

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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**Jan 26 2024**

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

**SC Court of Appeals**

RT. Lawton McIntosh , Circuit Court Judge

Appellate Case No. 2023-001604

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,

**AGREED MOTION FOR DISMISSAL OF APPEAL**

Pursuant to Rules 240 and 260(b) of the South Carolina Appellate Court Rules, Appellants Toll Brothers Inc., Gail Keener, David J. Woodson as Trustee and on behalf of the David J. Woodson Revocable Living Trust, and Kay Elrod requests this Court issue an order dismissing their appeal in the above-captioned matter. The basis for this motion is that the parties have agreed to resolve this matter, rendering this appeal moot. Pursuant to Rule 261(b), SCACR, this resolution does not need court approval or to be submitted to this Court.

Counsel for Respondent Anderson County Planning Commission consents to the

dismissal of the appeal. The parties further agree that each party shall bear their own costs and attorneys' fees and no costs shall be assessed to either party under Rule 222, SCACR.

Therefore, Appellants respectfully move this Court for an Order dismissing the above-captioned appeal in its entirety.

Respectfully submitted:

January 26, 2024  
Greenville, South Carolina

*s/ Andrew A. Mathias*

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WE SO CONSENT:

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January 26, 2024