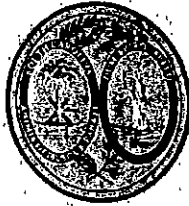


State of South Carolina
State Ethics Commission

BRIAN M. BARNWELL, CHAIR
VICTOR K. LI, VICE CHAIR
DONALD GIST
SAMUEL L. ERWIN



DON JACKSON
BRANDOLYN THOMAS PINKSTON
CHILDS CANTEY THRASHER
ASHLEIGH R. WILSON

201 EXECUTIVE CENTER DRIVE, SUITE 150
COLUMBIA, S.C. 29210

MEGHAN L. WALKER
EXECUTIVE DIRECTOR

May 17, 2019

RECEIVED

MAY 20 2019

HOUSE ETHICS
COMMITTEE

South Carolina House of Representatives
Attn: Representative Murrell Smith
Chairman, House Legislative Ethics Committee
519B Blatt Building
Columbia, SC 29201

RE: COMPLAINT C2018-063

In the Matter of William K. Bowers

Dear Representative Smith:

Pursuant to S.C. Code Ann. § 8-13-540(B)(6), the State Ethics Commission hereby provides you with its recommendation in the above-referenced Complaint.

Sincerely,

A handwritten signature in cursive script that reads "Meghan Walker".

Meghan L. Walker
Executive Director.

State Ethics Commission—Recommendation to House Legislative Ethics Committee
In the Matter of William K. Bowers

COMPLAINANT INFORMATION

Name	Michael A. Pitts
Address	519 B Blatt Building Columbia, SC 29201
Telephone Number	803-734-3114
Fax Number	None
Email	None

RESPONDENT INFORMATION

Name	William K. Bowers
Address	P.O. Box 686 Hampton, SC 29924
Telephone Number	803-943-8893
Fax Number	None
Email	repbowers@yahoo.com
Attorney Information	None
Confidentiality Waived	No

COMPLAINT INFORMATION

Complaint No.	C2018-063
Complaint Received	April 18, 2018
Facts Sufficient Determination	April 18, 2018
Facts Sufficient Determination Made By	State Ethics Commission

COMMISSION RECOMMENDATION

The State Ethics Commission recommends the House Legislative Ethics Committee find probable cause is present and charge Respondent with one count of violation of § 8-13-700(A) for using his official position as Member of the House of Representatives to obtain an economic interest for a business with which he is associated.

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2018-063

COMPLAINT FORM

COMPLAINANT: Michael A. Pitts
ADDRESS: 519 B Blatt Bldg. Columbia 29201
TELEPHONE NUMBER: 803-734-3114
TITLE: Representative

RESPONDENT: William K. Bowers
ADDRESS: P.O. Box 686 Hampton, SC 29924
TELEPHONE NUMBER: 803-943-8893
TITLE: Representative

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered.) (If additional space is needed, attach supplemental sheets).

See attached Supplemental sheet.

RECEIVED
2018 APR 18 AM 11:16
STATE ETHICS COMMISSION

All investigations, inquiries, hearings, and accompanying documents must remain confidential until a finding of probable cause or dismissal unless the respondent waives the right to confidentiality. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me MICHAEL A. PITTS who, first being duly sworn, says that he/she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this
17 day of April 2018

Shirley M. Blatt

Notary Public for South Carolina

My Commission expires 4/4/2022

Michael A. Pitts

SEC-7 (Revised 2/2018)
REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED

Supplemental Sheet to Complaint
Complainant: Michael A. Pitts; Respondent: William K. Bowers
April 17, 2018

On March 13, 2018, during the House budget debate on House Bill 4950, known as the annual General Appropriations Bill for Fiscal Year 2018-2019, William K. "Bill" Bowers (Rep. Bowers), District 122, proposed an amendment to House Bill 4950 to amend Part IB, Section 49, Department of Parks, Recreation & Tourism (PRT). (See Exhibit 1). Specifically, Amendment 29 proposed to require PRT to expend up to \$400,000 to purchase the one hundred and seven acres of the land neighboring Lake Warren State Park from the Hampton County Land Trust. During the discussion of the amendment on the House Floor on March 13th, Rep. Bowers responded to questioning by Rep. William M. "Bill" Hixon. During the questioning, Rep. Bowers admitted that he founded the Hampton County Land Trust as well as filed and paid for the Articles of Incorporation with the S.C. Secretary of State's Office. (See Exhibit 2). The Articles of Incorporation indicated that this is a public benefit corporation and the agent listed was Bill Bowers. An archived version of the amendment discussion is located on the Legislature's website at <http://www.scstatehouse.gov/video/archives.php>, Tuesday, March 13, 2018, 9:30 am, House of Representatives, Part 1, approximately 8:38:20. Rep. Bowers has since acknowledged to me in an e-mail that there is no formal Trust Agreement document; there are only the Articles of Incorporation. (See Exhibit 2A). Attached as Exhibit 3 are the deeds to the Hampton County Land Trust regarding the land in question. Rep. Bowers voted on the motion to table the amendment as well as voted on the amendment, which did not pass. See House Journal, March 13, 2018 at http://www.scstatehouse.gov/sess122_2017-2018/hj18/20180313.htm.

Thus, I am referring my complaint to the State Ethics Commission for investigation as to whether the matters described above involving Rep. Bowers violate the Rules of Conduct, that is, Section 8-13-700 of the Ethics, Government Accountability, and Campaign Reform Act of 1991.

Exhibit 1

HOUSE
AMENDMENT

THIS AMENDMENT
ADOPTED

MARCH 9, 2018

29

CLERK OF THE HOUSE

REP. BOWERS PROPOSES THE FOLLOWING AMENDMENT
No. TO H.4950 AS INTRODUCED BY WAYS & MEANS.

(DOC NAME H:\LEGWORK\HOUSE\AMEND\H-WM\002\LAKE WARREN STATE PARK.DOCX):

EXPLANATION: REQUIRES PRT TO ACQUIRE LAND
NEIGHBORING LAKE WARREN STATE PARK.

AMEND THE BILL, AS AND IF AMENDED, PART IB,
SECTION 49, DEPARTMENT OF PARKS,
RECREATION & TOURISM, PAGE 381, AFTER
LINE 2, BY ADDING AN APPROPRIATELY NUMBERED
PARAGRAPH TO READ:

1 (PRT: LAND ACQUISITION) OF THE FUNDS
APPROPRIATED TO AND/OR AUTHORIZED FOR THE
DEPARTMENT OF PARKS, RECREATION, AND TOURISM,
THE DEPARTMENT IS DIRECTED TO EXPEND UP TO
\$400,000 TO PURCHASE THE ONE HUNDRED AND
SEVEN ACRES OF LAND NEIGHBORING LAKE WARREN
STATE PARK.

Renumber sections to conform.
Amend totals and titles to conform.

Exhibit 2

FILED

DEC 17 2003

STATE OF SOUTH CAROLINA
SECRETARY OF STATE
NONPROFIT CORPORATION
ARTICLES OF INCORPORATION

Mark Hammond, 2
SECRETARY OF STATE

TYPE OR PRINT CLEARLY IN BLACK INK

Pursuant to Section 33-31-202 of the South Carolina Code of Laws, as amended, the undersigned corporation submits the following information:

- The name of the nonprofit corporation is HAMPTON COUNTY LAND TRUST
- The initial registered office of the nonprofit corporation is 10 Elm St. East
Hampton Hampton SC 29924
City County State Zip Code

The name of the registered agent of the nonprofit corporation at that office is

William Knight Bowers
Print Name

I hereby consent to the appointment as registered agent of the corporation.

Bill Bowers
Agent's Signature

- Check "a", "b", or "c" whichever is applicable. Check only one box:

- a. The nonprofit corporation is a public benefit corporation.
- b. The nonprofit corporation is a religious corporation.
- c. The nonprofit corporation is a mutual benefit corporation.

- Check "a" or "b", whichever is applicable:

- a. This corporation will have members.
- b. This corporation will not have members.

- The address of the principal office of the nonprofit corporation is

10 Elm St. East Hampton Hampton SC 29924
Street Address City County State Zip Code

- If this nonprofit corporation is either a public benefit or religious corporation (when box "a" or "b" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the remaining assets of the corporation will be distributed upon dissolution of the corporation.

- a. Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future Federal tax code, or shall be distributed to the Federal government, or to a state or local government, for a public purpose. Any such asset not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated

040506-0155

1 COPY FROM THIS PAGE MUST BE FILED WITH THE STATE ARCHIVES

[Redacted Name of Corporation]

exclusively for such purposes.

b. Upon dissolution of the corporation, consistent with the law, the remaining assets of the corporation shall be distributed to

7. If the corporation is a mutual benefit corporation (when box "c" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the (remaining) assets of the corporation will be distributed upon dissolution of the corporation.

a. Upon dissolution of the mutual benefit corporation, the (remaining) assets shall be distributed to its members, or if it has no members, to those persons to whom the corporation holds itself out as benefiting or serving.

b. Upon dissolution of the mutual benefit corporation, the (remaining) assets, consistent with the law, shall be distributed to

8. The optional provisions which the nonprofit corporation elects to include in the articles of incorporation are as follows (See 33-31-202(c) of the 1976 South Carolina Code of Laws, as amended, the applicable comments thereto, and the instructions to this form)

To accept, hold, invest and transfer both real and personal assets for perpetual public benefit.

9. The name and address of each incorporator is as follows (only one is required)

William Knight Bowers 10 East Elm St. Hammer SC 29924
Name Address Zip Code

Name Address Zip Code

Name Address Zip Code

10. Each original director of the nonprofit corporation must sign the articles but only if the directors are named in these articles:

Name (Only if named in articles) Signature of director

Name (Only if named in articles) Signature of director

Name (Only if named in articles) Signature of director

11. Each incorporator must sign the articles.

Bill Bowers
Signature of incorporator

Signature of incorporator

Signature of incorporator

Exhibit 2 A

Jane Shuler

From: Bill Bowers <repbowers@yahoo.com>
Sent: Tuesday, April 03, 2018 3:01 PM
To: Jane Shuler; JoAnne Lamprecht
Subject: Re: Chairman Pitts letter
Attachments: Bowers 3.26.18 Ltr..pdf

Chairman Pitts

There is but one document regarding the Hampton County Land Trust, the articles of incorporation. It is my understanding that you have this document.

If not, a copy is on file at the Hampton County Delegation office and the Secretary of State Office.

Sincerely,

Bill Bowers

On Wednesday, March 28, 2018, 2:12:11 PM EDT, Jane Shuler <JaneShuler@schouse.gov> wrote:

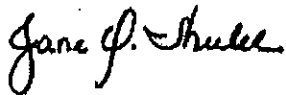
March 28, 2018

 Dear Rep. Bowers,

As we discussed on the phone today, please send a written response to Chairman Pitt's letter, see attached, which was mailed to you on Monday.

Sincerely,

Jane



Jane O. Shuler

 Counsel, House Ethics Committee

Room 519, Blatt Building

Exhibit 3

200400000030
MYLINDA NETTLES
COUNTY CLERK
HAMPTON COUNTY SC
01-08-2004 11:43 AM
REC FEE: 10.00
STATE TAX \$ 367.90
COUNTY TAX \$ 155.65

200400000030
Filed for Record in
HAMPTON COUNTY SC
MYLINDA NETTLES
01-08-2004 11:43 AM
D-BEED 533.55
Book 284 Page 192 - 194

200400000030
SOLONGS & LANTON

Instrument Book Page
200400000030 284 192

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that we RHETT SANDERS and DWAYNE SANDERS in the State aforesaid for and in consideration of the sum of One Hundred Forty-one thousand, Ninety and no/100 (\$141,090.00) Dollars paid to MARK G. COOPER, QUALIFIED INTERMEDIARY FOR RHETT SANDERS AND DWAYNE SANDERS UNDER QUALIFIED INTERMEDIARY EXCHANGE AGREEMENT DATED DECEMBER 31, 2003 by HAMPTON COUNTY LAND TRUST in the State aforesaid County of Hampton the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, by these presents do grant, bargain, sell and release unto the said HAMPTON COUNTY LAND TRUST, its successors and assigns, the following described property, to-wit:

All those certain piece, pieces or tracts of land, located south of Lake Warren State Park, in the County of Hampton, State of South Carolina, with the total acreage of both parcels being 94.06 acres, more or less, described as follows:

Parcel #1 contains 1.260 acres, more or less, generally bounded as follows, to-wit: on the North and West by property, now or formerly, of the South Carolina Department of Parks, Recreation, and Tourism, known as Lake Warren State Park; on the South and West, now or formerly, by various lots and street right-of-ways of Lake Warren Estates, John M. Norheut, E. Ray and Gwendolyn E. Crosby Family Trust, et al; and having such shape, form, courses, distances, bearings and boundaries as are more fully shown on a plat prepared by G. Lawton Murr, S.C.P.L.S. #370, dated September 11 - October 9, 2003, recorded in the office of the Clerk of Court for Hampton County in Plat Book 284, at page 5, reference is craved to said and the same is incorporated herein;

Parcel #2 contains 92.800 acres, more or less, generally bounded as follows, to-wit: On the North by lands, now or formerly of the South Carolina Department of Parks, Recreation and Tourism, known as Lake Warren State Park; on the Northeast by the right of way of S.C. Highway S-25-510 and county maintained road,

RECORDED THIS 8th DAY
OF January 2004
IN BOOK PAGE 116
Susan Hill Williams
AUDITOR Hampton COUNTY, SC

ASSESSOR'S OFFICE
TN 2004-2
DATE 1-9-04 CLERK RB

Murray Road separating this land from other lands now or formerly of Dwayne P. Sanders and B. Rhett Sanders; on the Southeast by county maintained road, Murray Road separating this land from other lands now or formerly of Dwayne P. Sanders and B. Rhett Sanders, Steve O. Sanders, and Carnell Rivers; on the Southwest by lands, now or formerly of E. Larry Hutto; and on the Northwest by lands now or formerly of South Carolina Department of Parks, Recreation and Tourism; and having such shape, form, course, distances, buttings and boundaries as are more fully shown on plat prepared by C. Lawton Maner, S.C.P.L.S. #370, dated September 11 - October 9, 2001, recorded in the office of the Clerk of Court for Hampton County in Plat #284-29 at page 5; reference is hereby made to said plat and the same is incorporated herein.

DERIVATION: This being a portion of the property inherited by the testate death of Rosemary D. Brisendine conveyed to Grantee herein by Deed of Distribution recorded in the office of the Clerk of Court for Hampton County in Deed Book 268 at page 347 and by corrective Deed of Distribution recorded in the office of the Clerk of Court for Hampton County in Deed Book 279 at page 251.

TMS #084-00-00-010 (Portion of)

GRANTEE'S ADDRESS: c/o Economic Development Commission
P. O. Box 672
Hampton, SC 29924

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 said HAMPTON COUNTY LAND TRUST, its successors and assigns forever and we do hereby bind ourselves and our heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said HAMPTON COUNTY LAND TRUST, its successors and assigns, against ourselves and our heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS our Hand and Seal this 5th day of January in the year of our Lord two thousand 04 and in the two hundred and twenty-seventh year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
in the Presence of

Kerry Ann B. Long
Notary Public for South Carolina

Rhett Sanders (I.S.)
RHETT SANDERS

Dwayne Sanders (I.S.)
DWAYNE SANDERS

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)

Personally appeared before me the undersigned and made oath that he/she saw the within named RHETT SANDERS and DWAYNE SANDERS sign, seal and as their act and deed, deliver the within written Deed for the uses and purposes therein mentioned, and that he/she with the other witness subscribed above witnessed the execution thereof.

SWORN to before me this
5th day of January, 2004.

Kerry Ann B. Long
Notary Public for South Carolina
My Commission Expires: 05-15-08

Kerry Ann B. Long

200400000031 EXEMPT
MYLINDA NETTLES
COUNTY CLERK
HAMPTON COUNTY SC
01-08-2004 11:43 AM
REC FEE 10.00

200400000031
Filed For Record in
HAMPTON COUNTY SC
MYLINDA NETTLES
01-08-2004 11:43 AM
D-TIMBERDEED 10.00
Book 284 Page 195 - 197

200400000031
SOLDORS I LAWTON

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)

TIMBER DEED

Instrument Book Page
200400000031 284 195

KNOW ALL MEN BY THESE PRESENTS that BARRIE SANDERS and DWAYNE SANDERS, hereinafter referred to as Grantor, for and in consideration of the sum of Forty-two thousand five hundred fifteen and no/100 (\$42,515.00) Dollars due and in hand paid to MARK G. COOPER, QUALIFIED INTERMEDIARY FOR RHETT SANDERS AND DWAYNE SANDERS UNDER QUALIFIED INTERMEDIARY EXCHANGE AGREEMENT DATED DECEMBER 31, 2001 by WAMETON GOUNEY LAND TRUST, hereinafter referred to as Grantee, receipt of which is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release unto the said Grantee, its successors and assigns, all timber located on the following described property, to-wit:

All those certain pieces, parcels or tracts of land, located south of Lake Warren State Park, in the County of Hampton, State of South Carolina, with the total acreage of both parcels being 94.86 acres, more or less, described as follows:

Parcel #1 contains 1.260 acres, more or less, generally bounded as follows, to-wit: on the North and East by property, now or formerly, of the South Carolina Department of Parks, Recreation, and Tourism, known as Lake Warren State Park; on the South and West, now or formerly, by various lots and street right-of-ways of Lake Warren Estates, John M. Northcutt, H. Ray and Gwendolyn P. Crosby Family Trust, et al; and having such shape, form, courses, distances, buildings and boundaries as are more fully shown on a plat prepared by C. Lawton Mance, S.C.P.L.S., 8370, dated September 11 - October 9, 2003, recorded in the office of the Clerk of Court for Hampton County in Plat 284, in page 5, reference is made to said and the same is incorporated herein.

Parcel #2 contains 93.600 acres, more or less, generally bounded as follows, to-wit: On the North by lands, now or formerly of the South Carolina Department of Parks, Recreation and Tourism, known as Lake Warren State Park; on the Northeast by the right of way of S.C. Highway 8-25-310 and county maintained road, Murray Road separating this land from other lands now or formerly of Dwayne P. Sanders and H. Rhet Sanders; on the Southeast by county maintained road, Murray

ASSESSOR'S OFFICE
T.M. DAVIS
DATE: 01-08-2004

RECORDED THIS 8th DAY
OF January 2004
IN BOOK PAGE 284 195
BY Mylinda Nettles
AUDITOR Mylinda Nettles COUNTY, S.C.

Road separating this land from other lands now or formerly of Dwayne P. Sanders and B. Rhett Sanders, Steve O. Sanders, and Cornell Rivers; on the Southwest by lands, now or formerly of B. Larry Hutto; and on the Northwest by lands now or formerly of South Carolina Department of Parks, Recreation and Tourism; and having such shape, form, courses, distances, buttings and boundaries as are more fully shown on plat prepared by C. Lawton Maher, S.C.P.L.S. #370, dated September 11 - October 9, 2003, recorded in the office of the Clerk of Court for Hampton County in Plat Book 274 at page 5; reference is hereby craved to said plat and the same is incorporated herein.

DERIVATION: This being a portion of the property inherited by the testate death of Rosemary D. Brisendine conveyed to Grantors herein by Deed of Distribution recorded in the office of the Clerk of Court for Hampton County in Deed Book 268 at page 347 and by corrective Deed of Distribution recorded in the office of the Clerk of Court for Hampton County in Deed Book 179 at page 251.

FMS #084-00-00-010 (Portion of)

GRANTEE'S ADDRESS: c/o Economic Development Commission
P. O. Box 672
Hampton, SC 29924

And the Grantor, for themselves and their heirs, personal representatives and assigns, do hereby covenant with said Grantee, and its successors and assigns that Grantor is lawfully seized of said timber, rights, and privileges hereinbefore set out in their own right in fee simple and absolutely, and has full power and authority to convey the same in the manner aforesaid, which is done by this deed, and that they will forever warrant and defend the title to the same against the claims and demands of all persons whoinsoever.

AND IT IS HEREBY EXPRESSLY COVENANTED AND AGREED:

1. Grantee, its successors and assigns, for the consideration aforesaid, shall have exclusive ownership of the timber and trees located on the property.
2. Grantor agrees that the property lines of the within-described tract are clearly marked, and are the correct property lines.

Contract shall be responsible for the damages caused by any fire or fire due to...

Contract agrees to hold Kenneth DeGroot and all damages to their property...

Witness Whidson, it has returned me in hand and seal this 20th day of...

Witness Whidson, it has returned me in hand and seal this 20th day of...

Signature of Kenneth DeGroot and Dwayne H. Sanders

STATE OF SOUTH CAROLINA COUNTY OF HAMPTON

Witness Whidson, it has returned me in hand and seal this 20th day of...

Witness Whidson, it has returned me in hand and seal this 20th day of...

Signature of Kenneth DeGroot and Dwayne H. Sanders

STATE OF SOUTH CAROLINA

County of Hampton

1. I have read the above contract and understand its contents...

2. I have read the above contract and understand its contents...

3. I have read the above contract and understand its contents...

4. I have read the above contract and understand its contents...

5. I have read the above contract and understand its contents...

6. I have read the above contract and understand its contents...

Signature of Kenneth DeGroot and Dwayne H. Sanders

ASSESSOR'S OFFICE
IN 2012-0500 & 0501
DATE: 05-12-2012 CLERK PB

201200001002
Filed for Record in
HAMPTON COUNTY SC
MYLINDA NETTLES, COUNTY CLERK
06-22-2012 AT 02:48 PM.
D-DEED 10.00
Book 385 Page 9 - 108

RECORDED THIS 05 DAY
OF MAY 2012
IN BOOK 385 PAGE 9
AUDITOR HAMPTON COUNTY, S.C.

Instrument 385 Page 9
201200001002 385 9

201200001002
SIDDIKHOUS & LANTIER

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON) TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that I GARNELL RIVERS in the State aforesaid for and in consideration of the sum of TWO HUNDRED THOUSAND AND NO/100 (\$200,000.00) Dollars to me paid by HAMPTON COUNTY LAND TRUST G/O Bill Bowers P.O. Box 686 Hampton, South Carolina 29924, in the State aforesaid, County of Hampton the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, by these presents do grant, bargain, sell and release unto the said HAMPTON COUNTY LAND TRUST, its successors and assigns, the following described property, to-wit:

All that piece, parcel or lot of land situate, lying and being in the County of Hampton, State of South Carolina, containing one (1) acre more or less, said lot being delineated and shown on a plat thereof made by Joe P. Miley, Reg., C.E.L.S., dated October 7, 1959 and entitled "Plat of Property of B. P. Sanders, located approximately 5 miles South of Hampton, Hampton County, South Carolina" as having the following measurements and boundaries, to-wit: On the Southeast bounded by a County road a distance of 210 feet; on the Southwest bounded by lands of Murray R. DeLoach a distance of 210 feet; on the Northwest bounded by lands of Murray R. DeLoach a distance of 210 feet; and on the Northeast bounded by lands of Murray R. DeLoach a distance of 210 feet. Reference to said plat is hereby craved for a more-particular description of said lot.

(TMS# 084-00-00-012)

ALSO, All of that certain piece, parcel or tract of land, situate, lying and being in Hampton County, South Carolina, located about five (5) miles Southwest of the Town of Hampton and being a portion of that tract of land formerly owned by B. P. Sanders, containing 7.3 acres, more or less, and shown and delineated upon a plat made by Joe P. Miley, Reg., C.E., L.S., dated January 24, 1961, entitled "Plat of Property of B. P. Sanders", said plat being recorded in the office of the Clerk of Court for Hampton County in Plat Book 9 page 52. Said property being bounded as follows: On the Northeast for a distance of 865 feet by property, now or formerly of Murray R. DeLoach; on the Northwest for a distance 420 feet by property, now or formerly, of Murray R. DeLoach; on the Southwest for a distance of 655 feet by property, now or formerly, of Murray R. DeLoach and for a distance of 210 by property of B. P. Sanders; and on the Southeast for a distance of 210 feet by a County Road currently known as Murray Road.

(TMS#084-00-00-011)

201200001002 EXEMPT
MYLINDA NETTLES
COUNTY CLERK
HAMPTON COUNTY SC
06-22-2012 02:48 PM.
REC FEE: 10.00

DERIVATION: This being the same property conveyed to Carnell Rivers by deed of Steve O. Sanders dated May 28, 2011, recorded May 2, 2012 at 2:20 p.m. in the office of the Clerk of Court for Hampton County, South Carolina in Deed Book 383, page 176.

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 said HAMPTON COUNTY LAND TRUST, its successor and assigns forever and I do hereby bind myself and my heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said HAMPTON COUNTY LAND TRUST, its successors and assigns, against me and my heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS my Hand and Seal this 22nd day of June in the year of our Lord two thousand twelve and in the two hundred and thirty fifth year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
in the Presence of



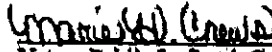
Marnie M. Creola



CARNELL RIVERS (L.S.)

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)

The foregoing instrument was acknowledged before me this 22nd day of June, 2012 by CARNELL RIVERS.



Notary Public for South Carolina
My Commission Expires: 5/3/18

STATE OF SOUTH CAROLINA)
COUNTY OF WINSTON)
TRANSFERS

AFFIDAVIT FOR EXEMPT

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

bearing _____ County Tax Map Number _____
 was transferred by CAROL RUGGS
 to WINSTON COUNTY LAND TRUST
 on 6/22/12

3. The deed is exempt from the deed recording fee because (See information section of affidavit):

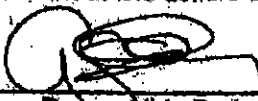
Number 3

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:

Attorney

5. 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.



 Responsible Person Connected with
NO RECORDING

the Transaction

Print or Type Name Here

SWORN to before me this 22 day of JUNE 2012.

Notary Public for _____

My Commission Expires: _____

Duke D. [Signature]
12-15-15

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 stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any tax 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 12-24-50, 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 for 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 the 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 grantor'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 mortgagee 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.

J. David Weeks
Vice-Chairman

G. Murrell Smith, Jr.
Chairman

Beth E. Bernstein
Secretary

Heather Ammons Crawford
Wallace H. "Jay" Jordan, Jr.
John Richard C. King

Peter M. McCoy, Jr.
Dennis C. Moss
J. Todd Rutherford
Leonidas E. "Leon" Stavrinakis

Jane O. Shuler
Chief Legal Counsel

House Legislative Ethics Committee



Julia J. Foster
Assistant Legal Counsel

Lynne Short
Executive Assistant

P.O. BOX 11867
519 BLATT BUILDING
COLUMBIA, SC 29211
TELEPHONE: 803-734-3114
FAX: 803-734-8795

ORDER OF DISMISSAL IN THE MATTER OF WILLIAM K. BOWERS COMPLAINT NO. C2018-063

NONCONCURRENCE WITH SEC'S PROBABLE CAUSE FINDING

Complainant: Michael A.
Pitts
Address: 519 Blatt Building
Columbia, South Carolina
29201
Telephone: 803-734-3114

Respondent: William K.
Bowers
Address: P.O. Box 686
Hampton, SC 29924
Telephone Number: 843-
943-8893

This is in response to the State Ethics Commission's (herein "SEC") Recommendation and Investigative Report (herein "Report") dated May 17, 2019. The House Legislative Ethics Committee (herein "Committee") met on May 22, 2019 and responds as follows.

BACKGROUND

On April 17, 2018, former Representative Mike Pitts filed a complaint with the State Ethics Commission. He requested the State Ethics Commission investigate whether Rep. William K. Bowers violated the Rules of Conduct, that is, Section 8-13-700 of the Ethics, Government Accountability, and Campaign Reform Act of 1971. Mr. Pitts alleged:

On March 13, 2018, during the House budget debate on House Bill 4950, known as the annual General Appropriations Bill for Fiscal Year 2018-2019, Rep. Bowers, District 122, proposed an amendment to House Bill 4950 to amend Part IB, Section 49, Department of Parks, Recreation & Tourism (PRT). Specifically, Amendment 29 proposed to require PRT to expend up to \$400,000 to purchase the one hundred and seven acres of the land neighboring Lake Warren State Park from the Hampton County Land Trust (Land Trust). During the discussion of the amendment on the House Floor on March 13th, Rep. Bowers

responded to questioning by Rep. William M. "Bill" Hixon. During the questioning, Rep. Bowers admitted that he founded the Hampton County Land Trust as well as filed and paid for the Articles of Incorporation with the S.C. Secretary of State's Office. The Articles of Incorporation indicated that this is a public benefit corporation and the agent listed was Bill Bowers. An archived version of the amendment discussion is located on the Legislature's website at <http://www.scstatehouse.gov/video/archives.php>, Tuesday, March 13, 2018, 9:30 am, House of Representatives, Part 1, approximately 8:38:20. Rep. Bowers has since acknowledged to me in an e-mail that there is no formal Trust Agreement document; there are only the Articles of Incorporation. . . Rep. Bowers voted on the motion to table the amendment as well as voted on the amendment, which did not pass. See House Journal, March 13, 2018 at http://www.scstatehouse.gov/sess122_2017-2018/hj18/20180313.htm.

Supplemental Sheet to Complaint.

On May 16, 2019, the SEC having met considered and duly investigated the Complaint against Respondent, issued a recommendation to Committee for a finding of probable cause. Specifically, the SEC charged Respondent with one count of violating Section 8-13-700 for using his official position as a Member of the House of Representatives to obtain an economic interest for a business with which he is associated.

On May 21, 2019, Attorney Brad Hutto contacted the Committee to inform the Committee that he represented Respondent. He also provided documents related to the Land Trust. One document dated December 10, 2003 entitled Hampton County Delegation (Delegation) authorized Respondent as incorporator to file Articles of Incorporation for the Land Trust. This document was executed by Respondent, Sen. John Matthews, the late Sen. Clementa Pinckney, former Rep. Thayer Rivers, and Sen. Brad Hutto. On the same date, the Delegation executed another document directing "the treasurer of the Land Trust the amount of \$ ____ for the purpose of acquiring land for perpetual public benefit. The land (Sanders tract) may be transferred to the Department of Parks Recreation and Tourism (PRT). The land shall ultimately be used as part of Lake Warren State Park by deed of easement." See Exhibit A.

On May 22, 2019, the Committee met to consider, inter alia, this matter.

FINDINGS

S.C. Code Ann. Section 8-13-700 provides:

- (A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use that does not result in additional public expense.
- (B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with

whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall:

S.C. Code Ann. Section 8-13-700(A)-(B). Section 8-13-100(4) defines "Business with which he is associated" as "a business of which the person or a member of his immediate family is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class."

The SEC's investigation noted that Respondent submitted an amendment to the 2018-2019 General Appropriations Bill, specifically Part IB, Section 49, to appropriate funds for the Department of Parks, Recreation and Tourism to purchase land currently owned by the Land Trust. The recording during the budget debate confirmed that Respondent addressed the SC House of Representatives on March 13, 2018 regarding this proposed amendment, and during his remarks on this amendment, Respondent strongly encouraged fellow House Members to pass the amendment. The SEC's investigation revealed that Respondent also warned House Members of the fleeting nature of this opportunity and advised them of the increased potential for tourism and other revenue produced by this land purchase. The investigation further indicated Respondent voted against a motion put forth by Representative Herbkersman to table his amendment. The investigation indicated that Respondent then voted to adopt his amendment. The amendment was not adopted.

The SEC's investigation ascertained that Respondent was the sole incorporator and registered agent for the Hampton County Land Trust. The investigation further revealed that Respondent participated in real estate transactions as the representative for the Land Trust, and that Respondent submitted and signed official and legal documents for the Land Trust, to include applications for tax exemptions submitted to the SC Department of Revenue. Despite the SEC's inquiries to multiple state and federal entities, as well as Respondent, the investigation did not reveal any evidence of the identities of any other members or Board members of the Land Trust.

Thus, the SEC found probable cause for one count of violating Section 8-13-700(A) for Respondent's use of his official position as a Member of the House of Representatives to obtain an economic interest for the business with which he is associated. Specifically, during the debate for the 2018-2019 General Appropriations Bill on March 13, 2018, he proposed, advocated for, and voted for an amendment, that is, Amendment 29, to Section 49, Parks, Recreation and Tourism to the Appropriations Bill to purchase land for \$400,000 owned by the Hampton County Land Trust, which Respondent was the sole incorporator and registered agent. However, the amendment did not pass.

As noted above, Respondent's attorney provided the Committee with Exhibit A on May 21, 2019. Exhibit A included: 1) one document dated December 10, 2003 entitled Hampton County Delegation, which authorized Respondent as incorporator to file Articles of Incorporation for the Land Trust. This document was executed by Respondent, Sen. John Matthews, the late Sen.

Clementa Pinckney, former Rep. Thayer Rivers, and Sen. Brad Hutto; 2) one document dated December 10, 2003 executed by the Delegation directing “the treasurer of the Land Trust the amount of \$____ for the purpose of acquiring land for perpetual public benefit. The land (Sanders tract) may be transferred to the Department of Parks Recreation and Tourism. The land shall ultimately be used as part of Lake Warren State Park by deed of easement,” 3) plat of Lake Warren State Park; 4) Articles of Incorporation for the Land Trust, and 5) Certificate of Incorporation, Non Profit Corporation for the Land Trust.

At the Committee meeting on May 22, 2019, Attorney Brad Hutto, appeared before the Committee on behalf of his client, Respondent, who agreed to waive confidentiality. Attorney Hutto admitted to the lack of cooperation by his client with the SEC and the fact that Respondent did not provide them with the requested information. However, he denied that his client committed a violation of the Ethics Act.

As background, Attorney Hutto explained that Respondent (to the House) and he (to the Senate) were elected in 1996 and became members of the Hampton County Delegation (Delegation). He stated that Hampton County had a medical waste facility where hospitals and medical practices disposed of waste. Attorney Hutto noted that the Department of Health and Environmental Control established a fee schedule for the waste disposal and some of the money went to the waste disposal fund (fund). He stated that the Delegation was authorized to use the fund for public projects.

Attorney Hutto stated that the Delegation authorized Respondent to set up a land trust and he was permitted to use money from the Land Trust to buy land next to the state park. See Exhibit A. According to Attorney Hutto, the Delegation set up Respondent as the sole incorporator for the Land Trust. He stated that Respondent proposed the amendment at issue to have PRT buy the property from the Land Trust and money would go back to the Land Trust. He noted that the property would be for a perpetual public benefit and the money would not be payable to Respondent but to the Land Trust. Attorney Hutto denied that Respondent would personally benefit from the sale; he was solely the trustee. He noted that Hampton County manages the fund and controls the money. He explained that Respondent did not have signatory authority on the fund’s checks.

In closing, Attorney Hutto explained the Delegation authorized Respondent to enter into the property transactions for the Land Trust as a trustee. He noted that members of the Delegation from the Senate would still need to approve the transaction. He stated that they discussed having a Senate Proviso for sale of the Land Trust property to PRT, but Respondent wanted the Proviso to occur in the House. He noted that the purpose of selling the land to PRT was for the benefit of the lake in order to develop hiking trails.

CONCLUSION

The Committee **NOTES** that the finding of probable cause by the SEC for violation of Section 8-13-700(A) by Respondent was due to lack of cooperation by Respondent during the SEC’s investigation into this matter. The Committee further **NOTES** that Exhibit A was not

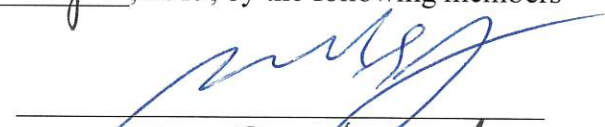
provided to the SEC during the investigation. The Committee also **NOTES** that all the time spent on the investigation of this matter would not have been necessary if Respondent had cooperated.

Based upon the clear and convincing supplemental evidence provided to the Committee, The Committee **FINDS** that Respondent was authorized by the Hampton County Delegation to act as a trustee to procure land for the Hampton County Land Trust, which would be subsequently sold to PRT. The Committee further **FINDS** that Respondent would not and did not accrue any personal or economic benefit from the land sale.


Accordingly, the Committee **NONCONCURS** with the SEC's finding of probable cause that Respondent violated Section 8-13-700(A).

AND IT IS SO ORDERED, this 22nd day of May, 2019, by the following members of the House Ethics Committee:

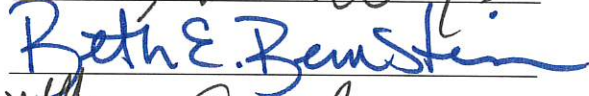
Rep. G. Murrell Smith, Jr, Chairman



Rep. J. David Weeks, Vice-Chairman



Rep. Beth E. Bernstein, Secretary



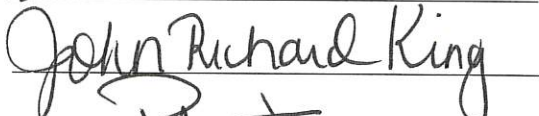
Rep. Heather Ammons Crawford



Rep. Wallace "Jay" Jordan, Jr.



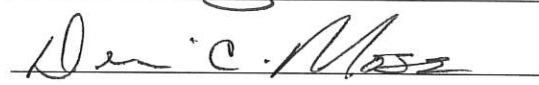
Rep. John Richard C. King



Rep. Peter M. McCoy, Jr.



Rep. Dennis C. Moss



Rep. J. Todd Rutherford



Rep. Leonidas E. "Leon" Stavrinakis



EXHIBIT A

Bill Bowers

District No. 120 - Hampton-
Colleton Counties
P. O. Box 550
Brunson, SC 29911

724 Hampton Street
Walterboro, SC 29488

310-B Blatt Building
Columbia, SC 29211



House of Representatives

State of South Carolina

Committee:

Agriculture, Natural Resources
and Environmental Affairs

State House (803) 734-2959

Hampton (803) 943-7520

Colleton (843) 549-7586

WKB@scstatehouse.net

BillBowers.com

HAMPTON COUNTY DELEGATION

December 10, 2003

The Hampton County Delegation hereby acts to incorporate the *Hampton County Land Trust* for the purpose of accepting, holding, investing, and transferring both real and personal property for the perpetual public benefit.

The Delegation hereby directs the treasurer of Hampton County to grant to the Hampton County Land Trust the amount of \$_____ for the purpose of acquiring land for perpetual public benefit. The land (Sanders tract) may be transferred to the Department of Parks Recreation and Tourism. The land shall ultimately be used as part of Lake Warren State Park by either deed of easement.

It is expected that, if possible, any transfer by deed or easement to PRT shall constitute the local match for additional grant money from the federal or state government to further enhance and improve the park.

The treasurer shall charge the Medical Waste Fund controlled by the legislative delegation.

Bill Bowers
Rep. William Knight Bowers

Thayer Rivers
Rep. Thayer Rivers

John Matthews
Sen. John Matthews

Brad Hutto
Sen. Brad Hutto

Clementa Pinckney
Sen. Clementa Pinckney

Bill Bowers

District No. 120 - Hampton-
Colleton Counties
P. O. Box 550
Brunson, SC 29911

724 Hampton Street
Walterboro, SC 29488

310-B Blatt Building
Columbia, SC 29211



House of Representatives

State of South Carolina

Committee:

Agriculture, Natural Resources
and Environmental Affairs

State House (803) 734-2959
Hampton (803) 943-7520
Colleton (843) 549-7586
WKB@scstatehouse.net
BillBowers.com

HAMPTON COUNTY DELEGATION

December 10, 2003

The Hampton County Delegation hereby authorizes William Knight Bowers, as incorporator, to file the articles of incorporation for the *Hampton County Land Trust* for the purpose of accepting, holding, investing, and transferring both real and personal property for the perpetual public benefit.

Bill Bowers
Rep. William Knight Bowers

Thayer Rivers
Rep. Thayer Rivers

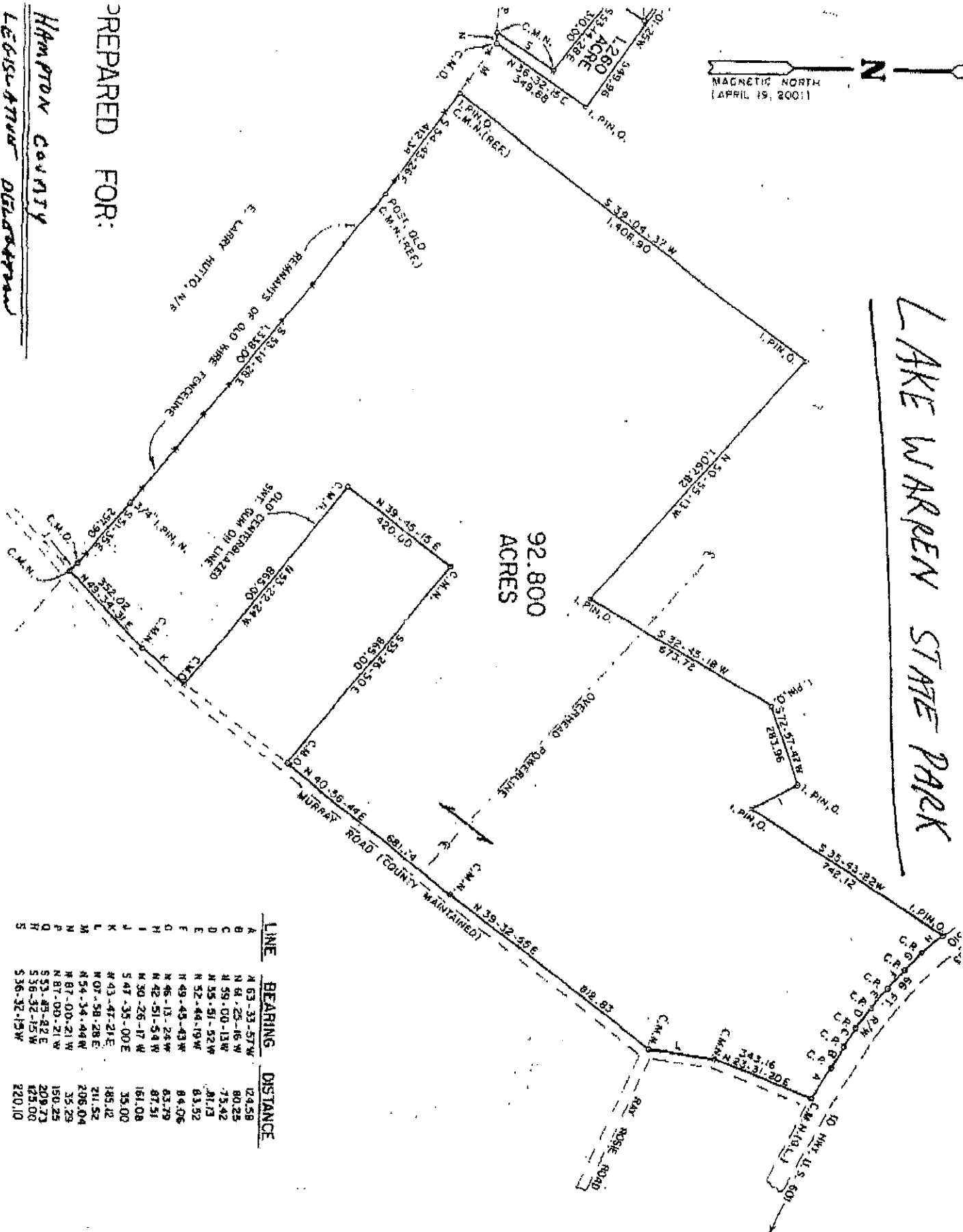
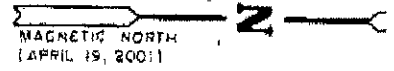
John W. Matthews
Sen. John Matthews

Brad Hutto
Sen. Brad Hutto

Clementa C. Pinckney
Sen. Clementa Pinckney

Hampton County
Legislative Delegation

PREPARED FOR:



92.800
ACRES

LAKE WARREN STATE PARK

LINE	BEARING	DISTANCE
A	N 63-53-57W	124.58
B	N 61-25-16 W	80.25
C	N 59-00-11W	75.42
D	N 55-51-52W	81.13
E	N 52-44-19W	81.52
F	N 49-45-43W	84.06
G	N 46-13-24W	83.79
H	N 42-51-54 W	87.51
I	N 30-26-17 W	161.08
J	S 47-35-00E	35.00
K	N 43-47-21E	185.12
L	N 07-58-28E	211.52
M	N 54-34-44W	208.04
N	N 87-00-21 W	35.29
O	N 87-00-21 W	180.25
P	S 53-48-42E	209.73
Q	S 38-32-15W	173.00
R	S 36-32-15W	220.10

CERTIFIED TO BE A TRUE AND CORRECT COPY AS TAKEN FROM AND COMPARED WITH THE ORIGINAL ON FILE IN THIS OFFICE

FILED

DEC 17 2003

STATE OF SOUTH CAROLINA SECRETARY OF STATE NONPROFIT CORPORATION ARTICLES OF INCORPORATION

DEC 17 2003

Mark Hammond 2 SECRETARY OF STATE

TYPE OR PRINT CLEARLY IN BLACK INK

SECRETARY OF STATE OF SOUTH CAROLINA

Pursuant to Section 33-31-202 of the South Carolina Code of Laws, as amended, the undersigned corporation submits the following information:

- 1. The name of the nonprofit corporation is HAMPTON County Land TRUST
2. The initial registered office of the nonprofit corporation is 10 Elm St. EAST
Hampton Hampton SC 29924
City County State Zip Code

The name of the registered agent of the nonprofit corporation at that office is

William Knight Bowers
Print Name

I hereby consent to the appointment as registered agent of the corporation.

Bill Bower
Agent's Signature

3. Check "a", "b", or "c" whichever is applicable. Check only one box:

- a. [] The nonprofit corporation is a public benefit corporation.
b. [] The nonprofit corporation is a religious corporation.
c. [] The nonprofit corporation is a mutual benefit corporation.

4. Check "a" or "b", whichever is applicable:

- a. [] This corporation will have members.
b. [x] This corporation will not have members.

6. The address of the principal office of the nonprofit corporation is

10 Elm St. East Hampton Hampton SC 29924
Street Address City County State Zip Code

6. If this nonprofit corporation is either a public benefit or religious corporation (when box "a" or "b" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the remaining assets of the corporation will be distributed upon dissolution of the corporation.

- a. [x] Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future Federal tax code, or shall be distributed to the Federal government, or to a state or local government, for a public purpose. Any such asset not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated

Name of Corporation

exclusively for such purposes.

- b. Upon dissolution of the corporation, consistent with the law, the remaining assets of the corporation shall be distributed to

7. If the corporation is a mutual benefit corporation (when box "c" of paragraph 3 is checked), complete either "a" or "b", whichever is applicable, to describe how the (remaining) assets of the corporation will be distributed upon dissolution of the corporation.

- a. Upon dissolution of the mutual benefit corporation, the (remaining) assets shall be distributed to its members, or if it has no members, to those persons to whom the corporation holds itself out as benefiting or serving.
- b. Upon dissolution of the mutual benefit corporation, the (remaining) assets, consistent with the law, shall be distributed to

8. The optional provisions which the nonprofit corporation elects to include in the articles of incorporation are as follows (See 33-31-202(c) of the 1976 South Carolina Code of Laws, as amended, the applicable comments thereto, and the instructions to this form)

To accept, hold, invest and transfer both real and personal assets for perpetual public benefit.

9. The name and address of each incorporator is as follows (only one is required)

Name	Address	Zip Code
	<i>William Knight Bowers 10 East Elm St. Hampton SC 29924</i>	
Name	Address	Zip Code
Name	Address	Zip Code

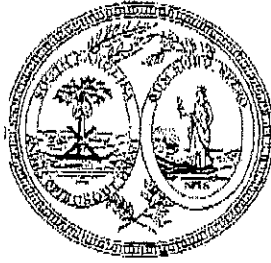
10. Each original director of the nonprofit corporation must sign the articles but only if the directors are named in these articles:

Name (Only if named in articles)	Signature of director
Name (Only if named in articles)	Signature of director
Name (Only if named in articles)	Signature of director

11. Each incorporator must sign the articles.

Signature of incorporator	
<i>Bill Bowers</i>	
Signature of incorporator	
Signature of incorporator	

The State of South Carolina



Office of Secretary of State Mark Hammond **Certificate of Incorporation, Nonprofit Corporation**

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

HAMPTON COUNTY LAND TRUST,

a nonprofit corporation duly organized under the laws of the state of South Carolina on **December 17th, 2003**, and having a perpetual duration unless otherwise indicated below, has as of the date hereof filed a Declaration and Petition for Incorporation of a nonprofit corporation for Religious, Educational, Social, Fraternal, Charitable or other eleemosynary purpose.

Now, therefore, I Mark Hammond, Secretary of State, by virtue of the authority in me vested by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto, do hereby declare the organization to be a body politic and corporate, with all the rights, powers, privileges and immunities, and subject to all the limitations and liabilities, conferred by Chapter 31, Title 33, Code of 1976 and Acts amendatory thereto.

Given under my Hand and the Great Seal of the State of South Carolina this 17th day of December, 2003.

Mark Hammond

Mark Hammond, Secretary of State