

RECORDED THIS 23rd DAY  
OF FEBRUARY, 2018  
IN BOOK 0 PAGE 0

*Steven D. Hunter Phillips*  
Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR  
Tax Map:  
0010 00 008 00

LANCASTER COUNTY, SC	
2018002544	DEED
RECORDING FEES	\$12.00
STATE TAX	\$26000.00
COUNTY TAX	\$11000.00
PRESENTED & RECORDED	
02-22-2018	12:39 PM
JOHN LANE	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: CANDICE PHILLIPS	
BK:DEED 1119 PG:158-163	

840960-35  
After recording return to:  
Nolan Stanton  
Kirkland & Ellis LLP  
601 Lexington Ave.  
New York, NY 10022

### SPECIAL WARRANTY DEED

This Special Warranty Deed, made to be effective for all purposes as of the 23<sup>rd</sup> day of February, 2018, by and between **FORESTAR (USA) REAL ESTATE GROUP INC.**, whose address is c/o Forestar Group Inc., 6300 Bee Cave Road, Building Two, Suite 500, Austin, Texas 78746-5149 ("**Grantor**"), and TF Ansley Park, L.P., a Delaware limited partnership, whose address is 1601 Washington Avenue, Suite 800, Miami Beach, Florida 33139 ("**Grantee**").

### WITNESSETH:

THAT Grantor, in consideration of the sum of Ten Million Dollars (\$10,000,000) and other good and valuable consideration, 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 Grantee, its successors and assigns, all that certain lot, tract, or parcel of land lying and being situated in the County of Lancaster, State of South Carolina, as more particularly described on Exhibit "A" attached hereto (the "**Land**"), together with (i) all improvements thereon, and (ii) all and singular the rights, titles, benefits, privileges, remainders, reversions, easements, tenements, hereditaments, interests and appurtenances of Grantor pertaining to the Land, in possession or expectancy (the foregoing together with the Land is hereinafter collectively referred to as the "**Property**").

This conveyance is made and accepted subject to (i) the encumbrances and other matters of record in the County of Lancaster, State of South Carolina, as more particularly described on Exhibit "B" attached hereto and (ii) any and all matters that a current ALTA/NSPS survey of the Property would disclose (collectively, the "**Permitted Encumbrances**").

TO HAVE AND TO HOLD the Property, subject only to the Permitted Encumbrances, unto Grantee, its successors and assigns forever; and Grantor does hereby bind Grantor, Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular the Property, subject to the Permitted Encumbrances, unto Grantee, its successors and assigns,

KE 51539881

When Recorded Return To:  
First American Title Insurance Company  
National Commercial Services  
18500 Van Karman Avenue, Suite 600  
Irvine, CA 92612  
File No: NCS-840960-35

against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

[Signature page to follow.]

Executed on the date of acknowledgment, but this Special Warranty Deed is to be effective as of the date first written above.

**GRANTOR:**

FORESTAR (USA) REAL ESTATE GROUP INC.,  
a Delaware corporation

*Diane Ball*  
Witness #1

*Ben Whitehill*  
Witness #2

By: *C. D. Jehl*  
Name: Charles D. Jehl  
Title: Executive Vice President

THE STATE OF TEXAS

§  
§  
§

COUNTY OF DALLAS

The foregoing instrument was acknowledged before me on the 11 day of February, 2018 by Charles D. Jehl, the Executive Vice President of Forestar (USA) Real Estate Group Inc., a Delaware corporation, on behalf of said corporation.

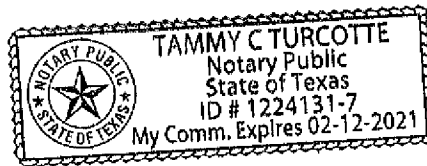
[Notary Seal]

*Tammy C Turcotte*  
NOTARY PUBLIC, STATE OF TEXAS

My commission expires:

\_\_\_\_\_

Printed Name of Notary Public



## EXHIBIT A

All that piece, parcel or tract of land, containing 160.89 acres, more or less, lying, being and situate on the waters of Six Mile Creek in Indian Land Township, Lancaster County, South Carolina, and being bounded north and east by other lands, now or formerly, of Walter Davidson; south by other lands, now or formerly, of Walter Davidson and Frank M. Stevenson and Six Mile Creek; and west by Six Mile Creek, the same being more fully described in a plat made by J. M. Bailes, surveyor, January 1938 and is composed of two tracts; one of what is known as the D.W. Therrell tract of 112.34 acres and the other a part of the D.C. Wolfe tract of 48.55 acres, making a total of 169.89 acres as shown on said plat made by J.M. Bailes Reg. L.S., dated January 1938 and recorded in Plat Book L, at Page 37.

### LESS AND EXCEPT:

All that piece, parcel or tract of land lying, being and situate in Indian Land Township, Lancaster County, South Carolina, on the eastern side of a paved road leading from Marvin, North Carolina to the Pleasant Valley Community, containing five (5) acres, more or less, and being the tract on the western side of two tract totaling 123.2 acres, more or less, as shown on plat of the property of Robert E. White by Paul Clark, surveyor, dated January 20, 1965; see deed recorded January 14, 1966, Deed Book O-5, at Page 6, Register of Deeds for Lancaster County, South Carolina.

TMS # 0010-00-008.00

Being the same property conveyed unto Forestar (USA) Real Estate Group, Inc. by deed of Jacqueline S. White, Trustee, Milbern Charles White Family Trust U/A DTD June 15, 2009 dated December 15, 2015 and recorded in the Lancaster County ROD Office on December 15, 2015 in Book 933 at Page 138.

### Grantee's Address:

1601 Washington Avenue, Suite 800  
Miami Beach, Florida 33139

## EXHIBIT B

1. Any mineral or mineral rights leased, granted or retained by current or prior owners.
2. Taxes and assessments for the year 2018 and subsequent years, a lien not yet due or payable.
3. Rights of others in and to the continuous and uninterrupted flow of the waters bounding or crossing the Land and riparian and/or littoral rights incident to the Land.
4. Development Agreement Portion of Ansley Park Development between Forestar (USA) Real Estate Group Inc. and County of Lancaster, dated November 23, 2015 and recorded December 9, 2015 in the Office of the Register of Deeds for Lancaster County, where it appears in Book 932, at Page 106.
5. Matters as shown on that certain plat recorded in the Office of the Register of Deeds for Lancaster County, where it appears in Plat Book I, at Page 37.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the Public Records.
7. Mortgage, Security Agreement and Fixture Filing from Forestar (USA) Real Estate Group Inc. to NVR, Inc. dated March 8, 2017 and recorded March 17, 2017 in the Office of the Register of Deeds for Lancaster County, where it appears in Book 3324, at Page 71.
8. Mortgage, Security Agreement and Fixture Filing from Forestar (USA) Real Estate Group Inc. to Weekley Homes, LLC dated March 20, 2017 and recorded April 20, 2017 in the Office of the Register of Deeds for Lancaster County, where it appears in Book 3342, at Page 1.

STATE OF TEXAS )  
COUNTY OF DALLAS )

**AFFIDAVIT OF VALUE**

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

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred by Forestar (USA) Real Estate Group Inc. to TF Ansley Park, L.P. on \_\_\_\_\_, 2018.
3. The DEED is (check one of the following)
  - (a) X subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (b) \_\_\_\_\_ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
  - (c) \_\_\_\_\_ EXEMPT from the deed recording fee because: 8; Transferring realty to a partnership
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
  - (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$10,000,000.
  - (b) \_\_\_\_\_ The fee is computed on the fair market value of the realty which is \$ \_\_\_\_\_.
  - (c) \_\_\_\_\_ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ \_\_\_\_\_.
5. Check YES \_\_\_\_\_ or NO X to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES", the amount of the outstanding balance of this lien or encumbrance is \$ \_\_\_\_\_.
6. The DEED Recording Fee is computed as follows:

(a) The amount listed in item 4 above:	\$10,000,000
(b) The amount listed in item 5 above (no amount place zero):	\$0.00
(c) Subtract Line 6(b) from Line 6(a) and place the result.	\$10,000,000
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is (\$3.70 per thousand): \$37,000
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor.
9. I understand that a person required to furnish this affidavit who willfully 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.

FORESTAR (USA) REAL ESTATE GROUP INC.,  
a Delaware corporation

By: \_\_\_\_\_  
Name: Charles D. Jehl  
Its: Executive Vice President

Sworn to before me  
this 7th day of February, 2018.

Tammy C Turcotte  
Notary Public for State of Texas  
My Commission Expires: \_\_\_\_\_

