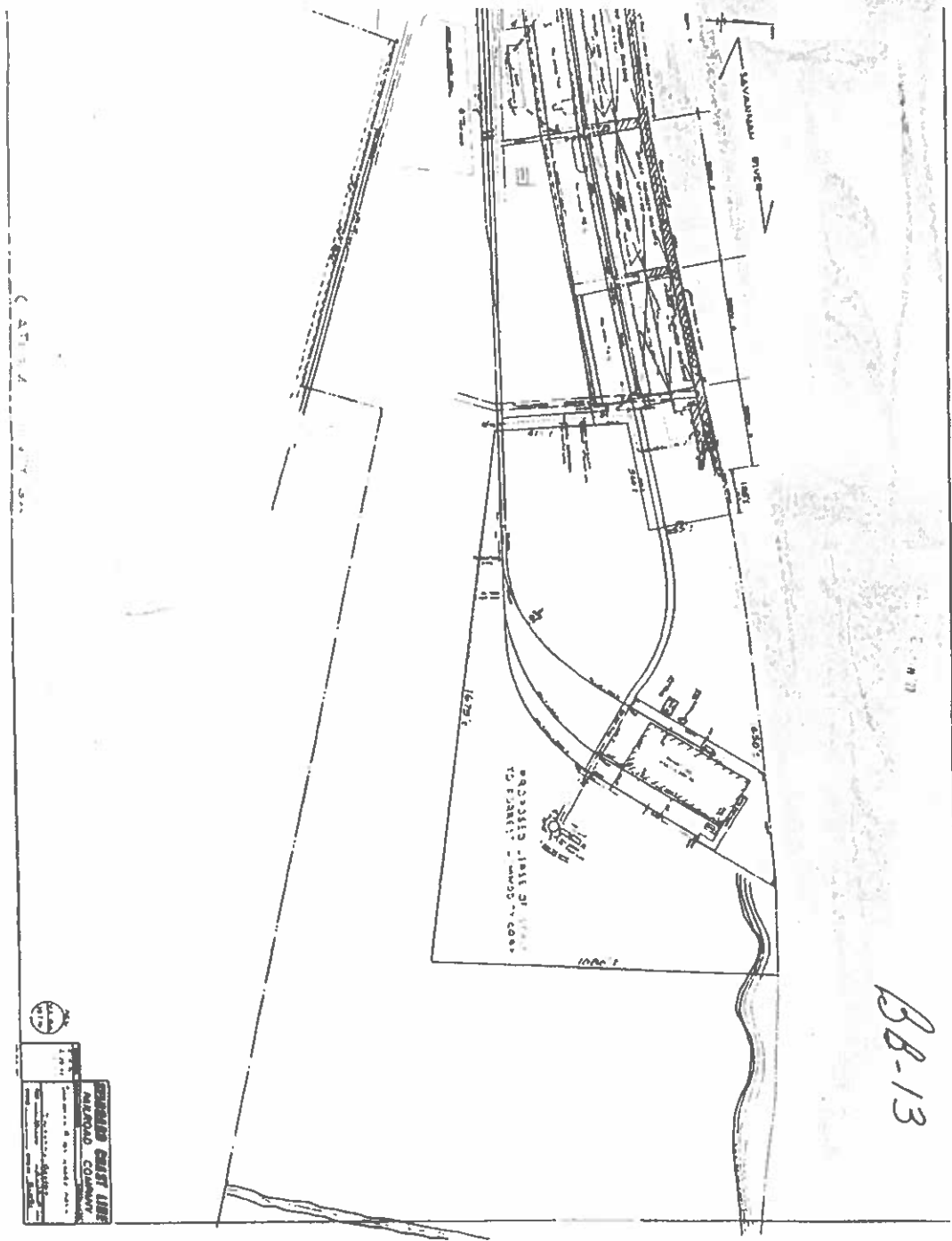
EXHIBIT "A"
MILE POST ASO 498.13
JACKSONVILLE DIVISION
SAVANNAH SUBDIVISION

SAVANNAH, GA 31405-0001

DATE: 04-17-08		CITY: SAVANNAH	VAL. SECT. 1	GIS NUMBERS:	
SCALE: 1"=400'	STATE: GA	V2GA	00335	13051-0015	
DRAWN BY: CD	FIPS: 13051	MAP NO:	00336	13051-0024	
REVISED: 4-22-08 CD 4-20-08 CD	DWG BY: 1017172	P/FIN NUMBERS:			
CSX TRANSPORTATION, INC.		13051-0015			
GA-051-1017172		13051-0024			
PROPOSED SALE		7.456			
CHATHAM COUNTY, GA		8.626			

/GA-051 1017172 dgn 6/26/2008 11:07:35 AM

BOOK PAGE

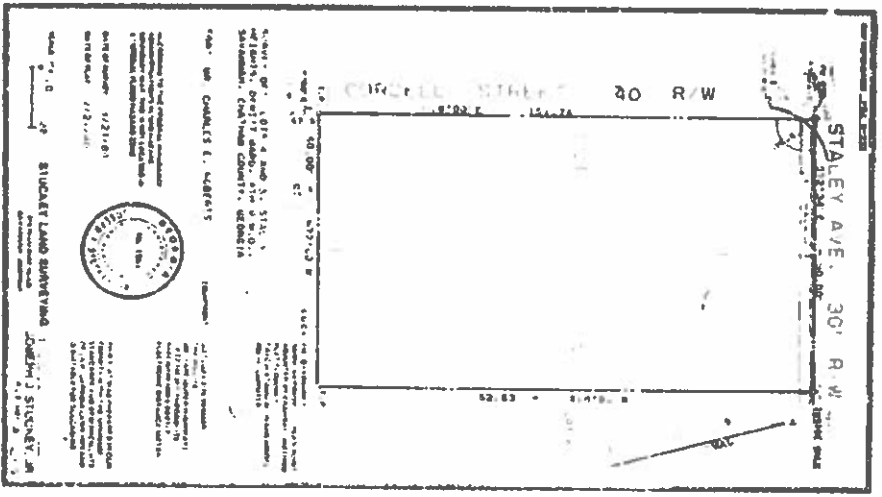
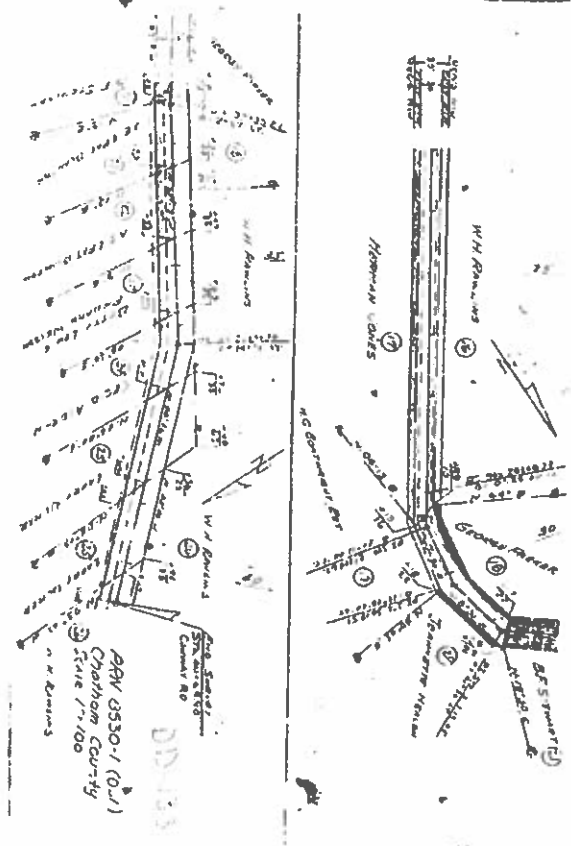
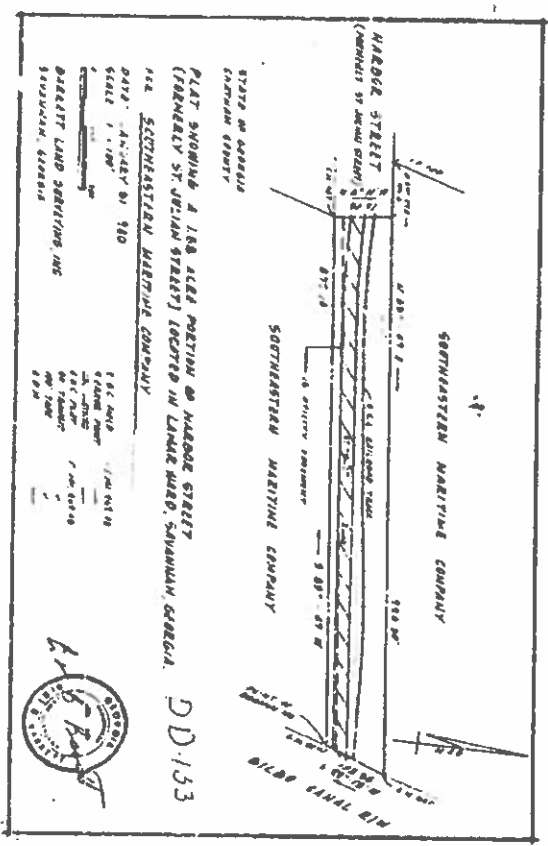


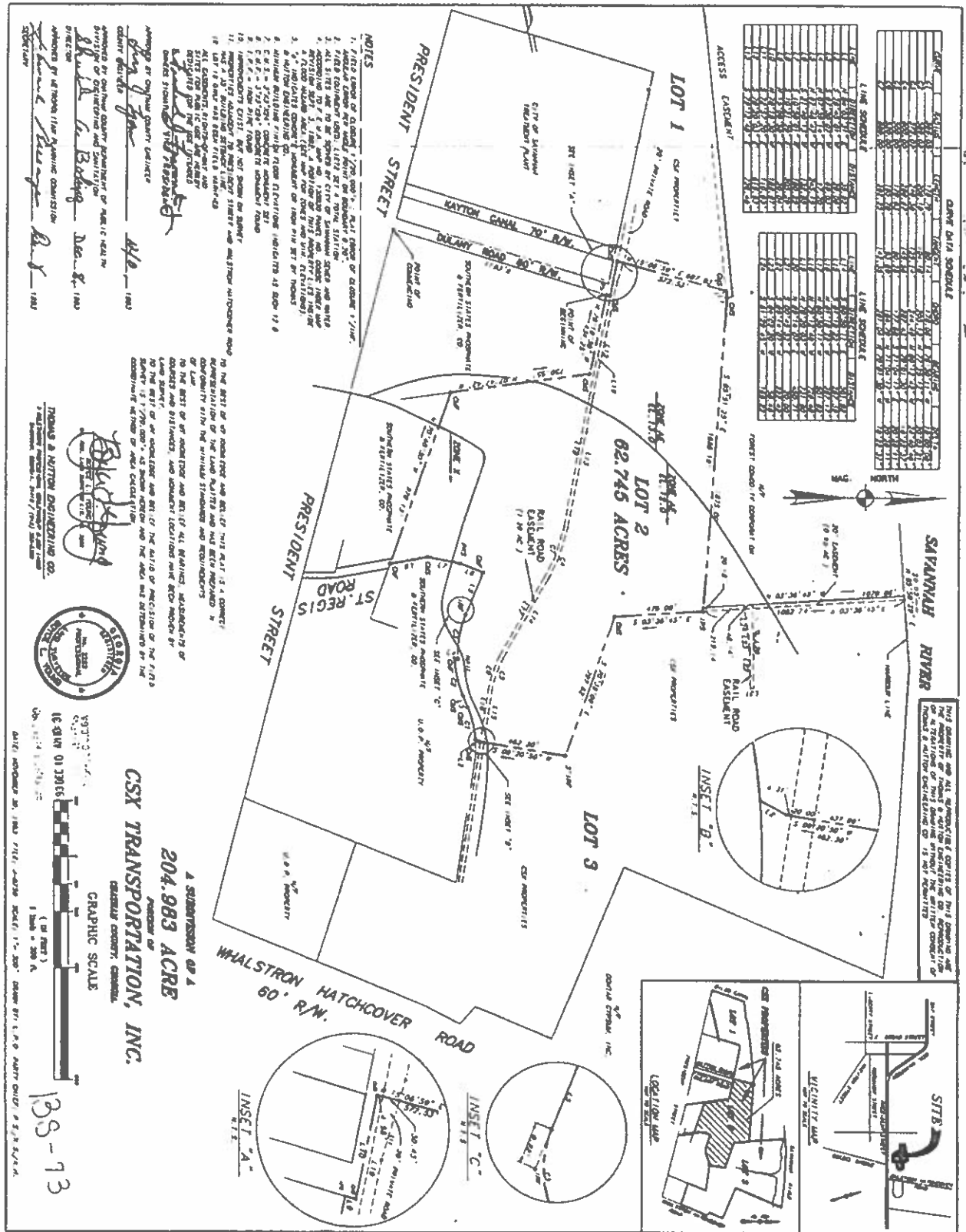
BB-13

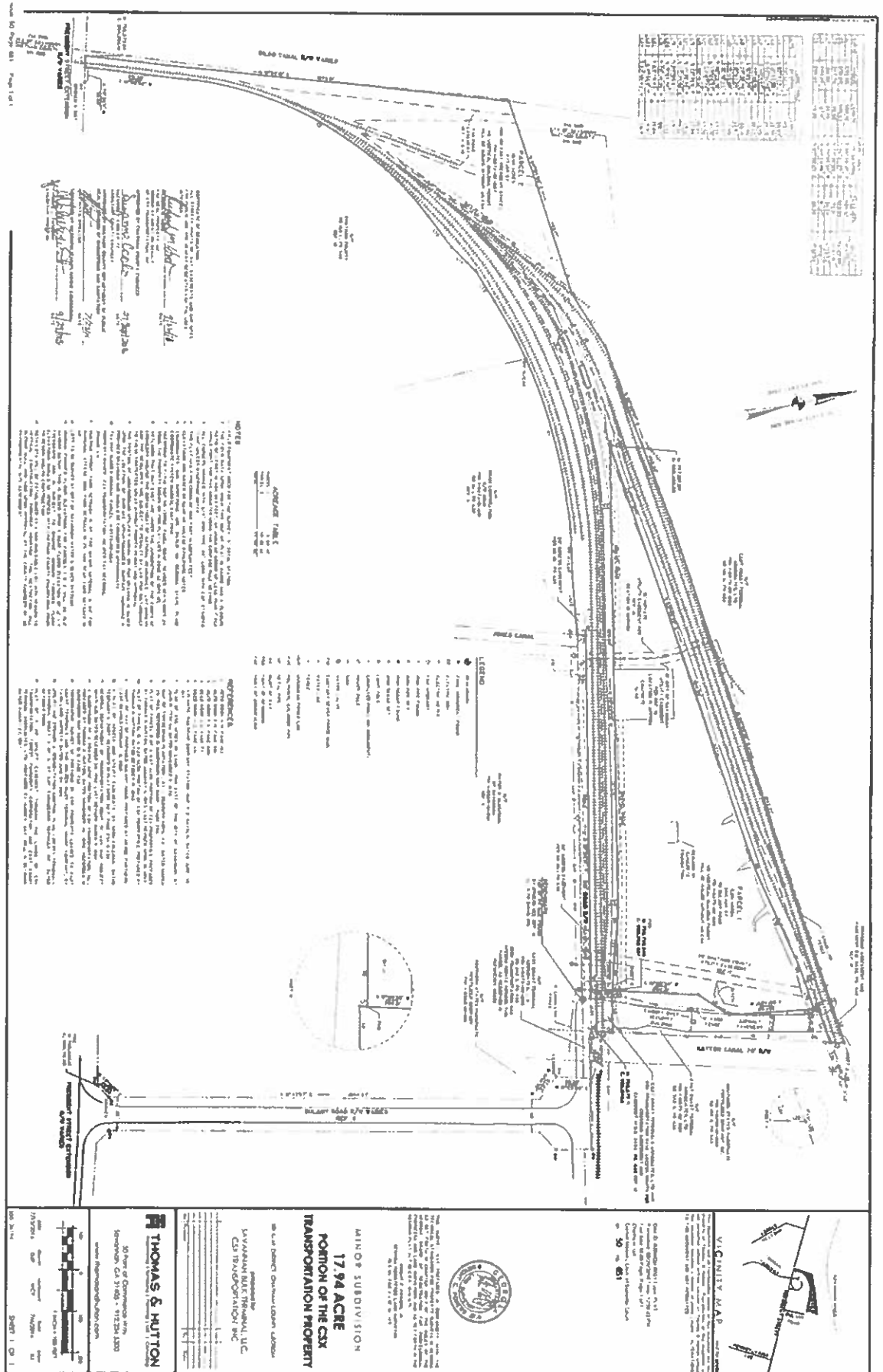
Sketch of location of Savannah River

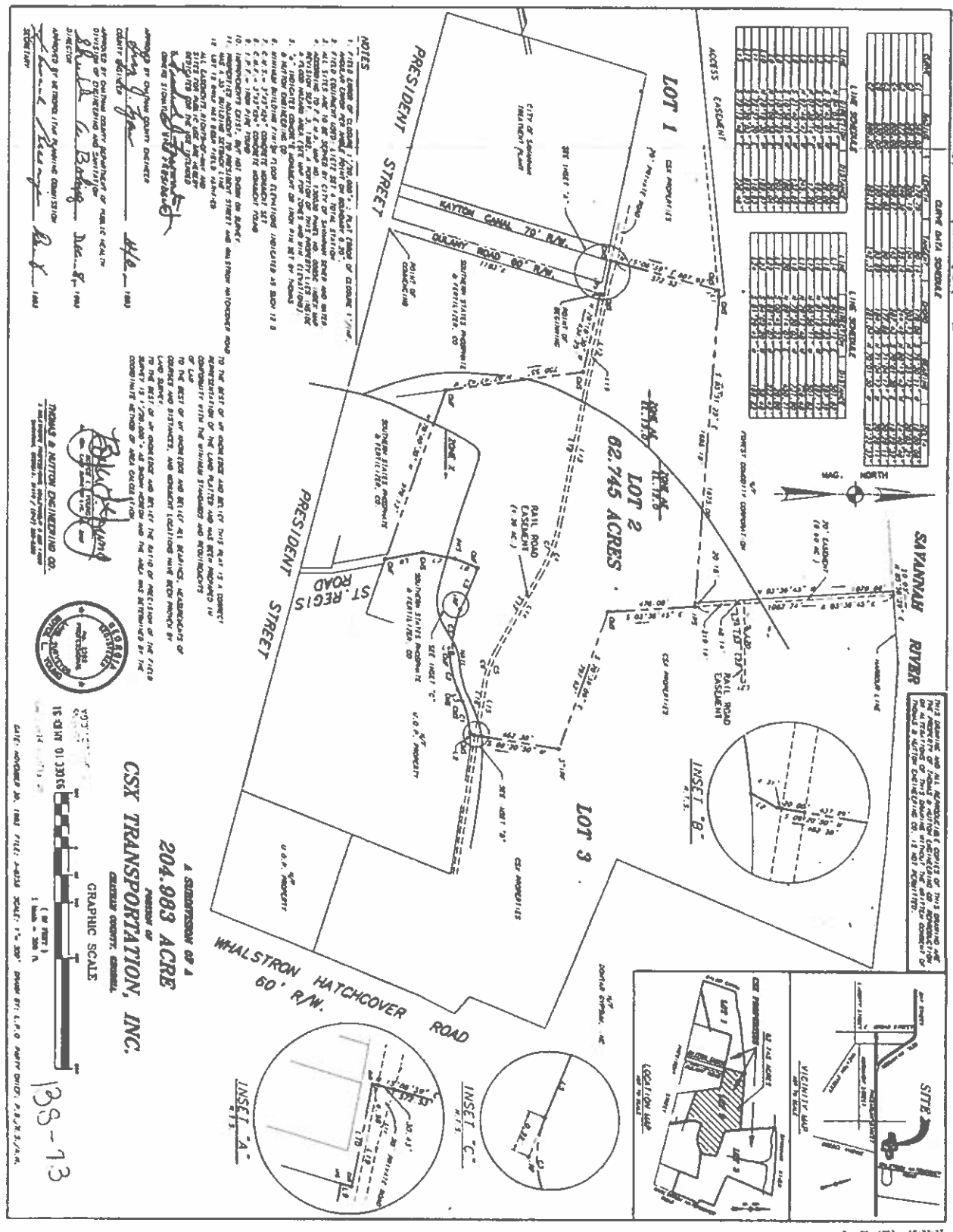
BB13

BB13









Brady, Kevin

From: Kitty Ziober <kziober@water-ec.com>
Sent: Thursday, February 7, 2019 10:58 AM
To: Tobler, Paul
Cc: 'Matt Goodrich'; Brady, Kevin
Subject: RE: Savannah Bulk Terminal Response Letter - Follow Up

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Paul.

Mr. Brady, we are in the process of submitting Savannah Bulk Terminal's Revocable License Request. We wish to have the license properly executed with the necessary details, including its legal description (lot, block & subdivision) from the deed. During our study of the deed and plat we found the following, "PN: 1-0369-01-004, Lot 1, Savannah River Wharf Property, Subdivision Map Book 29-S, Page 42". Is that sufficient detail for the RL request?

Thank you,

Kitty F. Ziober
Water Environment Consultants
P.O. Box 2221
Mount Pleasant, SC 29465-2221
Cell: 843-469-5378
www.water-ec.com

From: Tobler, Paul [mailto:paul.tobler@dnr.ga.gov]
Sent: Thursday, February 07, 2019 10:32 AM
To: Kitty Ziober
Cc: 'Matt Goodrich'; Brady, Kevin
Subject: RE: Savannah Bulk Terminal Response Letter - Follow Up

Kitty, I think it will be easier for me to just let you communicate directly with Mr. Brady who is doing the legal review. He will be better able to answer questions pertaining to the legal review.

Sincerely,

Paul D. Tobler
Coastal Permit Coordinator
Coastal Resources Division
(912) 262-3134 | M: (912) 689-6261
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[Buy a fishing license today!](#)

A division of the
GEORGIA DEPARTMENT OF NATURAL RESOURCES

From: Kitty Ziober <kziober@water-ec.com>
Sent: Thursday, February 7, 2019 10:10 AM
To: Tobler, Paul <paul.tobler@dnr.ga.gov>
Cc: 'Matt Goodrich' <mgoodrich@water-ec.com>
Subject: RE: Savannah Bulk Terminal Response Letter - Follow Up

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Paul. We'll get that to you right away. Concerning the legal description of the property...this is what we found while studying the deed and plat: "Lot 1, Savannah River Wharf Property, Subdivision Map Book 29-S, Page 42". Is that sufficient for the RL request?

Regards,
Kitty

Kitty F. Ziober
Water Environment Consultants
P.O. Box 2221
Mount Pleasant, SC 29465-2221
Cell: 843-469-5378
www.water-ec.com

From: Tobler, Paul [<mailto:paul.tobler@dnr.ga.gov>]
Sent: Wednesday, February 06, 2019 12:14 PM
To: Kitty Ziober
Cc: 'Matt Goodrich'
Subject: RE: Savannah Bulk Terminal Response Letter - Follow Up

Kitty,

We are still in the process of the legal review of the application but I was informed this morning that there was something you could get to us in the mean time. Please complete and execute a Revocable License Request (attached) in the Savannah Bulk Terminal, LLC name. Please be sure to have the license properly executed including the legal description of the property as it is written in the deed. Let me know if you have any questions and I will do my best to answer them or forward to the proper person.

Sincerely,

Paul D. Tobler
Coastal Permit Coordinator
Coastal Resources Division
(912) 262-3134 | M: (912) 689-6261
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[Buy a fishing license today!](#)

A division of the
GEORGIA DEPARTMENT OF NATURAL RESOURCES

From: Kitty Ziober <kziober@water-ec.com>
Sent: Monday, February 4, 2019 2:26 PM
To: Tobler, Paul <paul.tobler@dnr.ga.gov>
Cc: 'Matt Goodrich' <mgoodrich@water-ec.com>
Subject: Savannah Bulk Terminal Response Letter - Follow Up

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Tobler,

I'm just following up on the submittal of the Savannah Bulk Terminal response letter with additional information regarding the the silt suspension system in Savannah River. Do you have an approximate schedule for its review? Also, has it been determined yet if we need to submit one or two revocable license requests?

Thank you,
Kitty

Kitty F. Ziober
Water Environment Consultants
P.O. Box 2221
Mount Pleasant, SC 29465-2221
Cell: 843-469-5378
www.water-ec.com

BOOK 344B
PAGE 563

Prepared by and return to:
Edwin W. King, Jr., P.C.
PO Box 9873
Savannah, GA 31412

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

DEED OF EASEMENT

THIS EASEMENT, made as of the 31st day of July 2008, by and between **SAVANNAH BULK TERMINALS, L.L.C.**, a Georgia limited liability company (hereinafter called "Grantor") and **SOUTHERN STATES PHOSPHATE AND FERTILIZER COMPANY**, a Georgia corporation, (hereinafter called "Grantee").

WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT, for and in consideration of payment of the sum of **TEN AND NO/100 DOLLARS (\$10.00)**, which is the full monetary consideration for this conveyance, and other valuable considerations, the receipt of whereof is hereby acknowledged, Grantor does hereby **GRANT and CONVEY** unto Grantee, Grantee's successors and assigns, **WITHOUT WARRANTY** and only to the extent that Grantor's title permits, and **FURTHER SUBJECT TO** the terms, conditions, exceptions and reservations herein made, exclusive access easement and utility easement, hereinafter collectively designated "the Easement(s)", on, over or across the property more particularly described in Exhibit A, attached hereto and incorporated herein, for the purpose of providing access and utilities over the land located within Exhibit A.

EXCEPTING and RESERVING unto Grantor, its lessees, successors and assigns, the right to continue to occupy, possess, and use the land upon which the Easement(s) is/are imposed for any and all purposes consistent with Grantor's operations and needs.

TO HAVE AND TO HOLD the Easement(s) and rights herein granted, solely for the purpose herein contained; SUBJECT, however, to any public or private utilities, cables, wires, pipes, and other facilities located in, on, over, under or across the Easement(s), and all agreements, easements and rights granted or reserved therefore, whether the instruments granting or reserving the same be recorded or unrecorded.

IN WITNESS WHEREOF, Grantor, pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.

BOOK PAGE
344B 564

SAVANNAH BULK TERMINAL, L.L.C.

By: [Signature]
Frank K. Peoples, Jr.

Attest: _____

Signed, sealed and delivered
this 31st day of July, 2008
in the presence of:

[Signature]
Witness

[Signature]
Notary Public

My Commission Expires:
[NOTARIAL SEAL]
/s/ J.P. GERRARD



EXHIBIT A

ALL that certain piece part or lot of land lying and being situate in the State of Georgia, County of Chatham and 5th G.M. District containing .16 acres and being shown and better described on a plat thereof dated June 10, 2008 prepared by Dale E. Yawn, R.L.S. #2510 recorded in Subdivision Map Book 402 Page 94 records of the Clerk of Superior Court of Chatham County, Georgia, as follows:

Beginning at a concrete monument at the southwest corner of the Savannah Bulk Terminal, L.L.C. property, thence south 03 degrees 36 minutes 45 seconds east for a distance of 19.06 feet to an iron rod; thence north 52 degrees 05 minutes 28 seconds east for a distance of 48.42 feet to an iron rod; thence north 03 degrees 36 minutes 45 seconds west for a distance of 157.33 feet to an iron rod; thence north 85 degrees 51 minutes 25 seconds west for a distance of 40.37 feet to the Point of Beginning. Said parcel containing approximately 0.16 acres.

This being a portion of the property conveyed from Forest Commodities Corporation to Savannah Bulk Terminal, L.L.C.

TAX MAP PARCEL #: 1-0369-01-004

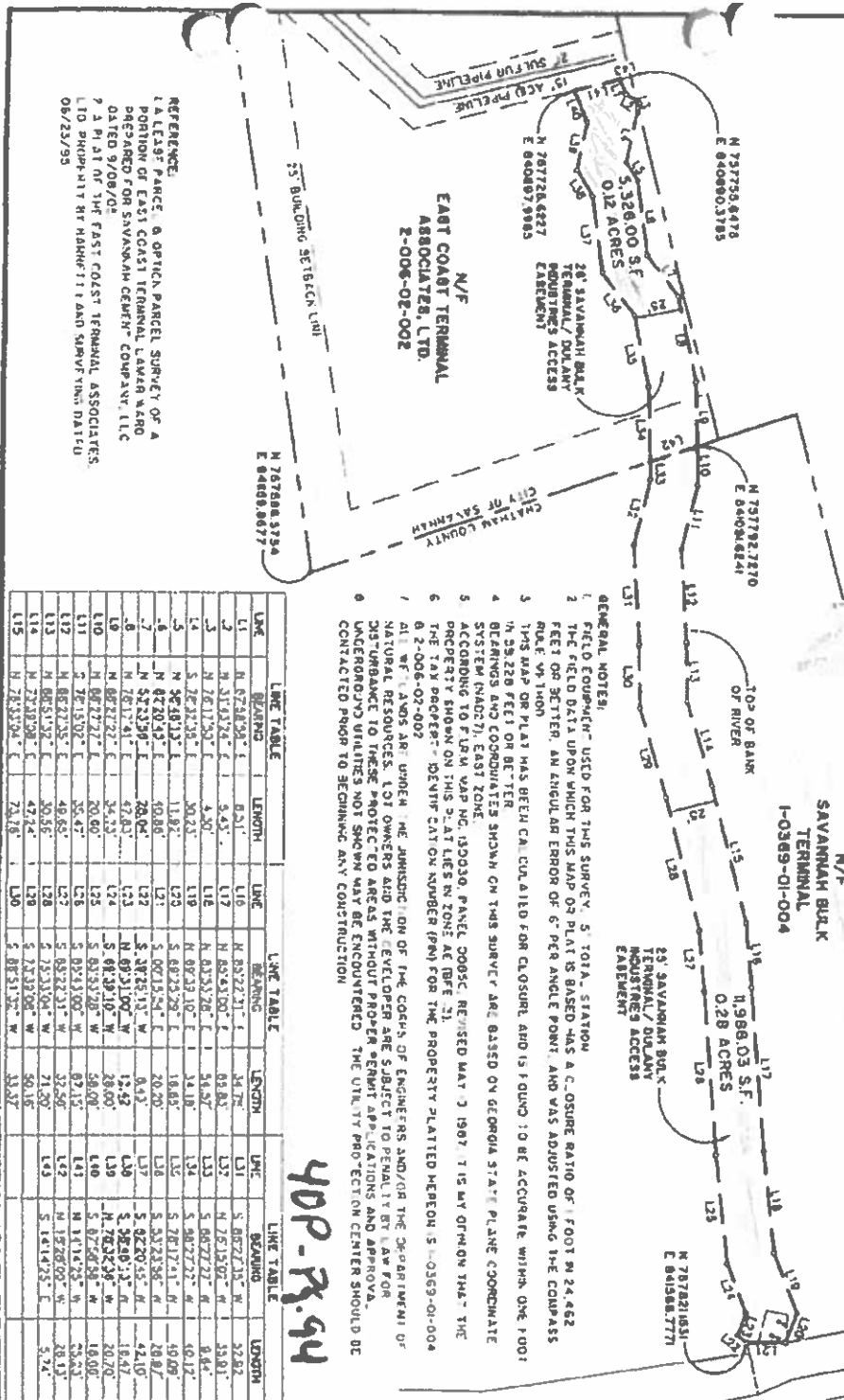
BOOK
344B

PAGE
565



TO THE BEST OF MY UNDERSTANDING AND BELIEF THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM TECHNICAL STANDARDS AND REQUIREMENTS OF LAW WHICH I, C. POWERS, JR., GEORGIA REGISTERED LAND SURVEYOR LICENSE NO. 2612

GA SPC - EAST ZONE
 GRID NORTH - 42927



N/F
 EAST COAST TERMINAL
 ASSOCIATES, LTD.
 2-006-02-002

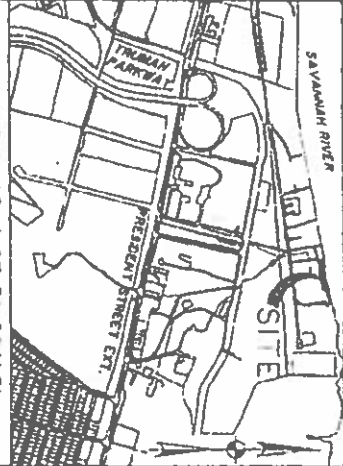
REFERENCE:
 L.A. LEAS' PARCEL & OPTION PARCEL SURVEY OF A PORTION OF EAST COAST TERMINAL LANDS, W/RO BEGARED FOR SAVANNAH CENTER COMPANY, LLC DATED 9/08/05
 2 A Plat of THE EAST COAST TERMINAL ASSOCIATES, LTD. PREPARED BY THOMAS & HUTTON ENGINEERS, L.P. DATED 06/23/05

LEGEND
 ○ BOUNDARY POINT
 --- EASEMENT LINE
 --- PROPERTY LINE

- GENERAL NOTES:
1. FIELD EQUIPMENT USED FOR THIS SURVEY: 5 TOTAL STATION
 2. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED WAS A C-CLOSURE RATIO OF 1 FOOT IN 24,652 FEET OR BETTER, AN ANGULAR ERROR OF 6" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE, V/L/1/0/0.
 3. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 25,228 FEET OR BETTER.
 4. BEARINGS AND COORDINATES SHOWN ON THIS SURVEY ARE BASED ON GEORGIA STATE PLANE COORDINATE SYSTEM (NAD83), EAST ZONE.
 5. ACCORDING TO FLUM VAP NG 130030, PANEL 0005C, REVISIED MAY 3 1987, THIS MAP OR PLAT IS THE PROPERTY PLATTED HEREON 5-0369-01-004.
 6. THE TAX PARCELS IDENTIFIED BY NUMBER (PIN) FOR THE PROPERTY PLATTED HEREON 5-0369-01-004 ARE 5-006-02-002.
 7. ALL UTILITIES ARE SHOWN AS LOCATED BY THE RECORDS OF ENGINEERS AND/OR THE DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS AND THE DEVELOPER ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATIONS AND APPROVAL.
 8. UNDERGROUND UTILITIES NOT SHOWN MAY BE ENCOUNTERED. THE UTILITY PROTECTION CENTER SHOULD BE CONTACTED PRIOR TO BEGINNING ANY CONSTRUCTION.

40P-R.94

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 87°22'31" E	8.51'	L16	N 83°22'31" E	34.78'	L31	S 86°27'35" W	32.82'
L2	N 81°13'24" E	9.45'	L17	N 83°53'26" E	65.83'	L32	N 78°15'07" W	55.81'
L3	N 76°17'50" E	4.50'	L18	N 83°53'26" E	54.52'	L33	S 86°27'27" W	8.44'
L4	S 72°23'35" E	30.23'	L19	N 87°22'31" E	14.18'	L34	S 86°27'27" W	40.12'
L5	N 36°48'12" E	10.86'	L20	S 68°25'28" E	18.85'	L35	S 78°17'41" N	49.09'
L6	N 87°22'31" E	28.04'	L21	S 00°15'54" E	20.20'	L36	S 53°23'36" E	28.87'
L7	N 87°22'31" E	28.04'	L22	S 38°25'13" W	8.33'	L37	S 87°20'55" N	42.10'
L8	N 76°17'50" E	47.83'	L23	S 61°39'10" W	12.59'	L38	N 78°56'29" W	18.47'
L9	N 87°22'31" E	34.33'	L24	S 61°39'10" W	28.69'	L39	S 67°56'38" W	48.70'
L10	N 87°22'31" E	20.60'	L25	S 61°39'10" W	58.00'	L40	S 67°56'38" W	48.00'
L11	N 87°22'31" E	35.47'	L26	S 61°39'10" W	67.13'	L41	N 17°14'53" W	33.83'
L12	N 87°22'31" E	49.65'	L27	S 61°39'10" W	32.86'	L42	N 17°28'05" W	33.13'
L13	N 87°22'31" E	30.55'	L28	S 78°33'08" W	71.80'	L43	S 14°14'25" E	5.74'
L14	N 78°33'08" E	47.74'	L29	S 78°33'08" W	50.18'			
L15	N 78°33'08" E	73.78'	L30	S 87°51'32" W	33.37'			



VICINITY MAP (NOT TO SCALE)

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A PLAT OF A
 CROSSING THE PROPERTY
 OF EAST COAST TERMINAL
 ASSOCIATES, LTD. AND
 SAVANNAH BULK TERMINAL
 25' ACCESS EASEMENT
 5TH G.M. DISTRICT
 CHATHAM COUNTY, GEORGIA
 PREPARED FOR:
 PEEPLES INDUSTRIES, INC.



THOMAS & HUTTON ENGINEERING CO.
 60 PARK OF COMMERCE WAY, P.O. BOX 2727
 SAVANNAH, GA 31406 / (912) 234-5300
 www.thomashutton.com

SCALE
 1" = 50' DRAWN BY
 FILE J-20876 RECEIVED BY
 PRINT DATE 03/21/08 APPROVED BY WCP
 PLAT DATE 06/20/08 PARTY CHIEF MJ

SHEET 1 OF 1



**GEORGIA
CORPORATIONS
DIVISION**

GEORGIA SECRETARY OF STATE
**BRAD
RAFFENSPERGER**

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **FOREST COMMODITY CORPORATION** **Control Number:** **H605770**

Business Type: **Domestic Profit Corporation** **Business Status:** **Dissolved**

Business Purpose: **NONE**

Principal Office Address: **PO BOX 2253, SAVANNAH, GA, 31402-2253** **Date of Formation / Registration Date:** **7/7/1976**

State of Formation: **Georgia** **Last Annual Registration Year:** **2009**

Dissolved Date: **11/30/2009**

REGISTERED AGENT INFORMATION

Registered Agent Name: **NONE**

Physical Address: **NONE**

County: **NONE**

OFFICER INFORMATION

Name	Title	Business Address
FRANK K. PEEPLES, JR.	CFO	PO BOX 2253, SAVANNAH, GA, 31402, USA
JOHN R BENTON, JR	Secretary	PO BOX 2253, SAVANNAH, GA, 31402, USA
LAURA J BLACKWELDER	CEO	PO BOX 2253, SAVANNAH, GA, 31402, USA

Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530, Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <http://www.sos.ga.gov/>
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STATE OF GEORGIA

Secretary of State

Corporations Division

315 West Tower

#2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF DISSOLUTION

I, **Karen C Handel**, the Secretary of State and the Corporations Commissioner of the State of Georgia, hereby certify under the seal of my office that

FOREST COMMODITY CORPORATION

a Domestic Profit Corporation

has been duly dissolved, cancelled or terminated on 11/30/2009 under the laws of the State of Georgia by the filing of documents in the office of the Secretary of State and by the paying of fees as required by the Official Code of Georgia Annotated and the Rules and Regulations promulgated there under. Attached hereto is a true and correct copy of said documents.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on November 30, 2009



A handwritten signature in cursive script, reading "Karen C Handel".

Karen C Handel
Secretary of State

ARTICLES OF DISSOLUTION
OF
FOREST COMMODITY CORPORATION

2009 NOV 30 AM 9:27
SECRETARY OF STATE
CORPORATIONS DIVISION

I

The name of the corporation is FOREST COMMODITY CORPORATION.

II

The Secretary of State of the State of Georgia filed a Notice of Intent to Dissolve the Corporation on June 9, 2009, which notice has not been revoked.

A notice to the creditors of the Corporation has been published in accordance with O.C.G.A. § 14-2-1407 (b) of the Georgia Business Corporation Code.

III

All debts, obligations, and liabilities of the Corporation have been paid or otherwise discharged or adequate provision has been made therefor.

IV

All remaining property and assets of the Corporation have been distributed to the sole shareholder of the Corporation in accordance with her rights and interests or adequate provision has been made therefor.

V

There are no actions pending against the Corporation in any court.

IN WITNESS WHEREOF, FOREST COMMODITY CORPORATION has hereunto caused this instrument to be executed by its duly authorized officers, and its corporate seal to be affixed as of this the 1st day of July, 2009.

FOREST COMMODITY CORPORATION

By: [Signature]
Frank K. Peeples, Jr.,
CEO

ATTEST

BY: [Signature]
Laura J. Blackwelder, Secretary

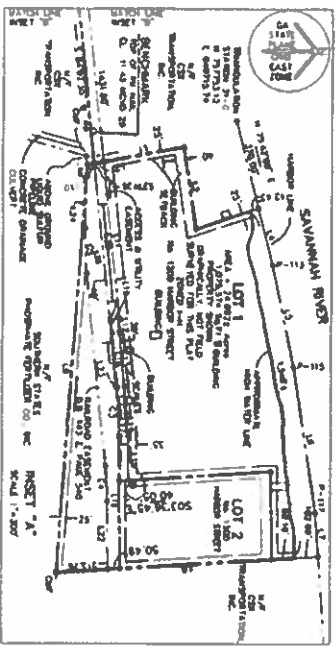
State of Georgia
With/Term/Dissolve 2 Page(s)



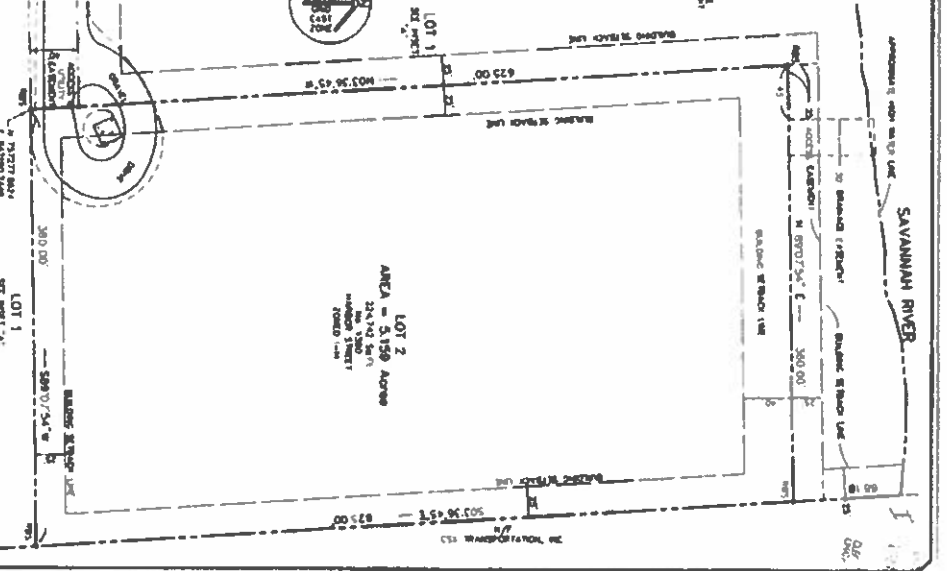
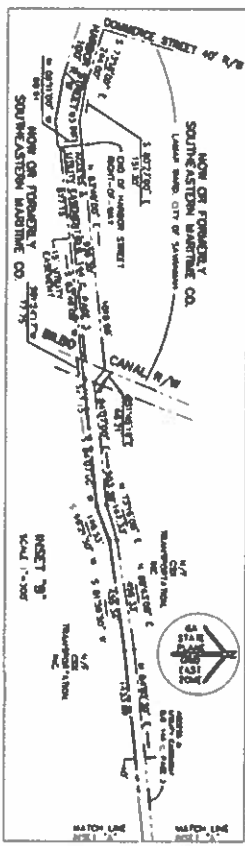
T0933623002



- NOTICE MAP**
1. THE FOLLOWING PLAT AND SUBMISSIONS ARE FOR THE... (text partially obscured)
 2. THE PLAT OF SAVANNAH RIVER WHARF PROPERTY OF... (text partially obscured)
 3. THE SUBMISSIONS FOR THE PLAT AND SUBMISSIONS... (text partially obscured)
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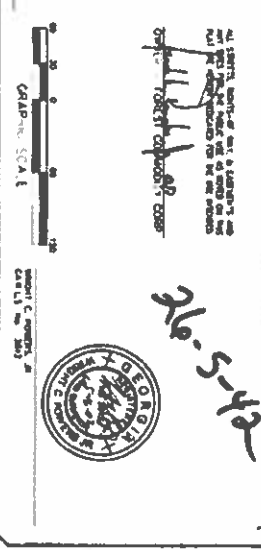
APPROVED BY CHATHAM COUNTY ENGINEERING DEPARTMENT
 COUNTY ENGINEER: *T. O'Brien* 2002

APPROVED BY CHATHAM COUNTY HEALTH DEPARTMENT
 ENVIRONMENTAL HEALTH DIVISION: *10/1/02* 2002

APPROVED BY METROPOLITAN PLANNING COMMISSION
 METRO PLAN: *10-18-* 2002

OWNER TABLE

LINE	LENGTH	AREA	OWNER
1	110.12	12125.44	CONOR AND ASSOCIATES, INC.
2	110.12	12125.44	CONOR AND ASSOCIATES, INC.
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ALL RIGHTS RESERVED BY THE ENGINEER AND SURVEYOR. THIS PLAN IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY OTHER USE IS AT THE USER'S RISK.

DATE: 10/1/02
 PROJECT: 29.851± ACRE PORTION OF FOREST COMMODITY CORPORATION SAVANNAH RIVER WHARF PROPERTY

CONOR AND ASSOCIATES, INC.
 ENGINEER & SURVEYOR

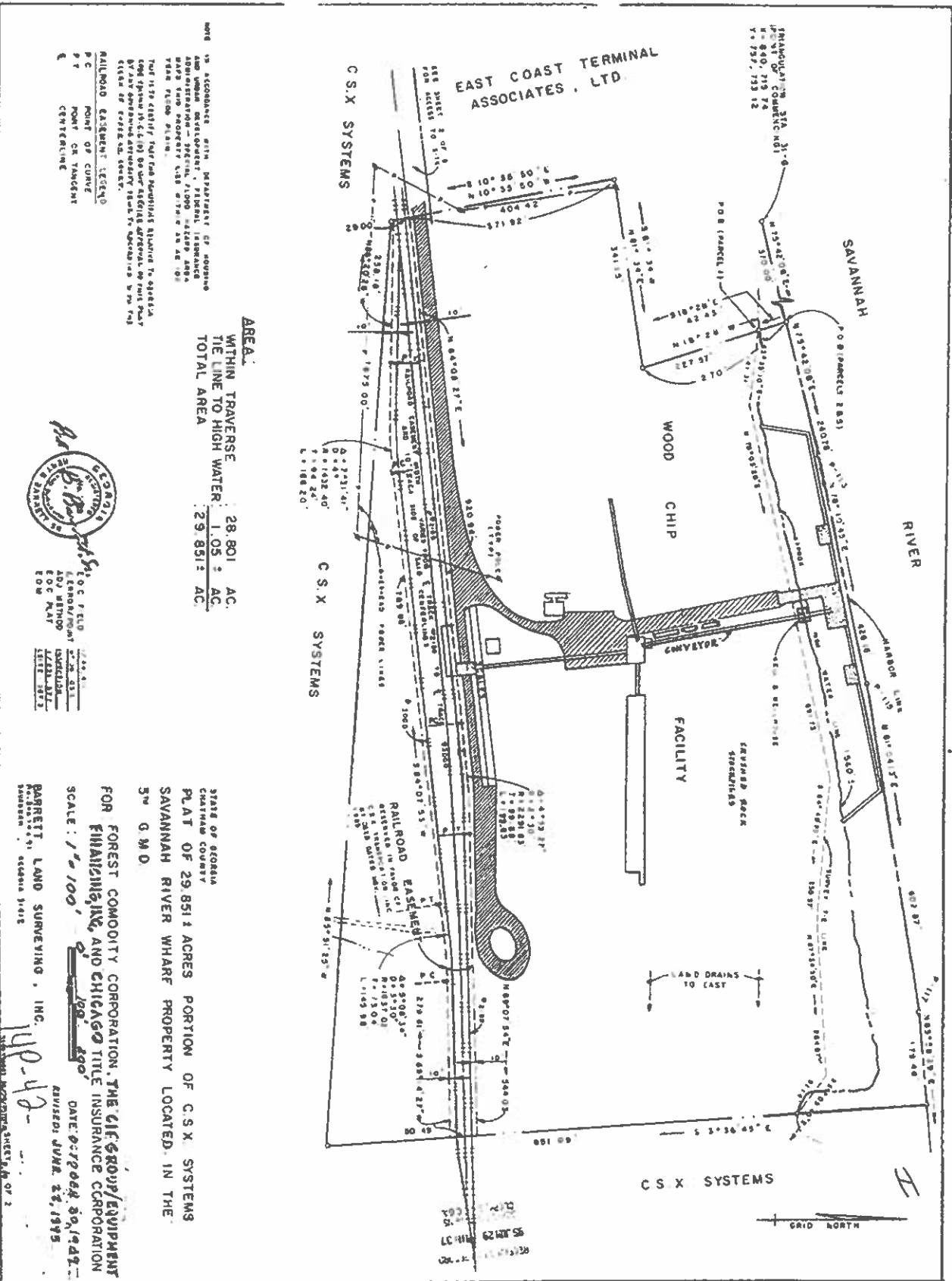
A MINOR SUBMISSION PLAT OF
 29.851± ACRE PORTION OF FOREST COMMODITY CORPORATION SAVANNAH RIVER WHARF PROPERTY

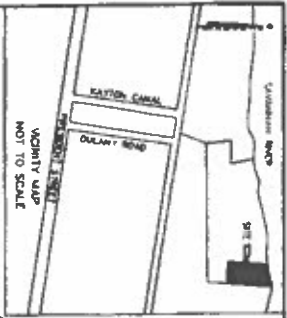
5th C.M.D. CHATHAM COUNTY, GEORGIA

CONOR AND ASSOCIATES, INC.
 ENGINEER & SURVEYOR

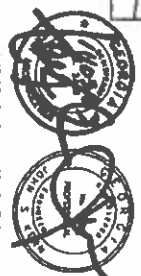
P.O. BOX 10001
 SAVANNAH, GEORGIA 31411

10/1/02





- Legend
- BLVD CONC. UNPAVED ROAD
- ELST. 800' 00" ROAD
- OLST. 800' 00" SET
- OLPJ. 800' 00" PER. ROAD
- OLPS. 800' 00" PER. SET
- OLCS. CONC. UNPAVED SET
- RAILROAD TRACK

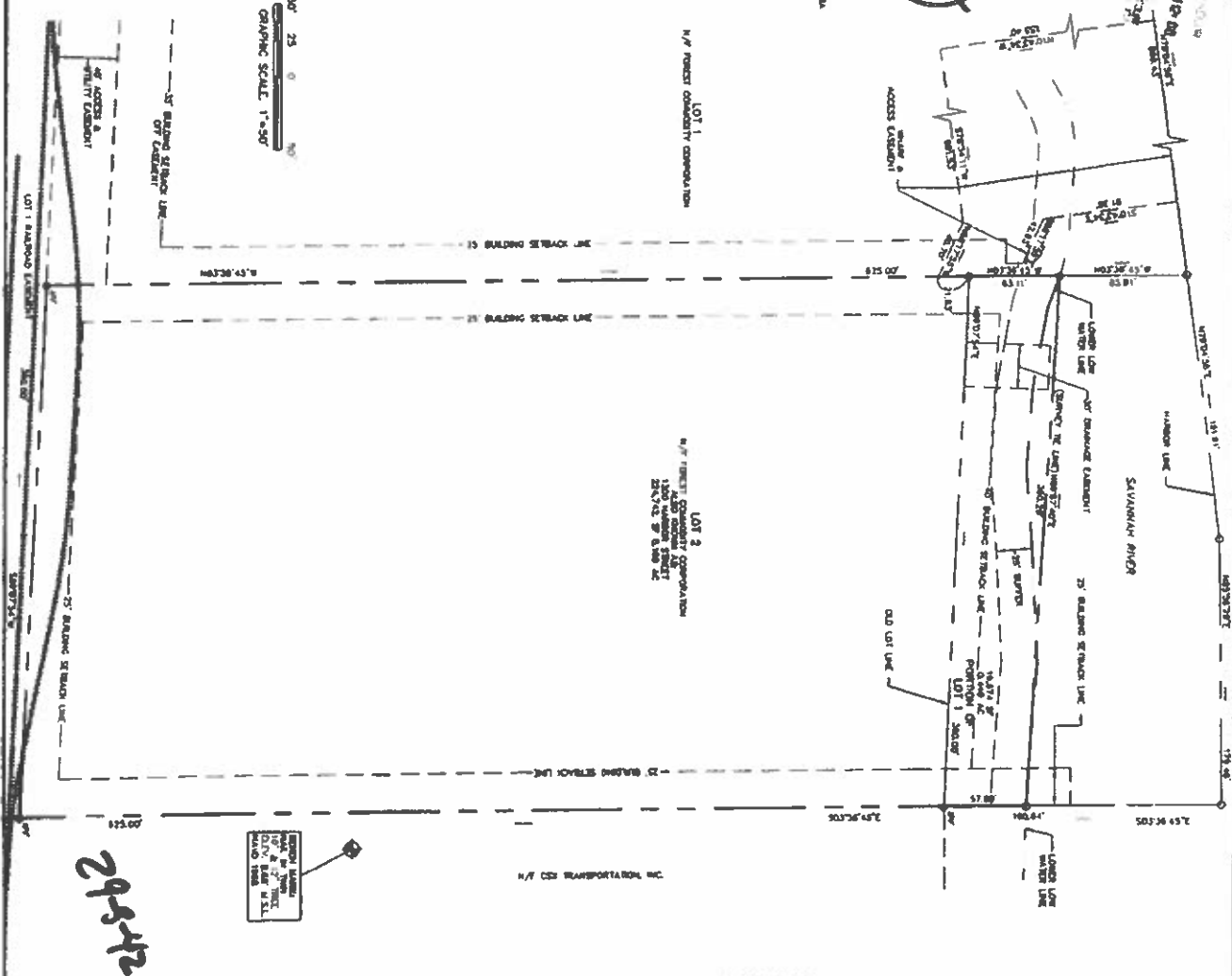


I, **Kern-Coleman & Co., Inc.**, COUNTY CLERK OF CHATHAM COUNTY, GEORGIA, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT REPRODUCTION OF THE ORIGINAL RECORDS OF CHATHAM COUNTY, GEORGIA, AS KEPT AT THE OFFICE OF THE COUNTY CLERK, CHATHAM COUNTY, GEORGIA.

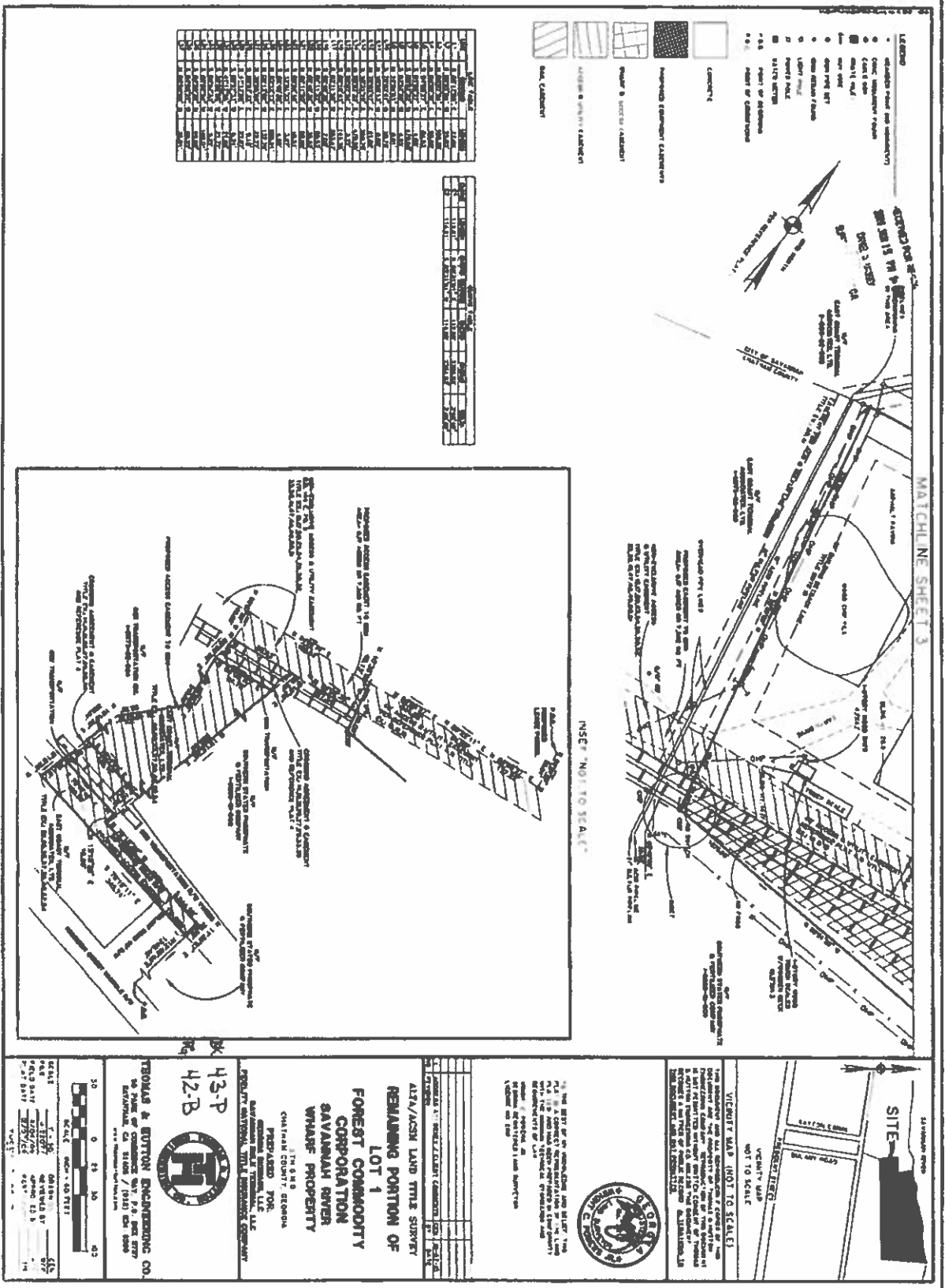
APPROVED BY THE CHATHAM COUNTY COMMISSION, DATED **3/26/03**
 APPROVED BY THE CHATHAM COUNTY COMMISSION, DATED **11/19/03**
 APPROVED BY THE CHATHAM COUNTY COMMISSION, DATED **11/19/03**

- SUBMISSION NOTES:**
1. THIS PLAN IS A REVISION OF THE PREVIOUS PLAN.
 2. THIS AREA IS ZONED R-1 (RESIDENTIAL SINGLE-FAMILY).
 3. THIS AREA IS NOT ZONED BY THE CITY OF SAVANNAH.
 4. BASED ON THE ZONING REGULATIONS, THE PROPERTY IS ZONED R-1 (RESIDENTIAL SINGLE-FAMILY).
 5. THE PROPOSED DEVELOPMENT IS A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.
 6. THE PROPOSED DEVELOPMENT IS A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.
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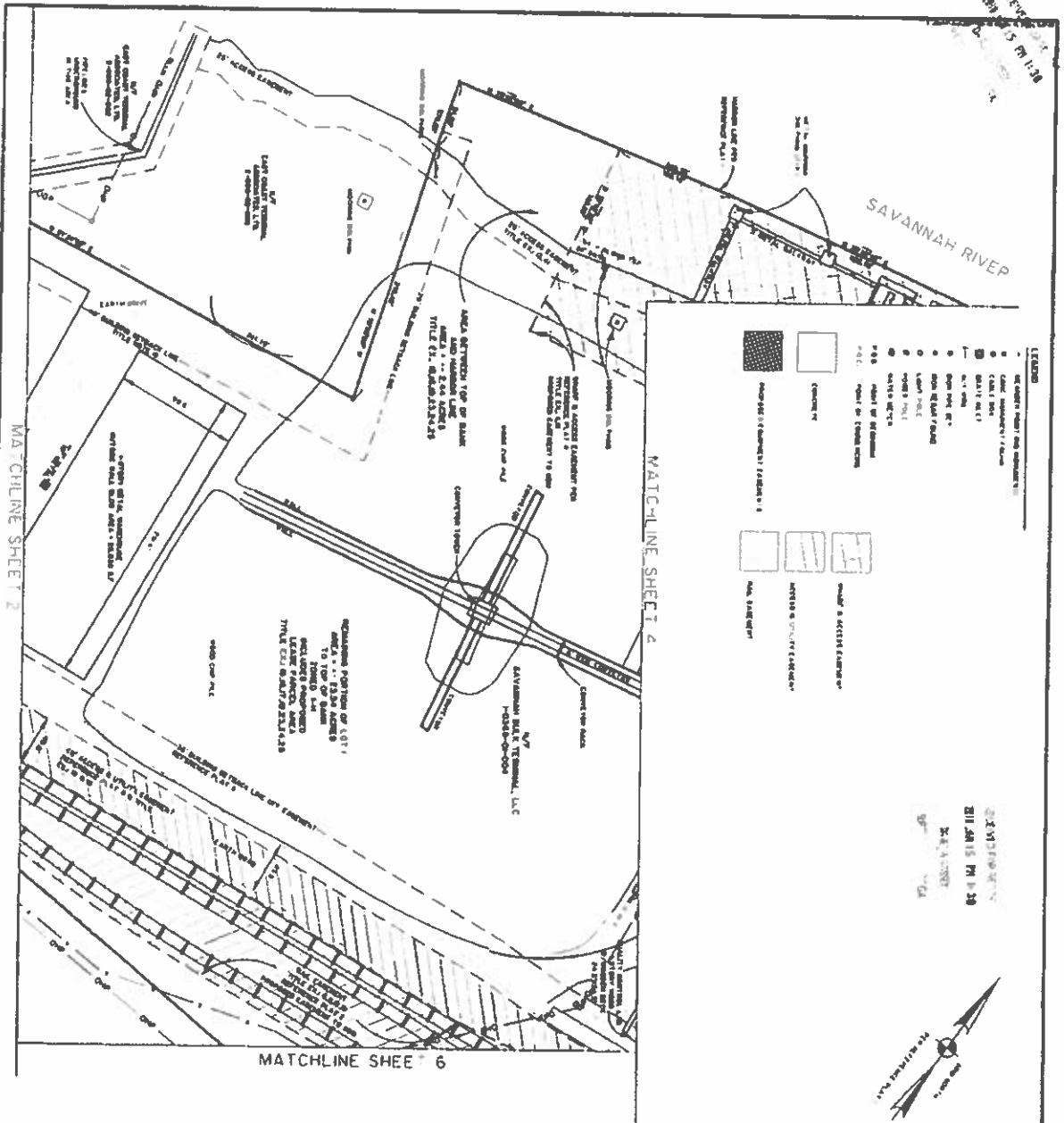
- REVISIONS:**
1. CORRECTED SUBMISSION NO. 1 OF THIS LOT FOR THE PURPOSE OF CHATHAM COUNTY AND ASSOCIATED, INC. 3-16-02
 2. A PLAN OF 28 AC. PORTION OF G.M. STRONG SAVANNAH, GEORGIA, INC. 3-16-02
 3. A SUBDIVISION OF 20 AC. ACRES PORTION OF G.M. STRONG SAVANNAH, GEORGIA, INC. 3-16-02
 4. CHATHAM COUNTY TAX MAP, PLAN 1-CO-04-01-011



<p>RECOMBINATION PLAN</p> <p>1/1</p>	<p>A RECOMBINATION OF A PORTION OF LOT 1 & LOT 2, FOREST COMMODITY CORPORATION, 5TH G.M. DISTRICT, CHATHAM COUNTY, STATE OF GEORGIA</p> <p>SURVEYED FOR: CEMPAC</p>	<p>Kern-Coleman & Co., LLC Consulting Engineers • Land Surveyors • Land Planners Architects • Landscape Architects • Environmental Scientists</p> <p>1441 Court 51406 • P.O. Box 11179 Savannah, Georgia 31416 Telephone (912) 354-4400 • Fax 912 354-1467 • Email kern@kerncoleman.com</p>
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DATE: 2/11/15
 TIME: 11:30 AM



LEGEND

- Centerline of road
- - - - - Easement
- Boundary of lot
- Boundary of tract
- Boundary of subdivision
- Boundary of county
- Boundary of state
- Boundary of federal
- Boundary of international
- Boundary of other
- Boundary of unknown
- Boundary of unrecorded
- Boundary of unapproved
- Boundary of unperfected
- Boundary of unenforced
- Boundary of unregistered
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- Boundary of unapproved
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- Boundary of unregistered
- Boundary of unrecorded
- Boundary of unapproved
- Boundary of unperfected
- Boundary of unenforced
- Boundary of unregistered

DATE: 2/11/15
 TIME: 11:30 AM



SCALE

1" = 20 FEET

1" = 40 FEET

1" = 80 FEET

1" = 160 FEET

1" = 320 FEET

1" = 640 FEET

1" = 1280 FEET

THOMAS & BILTON ENGINEERING CO.

2000 W. BIRMINGHAM BLVD., SUITE 200

BIRMINGHAM, AL 35202

PHONE: (205) 988-8888

FAX: (205) 988-8889

WWW.TBENGINEERING.COM

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

WALTON PROPERTY

31-4-416

PREPARED FOR:

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

43-P

42-B

REMAINING PORTION OF LOT 1

FOREST COMMODITY CORPORATION

SAVANNAH RIVER WALTON PROPERTY

31-4-416

PREPARED FOR:

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

WALTON PROPERTY

31-4-416

PREPARED FOR:

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

WALTON PROPERTY

31-4-416

PREPARED FOR:

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER

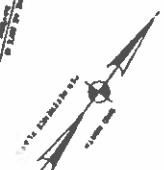
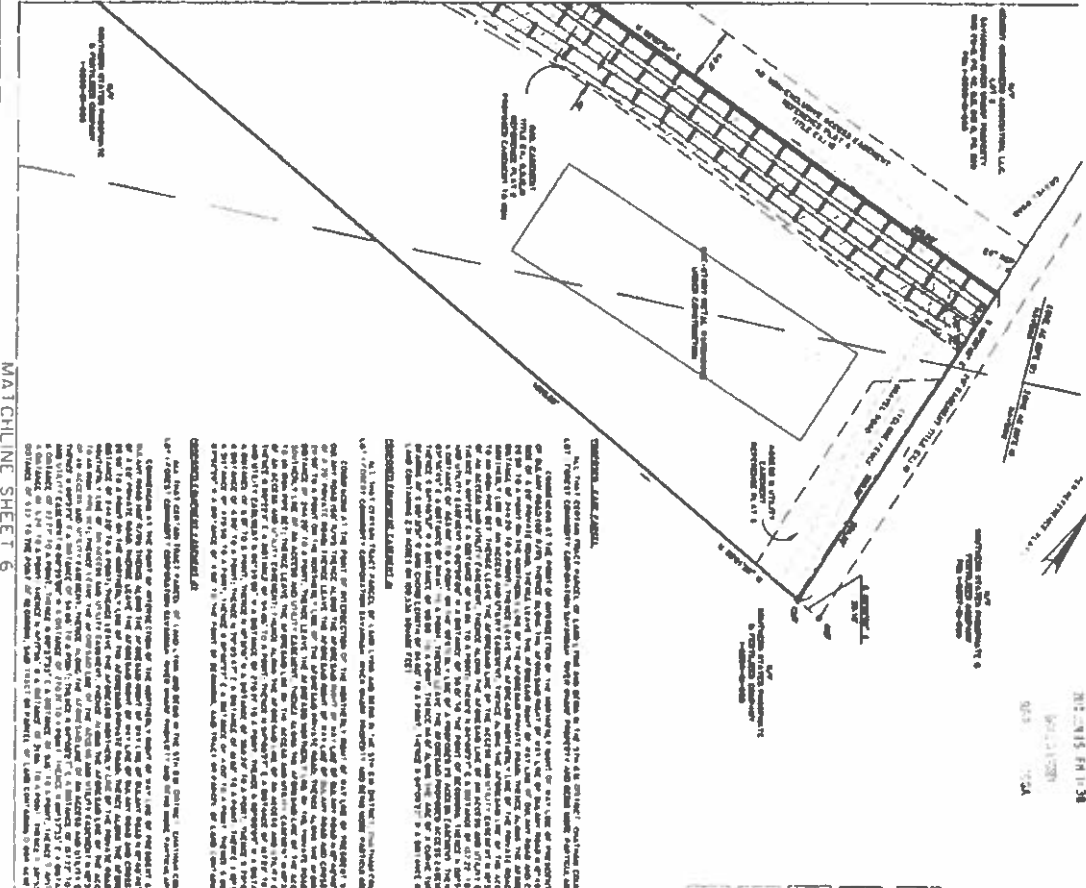
WALTON PROPERTY

31-4-416

PREPARED FOR:

SAVANNAH RIVER FEDERAL RESERVE

SAVANNAH RIVER



Symbol	Description
[Solid black]	Asphalt
[Diagonal lines /]	Gravel
[Diagonal lines \]	Grass
[Dotted pattern]	Concrete
[Stippled pattern]	Proposed Footprint
[Horizontal lines]	Water
[Vertical lines]	Other

MATCHLINE SHEET 6

43-P
42-E

THOMAS & EUTTON ENGINEERING CO.
1000 W. 10TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.TEENGINEERING.COM

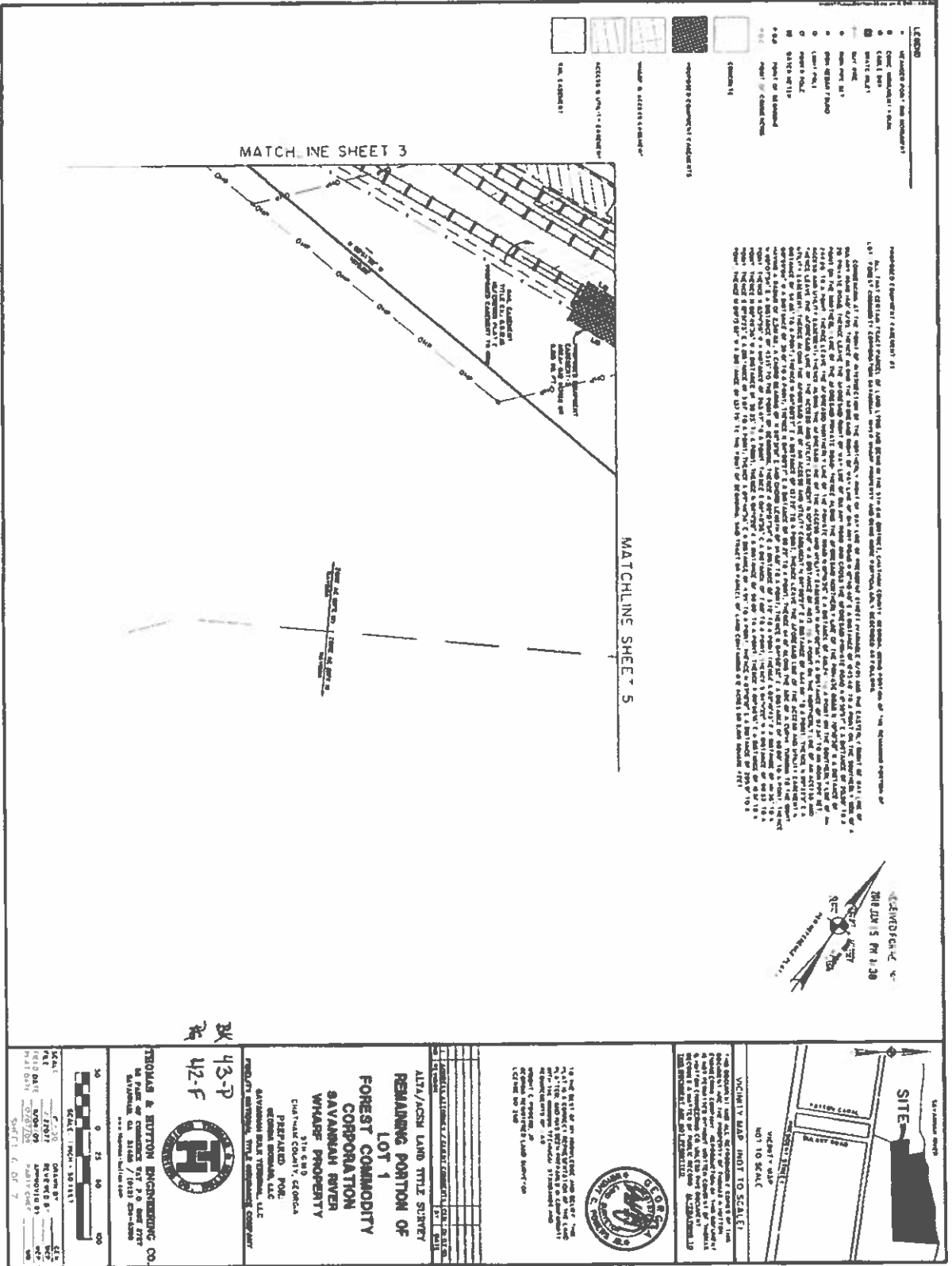


43-P
42-E

ALTA/ACS LAND TITLE SURVEY
REMAINING PORTION OF
LOT 1
FOREST COMMODITY
CORPORATION
SAVANNAH RIVER
WHAFFS PROPERTY

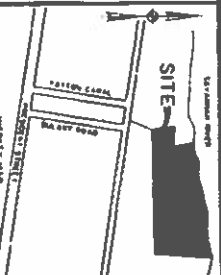
NOT TO SCALE
NORTH ARROW
SCALE: 1" = 50 FEET





APPROVED FOR RECORDATION BY THE CLERK OF SUPERIOR COURT OF THE STATE OF GEORGIA, COUNTY OF SAVANNAH, ON 04/11/2017 AT 10:00 AM. THE CLERK'S OFFICE IS AT 1000 MARKET STREET, SAVANNAH, GEORGIA 31401. THE CLERK'S OFFICE IS OPEN FROM 9:00 AM TO 5:00 PM, MONDAY THROUGH FRIDAY. FOR MORE INFORMATION, PLEASE CONTACT THE CLERK'S OFFICE AT (912) 241-1234.

RECORDED
 APR 15 PM 3:38
 NO OTHER PAID



NOT TO SCALE



TO THE BEST OF MY KNOWLEDGE AND BELIEF, I AM A LICENSED SURVEYOR IN THE STATE OF GEORGIA AND I HAVE PREPARED THIS SURVEY IN ACCORDANCE WITH THE GEORGIA SURVEYING ACT OF 1977 AND THE GEORGIA SURVEYING BOARD REGULATIONS. I HAVE NOT BEEN ADVISED OF ANY FACTS OR CONDITIONS THAT WOULD CAUSE ME TO BELIEVE THAT THIS SURVEY IS INACCURATE OR MISLEADING. I HAVE NOT BEEN ADVISED OF ANY FACTS OR CONDITIONS THAT WOULD CAUSE ME TO BELIEVE THAT THIS SURVEY IS INCOMPLETE OR UNREASONABLE. I HAVE NOT BEEN ADVISED OF ANY FACTS OR CONDITIONS THAT WOULD CAUSE ME TO BELIEVE THAT THIS SURVEY IS UNLAWFUL OR UNETHICAL. I HAVE NOT BEEN ADVISED OF ANY FACTS OR CONDITIONS THAT WOULD CAUSE ME TO BELIEVE THAT THIS SURVEY IS UNREASONABLE OR UNLAWFUL. I HAVE NOT BEEN ADVISED OF ANY FACTS OR CONDITIONS THAT WOULD CAUSE ME TO BELIEVE THAT THIS SURVEY IS UNREASONABLE OR UNLAWFUL.

ALTA/ASIM LAND TITLE SURVEY
 REMAINING PORTION OF
 LOT 1
 FOREST COMMODITY
 CORPORATION
 SAVANNAH RIVER
 WHARF PROPERTY
 CHATTAHOOCHEE COUNTY, GEORGIA
 310 510
 PREPARED FOR:
 SAVANNAH BULK TERMINAL, LLC
 1000 MARKET STREET, SAVANNAH, GEORGIA 31401

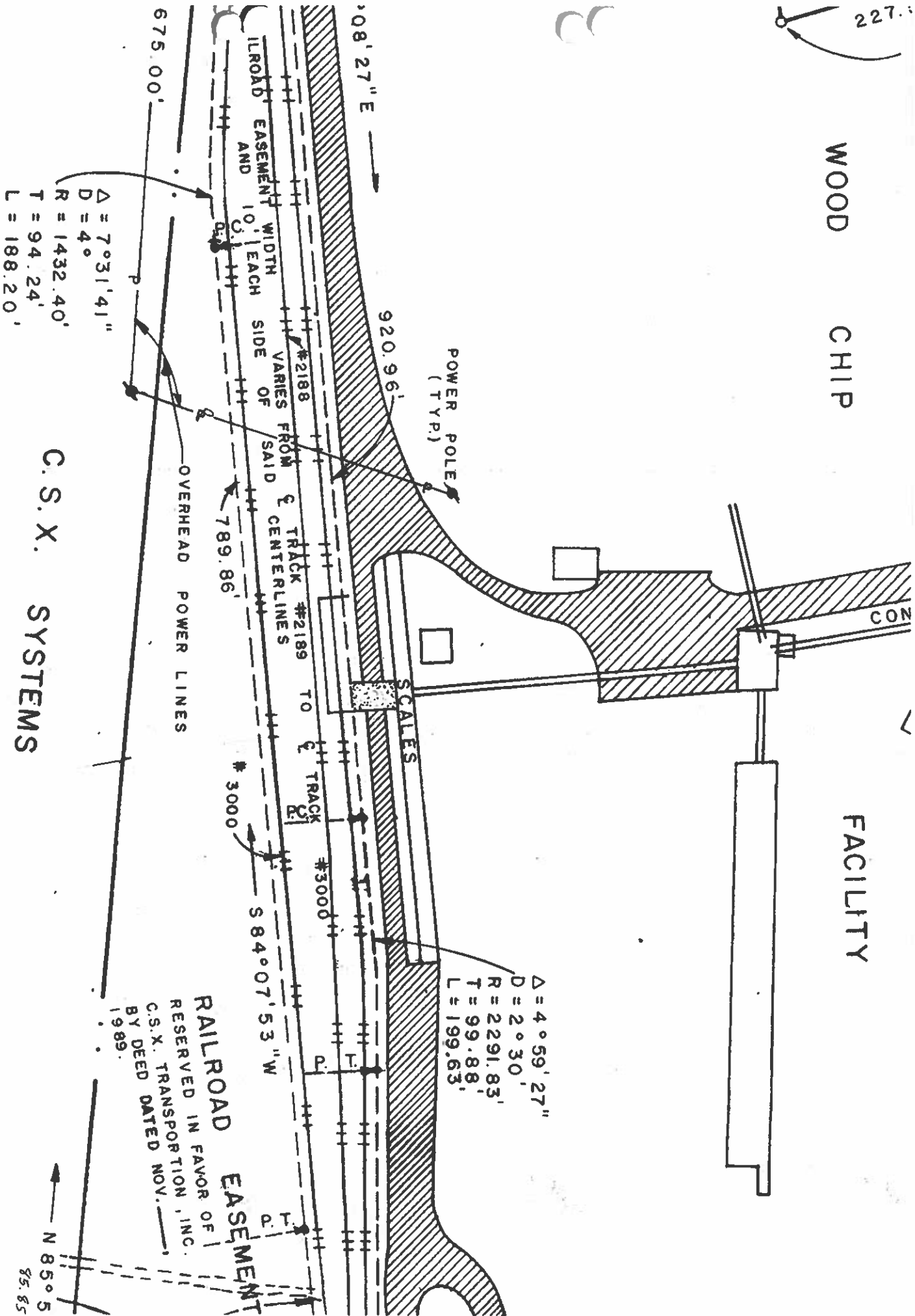
43-P
 42-F

THOMAS & EDITION ENGINEERING CO.
 1000 MARKET STREET, SAVANNAH, GEORGIA 31401
 912-241-1234

SCALE: 1" = 50' 11"

WOOD CHIP FACILITY

FACILITY



C. S. X. SYSTEMS

RAILROAD EASEMENT RESERVED IN FAVOR OF C.S.X. TRANSPORTATION, INC. BY DEED DATED NOV. 1989.

Doc ID: 029853020002 Type: QCD
Recorded: 05/05/2016 at 04:08:28 PM
Fee Amt: \$12.00 Page 1 of 2
Chatham, Ga. Clerk Superior Court
Daniel Massey Clerk Superior Court
BK 790 PG 288-289

SPACE ABOVE THIS LINE FOR RECORDING DATA

Return Recorded Document to:
WEINER, SHEAROUSE, WERTZ, GREENBERG & STAWIK, LLP
Attn: WILLIAM W. SHEAROUSE, JR.
14 E. State Street
Savannah, Georgia 31401
CS

STATE OF GEORGIA

COUNTY OF CHATHAM

QUIT CLAIM DEED

THIS INDENTURE, made this 29th day of April, 2016, between EAST COAST TERMINALS ASSOCIATES, LTD, party or parties of the first part, hereinafter called Grantor, and MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH:

WHEREAS that first party, for and in consideration of the sum of Seventy-Thousand and No/100's (\$70,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, convey, release and forever quit claim unto second party, its heirs, successors and assigns, the following described property, to-wit:

Bilbo Canal Drainage Improvements

Required Right of Way East Coast Terminal Associates, LTD.

All that certain tract or parcel of land lying and being in the 2nd C.M.D., City of Savannah, Chatham County, Georgia and being shown on a "Right of Way Plat Bilbo Canal Drainage Improvements" dated May 3, 2012, prepared by Thomas & Hutton Engineering Co., and recorded in Book 50, Page 487 in the Office of the Clerk of the Superior Court and being more particularly described as follows:

Commencing at the point of intersection of the westerly line of the CSX Transportation, Inc. property and the northerly right of way line of President Street (R/W Varies); thence along the aforesaid CSX property line N 18°28'19" E a distance of 1028.50 feet to a point on the common property line of CSX Transportation, Inc. and East Coast Terminal Associates, LTD; thence along the aforesaid property lines 84°07'00" W a distance of 5.94 feet to an iron pipe set at the Point of Beginning having Georgia State Plane East Zone NAD83 Coordinates N 756,952.71, E 994,587.57; thence S 84°07'00" W a distance of 27.59 feet to an iron pipe set; thence N 20°39'00" E a distance of 476.92 feet to an iron pipe set; thence S 88°01'00" E a distance of 70.26 feet to an iron pipe set; thence S 40°07'29" W a distance of 129.73 feet to an iron pipe set; thence S 20°26'08" W a distance of 364.78 feet to the Point of Beginning, having an area of 13,653 Square Feet or approximately 0.31 Acres of land.

Together with,

Easement for Construction & Maintenance of Storm Drainage East Coast Terminal Associates, LTD.

All that certain tract or parcel of land lying and being in the 2nd C.M.D., City of Savannah, Chatham County, Georgia and being shown on a "Right of Way Plat Bilbo Canal Drainage Improvements" dated May 3, 2012, prepared by Thomas & Hutton Engineering Co., and being more particularly described as follows:

Commencing at the point of intersection of the westerly line of the CSX Transportation, Inc. property and the northerly right of way line of President Street (R/W Varies); thence along the aforesaid CSX property line N 18°28'19" E a distance of 1028.50 feet to the Point of Beginning on the common property line of CSX Transportation, Inc. and East Coast Terminal Associates, LTD; thence S 84°07'00" W a distance of 5.94 feet to a point; thence N 20°26'08" E a distance of 364.78 feet to a point; thence N 40°07'29" E a distance of 129.73 feet to a point; thence S 88°01'00" E a distance of 6.77 feet to a point; thence S 40°07'29" W a distance of 132.99 feet to a point; thence S 20°26'08" W a distance of 361.22 feet to the Point of Beginning, having an area of 2,632 Square Feet or approximately 0.06 Acres of land.

TO HAVE AND TO HOLD the said property, together with all and singular the rights, members, hereditaments, improvements, easements and appurtenances thereto belonging or in anywise appertaining unto second party, its heirs, successors and assigns, so that either first party nor any person or persons claiming under them shall have, claim or demand any right to the above described property, or its appurtenances.

IN WITNESS WHEREOF, the said party of the first part has hereunto executed this instrument by and through its duly authorized corporate officers, with the Corporate Seal attached hereto, on the day and year first above written.

EAST COAST TERMINALS ASSOCIATES, LTD
BY: Weatherth Industries, Ltd., its sole general manager,

By: Frank Peeples, Jr., CEO

Signed, sealed and delivered
in the presence of:

Victoria D. Foley
(Unofficial witness)

Victoria D. Foley
Notary Public

My Commission Expires: ..



SECTION A - SELLER'S INFORMATION (Do not use agent's information)				SECTION C - TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME East Coast Terminals Associates, LTD				Exempt Code If no exempt code enter NONE	Govt/NonProfit Public Corp
MAILING ADDRESS (STREET & NUMBER) 21 East Broad Street				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$70,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Savannah, GA 31401 USA		DATE OF SALE 4/29/2016		1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B - BUYER'S INFORMATION (Do not use agent's information)				2. Fair market value of Personal Property only	\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Mayor and Aldermen of the City of Savannah				3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 2 E. Bay Street				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Savannah, GA 31401 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00
SECTION D - PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION			SUITE NUMBER
COUNTY CHATHAM		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 2000602002	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK
SECTION E - RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE	

ADDITIONAL BUYERS
None



MARK WILLIAMS
COMMISSIONER

A.G. SPUD WOODWARD
DIRECTOR

JUN 13 2014

Alton Brown
Resource & Land Consultants
41 Park of Commerce Way, Ste.303
Savannah, Georgia 31405

**RE: Coastal Marshlands Protection Act Permit # 691, Savannah Bulk Terminal, L.L.C.,
Modification to an Existing Commercial Wharf, Savannah River, Chatham County,
GA**

Dear Mr. Brown:

The Coastal Marshlands Protection Committee considered and approved permit #691 referenced above under the Coastal Marshlands Protection Act O.C.G.A. 12-5-280 *et seq.* The permit and permit conditions are attached to this letter. All decision documents, as well as all other plans, documents and materials submitted during the application process become terms of this permit and are now enforceable conditions.

Staff of the Coastal Management Program has reviewed the above referenced application pursuant to Section 404 of the Clean Water Act and/or Section 10 of the River and Harbors Act or 1899 for consistency with the Georgia Coastal Management Program (GCMP). The Program concurs with the applicant's consistency certification to the extent that the project adheres to all conditions and restrictions of Coastal Marshlands Protection Act Permit #691. Issuance of a federal permit that does not contain the same conditions and/or restriction, as any issued state permit, does not alleviate the permittee from adhering to all components of state permits.

This letter and attachments are to be held by you for your files and for inspection by any authorized persons. The expiration date for the permit is five (5) years from the date of issuance. However, no construction may commence within the area of jurisdiction of the Act until the expiration of thirty (30) days following the date of issuance, provided there is no legal appeal of this permit, you have all other necessary federal, state and local authorizations and you have met all of the standard and special conditions as required by this permit.

Permitted Project Description:

Modifications to an existing commercial wharf structure. The modifications will add approximately 239.5 sq. ft. (0.005 acres) of new net impacts for a total impact of approximately 10,544 sq. ft. (0.24 acres) to coastal. **Standard and Special conditions apply to this permit.**

Marsh Component:

The modifications include the demolition of an approximate 21' x 21' (441 sq. ft.) metal mooring dolphin, two 4' x 23.5' (188 sq. ft.) metal walkways, and a 10' x 70' (700 sq. ft.) metal

JUN 13 2014

walkway for a total of 1,329 sq. ft. from within coastal marshlands. The modifications also include the addition of two approximate 23.5' x 29.5' (1,386.5 sq. ft.) concrete pile breasting dolphins, a 4' x 23.5' (94 sq. ft.) metal walkway, and a 4' x 22' (88 sq. ft.) metal walkway for a total of 1,568.5 sq. ft. of impacts. The modification impacts will add approximately 239.5 sq. ft. (0.005 acres) of coastal marshlands for a total of approximately 10,544 sq. ft. (0.24 acres) sq. ft. of jurisdictional impacts.

Upland Component:

There is no upland area meeting the definition of "upland component" as defined in Rule 391-2-3-.02 "Regulation of Upland Component of a Project. Amended."

Permit Placard:

Enclosed is the permit placard to be posted at the work site (within 24 hours) for the duration of the construction activity.

Post Construction Requirements: Compliance Certification and File Maintenance

Also enclosed is a *Certification of Compliance* that must be submitted to us within 30 days following completion of the permitted activity. Please include this compliance form with the post-construction survey, if required under the special conditions. Department staff will assess compliance and provide you with a written verification of project completion and compliance.

Conveyance of Ownership Interest:

If you as the permit holder sell, lease, rent, or otherwise convey the land or any portion of the land for which the permit was issued, you must notify the Department within 30 days of this transfer or conveyance. The permit shall continue in force in favor of the new owner, lessee, tenant, or other assignee so long as there is no change in the use of the land as set forth in the original application. The Department will transfer the permit to the new owner with all of the original terms and conditions.

We ask that you carefully read through this document and attachments and comply with the terms and conditions of this permit. Feel free to contact me if you need clarification of any of these conditions or for assistance with this project.

Sincerely,



Brad Gane
Chief
Ecological Services Section

Enclosures: CMPC Permit #691 and Permit Conditions, Compliance Certificate, Permit Placard, Drawings

cc: Savannah District Corps of Engineers
ATTN: Sarah Wise
100 West Ogelthorpe Avenue
Savannah, GA 31401

File #CMP20130049



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

**Coastal Marshlands Protection Committee Permit #691
Final Conditions
June 12, 2014**

**Savannah Bulk Terminal, L.L.C.
Modification to an Existing Commercial Wharf
Savannah River, Chatham County, Georgia**

Project Description: Modifications to an existing commercial wharf structure. The modifications will add approximately 239.5 sq. ft. (0.005 acres) of new net impacts for a total impact of approximately 10,544 sq. ft. (0.24 acres) to coastal. Standard and Special conditions apply to this permit.

Marsh Component:

The modifications include the demolition of an approximate 21' x 21' (441 sq. ft.) metal mooring dolphin, two 4' x 23.5' (188 sq. ft.) metal walkways, and a 10' x 70' (700 sq. ft.) metal walkway for a total of 1,329 sq. ft. from within coastal marshlands. The modifications also include the addition of two approximate 23.5' x 29.5' (1,386.5 sq. ft.) concrete pile breasting dolphins, a 4' x 23.5' (94 sq. ft.) metal walkway, and a 4' x 22' (88 sq. ft.) metal walkway for a total of 1,568.5 sq. ft. of impacts. The modification impacts will add approximately 239.5 sq. ft. (0.005 acres) of coastal marshlands for a total of approximately 10,544 sq. ft. (0.24 acres) sq. ft. of jurisdictional impacts.

Upland Component:

There is no upland area meeting the definition of "upland component" as defined in Rule 391-2-3-.02 "Regulation of Upland Component of a Project. Amended."

COASTAL MARSHLANDS PROTECTION ACT STANDARD CONDITIONS

1. The project must comply, as applicable, for areas permitted herein, with all other federal, state, and local statutes, ordinances, and regulations and the applicant must obtain all licenses and permits prior to commencement of construction.
2. This permit does not resolve actual or potential disputes regarding ownership of, rights in or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests.
3. All plans, documents and materials contained in this permit application, required by Coastal Marshlands Protection Act of 1970, as amended O.C.G.A. § 12-5-280 *et seq.* are a part of this permit and conformance to such plans, documents, and materials are a condition of this

- permit. No change or deviation from these plans, documents, and materials shall be permitted without prior notification and approval by the Department or CMPC.
4. No further encroachment or construction shall take place within state jurisdiction, except as permitted by the CMPC. Any modification of the plans or structure in the jurisdictional area must be reviewed and approved by the Department or the CMPC, as necessary, prior to construction.
 5. No construction or alteration of a project may commence until the expiration of 30 days following the date on which the application is approved; provided however that if a timely appeal is filed, no construction or alteration may commence until all administrative and judicial proceedings are terminated.
 6. The permit must be posted onsite within twenty-four (24) hours of beginning construction.
 7. A copy of these and all permit conditions must be supplied to the person in charge of construction. All contractors and subcontractors are responsible for strict adherence to all permit conditions.
 8. All Best Management Practices (BMPs) should be used to prevent any erosion and sedimentation at the site. No equipment, materials, or debris may be placed in, disposed of, or stored in jurisdictional areas. Any visible alterations in the marsh topography will be restored immediately using low-impact hand tools. Any damage to the marsh vegetation that has not recovered naturally during the next growing season will be repaired by a method acceptable to the Department.
 9. If the permitted improvements are damaged, fall into disrepair, become dilapidated, or are not meeting their expected usefulness and are not maintained at a serviceable level, it is the responsibility of the owner to remove the improvements. A new permit will be required to retain and repair the structure, improvement, or asset if it loses its structural integrity and is no longer serviceable.
 10. The CMPC is not bound in the future to protect any improvement or asset authorized by the permit.

SPECIAL CONDITIONS

1. Permittee may be required to provide a post-construction survey. Such survey shall comply with the Georgia Plat Act O.C.G.A. 15-6-67 et. seq.

Georgia Coastal Marshlands Protection Committee

PERMIT

Issued Pursuant to O.C.G.A. 12-5-280

To: Savannah Bulk Terminals, L.L.C.

For: Modifications to an existing commercial wharf structure. The modifications will add approximately 239.5 sq. ft. (0.005 acres) of new net impacts for a total impact of approximately 10,544 sq. ft. (0.24 acres) to coastal. **Standard and Special conditions apply to this permit.**

Date: June 12, 2014

Expiration Date: June 12, 2019

Permit Number: 691

Authorized By:





For further information, please contact the DNR Coastal Resources Division at (912) 264-7218



STATE OF GEORGIA
REVOCABLE LICENSE REQUEST
IN CONNECTION WITH A COASTAL MARSHLANDS PROTECTION COMMITTEE PERMITTED PROJECT
PERMIT # _____

GA DNR / HMP

FEB 03 2014

APPLICANT NAME: Savannah Bulk Terminal, L.L.C. c/o Frank K. Peeples, Jr.
MAILING ADDRESS: Post Office Box 2253 Savannah, GA 31401
PROJECT ADDRESS/LOCATION: 136 Marine Terminal Drive, Savannah, GA
COUNTY: Chatham, 5th G.M. District WATERWAY: Savannah River DATE: November 19, 2013
LOT, BLOCK & SUBDIVISION NAME: For tidelands or water bottoms appurtenant to all those certain lots, tracts or parcels of land, situate, containing 29.851 acres, lying and being in the 5th G.M. District, Chatham County, Georgia, as conveyed by a Warranty Deed recorded at Deed Book 281H, Page 323, in the Chatham County, Georgia land records. Said lots, tracts or parcels of land are known as Parcel 1 or the remaining portion of Lot 1, as described and identified on surveys and plats dated October 30, 1989 and March 12, 1999 by Bert S. Barrett, Sr., GRLS, on file with the GDNR/CRD.

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Brunswick, Georgia 31520-8687

Dear Sir:

I am making application for a permit with the U.S. Department of the Army, Corps of Engineers, Savannah District. I understand that the issuance of such a permit will not relieve me of the obligation to obtain authorization from the State of Georgia since the proposed project would constitute an encroachment on the beds of tidewaters which are State-owned property. Accordingly, I hereby request that I be granted a revocable license from the State of Georgia. Attached hereto and made a part of this request is a copy of the plans and description of the project that will be the subject of such a license. I certify that all information submitted is true and correct to the best of my knowledge and understand that willful misrepresentation or falsification is punishable by law.

I understand that if permission from the State is granted, it will be a revocable license and will not constitute a license coupled with an interest. I acknowledge that this revocable license does not resolve any actual or potential disputes regarding the ownership of, or rights in, or over the property upon which the subject project is proposed, and shall not be construed as recognizing or denying any such rights or interests. I acknowledge that such a license would relate only to the property interests of the State and would not obviate the necessity of obtaining any other State license, permit or authorization required by State law. I further acknowledge that I will have no live aboards, nor allow them to occur, at this structure. I recognize that I waive my right of expectation of privacy and I do not have the permission of the State of Georgia to proceed with such project until the Commissioner of DNR has signed a copy of this request.

Sincerely,


SAVANNAH BULK TERMINAL, L.L.C.

By: _____
FRANK K. PEEPLES, JR., MANAGER

Attachment

The State of Georgia hereby grants you a revocable license not coupled with an interest as provided in your request. This area may now or in the future be utilized by boats employing power drawn nets under the provisions for commercial or sport bait shrimping. In its occupancy and use of the premises, licensee shall not discriminate against any person on the basis of race, gender, color, national origin, religion, age, or disability. This covenant by licensee may be enforced by termination of this license, by injunction, and by any other remedy available at law to the Department. The project proposed for this license must be completed within 5 years of the date of issuance of this license and must be maintained in serviceable condition. Otherwise, action will be initiated to revoke this license and all structures must be removed immediately at the licensee's expense.

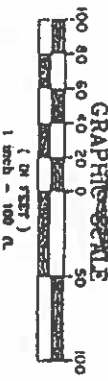
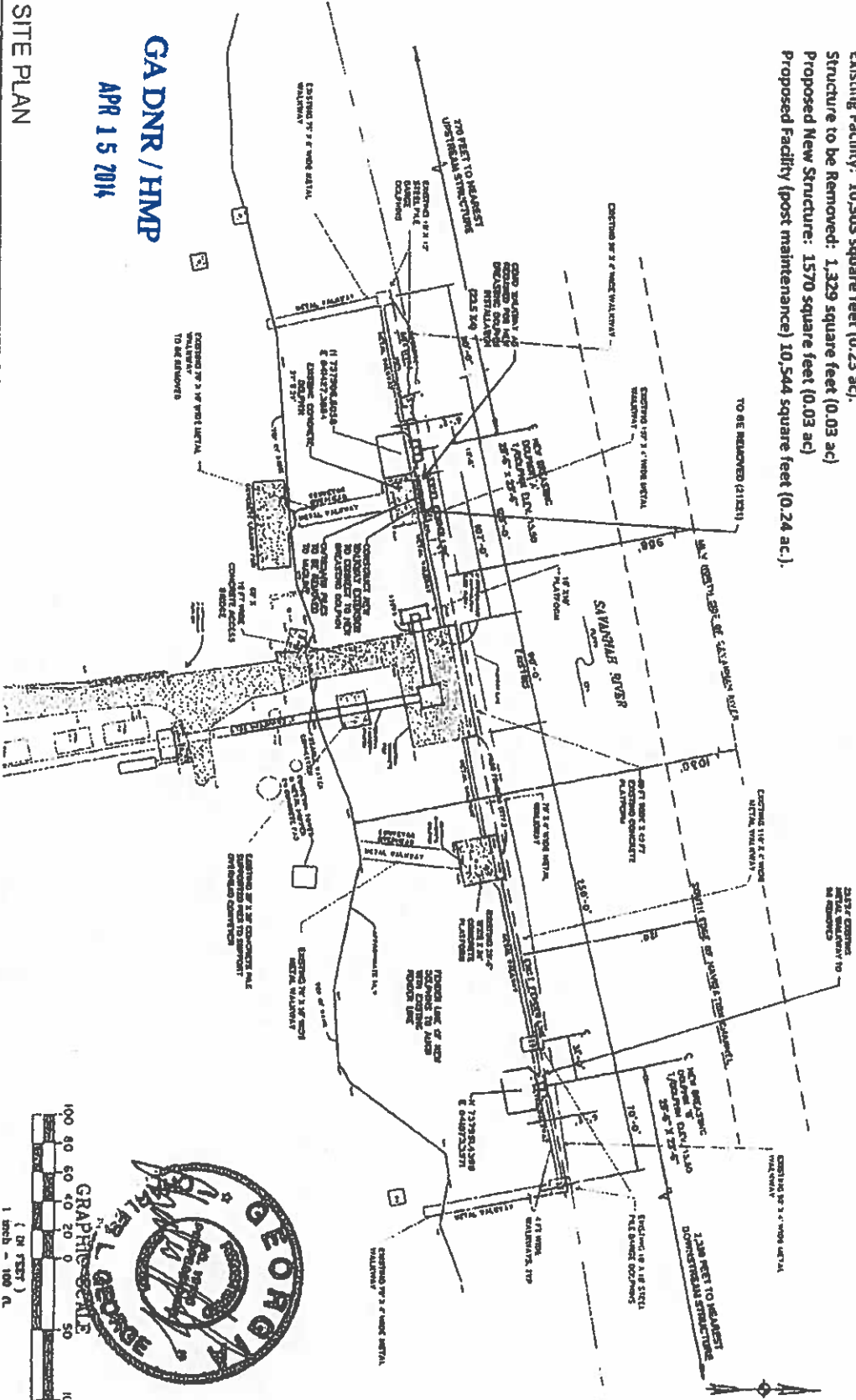
STATE OF GEORGIA
Office of the Governor

By: 
For: Mark Williams, Commissioner-DNR

Date: _____
Site #02012006_123000PM

JUN 13 2014

Existing Facility: 10,303 square feet (0.23 ac).
 Structure to be Removed: 1,329 square feet (0.03 ac)
 Proposed New Structure: 1570 square feet (0.03 ac)
 Proposed Facility (post maintenance) 10,544 square feet (0.24 ac).



PEEPLER INDUSTRIES

SAVANNAH, GEORGIA
 APPLICANT:
 PEEPLER INDUSTRIES

DATE: AUG. 16, 2013
 COUNTY: CHATHAM

GA DNR / HMP

APR 15 2014

SITE PLAN

PROPOSED ACTIVITY:
 EAST COAST TERMINALS
 BREASTING DOLPHIN INSTALLATION

DATUM
 M.L.W.

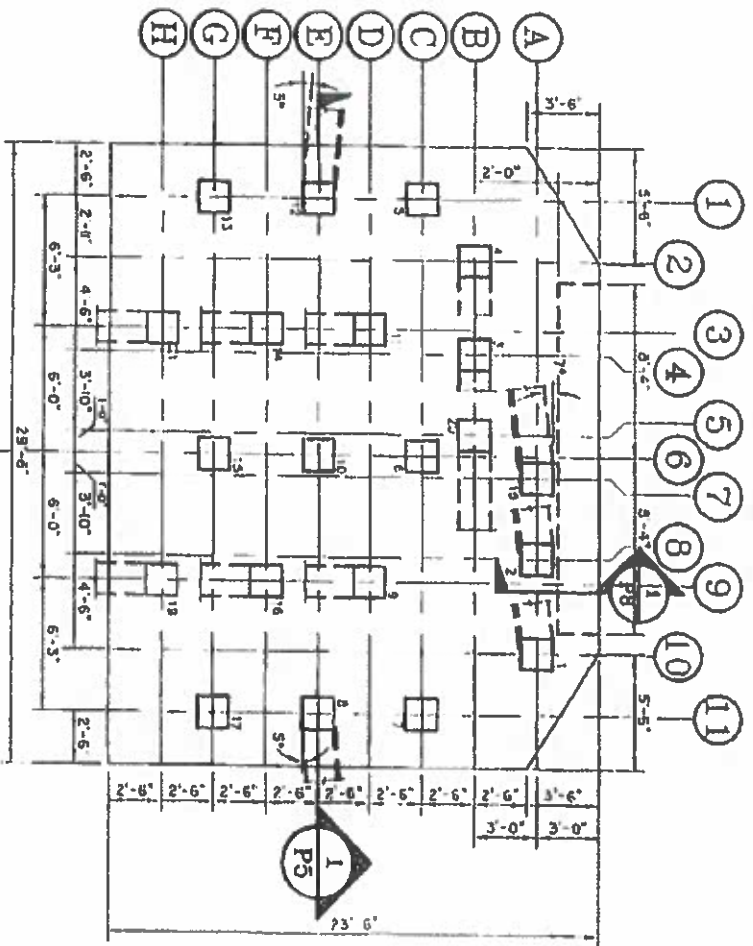
SCALE:
 1"=100'

SHEET NO. 3 of 5

THOMAS & HUTTON
 50 PARK OF COMMERCE WAY • PO BOX 2727
 SAVANNAH, GA 31402-2727 • 912.234.5300
 www.thomasandhutton.com

The user warrants to warrant data of the design which is for design purposes only, and not for use in any other manner. The user shall be responsible for obtaining all necessary permits and for obtaining professional engineering services for design and construction. The user shall be responsible for obtaining all necessary permits and for obtaining professional engineering services for design and construction. The user shall be responsible for obtaining all necessary permits and for obtaining professional engineering services for design and construction.


COPYRIGHT © 2011 THOMAS & HUTTON



1
P4

BREASTING DOLPHIN PLAN

SCALE: 1/4" = 1'-0"

- NOTE:
1. ALL BATTERS 3 1/2:12.
 2. ALL NEW PILES ARE 18" SQUARE PRECAST CONCRETE PILES SHALL BE DRIVEN TO 80 TON CAPACITY. ESTIMATED PILE LENGTH = 80 FT.
 3.  - INDICATES BATTER PILE.

BREASTING DOLPHIN PLAN

PEEPLER INDUSTRIES

SAVANNAH, GEORGIA

APPLICANT:

PEEPLER INDUSTRIES

DATE: AUG. 16, 2013

COUNTY: CHATHAM

[Signature]
c3/14/14

JOB #: J-24331

PROPOSED ACTIVITY:
EAST COAST TERMINALS
BREASTING DOLPHIN INSTALLATION

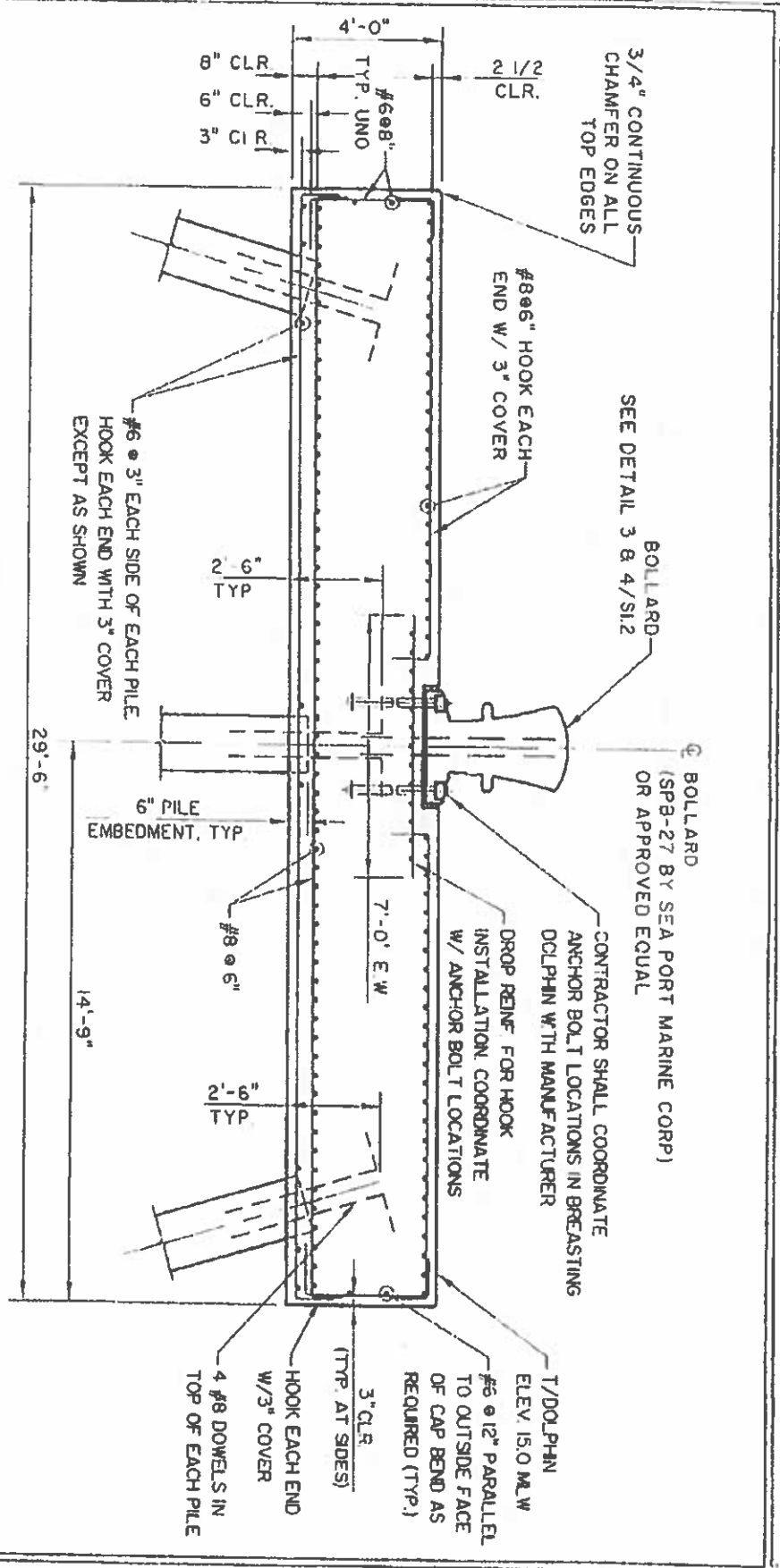
DATUM:
M.L.W.

SCALE:
AS SHOWN

SHEET NO: 4 OF 5

THOMAS & HUTTON
50 PARK OF COMMERCE WAY - PO BOX 2727
SAVANNAH, GA 31402-2727 - 912.234.5300
www.thomasondredging.com

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BREASTING DOLPHIN SECTION

1 SECTION
P5

SCALE: 1/4" = 1'-0"

PEEPLER INDUSTRIES
SAVANNAH, GEORGIA
APPLICANT:
PEEPLER INDUSTRIES
DATE: AUG. 16, 2013
COUNTY: CHATHAM

[Signature]
03/14/14

JOB #: J-24331

PROPOSED ACTIVITY:
EAST COAST TERMINALS
BREASTING DOLPHIN INSTALLATION

DATUM:
M.L.W.

SCALE:
AS SHOWN

SHEET NO: 5 of 5

THOMAS & HUTTON
50 PARK OF COMMERCE WAY - PO BOX 2727
SAVANNAH, GA 31402-2727 • 912.234.5300
www.thomasandhutton.com

The work described is a general part of the development which is for educational purposes only. It does not constitute a contract or warranty, and is subject to change without notice without liability to the provider. Contractors, designers and other parties are to be held responsible for their own work and to coordinate with the provider for any and all required permits and approvals. COPYRIGHT © 2011 THOMAS & HUTTON



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

**CERTIFICATION OF COMPLIANCE
FOR THE CONSTRUCTION AND MAINTENANCE
OF PROJECTS PERMITTED UNDER
THE COASTAL MARSHLAND PROTECTION ACT**

PERMITTEE:

Name: Savannah Bulk Terminal, L.L.C.
City or Town: Savannah
Island or Waterway: Savannah River
County: Chatham
Permit Number: 691

Within 30 days of completion of the activity authorized by this permit, sign this certification and return to the Habitat Management Program of the Ecological Services Section at the address listed below.

Please note that your permitted activity is subject to compliance inspections by DNR representatives before and after completion of the project. If you fail to comply with the permit terms and conditions it may be subject to suspension, modification, or revocation.

Permittee Statement

"I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit."

Signature of Permittee:

Date: _____



12 July 2021

Army Corps of Engineers Savannah District
Attn: Mr. William Rutlin
100 West Oglethorpe Avenue
Savannah, Georgia 31402-0889

**Subject: Coastal Marshlands Permit Application
Savannah Bulk Terminal Breasting Dolphins
Chatham County, Georgia**

RLC# 13-135.2

Dear Mr. Rutlin:

Resource & Land Consultants (RLC), on behalf of Savannah Bulk Terminal, LLC, is submitting the attached Pre-Construction Notification requesting Nationwide #3 concurrence to facilitate installation of a breasting dolphin. The subject property is located adjacent to and south of the Savannah River and east of Marine Terminal Drive in Savannah, Georgia (32.079344°, -81.063729°). For your review and use, the attached information includes the following:

- GADNR Permit Application Forms & Project Description
- 2014 USACE & GADNR Permit Actions
- RLC Figures & Permit Drawings
- CMPA Checklist
- Hazardous Waste Site Index
- Property Ownership Documentation
- Adjacent Landowner Information
- Zoning Request Letter
- Threatened & Endangered Species Information
- GNAHRGIS Exhibit

We greatly appreciate your assistance with this project. If you have any questions or require additional information, please do not hesitate to contact us at (912) 443-5896.

Sincerely,

Alton Brown, Jr.
Principal
Resource & Land Consultants

Enclosures

cc: Mr. Frank Peeples – Savannah Bulk Terminal, LLC
Mr. Bradley Smith – GADNR-EPD
Mr. Josh Noble – GADNR-CRD

Clock#: 615666
FILED FOR RECORD

12/31/2004 01:13pm

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

Prepared by and return to:
Edwin W. King, Jr. PAID: 22.00
Post Office Box 9873
Savannah, GA 31412
Susan D. Prouse, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

WARRANTY DEED

PAID \$4365.90

THIS INDENTURE, made this 30th day of December, 2004, between FOREST

COMMODITY CORPORATION, a Georgia corporation, of the State of Georgia, and County of Chatham, party of the first part, and SAVANNAH BULK TERMINAL, L.L.C. a Georgia limited liability company, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN AND NO 100'S DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed unto the said party of the second part, its successors and assigns its interest in that tract or parcel of land lying and being in Chatham County, Georgia, described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of it, the said part of the second part, its successors and assigns forever, **IN FEE SIMPLE**

AND THE SAID PARTY of the first part, for its successors and assigns will warrant and forever defend the right and title to the above described property unto the said property of the second

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part, its successors and assigns, against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal, the day and year above written.

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Signed, sealed, and delivered
in the presence of:

[Signature]
Witness

Jean L. McCullough
Notary Public

My Commission Expires **JEAN L. McCULLOUGH**
Notary Public, Chatham County, GA
My Commission Expires February 4, 2008



FOREST COMMODITY CORPORATION

By: [Signature]
Frank K. Peeples, Jr.
CEO

Attest: Ann P. Cook
Secretary
[CORPORATE SEAL]

LEGAL DESCRIPTION

PARCEL 1:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East a distance of 248.87 feet; thence South 55 degrees, 5 minutes 40 seconds East a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East a distance of 851.09 feet to a point; running thence North 85 degrees 51 minutes 25 seconds West a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West a distance of 227.57 feet to the point of Beginning.

Said tract contains 29.851 acres, more or less, according to survey and plat thereof dated October 30, 1989, by Bert S. Barrett, Sr., Georgia R.L.S., which is hereby incorporated as a part hereof by references.

PARCEL 2:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

Commencing at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point, which is the Point of Beginning.

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Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to harbor line point No. P-115; thence North 81 degrees 04 minutes 13 seconds East a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West a distance of 42.43 feet to the Point of Beginning.

PARCEL 3:

A perpetual non-exclusive right and easement over and across the hereinafter described property situate, lying and being in the 5th G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less.

Beginning at a point on the East line of Bilbo Canal where it intersects the Southwestern corner of property now or formerly of East Coast Terminals Associates, Ltd., as shown on the afore referenced survey dated October 30, 1989, made by Bert S. Barrett, Sr., Georgia R.L.S., and running thence North 84 degrees 07 minutes East a distance of 503.49 feet to a point; running thence North 73 degrees 16 minutes East a distance of 147.33 feet to a point; running thence North 80 degrees 43 feet East a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West a distance of 149.53 feet; running thence South 84 degrees 07 minutes West a distance of 527.26 feet to a point on the East line of the Bilbo Canal; running thence along said East line North 20 degrees 39 minutes East a distance of 44.71 feet to the Point of Beginning.

PARCEL 4:

A perpetual nonexclusive right and easement over and across the hereinafter described property:

ALL that certain tract or parcel of land situate, lying and being in the City of Savannah, Chatham County, Georgia, in Lamar Ward, containing 1.88 acres, more or less, being a former portion of Harbor Street (formerly known as St. Julian Street) and being described as follows:

Beginning at the point of intersection of the West right-of-way street, as the same existed on January 13, 1980, which point is marked by a concrete monument and running thence South 83

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degrees 49 minutes West a distance of 877.15 feet to a point on the right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 60 degrees 11 minutes West along the Easterly right-of-way line of Harbor Street a distance of 90.91 feet to a point on the North right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 83 degrees 49 minutes East along the right-of-way line of Harbor Street, as the same existed on January 13, 1980, a distance of 926.30 feet to a point on the West right-of-way line at Bilbo Canal, which point is marked by a concrete monument; thence running South 22 degrees 13 minutes West along the West right-of-way line at Bilbo Canal a distance of 103.35 feet to the point of beginning.

Said tract as shown on a plat of survey dated January 31, 1980 made by Bert S. Barrett, Georgia RLS, and recorded in Plat Record Book DD, Folio 133 of the Records of Chatham County, Georgia, and on a plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS, to both of which surveys reference is hereby made for a more complete description.

PARCEL 5:

ALL right, title and interest of Grantor under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, recorded in Deed Book 112-M, page 739 of the records of Chatham County, Georgia in and to the following described property:

ALL that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the south bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which form the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor on pier line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the Northward projection of the Eastern property line of the tract described in said lease from said high water line to harbor line marker P-117; and on the West by the northward projection of the Western property line of the tract described in said Lease from said high water line to harbor line marker P-107, the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in Plat Book BB, Folio 13, of the records of Chatham County, Georgia.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal", a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land

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between said high water line or mark (adjacent to said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the south harbor or pier line of the Savannah River, wherever its exact location.

The property described in said irrevocable easement is the same property described as Parcel 2.

LESS AND EXCEPT FROM PROPERTY DESCRIBED IN SCHEDULE "A"

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia and being known and designated as Lot 2 of a recombination (showing all access easements) of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Subdivision Map Book 29-S, at page 42. Said Lot 2 contains 5.659 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or formerly of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, recorded in Deed Book 143-Z, Page 540, in said Clerk's office.

AND ALSO, all of the Grantor's right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat, on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line, on the South by the aforesaid lower low water line of the Savannah River line of the Savannah River, and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

AND ALSO, for the benefit of Cement Consumers Association, LLC ("CEMPAC"), a Georgia limited liability company, (which is purchasing said Lot 2 from Grantee) and CEMPAC'S successors and assigns;

- (1) A permanent, non-exclusive access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the southwest corner of said Lot 2 over, under and across the adjoining Lot 1 now owned by FCC and extending westward over, under and across lands now or formerly of CSX and East Coast Terminals Association to Harbor Street, a public street in the City of Savannah.
- (2) A permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003 between FCC and CEMPAC, connecting said Lot 2 with the

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wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

- (3) A permanent, non-exclusive easement over that portion of said Lot 1 located adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and related equipment which may be necessary for the proper loading and unloading at CEMPAC's terminal to be built on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

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Clock#: 615666
FILED FOR RECORD

12/31/2004 01:13pm

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

Prepared by and return to:
Edwin W. King, Jr. PAID: 22.00
Post Office Box 9873
Savannah, GA 31412
Susan O. Prouse, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

PAID \$4365.90

WARRANTY DEED

THIS INDENTURE, made this 30th day of December, 2004, between ~~Edwin W. King, Jr.~~ *[Signature]*

COMMODITY CORPORATION, a Georgia corporation, of the State of Georgia, and County of Chatham, party of the first part, and SAVANNAH BULK TERMINAL, L.L.C. a Georgia limited liability company, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of TEN AND NO 100'S DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed unto the said party of the second part, its successors and assigns its interest in that tract or parcel of land lying and being in Chatham County, Georgia, described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of it, the said part of the second part, its successors and assigns forever, **IN FEE SIMPLE**

AND THE SAID PARTY of the first party, for its successors and assigns will warrant and forever defend the right and title to the above described property unto the said property of the second

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part, its successors and assigns, against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and affixed its seal, the day and year above written.

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Signed, sealed, and delivered
in the presence of:

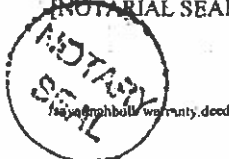
J. McCullough
Witness

FOREST COMMODITY CORPORATION

By: *Frank K. Peoples, Jr.* (CEO)
Frank K. Peoples, Jr.

Attest: *Ann P. Cook* SECRETARY
[CORPORATE SEAL] SEAL

Jean L. McCullough
Notary Public
My Commission Expires February 4, 2008
JEAN L. McCULLOUGH
Notary Public, Chatham County, GA
My Commission Expires February 4, 2008
[NOTARIAL SEAL]



LEGAL DESCRIPTION

PARCEL 1:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

COMMENCING at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757.753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point; running thence South 18 degrees 26 minutes East a distance of 42.43 feet to a point on the approximate high water line of the Savannah River which is the Point of Beginning.

Running thence with the approximate high water mark line of the Savannah River South 83 degrees 23 minutes 10 seconds East a distance of 141.31 feet to a point; thence North 78 degrees 3 minutes 20 seconds East a distance of 691.73 feet to a point; thence South 84 degrees 49 minutes 20 seconds East a distance of 250.57 feet to a point; thence North 87 degrees 24 minutes 50 seconds East a distance of 248.87 feet; thence South 55 degrees, 5 minutes 40 seconds East a distance of 91.14 feet; thence South 03 degrees 36 minutes 45 seconds East a distance of 851.09 feet to a point; running thence North 85 degrees 51 minutes 25 seconds West a distance of 1675.00 feet to a point; thence North 10 degrees 35 minutes 50 seconds West a distance of 404.42 feet to a corner of lands now or formerly of East Coast Terminal Associates, Ltd.; running thence with said lands of East Coast Terminals the following 2 courses:

North 81 degrees 34 minutes East a distance of 341.15 feet to a point and thence North 18 degrees 28 minutes West a distance of 227.57 feet to the point of Beginning.

Said tract contains 29.851 acres, more or less, according to survey and plat thereof dated October 30, 1989, by Bert S. Barrett, Sr., Georgia R.L.S., which is hereby incorporated as a part hereof by references.

PARCEL 2:

ALL that certain tract or parcel of land situate, lying and being in the 5th G.M.D., Chatham County, Georgia, being part of Grantor's Savannah River Wharf Property, and being described as follows:

Commencing at Savannah River Harbor Triangulation Station No. 31-G, having State Plane coordinates of X-840, 715.74 and Y-757,753.12 and running North 75 degrees 42 minutes 08 seconds East a distance of 370.00 feet to a point, which is the Point of Beginning.

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Running thence along the harbor line of the Savannah River the following courses:

North 75 degrees 42 minutes 08 seconds a distance of 240.78 feet to harbor line point No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to No. P-113; thence North 78 degrees 10 minutes 45 seconds East a distance of 426.16 feet to harbor line point No. P-115; thence North 81 degrees 04 minutes 13 seconds East a distance of 602.87 feet to harbor line point No. P-117; thence North 85 degrees 56 minutes 29 seconds East a distance of 179.46 feet to a point;

Running thence South 03 degrees 36 minutes 45 seconds East a distance of 228.8 feet, more or less, to a point located on the approximate high water line of the Savannah River; running thence with the approximate high water line of the Savannah River generally in a Northerly and Westerly direction a distance of 1540 feet, more or less, to the Point of Beginning of Parcel 1; running thence North 18 degrees 28 minutes West a distance of 42.43 feet to the Point of Beginning.

PARCEL 3:

A perpetual non-exclusive right and easement over and across the hereinafter described property situate, lying and being in the 5th G.M.D., Chatham County, Georgia, which contains 2.273 acres, more or less.

Beginning at a point on the East line of Bilbo Canal where it intersects the Southwestern corner of property now or formerly of East Coast Terminals Associates, Ltd., as shown on the afore referenced survey dated October 30, 1989, made by Bert S. Barrett, Sr., Georgia R.L.S., and running thence North 84 degrees 07 minutes East a distance of 503.49 feet to a point; running thence North 73 degrees 16 minutes East a distance of 147.33 feet to a point; running thence North 80 degrees 43 feet East a distance of 458.33 feet to a point; running thence North 84 degrees 02 minutes 30 seconds East a distance of 1431.80 feet to a point; running thence South 10 degrees 35 minutes 50 seconds East a distance of 40.13 feet to a point; running thence South 84 degrees 02 minutes 30 seconds West a distance of 149.53 feet; running thence South 84 degrees 07 minutes West a distance of 527.26 feet to a point on the East line of the Bilbo Canal; running thence along said East line North 20 degrees 39 minutes East a distance of 44.71 feet to the Point of Beginning.

PARCEL 4:

A perpetual nonexclusive right and easement over and across the hereinafter described property:

ALL that certain tract or parcel of land situate, lying and being in the City of Savannah, Chatham County, Georgia, in Lamar Ward, containing 1.88 acres, more or less, being a former portion of Harbor Street (formerly known as St. Julian Street) and being described as follows:

Beginning at the point of intersection of the West right-of way street, as the same existed on January 13, 1980, which point is marked by a concrete monument and running thence South 83

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degrees 49 minutes West a distance of 877.15 feet to a point on the right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 60 degrees 11 minutes West along the Easterly right-of-way line of Harbor Street a distance of 90.91 feet to a point on the North right-of-way line of Harbor Street, which point is marked by a concrete monument; running thence North 83 degrees 49 minutes East along the right-of-way line of Harbor Street, as the same existed on January 13, 1980, a distance of 926.30 feet to a point on the West right-of-way line at Bilbo Canal, which point is marked by a concrete monument; thence running South 22 degrees 13 minutes West along the West right-of-way line at Bilbo Canal a distance of 103.35 feet to the point of beginning.

Said tract as shown on a plat of survey dated January 31, 1980 made by Bert S. Barrett, Georgia RLS, and recorded in Plat Record Book DD, Folio 133 of the Records of Chatham County, Georgia, and on a plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS, to both of which surveys reference is hereby made for a more complete description.

PARCEL 5:

ALL right, title and interest of Grantor under and by virtue of that certain irrevocable easement granted by the Georgia State Properties Commission dated March 21, 1979, recorded in Deed Book 112-M, page 739 of the records of Chatham County, Georgia in and to the following described property:

ALL that certain portion of river bottom and inter-tidal land situate, lying and being in Chatham County, Georgia, on the south bank of the Savannah River, and being bounded as follows: On the South by the high water line or mark of the Savannah River, which form the Northernmost land portion of a tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation under Lease dated July 26, 1977; on the North by the South Harbor on pier line of the Savannah River (as designated by the U.S. Army Corps of Engineers); on the East by the Northward projection of the Eastern property line of the tract described in said lease from said high water line to harbor line marker P-117; and on the West by the northward projection of the Western property line of the tract described in said Lease from said high water line to harbor line marker P-107; the land portion of said leased tract being shown on Seaboard Coast Line Railroad Company drawing S-891 dated August 19, 1975, last revised July 20, 1977, which is recorded in Plat Book BB, Folio 13, of the records of Chatham County, Georgia.

Said easement area is also shown on that certain plat dated January 26, 1976, entitled "Proposed Bulk Handling Facility, East Coast Terminal", a copy of which is in the files of the Commissioner of the Georgia Department of Natural Resources and in the files of the State Properties Commission and as shown on the afore-referenced plat of survey dated October 30, 1989, by Bert S. Barrett, Sr., Georgia RLS.

It is recognized that the exact location of the high water line or mark of the Savannah River fluctuates with the tide, and may vary from the aforesaid plats, however, it is the intention of the foregoing description to include, during the period for which the easement is granted, all land

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between said high water line or mark (adjacent to said tract leased by Seaboard Coast Line Railroad Company to Forest Commodity Corporation, its successors and assigns), wherever its exact location, and the south harbor or pier line of the Savannah River, wherever its exact location.

The property described in said irrevocable easement is the same property described as Parcel 2.

LESS AND EXCEPT FROM PROPERTY DESCRIBED IN SCHEDULE "A"

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia and being known and designated as Lot 2 of a recombination (showing all access easements) of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of Superior Court of Chatham County, Georgia in Subdivision Map Book 29-S, at page 42. Said Lot 2 contains 5.659 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or formerly of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, recorded in Deed Book 143-Z, Page 540, in said Clerk's office.

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AND ALSO, all of the Grantor's right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat, on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line, on the South by the aforesaid lower low water line of the Savannah River line of the Savannah River, and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

AND ALSO, for the benefit of Cement Consumers Association, LLC ("CEMPAC"), a Georgia limited liability company, (which is purchasing said Lot 2 from Grantee) and CEMPAC'S successors and assigns;

- (1) A permanent, non-exclusive access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the southwest corner of said Lot 2 over, under and across the adjoining Lot 1 now owned by FCC and extending westward over, under and across lands now or formerly of CSX and East Coast Terminals Association to Harbor Street, a public street in the City of Savannah.
- (2) A permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003 between FCC and CEMPAC, connecting said Lot 2 with the

wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

- (3) A permanent, non-exclusive easement over that portion of said Lot 1 located adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and related equipment which may be necessary for the proper loading and unloading at CEMPAC's terminal to be built on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

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PAID: 26.00

Daniel W. Massey, Clerk
Superior Court of Chatham County
Chatham County, Georgia

Real Estate Transfer Tax

PAID \$1844.90

Cheri Phillips
For Clerk of Superior Court

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STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

RETURN TO: (JPG)
OLIVER MANER LLP
P. O. Box 10188
Savannah, GA 31412
(912) 238-3311

LIMITED WARRANTY DEED

THIS INDENTURE made and entered into as of the 16th day of August, 2012, by and between CEMPAC PROPERTIES, LLC, F/K/A CEMENT CONSUMERS ASSOCIATION, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the First Part, and SAVANNAH BULK TERMINAL, LLC, a limited liability company organized and existing under the laws of the State of Georgia, as Party of the Second Part;

WITNESSETH:

THAT the said Party of the First Part, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable consideration to it in hand paid by the said Party of the Second Part, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto the said Party of the Second Part, its successors and assigns, all the following described tract or parcel of land, to-wit:

Parcel 1 (Lot 2):

ALL that certain lot, tract, or parcel of land situate, lying and being in the 5th G.M.D. of Chatham County, Georgia, being known and designated as Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation ("FCC"), on a Recombination Plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, Kern-Coleman & Co., Inc., dated October 7, 2003, which has been recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42. Said Lot 2 contains 5.608 acres and is bounded on the North by the lower low water line of the Savannah River, on the East by lands now or former of CSX Transportation, Inc. ("CSX"), and on the South and West by Lot 1 as shown on said Recombination Plat. Specific reference is hereby made to the aforesaid Recombination Plat for better determining the metes, bounds, courses, and distances of said property. This is a portion of the same property which was conveyed to FCC by deed from CSX dated November 6, 1989, and recorded in the aforesaid Clerk's Office in Deed Record Book 143-Z, Page 540.

Parcel 2 (Area North of Lot 2):

ALSO, all right, title and interest in and to the property lying to the North of the aforesaid Lot 2, said property being bounded as follows: On the North by the harbor line of the Savannah River as shown on the aforesaid Recombination Plat; on the East by the extension of the Eastern boundary line of the aforesaid Lot 2 North to said harbor line; on the South by the aforesaid Lot 2; and on the West by the extension of the Western boundary line of the aforesaid Lot 2 North to said harbor line.

Parcel 3 (Access and Utility Easements):

(a) A permanent, non-exclusive forty (40') foot wide access and utility easement as shown on said Recombination Plat which extends in a general westerly direction from the Southwest corner of said Lot 2 along and parallel to the southern boundary line of Lot 1 and along and within the easternmost 186.17 feet of the southern boundary line of lands now or formerly owned by East Coast Terminals Associates, Ltd.

(b) Non-exclusive access easements and utility easements, on, over or across two (2) strips of property of varying widths now or formerly owned by CSX Transportation, Inc., a Virginia corporation ("CSX"), which property strips are located in the 5th G.M. District of Chatham County, State of Georgia, are individually referred to as "Parcel 4 (a/k/a Legal 2): Track Crossing South End" and "Parcel 5 (a/k/a Legal 4): Track Crossing North End", and are shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to

Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Page 23-A, said plat being incorporated herein by reference and being made a part hereof for better determining the metes, bounds, courses, and distances of the easement premises which are described therein as follows:

Parcel 4 (a/k/a Legal 2)
Track Crossing South End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' r/w), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 354.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 38.99' to a point; thence parallel and distant 25.00' northerly from the center of the northernmost railroad track crossing property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°14'01"E for a distance of 100.19' to a point; thence S15°18'26"W for a distance of 38.83' to a point; thence N78°19'42"W for a distance of 100.20' to the Point of Beginning; and containing 0.089 acre.

Parcel 5 (a/k/a Legal 4)
Track Crossing North End

Commencing at the intersection of the northern right-of-way of President Street (R/W varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°49'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 281.17' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point, and being the Point of Beginning; thence continuing through the property of n/f CSX Transportation, Inc., N8°59'56"E for a distance of 34.06' to a point on the southern boundary of property of n/f East Coast Terminals Associates, Ltd., and being on the south side of an existing access & utility easement; thence along the common line of property of n/f CSX Transportation, Inc., and n/f East Coast Terminals Associates, Ltd., N84°02'30"E for a distance of 88.83' to a point; thence crossing through the property of n/f CSX Transportation, Inc.,

S15°18'26"W for a distance of 35.39' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad track crossing property of n/f CSX Transportation, Inc., S84°05'30"W for a distance of 84.78' to the point of beginning; and containing 0.066 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-1, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.

(c) Perpetual non-exclusive rights and easements for access over and across that certain all those certain lots, tracts or parcels of land situate, and being located in the 5th G.M. District of Chatham County, Georgia, being two property strips of varying widths across property of n/f CSX Transportation, Inc., as shown on a plat entitled "A Plat of Access and Utility Easements Extending from Dulany Road to Various Wharf Lots," prepared by Kern-Coleman & Co., dated May 31, 2006, and revised February 6, 2007, and recorded in the Office of the Clerk of the Superior Court for Chatham County, Georgia, in Plat Record Book 38-P, Pages 23A & 23B, being more particularly described below:

(i) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W); thence along the southern line of property of n/f CSX Transportation, Inc., N78°19'42"W for a distance of 345.74' to a point; thence crossing through property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 75.16' to a point, and being the Point of Beginning; thence continuing through said property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 206.01' to a point; thence N45°03'07"E for a distance of 90.75' to a point; thence N8°59'56"E for a distance of 218.99' to a point; thence parallel and distant 12.5' southerly from the center of the southernmost railroad tract crossing property of n/f CSX Transportation, Inc., N84°05'30"E for a distance of 84.78' to a point; thence 15°18'26"W for a distance of 526.96' to a point; thence parallel and distant 25' northerly from the center of the northernmost railroad track crossing the property of n/f CSX Transportation, Inc., and Lot 2, CSX Transportation Inc. Subdivision (Subdivision Map Book 13-S, Page 73) N78°14'01"W for a distance of 100.19' to the Point of Beginning; and containing 0.969 acre.

(ii) Commencing at the intersection of the northern right-of-way of President Street (r/w varies) and the eastern right-of-way of Dulany Road (60' R/W), thence along the eastern right-of-way of Dulany Road (60' R/W) N12°40'48"E for a distance of 1,245.48' to a point, being the northeasterly terminus of Dulany Road (60' R/W), and corner for property of n/f CSX Transportation, Inc., and being the Point of Beginning; thence along the southern boundary of property of n/f CSX Transportation, Inc., and being the south side of an existing 20' private road right-of-way, N78°19'42"W for a distance of 345.74' to a point; thence crossing said 20' private road right-of-way and through the property of n/f CSX Transportation, Inc., N15°18'26"E for a distance of 36.17' to a point; thence S78°19'42"E for a distance of 100.20' to a point; thence S15°18'26"W for a distance of 15.06' to a point; thence crossing through said property of n/f CSX Transportation, Inc., and along the line of Lot 2, CSX Transportation, Inc. Subdivision (Subdivision Map Book 13-S, Page 73) S78°18'30"E for a distance of 244.20' to a point; thence crossing said 20' private road right-of-way S11°39'57"W, for a distance of 20.98' to the Point of Beginning; and containing 0.201 acre.

The terms and conditions of the above-described easements are set forth in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.

Parcel 4 (Wharf and Access Easement):

ALSO, a permanent, non-exclusive wharf and access easement, subject to the conditions contained within that certain Wharf and Access Easement Agreement dated as of November 6, 2003, between Forest Commodity Corporation and Cement Consumers Association, LLC, connecting said Lot 2 with the wharf or dock located on said adjoining Lot 1, as shown on said Recombination Plat, to be used for the purpose of installing, uninstalling, maintaining, replacing and operating a belt conveyor or pneumatic system which will transport cement in bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement areas shown on said plat.

Parcel 5 (Railroad Track Easement):

ALSO, a permanent, non-exclusive easement having a width of ten (10') feet on either side of the railroad tracks located in that portion of said Lot 1 lying adjacent to the southern property line of said Lot 2, as shown on said Recombination Plat, to be used for the installation, maintenance and operation of all switches, tracks and

related equipment which may be necessary for the proper loading and unloading at a terminal located on said Lot 2 of bulk cement and related products using railroad cars and to provide ingress and egress of said cars to and from the CSX main line servicing said Lot 2.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, members, hereditaments, and appurtenances thereof, to the same being or in anywise appertaining, to the only proper use, benefit, and behoof of the said Party of the Second Part, its successors and assigns forever, IN FEE SIMPLE, subject only to the matters set forth in the attached Exhibit "A" which is incorporated herein and made a part hereof ("Permitted Exceptions").

AND PARTY OF THE FIRST PART WILL WARRANT and forever defend the right and title to the above-described property unto PARTY OF THE SECOND PART against the claims of all persons owning, holding, or claiming by, through, or under the Party of the First Part, except for claims arising under or by virtue of the Permitted Exceptions.

IN WITNESS WHEREOF, the said Party of the First Part has caused these presents to be executed by its duly authorized officers and its seal affixed thereto all as of the day and year first above written.

CEMPAC PROPERTIES, LLC, f/k/a
CEMENT CONSUMERS ASSOCIATION, LLC

By: *Ben H. Hall*
Ben H. Hall, Manager

Signed, sealed and delivered on the
16th day of August, 2016, in the
presence of:



[Signature]
Witness

Frances S. Ward
Notary Public

Exhibit "A"
Permitted Exceptions

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1. All taxes for year 2012 and subsequent years, which constitute liens but are not yet due and payable.
2. Those special assessments by governmental entities which become due and payable subsequent to the effective date of the policy to be issued pursuant hereto.
3. Those certain easement rights reserved by CSX Transportation, Inc., in that certain deed between CSX Transportation, Inc., and Forest Commodity Corporation, dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, specifically being a twenty (20') foot wide easement running 10 feet in each direction from the center of railroad tracks crossing the subject property, for the maintenance, use, repair, replacement, and removal of said trackage, together with the right of ingress and egress to and from said trackage.
4. That certain covenant contained in the deed from CSX Transportation, Inc., to Forest Commodity Corporation, dated East Coast Terminals Associates, Ltd., dated November 6, 1989, filed for record and recorded on November 16, 1989, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 143-Z, Page 540, obligating the owner of the subject property to maintain the existing drainage on the subject property in such a manner as to not impair existing railroad right-of-way drainage or redirect or increase the quantity or velocity of any surface water run-off or streams into said drainage or upon the right-of-way or lands and other facilities of CSX Transportation, Inc.; and in the event the existing drainage is modified or improved, obligating the owner of the subject property to construct and maintain, in accordance with all applicable statutes, ordinances, building codes, subdivision covenants and restrictions, an adequate drainage system from the subject property to the nearest public or third party owned drainage or storm sewer system in order to prevent the discharge of roof, surface, stream, and other drainage waters upon the right-of-way or lands and other facilities or properties of CSX Transportation, Inc.
5. That certain permanent, non-exclusive wharf and access easement agreement dated November 6, 2003, by and between Forest Commodity Corporation and Cement Consumers Association, LLC, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 235, connecting Lot 2 of a recombination of a portion of Lot 1 and Lot 2, Forest Commodity Corporation, on a recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the aforesaid Clerk's Office in Subdivision Map Book 29-S, Page 42, with the wharf or dock located on Lot 1 as shown on said recombination plat, to be used for the purpose of installing, uninstalling, maintaining, replacing, and operating a belt conveyor

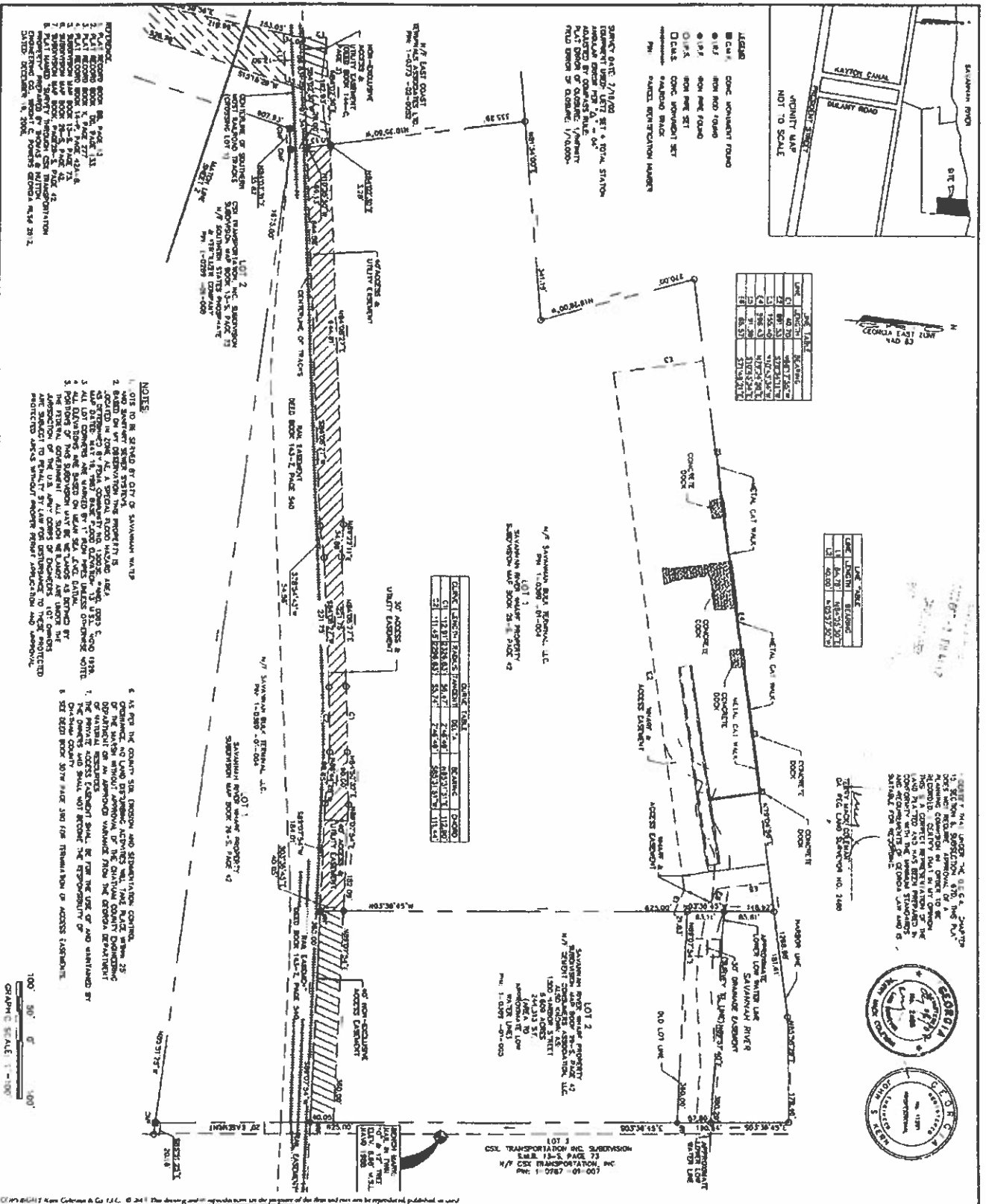
or pneumatic system which will transport cement and bulk from said wharf or dock to the bulk cement terminal to be constructed on said Lot 2 and conducting stevedoring activities within the easement area shown on said plat. Said easement is set forth in that certain limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the aforesaid Clerk's Office in Deed Record Book 261-O, Page 229.

6. That certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
7. That Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 332, which includes a Private Road Grade Crossing Agreement of which the holder of the easement is a party.
8. Those certain restrictive covenants set forth in the limited warranty deed from Forest Commodity Corporation to Cement Consumers Association, LLC, dated November 6, 2003, filed for record and recorded on November 7, 2003, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 261-O, Page 229, as amended by that certain Amendment to Limited Warranty Deed dated January 31, 2005, filed for record and recorded on February 4, 2005, in the aforesaid Clerk's Office in Deed Record Book 282-Y, Page 680.
9. That certain Memorandum of Agreement between Southern States Phosphate and Fertilizer Company and Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 361, re-filed for record and re-recorded on July 3, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-R, Page 99, evidencing the existence of an Indemnification Agreement between the parties, dated June 24, 2008, involving the easement premises described in that certain Deed of Easement from Southern States Phosphate and Fertilizer Company to Cement Consumers Association, LLC, dated June 24, 2008, filed for record and recorded on June 25, 2008, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 342-I, Page 357, re-filed for record and re-recorded on June 27, 2008, in the aforesaid Clerk's Office in Deed Record Book 342-K, Page 670.
10. Terms and conditions of an unrecorded Lease Agreement between Cement Consumers Association, LLC, as Landlord, and Carbo Ceramics, as Tenant, dated July 22, 2009,

commencing September 16, 2009, and terminating September 15, 2011, with automatic six month renewal terms.

11. Matters of survey shown on a plat of survey of the subject property dated May 16, 2002, made by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 26-S, Page 42, including a railroad easement running in a westerly/easterly direction over the southern portion of the subject property.
12. Matters of survey shown on a plat of survey of the subject property dated October 30, 1989, revised June 22, 1995, made by Bert B. Barrett, Jr., Georgia Registered Land Surveyor No. 1239, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 42, including railroad tracks running in a westerly/easterly direction across the southern portion of the subject property with ten (10') foot wide railroad easements running on either side.
13. Matters of survey shown on that certain recombination plat prepared by Terry Mack Coleman, Georgia Registered Land Surveyor No. 2486, dated October 7, 2003, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 29-S, Page 42.
14. Such facts as may be shown on that certain plat entitled "Remaining Portion of Lot 1, Forest Commodity Corporation Savannah River Wharf Property," prepared by Wright C. Powers, Jr., Georgia Registered Land Surveyor No. 2612, of Thomas & Hutton Engineering Co., dated December 7, 2009, and last revised January 7, 2010, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 43-P, Page 42A-G.
15. Such state of facts as shown on plat recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Historical Map Book 1, Page 51, Subdivision Map Book 13-S, Page 73, Plat Record Book 38-P, Page 23 A&B.
16. Title, rights or claims of the State of Georgia to any part of the premises which is or may be alleged by the State to be, or is hereafter deemed to be, salt marsh, tidelands or meadowland or land now or formerly flowed by the waters of the ocean or any bays, rivers, streams, creeks, or their tributaries, or which is marshland as defined in the Coastal Marshlands Protection Act of 1970.
17. Rights of the United States, other governmental entities, the public or other riparian owners in that part of the land which extends beyond the mean high water mark of the Savannah River.

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**A PLAT OF ACCESS AND UTILITY EASEMENTS
EXTENDING FROM DULANY ROAD TO VARIOUS WHARF LOTS
5TH G.M. DISTRICT, CHATHAM COUNTY,
STATE OF GEORGIA**
PREPARED FOR: SAVANNAH BULK TERMINAL, LLC

Kern-Coleman & Co. LLC.
Consulting Engineers • Land Surveyors • Land Planners
Architects • Landscape Architects • Environmental Scientists
3 Neal Court SW, Atlanta, GA 30303 • Phone: 404.525.1100 • Fax: 404.525.1101 • Email: info@kern-coleman.com

ATTACHMENT H

ADJACENT LANDOWNER INFORMATION

Adjacent Property Owners

Downstream
CSX TRANSPORTATION INC
ATTN: RAE AKERS
500 WATERS ST
JACKSONVILLE FL 32202

Upstream
MMA/PSP SAVANNAH RIVER LLC
744 S VILLAGE CIR
TAMPA FL 33606