

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
)
COUNTY OF CHARLESTON) CASE NO.: 2020-CP-10-1867

STACY L. BONNER,)
)
Plaintiff,)

FINAL ORDER FOR SUIT TO
QUIET TITLE

-versus-)
)

JOHN HENRY GERMAN, JR., JOAN BLONDELL)
D. INGRAM a/k/a BLONDELL D. INGRAM,)
LILLIE MAE BANKS, LOUIS DAWSON,)
THEDRIA S. DAWSON, LEROY DAWSON, JR.,)
WENDELL M. DAWSON, RONNIE L. DAWSON,)
KEVIN L. DAWSON, ELOISE R. McCRAY,)
MARGUITTA McCRAY, LEVI McCRAY, III,)
RUFUS THOMPSON, MILDRED W.)
THOMPSON, TERRILL L. RAINEY, WAYNE E.)
THOMPSON, DARRYL R. THOMPSON,)
CHRISTOPHER GERMAN, WILLETTE SCOTT)
ASHE, SANDRA S. GIBSON, GEORGE SCOTT,)
OSCAR SCOTT, RICHARD L. EDMONSON,)
KENNETH EDMONSON, ESAU GERMAN, JR.,)
SHIRLENE EDWARDS CARPENTER,)
MARIONETTE K. GERMAN CAMPBELL,)
JOYCE G. DAVIS, STANLEY GERMAN,)
ISABELLE WASHINGTON, GEORGE)
GERMAN, II, ELENE JONES, JOHN DOE, and)
SARAH ROE, fictitious names representing)
unknown minor, incompetents, persons in the)
military, persons imprisoned, and persons under)
any other legal disability, and RICHARD ROE and)
JANE ROE, fictitious names representing unknown)
heirs, devisees, distributes, and the following)
deceased persons, WILLIAM GERMAN a/k/a)
WILLIAM JERMAN, WILLIAM GERMAN, II,)
JERRY GERMAN, PETER GERMAN, ABLE)
GERMAN a/k/a ABIE ROBERT GERMAN, SR.,)
ESTELLE G. WILSON, CHRISTINA GERMAN)
ROUSE, MILDRED GERMAN JENKINS,)
WILLIAM GERMAN, III, HENRY GERMAN)
a/k/a JOHN HENRY GERMAN, MAZELINE)
SINGLETON GERMAN, RUFUS E. GERMAN,)
ANNA LEE G. GERMAN MONTGOMERY,)
EDMOND GERMAN, MARY G. DAWSON,)

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SC Court of Appeals

4. Order of Publication and Affidavit of Publication;
5. Petition and Order Appointing Guardian ad Litem;
6. Amended Answer of Guardian ad Litem;
7. Written response from Defendants Willette Ash and Sandra Gibson;
and
8. Petition for Default and Order of Default and Reference with authority of the Master to issue a final Decree.

ALL of the Defendants in the above captioned action were served either by certified mail, restricted delivery, or by publication in the *Moultrie News*, a newspaper with general circulation in the county of Charleston, once a week for three (3) consecutive weeks.

The court appointed Guardian ad Litem filed an Amended Answer concerning the rights of the Defendants who may be infants, incompetents, insane persons, and those under any other disability to the protection of this Court. John W. Molony, Esquire, was appointed as the Guardian ad Litem for all Defendants who may be infants, incompetents, insane persons, and those under any other disability to the protection of this Court. The Guardian ad Litem indicated in his Amended Answer that he spoke to the Plaintiff about any other heirs of the late Peter German, and she indicated to the best of her knowledge all heirs of the late Peter German were listed in the Complaint. Further, Mr. Molony informed the Court that he did not receive contact, verbal or written, from any person who were listed as Defendants or had been not been listed as Defendants in the above-captioned action.

Upon hearing this matter, the Court finds the following salient facts:

1. The real property above described is a part of the 40 acres of tract of land that was conveyed from J.I. Chandler to William Jerman on January 25, 1901, and such deed was recorded at the Charleston County R.O.D. Office in Book R-23, page 289.
(Exhibit 1).

2. The date of death of William Jerman a/k/a William German is unknown, however, his estate was probated at the Charleston County Probate Court on August 7, 1929. The late William Jerman a/k/a William German had a Last Will and Testament dated October 15, 1915. He devised 8.75 acres of the 40 acres each to his surviving sons, Jerry German, George German, and Abel German. Also, he devised 8.75 acres of the 40 acres to the children of his late son Peter German, who had predeceased him. The devises in the late William Jerman a/k/a William German Last Will and Testament did not set out the boundaries of the 40 acres. (Exhibit 2).

3. The legal description as expressed in a deed concerning a one-half interest from Mazaline S. German and John Henry German, Jr. to George German delineated the transfers of the 40 acres as follows:

- a. 10 acres to William German by deed dated October 4, 1925 and recorded at the Charleston County R.O.D. Office in Book D-31, page 673;
- b. 10 acres to Frank Smith by deed dated November 4, 1925 and recorded at the Charleston County R.O.D. Office in Book Z-33, page 427; and
- c. 10 acres to George German, Esau German, and Lucy Thompson by deed dated November 4, 1925, however, the deed was not recorded. (Exhibit 3).

4. A part of the 40 acres was subject to a Suit to Quiet Title action brought by Anna Lee German Montgomery and identified as Case No. 2002-CP-10-3545. The lawsuit pertained to 9.73 acres of the 40 acres and the real property is identified as TMS# 615-00-00-021. This Court issued an Order dated March 4, 2004, wherein the deed, the Last Will and Testament of William German and the family chart were admitted as evidence. (Exhibit 4)

5. The Plaintiff is seeking to quiet title for 11.98 acres of the 40 acres and identified as TMS# 612-00-00-022 in Awendaw, South Carolina. A plat depicted as The

Plat of George German, et al. dated October 12, 1989 was submitted to establish the boundaries of the subject property. The plat was recorded at the Charleston County R.O.D. Office on November 28, 1989 in Book BX, page 169. (Exhibit 5).

6. The family chart for the late Peter German, the late son of the late William Jerman a/k/a William German, showed that he had four children those being Louisa German, Lucy G. Thompson, George German, and Esau German.

- a) The Plaintiff does not know if Louisa German is alive, is married or has any children.
- b) Esau German is deceased, and it is believed that he was ~~not married nor~~ had any children.
- c) Lucy German Thompson died on February 20, 1960. She was married to John Thompson, and they had one child to-wit: Rufus Thompson. She had a Will dated March 3, 1956, and her sole devisee was her husband. John Thompson died on October 8, 1992 with a Will dated April 6, 1984, and he devised his residual probate assets to his son, Rufus Thompson.
 - i) Rufus Thompson died testate on March 31, 2005. He was married to Mildred W. Thompson, and they had three children to-wit: Terrill L. Rainey, Wayne E. Thompson and Darryl Thompson. Rufus Thompson in his Will dated April 19, 1996 devised a life estate in Chandler Road, Awendaw, South Carolina to his wife, and the remainder to his children.
The Plaintiff does not know if Mildred W. Thompson is alive or deceased.
- d) George German was married to Isabelle L. German and they had five children those being Peter German, Ethel German, Isabelle G. Liggins, Essau German a/k/a Esau S. German, and Georiganna Edmonson.
 - i) Peter German died on February 15, 1970, and he had two children: Christopher German and Rufus Harvey.
 - ii) Ethel German died testate on April 3, 1997, and she was married to Leon Scott, Sr., and they had five children those being: Willette Scott Ash, Leon Scott, Jr., Sandra S. Gibson, George Scott, and Oscar Scott. Ethel German's Will dated January 12, 1991 was probated at Charleston County Probate Court in Case No.: 1998-1467. Her estate was devised to her husband, Leon Scott, Sr.

- 1) Leon Scott, Sr. died testate on October 4, 2005. His Will dated July 20, 2004 devised his residual estate to Sandra S. Gibson and Elene Jones. His estate was probated at the Charleston County Probate Court as Case No.: 2005-1607.

- iii) Isabelle G. Liggins died testate on March 23, 2005. She had two children to-wit: the Plaintiff and John A. Liggins. Isabelle G. Liggins's Will dated February 10, 2005 devised her residual assets to the Plaintiff. The Estate was probated at the Charleston County Probate Court in Case No.: 2005-485.
 - 1) John A. Liggins died in 2005, and he was not married nor had any children.

- iv) Essau German a/k/a Esau S. German, II, died on December 13, 1998. He had seven children to-wit: Esau German, III, Shirlene Edwards, Marionette German Campbell, Joyce G. Davis, Stanley German, Isabell Washington, and George German, II. His Will dated September 25, 1996 devised his residual assets to Shirlene Edwards Carpenter. The estate was probated at the Charleston County Probate Court as Case No.: 1999-6502.

- v) Georiganna Edmondson died on August 9, 2009, and she had three children those being Harold T. Edmondson, Richard L. Edmondson, and Kenneth Edmondson. It is believed that Harold T. Edmondson died and he was not married nor had any children. (Exhibit 6)

Therefore, based on the findings of fact, it is hereby

ORDERED that the subject property identified as 11.98 acres and TMS: 612-00-00-022 is owned by the following parties as co-tenants and the heirs of the late Peter German in the corresponding percentages as follows:

- 1. Lucy G. Thompson d. 1960
 - Rufus Thompson d. 2005
 - Mildred Thompson (life estate) 50%
 - Terrill L. Rainey (remainderman)
 - Wayne E. Thompson (remainderman)
 - Darryl Thompson (remainderman)

2. George German d. 1920	
Peter German d. 1970	
Christopher German	5%
Rufus Harvey	5%
3. Ethel German d. 1997	
Leon Scott (h) d. 2005	
Sandra Gibson	5%
Elene Jones	5%
4. Isabelle G. Liggins d. 2005	
Stacy M. Bonner	10%
5. Essau German a/k/a Esau S. German, II d. 1998	
Shirlene Edwards Carpenter	
10%	
6. Georiganna Edmonson d. 2009	
Richard L. Edmonson	5%
Kenneth Edmonson	5%
TOTAL:	100%

IT IS FURTHER ORDERED that this Court shall retained jurisdiction in this matter to address the issues of an appraisal and partition of the subject property; and

IT IS SO ORDERED!

MIKELL R. SCARBOROUGH
MASTER-IN-EQUITY FOR
CHARLESTON COUNTY

Dated: _____

Charleston, South Carolina



Charleston Common Pleas

Case Caption: Stacy L Bonner VS John Henry German Jr , defendant, et al

Case Number: 2020CP1001867

Type: Master/Order/Other

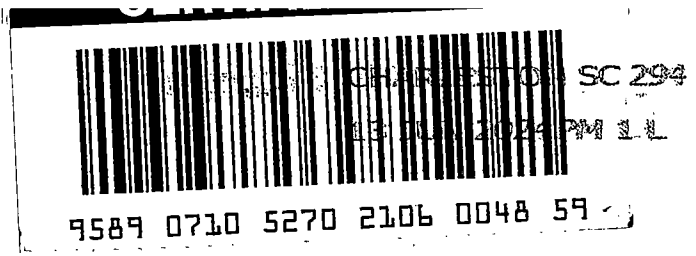
So Ordered

s/Mikell R. Scarborough 3062

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