

STATE OF SOUTH CAROLINA

COUNTY OF ANDERSON

Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee and on behalf of the David J. Woodson Revocable Living Trust, and Kay Elrod,

Plaintiffs,

vs.

Anderson County Planning Commission,

Defendants.

IN THE COURT OF COMMON PLEAS
TENTH JUDICIAL CIRCUIT

Case No. 2022-CP-04-00387

**NOTICE OF FILING
NOTICE OF APPEAL**

RECEIVED
Oct 17 2023
SC Court of Appeals

Plaintiffs, Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee and on behalf of the David J. Woodson Revocable Living Trust, and Kay Elrod (collectively, "Plaintiffs"), by and through undersigned counsel and pursuant to Rule 203(d) of the South Carolina Rules of Civil Procedure, hereby notifies this Court and all parties that they have filed a Notice of Appeal (copy attached as Exhibit A) with the South Carolina Court of Appeals.

[Signature on Next Page]

Respectfully submitted,

s/ Andrew A. Mathias

Andrew A. Mathias (SC Bar No. 76220)
Clarence R. Turner (SC Bar No. 104766)
MAYNARD NEXSEN PC
104 South Main Street, Suite 900 (29601)
Post Office Box 10648
Greenville, South Carolina 29603-0648
Telephone: 864.370.2211
Facsimile: 864.282.1177
AMathias@maynardnexsen.com
CTurner@maynardnexsen.com

Attorneys for Plaintiffs

October 17, 2023

EXHIBIT A
To
Notice of Filing
Notice of Appeal

RECEIVED

Oct 11 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2022-CP-04-00387

Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee and
on behalf of the David J. Woodson Revocable Living Trust, and
Kay Elrod, Appellants,

v.

Anderson County Planning Commission, Respondent.

NOTICE OF APPEAL

Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee and on behalf of the
David J. Woodson Revocable Living Trust, and Kay Elrod (“Appellants”) appeal the
Order Denying Appellants’ Amended Notice of Appeal, dated June 22, 2023 and attached
hereto as **Exhibit A**.

Appellant received written notice of the entry of the latter Order, which denied
Appellant’s motion for reconsideration pursuant to Rule 59(e), SCRCF, on September 21,
2023.

October 11, 2023
Greenville, South Carolina

Other Counsel of Record:

A. Todd Darwin
101 West St. John Street, Suite 200
Spartanburg, SC 29306
Post Office Box 1897
Spartanburg, SC 29304
(864) 594-5300 (Phone)
(864) 585-3844 (Fax)
tdarwin@holcombebomar.com

*Attorney for Anderson County Planning
Commission*

s/ Andrew A. Mathias

Andrew A. Mathias, (SC Bar No. 76220)
Clarence R. Turner IV, (SC Bar No. 104766)
MAYNARD NEXSEN PC
104 South Main Street, Suite 900 (29601)
Post Office Drawer 10648
Greenville, SC 29603-0648
Telephone: 864.370.2211
Facsimile: 864.282.1177
AMathias@maynardnexsen.com
CTurner@maynardnexsen.com

*Attorneys for Toll Brothers Inc., Gail Keener,
David J. Woodson as Trustee and on behalf of the
David J. Woodson Revocable Living Trust, and
Kay Elrod*

EXHIBIT A

RECEIVED

Oct 11 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2022-CP-04-00387

Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee
and on behalf of the David J. Woodson Revocable Living
Trust, and Kay Elrod, Appellants,

v.

Anderson County Planning Commission, Respondent,

PROOF OF SERVICE

I certify that I have served the foregoing NOTICE OF APPEAL on Respondent
Anderson County Planning Commission by emailing a copy of the same to their counsel
of record using the email address listed below:

Todd Darwin, tdarwin@holcombebomar.com

October 11, 2023

s/ Andrew A. Mathias

Andrew A. Mathias

RECEIVED

Oct 17 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2023-001604

Lower Court Case No. 2022-CP-04-00387

Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee
and on behalf of the David J. Woodson Revocable Living
Trust, and Kay Elrod,Appellants,

v.

Anderson County Planning Commission, Respondent,

PROOF OF FILING

I certify that I have served the foregoing NOTICE OF FILING NOTICE OF APPEAL which has been filed in the Court of Common Pleas, Anderson County, SC, Case No. 2022-CP-0400387, on Respondent Anderson County Planning Commission by emailing a copy of the same to their counsel of record using the email address listed below:

Todd Darwin, tdarwin@holcombebomar.com

October 17, 2023

s/ Andrew A. Mathias

Andrew A. Mathias