STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APR 29 2024
SC Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
COURT OF COMMON PLEAS

THE HONORABLE SHANNON M. PHILLIPS
CASE NO. 2022-CP-42-2073
APPELLANT CASE NO. 2024-000032

Edgar Mora Romero and Upstate House Projects, LLC — Appellants,

versus

Nathan T. Rosemond, — Respondent

RECORD ON APPEAL

Richard H. Rhodes, Esquire
William H. Rhodes, Esquire
Burts Turner & Rhodes
260 North Church Street
Spartanburg, SC 29306
(864) 585-8166
Attorneys for Appellants

Other Counsel of Record:
Rustin B. Duncan, Esquire
1320 W. Poinsett Street
Greer SC 29650
(864) 877-3355
Attorney for Respondent

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ELECTRONICALLY FILED - 2023 Dec 21 10:20 AM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

STATE OF SOUTH CAROLINA) COUNTY OF SPARTANBURG)) EDGAR MORA ROMERO AND) UPSATE HOUSE PROJECTS,) LLC,) PLAINTIFFS,)) VS.)) NATHAN T. ROSEMOND,)) DEFENDANT.)	IN THE COURT OF COMMON PLEAS SEVENTH JUDICIAL CIRCUIT **FINAL ORDER QUIETING TITLE** 2022-CP-42-2073

RECEIVED
Jan 09 2024
SC Court of Appeals

This is a Quiet Title and Declaratory Judgement action where both parties claim ownership of a piece of real property located in Spartanburg County. On December 11, 2023, the parties were before me for a trial on the merits via WebEx. At trial, the parties stipulated that Upstate House Projects, LLC would be added as a Plaintiff to this action and that originally named Defendants Coy Gideon and Michael Coy Gideon should be removed as parties in this matter.

The Plaintiffs are represented by Richard T. Rhodes, Esq. and the Defendant is represented by Rustin B. Duncan, Esq. Both parties, in their pleadings, seek an order of this Court declaring that they are the true owner of Lot 13 on Morgan Street in Greer and an order quieting title to that property. The real property is more particularly described as follows:

All that certain parcel or lot of land situate, lying and being in Spartanburg County, State of South Carolina, in the City of Greer on the West side of School Street and

being known and designated as Lot Number (13) on plat of Academy View, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County.

Tax Map # 9-03-14-269.00

Findings of Fact and Conclusions of Law

Based upon the testimony and evidence presented, I hereby make the following findings of fact and conclusions of law:

The ultimate and dispositive issue presented is whether the Defendant received statutory notice of the tax sale of Lot 13. Clearly, part of the legislative intent of the Legislature for collection of property taxes is to provide appropriate notice to the defaulting taxpayer of their rights prior to the seizure and sale of their real estate. This is consistent with the fundamental concepts of due process. The statutory requirements are intended for the protection of the taxpayer against surprise or the sacrifice and loss of their property. Hawkins v. Bruno Yacht Sales, 353 S.C. 31 (S.C. 2003), *see also* King v. James, 388 S.C. 16 (S.C. App. 2010).

For the most part, the facts involved herein are uncontested. On August 22, 1995, Defendant Nathan Rosemond purchased two lots from Coy Gideon and Michael Coy Gideon located on Morgan Street, Greer, SC 29651 via deed recorded in Deed Book 63D at Page 647 at the Spartanburg County Register of Deeds. The Gideons purchased these lots in 1979. The two lots are lot 12 (with Tax Map # 9-03-14-268.00) and lot 13 (with Tax Map # 9-03-14-269.00). A house is erected on lot 12 and the adjoining lot 13 contains no

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structure. A fence surrounds both lots with both lots being within the bounds of the fence.

After Mr. Rosemond purchased these lots in 1995, Spartanburg County updated the ownership record on lot 12 to reflect Mr. Rosemond as the owner. However, the County never updated their records to reflect Mr. Rosemond as the owner of lot 13. As such, Mr. Rosemond never received any tax bills for lot 13 and the taxes on lot 13 were not paid. Mr. Rosemond received and paid every tax bill for lot 12 since purchasing the property.

Since Mr. Rosemond was never listed as the owner of lot 13 by the County, when the County initiated the tax sale process on lot 13 in 1997, Mr. Rosemond was never sent any notice. A review of the Tax Collector's file, which was made an exhibit at trial, shows that all notices were sent to Coy Gideon and Micheal Coy Gideon despite Mr. Rosemond's recorded deed from 1995.

It is uncontroverted that Mr. Rosemond did not receive any of the tax sale notices or redemption notices. The parties stipulated at trial that Mr. Rosemond did not receive notice of the tax sale proceedings, Mr. Rosemond himself testified that he received no notice, and the Tax Collector's file contains no notice to Mr. Rosemond.

On December 1, 1997, Spartanburg County purported to sell lot 13 to Milton Anonaros (however, the parties stipulated at trial that it was clear than "Anaonaros" was a typographical error and the property was conveyed to Milton "Antonakos"). The tax deed was recorded in Deed Book 67-K at Page 535 at the Spartanburg County Register of Deeds. This tax deed listed Coy Gideon and Michael Coy Gideon as the defaulting

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taxpayers rather than Mr. Rosemond, despite the 1995 deed transferring the property to Mr. Rosemond.

On December 29, 2014, Mr. Antonakos, by and through his estate, attempted to transfer lot 13 to Plaintiff Edgar Mora Romero via a deed recorded at the Spartanburg County Register of Deeds in Deed Book 107-Z at Page 542. However, while this deed listed the correct tax map number for lot 13, it contained an incorrect legal description for lot 13. On May 14, 2021, Plaintiff Romero purported to convey lot 13 to Plaintiff Upstate House Projects, LLC via deed recorded at the Spartanburg County Register of Deeds in Book 132-E at Page 981. However, this deed also contained the incorrect legal description. On May 4, 2022, a corrective deed from The Estate of Milton Antonakos to Plaintiff Romero correcting the legal description to reflect lot 13 was recorded at the Register of Deeds for Spartanburg County in Deed Book 136-Z at Page 417. However, Plaintiff Romero was no longer the record owner of the property as he had already deeded it to Plaintiff Upstate House Projects, LLC. No corrective deed was issued by Plaintiff Romero to Plaintiff Upstate House Projects, LLC.

The Gideons are Defendant Nathan Rosemond's wife's relatives Mr. Rosemond has always treated the two lots as one big lot. Mr. Rosemond has rented the property to the same tenant since 1995 and the tenant uses both lots, including using lot 13 for entry and exit of the property. Mr. Rosemond has maintained lot 13 since 1995 and that no one else has maintained the property.

Due process requires some sort of notice to a property owner before property is sold for delinquent taxes. If the taxing agency does not comply with all statutory notice

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requirements, the tax sale is void. Manji v. Blackwell, 323 S.C. 91 (Ct. App. 1996). Even if the property owner has actual knowledge of the overdue taxes, the tax sale is void unless the required statutory notices are given. Donohue v. Ward, 298 S.C. 75 (Ct. App. 1989). None of the notices were given to Mr. Rosemond and thus the tax sale must be declared void.

S.C. Code Section 12-51-40(a) requires the notice of the Delinquent Tax to be sent to "the defaulting taxpayer and to a grantee of record of the property. The notice must be mailed to the address shown on the deed conveying the property to him. The sole act of tacking a notice of sale in the name of the prior owner to the property when the owner doesn't live there fails to give reasonable notice to the current owners in interest, as required by due process and statute. Dibble v. Bryant, 274 S.C. 481 (S.C. 1980). These required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

South Carolina Code Section 12-51-120 requires that prior to the end of the redemption period, the delinquent tax collector must give written notice to the defaulting taxpayer and to a grantee, mortgagee or lessee of the property of record. These required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

The right to notice of the tax sale is jurisdictional. Failure to give any notice in the manner proscribed prevents title to the property from being transferred to the successful bidder. Good v. Kennedy, 291 S.C. 204 (Ct. App. 1986).

The South Carolina Supreme Court has "consistently held the enforcing agencies of government to strict compliance with all the legal requirements surrounding tax sales."

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Dibble, supra. All requirements of the law leading up to the tax sales, which are intended for the protection of the taxpayer against surprise or the sacrifice of his property, are to be regarded as mandatory, and are to be strictly enforced. Alridge v. Rutledge, 269 S.C. 475 (S.C. 1977). Without strict compliance with the statutory requirements, a tax sale may not be upheld. Aldridge, supra. These required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

While the Plaintiffs raise multiple issues, the dispositive issue is that the Tax Collector did not send the required statutory notices related to the tax sale of lot 13 to Defendant Nathan T. Rosemond. It is uncontroverted that the Defendant never received notice of the impending tax sale nor of the end of the redemption period. As such, the clear intention of the statues related to tax sales has not been met. Further, it is well established law in this state that strict compliance is required with all matters relating to tax sales. Hawkins, supra. This is based, in part, upon the law's recognition that the government's authority and ability to seize and sell property belonging to a taxpayer is a significant power. The statutory process was not created to punish taxpayers who have failed to pay their taxes because of legitimate mistake or error. Johnson v. Arbabi, 347 S.C. 132 (S.C. App. 2001). Failure to provide notice to the true owner is not excused regardless of actual notice. Aldridge, supra. In this case the actual owner received neither.

Based on the above, the fundamental concept of due process requires that the Tax Deed to lot 13, along with all subsequent deeds transferring lot 13, to be set aside.

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Therefore, Defendant Nathan T. Rosemond is hereby declared the true and rightful owner of lot 13.

THEREFORE, IT IS HEREBY ORDRED THAT:

1. The Tax Sale which occurred on December 1, 1997 for Tax Map # 9-03-14-269.00 is hereby set aside;
2. The resulting Tax Deed for the same, recorded in Spartanburg County Register of Deeds Office in Deed Book 67-K at Page 535, is hereby declared void and canceled;
3. That the subsequent transfer of the property by way of Deed from Milton Antanakos to Plaintiff Edgar Mora Romero via a deed recorded at the Spartanburg County Register of Deeds in Deed Book 107-Z at Page 542, is also declared void and canceled;
4. That the subsequent transfer of the property by way of deed from Plaintiff Romero to Plaintiff Upstate House Projects, LLC via deed recorded at the Spartanburg County Register of Deeds in Book 132-E at Page 981 is also declared void and canceled to the extent it transferred any interest in lot 13;
5. That the subsequent corrective deed from The Estate of Milton Antonakos to Plaintiff Romero correcting the legal description to reflect lot 13 was recorded at the Register of Deeds for Spartanburg County in Deed Book 136-Z at Page 417 is also declared void and canceled;
6. A copy of this Order may be filed in the Spartanburg County Register of Deeds office, and upon filing, the Register of Deeds shall enter in the public records,

under the names of Grantors and Grantees, the fact that the previously referenced deeds have been cancelled via Court Order.

AND IT IS SO ORDERED.

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Spartanburg Common Pleas

Case Caption: Edgar Mora Romero VS Coy Gideon , defendant, et al

Case Number: 2022CP4202073

Type: Master/Order/Other

IT IS SO ORDERED.

s/ Shannon M. Phillips - 3087

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STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
Edgar Mora Romero,	)	
	)	
Plaintiff,	)	
	)	
	)	ORDER OF REFERENCE
vs.	)	2022-CP-42-2073
	)	
Coy Gideon, Michael Coy Gideon, and Nathan T. Rosemond,	)	
	)	
Defendants.	)	

The Plaintiff filed a Motion seeking to have the matter referred to the Master-in-Equity for Spartanburg County for the purpose of taking testimony and rendering a final hearing. Since the major issue in this case involves clearing title to real property, it is appropriate for the matter to be referred to the Master-in-Equity. Accordingly,

IT IS ORDERED that the above case is referred to the Master-in-Equity for Spartanburg County for the purpose of taking testimony and rendering a final hearing in the matter.

IT IS SO ORDERED.

ELECTRONIC SIGNATURE TO FOLLOW

FOR THE MOTION:

s/Richard H. Rhodes
Richard H. Rhodes
Attorney for the Plaintiff

The Defendants, Coy Gideon and Michael Coy Gideon are in default

I CONSENT:

s/Rustin B. Duncan
Rustin B. Duncan
Attorney for Nathan T. Rosemond

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STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
Edgar Mora Romero,	)	
	)	
Plaintiff,	)	
	)	SUMMONS
vs.	)	2022-CP-42-_____
	)	(NON-JURY)
Coy Gideon and Michael Coy Gideon and Nathan T. Rosemond,	)	
	)	
Defendants.	)	

TO THE DEFENDANTS ABOVE NAMED:

You are hereby summoned and required to answer the Petition/Complaint in this action, of which a copy is herewith served upon you, and to serve a copy of your answer to the said Petition/Complaint on the subscribers at their office, 260 North Church Street, Spartanburg, S.C. within thirty (30) days after the service hereon, exclusive of the day of such service; and if you fail to answer the Petition/Complaint within the time aforesaid, the Petitioner/Plaintiff in this action will apply to the Court for the relief demanded in the Petition/Complaint.

Burts Turner & Rhodes
Attorneys for the Plaintiff
260 North Church Street
Spartanburg, SC 29306
(864) 585-8166

By: s/Richard H. Rhodes
Richard H. Rhodes

June 2, 2022

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STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG	)	IN THE COURT OF COMMON PLEAS SEVENTH JUDICIAL CIRCUIT
Edgar Mora Romero, Plaintiff, vs. Coy Gideon, Michael Coy Gideon, and Nathan T. Rosemond, Defendants.	)	COMPLAINT 2022-CP-42-_____ (NON-JURY)

The Plaintiff would respectfully show the court:

1. This action is being brought to approve a Tax Sale by the Spartanburg County Delinquent Tax Office.

2. The Defendants, Coy Gideon and Michael Coy Gideon (the Gideons), were the owners of the subject real property at the time the subject taxes were unpaid.

3. The Defendant, Nathan T. Rosemond (Rosemond), was deeded the subject property by the Gideons; the conveyance was made prior to the subject Tax Deed.

4. The real property which is the subject of this action is located in Spartanburg County.

5. This court has jurisdiction of the subject matter and parties herein.

6. The subject real property is referred to as Lot 13 and is more particularly described as follows:

> All that certain piece, parcel, or lot of land, situate, lying and being in the County of Spartanburg, State of South Carolina, in the City of Greer on the west side of School Street, fronting on Morgan Street and being shown and designated as Lot No. 13, on a plat of Academy View, recorded in Plat Book 8, page 23, Register of Deeds for

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Spartanburg County; and having the following metes and bounds: BEGINNING at a stake on the western side of School Street, joint corner of Lot No. 13 and 14 and running thence as the common line of said lots, S. 81-30W. 150 feet to a stake; thence N. 22-30 W. 150 feet to stake; thence with the common line of Lot No. 12 and 13, N. 81-30 E. 150 feet to stake on the western side of School Street; thence therewith S. 22-30 E. 50 feet to the beginning corner.

The County Tax Map Number of the property is 9-03-14-269.00

7. The above described property was formerly owned by the Gideons; they purchased the subject Lot 13 and Lot 12 by deed recorded on February 1, 1979 in Deed Book 46-F, page 612, Register of Deeds for Spartanburg County. [See Exhibit I.]

8. The Gideons sold the subject Lot 13, together with an adjoining Lot 12 to Rosemond; the deed to Rosemond was recorded on August 23, 1995 in Deed Book 63-D, page 647, Register of Deeds for Spartanburg County. [See Exhibit II.]

9. After the sale of the subject property to Rosemond, the 1995 taxes on Lot 13 were not paid.

10. A Tax Sale was performed on November 4, 1996; Milton Antonakos was the successful bidder at the Tax Sale and he received a Tax Deed for Lot 13, the said deed being recorded on February 7, 1998 in Deed Book 67-K, page 535, Register of Deeds for Spartanburg County. [See Exhibit III.]

11. Milton Antonakos died on December 9, 2013 (reference being made to Estate File Number 2013-ES-23-01783, Probate Judge's Office for Greenville County); Milton Antonakos had purchased several tracts of land, and his estate sold numerous tracts of his land at an auction; the Plaintiff purchased the subject Lot 13 at the auction and also purchased two (2) additional lots; reference is made to deed recorded on January 14, 2015 in Deed Book 107-Z, page 542, Register of Deeds for Spartanburg County. [See Exhibit IV.]

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12. When the Plaintiff purchased the subject real property, this sale/purchase was one of many, many tracts of land being sold by the estate; the lots were sold by street names and tax map numbers; the Plaintiff was the successful bidder on the subject property, and a copy of the Contract is attached hereto as Exhibit V and incorporated herein.

13. Prior to the sale, the subject property had a sign on it advertising for sale and this is how the Plaintiff learned that the property was for sale; a copy of the aerial photograph which was used for the sale of the subject property is attached as Exhibit VI. The aerial photograph correctly identifies the property which is the subject of this action.

14. Through inadvertence, when the property was conveyed to the Plaintiff, the legal description was incorrect, but the deed contained the correct tax map number; as a result, the mistake was not initially discovered.

15. The Estate of Milton Antonakos issued a corrective deed using the correct legal description and it has been recorded on May 4, 2022 in Deed Book 136-Z, page 417, Register of Deeds for Spartanburg County. [See Exhibit VII.]

16. Prior to discovering the incorrect legal description, an action was brought by the Plaintiff to affirm the Tax Sale, reference being made to Cause of Action 2021-CP-42-00223.

17. When the action to approve the Tax Sale was brought, the undersigned used the legal description in the original deed (Deed Book 107-Z, page 542); therefore, the Order approving the Tax Sale did not use the correct legal description of the property; this action has now been brought to describe the subject property accurately.

18. Since the Defendant, Rosemond, purchased the subject property prior to the Tax Sale, he has been joined to assert any interest he may claim in the subject real property.

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19. The Plaintiff contends that the Defendant, Rosemond, does not have a legitimate claim to assert ownership of the property for the following reasons:

- Subsequent to the purchase of Lot 13, the Defendant, Nathan T. Rosemond never used or occupied the property;
- After the purchase of Lot 13, the subject real property was posted for sale at a Tax Sale, but the Defendant, Rosemond, did not take any steps to pay the taxes.
- The subject real property was conveyed to the Defendant, Nathan T. Rosemond, almost 27 years ago, and Rosemond has never paid any taxes on the subject property, and has never occupied the subject property.
- The auction by the Milton Antonakos Estate which sold the subject property to the Plaintiff was conducted in December 2014; prior to the auction, the subject property was posted for sale and specified that the lot was being sold at auction, Rosemond did not take any steps to assert ownership of the property.
- The Plaintiff took title to the property by deed recorded in January 2015, and has consistently paid taxes on the same.
- Rosemond has never asserted any ownership of the subject property.
- The Plaintiff believes that any interest which Rosemond could have in the subject real property should be barred by the Doctrines of Laches, Waiver, and Estoppel, and should also be barred by Code §12-51-120 and Code §15-3-340.

20. With the exception of Rosemond being notified of the Tax Sale, the Plaintiff will show the court that the Tax Sale complied with the requirements of Code §12-51-10, et. seq., S.C. Code of Laws, 1976 as amended.

21. In particular, the Plaintiff will show the court:

- The Delinquent Tax Office sent notice of delinquency to the Gideons at the address supplied to the Spartanburg County Assessor's Office, thereby complying with Code §12-51-40(a)(b);

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- The Delinquent Tax Office posted notice of delinquency and sale on the property, thereby complying with Code §12-51-40(c);
- The Delinquent Tax Office advertised the subject real property for sale in a newspaper of general circulation, thereby complying with Code §12-51-40(d);
- The subject real property was sold at a Tax Sale on November 4, 1996 and notification of the sale was sent to the Gideons;
- Prior to the end of the redemption period, the Delinquent Tax Office sent notice of "approaching end" of the redemption period, thereby complying with Code §12-51-120.

22. The Plaintiff contends that this court should hold that the Tax Sale was conducted properly and that the Tax Deed is valid; the Plaintiff should be declared to be the owner of the subject real property in fee simple, free and clear of any liens that the Gideons can make and any claim that Rosemond can make.

23. In addition, the Plaintiff will show the court that more than two (2) years has passed since the Tax Sale and pursuant to Code §12-51-160, the Gideons and Rosemond are barred from objecting to the sale.

24. In addition, the Plaintiff will show the court that more than ten (10 years have passed since the Tax Sale, and neither the Gideons or Rosemond have possessed the property or claimed any ownership therein, and as a result, any claims they have in the subject property would be barred by Code §15-3-340, S.C. Code of Laws, 1976 as amended.

WHEREFORE, the Plaintiff prays as follows:

(a) For the court to hold that the Tax Sale conducted by the Delinquent Tax Collector was done correctly and is valid;

(b) For the court to hold that the title to the subject real property is quieted and that the Plaintiff owns fee simple title to the subject real property free and clear of any claims that could be made by the Gideons or by Rosemond;

(c) For such other and further relief that the court may deem just and proper.

Burts Turner & Rhodes
Attorneys for the Plaintiff
260 North Church Street
Spartanburg, SC 29306
(864) 585-8166

By: s/Richard H. Rhodes
Richard H. Rhodes

June 2, 2022

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304 Morgan St., Greer, S. C., 29651

TITLE TO REAL ESTATE—Don C. McKissick, Attorney at Law, Greer, S. C.

State of South Carolina } 612 Know All Men by These Presents:
SPARTANBURG COUNTY }

That CITY OF GREER in the State aforesaid,

in consideration of the sum of Thirteen Thousand Four Hundred Five ($13,405.00)---DOLLARS,

to the grantor s in hand paid at and before the sealing of these presents by the grantee(s) (the receipt whereof is hereby acknowledged , have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said grantee s COY GIDEON and MICHAEL COY GIDEON, their heirs and assigns forever:

All that piece, parcel or lot of land in Beech Springs Township, County of Spartanburg, located in the City of Greer, Dist 9-B, located on the West side of School Street and being shown as lot number TWELVE (12) on plat of Academy View, by R. S. Brockman, surveyor, dated October 25, 1923, recorded in Plat Book 8, page 23, R. M. C. Office for Spartanburg County, and having a width of 50 feet and a depth of 150 feet. Reference is hereby made to said plat for a more complete description as to metes and bounds.

ALSO:
All that certain parcel or lot of land situate, lying and being in Spartanburg County, State of South Carolina, in the City of Greer on the West side of School Street and being known and designated as lot number THIRTEEN (13), on plat of Academy View, recorded in plat book 8 page 23, R. M. C. Office for Spartanburg County, having the following metes and bounds, to wit:

BEGINNING on a stake on the Western side of School Street, joint corner of lots 13 and 14 and running thence as the common line of said lots, S. 81-30 W., 150 feet to a stake; thence N. 22-30 W., 50 feet to stake; thence with the common line of lots 12 and 13, N. 81-30 E., 150 feet to stake on the western edge of School Street; thence therewith S. 22-30 E., 50 feet to beginning corner. This is the same conveyed to the within grantor by H. B. Callaham by deed recorded June 15, 1978 in deed book 45R page 669.

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 said Premises before mentioned unto the grantee s hereinabove named, and their Heirs and Assigns forever.

And the grantor s, do(es) hereby bind the grantor s and the grantor's successors and ~~heirs, Executors and Administrators~~ to warrant and forever defend all and singular the said premises unto the grantee s hereinabove named, and the grantee's Heirs and Assigns against the grantor s and the grantor's (s') ~~heirs~~ successors and assigns and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness the grantor's(s') hand and seal this 31st. day of January in the year of Our Lord One Thousand Nine Hundred and Seventy Nine.

Signed, Sealed and Delivered in the Presence of

Robert A. Lynn
Maurice T. Belue

CITY OF GREER, municipal Seal
By: Seal
Mayor Seal
Seal
City Clerk & Treasurer Seal

FILED SPARTANBURG S.C. 1979 JAN 31 PM 2:43 RECORDED

State of South Carolina }
GREENVILLE COUNTY }

Personally appeared before me Robert A. Lynn and made oath that he saw the within named grantor(s) City of Greer by its Mayor and City Clerk and Treasurer, W. Worth Barnett and Wilma Gosnell sign, seal and as its act and deed deliver the within written deed, and that he, with Maurice T. Belue witnessed the execution thereof.

Sworn to before me this 31st. day of January A. D., 19 79

Maurice T. Belue Seal
Notary Public for South Carolina
My Commission expires 5/1/79

Robert A. Lynn

State of South Carolina } RENUNCIATION OF DOWER , NONE NECESSARY:
COUNTY } I, Notary Public, do hereby certify unto all whom it may concern, that Mrs. the wife of the within named who appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily, and without any compulsion, dread or fear of any person or persons forever relinquish unto and Assigns, all her interest and and also all and singular her rights and claim of Dower of, in or to all and joined and released.

X X

A 46 135

EX I

ELECTRONICALLY FILED - 2022 Jun 09 4:54 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

THIS DOCUMENT
MARGINAL
FOR IMAGING

203 Woodhaven Dr.
Greer, S.C. 29651

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

DEED 63D PG 647

KNOW ALL MEN BY THESE PRESENTS, that Coy Gideon and Michael Coy Gideon

in consideration of Seven Thousand and 00/100 ($7,000.00) Dollars,

the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto Nathan T. Rosemond

See Exhibit A

RECORDED
95 AUG 23 PM 2:13
RMC
SPARTANBURG, S.C.

9400 015 82359H109 822 005

RMC

STATE OF SOUTH CAROLINA
SOUTH CAROLINA TAX COMMISION
DOCUMENTARY STAMP TAX
AUG23'95
NO. 12898
$ 18.20

RMC

$ 7.70 155

together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantor's(s') hand(s) and seal(s) this 22nd day of Aug 19 95

SIGNED, sealed and delivered in the presence of:

Nancy W Dagnell

X Michael Coy Gideon (SEAL)

X Coy Gideon (SEAL)

(SEAL)

(SEAL)

STATE OF SOUTH CAROLINA
COUNTY OF Greenville

PROBATE

Personally appeared the undersigned witness and made oath that (s)he saw the within named grantor(s) sign, seal and as the grantor's(s') act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 22nd day of Aug 19 95

(SEAL)

Nancy W Dagnell

Notary Public for South Carolina.

My commission expires 8-31-01

EX II

ELECTRONICALLY FILED - 2022 Jun 09 4:54 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

DEED 63D PG 648

EXHIBIT A

ALL that certain lot, parcel or tract of land, with all improvements now constructed thereon, or hereafter constructed thereon, situate, lying and being in the State of South Carolina, County of Spartanburg, Beech Springs Township, located in the City of Greer, Dis 9-H, located on the West side of School Street and being shown as Lot Number Twelve (12) on plat of Academy View, by H. S. Brockman, Surveyor, dated October 25, 1923, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County and having a width of 50 feet and a depth of 150 feet.

ALSO:

All that certain parcel or lot of land situate, lying and being in Spartanburg County, State of South Carolina, in the City of Greer on the West side of School Street and being known and designated as Lot Number Thirteen (13) on plat of Academy View, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County.

Derivation: Book 46F
Page 612
Date 2-1-79
Grantor City of Greer
TMS# 9 03-14 268.00
9 03-14 269.00

This Conveyance is made subject to all easements, conditions, covenants, rights-of-ways, if any, appearing of record on the premises or on the recorded plat which may affect the property hereinabove described.

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DEED 67-K PG 535

TAX DEED

1998 FEB 27 PM 4:13

SPARTANBURG COUNTY
MAP # 9 03-14 269.00

COUNTY TAX STAMPS
1.85

GRANTEE'S ADDRESS
Milton Antonaros
341 Log Shoal Road
Greenville, SC 29607

RECORDED
98 FEB 27 PM 4:18
RMC
SPARTANBURG, S.C.

STATE OF SOUTH CAROLINA}
COUNTY OF SPARTANBURG}

TO ALL WHOM THESE PRESENTS MAY CONCERN:

WHEREAS, Delinquent Tax Collector for Spartanburg County, Stephen Ford, acting pursuant to the acts of the General Assembly of South Carolina and the statute laws of said State, did on the First Day of May, 1995, mail via "Certified Mail, Return Receipt Requested-Restricted Delivery" notice of delinquent property taxes, penalties and costs owed in the amount of $72.15 for the year{s} 1995, with such notice being mailed to Gideon Coy and Michael Coy and being returned unsigned/unclaimed by Gideon Coy and Michael Coy and,

WHEREAS, Assistant Delinquent Tax Collector of Spartanburg County, South Carolina, did on the 5th day of August, 1996 post said property against which said taxes were assessed and levied, as hereafter described; and,

WHEREAS, Delinquent Tax Collector for Spartanburg County, Stephen Ford, did on May 1,1996, mail via "Certified Mail, Return Receipt Requested-Restricted Delivery" notice of end of redemption for the amount due in the amount of $90.15 for 1995 taxes, with such notice being returned signed by agent for Coy Gideon and Michael Coy Gideon and,

WHEREAS, on Sales Day, the 4th day of November, 1996, Delinquent Tax Collector did, during the usual hours of sale, after due advertisement, sell the said property of the said Coy Gideon and Michael Coy Gideon tax defaulter {s} to Milton Antonaros his heirs and assign, the purchasers hereinafter known as "grantee{s}", and the highest bidder at such sale, for the sum of $150.00 dollars and gave a receipt for the total amount of said purchase money to Milton Antonaros and;

WHEREAS, more than twelve {12} months have elapsed since the date of said sale and the defaulting taxpayer {s}, any grantee from the owner of any MORTGAGE or judgement creditor have failed to redeem said land so sold for taxes;

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS, that Delinquent Tax Collector for Spartanburg County, South Carolina, Stephen Ford, in consideration of the premises, and the sum of $150.00 dollars to me paid by the said grantee {s} Milton Antonaros, have granted, bargained, sold and released unto the said grantee {s}, Milton Antonaros his heirs and assigns:

111RMC 534 22798M253 $10.00 +

021

Ex III

ELECTRONICALLY FILED - 2022 Jun 09 4:54 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

DEED 67-K PG 536

All that certain piece, parcel or lot of land situate, lying and being in the County of Spartanburg, State of South Carolina, in the City of Greer on the west side of School Street and being known and designated as Lot No. 13, on a plat of Academy View, recorded in Plat Book 8, page 23, in the RMC Office for Spartanburg County, having the following metes and bounds, to wit:

BEGINNING: on a stake on the western side of School Street, joint corner of Lots No. 13 and 14 and running thence as the common line of said lots, S. 81-30 W., 150 feet to a stake; thence N. 22-30 W., 50 feet to stake; thence with the common line of Lots No 12 and 13, N. 81-30 E., 150 feet to stake on the western edge of School Street; thence therewith S. 22-30 E., 50 feet to beginning corner.

This is the property conveyed to Coy Gideon and Michael Coy Gideon from City of Greer recorded February , 1980, in Deed Book 46-F, page 612 in the RMC Office, Spartanburg County, South Carolina.

Together with all and singular the rights, members, hereditaments, and appurtenances to said premises belong or in any wise incident or appertaining; to have and to hold all the singular the premises before mentioned unto the grantee {s} and the grantee {s} heirs or successors and assigns, forever, according to the form in force and effect of the laws and usages of the State of South Carolina in such cases made and proved

WITNESS my hand and seal this 30th day of December, 1997.

Stephen Ford
Delinquent Tax Collector for
Spartanburg County, South Carolina

Signed, sealed and delivered
in the presents of:

Sherry C. Arnold
Lois M Hammond

State of South Carolina}
County of Spartanburg }

The foregoing instrument was acknowledged before me this 30th day of December, 1997
by Stephen B. Ford, Delinquent Tax Collector for Spartanburg County.

Lois M Hammond
Notary Public for South Carolina
My Commission expires: 10-27-2003

DEED 107 ZP6542

DEE-2015-1701
Recorded 3 Pages on 1/14/2015 12:59:34 PM
Recording Fee: $10.00 Documentary Stamps: $5.55
Office of Register of Deeds, Spartanburg, S.C.
Dorothy Earle, Register

Prepared by:
Keable & Brown, PA
109 Laurens Road, Bld. 2, Suite A
Greenville, SC 29607

GRANTEE ADDRESS: 1717 Culpepper Woods Drive, Duncan, SC 29334

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

QUITCLAIM DEED
(NO TITLE SEARCH PERFORMED)

KNOW ALL MEN BY THESE PRESENTS, that **MILTON ANTONAKOS** in consideration of One Thousand One Hundred Thirteen and 20/100 Dollars ($1,113.20), the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto **EDGAR MORA ROMERO**, his\her heirs and assigns, forever any interest I may have in the following property:

SEE EXHIBIT A ATTACHED HERETO

This conveyance is subject to all restrictions, set-back lines, roadways, zoning ordinances, easements, and rights-of way, if any, affecting the above-described property.

TO HAVE AND TO HOLD unto Grantee and Grantee's heirs, successors and assigns forever, the Premises and the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of Grantor, if any.

023

EX III

ELECTRONICALLY FILED - 2022 Jun 09 4:54 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

EXHIBIT A

All that certain piece, parcel or lot of land situate, lying and being in the City and County of Spartanburg, State of South Carolina, fronting on Pilgrim Street, lying south of Piedmont & Northern Railway, more particularly described as beginning at a stake on the north side of Pilgrim Street, 50 feet south of the center line of the Piedmont & Northern Railway and running thence with the line of said street S 26-30 W 65 5 feet to the corner of the lot now or formally belonging to West, thence with line of West N 38-30 W 100 feet to a stake, said being 50 feet from the center line of the Piedmont & Northern Railway, thence with the line of right-of-way of Piedmont & Northern Railway S 79-00 E 94 feet to the beginning corner, containing a fraction of an acre. Reference being made to County Block Maps for a more particular description as to metes and bounds.

This being the property conveyed to Milton Antonakos by deed of Delinquent Tax Collector of Spartanburg County, dated January 2, 2001, and recorded January 30, 2001, in Deed Book 73-H at Page 438 in the Spartanburg County Register of Deeds.

TMS: 9-03-14-269.00

All that certain piece, parcel or lot of land situate, lying and being in the County of Spartanburg, Sate of South Carolina, in the Beech Springs Township near the Town of Greer and having the following metes and bounds to wit BEGINNING at a stake of South side of Collins Street and running thence N 7-30 E 186 feet to a stake, thence S 84-50 E 72 8 feet to a stake S 7-30 W 186 feet to a stake, thence N 84-50 W 72.8 feet to the beginning corner and being all of Lot No. 6 as shown by a plat of land known as the portion of Subdivision Noah Cannon Estate, surveyed by W. A. Christopher on February 12, 1919.

Also, all that other piece, parcel or lot of land situate in the State and County aforesaid and being all of Lot No. 7 of the Noah Cannon Estate as surveyed by W.A. Christopher on February 12th 1919, and having the following metes and bounds to wit BEGINNING at a stake on New Street and running thence N 7-30 E 186 feet to a stake, thence S 84-50 E 78-5 feet to a stake, thence S 7-30 W 186 feet to a stake, thence N 84-50 W 78-5 feet to the beginning corner and being all of Lot No 7. Reference being made to above mentioned plat for a more particular description as to metes and bounds.

This being the property conveyed to Milton Antonakos by deed of Delinquent Tax Collector of Spartanburg County, dated January 2, 2001, and recorded January 30, 2001, in Deed Book 73-H at Page 432 in the Spartanburg County Register of Deeds.

TMS:.9-04-02-069.00

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Contract of Sale

The undersigned Jesus Mora, hereafter called Purchaser, agrees to buy and the undersigned Milton Antonakos, The Estate of Milton Antonakos, hereinafter called Seller agrees to sell all that lot or parcel of land, with the buildings and improvements thereon, if any, located in Spartanburg County, South Carolina, and being identified as Morgan St, Greer and Highland Ave, Greer and having Tax Parcel Identification #9-03-14-269.00 and 9-04-02-069.00

This Contract is subject to all the terms and conditions herein in addition to the terms and conditions as contained in that certain Real Estate Online Terms and Conditions, attached hereto and incorporated in its entirety as Exhibit "A".

Contract Sales Price: One thousand one hundred thirteen and 20/100 Dollars ($1,113.20)

$ 1,113.20 Total Contract Sales Price
$ 1,113.20 Earnest Money Deposit (applied to purchase price, non-refundable)
$ 0.00 Additional Cash at Closing (does not include closing costs)

It is understood that property is subject to all reservations, easements, rights of way, and restrictive covenants, of record, or on the premises, and all government statutes, ordinances, rules and regulations. The described property is to be sold in "as is, where is" condition without warranty either expressed or implied by the Seller or Auctioneer.

A Quitclaim Deed will be prepared in the name of To Be Determined, and delivered at the offices of Kim Keable, or other stipulated place of closing, and the transaction shall be closed on or before Thursday, January 8, 2015.

A Quitclaim Deed will be furnished by the Seller. The Purchaser shall be responsible for all closing costs, including preparation of the Quitclaim Deed and transfer tax and closing attorneys' fees, which shall include the cost of the title examination and any other customary closing costs incurred in connection with the purchase of the property, including but not limited to courier or overnight mail fees and wire transfer fees.

Property taxes for 2015 will NOT be adjusted as of the date of closing. Purchaser is responsible for payment of all 2015 property taxes. Seller will pay 2014 property taxes.

Possession of the premises will be given Purchaser at closing.

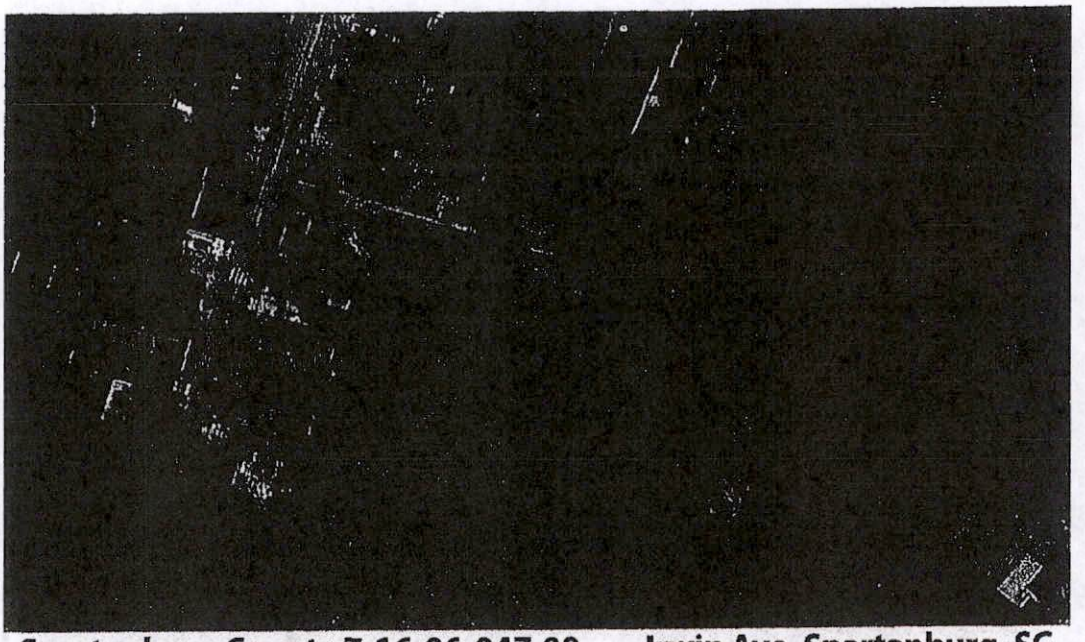
The parties agree that this written Contract and the attached Terms and Conditions attached hereto and incorporated in its entirety as Exhibit "A" express the entire agreement between the parties, and that there is no other agreement, oral or otherwise, modifying the terms hereunder, and that the Contract shall be binding on both parties, their principles, heirs, personal representatives, successors, and assigns forever.

Signatures below signify acceptance of all terms and conditions stated herein and attached hereto, and shall become a binding contract for purchase and sale of real property with a binding agreement date of December 9, 2014. The binding agreement date shall be defined as the date the Purchaser has executed the Contract of Sale and the Real Estate Online Terms and Conditions.

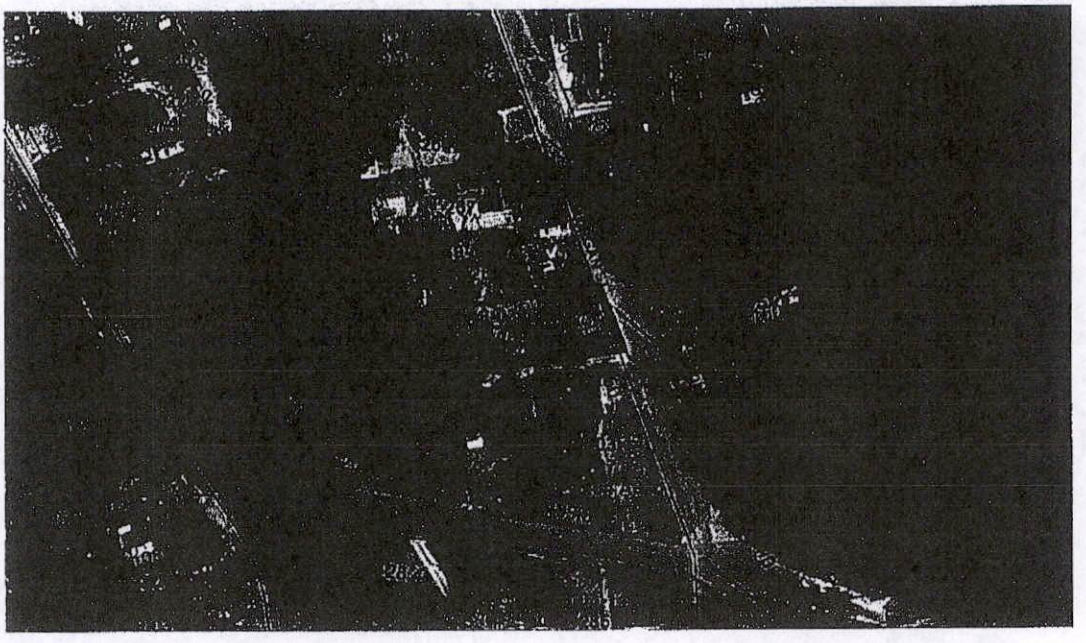
Purchaser Jesus Mora **Date** 12-10-2014 **Witness** _____
Printed Name _____ **Phone** _____
Purchaser _____ **Date** _____ **Witness** _____
Printed Name _____ **Phone** _____
Seller _____ PR **Date** 12-15-14 **Witness** _____
Seller _____ **Date** _____ **Witness** _____

EXH

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Spartanburg County 7-16-06-047.00 Irwin Ave, Spartanburg, SC
Sells with Norris Ct



Spartanburg County 9-03-14-269.00 Morgan St, Greer, SC

EX VI

DEE-2022-23467

DEE BK 136-Z PG 417-419 EXEMPT

Recorded 3 Pages on 05/04/2022 01:44:46 PM
Recording Fee: $15.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

CORRECTIVE DEED

Grantee's Address:
301 River Forest Dr.
Boiling Springs SC 29316

WHEREAS, Crisler G. Johnson, as Personal Representative of the Estate of Milton C. Antonakos, Jr., attemped to convey the below described property to Edgar Mora Romero, reference being made to deed recorded in Deed Book 107-Z, page 542, Register of Deeds for Spartanburg County; and

WHEREAS, when the deed was executed, it inadvertently described the property as a lot located on Pilgrim Street and it should have conveyed property located on Morgan Street; and

WHEREAS, this deed is for the purpose of placing the correct legal description on the said property.

KNOW ALL MEN BY THESE PRESENTS that **CRISLER G. JOHNSON, AS PERSONAL REPRESENTATIVE OF THE MILTON C. ANTONAKOS, JR. ESTATE** hereinafter called grantor(s) in consideration of **ONE DOLLAR AND PREMISES,** to the grantor(s) in hand paid at and before the sealing of these presents by the grantee(s) hereinafter named, the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the following named grantee(s), to wit: **EDGAR MORA ROMERO, HIS HEIRS AND ASSIGNS FOREVER:**

All that certain piece, parcel, or lot of land, situate, lying and being in the County of Spartanburg, State of South Carolina, in the City of Greer on the west side of School Street, fronting on Morgan Street and being shown and designated as Lot No. 13, on a plat of Academy View, recorded in Plat Book 8, page 23, Register of Deeds for Spartanburg County; and having the following metes and bounds: BEGINNING at a stake on the western side of School Street, joint corner of Lot No. 13 and 14 and running thence as the common line of said lots, S. 81-30W. 150 feet to a stake; thence N. 22-30 W. 150 feet to stake; thence with the common line of Lot No. 12 and 13, N. 81-30 E. 150 feet to stake on the western side of School Street; thence therewith S. 22-30 E. 50 feet to the beginning corner.

This is the same property conveyed to Milton Antonakos by deed from Stephen Ford, the Delinquent Tax Collector for Spartanburg County, the deed being dated December 30, 1997 and recorded on February 27, 1998 in Deed Book 67-K, page 535, Register of Deeds for Spartanburg County.

The County Tax Map Number of the property is 9-03-14-269.00

Together with all and singular the rights, hereditaments and appurtenances to said premises belonging or in anywise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs, successors and assigns forever.

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And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs, successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs, successors and assigns against the grantor(s) and the grantor's(s') heirs, successors and against every person whomsoever lawfully claiming or to claim the same or any part hereof.

WITNESS the grantor's(s') hand(s) and seal(s) this 13TH day of April, 2022.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

CRISLER G. JOHNSON
PERSONAL REPRESENATTIVE OF
THE MILTON C. ANTONAKOS, JR. ESTATE

STATE OF North Carolina)
)
COUNTY OF Buncombe)

PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named **CRISLER G. JOHNSON, AS PERSONAL REPRESENTATIVE OF THE MILTON C. ANTONAKOS, JR. ESTATE,** sign, seal and as his act and deed deliver the within deed and that deponent with the other witness whose name is subscribed above witnessed the execution thereof. The subscribing witnesses attest to the fact that they are not parties to or beneficiaries of this transaction.

SWORN to before me this 13TH day of April, 2022.

William S. Pressley (SEAL)
Notary Public for Buncombe County, NC

My Commission Expires: 1/23/27

WILLIAM S PRESSLEY NOTARY PUBLIC BUNCOMBE COUNTY, NC My Commission Expires 01-23-2027

ELECTRONICALLY FILED - 2022 Jun 09 4:54 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG	)	IN THE COURT OF COMMON PLEAS SEVENTH JUDICIAL CIRCUIT
Edgar Mora Romero, Plaintiff, vs. Coy Gideon, Michael Coy Gideon, and Nathan T. Rosemond, Defendants.	)	LIS PENDENS 2022-CP-42-_____ (NON-JURY)

NOTICE IS HEREBY GIVEN that an action has been commenced and is now pending in the Court of Common Pleas for Spartanburg County Courthouse, Spartanburg County, State of South Carolina, upon a Complaint filed on behalf of the Plaintiff seeking to quiet title to real property. The subject property is described as follows:

> All that certain piece, parcel, or lot of land, situate, lying and being in the County of Spartanburg, State of South Carolina, in the City of Greer on the west side of School Street, fronting on Morgan Street and being shown and designated as Lot No. 13, on a plat of Academy View, recorded in Plat Book 8, page 23, Register of Deeds for Spartanburg County; and having the following metes and bounds: BEGINNING at a stake on the western side of School Street, joint corner of Lot No. 13 and 14 and running thence as the common line of said lots, S. 81-30W. 150 feet to a stake; thence N. 22-30 W. 150 feet to stake; thence with the common line of Lot No. 12 and 13, N. 81-30 E. 150 feet to stake on the western side of School Street; thence therewith S. 22-30 E. 50 feet to the beginning corner.

The County Tax Map Number of the property is 9-03-14-269.00

BURTS TURNER & RHODES
Attorneys for the Plaintiff
260 North Church Street
Spartanburg, SC 29306
(864) 585-8166

By: s/Richard H. Rhodes
Richard H. Rhodes

June 2, 2022

ELECTRONICALLY FILED - 2022 Aug 08 1:23 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG EDGAR MORA ROMERO, Plaintiff, vs. COY GIDEON, MICHAEL COY GIDEON, and NATHAN T ROSEMOND, Defendant.	IN THE COURT OF COMMON PLEAS 7th JUDICIAL CIRCUIT CASE NO.: 2022-DR-42-2073 **SUMMONS**

TO PLAINTIFF NAMED ABOVE BY AND THROUGH HIS ATTORNEY RICHARD H. RHODES:

YOU ARE HEREBY SUMMONED and required to answer the counterclaims herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

KING LAW OFFICES, PLLC

By: s/Rustin B. Duncan
RUSTIN B DUNCAN
Attorney for the Defendant Rosemond
1320 W Poinsett St
Greer, SC, 29650
(864) 877-3355
(828) 286-1110 (fax)
rduncan@kinglawoffices.com

August 8, 2022
Greenville, South Carolina

STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG	IN THE COURT OF COMMON PLEAS 7th JUDICIAL CIRCUIT CASE NO.: 2022-DR-42-2073

ELECTRONICALLY FILED - 2022 Aug 08 1:23 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

EDGAR MORA ROMERO,

Plaintiff,

vs.

COY GIDEON, MICHAEL COY GIDEON, and NATHAN T ROSEMOND,

Defendant.

ANSWER & COUNTERCLAIM

The Defendant, NATHAN T ROSEMOND, answering the allegations of the Complaint, would respectfully show unto the Court:

FOR A FIRST DEFENSE
(General Denial)

1. Each allegation of the Complaint not hereinafter specifically admitted, qualified, or explained, is denied and strict proof is demanded thereof.

FOR A SECOND DEFENSE
(Specific Denials)

2. The above allegations are reiterated and incorporated by reference.

3. The Defendant admits the allegations contained in paragraph(s) 2, 3, 4, 5, 6, 7, and 8of the Complaint.

4. The Defendant denies the allegations contained in paragraph(s) 9, 18, and 19 of the Complaint and demands strict proof thereof.

5. The Defendant does not have sufficient knowledge or information to either admit or deny the allegations in paragraph(s) 1, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, and 24 of the Complaint and thus demands strict proof thereof.

FOR A THIRD DEFENSE
(Background, Facts and Jurisdiction)

6. The Plaintiff is a citizen and resident of Spartanburg County, South Carolina.

7. The Defendant is a citizen and resident of Spartanburg County, South Carolina.

ELECTRONICALLY FILED - 2022 Aug 08 1:23 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

8. The disputed property is located in Spartanburg County, South Carolina.

9. Based upon the foregoing, the Defendant believes this Court has jurisdiction over the parties, jurisdiction over the issues raised in this action, and that venue for this action properly lies in Spartanburg County, South Carolina.

10. The Defendant, Nathan T Rosemond, purchased the property from Coy Gideon and Michael Coy Gideon in 1995.

11. The deed was recorded on August 23, 1995 in Deed Book 63-D Page 647.

12. The deed gave Defendant two adjacent lots.

13. The legal description of both is as follows:

"All that certain lot, parcel or tract of land, with all improvements now constructed thereon, or hereafter constructed thereon, situate, lying and being in the State of South Carolina, County of Spartanburg, Beech Springs Township, located in the City of Greer, Dis 9-H, located on the West side of School Street and being shown as Lot Number Twelve (12) on plat of Academy View, by H. S. Brockman, Surveyor, dated October 25, 1923, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County and having a width of 50 feet and a depth of 150 feet." Hereafter referred to as, "Lot 12" (Property not in dispute)

"All that certain parcel or lot of land situate, lying and being in Spartanburg County, State of South Carolina, in the City of Greer on the West side of School Street and being known and designated as Lot Number (13) on plat of Academy View, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County." Hereafter referred to as, "Lot 13" (Property in dispute).

14. The Tax ID numbers for the lots are 9 03-14 268.00, Lot 12, (Not in dispute) and 9-03-14-269.00, Lot 13, (Property in dispute).

15. Nathan T Rosemond lives in a home located on Lot 12 and Lot 13 is connected as if part of one property unit.

16. Nathan T Rosemond has paid taxes on Lot 12 under the belief that the connecting lots were subject to one tax.

ELECTRONICALLY FILED - 2022 Aug 08 1:23 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

17. Nathan T Rosemond has occupied his home and the lots as one complete whole.

18. Nathan T Rosemond has mortgaged lot 13 without issue.

19. The Defendant had no actual notice, constructive notice, or inquiry notice of the adverse claims to Lot 13 until the commencing of this action.

20. By Plaintiff's own admission, Nathan T Rosemond was not notified of any Tax Sale as required by S.C. Code 12-51-40(a).

21. By Plaintiff's own admission, any purported Deed conveying Lot 13 to Plaintiff was facially defective. The deed had an incorrect legal description.

22. By Plaintiff's own admission, in an attempt to remedy the purported mistake, the Court Ordered quiet title that was also facially defective.

23. South Carolina Code 12-3-340 would not bar this action because the Nathan T Rosemond received notice of adverse claims within 10 years.

24. South Carolina Code 12-51-120 should not apply because Nathan T Rosemond did not receive notice of the "Approaching End" of the redemption period because the notice was sent to the previous owner of Lot 13.

25. The Deed Spartanburg County furnished to Milton Antonakos in 1997 listed Coy Gideon and Michael Coy Gideon as the defaulting parties.

26. Coy Gideon and Michael Coy Gideon had no interest in the Lot 13 upon the furnishing of this deed.

27. Laches should not apply because Nathan T Rosemond had no notice of any adverse claims.

28. Estoppel and Waiver should not apply because Nathan T Rosemond has never changed his position regarding Lot 13.

AS A FOURTH DEFENSE AND BY WAY OF COUNTERCLAIM
(Declaratory Judgment)

29. The allegations set forth in the preceding paragraphs are re-alleged and incorporated by reference as if fully set forth herein.

ELECTRONICALLY FILED - 2022 Aug 08 1:23 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

30. The Defendant, Nathan T Rosemond, is the true owner of Lot 13.

31. The Defendant, Nathan T Rosemond, believes he is entitled to a Declaratory Judgment from this court ordering him to be the sole true owner of Lot 13 in Fee Simple.

AS A FIFTH DEFENSE AND BY WAY OF COUNTERCLAIM
(Quiet Title)

32. The allegations set forth in the preceding paragraphs are re-alleged and incorporated by reference as if set forth herein.

33. The Defendant, Nathan T Rosemond, is the true owner of Lot 13.

34. The Defendant, Nathan T Rosemond, believes he is entitled to Quiet Title from this court ordering him to be the sole true owner of Lot 13 in Fee Simple.

WHEREFORE, the Defendant prays that this Court inquire into the facts and circumstances as set forth herein and grant the following relief:

a. Granting the Defendant, Nathan T Rosemond, quiet title of Lot 13 in Fee Simple.

b. Entering a Declaratory Judgment in favor of Defendant, Nathan T Rosemond.

c. For such other and further relief as to the Court may deem just and proper.

KING LAW OFFICES, PLLC

By: s/Rustin B. Duncan
RUSTIN B DUNCAN
Attorney for the Defendant Rosemond
1320 W Poinsett St
Greer, SC, 29650
(864) 877-3355
(828) 286-1110 (fax)
rduncan@kinglawoffices.com

August 8, 2022
Greenville, South Carolina

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
Edgar Mora Romero,	)	
Plaintiff,	)	
	)	REPLY TO COUNTERCLAIM
vs.	)	2022-CP-42-2073
	)	(NON-JURY)
Coy Gideon and Michael Coy Gideon and Nathan T. Rosemond,	)	
Defendants.	)	
	)	

The Plaintiff, answering the Counterclaim of the Defendant, Nathan T. Rosemond, would respectfully show the court:

1. The Plaintiff denies that the Defendant, Nathan T. Rosemond, is the true owner of Lot 13 and denies that he is entitled to a declaratory judgment from this court ordering him to be the sole owner.

2. After Nathan T. Rosemond was deeded the subject property in 1995, he has not occupied the property and he has not paid any taxes on the property for over 27 years.

3. Since the deed to Nathan T. Rosemond in 1995, there have been two (2) tax sales, both of which had posted signs on the property advising of the tax sales, and there was an auction by Terry Howe & Associates in November/December 2014 and a For Sale sign was posted on the property in a conspicuous place.

4. The actions of Nathan T. Rosemond justify the court issuing an Order that he does not have any interest in the subject property.

WHEREFORE, having answered the Counterclaim of the Defendant, Nathan T. Rosemond, the Plaintiff prays that the Counterclaim be dismissed with prejudice.

Burts Turner & Rhodes
Attorneys for the Plaintiff
260 North Church Street
Spartanburg, SC 29306
(864) 585-8166

By: s/Richard H. Rhodes
Richard H. Rhodes

August 16, 2022

PROCEEDINGS

(Whereupon, the hearing began at 9:32 a.m.)

THE COURT: Good morning.

MR. DUNCAN: Good morning, Judge.

MR. RHODES: Can you guys hear us now?

THE COURT: I can hear you. Thank you.

This is December 11th, 2023. It is 9:32 a.m. This is Case Number 2022-CP-42-02073. Would you attorneys announce yourselves and the party you're representing for the record? Mr. Rhodes?

MR. RHODES: Judge, I'm Richard Rhodes, and I represent Mr. Edgar Romero, who's here with me now, seated by me.

MR. DUNCAN: May it please the Court, Your Honor. My name is Rustin Duncan. I represent the defendant, Nathan Rosemond. He is here in my office with me. I can -- if you want me to turn it around where we're sitting beside each other, I can turn him around when he testifies, whatever you like. But he is here, present.

THE COURT: That's not necessary. Both sides consent to having this hearing via Webex?

MR. RHODES: Yes, ma'am.

MR. DUNCAN: Yes, Your Honor.

THE COURT: Okay, Mr. Rhodes.

MR. RHODES: Okay, Your Honor. If it pleases the Court, I'll call Mr. Edgar Romero.

THE COURT: Mr. Romero, please raise your right hand for me.

THE PLAINTIFF: (Complies.)

(WHEREUPON, the oath was given.)

THE COURT: Please state your full name for the record. THE PLAINTIFF: Edgar Mora Romero.

THE COURT: Please answer Mr. Rhodes's questions.

DIRECT EXAMINATION OF EDGAR MORA ROMERO

BY MR. RHODES:

Q Okay, Mr. Romero. A little background information on you. You're the plaintiff in this case; is that correct?

A Yes.

Q And what is your age?

A Thirty years old.

Q And are you married?

A Yes.

Q And do you have any children?

A Yes.

Q And how many, sir?

A One child.

Q And are you a United States citizen?

A Yes.

Q Tell us about your educational background. Did you go to college?
A Yes. I went to college at Clemson University and have a bachelor's degree in electrical engineering.
Q And what about your current job? What do you do?
A My title's a controls engineer, and I mainly troubleshoot and maintain production equipment, manufacturing equipment for our company.
Q And who do you work for?
A Sonoco Products.
Q And currently, where do you reside?
A In North Carolina.
Q As far as your profession, you just testified to, do you ever get in other business pursuits?
A Yes. I'm also -- have a license -- general contractor license for North Carolina.
Q Okay. Do you ever get involved in -- in building or remodeling houses?
A Yes.
Q And do you also get involved with your family?
A Yes.
Q Okay. And your relationship with Mr. Jesus Mora? Is he your father?
A He is my father, yes.
Q Okay. The subject real property is known as a Lot 13 on

Morgan Street. How did you first become involved with this property?

A So my father, we went to go look at it. Well, first, my father called me because he had seen it first. And then we went to go drive around the neighborhood, and we saw that it was a good neighborhood and a good lot in that neighborhood.

Q MR. RHODES: Okay. And do you know approximately when this was?

A I'm not sure, but it was around November, December of 2014.

Q Okay. So you went onsite and looked at it with your dad. It was an unimproved lot; is that correct?

A That's correct.

Q Was the neighborhood such that you thought it would be a good purchase for possible building a speculative home?

A Yes.

Q Okay. This house was for sale. Did you see a sign on it?

A Yes. We saw a For Sale sign.

Q And who was selling this property?

A It was an auction through Terry Howe and Associates.

Q Okay. And based on that, did you and/or your father get in touch with the auctioneer?

A Yes.

Q And who was primarily involved in that?
A My father.
Q Okay. And the -- were you -- were you involved in the auction or was it your dad?
A It was my dad.
Q Okay. So after this was auctioned, did your father contact you?
A Yes.
Q And you were the owners of -- you bidded in; is that correct?
A Yes.
Q Okay. Did you attend the closing?
A Yes.
Q And was your dad there also?
A Yes.
Q All right.

MR. RHODES: Judge, I'm going to show what was on my list of documents which we have gone ahead and filed. It's going to be the HUD form on the property. And this would have been, I guess, but you would call my Number 2 and the second item on it.

(WHEREUPON, the HUD form is entered into evidence as Plaintiff's Exhibit No. 2.)

(To Mr. Duncan) Rustin, are you following what

I'm saying?

MR. DUNCAN: Yes, sir. I am.

MR. RHODES: Okay. Different . . .

Q Okay. So I'm going to show you this HUD form, and it shows on here a Morgan Street and a Highland Avenue. That's two lots; is that correct?

A That's correct.

Q Did y'all buy in or bid in two lots?

A Yes.

Q All right. So the Morgan Street property is the subject property; is that correct?

A Right.

Q Both were closed at the same time for $1,113.20.

A That's right.

Q How much was for the Morgan Street property?

A $750.

Q All right. Now on this, on the back of it, it's got Jesus Mora signing. That is your father, right?

A Yes.

Q But he was the one that bid it in. Has it been changed to show "Edgar Mora Romero"?

A Yep.

Q And that is your name?

A Yes.

Q And so you are the one that signed this closing

statement.

A That's right.

MR. RHODES: Judge, I would offer this as Exhibit Number 1.

MR. DUNCAN: No objection.

THE COURT: Any objection?

MR. DUNCAN: No objection.

THE COURT: Without objection, it is admitted as Exhibit 1.

(WHEREUPON, the closing statement is entered into evidence as Plaintiff's Exhibit No. 1.)

MR. RHODES: Thank you, Your Honor.

Q Okay. So with the closing of the property, were you ready to build on it right away?

A No. Not right away.

Q Okay. Other projects were ongoing at that time?

A Yes.

Q At the time this particular auction took place, were you still a student at Clemson?

A Yes.

Q But you still were involved in projects with the family; is that correct?

A That's correct.

Q When you buy a lot and you're ready to build on it, it's your practice to have a plat done?

A Yes.
Q And on this situation -- I'm showing you a plat which is dated January 28th of 2022. You've seen this plat, haven't you, sir?
A Yes.
Q Okay. Now, is this the plat that was done on the property?
A Yes.

MR. RHODES: And, Judge, this is listed as Number 5 on what I pre-filed.

I would offer this as Exhibit Number 2.

MR. DUNCAN: No objection.

THE COURT: Without objection, this will be Exhibit Number 2.

(WHEREUPON, the plat is entered into evidence as Plaintiff's Exhibit No. 2.)

Q Okay. So this plat, it does show the name, "Upstate House Projects, LLC." What is that?
A That's my father's company.
Q Okay. So when you get ready to build, you would put land into the name of the LLC?
A Yes.
Q All right. It shows on here a brick wall that it's got written on here, "wall encroaches." Are you familiar with that?

A Yes.
Q And you knew your father was going to talk to the owner of the property on the north side; is that correct?
A That's correct.
Q Okay. After this survey was performed, is that the first time you knew of any dispute that concerned the ownership of this property?
A Yes.
Q All right. And the last thing I want to show you is a corrective deed.

MR. RHODES: And Judge, this was with my supplemental that I found. I inadvertently left out of the initial, but this was a corrective deed placing property into the name of Mr. Romero.

(To Mr. Duncan) Do you have any objection to this, Counsel?

MR. DUNCAN: No. No objection.

MR. RHODES: So I would offer this as Exhibit Number 3, Your Honor.

THE COURT: It will be admitted as Exhibit Number 3.

(WHEREUPON, the corrective deed is entered into evidence as Plaintiff's Exhibit No. 3.)

MR. RHODES: Thank you, Your Honor.

Q And on this, in the legal description, it shows Morgan Street in Lot Number 13 of Academy View; is that correct?

A That's correct.
Q And this is the subject property when dispute; is that correct?
A Yes.
Q Okay.

MR. RHODES: Judge, that's all that I would ask.

THE COURT: Mr. Duncan.

CROSS-EXAMINATION OF EDGAR MORA ROMERO

BY MR. DUNCAN:

Q All right. Mr. Romero, you were just shown the corrective deed. That was filed in 2022; is that correct? Do you have the documents in front of you?
A I'm sorry. Yes. I'll get it.

MR. RHODES: Yes. We'll stipulate that it was filed May 4th of 2022.

THE WITNESS: Yes.

Q All right. And it was the deed -- the corrective deed was given to you, Edgar Mora Romero, correct? You're the grantee on that?
A Yes.
Q All right. But in 2021, you deeded this property to Upstate -- Upstate House Projects LLC; is that correct?
A Yes.
Q All right. And I'm -- Mr. Rhodes, do you have the

exhibits that I have -- I pre-filed?

MR. RHODES: Yes. I've got them.

MR. DUNCAN: All right. It's Number 8.

MR. RHODES: Yes. Without objection.

MR. DUNCAN: All right. Yeah, I would move to introduce that, Your Honor, Exhibit -- it's listed as Number 8 on my -- my pre-filed list.

Q Mr. Romero --

THE COURT: Just for a moment. For the record, can you tell me a little bit about what that document is?

MR. DUNCAN: Sure. Mr. Romero, do you have that in front of you?

MR. RHODES: No, but I can get it. Hold on. I thought I --

THE COURT: Is this the deed from Romero to Upstate House Projects?

MR. DUNCAN: Correct.

MR. RHODES: It is, Your Honor.

THE COURT: Okay. Thank you.

MR. RHODES: I've got it, but I don't have it handy. I'm sorry for the delay.

MR. DUNCAN: That's okay.

THE COURT: Mr. Duncan, you may proceed with your questions. I just wanted to clarify for the record

exactly which document -- and I see your list, your exhibit list here.

MR. DUNCAN: Sure. Thank you.

CROSS-EXAMINATION OF EDGAR MORA ROMERO CONTINUES

BY MR. DUNCAN:

Q All right. Mr. Romero, I know you don't have it in front of you yet, but does it sound right that that deed was made on May 14th of 2021?

A Yes.

Q All right. And that was from you, Edgar Mora Romero, to Upstate House Projects LLC?

A That's correct.

Q All right. And if you compare the legal description from the parcel that the property we're talking about in this 2021 deed through the corrective deed that was done in 2022 -- do you have any in front of you?

MR. RHODES: I still don't have it, but I'm familiar with it, because I prepared it for him.

MR. DUNCAN: Right.

Q Well, Mr. Romero, without seeing it yet, are you -- do you understand that the legal description and the -- the property that was given to Upstate House has an incorrect legal description for the property we're talking about?

A Yeah. I was told that there was a problem with the legal description.

Q Correct. But the -- so the one in 2021 was incorrect, correct?
A Yes.
Q All right. And then the 2022 deed purported to correct that problem, right?
A Right.
Q But it was that -- it corrected it in your name, and you no longer had the property; is that correct?
A Yes.
Q And is Upstate House Projects LLC a party to this action?

MR. RHODES: I'll stipulate that it is not, Your Honor.

MR. DUNCAN: All right.

So I'm -- well, I mean, Judge, I think we may have a problem with that. The record owner of this property is not a party at this time. I mean, I still want to get this title quieted, but, I mean, I realized that, you know, this morning that it was -- it had been deeded after that.

MR. RHODES: Your Honor, I will acknowledge that it has been. What I attempted to do, because Counsel and I discussed this -- Your Honor can see from the pleading that initially this property -- a quiet title action was brought utilizing the description that these -- that Mr. Romero had been given when he

purchased the property. It was incorrect. And at that time, of course, I looked at the legal description, brought the action -- a clear title of the property -- and tax sale was approved.

It was later learned when this survey was done that the description was wrong. I then brought this action to clear title, probably should not have joined or should not have joined the Gideons, because they were no longer involved. The tax sale was not done correctly. And Counsel and I discussed this, that they were not necessary parties. And the only thing we needed to do is to try to determine what would happen with the corrective deed being placed in Mr. Romero's name.

There is no dispute that Mr. Duncan's client was not given notice of this tax sale. The tax sale would be invalid as it relates to him and we've so stipulated. I'll acknowledge now that if the issue of the fact that his attempt to place it into the family cooperation to get started almost simultaneously while they were waiting on the survey, that can always be redone. But for purposes of this hearing, if Counsel wants to raise the issue that the party of the corporation is not joined, we can do whatever the Court so says.

MR. DUNCAN: All right. Maybe I had a misunderstanding. I'm sorry, Your Honor.

Mr. Rhodes, you're stipulating that my client never received notice of the tax sale or the redemption notice?

MR. RHODES: I am, because we've put the -- I gave you a copy of the whole tax sale, and you and your submissions want to include all of it.

MR. DUNCAN: Right.

MR. RHODES: Anyway, there's no dispute about that, Your Honor. The issue is whether Mr. Duncan's client, who got this before the tax deed and had no notice of the tax sale, would still be the owner today in light of the passage of time and the facts that have happened since. I'm sorry for the confusion, Judge, about the fact that the deed was placed in the family LLC. I thought that was not going to be an issue. It can easily be resolved by deed back from the LLC.

Mr. Romero, I'm just trying to get this issue resolved.

MR. DUNCAN: Right. And Your Honor, I don't necessarily have a problem with it. I just don't want to get through today and have to come back and do another quiet title action, because it's in

somebody else -- another, you know, entity's name now. I'm not sure if Mr. Romero can consent to -- to buy in this company or not. That's kind of where I'm --

MR. RHODES: Well, he and his father would, and they're both going to be testifying.

THE COURT: Okay. So let me get this straight. There is a new owner to the property, or did Upstate House Projects LLC ever get a corrective deed with -- is the deed to Upstate House Projects incorrect?

MR. RHODES: That's it, Your Honor. The deed that was done in an effort for these -- my clients to start the building was utilizing the description that was done when the closing took place, and the closing attorneys for the auction company used the wrong legal description for this lot. Now, then I get a corrective deed done, and then it's still now with the corrective deed in my client's name. So I don't think it's an issue. But if -- it's one is procedural that can be remedied easily.

THE COURT: Okay. So Mr. Duncan, your argument is the complaint needs to be amended to include Upstate House Projects?

MR. DUNCAN: Correct. Or if we can get some kind of

stipulation today that they can bind the company, I'll waive the notice and all that if they agreed to be made a party to this action today if everybody's here and can testify or be a part of that so we can get it all done. But I think they need parties to the action since they're the record owner when this action was filed.

MR. RHODES: Your Honor, we would agree to that. We will stipulate that the ruling of this Court would bind the family LLC.

THE COURT: Which is Upstate House Projects?

MR. RHODES: That's correct and is identified on the name of that plat.

THE COURT: And they would be added as a plaintiff. And you represent them Mr. Rhodes?

MR. RHODES: I would, Your Honor. Yes, ma'am.

THE COURT: Does that resolve that issue Mr. Duncan?

MR. DUNCAN: Yes, Your Honor. Thank you. I'm sorry for the confusion.

THE COURT: No need to apologize. Okay. So I will -- well you've stipulated to it, so --

MR. RHODES: Yes, ma'am.

THE COURT: -- and that's on the record.

So what is then your next argument, Mr. Duncan?

MR. DUNCAN: All right. Well, I have a few more

questions for Mr. Romero on this.

THE COURT: Okay.

CROSS-EXAMINATION OF EDGAR MORA ROMERO CONTINUES

BY MR. DUNCAN:

Q All right. Mr. Romero, when you purchased this property -- I believe it was 2015; is that correct?

A The closing one was in 2015.

Q Okay. So since that time, have you -- have you done any upkeep on that property?

A No.

Q Okay. All right. You never cut the grass there?

A No.

Q You haven't even visited there, have you?

A Yes.

Q Okay. When did you last visit there?

A Well, I visited, like, probably months ago, probably nine months ago, ten months ago; not sure. It's been a while.

Q And the property you were talking about, it's a -- it's a empty lot, correct? The vacant lot?

A Yes.

Q All right. And it's adjacent to a -- to a residence, correct?

A Yes.

Q All right. And the resident in that house uses the lot we're talking about as part of their driveway, correct?

A That's -- I'm not -- I'm not sure. I don't know what they do -- end up doing.

Q Okay. Thank you. And there -- there is a fence all the way around the house and the lot we're talking about. It goes onto both properties, correct?

A Yes. Correct.

Q Okay.

THE COURT: That's all the questions I have, Your Honor.

MR. RHODES: Your Honor, just one follow-up, if I may.

THE COURT: Yes.

REDIRECT EXAMINATION OF EDGAR MORA ROMERO

BY MR. RHODES:

Q Counsel was asking you about your involvement with the property. You currently live where, sir?

A North Carolina.

Q And how long have you been there?

A Four years now.

Q And is it fair to say that your father was the one that has been primarily involved with this lot?

A That's correct.

Q Okay.

MR. RHODES: That's all I would ask, Your Honor.

THE COURT: Mr. Duncan, any further questions?

MR. DUNCAN: No, Your Honor.

THE COURT: Okay. Mr. Rhodes, do you have another witness?

MR. RHODES: Yes. I'll call Mr. Brandon Howell.

THE COURT: Mr. Howell, if you would raise your right hand for me.

THE WITNESS: (Complies.)

(WHEREUPON, the oath was given.)

THE COURT: Please state your full name for the record.

THE WITNESS: Charles Brandon Howell.

THE COURT: Please answer Mr. Rhodes's questions.

DIRECT EXAMINATION OF CHARLES BRANDON HOWELL

BY MR. RHODES:

Q Mr. Howell, you're under subpoena from me today, aren't you sir?

A That's correct.

Q Where do you live?

A I live in Greer. Do you need my full address?

Q That's okay. That's good enough. And what is your profession?

A I'm an auctioneer and real estate broker.

Q And who do you work for?

A Terry Howell and Associates.

Q And are you licensed by the State of South Carolina?

A Yes, I am.
Q How long have you been in that capacity?
A Since about 1995.
Q Okay. And when you do an auction, how are you compensated?
A We typically are paid a commission based on the sales price, and then sometimes we charge an additional auction entry fee.
Q All right. So if you're paid on commission, then the more it sells for, the more you will get paid.
A That's correct.
Q And did you do an auction for Milton Antonakos estate?
A Yes. We did.
Q And when was this auction?
A It was approximately November or December of 2014.
Q All right. Do you remember about how many parcels or lots were being sold?
A It was somewhere around 29, 28 to 30 properties I believe were in that auction.
Q Okay. When this auction was being put on by you, explain to the Court the steps you take to get the property ready.
A Okay. So typically what will happen is a seller will send us a list of properties to review for them. We'll pull the GIS information, the most recent deeds, and then

we'll use that information to go out and look at the properties and put -- get them ready for the auction. We'll put signs on them, and then we will market and advertise the properties in various manners.

Q So sign -- For Sale signs are placed on each parcel that's being sold?

A Right. We place an auction sign on each property.

Q And what is the approximate size of the sign?

A 18 x 24, like your typical real estate sign.

Q Okay. Do you consider them to be visible from the street?

A Yes.

Q And this is primarily because you want to generate advertising?

A Correct.

Q All right. If land is unimproved, meaning if it does not have a house on it or it doesn't have, say, a mobile home, do you do anything kind of unusual or different?

A Not really. We typically market them very similar to improved properties.

Q If a person -- if you are selling a lot, do you ever contact owners on either side?

A So what we do as part of our marketing process is that we will mail auction brochures to individuals that own properties surrounding the property that we're selling

and then other properties up and down that street and -- in order to figure out, you know, people that own property in that area would like to own additional property, typically.

Q So you can get addresses, I guess, from the accessor's office of adjoining property owners?

A Right. Yeah. That's one place we go.

Q And you do a mailing to them saying that it's for sale?

A We do. Yes.

Q Okay. At this auction, did Edgar Romero purchase any lots?

A He did. He purchased two.

Q Okay. And I'm going to show you what has been listed, and your call was Exhibit B. Was this a form that you used?

A Correct. It was part of the contract package where we listed the properties that were included in that auction.

MR. RHODES: And Judge, what I'm looking at now is on my auction by Antonakos estate; it would be the bid sheet.

Q If I refer to this as a bid sheet, is that okay?

A That'll be fine.

Q It's got two initials down here, one by Morgan Street, Greer and also Highland Avenue, Greer?

A Yes.

Q And it's got the initials of Mr. Mora, J.M. Are these the two lots that were bid in by Mr. Mora?

A That's correct.

Q Okay.

MR. RHODES: Your Honor, I would offer this as an exhibit.

MR. DUNCAN: No objection. I thought it was already in but that's fine. I'll object either way. (As spoken.)

MR. RHODES: And I may have. I apologize. Judge, let's see.

MR. DUNCAN: It was listed together on your Number 2. That's why.

MR. RHODES: Okay.

MR. DUNCAN: Regardless, I have no objection.

MR. RHODES: All right. Thank you. Okay.

THE COURT: Well, then that's already been Exhibit Number 1.

MR. RHODES: Okay. Thank you, Your Honor.

DIRECT EXAMINATION OF CHARLES BRANDON HOWELL CONTINUES

BY MR. RHODES:

Q All right. I'm going to also show you a copy of the HUD form which has already been introduced into evidence as well. And this HUD form, were you at the closing when it took place?

A I don't recall.
Q Okay. But you have this in your file, didn't you, sir?
A We did.
Q And I actually got this from you whenever I requested information from your file; is that correct?
A I believe that's correct, yes.
Q All right. But it shows on here at the bottom that Jesus Mora, who signed the bid sheet, was stricken, and Edgar Romero was listed as the ultimate buyer on this property.
A That looks to be correct.
Q Okay.

MR. RHODES: Judge, that's all that I would ask him.

THE COURT: Mr. Duncan?

CROSS-EXAMINATION OF CHARLES BRANDON HOWELL

BY MR. DUNCAN:

Q Mr. Howell, do you recall personally putting a sign on this lot in 2014?
A I don't recall. I put up a lot of signs.
Q All right. And did you personally mail out the brochures to the neighboring landowners?
A I compiled the list that they were mailed to, and then we sent them to our mailing company that mailed them out for us.
Q All right. Do you -- and you don't know for sure that you mailed one to Mr. Rosemond, do you?

A I don't recall if I looked that up, but if he was on the list, he was on the list.

(To unknown person) Do you remember if we talked about that?

UNKNOWN PERSON. No. No.

MR. DUNCAN: Objection, Your Honor.

A Other than that, yeah.

Q All right.

MR. DUNCAN: That's all the questions I have.

MR. RHODES: Judge, I have nothing further from him.

THE COURT: (To the witness) Thank you, sir.

Mr. Rhodes?

MR. RHODES: Judge, is it okay if he be excused, Mr. Duncan?

MR. DUNCAN: I have no problem with that.

MR. RHODES: Okay.

THE COURT: You're excused, sir.

MR. RHODES: Thank you, Judge. Thank you for coming, sir.

THE COURT: Mr. Rhodes, do you have another witness?

MR. RHODES: Yes, ma'am, Your Honor. I call Jesus Mora. Mr. Mora, come sit over here.

THE COURT: Sir, please raise your right hand for me.

THE WITNESS: (Complies.)

(WHEREUPON, the oath was given.)

THE COURT: Thank you. You may lower your hand and please state your full name for the record.

THE WITNESS: Jesus Mora.

THE COURT: Would you spell that for me?

THE WITNESS: J-E-S-U-S-M-O-R-A.

THE COURT: Thank you. Please answer Mr. Rhodes's questions.

DIRECT EXAMINATION OF JESUS MORA

BY MR. RHODES:

Q Mr. Mora, were you here when your son just testified?

A Yes.

Q Are you the father of Edgar?

A Yes. I'm the father of -

Q Okay. Are you originally from Mexico?

A Yes.

Q And I've told you, I think you speak good English, but you do have an accent; is that correct?

A That's correct.

Q And I enjoy it. I do. But how long have you been in the United States?

A About approximately since 1985.

Q Okay. Are you an American citizen?

A Yes. I am.

Q How long have you been a citizen?

A About eight years.
Q And how many children do you have?
A Five kids.
Q Edgar is one of your children?
A Yes. Yes.
Q All right. And what is your job or your profession, sir?
A Construction, remodeling, painting, framing, all kinds of things in construction.
Q Well, as far as specialties, do you have a license in South Carolina for framing?
A Yes. I do have a license for drywall painting.
Q Drywall?
A Yes. Yes.
Q Okay. So with that background, did you get involved in either building and/or remodeling homes?
A Yes.
Q And do you do this with some of your family members?
A Yes.
Q Okay. This action has been brought to clear title to Lot 13 on Morgan Street; is that correct?
A Yes.
Q Okay. How did you first become involved with this lot?
A Well, at that time, I'm (inaudible) and I drive so many times over there and I saw some few (inaudible) signs of Terry Howell Auctions. And I didn't know about this

company, but when I saw those signs, I was driving by and then I went online and then I got interested and I talked to my son about it and we go and look at them.

And after that, I make phone call to review all the lots where I'm going to go and bid and make sure there's a correct address and the correct lots. And then they told me all about it and then when I start bidding on it.

Q Okay. Well, when you first saw the signs, did you call your son, Edgar?

A Yeah.

Q Did he come with you to look at the lot?

A Yes.

Q And did you think that the lot was a good neighborhood for building a house?

A Yes.

Q Did you make the decision at that time that you thought you should bid on the property?

A Yes.

Q Okay. Did you actually do the, I guess, bidding on the auction?

A Yes.

Q It was you, not your son; is that correct?

A Yes. Yes.

Q I'm going to show you a form that's already been put into evidence, which was called Exhibit B. But it's got an

initial, J.M., by Morgan Street, Greer with the tax map number, and it's got an initial, J.M., for the tax map number for Highland Avenue in Greer.

A That's correct.

Q Are those your initials?

A That's my initials.

Q And were these the two lots that you bid in?

A Yes.

Q Okay. Also -- which has been put into evidence -- there is a HUD form, and it shows there's a Morgan Street and a Highland Avenue in Greer. Was this the closing for the two lots?

A Yes. There's a closing for the two lots that we were interested to it (as spoken.)

Q And were you at the closing with your son?

A Yes. I was.

Q And on the third page, it's got listed "Jesus Mora," which is your name.

A Yes.

Q Is that because you had bid it in?

A Yes.

Q But it was going to be placed in the name of your son, Edgar?

A That's correct.

Q And that is his signature above that (indicating)?

A That's correct.
Q Okay. So as of this time, you became the owner of the property on Morgan Street and also Highland Avenue; is that right?
A Yes.
Q When you bid this in, were you ready to build a house on it at that time?
A Not on that time (as spoken.)
Q Okay. You had other projects that were ongoing?
A Yes.
Q Okay. When you get ready to build, do you have a survey done on property?
A Yes. I did.
Q And I'm going to show you a survey. I think it's already introduced into evidence too. But this survey was put in the name of Upstate House Projects LLC.
A That's correct.
Q Now, I'm going to interject here. Did you hear the Court talking to the attorneys as it relates to Upstate House Projects LLC?
A Yes.
Q Is this your family LLC?
A It's -- I'm the owner.
Q And you are the sole member; is that correct?
A Yes.

Q And you understand that because there had been a deed before this action was brought, they put it in Upstate. You will agree for Upstate to be a party to this and to be bound by the holding; is that correct?

A That's correct.

Q Okay. Now, the survey that was done, it's dated in January of 2022. It shows a brick wall that it says, "Encroaches."

A Yes.

Q When you got this, did you go to the owner on the north Side, or did you go to the house on the other side?

A Well, what I did is I went to the house on the side, because it's a fence all around it (as spoken.) And I call -- and a lady came up to the house, and I asked for who is the owner, because there is a wall on my lot. And then she told me she don't own the place. And she give me a phone number. And then I contact with that person, and it became Mr. Rosemond.

I called him, and he came to the place and I show him, look, this wall needs to be removed. It's on my place. I'm start to building (as spoken), and I want it to be removed (as spoken.) And then he told me, let me find out what's going on, and I will give you a call. I will let you know what I'm going to do.

So in that period of time, probably I will say like

a month later, I got a phone call from a lawyer saying that the property, it doesn't belong to me. So then, when I came again to you, Mr. Richard, and to find out what is the problem with the property, and then they come a lot of other issues on it. So I didn't do anything more to it until everything has been cleared out so we can start building over there.

Q Okay. Well, when you had this meeting with Mr. Rosemond on site, did you tell him that you owned the lot?

A Yes.

Q Did he ever say to you, no, you don't? I own it.

A No.

Q Okay. You told him you wanted this fence removed.

A Well, yes. Yes.

Q Okay. When you were talking with him, how did he respond?

A Well, he talked to me nicely and he was very calm, and he just told me to -- he's going to find out. And even he asked me if I can build something for him, and I told him, "Well, it there's anything we can do, we can help you out." But after that, I didn't have any more, you know, any touch with him.

Q Well, at the time this meeting was ongoing, did he at any time ever tell you that he owned that lot?

A No.

Q Okay. When you concluded the meeting that you had with him, were you under the impression that he was going to remove the lot?
A Yes.
Q Okay. And you later made reference to being contacted by attorneys on his behalf saying that you didn't own it.
A Yes.
Q And you said that's when you came to me.
A Yes.
Q I think you said, "Mr. Richard."
A Yes.
Q Okay. And this action was commenced; is that right?
A Yes.
Q All right. Now, after purchasing this property at the auction that we're going over to, have you been paying the taxes on this property?
A Yes.
Q Okay. And did I show you a list of the taxes on this property that you had paid?
A Yes.

MR. RHODES: And Your Honor, bear with me one second. I'm going to plan to introduce into evidence what I listed as Number 7.

Mr. Duncan, you've got that one, don't you?

MR. DUNCAN: Yes, sir.

Q Okay. On this list that I've prepared -- and the backup, of course, shows it -- but from 2015 through 2023, you have paid the taxes, right?

A Yes, ma'am (as spoken.)

Q And you see Upstate House Projects LLC. This is a result of that deed that was done, but that's the family, okay?

A Yes. Yes.

Q And then also to show as many years back as I could, I showed you tax receipts that have been in the name of Milton Antonakos.

A Yes.

Q And that these totaled $2,228.

A Yes.

MR. RHODES: Your Honor, I offer this as an exhibit.

MR. DUNCAN: No objection.

THE COURT: It's admitted.

MR. RHODES: Thank you, Your Honor.

THE COURT: Is this Exhibit Number 4 for the plaintiff?

MR. RHODES: I think it may have been Five, but as Mr. Duncan said, one of mine may have been listed together, but I apologize, Judge. I'm not as -- I think I like the old way better with the exhibits.

THE COURT: But you e-filed it listed as Exhibit Number 7?

MR. RHODES: I did, Your Honor.

THE COURT: Okay.

MR. RHODES: Yes.

THE COURT: (To the court reporter) The e-filing says Exhibit 7, but this is his Exhibit Number 4.

THE COURT REPORTER: Okay. Thank you.

THE COURT: It's admitted.

(WHEREUPON, the tax receipts are entered into evidence as Plaintiff's Exhibit No. 4.)

MR. RHODES: Thank you, Your Honor.

DIRECT EXAMINATION OF JESUS MORA CONTINUES

BY MR. RHODES:

Q And one other question I would ask, you've brought this action asking that the Court declare you the owner of this property free of any claims that Mr. Rosemond may make?

A Can you say that? Can you repeat?

Q You've brought this action asking the Court to declare -

A Yes.

Q -- that you own this property free of any claim that Mr. Mora -- that Mr. Rosemond may make?

A Yes.

Q Judge, that's all that I would ask.

THE COURT: Mr. Duncan?

MR. DUNCAN: Yes. All right.

CROSS-EXAMINATION OF JESUS MORA

BY MR. DUNCAN:

Q Mr. Romero, when this property was purchased or, you know, reportedly purchased at a tax sale in 2015, since that time, have you cut the grass on that lot?

A No.

Q All right. Have you done any kind of upkeep on that lot?

A No.

Q All right. And you personally have never been the record owner of this property, have you?

A Nope.

Q Okay. And the taxes that were -- that you just talked about paying, they've only been paid since 2015 by you or your family, correct?

A That's correct.

Q All right. And are you aware that Mr. Rosemond was deeded this piece of property in 1995?

A Nope.

MR. DUNCAN: That's all the questions I have, Your Honor.

THE COURT: Mr. Rhodes, anything further?

MR. RHODES: No redirect on him, Your Honor.

THE COURT: Do you have another witness you would like to call?

MR. RHODES: Your Honor, I would like to call Mr.

Nathan Rosemond.

THE COURT: Mr. Rosemond, please raise your right hand for me.

THE WITNESS: (Complies.)

(WHEREUPON, the oath was given.)

THE COURT: You may lower your hand. Please state your full name for the record.

THE WITNESS: Nathan T. Rosemond.

THE COURT: Please answer Mr. Rhodes's questions.

MR. RHODES: Thank you, Your Honor.

DIRECT EXAMINATION OF NATHAN T. ROSEMOND

BY MR. RHODES:

Q Sir, do you know Coy Gideon or Michael Coy Gideon?

A I do.

Q And how do you know them, sir?

A I'm married to his niece.

Q Okay. So they were family, so to speak.

A Yes.

Q Okay. Who is Andrea Johnson?

A I have no idea.

Q Okay. You purchased this property from the Gideons; is that correct, sir?

A Yes, I did.

Q And that was by deed that goes back to August of 1995. You heard your attorney make reference to that; is that

correct?

A Yes.

Q And this deed is recorded in Deed Book 63D, as in "dog," 647, and it shows that you paid $7,000 for it; is that correct?

A That is correct.

MR. RHODES: Your Honor, I would offer this as an exhibit. It was shown on my list as Number -- the first item, well, excuse me, the second item under "Deeds."

MR. DUNCAN: I have no objection, Your Honor.

THE COURT: This is admitted.

*(WHEREUPON, the deed is entered into evidence as Plaintiff's Exhibit No. 5. An exhibit number was not provided to the court reporter, so she is assuming that this is Plaintiff's Exhibit No. 5.)

MR. RHODES: Thank you, Your Honor.

Q Then moving on after this purchase, you admitted when you brought this, we had discovery between parties, that when you bought this property, you did not get a title search; is that right?

A No. I didn't.

Q Sir?

A No. I didn't.

Q Okay. Now, at the time you purchased this house, were the Gideons living in the property?

A No. They weren't.

Q Okay. Who was living there?

A No one.

Q No one was living there?

A No.

Q Okay. How many times had you gone to the house before purchasing it?

A I don't know, because when Mister -- what was his name? (Inaudible.)

Q I'm sorry, sir?

A Mr. Gilligan (phonetic.) Gilligan. I can't say it right. But anyway, he used to have picnics and things for the family and stuff. We used to go over there to cookouts and things, so . . .

And when I was growing up, I grew up in that area, so I can't tell you exactly how many times I've been there.

Q Okay. Well, in discovery, we shared documents, and there was a deed conveying this property to Coy Gideon and Michael Coy Gideon, who, as you've stated, was in the family. This was in Deed Book 46F, Page 612. You've seen this deed before, haven't you, sir?

A Yes. I have.

Q Okay. And this was purchased by the Gideons for $13,405; is that correct?
A Yes.
Q And that was back in January of 1979?
A Yes.
Q Okay. When you bought the property from the Gideons, why did you buy it for less than what they paid for it?
A Because that's what he asked for it.
Q Because what, sir?
A That's what the asking price is.
Q That's what they asked. Okay. So almost one half the amount that they paid for it.
A Yes.
Q Sir?
A Yes.
Q Oh. Okay. When you bought this property, there are two lots; is that correct? (As spoken.)
A I didn't realize that at the time.
Q Well, do you have a copy of it in front of you, sir?
A (No response.)
Q Do you have a copy, sir?
A Yes. I do.
Q Okay. If you'll look at the second sheet, does it show that there is a Lot 12 and a Lot 13?
A I see 14. Yes. I do. I see it.

Q Okay. So there are two lots. And you would agree that Lot 13 is the one we're talking about today?
A Yes. I do.
Q All right. If you'll look at it, sir, somebody has handwritten on that deed. They had to handwrite in a derivation, which, of course, I'm not asking you as a layman, if you know what that means, but I'm just directing your attention to the handwriting.
And then it shows "TMS number." Do you see that?
A I do.
Q And it has two tax map numbers written in.
A Yes.
Q Who wrote those in, sir?
A I have no idea.
Q Okay. So you don't know why those were written on there; is that correct?
A No. I don't.
Q Okay. In discovery, we also share documents, and I'm referring to a tax deed, which is in 67K, Page 535. Do you have a copy of that in front of you? It was a tax deed that sold this property of the Gideons.
MR. DUNCAN: Mr. Rhodes, is that in your Number 3 about tax sale papers?
MR. RHODES: Yes. Uh-huh.
MR. DUNCAN: All right. I have that here. Hold on

one second.

MR. RHODES: It was the last entry. I've got it as 67K, Page 535.

MR. DUNCAN: Give me one moment. I'm getting it for you.

MR. RHODES: Yes, sir.

MR. DUNCAN: He has it now.

MR. RHODES: All right. Okay. Thank you.

DIRECT EXAMINATION OF NATHAN T. ROSEMOND CONTINUES

BY MR. RHODES:

Q Sir, I would ask you, looking at that document if you'll look in the first "whereas." You see all that where it says, "whereas delinquent tax collector"?

A Yes. I see that.

Q It says that on the first day of May 1995 that certified letter was sent. This was three and a half months before you purchased the property by looking at those dates. Did your family ever make any reference to this to you?

A No.

Q Okay. I'm asking you to skip down to the next, what we call "premises," another whereas clause, and it says on the fifth day of August 1996, the property was posted by the delinquent tax office as being for sale. Did you see the posting?

A No. I didn't.

Q Okay. I'm going to ask you, sir, and Your Honor, can I offer this into evidence? This deed -- tax deed?

MR. DUNCAN: No objection.

THE COURT: It's admitted. Hold on just a moment.

MR. DUNCAN: Your Honor, if I may, Mr. Rhodes, are you going to introduce this, this whole thing that you had for the delinquent tax sale, Number 3?

MR. RHODES: Yes. I am.

MR. DUNCAN: Your Honor, whatever you prefer, but it may be easier to make that one big exhibit, but I'll defer to the Court on that.

THE COURT REPORTER: Can they hold on just a minute? Okay.

THE COURT: Okay. (To Counsel) Hold on just a moment.

MR. RHODES: Yes, ma'am.

THE COURT: Mr. Rhodes, can you tell me is this Plaintiff's Exhibit 5 or 6?

MR. RHODES: I had it down as Number 6, Your Honor, but I apologize, because some of the confusion may have been started by me.

THE COURT: No. That's okay. Okay. So this tax deed will be admitted as Exhibit 6.

(WHEREUPON, the tax deed is entered into evidence as Plaintiff's Exhibit No. 6.)

THE COURT: Are you just seeking to have the tax deed admitted or are you seeking to have the tax collector's file?

MR. RHODES: Well, Your Honor, I heard what Mr. Duncan said in an effort to prevent any maybe slowing down. I intend to use maybe what I submitted to the Court, but I can call it all Number 6 if the Court wants me to do that.

THE COURT: I'll leave it up to you how you want it admitted, but I'm just trying to clarify for the sake of the record.

MR. RHODES: Yes, ma'am.

Mr. Duncan, are you -- is that what you were saying?

MR. DUNCAN: That was my suggestion. Again, it doesn't matter to me. I was just trying to avoid confusion. I may have caused --

MR. RHODES: But since we have this one as Number 6, let's just move on and I'll go forward.

THE COURT: Okay. So Exhibit Number 6 is the tax deed only?

MR. RHODES: Yes, ma'am.

THE COURT: Mr. Rhodes?

MR. RHODES: All right. If it pleases the Court, Your Honor, I'm making reference now to a posted

letter, which was the first thing shown. And Mr. Duncan, do you see that?

MR. DUNCAN: Yes, sir. I've handed it to Mr. Rosemond.

MR. RHODES: All right. Thank you.

DIRECT EXAMINATION OF NATHAN T. ROSEMOND CONTINUES

BY MR. RHODES:

Q All right. Sir, looking at this, this came from the tax file, and it shows that the land was posted on August the 5th, 1996. And you've testified that you did not see the posting of the For Sale sign. But do you see there's a note there taken to family at the bottom of that page?

A (No response.)

Q Do you see that, sir?

A I'm looking. I'm trying to find it. No. I don't see it.

Q Okay. Well, let me ask you this: Did any family member or did you ever get notice of this?

A No. I didn't.

Q No family member came to you saying they got it?

A No.

Q And this was after you already had deed to the property, isn't it, sir?

A Yes, but I never received a tax notice.

Q Okay.

MR. RHODES: Your Honor, I offer this as Exhibit Number 7.

MR. DUNCAN: No objection. But, Your Honor, I would just point out that I think we stipulated that Mr. Rosemond never got any notice of the tax sale or the redemption notice.

MR. RHODES: Well, I -- I do stipulate there's nothing in the tax file that shows anything that was mailed to Mr. Rosemond. I would just ask him whether he had had communication with the family.

THE COURT: Okay. This will be admitted as Exhibit Number 7, and I note the stipulation from earlier in this hearing.

(WHEREUPON, the tax notice is entered into evidence as Plaintiff's Exhibit No. 7.)

MR. RHODES: Okay. Thank you, Your Honor.

DIRECT EXAMINATION OF NATHAN T. ROSEMOND CONTINUES

BY MR. RHODES:

Q Your -- this property, you will acknowledge you don't have a house on it, do you, sir?

A There is a house on there. It's a rental.

Q There is no home on there, is there, sir?

A On Lot 12, there is.

Q Yes, sir. But not on Lot 13?

A Uh-huh.

Q Okay.
A No.
Q Now, on Lot 13, I think your attorney even made reference to this. If you look at what we call in the legal profession, an "aerial photograph." It comes from the assessor's office from Block Map. This has been exchanged. And if you look at that (indicating), the person that is located on the other side of this lot has been using that as a driveway, haven't they, sir?
A Yes. They have.
Q And did you know that?
A Yes. I knew that.
Q And so you did nothing about it?
A I didn't see a reason for me to do anything about it, because I thought that it was my lot. So why would I do it?

MR. RHODES: Okay. Your Honor, I would offer this as exhibit -- it's shown as my Number 4.

I would offer this as Exhibit Number 8.

MR. DUNCAN: No objection.

THE COURT: And Mr. Rhodes, tell me specifically again what this document is.

MR. RHODES: Judge, looking at this document --and granted, making the copy is not as clear as looking online -- but if you pull up that Tax Map Number

903-14-269, Mr. Rosemond's house is shown on the north side. The subject lot, of course, is the one that is highlighted in white. The property owner that is located to the south is using a substantial portion of that property for his driveway.

THE COURT: Okay. So -- but basically, this is the Spartanburg County tax assessor's site --

MR. RHODES: Yes, ma'am.

THE COURT: -- map?

MR. RHODES: Yes, ma'am.

THE COURT: Okay. It's an aerial photo from the Spartanburg County website?

MR. RHODES: Yes, ma'am. Not an aerial made by us, just by the aerial from the County (as spoken.)

THE COURT: Okay.

MR. DUNCAN: And Your Honor, I have no objection, and if it's easier, if you need a more clearer picture, what I've marked as Exhibit 2 is the same thing. It's a color photograph. I'm not sure if it's more visible to you. It's the same exact thing. It's just -- if you need it.

THE COURT: Hold on just a moment. Mr. Rhodes, that's a much clearer photo. Will you-all stipulate to using that one?

MR. RHODES: Yes, ma'am.

THE COURT: Okay. All right. We'll admit this as Exhibit 8.

(WHEREUPON, the aerial photo is entered into evidence as Plaintiff's Exhibit No. 8.)

MR. RHODES: Thank you, Your Honor. Judge, that's all the questions that I would ask.

THE COURT: Mr. Duncan?

MR. DUNCAN: Do you mind if I question my client while he's on the stand here?

MR. RHODES: No objection from me.

THE COURT: Mr. Duncan, if you don't mind, would you come around? Sometimes these microphones require that you be almost in the center --

MR. DUNCAN: Okay.

THE COURT: -- for them to pick you up. Thank you.

MR. DUNCAN: Thank you.

CROSS-EXAMINATION OF NATHAN T. ROSEMOND

BY MR. DUNCAN:

Q All right. Mr. Rosemond, do you live in Spartanburg County?

A I do.

Q Do you live near Lot 13 and Lot 12?

A About a mile or so.

Q Okay. So you look at this property often, right?

A Often.

Q Do you maintain this property?
A Yes.
Q Do you -- well, who lives in the house on Lot 12?
A My wife's brother's ex-wife, whatever you want to call her.
Q But, okay. But does she pay you rent?
A She does.
Q How long has she been paying you rent?
A Ever since -- well, when I got -- first purchased the house, the house wasn't in a livable condition; we had to make some repairs. So I guess, like, the next month, probably September.
Q Okay. So she's been there since 1995?
A Yes.
Q And you -- she's been the only tenant you've had?
A The only one.
Q And who cuts the grass at that property?
A My wife's brother.
Q Right. Do you pay him to do that?
A No. I don't.
Q Okay. But he does it for you, and he cuts the grass on both lots?
A Yeah.
Q And is there a fence around both lots?
A Yeah.

Q Did you always consider that to be one big lot?
A (No response.)
Q And why did you consider it to be that?
A Because that's the way (inaudible.) And that's the way I thought it was.

THE COURT: Okay. We can't hear Mr. Rosemond very well, so I'm going to ask that you sit closer to the microphone and speak up as loud as you can, sir. Thank you.

MR. DUNCAN: Do you need me to repeat any questions, Your Honor?

THE COURT: If you don't mind repeating that last one.

Q I think you testified you believe this to be one big lot; is that correct?
A I do.
Q And why do you consider it to be one -- or why did you consider it to be one big lot?
A Because there's a fence all around it. I figured if it was more than one lot it would have had a divide.
Q All right. Does your tenant use Lot 13 as part of their residence or property?
A He (as spoken) only uses it to enter and exit.
Q If he (as spoken) enters and exits on Lot 13?
A Well, he comes in on the other side of the aisle, which

would be on Lot 12, and she sometimes go out on Lot 13.

Q Okay. Is there a driveway or a parking area on Lot 13?

A (Inaudible.)

Q And that's been used that way since 1995?

A It has.

Q Was it used that way before that?

A Yes.

Q Okay. And Mr. Rhodes asked you why you purchased the property for $7,000. Was part of that because it was part of your wife's family? Do you believe they maybe gave you a discount because of that?

A Yes. They wanted to keep it in the family.

Q All right. Have you ever gotten any tax notice for Lot Number 13 since you purchased it?

A I haven't.

Q Have you been getting tax notices for Lot Number 12?

A I have every year.

Q And have you paid every year?

A Every year.

Q And if you had gotten a tax notice for Lot 13, would you have paid it?

A Yes. I would.

Q And you were not even aware there was a problem with the two lots until Mr. Romero approached you; is that correct?

A That's correct.
Q And is what he testified to about earlier, correct?
A That's correct. I was surprised to find out that they lost two lots.
Q And just to be clear, you never got any notice of taxes on Lot 13?
A No. I haven't.
Q Were the taxes ever put into your name for Lot 13 in the County?
A Not ever.
Q Were you ever given any notice of a tax sale?
A No. I wasn't.
Q Were you ever given any notice of the end of the redemption period to redeem the property from delinquent taxes?
A (Inaudible.)
Q Right.

MR. DUNCAN: Give me just one moment, Your Honor. All right.

Q I'm going to show you -- Mr. Rhodes, this is the entire tax collector file that I put on, I think, Number 10 on my exhibit list.

MR. RHODES: Yes. No objection.

MR. DUNCAN: All right. Thank you.

Q I'm showing you what -- this is the --

THE COURT: Hold on just a moment. So you're seeking to have that admitted?

MR. DUNCAN: I would like to, Your Honor. I know some of the documents have been introduced. I know we have a stipulation. I just would like for it to be in the record.

THE COURT: Hold on just a moment.

THE COURT AND COURT REPORTER: (Sotto voce.)

THE COURT: I thought he admitted another document. *It was it was the deed with an incorrect legal description.

THE COURT REPORTER: Okay.

THE COURT: So this is Defendant's Exhibit Number 2, Mr. Duncan?

MR. DUNCAN: Yes, Your Honor.

THE COURT: Thank you for your patience. This process is a little bit easier in person.

MR. DUNCAN: Yes, Your Honor.

THE COURT: Okay. This is Defendant's Exhibit Number 2. And tell me again for the record what this document is. The tax collector's file?

MR. DUNCAN: This is the entire tax collector's file. And, Your Honor, I will point out this was filed in the earlier quiet title action involving this same property. I think Mr. Rhodes alluded to

it earlier that there was still an incorrect legal description.

But there's an affidavit from the tax collector in their entire file. And that, I believe, was admitted into evidence in that file. So you can probably take judicial notice as well.

THE COURT: Okay. Well, this is admitted as Defendant's Exhibit 2 without objection.

(WHEREUPON, the tax collector's file is entered into evidence as Defendant's Exhibit No. 2.)

CROSS-EXAMINATION OF NATHAN T. ROSEMOND CONTINUES

BY MR. DUNCAN:

Q All right. Mr. Rosemond, can -- have you seen this before?

A Not sure.

Q All right. If you want to take a minute.

MR. DUNCAN: Well, Your Honor, actually, since it's admitted I don't need to ask him any questions about it, and we have a stipulation.

I think we're --

MR. RHODES: Sure.

THE COURT: Okay.

MR. DUNCAN: Okay.

Q Mr. Rosemond, are you asking the Court to set aside the tax deed for Lot 13 in this matter?

A (No response.)
Q Are you asking the Court to disallow the tax sale?
A Yes.
Q Are you asking the Court to quiet title and declare that you are the rightful owner of Lot 13?
A I am.

MR. DUNCAN: I have no further questions, Your Honor.

THE COURT: Mr. Rhodes?

MR. RHODES: If it please the Court, Your Honor.

REDIRECT EXAMINATION OF NATHAN T. ROSEMOND

BY MR. RHODES:

Q Counsel was asking you -- and I think you -- about this land, and you said you've always considered it just to be one lot; is that correct?
A That's correct.
Q But you acknowledged previously that the deed shows two lots; is that correct?
A Yes.
Q All right, sir. I would like to ask you a question concerning the mortgage on your property -- which I've shown on the list -- back in December of 2003. You refinanced this property, didn't you, sir?
A I did.
Q And the legal description on this only shows Lot 12,

doesn't it, sir?

A Yes.

Q And the previous mortgage that you had on it showed both Lots 12 and 13, didn't it, sir?

A Yes.

Q Okay. Why does this most current mortgage only show one lot, sir?

A I guess they straightened it out.

MR. RHODES: Your Honor, I will offer this as an exhibit, which I think would be Number 8 for me.

THE COURT REPORTER: It would be Plaintiff's 9.

MR. DUNCAN: No objection, Your Honor.

THE COURT: This will be Plaintiff's Number 9.

(WHEREUPON, the mortgage is entered into evidence as Plaintiff's Exhibit No. 9.)

MR. RHODES: That's all I have, Your Honor.

THE COURT: Mr. Duncan, anything further?

MR. DUNCAN: Yes, Your Honor.

RECROSS-EXAMINATION OF NATHAN T. ROSEMOND

BY MR. DUNCAN:

Q Mr. Rosemond, the mortgage you just testified to, did you ever have a previous mortgage on Lot 12 or 13?

A No.

Q Okay. So why did you take out this mortgage in 2003?

A To purchase another house.

Q And where is that house located?
A 220 Victor Court, Greer, South Carolina.
Q All right. Was it your understanding you were putting up the property you were talking -- the property you own on Morgan Street as collateral for that home?
A I did.
Q And did you pay that mortgage off?
A I did.
Q All right. Do you owe anything currently on that property?
A No. I don't.

MR. DUNCAN: No further questions.

THE COURT: Sir, would you clarify the address of the other home that you purchased again?

THE WITNESS: 220 Victor Court.

THE COURT: And where is that? What city?

THE WITNESS: Greer. Greer, South Carolina.

THE COURT: Thank you.

Okay. Mr. Rhodes, do you have another witness?

MR. RHODES: No other witness, but I have another follow-up question, if I may, Your Honor.

THE COURT: Very briefly. Thank you, sir.

FURTHER REDIRECT EXAMINATION OF NATHAN T. ROSEMOND

BY MR. RHODES:

Q Counsel was asking you, are you testifying that this is

the only mortgage you've had on this property?

A It is.

MR. RHODES: Your Honor, I wasn't counting on this, because I didn't pre-file it, but he has other mortgages on this property. Are you aware of that, Mr. Duncan?

MR. DUNCAN: I was not, but I believe he wants to clarify his answer he just . . .

THE WITNESS: Yeah. I forgot.

A I went to the bank and got a loan for a car; I think that was 2008 or 2009.

Q All right, sir. Well, would you admit that at that time, both lots were being shown as a mortgage?

A I didn't see it. The bank already, well, they knew me. I just wanted to get out the loan. I didn't look at the paperwork.

Q Well, Judge, I didn't pre-file, but I'm using this. These are documents of record. I would like permission to be able to send to the Court and Counsel showing that he had other mortgage that showed both lots.

THE COURT: Are -- you're seeking to have that admitted?

MR. RHODES: Yes, ma'am. I am.

THE COURT: Any objection?

MR. DUNCAN: Well, I mean, I object at this point

without seeing that. If it's a public record, I will stipulate. If it's indeed in the public record, I have not seen it. If it's a recorded mortgage or whatever it is, I would have no objection.

THE COURT: Do you have a book and page number?

MR. RHODES: Judge, I do, if you'll bear with me one minute. I'm sorry for the delay, Judge, but in Mortgage Book 1758, Page 790, in August of 1995, it showed Lots 12 and 13. And then, Your Honor, on Mortgage Book 2047, Page 943, in April of 1998, it showed Lot 23 -- I do not know why -- and Lot 13. But the mortgage that I'm making reference to shows only Lot 12, which was in December of 2003.

THE COURT: Okay. So Book 1758 shows only Lot 12?

MR. RHODES: No, ma'am. 1758, Page 790 shows Lots 12 and 13. And then 2047, 943 purports to show 12 and 13. And then the one that I showed, the most current, shows only the lot where the home is.

THE COURT: Okay. So are you seeking to have these other two mortgages? You've just listed the book and page numbers. Are you seeking to have those admitted?

MR. RHODES: I am, Your Honor.

THE COURT: Any objection, Mr. Duncan?

MR. DUNCAN: No objection, Your Honor.

THE COURT: They are admitted, and this will be Plaintiffs Number 10 and 11.

(WHEREUPON, the mortgages are entered into evidence as Plaintiff's Exhibits Nos. 10 and 11.)

MR. RHODES: Thank you, Your Honor.

THE COURT: Do you have additional questions for Mr. Rosemond?

MR. DUNCAN: Very briefly, Your Honor.

MR. RHODES: I do not, Your Honor.

THE COURT: Hold on. Hold on just a second, Mr. Duncan.

Mr. Rhodes, do you have any other questions?

MR. RHODES: No, ma'am.

THE COURT: Thank you. Mr. Duncan?

FURTHER RECROSS-EXAMINATION OF NATHAN T. ROSEMOND

BY MR. DUNCAN:

Q All right. Mr. Rosemond, you've heard that there was a mortgage in 1995 and in 1998 involving Lots 12 and 13. Do you remember those now?

A I do.

Q All right. But you were deeded the property in 1995, correct?

A Right.

Q And your deed shows both lots, correct?
A Yeah. Yes.
Q All right.

MR. DUNCAN: No further questions.

THE COURT: Okay. Mr. Rhodes, do you have another witness?

MR. RHODES: No, ma'am. I do not.

THE COURT: Anything you would like to state before I turn it over to Mr. Duncan?

MR. RHODES: No, ma'am.

THE COURT: Mr. Duncan?

MR. DUNCAN: Your Honor, that would be my case as well. I have no further evidence to put on.

THE COURT: Anything else you'd like to state for the record at this time, Mr. Rhodes?

MR. RHODES: Judge, I would like the opportunity without doing briefing as such, but to submit case law, which I think might be relative to where we are, not trying to create work for any of us. But I mean, I hate to use the term "briefing counsel," typically look at something 20, 30 pages long. That's not what I'm intending, but I would like the opportunity, maybe, just to submit to you the case law that I think supports the fact base that we've tried to present to the Court in support of our

action.

THE COURT: On what point? Can you be more specific?

MR. RHODES: Yes, ma'am. Particularly as it relates to the doctrine of laches, which is one of the issues we're trying to purport, which ties in with Code Section 15-3-340, which we also alleged in the pleading.

Also, the general case law of Taylor versus Mill, which is county taxes become a first lien on all property and attach the first of each January of each year. There are public records, and there is a duty for due diligence on anybody who owns property to know of his tax notice and to pay it.

This is the kind of case law I'm looking to present.

THE COURT: How long do you think it would take you to get that over to me?

MR. RHODES: Judge, I can have it today if you say, but I would like maybe until Wednesday. Is that too late?

THE COURT: Why don't you email me and copy of Mr. Duncan --

MR. RHODES: Yes, ma'am.

THE COURT: -- by the close of business on

Wednesday?

Mr. Duncan, I assume you would like an opportunity to respond?

MR. DUNCAN: Yes, Your Honor. I mean, I can either make an argument now, but if he's going to put something in writing, I'd like that same --

MR. RHODES: Sure.

MR. DUNCAN -- afford that same -- same courtesy. I have case law to the contrary that talks about how, you know, tax notice is jurisdictional, and that the statute of limitations does not run at all, because it's jurisdictional if notice wasn't given. And I could submit all that in a brief as well, and I could have that to you by Wednesday as well.

THE COURT: That sounds good. Why don't y'all have that to me by close of business Wednesday?

And then, any response you would like to make to the other have that to me by close of business the following Friday, which is the Friday before Christmas. Of course, you can get it to me earlier than that.

MR. RHODES: Yes, ma'am.

THE COURT: And that would be -- so this Wednesday, December 13th, and then next Friday, December 22nd. Any questions?

MR. RHODES: No, ma'am.

MR. DUNCAN: No, Your Honor.

THE COURT: Anything else, Mr. Rhodes?

MR. RHODES: No, ma'am. Thank you, Judge, for accommodating us today.

THE COURT: No problem. Mr. Duncan, anything else?

MR. DUNCAN: No, Your Honor. I appreciate it.

THE COURT: All right. Well, thank you, gentlemen. Have a good day.

MR. RHODES: Yes, ma'am. Good day, Rustin. Take care. Bye now.

(Whereupon, the within hearing was concluded at 10:47 a.m.)

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OMB NO. 2502-0265

A. U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT **SETTLEMENT STATEMENT**	B. TYPE OF LOAN: 1. ☐ FHA 2. ☐ FmHA 3. ☐ CONV. UNINS. 4. ☐ VA 5. ☐ CONV. INS. 6. FILE NUMBER: 123014MORA 7. LOAN NUMBER: 8. MORTGAGE INS CASE NUMBER:

C. NOTE: *This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(POC)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.*

1.0 3/98 (123014MORA.PFD/123014MORA(2))

D. NAME AND ADDRESS OF BORROWER:	E. NAME AND ADDRESS OF SELLER:	F. NAME AND ADDRESS OF LENDER:
Edgar More Romero 1717 Culpepper Woods Drive Duncan, SC 29334	Estate of Milton Antonakos 21 Dayflower Drive Asheville, NC 28803	CASH #1

G. PROPERTY LOCATION:	H. SETTLEMENT AGENT: 26-0828371 Keable & Brown, PA PLACE OF SETTLEMENT 109 Laurens Road, Bld. 2, Suite A Greenville, SC 29607	I. SETTLEMENT DATE:
Morgan Street & Highland Avenue Greer, SC Spartanburg County, South Carolina		January 6, 2015

J. SUMMARY OF BORROWER'S TRANSACTION		K. SUMMARY OF SELLER'S TRANSACTION	
100. GROSS AMOUNT DUE FROM BORROWER:		**400. GROSS AMOUNT DUE TO SELLER:**	
101. Contract Sales Price	1,113.20	401. Contract Sales Price	1,113.20
102. Personal Property		402. Personal Property	
103. Settlement Charges to Borrower (Line 1400)	380.55	403.	
104.		404.	
105.		405.	
Adjustments For Items Paid By Seller In advance		*Adjustments For Items Paid By Seller In advance*	
106. City/Town Taxes to		406. City/Town Taxes to	
107. County Taxes to		407. County Taxes to	
108. Assessments to		408. Assessments to	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. GROSS AMOUNT DUE FROM BORROWER	1,493.75	*420. GROSS AMOUNT DUE TO SELLER*	1,113.20
200. AMOUNTS PAID BY OR IN BEHALF OF BORROWER:		**500. REDUCTIONS IN AMOUNT DUE TO SELLER:**	
201. Deposit or earnest money	1,113.20	501. Excess Deposit (See Instructions)	
202. Principal Amount of New Loan(s)		502. Settlement Charges to Seller (Line 1400)	
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff First Mortgage	
205.		505. Payoff Second Mortgage	
206.		506. Deposit retained by broker	629.20
207.		507. ($484.00 disbursed)	
208.		508.	
209.		509.	
Adjustments For Items Unpaid By Seller		*Adjustments For Items Unpaid By Seller*	
210. City/Town Taxes to		510. City/Town Taxes to	
211. County Taxes to		511. County Taxes to	
212. Assessments to		512. Assessments to	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. TOTAL PAID BY/FOR BORROWER	1,113.20	*520. TOTAL REDUCTION AMOUNT DUE SELLER*	629.20
300. CASH AT SETTLEMENT FROM/TO BORROWER:		**600. CASH AT SETTLEMENT TO/FROM SELLER:**	
301. Gross Amount Due From Borrower (Line 120)	1,493.75	601. Gross Amount Due To Seller (Line 420)	1,113.20
302. Less Amount Paid By/For Borrower (Line 220)	(1,113.20)	602. Less Reductions Due Seller (Line 520)	(629.20)
303. CASH (X FROM) (TO) BORROWER	380.55	*603. CASH (X TO) (FROM) SELLER*	484.00

L. SETTLEMENT CHARGES

		PAID FROM BORROWER'S FUNDS AT SETTLEMENT	PAID FROM SELLER'S FUNDS AT SETTLEMENT
700. TOTAL COMMISSION Based on Price $ @ % 629.20			
Division of Commission (line 700) as Follows:			
701. $ 629.20 to Terry Howe & Associates, Inc.	Less Deposit Retained 629.20		
702. $ to			
703. Commission Paid at Settlement			
704. to			
800. ITEMS PAYABLE IN CONNECTION WITH LOAN			
801. Loan Origination Fee % to			
802. Loan Discount % to			
803. Appraisal Fee to			
804. Credit Report to			
805. Tax Service Fee to			
806. Flood Certification Fee to			
807. Processing Fee to			
808.			
809.			
810.			
811.			
900. ITEMS REQUIRED BY LENDER TO BE PAID IN ADVANCE			
901. Interest From to @ $ /day (days %)			
902. MIP Totlns. for LifeOfLoan for months to			
903. Hazard Insurance Premium for 1.0 years to			
904.			
905.			
1000. RESERVES DEPOSITED WITH LENDER			
1001. Hazard Insurance	months @ $ per month		
1002. Mortgage Insurance	months @ $ per month		
1003. City/Town Taxes	months @ $ per month		
1004. County Taxes	months @ $ per month		
1005. Assessments	months @ $ per month		
1006.	months @ $ per month		
1007.	months @ $ per month		
1008. Aggregate Adjustment	months @ $ per month		
1100. TITLE CHARGES			
1101. Settlement or Closing Fee to			
1102. Abstract or Title Search to ACC Title, LLC			
1103. Title Examination to			
1104. Title Insurance Binder to ACC Title, LLC			
1105. Document Preparation to Keable & Brown, PA		150.00	
1106. Notary Fees to			
1107. Attorney's Fees to Keable & Brown, PA		195.00	
(includes above item numbers:)			
1108. Title Insurance to ACC /			
(includes above item numbers: 60% ACC / 40%)			
1109. Lender's Coverage $			
1110. Owner's Coverage $			
1111. Copies\Postage\Fax\Phone to Keable & Brown, PA		20.00	
1112. Courier\Wire Fees Keable & Brown, PA			
1113. Email Package Fee			
1200. GOVERNMENT RECORDING AND TRANSFER CHARGES			
1201. Recording Fees: Deed $ 10.00 ; Mortgage $; Releases $		10.00	
1202. City/County Tax/Stamps: Deed	5.55 ; Mortgage	5.55	
1203. State Tax/Stamps: Deed	; Mortgage		
1204.			
1205.			
1300. ADDITIONAL SETTLEMENT CHARGES			
1301. Survey to			
1302. Pest Inspection to			
1303.			
1304.			
1305.			
1400. TOTAL SETTLEMENT CHARGES (Enter on Lines 103, Section J and 502, Section K)		380.55	

Certified to be a true copy.

ACKNOWLEDGMENT OF RECEIPT OF SETTLEMENT STATEMENT

Borrower: ~~Jesus~~ Edgar Mora Romero ER
Seller: Estate of Milton Antonakus
Settlement Agent: Keable & Brown, PA
(864)250-4000
Place of Settlement: 109 Laurens Road, Bld. 2, Suite A
Greenville, SC 29607
Settlement Date: January 8, 2015
Property Location: Morgan Street & Highland Avenue
Greer, SC
Spartanburg County, South Carolina

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

ER
~~Jesus~~ Mora Romero
Edgar

Estate of Milton Antonakos

BY: Crisler Johnson, as Personal Representative for the Estate of Milton C. Antonakos, Jr.

To the best of my knowledge, the HUD-1 Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

Keable & Brown, PA
Settlement Agent

Exhibit "B"

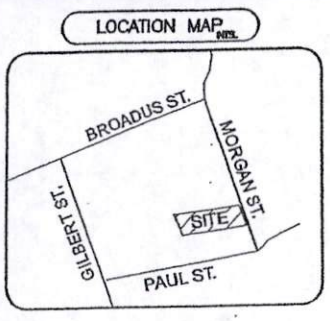
When signing your contract, please initial next to the parcel(s) that you are purchasing.

Initials	Tax ID Number	Property	County	Type
_____	011-01-02-007	221 Wells Cir, Townville	Anderson	Lot
_____	040-05-03-022	Lot 7 White St, Pendleton	Anderson	Lot
_____	123-20-07-001	328 I Str, Anderson	Anderson	Lot
_____	124-14-01-058	Lot 12 Smith St, Anderson	Anderson	Lot
_____	124-15-02-035	Lot 22 W Reed St, Anderson	Anderson	Lot
_____	124-24-11-010	Lot on McCully St, Anderson	Anderson	Lot
_____	124-27-05-014	PT Lot 20 Guy St, Anderson	Anderson	Lot
_____	132-01-04-003	Lot 30 Bascomb Dr, Iva	Anderson	Lot
_____	133-06-05-026	Lot 4 Cain Ct, Iva	Anderson	Lot
_____	149-04-14-014	315 Short St, Anderson	Anderson	Lot
_____	150-02-01-007	Lot on Plain St, Anderson (Roadway St)	Anderson	Lot
_____	150-06-02-004	1205 White St, Anderson	Anderson	House-Rented
_____	150-09-03-002	1522 Minor St, Anderson	Anderson	Lot
_____	178-14-01-023	Lot 49 & PT 48 Melody Trail, Anderson	Anderson	Lot
_____	178-14-02-001	Lot 50 Melody Trail, Anderson	Anderson	Lot
_____	192-00-13-012	Gale Dr, Pelzer	Anderson	Lot
_____	192-00-13-014	PT TR 12 Gale Dr, Pelzer	Anderson	Lot
_____	203-05-02-005	1045 Erskine Rd, Anderson	Anderson	Lot
_____	226-04-05-012	Lot 2 Haynie St, Belton	Anderson	Lot
_____	244-06-02-011	Cherokee Rd/Mattison Dr, Williamston	Anderson	Lot
_____	245-12-02-037	Lot 4 College St, Williamston	Anderson	Lot
_____	6-07-00-005.00	New Cut Rd, Inman	Spartanburg	Lot
_____	7-11-12-026.00	Humphrey St, Spartanburg	Spartanburg	Lot
_____	7-12-09-192.00	525 Hunt St, Spartanburg	Spartanburg	Lot
_____	7-16-05-215.00	Lot 17 Norris Ct, Spartanburg	Spartanburg	Lot
_____	7-16-06-047.00	P/O Lot 6 Irwin Ave, Spartanburg	Spartanburg	Lot
X J.M	9-03-14-269.00	Morgan St, Greer	Spartanburg	Lot
_____	9-03-15-007.08	112 Greenleaf Dr, Greer, SC	Spartanburg	House-Vacant
X J.M	9-04-02-069.00	Highland Ave, Greer	Spartanburg	Lot

Purchaser Initials J.M

Seller Initials CGT

#2



NOTE: LINES SURVEYED AND MAPPED ARE GROUND DISTANCES. COORDINATES SHOWN BASED ON SC SPCS NAD 83 (2018) DATUM UNLESS OTHERWISE STATED.

SC. GRID NAD 83 (SCVRS)

MORGAN STREET (20' PAVED; 20' R/W)

IPF 3/4" OT. (BENT)

(REF. TIE-LINE) N 22°11'06" W 50.23'

N/F: NATHAN T. ROSEMOND
TMS# 9-03-14-268.00
DEED BK. 63-D PG. 647
PLAT BK. 8 PG. 23

SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM
N:1132948.588
E:1637094.335

MAG. NAIL SET

WALL ENCROACHES

BRICK WALL

7.30'

1.80'

N 82°42'34" E 150.00'

IPF 1 1/2" OT.

S 21°17'26" E 50.00'

TMS# 9-03-14-269.00
(7,257 SF.)
0.17 AC.

N 21°17'26" W 49.72'

N/F: ROBBIE E. ANDERSON & BROOKE E. JOHNSON
TMS# 9-03-14-272.00
DEED BK. 840
PLAT BK. 173 PG. 533
9-03-13-T PG.

CHAIN-LINK FENCE

5.0'

MAG. NAIL SET

CONC. DRIVE ENCROACHES

150.07'

S 82°48'48" W

** +/- 160' TO INTERSECTION OF PAUL ST.

N/F: MIGUEL H. SOTO
TMS# 9-03-14-271.00
DEED BK. 113-T PG. 840
PLAT BK. 8 PG. 23

IPF 1" OT. (BENT)

P/P (TYP.)

(REF. TIE-LINE) S 20°37'22" E 90.96'

IPF 1/2" REBAR (BENT)

REFERENCES:
DEED BK.'S: 63-D @ PG. 648.
PLAT BK.'S: 8 @ PG. 23.;
173 @ PG. 533
176 @ PG. 372.

0 30 60

GRAPHIC SCALE: 1" = 30'

THIS BEING THE SAME AS LOT 13 AS SHOWON ON A PLAT FOR ACADEMY VIEW SUBDIVISION BY H.S. BROCKMAN DATED OCTOBER 26, 1923 AND RECORDED IN THE SPARTANBURG COUNTY REGISTER OF DEEDS IN PLAT BOOK 8 AT PAGE 23.

"I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS, PROJECTIONS, OR SETBACKS OTHER THAN SHOWN."

1/31/22

WES E. SMITH
DATE: JANUARY 31, 2022
S.C. RLS# 19697

SOUTH CAROLINA CERTIFICATE SEAL C02142 AZIMUTH CONTROL, INC. CERTIFICATE OF AUTHORIZATION

BOUNDARY SURVEY FOR:

UPSTATE HOUSE PROJECTS, LLC.

SPARTANBURG COUNTY, SOUTH CAROLINA

SURVEYOR'S NOTES

1) SURVEY SHOWN HEREON REPRESENTS SPARTANBURG COUNTY TAX MAP NUMBER: 9-03-14-269.00
2) TOTAL AREA = 0.17 AC.
3) THIS PROPERTY IS SUBJECT TO ANY AND ALL EXISTING RIGHT-OF-WAYS FOR ROADS, UTILITIES AND ANY OTHER EASEMENTS THAT MAY APPEAR OF RECORD OR NOT OF RECORD.
4) THIS PLAT IS NOT A SUBDIVISION AS DEFINED IN THE SPARTANBURG COUNTY SUBDIVISION ORDINANCE.

AZIMUTH CONTROL, INC.
LAND SURVEYING

1786 NEW CUT RD.
SPARTANBURG, SC. 29303
PH: (864) 281-9600

TMS#	9-03-14-269.00
ADDRESS:	MORGAN ST., GREER, SC.
FIELD BY:	JARN
SCALE:	1" = 30'
FIELD DATE:	1-28-2022

#3

DEE-2022-23467

DEE BK 136-Z PG 417-419 EXEMPT

Recorded 3 Pages on 05/04/2022 01:44:46 PM
Recording Fee: $15.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

CORRECTIVE DEED

Grantee's Address:
301 River Forest Dr.
Boiling Springs SC 29316

WHEREAS, Crisler G. Johnson, as Personal Representative of the Estate of Milton C. Antonakos, Jr., attemped to convey the below described property to Edgar Mora Romero, reference being made to deed recorded in Deed Book 107-Z, page 542, Register of Deeds for Spartanburg County; and

WHEREAS, when the deed was executed, it inadvertently described the property as a lot located on Pilgrim Street and it should have conveyed property located on Morgan Street; and

WHEREAS, this deed is for the purpose of placing the correct legal description on the said property.

KNOW ALL MEN BY THESE PRESENTS that **CRISLER G. JOHNSON, AS PERSONAL REPRESENTATIVE OF THE MILTON C. ANTONAKOS, JR. ESTATE** hereinafter called grantor(s) in consideration of **ONE DOLLAR AND PREMISES,** to the grantor(s) in hand paid at and before the sealing of these presents by the grantee(s) hereinafter named, the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the following named grantee(s), to wit: **EDGAR MORA ROMERO, HIS HEIRS AND ASSIGNS FOREVER:**

All that certain piece, parcel, or lot of land, situate, lying and being in the County of Spartanburg, State of South Carolina, in the City of Greer on the west side of School Street, fronting on Morgan Street and being shown and designated as Lot No. 13, on a plat of Academy View, recorded in Plat Book 8, page 23, Register of Deeds for Spartanburg County; and having the following metes and bounds: BEGINNING at a stake on the western side of School Street, joint corner of Lot No. 13 and 14 and running thence as the common line of said lots, S. 81-30W. 150 feet to a stake; thence N. 22-30 W. 150 feet to stake; thence with the common line of Lot No. 12 and 13, N. 81-30 E. 150 feet to stake on the western side of School Street; thence therewith S. 22-30 E. 50 feet to the beginning corner.

This is the same property conveyed to Milton Antonakos by deed from Stephen Ford, the Delinquent Tax Collector for Spartanburg County, the deed being dated December 30, 1997 and recorded on February 27, 1998 in Deed Book 67-K, page 535, Register of Deeds for Spartanburg County.

The County Tax Map Number of the property is 9-03-14-269.00

Together with all and singular the rights, hereditaments and appurtenances to said premises belonging or in anywise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs, successors and assigns forever.

And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs, successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs, successors and assigns against the grantor(s) and the grantor's(s') heirs, successors and against every person whomsoever lawfully claiming or to claim the same or any part hereof.

WITNESS the grantor's(s') hand(s) and seal(s) this 13TH day of APRIL, 2022.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

CRISLER G. JOHNSON
PERSONAL REPRESENATTIVE OF
THE MILTON C. ANTONAKOS, JR. ESTATE

STATE OF NORTH CAROLINA)
) PROBATE
COUNTY OF BUNCOMBE)

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named **CRISLER G. JOHNSON, AS PERSONAL REPRESENTATIVE OF THE MILTON C. ANTONAKOS, JR. ESTATE,** sign, seal and as his act and deed deliver the within deed and that deponent with the other witness whose name is subscribed above witnessed the execution thereof. The subscribing witnesses attest to the fact that they are not parties to or beneficiaries of this transaction.

SWORN to before me this 13TH day of APRIL, 2022.

William S. Pressley (SEAL)
Notary Public for Buncombe County, NC

My Commission Expires: 1/23/27

WILLIAM S PRESSLEY NOTARY PUBLIC BUNCOMBE COUNTY, NC My Commission Expires 01-23-2027

#4

TAX RECEIPTS
2012-2023

YEAR	PAYOR	AMOUNT
2012	Milton Antonakos	$ 177.93
2013	Milton Antonakos	$ 194.46
2014	Milton Antonakos	$ 196.16
2015	Edgar Romero	$ 225.82
2016	Edgar Romero	$ 132.59
2017	Edgar Romero	$ 150.42
2018	Edgar Romero	$ 181.39
2019	Edgar Romero	$ 178.80
2020	Edgar Romero	$ 155.48
2021	Upstate House Projects, LLC	$ 168.92
2022	Upstate House Projects, LLC	$ 222.38
2023	Upstate House Projects, LLC	$ 244.32
		$2,228.67

KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2012

RETURN THIS SIDE WITH PAYMENT

003955-12-3
ANTONAKOS MILTON

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
003955-12-3			
SPARTANBURG COUNTY	240	241.10	57.86
CITY/TOWN	240	97.8	23.47

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9TS L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE	x	ASSESS %	x	ASSESSED VALUE
4,025				240

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	40.46
GEN COUNTY OPERATING BUDGET	11.81
COUNTY BOND DEBT SERVICE	0.86
LIBRARY	2.50
COUNTY WIDE FIRE	0.12
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.31
SPARTANBURG COMM. COLLEGE	1.56
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.24
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2013	
TAXES	57.86
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	0
INTEREST	0.00
FEES	96.60
NET DUE	177.93

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00
NAME AND ADDRESS OF PROPERTY OWNER
ANTONAKOS MILTON ANTONAKOS MILTON 16 MONTROSE DR GREENVILLE SC 296073034

Tax Year 2012	Tax Map Number	9-03-14-269.00
PROPERTY DESCRIPTION	MORGAN ST 9-03-14-269.00	
APPRAISED VALUE (TAXABLE)		4,025
PROPERTY TAX AMOUNT (COUNTY)		57.86
PROPERTY TAX AMOUNT (CITY)		23.47
LESS STATE HOMESTEAD		-0
EXEMPTION (COUNTY)		-0
EXEMPTION (CITY)		-0
PENALTY		0
INTEREST		0.00
FEES		96.60
COSTS		0.00
AMOUNT PAID ========>		$177.93

CHANGE MY ADDRESS TO:

_____

_____

_____

PENALTY AMOUNTS DUE AFTER **01/15/2013**	
AFTER **01/15/2013** THRU **02/03/2013**	0.00
AFTER **02/03/2013** THRU **03/16/2013**	0.00
AFTER **03/16/2013**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE	

....PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2013

RETURN THIS SIDE WITH PAYMENT

003825-13-3
ANTONAKOS MILTON

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
003825-13-3			
SPARTANBURG COUNTY	280	251.70	70.48
CITY/TOWN	280	97.8	27.38

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE		ASSESS %		ASSESSED VALUE
4,629	X		X	280

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	49.7
GEN COUNTY OPERATING BUDGET	14.17
COUNTY BOND DEBT SERVICE	1.04
LIBRARY	3.00
COUNTY WIDE FIRE	0.14
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.36
SPARTANBURG COMM. COLLEGE	1.79
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.28
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2014	
TAXES	70.48
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	0
INTEREST	0.00
FEES	96.60
NET DUE	194.46

Tax Year 2013	Tax Map Number	9-03-14-269.00

PROPERTY DESCRIPTION MORGAN ST 9-03-14-269.00

APPRAISED VALUE (TAXABLE)	4,629
PROPERTY TAX AMOUNT (COUNTY)	70.48
PROPERTY TAX AMOUNT (CITY)	27.38
LESS STATE HOMESTEAD	-0
EXEMPTION (COUNTY)	-0
EXEMPTION (CITY)	-0
PENALTY	0
INTEREST	0.00
FEES	96.60
COSTS	0.00
AMOUNT PAID ========>	$194.46

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2014**

AFTER **01/15/2014** THRU **02/03/2014**	0.00
AFTER **02/03/2014** THRU **03/16/2014**	0.00

AFTER **03/16/2014**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00

NAME AND ADDRESS OF PROPERTY OWNER
ANTONAKOS MILTON ANTONAKOS MILTON 21 DAYFLOWER DR ASHEVILLE NC 28803

...PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

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KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2014

RETURN THIS SIDE WITH PAYMENT

005680-14-3
ANTONAKOS MILTON

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
005680-14-3			
SPARTANBURG COUNTY	280	257.80	72.18
CITY/TOWN	280	97.8	27.38

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE		ASSESS %		ASSESSED VALUE
4,629	x		x	280

Tax Year 2014	Tax Map Number 9-03-14-269.00
PROPERTY DESCRIPTION MORGAN ST 9-03-14-269.00	

APPRAISED VALUE (TAXABLE)	4,629
PROPERTY TAX AMOUNT (COUNTY)	72.18
PROPERTY TAX AMOUNT (CITY)	27.38
LESS STATE HOMESTEAD	-0
EXEMPTION (COUNTY)	-0
EXEMPTION (CITY)	-0
PENALTY	0
INTEREST	0.00
FEES	96.60
COSTS	0.00
AMOUNT PAID ========>	$196.16

CHANGE MY ADDRESS TO:

REAL ESTATE ASSESSMENT

DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	51.07
GEN COUNTY OPERATING BUDGET	14.17
COUNTY BOND DEBT SERVICE	1.37
LIBRARY	3.00
COUNTY WIDE FIRE	0.14
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.36
SPARTANBURG COMM. COLLEGE	1.79
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.28
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2015	
TAXES	72.18
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	0
INTEREST	0.00
FEES	96.60
NET DUE	196.16

PENALTY AMOUNTS DUE AFTER **01/15/2015**	
AFTER **01/15/2015** THRU **02/03/2015**	0.00
AFTER **02/03/2015** THRU **03/16/2015**	0.00

AFTER **03/16/2015**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

DESCRIPTION OF REAL OR PERSONAL PROPERTY

MORGAN ST

9-03-14-269.00

NAME AND ADDRESS OF PROPERTY OWNER

ANTONAKOS MILTON
ESTATE OF MILTON ANTONAKOS C\O
21 DAYFLOWER DR
ASHEVILLE NC 28803

....PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

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KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2015

RETURN THIS SIDE WITH PAYMENT

170309-15-5
ROMERO EDGAR MORA

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
170309-15-5			
SPARTANBURG COUNTY	300	259.30	77.79
CITY/TOWN	300	103	30.9

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE		ASSESS %		ASSESSED VALUE
5,000	x		x	300

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	55.47
GEN COUNTY OPERATING BUDGET	15.18
COUNTY BOND DEBT SERVICE	1.47
LIBRARY	3.21
COUNTY WIDE FIRE	0.15
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.39
SPARTANBURG COMM. COLLEGE	1.92
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2016	
TAXES	77.79
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	20.53
INTEREST	0.00
FEES	96.60
NET DUE	225.82

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST IN LIEU OF 145357153 9-03-14-269.00
NAME AND ADDRESS OF PROPERTY OWNER
ROMERO EDGAR MORA PO BOX 469 DUNCAN SC 29334

Tax Year 2015	Tax Map Number	9-03-14-269.00
PROPERTY DESCRIPTION	MORGAN ST IN LIEU OF 145357153 9-03-14-269.00	
APPRAISED VALUE (TAXABLE)		5,000
PROPERTY TAX AMOUNT (COUNTY)		77.79
PROPERTY TAX AMOUNT (CITY)		30.9
LESS STATE HOMESTEAD		-0
EXEMPTION (COUNTY)		-0
EXEMPTION (CITY)		-0
PENALTY		20.53
INTEREST		0.00
FEES		96.60
COSTS		0.00
AMOUNT PAID ========>		$225.82

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2016**	
AFTER **01/15/2016** THRU **02/03/2016**	0.00
AFTER **02/03/2016** THRU **03/16/2016**	0.00

AFTER **03/16/2016**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

...PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2016

RETURN THIS SIDE WITH PAYMENT

147649-16-3
ROMERO EDGAR MORA

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
147649-16-3			
SPARTANBURG COUNTY	300	259.30	77.79
CITY/TOWN	300	97.8	29.34

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE		ASSESS %		ASSESSED VALUE
5,000	x		x	300

REAL ESTATE ASSESSMENT

DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	55.47
GEN COUNTY OPERATING BUDGET	15.18
COUNTY BOND DEBT SERVICE	1.47
LIBRARY	3.21
COUNTY WIDE FIRE	0.15
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.39
SPARTANBURG COMM. COLLEGE	1.92
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2017	
TAXES	77.79
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	3.86
INTEREST	0.00
FEES	21.60
NET DUE	132.59

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00

NAME AND ADDRESS OF PROPERTY OWNER
ROMERO EDGAR MORA PO BOX 469 DUNCAN SC 29334

Tax Year 2016	Tax Map Number	9-03-14-269.00

PROPERTY DESCRIPTION	MORGAN ST 9-03-14-269.00
APPRAISED VALUE (TAXABLE)	5,000
PROPERTY TAX AMOUNT (COUNTY)	77.79
PROPERTY TAX AMOUNT (CITY)	29.34
LESS STATE HOMESTEAD	-0
EXEMPTION (COUNTY)	-0
EXEMPTION (CITY)	-0
PENALTY	3.86
INTEREST	0.00
FEES	21.60
COSTS	0.00
AMOUNT PAID ========>	$132.59

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2017**

AFTER **01/15/2017** THRU **02/03/2017**	0.00
AFTER **02/03/2017** THRU **03/16/2017**	0.00

AFTER **03/16/2017**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

...PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

KEEP THIS SIDE FOR YOUR RECORD

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OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2017

RETURN THIS SIDE WITH PAYMENT

147594-17-3
ROMERO EDGAR MORA

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
147594-17-3			
SPARTANBURG COUNTY	300	266.20	79.86
CITY/TOWN	300	97.8	29.34

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE		ASSESS %		ASSESSED VALUE
5,000	x		x	300

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	57.54
GEN COUNTY OPERATING BUDGET	15.18
COUNTY BOND DEBT SERVICE	1.47
LIBRARY	3.21
COUNTY WIDE FIRE	0.15
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.39
SPARTANBURG COMM. COLLEGE	1.92
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2018	
TAXES	79.86
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	19.62
INTEREST	0.00
FEES	21.60
NET DUE	150.42

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00
NAME AND ADDRESS OF PROPERTY OWNER
ROMERO EDGAR MORA PO BOX 469 DUNCAN SC 29334

Tax Year 2017	Tax Map Number	9-03-14-269.00
PROPERTY DESCRIPTION	MORGAN ST 9-03-14-269.00	
APPRAISED VALUE (TAXABLE)		5,000
PROPERTY TAX AMOUNT (COUNTY)		79.86
PROPERTY TAX AMOUNT (CITY)		29.34
LESS STATE HOMESTEAD		-0
EXEMPTION (COUNTY)		-0
EXEMPTION (CITY)		-0
PENALTY		19.62
INTEREST		0.00
FEES		21.60
COSTS		0.00
AMOUNT PAID ==========>		$150.42

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2018**

AFTER **01/15/2018** THRU **02/03/2018**	0.00
AFTER **02/03/2018** THRU **03/16/2018**	0.00

AFTER **03/16/2018**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

....PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

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REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2018

RETURN THIS SIDE WITH PAYMENT

148748-18-3
ROMERO EDGAR MORA

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
148748-18-3			
SPARTANBURG COUNTY	350	269.00	94.15
CITY/TOWN	350	97.8	34.23

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE		ASSESS %		ASSESSED VALUE
5,750	x		x	350

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	68.92
GEN COUNTY OPERATING BUDGET	17.13
COUNTY BOND DEBT SERVICE	1.65
LIBRARY	3.64
COUNTY WIDE FIRE	0.18
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.46
SPARTANBURG COMM. COLLEGE	2.17
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2019	
TAXES	94.15
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	23.01
INTEREST	0.00
FEES	25.00
NET DUE	181.39

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST AD#19-08149 9-03-14-269.00

NAME AND ADDRESS OF PROPERTY OWNER
ROMERO EDGAR MORA PO BOX 469 DUNCAN SC 29334

Tax Year 2018	Tax Map Number	9-03-14-269.00
PROPERTY DESCRIPTION	MORGAN ST AD#19-08149 9-03-14-269.00	
APPRAISED VALUE (TAXABLE)		5,750
PROPERTY TAX AMOUNT (COUNTY)		94.15
PROPERTY TAX AMOUNT (CITY)		34.23
LESS STATE HOMESTEAD		-0
EXEMPTION (COUNTY)		-0
EXEMPTION (CITY)		-0
PENALTY		23.01
INTEREST		0.00
FEES		25.00
COSTS		5.00
AMOUNT PAID ========>		$181.39

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2019**	
AFTER **01/15/2019** THRU **02/01/2019**	0.00
AFTER **02/01/2019** THRU **03/18/2019**	0.00
AFTER **03/18/2019**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE	

...PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

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REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2019

RETURN THIS SIDE WITH PAYMENT

151482-19-3
ROMERO EDGAR MORA

Pay online at
www.spartanburgcountytax.com

Tax Year 2019	Tax Map Number	9-03-14-269.00

PROPERTY DESCRIPTION: MORGAN ST 9-03-14-269.00

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
151482-19-3			
SPARTANBURG COUNTY	350	275.00	96.25
CITY/TOWN	350	97.8	34.23

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE	x	ASSESS %	x	ASSESSED VALUE
5,750				350

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	71.02
GEN COUNTY OPERATING BUDGET	17.13
COUNTY BOND DEBT SERVICE	1.65
LIBRARY	3.64
COUNTY WIDE FIRE	0.18
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.46
SPARTANBURG COMM. COLLEGE	2.17
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2020	
TAXES	96.25
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	23.32
INTEREST	0.00
FEES	25.00
NET DUE	178.80

APPRAISED VALUE (TAXABLE)	5,750
PROPERTY TAX AMOUNT (COUNTY)	96.25
PROPERTY TAX AMOUNT (CITY)	34.23
LESS STATE HOMESTEAD	-0
EXEMPTION (COUNTY)	-0
EXEMPTION (CITY)	-0
PENALTY	23.32
INTEREST	0.00
FEES	25.00
COSTS	0.00
AMOUNT PAID ========>	$178.80

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2020**

AFTER **01/15/2020** THRU **02/03/2020**	0.00
AFTER **02/03/2020** THRU **03/16/2020**	0.00

AFTER **03/16/2020**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00

NAME AND ADDRESS OF PROPERTY OWNER
ROMERO EDGAR MORA 301 RIVER FOREST DR BOILING SPRINGS SC 29316

....PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

117

KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2020

RETURN THIS SIDE WITH PAYMENT

142726-20-3
ROMERO EDGAR MORA

Pay online at
www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
142726-20-3			
SPARTANBURG COUNTY	350	275.00	96.25
CITY/TOWN	350	97.8	34.23

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT

APPRAISED VALUE	x	ASSESS %	x	ASSESSED VALUE
5,750				350

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	71.02
GEN COUNTY OPERATING BUDGET	17.13
COUNTY BOND DEBT SERVICE	1.65
LIBRARY	3.64
COUNTY WIDE FIRE	0.18
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.46
SPARTANBURG COMM. COLLEGE	2.17
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2021	
TAXES	96.25
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	0
INTEREST	0.00
FEES	25.00
NET DUE	155.48

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00

NAME AND ADDRESS OF PROPERTY OWNER
ROMERO EDGAR MORA 301 RIVER FOREST DR BOILING SPRINGS SC 29316

Tax Year 2020	Tax Map Number	9-03-14-269.00
PROPERTY DESCRIPTION	MORGAN ST 9-03-14-269.00	
APPRAISED VALUE (TAXABLE)		5,750
PROPERTY TAX AMOUNT (COUNTY)		96.25
PROPERTY TAX AMOUNT (CITY)		34.23
LESS STATE HOMESTEAD		-0
EXEMPTION (COUNTY)		-0
EXEMPTION (CITY)		-0
PENALTY		0
INTEREST		0.00
FEES		25.00
COSTS		0.00
AMOUNT PAID ========>		$155.48

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/15/2021**	
AFTER **01/15/2021** THRU **02/01/2021**	0.00
AFTER **02/01/2021** THRU **03/16/2021**	0.00

AFTER **03/16/2021**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE

...PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

KEEP THIS SIDE FOR YOUR RECORD

REMIT PROPERTY TAX NOTICE TO:
OREN L BRADY III, SPARTANBURG COUNTY TREASURER
PO BOX 5807
SPARTANBURG SC 29304

SPARTANBURG COUNTY, SC
PROPERTY TAX NOTICE
TAX YEAR 2021

RETURN THIS SIDE WITH PAYMENT

371506-21-3
UPSTATE HOUSE PROJECTS LLC

Pay online at www.spartanburgcountytax.com

RECEIPT NUMBER	REAL ASSESSMENT	TAX LEVY	PROPERTY TAX
371506-21-3			
SPARTANBURG COUNTY	350	268.30	93.91
CITY/TOWN	350	99	34.65

DISTRICT	NO. ACRES	NO. LOTS	ACRES/LOTS APPRAISAL	NO. BLDGS	BLDG APPRAISAL	BLDG ASSESSMENT
9 L	0	1		0		0

REAL ESTATE ASSESSMENT				
APPRAISED VALUE	x	ASSESS %	x	ASSESSED VALUE
5,750				350

Tax Year 2021	Tax Map Number 9-03-14-269.00
PROPERTY DESCRIPTION MORGAN ST 9-03-14-269.00	
APPRAISED VALUE (TAXABLE)	5,750
PROPERTY TAX AMOUNT (COUNTY)	93.91
PROPERTY TAX AMOUNT (CITY)	34.65
LESS STATE HOMESTEAD	-0
EXEMPTION (COUNTY)	-0
EXEMPTION (CITY)	-0
PENALTY	15.36
INTEREST	0.00
FEES	25.00
COSTS	0.00
AMOUNT PAID ========>	$168.92

REAL ESTATE ASSESSMENT	
DESCRIPTION	NET TAX AMT
EDUCATION SCHOOL	67.97
GEN COUNTY OPERATING BUDGET	17.14
COUNTY BOND DEBT SERVICE	2.35
LIBRARY	3.64
COUNTY WIDE FIRE	0.18
FIRE DISTRICT	0.00
FIRE DISTRICT BONDS	0.00
WATER DISTRICT	0.00
SEWER	0.00
CHARLES LEA CENTER	0.46
SPARTANBURG COMM. COLLEGE	2.17
PARK FUND	0.00
FEDERAL STORMWATER MANDATE	0.00
TWIN LAKES	0.00

NET TAX DUE IF PAID BY Jan 15 2022	
TAXES	93.91
HOMESTEAD EX	0
SALES TAX CR	0
SCHOOL CR	0
PENALTY	15.36
INTEREST	0.00
FEES	25.00
NET DUE	168.92

CHANGE MY ADDRESS TO:

PENALTY AMOUNTS DUE AFTER **01/18/2022**	
AFTER **01/18/2022** THRU **02/01/2022**	158.17
AFTER **02/01/2022** THRU **03/16/2022**	168.92
AFTER **03/16/2022**, TAXES MUST BE PAID IN DELINQUENT TAX OFFICE	

DESCRIPTION OF REAL OR PERSONAL PROPERTY
MORGAN ST 9-03-14-269.00
NAME AND ADDRESS OF PROPERTY OWNER
UPSTATE HOUSE PROJECTS LLC 301 RIVER FOREST DR BOILING SPRINGS SC 29316

PERSONAL PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY TAX DUE DATE. OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED BY REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF REVENUE MY BE APPEALED TO THE DEPARTMENT OF REVENUE IN WRITING ON OR BEFORE THE DUE DATE OF THE TAX NOTICE

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EN L. BRADY, III, COUNTY TREASURER
O. BOX 5807, SPARTANBURG, S.C. 29304

SPARTANBURG COUNTY

TAX RECEIPT - KEEP THIS COPY FOR YOUR RECORDS

RECEIPT NUMBER	MAP REF. NUMBER	DISTRICT	REAL ESTATE TAXABLE VALUE	ASSESS %	ASSESSED VALUE	TAX LEVY	PROPERTY TAX	PLUS FEES	LESS EXEMPTION	NET TAX
185146-23-3	9-03-14-269.00	9 L	9545	6	570	277.0	157.89	30.00	.00	187.89
					570	99.0	56.43		.00	56.43
					REAL 570	PERSONAL	VEHICLE			

MORGAN ST

2023 TAXES

NAME AND ADDRESS OF PROPERTY OWNER(S)

UPSTATE HOUSE PROJECTS LLC
301 RIVER FOREST DR
BOILING SPRINGS SC 29316

THE INFORMATION BELOW IS A BREAKDOWN OF HOW YOUR TAX DOLLARS ARE DISTRIBUTED	
EDUCATION SCHOOL	118.39
GENERAL COUNTY OPERATING BUDGET	26.10
COUNTY BOND DEBT SERVICE	3.59
LIBRARY	5.53
COUNTY WIDE FIRE	.29
FIRE DISTRICT	.00
FIRE DISTRICT BOND	.00
WATER DISTRICT	.00
SEWER	.00
CHARLES LEA CENTER	.68
SPARTANBURG COMM. COLLEGE	3.31
PARK FUND	.00
FEDERAL STORMWATER MANDATE	.00
MUNICIPAL TAX GREER	56.43

TAXES PAID 244.32

RECEIPT DATE 12/06/23
TE 11:29

PM: CX

** MUST PRESENT THIS ORIGINAL RECEIPT WHEN REQUESTING REFUND **

OREN L. BRADY, III, COUNTY TREASURER
P.O. BOX 5807, SPARTANBURG, S.C. 29304

TAX RECEIPT

#5

THIS DOCUMENT
MARGINAL
FOR IMAGING

203 Woodhaven Dr.
Greer, S.C. 29651

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG } DEED 63D PG647

KNOW ALL MEN BY THESE PRESENTS, that Coy Gideon and Michael Coy Gideon

in consideration of Seven Thousand and 00/100 ($7,000.00) Dollars,

the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto

Nathan T. Rosemond

See Exhibit A

RECORDED
95 AUG 23 PM 2:13
R.M.C.
SPARTANBURG, S.C.

$400.01
228 8235#109
500

Rmc

STATE OF SOUTH CAROLINA
SOUTH CAROLINA TAX COMMISSION
DOCUMENTARY STAMP TAX
AUG23'95
P.B. 10688

23153

Rmc

-7.70 155

together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantor's(s') hand(s) and seal(s) this 22nd day of Aug, 1995

SIGNED, sealed and delivered in the presence of:

Nancy W Dowell

X Michael Coy Gideon (SEAL)

X Coy Gideon (SEAL)

(SEAL)

(SEAL)

STATE OF SOUTH CAROLINA
COUNTY OF Greenville } PROBATE

Personally appeared the undersigned witness and made oath that (s)he saw the within named grantor(s) sign, seal and as the grantor's(s') act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 22nd day of Aug 1995

(SEAL)

Nancy W Dowell

Notary Public for South Carolina.

My commission expires 8-31-01

DEED 63D PG 648

EXHIBIT A

ALL that certain lot, parcel or tract of land, with all improvements now constructed thereon, or hereafter constructed thereon, situate, lying and being in the State of South Carolina, County of Spartanburg, Beech Springs Township, located in the City of Greer, Dis 9-H, located on the West side of School Street and being shown as Lot Number Twelve (12) on plat of Academy View, by H. S. Brockman, Surveyor, dated October 25, 1923, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County and having a width of 50 feet and a depth of 150 feet.

ALSO:

All that certain parcel or lot of land situate, lying and being in Spartanburg County, State of South Carolina, in the City of Greer on the West side of School Street and being known and designated as Lot Number Thirteen (13) on plat of Academy View, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County.

Derivation: Book 46F
Page 612
Date 2-1-79
Grantor City of Greer
TMS# 9 03-14 268.00
9 03-14 269.00

This Conveyance is made subject to all easements, conditions, covenants, rights-of-ways, if any, appearing of record on the premises or on the recorded plat which may affect the property hereinabove described.

#6

DEED 67-K PG 535

TAX DEED

1998 FEB 27 PM 4:13

SPARTANBURG COUNTY
MAP # 9 03-14 269.00

DOCUMENTARY STAMPS
185

GRANTEE'S ADDRESS
Milton Antonaros
341 Log Shoal Road
Greenville, SC 29607

RECORDED
98 FEB 27 PM 4:18
R.M.C.
SPARTANBURG, S.C.

STATE OF SOUTH CAROLINA}
COUNTY OF SPARTANBURG}

TO ALL WHOM THESE PRESENTS MAY CONCERN:

WHEREAS, Delinquent Tax Collector for Spartanburg County, Stephen Ford, acting pursuant to the acts of the General Assembly of South Carolina and the statute laws of said State, did on the First Day of May, 1995, mail via "Certified Mail, Return Receipt Requested-Restricted Delivery" notice of delinquent property taxes, penalties and costs owed in the amount of $72.15 for the year{s} 1995, with such notice being mailed to Gideon Coy and Michael Coy and being returned unsigned/unclaimed by Gideon Coy and Michael Coy and,

WHEREAS, Assistant Delinquent Tax Collector of Spartanburg County, South Carolina, did on the 5th day of August, 1996 post said property against which said taxes were assessed and levied, as hereafter described; and,

WHEREAS, Delinquent Tax Collector for Spartanburg County, Stephen Ford, did on May 1,1996, mail via "Certified Mail, Return Receipt Requested-Restricted Delivery" notice of end of redemption for the amount due in the amount of $90.15 for 1995 taxes, with such notice being returned signed by agent for Coy Gideon and Michael Coy Gideon and,

WHEREAS, on Sales Day, the 4th day of November, 1996, Delinquent Tax Collector did, during the usual hours of sale, after due advertisement, sell the said property of the said Coy Gideon and Michael Coy Gideon tax defaulter {s} to Milton Antonaros his heirs and assign, the purchasers hereinafter known as "grantee{s}", and the highest bidder at such sale, for the sum of $150.00 dollars and gave a receipt for the total amount of said purchase money to Milton Antonaros and;

WHEREAS, more than twelve {12} months have elapsed since the date of said sale and the defaulting taxpayer {s}, any grantee from the owner of any MORTGAGE or judgement creditor have failed to redeem said land so sold for taxes;

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS, that Delinquent Tax Collector for Spartanburg County, South Carolina, Stephen Ford, in consideration of the premises, and the sum of $150.00 dollars to me paid by the said grantee {s} Milton Antonaros, have granted, bargained, sold and released unto the said grantee {s}, Milton Antonaros his heirs and assigns:

111RMC 534 22798#253 $10.00 +

DEED 67-K PG 536

All that certain piece, parcel or lot of land situate, lying and being in the County of Spartanburg, State of South Carolina, in the City of Greer on the west side of School Street and being known and designated as Lot No. 13, on a plat of Academy View, recorded in Plat Book 8, page 23, in the RMC Office for Spartanburg County, having the following metes and bounds, to wit:

BEGINNING: on a stake on the western side of School Street, joint corner of Lots No. 13 and 14 and running thence as the common line of said lots, S. 81-30 W., 150 feet to a stake; thence N. 22-30 W., 50 feet to stake; thence with the common line of Lots No 12 and 13, N. 81-30 E., 150 feet to stake on the western edge of School Street; thence therewith S. 22-30 E., 50 feet to beginning corner.

This is the property conveyed to Coy Gideon and Michael Coy Gideon from City of Greer recorded February , 1980, in Deed Book 46-F, page 612 in the RMC Office, Spartanburg County, South Carolina.

Together with all and singular the rights, members, hereditaments, and appurtenances to said premises belong or in any wise incident or appertaining; to have and to hold all the singular the premises before mentioned unto the grantee {s} and the grantee {s} heirs or successors and assigns, forever, according to the form in force and effect of the laws and usages of the State of South Carolina in such cases made and proved

WITNESS my hand and seal this 30th day of December, 1997.

Stephen Ford
Delinquent Tax Collector for
Spartanburg County, South Carolina

Signed, sealed and delivered
in the presents of:

Sherry C. Arnold
Lois M Hammond

State of South Carolina}
County of Spartanburg }

The foregoing instrument was acknowledged before me this 30th day of December, 1997 by Stephen B. Ford, Delinquent Tax Collector for Spartanburg County.

Lois M Hammond
Notary Public for South Carolina
My Commission expires: 10-27-2003

#7

PRESENT OWNER: Gideon Coy + Michael Coy
304 Morgan St.
ADDRESS AS SHOWN: Gren, S.C. 29651-2638
NO ACRES: _____
NO LOTS: ✓
BLDG: _____
MAP REFERENCE NO: 903-14 269.08
LOCATION OF PROPERTY: 310 Morgan St. Gren

YEAR	DIST.	NAME	REC#	TAXES
95	9TSL	Gideon Coy + Michael Coy	649402953	62.15

TOTAL:$ 62.15

REMARKS: Lot 13 Academy View PB 8-23
School St. Lot 13 Academy View

FROM: _____ TO: _____

DATE: _____ DEED DERV: _____

FROM: _____ TO: _____

DATE: _____ DEED DERV: _____

FIRST NOTICE MAILED:

DATE LAND POSTED: 8-5-96 TIME:

BY: Steve Finley

TAX SALE DATE:

ITEM NO:

Posted on Stake

TAX to Family


9-03-14-267.00
9-03-14-273.00
9-03-14-316.00
306
9-03-14-268.00
MORGAN ST
9-03-14-315.00
9-03-14-269.00
9-03-14-314.00
9-03-14-272.00
9-03-14-313.00
308
9-03-14-271.00
MORGAN ST
9-03-14-312.00
GILBERT ST
9-03-14-233.00
9-03-14-235.00
150
50
179.76
50.04
49.68
41
187.7
128.5
109.5
126
128
#8

Ronnie Bruce

#9

REM 1758 PAGE 790

CITIZENS B. & L. ASSOCIATION
P. O. BOX 388, 229 TRADE ST.
GREER, S. C. 29652

[Space Above This Line For Recording Data]

MORTGAGE

THIS MORTGAGE ("Security Instrument") is given on August 22, 1995. The mortgagor is Nathan T. Rosemond

("Borrower"). This Security Instrument is given to Citizens Building and Loan Association, which is organized and existing under the laws of U.S. of America, and whose address is P. O. Box 388, Greer, SC 29652 ("Lender"). Borrower owes Lender the principal sum of Six Thousand and No/100 Dollars (U.S. $ 6,000.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on August 5, 1999. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to Lender and Lender's successors and assigns the following described property located in Spartanburg County, South Carolina:

See Exhibit A

RECORDED
95 AUG 23 PM 2:13
R.M.C.
SPARTANBURG, S.C.

which has the address of 304 Morgan Street [Street], Greer [City],

South Carolina 29651 [Zip Code] ("Property Address");

SOUTH CAROLINA—Single Family—Fannie Mae/Freddie Mac UNIFORM INSTRUMENT Form 3041 9/90 (page 1 of 6 pages)

BANKERS SYSTEMS, INC., ST. CLOUD, MN 56302 (1-800-397-2341) FORM MD-1-SC 2/16/91

500 228 82395#110 $13.00M4

REM 1758 PAGE 796

EXHIBIT A

ALL that certain lot, parcel or tract of land, with all improvements now constructed thereon, or hereafter constructed thereon, situate, lying and being in the State of South Carolina, County of Spartanburg, Beech Springs Township, located in the City of Greer, Dis 9-H, located on the West side of School Street and being shown as Lot Number Twelve (12) on plat of Academy View, by H. S. Brockman, Surveyor, dated October 25, 1923, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County and having a width of 50 feet and a depth of 150 feet.

ALSO:

All that certain parcel or lot of land situate, lying and being in Spartanburg County, State of South Carolina, in the City of Greer on the West side of School Street and being known and designated as Lot Number Thirteen (13) on plat of Academy View, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County.

Derivation: Deed recorded herewith
Grantor: Cay Gideon, et al

This Conveyance is made subject to all easements, conditions, covenants, rights-of-ways, if any, appearing of record on the premises or on the recorded plat which may affect the property hereinabove described.

END OF DOC

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

RFH 3126 PAGE 163

BB&T of South Carolina #9

MORTGAGE OF REAL ESTATE

THIS MORTGAGE, made this 25th day of November, 2003, by Nathan T. Rosemond (hereinafter referred to as "Mortgagor"), and granted and given to BRANCH BANKING AND TRUST COMPANY OF SOUTH CAROLINA (hereinafter referred to as "Mortgagee"), a corporation organized and existing under the laws of the State of South Carolina, whose address is 1901 Assembly Street, Columbia, South Carolina, 29201-2439.

WHEREAS, NATHAN ROSEMOND is indebted to Mortgagee, as evidenced by a certain promissory note dated the 25th day of November, 2003, executed in favor of Mortgagee in the principal sum of EIGHTEEN THOUSAND EIGHT HUNDRED DOLLARS & 00/100 Dollars ($ 18,800.00), and any renewals, extensions or modifications thereto, the terms of which are incorporated herein by reference. Where used herein, the term "Note" or "Notes" shall be deemed to include the note above described, along with any other notes, additional advance agreements, or other documents now or hereafter evidencing any debt whatsoever incurred by Mortgagor and payable to Mortgagee. The final maturity date of the Note is 12/09/2008.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Mortgagor, for and in consideration of the aforesaid indebtedness and in order to secure the payment thereof together with any renewals or extensions or modifications thereof, and also to secure in accordance with § 29-3-50, As Amended, of the Code of Laws of South Carolina (1976) or any such successor statute as may apply:

1. All future advances and readvances that may subsequently be made to the Mortgagor evidenced by the Note(s) and by all renewals and extensions thereof; and

2. All other indebtedness of Mortgagor to Mortgagee, now or hereafter existing, whether direct or indirect, the maximum amount of all indebtedness outstanding at any one time secured hereby not to exceed $ 18,800.00 plus interest thereon, all charges and expenses of collection incurred by Mortgagee including Court costs and reasonable attorneys' fees, has granted, bargained, sold, assigned, released and does by these presents grant, bargain, sell, assign and release unto the Mortgagee, its successors and assigns the following described property:

MTG-2003-75890
Recorded 5 Pages on 12/1/2003 3:09:01 PM
Recording Fee: $11.00 Documentary Stamps: $0.00
Office of Register of Deeds, Spartanburg, S.C.
Stephen Ford, Register

Together with all and singular improvements thereon and the rights, members, hereditaments and appurtenances to the same belonging or in any way appertaining; all the rents, issues, and profits thereof (provided, however that, unless otherwise agreed, the Mortgagor shall be entitled to collect and retain the said rents, issues, and profits until default hereunder); and including all heating, plumbing, and lighting fixtures and equipment now or hereafter attached to or used in connection with the real estate herein described (herein collectively the "Property").

TO HAVE AND TO HOLD, all the said Property unto the Mortgagee, its successors and assigns forever.

The Mortgagor covenants that he is lawfully seized of the premises herein above described in fee simple absolute (or such other estate; if any, as is stated hereinbefore), that he has good, right, and lawful authority to sell, convey, or encumber the same, and that the premises are free and clear of all liens and encumbrances whatsoever except as listed in the title opinion or title insurance policy which Mortgagee has obtained in the transaction in which Mortgagee obtained this Mortgage. The Mortgagor further covenants to warrant and forever defend title to the premises as herein conveyed unto the Mortgagee, from and against all persons whomsoever lawfully claiming the same or any part thereof.

The Mortgagor (and where more than one, each jointly and severally) covenants and agrees as follows:

1. That if he is a maker or obligor on the Note(s), he will promptly pay the principal of and interest on the indebtedness evidenced by the said Note(s) and any subsequent note or agreement evidencing additional advances, at the time and in the manner therein provided. Mortgagor shall timely pay and perform any obligation, covenant or warranty contained not only in this mortgage but also any other mortgage, or writing which gives rise to, or which may constitute a lien upon any of the Property. Upon request of Mortgagee, Mortgagor promptly shall furnish satisfactory evidence of such payment or performance. Mortgagor shall not enter into, terminate, cancel or amend any material lease or contract affecting the Property or any part thereof without the prior written consent of the Mortgagee.

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EXHIBIT A

ALL that certain lot, parcel or tract of land, with all improvements now constructed thereon, or hereafter constructed thereon, situate, lying and being in the State of South Carolina, County of Spartanburg, Beech Springs Township, located in the City of Greer, Dis 9-H, located on the West side of School Street and being shown as Lot Number Twelve (12) on plat of Academy View, by H. S. Brockman, Surveyor, dated October 25, 1923, recorded in Plat Book 8, Page 23, RMC Office for Spartanburg County and having a width of 50 feet and a depth of 150 feet.

This is the same property conveyed to Nathan T. Rosemond by deed of Coy Gideon and Michael Coy Gideon recorded in the RMC Office for Spartanburg County on August 23, 1995, in Deed Book 63-D at Page 647 and subject to all restrictions, easements, rights-of-way and roadways of record, on the recorded plats or on the premises.

TMS# 9 03-14 268.00

This Conveyance is made subject to all easements, conditions, covenants, rights-of-ways, if any, appearing of record on the premises or on the recorded plat which may affect the property hereinabove described.

ELECTRONICALLY FILED - 2023 Dec 13 4:29 PM - SPARTANBURG - COMMON PLEAS - CASE#2022CP4202073

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG	)	SEVENTH JUDICIAL CIRCUIT
Edgar Mora Romero,	)	
	)	
Plaintiff,	)	
	)	
	)	BRIEF IN SUPPORT OF PLAINTIFF
vs.	)	2022-CP-42-2073
	)	
Coy Gideon, Michael Coy Gideon, and Nathan T. Rosemond,	)	
	)	
Defendants.	)	
	)	

The Plaintiff acknowledges that the Tax Sale of the subject property was not conducted properly. However, the Tax Sale is not what is causing the Defendant to lose the subject property. The Defendant should lose ownership of the property because of his lack of due diligence and inaction.

PERTINENT FACTS

1. The Defendant purchased the subject real property from family members.
2. The property was conveyed to the Defendant because there was a desire to keep the property in the family. The conveyance was partially a gift with the Defendant paying only one-half of the fair market value.
3. The Defendant did not have a title search done when he purchased the property.
4. The deed conveying the property to the Defendant was apparently prepared by a layman and a handwritten entry was made to show the derivation and the Tax Map Numbers.
5. The deed shows two (2) Tax Map Numbers which clearly indicates that there would be two (2) tax notices.
6. Three and half (3 1/2 months) before the deed conveying the property to the defendant, the Tax Office had given notice to the Gideons of the delinquent taxes.

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7. Twelve (12) months after the deed conveying the property to Mr. Rosemond, the County Tax Office physically posted the property with a Tax Sale Notice.

8. The Tax File shows that the notice of the posting was also given to the family.

9. The aerial photograph of the Assessor's Office shows that the property owner to the south has been using the southern corner of the lot for parking purposes, and the Defendant took no steps to stop this.

10. The Defendant has not paid taxes on the property since August 1995. All this time, the Defendant has been renting the adjoining lot and collecting rental income.

11. The Defendant has mortgaged the property in the past to get things like car loans (he was less than honest about the number of loans that he had had). The significant part about the mortgages is that early on in 1995 and 1998, both lots were mortgaged; his most current refinance was in December 2003, and the only lot which was mortgaged was the lot on which the home is located and not the subject property on which Mr. Rosemond has not paid taxes. [Mr. Rosemond can offer no explanation as to why that was done and denies any conversation about why only one lot was used.]

12. The subject property was posted with a For Sale sign by Terry Howe & Associates in December 2014.

13. Terry Howe & Associates also sent a brochure about the sale to the Defendant; the address of the Defendant was found through the County Assessor's Office.

14. After purchasing the property, the Plaintiff's father met with the Defendant and told the Defendant that he owned the property; at that time, the Defendant never contended that the Plaintiff did not own the property.

15. After the Plaintiff's father met with the Defendant, as discussed above, the Defendant sought advice of counsel; the Defendant then argued that he owned the property, but he brought no action to assert his ownership - - the Plaintiff was the one that brought the subject action.

16. After the Defendant claimed to be the owner of the property, he did not pay, or tender payment for, the 2022 or 2023 taxes.

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LAW

Even though the Tax Sale file was not conducted properly, Mr. Rosemond cannot use that as an absolute shield. In the case of Taylor v. Mill, 310 S.C. 526 (1992 S. Ct.), the Court held that county taxes become a first lien on property and attach to the beginning of the year. Tax liens are public records, and a party must use due diligence to discover taxes on property which he owns.

In this case, the Defendant has gone 29 years without paying taxes. His only justification is that he thought the property was taxed as one parcel.

The Defendant was deeded the subject property over 28 years ago. There is no way to know the total amount of taxes over the last 29 tax years, because records can only go back 10 years from the date of search. However, since 2015, the amount paid by the Plaintiff totals $1,660.12. By extrapolation, the total taxes for the last 29 years would be approximately $5,000.00.

After the subject property was conveyed to the Defendant, he showed no responsibility of ownership. He did not pay the 1995 taxes even though his family had notice. He denies seeing the Tax Sale sign posted by the County Delinquent Tax Office. He denied seeing the For Sale sign of the auction team of Terry Howe & Associates. However, a third party (Mr. Milton Antonakos) saw the Tax Sale sign and purchased the property at a Tax Sale which was conducted properly for all parties with the exception of Mr. Rosemond. Mr. Antonakos paid the taxes consistently until he sold the property at his auction to the Plaintiff. Similarly, the Plaintiff saw the For Sale sign for the auction and purchased the property. After making the winning bid, the Plaintiff has paid the taxes on the property each year thereafter.

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When the Plaintiff purchased the subject property, he had to pay for the cost of the lot, the closing costs, and a survey. Similarly, Mr. Antonakos, when he purchased the property from the Tax Sale, had to pay for closing costs (deed, deed stamps, and recording) as well as penalties on the taxes.

It is respectfully submitted that the facts of this case, and the Doctrine of Laches, prevent the Defendant from being the owner of the subject property. A brief summary of Laches is as follows:

- A situation in which a party does not seasonably assert his rights, and his unreasonable delay causes another party to incur expenses or to enter into obligations which could have been avoided. Chambers of SC, 315 S.C. 418 and Robinson, 388 S.C. 645.
- A neglectful, unreasonable and unexplained length of time to do what should have been done. Byers, 237 S.C. 548; Ritchie, 357 S.C. 609.
- A delay which works as a disadvantage to another. The Doctrine comes into play when a fact pattern leaves a litigant as being unable to be restored to its former state. [The Plaintiff, if denied ownership of the property, cannot be restored to its former state.] Midstate Trust, 323 S.C. 303.

Laches is determined on a case by case basis; the test is whether a person's delay has worked injury/prejudice to another. Whitehead, 352 S.C. 215. In the case at bar, the Defendant's delay and lack of diligence has created prejudice to others. Third parties have invested money to own the property and they have diligently paid the taxes.

Mr. Rosemond has not paid taxes on the subject lot for 29 tax years. His only justification is that he thought the property had one tax notice. However, the deed which gave him title to the property clearly shows that there were two (2) tax notices. The Defendant received the property in part as a gift from family. He chose not to have a title search when he made the purchase. His actions do not justify his owning the property.

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When a party loses property pursuant to a Tax Sale, it is typically drastic. However, in the case at bar, the loss to the Defendant is only an unimproved lot. The value is not comparable to a situation where one is losing a home. The total unpaid taxes would come close to equaling the value of the property. Conversely, the Plaintiff, if not awarded title to the subject property, suffers more damage. As noted above, he has had to pay for the lot, a survey, other incidental closing costs, and taxes since 2015.

SUMMARY

This is an unfortunate case. The Delinquent Tax Office failed to catch the conveyance of the subject property prior to the Tax Sale. Notwithstanding, something that happened over 29 years ago cannot be totally controlling when a person who claims to own the land but has not exercised due diligence when purchasing the property.

For these reasons, the Plaintiff respectfully submits that title to the subject property should be in the name of the Plaintiff and superior to that of any claim that Mr. Rosemond may make.

Respectfully Submitted,

s/Richard H. Rhodes
Richard H. Rhodes
Attorney for Plaintiff
260 North Church Street
Spartanburg, South Carolina 29306
(864) 585-8166

December 13, 2023

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STATE OF SOUTH CAROLINA COUNTY OF SPARTANBURG	)	IN THE COURT OF COMMON PLEAS SEVENTH JUDICIAL CIRCUIT
EDGAR MORA ROMERO AND UPSATE HOUSE PROJECTS, LLC, PLAINTIFFS, VS. NATHAN T. ROSEMOND, DEFENDANT.	)	**DEFENDANT NATAHN T. ROSEMOND'S BRIEF IN LIEU OF ORAL CLOSING ARGUMENT** 2022-CP-42-2073

Procedural Status

On December 11, 2023, a trial was held in this matter before the Honorable Shannon M. Phillips via WebEx. During the trial, the parties stipulated that Upstate House Projects, LLC would be added as a Plaintiff to this action and that originally named Defendants Coy Gideon and Michael Gideon should be removed as parties in this matter.

The Plaintiffs are represented by Richard T. Rhodes, Esq. and the Defendant is represented by Rustin B. Duncan, Esq. Both parties, in their pleadings, seek an order of this Court declaring that they are the true owner of Lot 13 on Morgan Street in Greer and an order quieting title to that property.

Relevant Evidence at Trial

On August 22, 1995, Defendant Nathan Rosemond purchased two lots from Coy Gideon and Michael Coy Gideon located on Morgan Street, Greer, SC 29651 via deed recorded in Deed Book 63D at Page 647 at the Spartanburg County Register of Deeds. The Gideons purchased these lots in 1979. The two lots are lot 12 (with Tax Map # 9-03-

14-268.00) and lot 13 (with Tax Map # 9-03-14-269.00). A house is erected on lot 12 and the adjoining lot 13 contains no structure. A fence surrounds both lots with both lots being within the bounds of the fence.

After Mr. Rosemond purchased these lots in 1995, Spartanburg County updated the ownership record on lot 12 to reflect Mr. Rosemond as the owner. However, the County never updated their records to reflect Mr. Rosemond as the owner of lot 13. As such, Mr. Rosemond never received any tax bills for lot 13 and the taxes on lot 13 were not paid. Mr. Rosemond received and paid every tax bill for lot 12 since purchasing the property.

Since Mr. Rosemond was never listed as the owner of lot 13 by the County, when the County initiated the tax sale process on lot 13 in 1997, Mr. Rosemond was never sent any notice. A review of the Tax Collector's file, which was made an exhibit at trial, shows that all notices were send to Coy Gideon and Micheal Coy Gideon despite Mr. Rosemond's recorded deed from 1995.

It is uncontroverted that Mr. Rosemond did not receive any of the tax sale notices or redemption notices. The parties stipulated at trial that Mr. Rosemond did not receive notice of the tax sale proceedings, Mr. Rosemond himself testified that he received no notice, and the Tax Collector's file contains no notice to Mr. Rosemond.

On December 1, 1997, Spartanburg County purported to sell lot 13 to Milton Anonaros (however, the parties stipulated at trial that it was clear than "Anaonaros" was a typographical error and the property was conveyed to Milton "Antonakos"). The tax deed was recorded in Deed Book 67-K at Page 535 at the Spartanburg County Register of

Deeds. This tax deed listed Coy Gideon and Michael Coy Gideon as the defaulting taxpayers rather than Mr. Rosemond, despite the 1995 deed transferring the property to Mr. Rosemond.

On December 29, 2014, Mr. Antonakos, by and through his estate, attempted to transfer lot to lot 13 to Plaintiff Edgar Mora Romero via a deed recorded at the Spartanburg County Register of Deeds in Deed Book 107-Z at Page 542. However, while this deed listed the correct tax map number for lot 13, it contained an incorrect legal description for lot 13. On May 14, 2021, Plaintiff Romero purported to convey lot 13 to Plaintiff Upstate House Projects, LLC via deed recorded at the Spartanburg County Register of Deeds in Book 132-E at Page 981. However, this deed also contained the incorrect legal description. On May 4, 2022, a corrective deed from The Estate of Milton Antonakos to Plaintiff Romero correcting the legal description to reflect lot 13 was recorded at the Register of Deeds for Spartanburg County in Deed Book 136-Z at Page 417. However, Plaintiff Romero was no longer the record owner of the property as he had already deeded it to Plaintiff Upstate House Projects, LLC. No corrective deed was issued by Plaintiff Romero to Plaintiff Upstate House Projects, LLC.

Mr. Rosemond testified that the Gideons are his wife's relatives and that he has always treated the two lots as one big lot. He testified that he has rented the property to the same tenant since 1995. He testified that his tenant uses both lots and uses lot 13 for entry and exit of the property. He further testified that he has maintained the property since 1995 and that no one else has maintained the property. Further, both Plaintiff

Romero and his father testified that neither of them cut the grass or maintained lot 13 at all since their alleged purchase in 2014.

APPLICABLE LAW and ARGUMENT

Due process requires some sort of notice to a property owner before property is sold for delinquent taxes. If the taxing agency does not comply with all statutory notice requirements, the tax sale is void. Manji v. Blackwell, 323 S.C. 91 (Ct. App. 1996). Even if the property owner has actual knowledge of the overdue taxes, the tax sale is void unless the required statutory notices are given. Donohue v. Ward, 298 S.C. 75 (Ct. App. 1989). None of the notices were given to Mr. Rosemond and thus the tax sale must be declared void.

S.C. Code Section 12-51-40(a) requires the notice of the Delinquent Tax to be sent to "the defaulting taxpayer and to a grantee of record of the property. The notice must be mailed to the address shown on the deed conveying the property to him. The sole act of tacking a notice of sale in the name of the prior owner to the property when the owner doesn't live there fails to give reasonable notice to the current owners in interest, as required by due process and statute. Dibble v. Bryant, 274 S.C. 481 (S.C. 1980). Again, these required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

South Carolina Code Section 12-51-120 requires that prior to the end of the redemption period, the delinquent tax collector must give written notice to the defaulting taxpayer and to a grantee, mortgagee or lessee of the property of record. Again, these

required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

The right to notice of the tax sale is jurisdictional. Failure to give any notice in the manner proscribed prevents title to the property from being transferred to the successful bidder. Good v. Kennedy, 291 S.C. 204 (Ct. App. 1986). Again, these required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

The South Carolina Supreme Court has "consistently held the enforcing agencies of government to strict compliance with all the legal requirements surrounding tax sales." Dibble, supra. All requirements of the law leading up to the tax sales, which are intended for the protection of the taxpayer against surprise or the sacrifice of his property, are to be regarded as mandatory, and are to be strictly enforced. Alridge v. Rutledge, 269 S.C. 475 (S.C. 1977). Without strict compliance with the statutory requirements, a tax sale may not be upheld. Aldridge, supra. Again, these required notices were not given to Mr. Rosemond and thus the tax sale must be declared void.

Finally, and of very key importance, the statute of limitations does not apply to jurisdictional defects. Donohue, supra. As discussed above, the right to notice of the tax sale is jurisdictional. Therefore, any statute of limitations against Mr. Rosemond is not applicable.

CONCLUSION

It is uncontroverted that Mr. Rosemond did not receive any of the required tax sale notices or redemption notices. The parties stipulated at trial that Mr. Rosemond

did not receive notice of the tax sale proceedings, Mr. Rosemond himself testified that he received no notice, and the Tax Collector's file contains no notice to Mr. Rosemond. The right to notice of the tax sale is jurisdictional and failure to be given such notice makes the sale void. As such, Mr. Rosemond is entitled to an order of this Court quieting title and declaring him the true and rightful owner of lot 13.

Respectfully submitted this 13th day of December, 2023.

s/ Rustin B. Duncan
Rustin B. Duncan
Attorney for Defendant Nathan Rosemond
1320 W. Poinsett Street
Greer, SC 29650
864-877-3355
828-286-1110 (Fax)
rduncan@kinglawoffices.com

CERTIFICATE OF COUNSEL

This is to certify that the Record on Appeal contains all material proposed to be included by both parties and no other material has been added as required by Rule 210(G).

Richard H. Rhodes
William H. Rhodes
Attorneys for Appellants

Date: April 10, 2024

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