

DEED 102

WPG 032

DEED 102 N PG 936

RE-FILED TO
CORRECT LEGAL DESC.

Prepared by William G. Wynn, Jr., Attorney, 1211 John B. White Sr. Blvd., Spartanburg, SC 29306

Deed only - No title examination

DEE-2013-3945

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Recording Fee: \$10.00 Documentary Stamps: \$0.00

Office of Register of Deeds, Spartanburg, S.C.

Dorothy Earle, Register

TITLE TO REAL ESTATE
(SURVIVORSHIP)

KNOW ALL MEN BY THESE PRESENTS, that

HENRY N. MCMILLAN, JR, AND KIMBERLY P. MCMILLAN

hereinafter referred to as Grantor, for and in consideration of Love and Affection, and the sum of Five and No/100 (\$5.00) Dollars, the receipt of which is hereby acknowledged, have(has) granted, bargained, sold and released, and by these presents do(es) grant, bargain, sell and release unto

HENRY N. MCMILLAN, JR. AND KIMBERLY P. MCMILLAN,
as joint tenants with right of survivorship, and not as tenants in common,

hereinafter referred to as Grantee, the following described property:

All that certain piece, parcel or lot of land situate, lying and being in the State of South Carolina, County of Spartanburg, and being more particularly shown and designated as 3.247*, on a survey for Henry N. McMillan, Jr. and Kimberly P. McMillan, dated May 17, 1993, prepared by Archie S. Deaton & Associates, Land Surveyors, recorded in Plat Book 120, Page 866, in the Office of the Register of Deeds for Spartanburg County, South Carolina. Reference to said survey is made for a more detailed description.

*Acres

This being the same property conveyed to Grantors herein by American Federal Bank, FSB recorded June 7, 1993 in Deed Book 60-C at Page 622, said Register of Deeds.

This conveyance is made subject to Easements, Restrictions, Covenants, and Conditions recorded in the Office of the Register of Deeds for Spartanburg County.

Tax Block Map No. 1 32-00 007.03

Grantee's Address: 465 Cole Road
Campobello, SC 29322

DEE-2013-11302

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TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the premises before mentioned unto the Grantee(s) as joint tenants with right of survivorship, and not as tenants in common. And the Grantor(s) do(es) hereby bind the Grantor(s) and Grantor's(s') Heirs (or Successors), Executors and Administrators, to warrant and forever defend all and singular said premises unto the Grantee(s) against the Grantor(s) and the Grantor's(s') Heirs (or Successors) and against every person whomsoever lawfully claiming or to claim the same, or any part thereof, except as to restrictions and easements of record, if any.

WITNESS the Grantor's(s') Hand and Seal this January 29, 2013.

Signed, Sealed and Delivered
in the Presence of:

Teresa Burnett

Walter G. Grogan

Henry N. McMillan, Jr. (SEAL)
Henry N. McMillan, Jr.

Kimberly P. McMillan (SEAL)
Kimberly P. McMillan

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

PROBATE

Personally appeared before me the undersigned witness and made oath that (s)he saw the within named Grantor(s) sign, seal and as the Grantor's(s') act and deed deliver the within deed and that (s)he with the other witness subscribed above witnessed the execution thereof.

Teresa Burnett
[witness]

SWORN to before me
this January 29, 2013.

Walter G. Grogan (SEAL)
Notary Public for South Carolina
My Commission Expires: 1-12-16

File No. 20131A2 - Teresa

State of South Carolina)
 County of Spartanburg)

AFFIDAVIT FOR EXEMPT TRANSFERS

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

1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is located at 9240 New Cut Road, Campobello, SC 29322, bearing Spartanburg County Tax Map Number 1 32-00 007.03, was transferred by Henry N. McMillan, Jr and Kimberly P. McMillan to Henry N. McMillan, Jr. and Kimberly P. McMillan on January 29, 2013.
3. The deed is exempt from the deed recording fee because (See Information section of affidavit):

Gift - No consideration paid

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?

Check Yes or No

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

attly for Purchaser/Grantee

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

William G. Wynne, Jr.
 Responsible Person Connected with the Transaction

Wm. G. Wynne, Jr.
 Print or Type Name Here

Sworn to before me this January 29, 2013.

Jeresa Burnett (SEAL)
 Notary Public for South Carolina
 My Comm. expires: 2-17-21

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stock holder, partner or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract of the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceedings.
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.