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SC Court of Appeals

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STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

Bank of America, NA,

Plaintiff,

vs.

The Estate of Mary Westbrooks a/k/a Mary Y. Westbrooks, and John Doe and Richard Roe, as Representatives of all heirs and devisees of Mary Westbrooks a/k/a Mary Y. Westbrooks, deceased, and all persons entitled to claim under or through them; also, all other persons, corporations or entities unknown claiming any right, title interest in or lien upon the subject real estate described herein, any unknown adults, whose true names are unknown, being a class designated as John Doe, and any unknown infants, persons under disability, or person in the Military Service of the United States of America whose true names are unknown, being a class designated as Richard Roe, Aubrey Schultz, Kadeem Gaddist, The United States of America acting by and through its agent the Secretary of Housing and Urban Development, South Carolina Department of Motor Vehicles, CIT Group Consumer Finance, N/K/A CIT Loan Corporation,

Defendant(s).

BCP No.: 23-54789

IN THE COURT OF COMMON PLEAS

C/A No.: 2018-CP-08-02131

WRIT OF ASSISTANCE

ELECTRONICALLY FILED - 2023 Sep 18 10:04 AM - BERKELEY - COMMON PLEAS - CASE#2018CP0802131

THIS WRIT OF ASSISTANCE APPLIES TO ALL OCCUPANTS AND OTHERS (including their possessions) WITH RESPECT TO THE PROPERTY DESCRIBED BELOW.

This matter came before me upon a Motion for Writ of Assistance by the Movant directing the Sheriff of Berkeley County, South Carolina, to remove, peaceably or forcibly, the said Occupants and all of their personal property located within or on the subject property described in the Motion of the Movant.

The undersigned has jurisdiction over this matter pursuant to that certain Judgment filed herein and more fully described in the Movant's Motion.

The Plaintiff is the owner of the subject property because it purchased the property at the June 7, 2023, foreclosure sale and recorded the deed in the Register of Deeds Office, Berkeley County in Deed Book 4608 at Page 987.

Upon Motion of the Plaintiff, IT IS ORDERED that the Movant is entitled to recover possession of the below described property:

Land Situated in the County of Berkeley in the State of SC

ALL that certain piece, parcel or lot of land located in 2nd St. Johns Parish, County of Berkeley, State of South Carolina, shown and designated as a portion of Lot "B-1" containing 2.325 acres, more or less, as shown on a plat entitled "SUBDIVISION SURVEY OF 6.417-AC. CREATING LOTES "A-1", "A-2", "B-1", "B-2" and "C-1" OWNED BY DAVID WOODARD 2ND ST. JOHNS PARISH-CROSS BERKELEY COUNTY, SOUTH CAROLINA", made by Robert J. Sample dated July 9, 2001, revised August 6, 2001, duly recorded in the ROD Office for Berkeley county in Plat Cabinet P, page 302-E, reverence to said plat is hereby made for a more full and complete description thereof. This parcel is being added to the original Lot B-1 to make it a total acreage of 2.325 acres, more or less.

Being the same property conveyed to MARY WESTBROOKS by GLENN G. JOHN, by deed dated December 2, 2005 and recorded December 5, 2005 of record in Deed Book 5200, Page 320, in the County Clerk's Office.

<i>Parcel No.</i>	042-00-03-110
<i>Property Address:</i>	2492 Ranger Drive Cross, SC 29436

IT IS FURTHER ORDERED that, if all occupants have not vacated the premises on or before October 16, 2023, the Sheriff of Berkeley County, South Carolina or his authorized deputies be and are hereby directed and authorized to enter upon the aforescribed property, by force if the same be necessary, at a time and date to be determined by the Sheriff or his deputies, and seize the said property and to remove therefrom any and all such persons including the Occupants who may be occupying the same, together with all their possessions, and to put the Movant in full, peaceful and quiet possession of the property without delay, and thereafter make immediate Return to the undersigned showing how this Order has been executed. Any personal property removed must be done so as not to cause a public nuisance. All valid tenant rights pursuant to Protecting Tenants at Foreclosure Act of 2009 shall be protected.

SIGNATURE PAGE TO FOLLOW



Berkeley Common Pleas

Case Caption: Bank Of America, N.A. VS Mary Westbrooks , defendant, et al
Case Number: 2018CP0802131
Type: Order/Writ Of Assistance

AND IT SO ORDERED!

s/Dale E. Van Slambrook #3079