

RECEIVED

May 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas R. Keith Kelly, Circuit Court Judge

Appellant Case No. 2022-001557
Civil Action Case No. 2016-CP-42-01854

Chandelle Property Owners
Association, Respondent,

v.

James Douglas Armstrong, Jane
Armstrong, Warren Johnson, Rhonda
Johnson, John K. Payne, Ruth G.
Payne, and Jane Van Wieren as
Trustee of the Greer R.G. Irrevocable
Property Trust dated October 25, 2006, Appellant.

APPELLANT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Respectfully submitted,

s/ Wendell L. Hawkins
Wendell L. Hawkins (S.C. Bar #: 13583)
Wendell L. Hawkins, PA
310 The Parkway Greer, SC 29650
(864) 848-9370 (Ph) (864) 848-9759 (Fax)
wlh@wlhawkinslawfirm.com
Attorneys for Appellants

May 12, 2023
Greer, South Carolina

Appellants, James Douglas Armstrong, Jane Armstrong, Warren Johnson, Rhonda Johnson, John K. Payne, Ruth G. Payne, and Jane Van Wieren as Trustee of the Greer R.G. Irrevocable Property Trust dated October 25, 2006, proposes the following materials be included in the Record on Appeal.

1. Order on Appeal dated October 28, 2022;
2. Conflicting Order dated October 19, 2022 (The First Order);
3. Third Amended Complaint (2016-CP-42-01854) filed November 3, 2020 (Complaint);
4. Complaint Ex. A, Declaration of Covenants, Conditions and Restrictions (CCR's);
5. Complaint Ex. B, By-Laws;
6. Third Amended Answer, Counterclaim and Third-Party Complaint (2016-CP-42-01854) filed November 24, 2020;
7. Plaintiff's Motion for Partial Summary Judgment (2106-CP-42-01854) filed August 19th, 2022;
8. Plaintiff and Third Party Defendant's Motion for Partial Summary Judgment (2106-CP-42-01854) filed July 29th, 2022;
9. Memorandum in Opposition to Plaintiff's Motion for Partial Summary Judgment (2106-CP-42-01854) filed September 9, 2022;
10. Memorandum in Opposition to Plaintiff and Third Party Defendant's Motion for Partial Summary Judgment (2106-CP-42-01854) filed September 9, 2022;
11. Memorandum in Opposition to Proposed Order on Partial Motion for Summary Judgment (2106-CP-42-01854) submitted October 25, 2022
12. Transcript of Hearing (pp. 2-3, 9-10, 18, 24-25)
13. Deposition of Billy Israel (pp. 30, 94, 102-104, 109-111);
14. Deposition of Jeff Cooper (p. 29);
15. Joint Affidavit of James Douglas Armstrong, et. al., Exhibit 1, the "Consent Agreement" (2106-CP-42-01854) filed September 9, 2022
16. Plaintiff's Proposed Order on Motion for Partial Summary Judgment submitted October 10, 2022
17. Email Correspondence with Trial Court regarding Proposed Order on Plaintiff's Motion for Summary Judgment

I certify that this designation contains no matter which is irrelevant to this appeal.

s/ Wendell L. Hawkins
Wendell L. Hawkins SC Bar No. 13583
Wendell L. Hawkins, P.A.
310 The Parkway Greer, SC 29650
864-848-9370 (P) 864-848-9759 (F)
wlh@wlhawkinslawfirm.com
Attorneys for the Appellant

Greer, South Carolina
May 12, 2023