

RECEIVED

Nov 15 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Patrick C. Fant, III, Circuit Court Judge

Case No. 2023-CP-23-04246

(Appellate Case No. 2024-000999)

Anderson Laurens Road AA, LLC and
Anderson Laurens, Road ZZ, LLC Appellants,

v.

Annacey Park Homeowners Association, Inc.
and the City of Greenville..... Respondents.

**RESPONDENT CITY OF GREENVILLE’S MOTION TO SUPPLEMENT THE
RECORD ON APPEAL**

Respondent City of Greenville hereby moves this Court pursuant to Rule 212(b), SCACR for permission to supplement the Record on Appeal in the above-referenced matter to include the final two pages of an email chain, the first page of which is included in the Record at page 165. (Ex. A, Email Chain). Counsel for Appellants Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC and Counsel for Respondent Annacey Park Homeowners Association, Inc. have consented in writing to this request to supplement the Record on Appeal. (Ex. B, Written consent email).

Respectfully Submitted:

s/Logan M. Wells

Logan M. Wells, Esq. (SC Bar No. 78434)
Deputy City Attorney
Michael J. Spinelli, Esq. (SC Bar No. 100762)
Assistant City Attorney
City Attorney's Office
P.O. Box 2207
Greenville, South Carolina 29602
Phone: (864) 467-4420
Fax: (864) 467-4424
lmwells@greenvillesc.gov
mspinelli@greenvillesc.gov
Attorneys for Respondent City of Greenville

Dated: November 15, 2024

EXHIBIT A

From: Clint Link <clink@greenvi_esc.gov>
Subject: RE: AB 22-05 Kellett Drive
To: Austin Rutherford <arutherford@greenvi_esc.gov>
Cc: Eddie Littleton <elittleton@greenvi_esc.gov>
Sent: February 14, 2023 5:40 PM (UTC-05:00)

Austin

Eddie and I would like to discuss your recommendation tomorrow when its convenient for you. We have the public hearing coming up on the 27th and need to make sure we're all in alignment. I offer the following comments in response to your concerns:

- While we have not been able to find the original site plans for the Annacey Park development, my recollection is that the access to the development from Kellett Dr was always intended to be an emergency access only. It was gated for a long time and has never been paved.
- The proposed SRT connection is from the Laurens/Henderson/Verdae Commons Drive signalized intersection and down Verdae Commons Drive. We would never approve a trail crossing from Kellett Drive. All ped, bike and vehicular access to the opposite side of Laurens should occur from the signalized intersection.
- With Laurens Road being major arterial highway, abandoning Kellett would provide some access management and direct the residents of Annacey Park to the signalized intersection
- Kellett Drive is currently a dead end street that does not meet our standards. It does not have a turn around and does not have adequate right of way width for the entire length. It's a substandard road that we would prefer not to have to own and maintain
- Outside of the secondary access to Annacey Park, it primarily functions as a driveway to the Bradshaw car dealership. The way we have permitted the Bradshaw site improvements over the years has made it essentially their own private driveway

While we understand your comments and they are valid concerns, we don't feel Kellett Dr is the provides the overall desired connectivity to the surrounding area and given its use and function, its not a road we want to continue serve as a public right of way.

Let me know when its convenient to talk through this.



Clint Link
Director of Engineering Services
clink@greenvi_esc.gov www.greenvi_esc.gov
206 South Main St., Greenville SC 29601
PHONE: (864) 467 4276 MOB LE: (864) 303 2741

From: Austin Rutherford

Sent: Monday, January 23, 2023 4:41 PM

To: Eddie Littleton ; Anthony Harris ; Barrett M. Armstrong ; Ben Carroll ; Brooks Dixon ; Calin Owens ; Carlos Roper - Piedmont Natural Gas () ; Carmen Durham ; CenturyLink ; Chad Thompson ; Clint Link ; Clint Moore ; Dave Derrick ; David Hindman ; derry.rollins@chartercom.com ; Edward Kinney ; Gabriell Sobel ; Greg Wright ; J.R. Long ; Jeff Case ; Jeff McLeroy ; Jindriska Macickova ; Jeff Waters ; Kim Volek ; Kris Kurjliaka ; Lucas T. Bryson ; Lumen 1 ; Margaret Wilhour ; Mark Hattendorf ; Mary Douglas Hirsch ; Megan Young ; Michael Frixen ; Michael Ruby ; Michele Perdue ; Mildred Lee ; Monique Mattison ; National Relocate ; Nick Tate ; Paul Dow ; Rebecca Edwards ; Renoy Thomas ; Ross Zelenske ; Sandy Templeton ; Shannon Lavrin ; timothy.cassell@duke-energy.com ; Tom Reynolds ; Tonya Gramann ; Tracy Ramseur ; Tristan Johnson ; Valerie Holmes ; Wayne Owens ; Will Young ; Shawn Cunningham

Subject: RE: AB 22-05 Kellett Drive

Eddie

Please regard this as the Planning Department's formal recommendation for the abandonment of Kellett Drive, AB-22-05.

Recommendation: Denial

Comments:

The recommendation for denial is based upon the following:

1. The abandonment of Kellett Drive does not meet the Intent of Land Management Ordinance (LMO) Section 19-1.3.14 pertaining to the promotion of interconnectivity. The loss of connectivity for the townhome development would restrict vehicular, pedestrian, and bicycle connectivity in the area.

City of Greenville FOIA - 0016

2. The abandonment does not meet the requirements of LMO Section 19-6.7.2(D) pertaining to the gating of communities and restriction of access nor the intent of the ordinance section to promote and retain connectivity to neighborhoods, commercial areas, and other uses within the City.
3. The abandonment does not meet the intent of the City Council-adopted Greenville 2040 Comprehensive Plan (GVL2040). GVL2040 recommends for the Laurens Road corridor to redevelop with mixed-use developments. Connectivity to these developments and existing developments are necessary for the distribution of traffic and the connectivity of bicycle and pedestrian infrastructure (p. 48-49).
4. The abandonment does not meet the intent of the City Council-adopted Swamp Rabbit Trail Extension Master Plan. This plan calls for the transformation of Laurens Road to be multi-modal route parallel to the SRT Trail. The plan also recommends for connections to be made to existing neighborhoods and redevelopment sites near the trail.
5. Abandonment would not be in the City's best interest as the City should hold onto all rights-of-way and/or easements due to Verdae Development's plans for a mixed-use development on the other side of Laurens. This development will require more vehicular, pedestrian, and bicycle connectivity than is currently provided into the old big box store locations. Kellett could provide for one of these connections. Abandonment may result in the future need for the City to acquire rights-of-way and/or easements to provide needed connectivity for the redevelopment project.

Thank you,



Austin Rutherford, AICP
 Senior Development Planner Planning & Development
arutherford@greenvillesc.gov www.greenvillesc.gov [West End Small Area Plan](#)
 Phone: 864 467 4247

From: Eddie Littleton <elittleton@greenvillesc.gov>

Sent: Monday, January 23, 2023 9:28 AM

To: Anthony Harris <ah9657@att.com>; Austin Rutherford <arutherford@greenvillesc.gov>; Barrett M. Armstrong <barmstrong@greenvillesc.gov>; Ben Carroll <bcarrroll@greenvillesc.gov>; Brooks Dixon <bdixon@greenvillesc.gov>; Calin Owens <cowens@greenvillesc.gov>; Carlos Roper - Piedmont Natural Gas () <carlos.roper@piedmontng.com>; Carmen Durham <cdurham@greenvillesc.gov>; CenturyLink <NationalRelo@centurylink.com>; Chad Thompson <cthompson@greenvillesc.gov>; Clint Link <clink@greenvillesc.gov>; Clint Moore <cmoore@greenvillesc.gov>; Dave Derrick <dderrick@greenvillesc.gov>; David Hindman <dhindman@greenvillesc.gov>; derry.rollins@chartercom.com; Edward Kinney <ekinney@greenvillesc.gov>; Gabriell Sobel <gabrielles@re-wa.org>; Greg Wright <gregoryw@re-wa.org>; J.R. Long <jrlong@greenvillesc.gov>; Jeff Case <jeffc@re-wa.org>; Jeff McLeroy <jmcleroy@greenvillesc.gov>; Jindriska Macickova <jmacickova@greenvillesc.gov>; Jeff Waters <jwaters@greenvillesc.gov>; Kim Volek <kimberlyv@re-wa.org>; Kris Kurjiaka <kkurjiaka@greenvillesc.gov>; Lucas T. Bryson <lbryson@greenvillesc.gov>; Lumen 1 <relocations@brightspeed.com>; Margaret Wilhour <mwilhour@greenvillesc.gov>; Mark Hattendorf <mhattendorf@greenvillewater.com>; Mary Douglas Hirsch <mdhirsch@greenvillesc.gov>; Megan Young <mayoung@greenvillesc.gov>; Michael Frixen <mfrixen@greenvillesc.gov>; Michael Ruby <mr205v@att.com>; Michele Perdue <mperdue@greenvillesc.gov>; Mildred Lee <mlee@greenvillesc.gov>; Monique Mattison <mmattison@greenvillesc.gov>; National Relocate <relocations@lumen.com>; Nick Tate <nick.tate@duke-energy.com>; Paul Dow <pdow@greenvillesc.gov>; Rebecca Edwards <redwards@greenvillesc.gov>; Renoy Thomas <renoy.thomas@centurylink.com>; Ross Zelenske <rzelenske@greenvillesc.gov>; Sandy Templeton <stempleton@greenvillesc.gov>; Shannon Lavrin <slavrin@greenvillesc.gov>; timothy.cassell@duke-energy.com; Tom Reynolds <treynolds@greenvillesc.gov>; Tonya Gramann <tgramann@greenvillesc.gov>; Tracy Ramseur <tramseur@greenvillesc.gov>; Tristan Johnson <tjohnson@greenvillesc.gov>; Valerie Holmes <vholmes@greenvillesc.gov>; Wayne Owens <WOwens@greenvillesc.gov>; Will Young <wyoung@greenvillesc.gov>; Shawn Cunningham <scunningham@greenvillesc.gov>

Subject: AB 22-05 Kellett Drive

All,

William and Annette Bradshaw has submitted a petition to the City of Greenville to abandon Kellett Drive. Please find the attached request for your review and comments for this proposed abandonment. Please let me know if you need any information to complete this review.

City of Greenville FOIA - 0017

Eddie



Eddie Littleton, PE, MS
Assistant City Engineer - Civil Engineering Department
elittleton@greenv_esc.gov www.greenv_esc.gov
Phone: 864 467 4439 Mobile: 864 430 5351

City of Greenville FOIA - 0018

EXHIBIT B

From: [Logan M. Wells](#)
To: [Lyon Bixler](#); [Patrick Dollar](#)
Cc: [Mike Spinelli](#); [Tonya Gramann](#)
Subject: RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC
Date: Wednesday, October 30, 2024 12:23:43 PM

Thank you. We greatly appreciate it.



Logan M. Wells
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PHONE: 864-467-4354 | FAX: 864-467-4424

From: Lyon Bixler <lbixler@bbdlawsc.com>
Sent: Wednesday, October 30, 2024 12:22 PM
To: Logan M. Wells <lmwells@greenvillesc.gov>; Patrick Dollar <PDollar@bbdlawsc.com>
Cc: Mike Spinelli <mspinelli@greenvillesc.gov>; Tonya Gramann <tgramann@greenvillesc.gov>
Subject: RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

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I consent.

A. Lyon Bixler

***Babb, Bixler, and Dollar
Bixler and Dollar, LLC***
Attorneys at Law

505 W. Butler Road
Greenville, SC 29607
Phone: 864-214-8475
Fax: 864-277-4007

Need to send me files securely? <https://bracket.email/bixler>

From: Logan M. Wells <lmwells@greenvilleesc.gov>
Sent: Monday, October 28, 2024 2:16 PM
To: Patrick Dollar <PDollar@bbdlawsc.com>
Cc: Lyon Bixler <lbixler@bbdlawsc.com>; Mike Spinelli <mspinelli@greenvilleesc.gov>; Tonya Gramann <tgramann@greenvilleesc.gov>
Subject: FW: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

Dear Patrick:

Please see the request below to supplement the record (at the beginning of the email chain below). The pages requested to be added are attached. If you would consent to supplement the record as requested we would greatly appreciate it. I apologize for not including you on this correspondence earlier. If you have any questions please do not hesitate to give me a call. Thank you for your time and attention.

Best,

Logan



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From: Logan M. Wells
Sent: Friday, October 25, 2024 12:09 PM
To: lbixler@bbdlawsc.com; lbixler@babbandassociates.com
Cc: Mike Spinelli <mspinelli@greenvilleesc.gov>; Tonya Gramann <tgramann@greenvilleesc.gov>
Subject: FW: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

Lyon,

Please see the request below to supplement the record (at the beginning of the email chain below). It appears we may have had the incorrect email address for you, so I have included both email addresses we have located. The pages requested to be added are attached. If you would consent to

supplement the record as requested we would greatly appreciate it. Thank you for your time and attention.

Best,

Logan



Logan M. Wells
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From: Swent, William B. <WSwent@foxrothschild.com>
Sent: Thursday, October 24, 2024 5:33 PM
To: Logan M. Wells <lmwells@greenville.gov>
Cc: Mike Spinelli <mspinelli@greenville.gov>; Tonya Gramann <tgramann@greenville.gov>;
Leary, Aimee Victoria-Ann <ALEary@foxrothschild.com>
Subject: RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

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Yes; written consent is granted.

We will have to agree to disagree about whether the City's Responsive Brief is objectively neutral; it seems a tortured characterization when the City's Brief argues exclusively in opposition to the Appellant.



William B Swent
Partner
2 W. Washington Street

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 wswent@foxrothschild.com

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From: Logan M. Wells <lmwells@greenville.gov>
Sent: Thursday, October 24, 2024 4:58 PM
To: Swent, William B. <WSwent@foxrothschild.com>
Cc: Mike Spinelli <mspinelli@greenville.gov>; Tonya Gramann <tgramann@greenville.gov>;
Leary, Aimee Victoria-Ann <ALeary@foxrothschild.com>
Subject: [EXT] RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

William,

Thank you for your email. Again, it is the City's intention to remain neutral. It is not the City's intention to argue in favor of any party's position, and certainly, it is not the City's intention to be hostile. The City did not ask that the Court of Appeals affirm the holding of the trial court, nor did it ask that the trial court's decision be overturned.

I appreciate you not objecting to the requested supplement of the record. To confirm, do I have your permission to indicate your lack of objection as written consent under Rule 212(b), SCACR?

Thank you again for your consideration.

Best,

Logan



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From: Swent, William B. <WSwent@foxrothschild.com>

Sent: Thursday, October 24, 2024 4:25 PM

To: Logan M. Wells <lmwells@greenville.gov>

Cc: Mike Spinelli <mspinelli@greenville.gov>; Tonya Gramann <tgramann@greenville.gov>;
Leary, Aimee Victoria-Ann <ALeary@foxrothschild.com>

Subject: RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the
City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

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links or opening attachments.

Logan,

All due respect, but the City's Responsive Brief muddles the question of whether the City holds a title interest in Kellett (other than utility easements). In fact, the City's Brief comes across as obfuscating on the title question and tiptoes around the obligation of clarity in factual communications to the court. "Aggressive" may not be a fair descriptor, but neither is "neutral." It is challenging to take the City's Brief as anything but an argument in favor of the lower court's ruling. BTW, what happens if the lower court's ruling is upheld? One possibility is that a public interest will be implied (like it or not), and the City will confront tort liability for accidents and injuries taking place at a dangerous public intersection. The City's neutrality is lost on my client which understandably views the City's position in this matter as hostile to legitimate and productive business interests.

As regards your request to supplement the Record on Appeal, I will not object.



William B Swent

Partner

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wswent@foxrothschild.com

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From: Logan M. Wells <lmwells@greenville.gov>

Sent: Thursday, October 24, 2024 12:40 PM
To: Swent, William B. <WSwent@foxrothschild.com>
Cc: Mike Spinelli <mspinelli@greenvilleesc.gov>; Tonya Gramann <tgramann@greenvilleesc.gov>;
Leary, Aimee Victoria-Ann <ALeary@foxrothschild.com>
Subject: [EXT] RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

William,

The City's response in the appeal was in no way intended to be aggressive. Rather, the City intends to remain neutral. The City does not claim an interest in Kellett Drive (apart from the utility easements), and the City makes no affirmative arguments in favor of any other party or body being a holder of interest in Kellett Drive. The request to supplement simply comes from our having referenced the email requested to be added in the City's Initial Brief and not having filed a designation of matter.

Thank you.

Best,

Logan



Logan M. Wells
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From: Swent, William B. <WSwent@foxrothschild.com>
Sent: Thursday, October 24, 2024 12:27 PM
To: Logan M. Wells <lmwells@greenvilleesc.gov>
Cc: Mike Spinelli <mspinelli@greenvilleesc.gov>; Tonya Gramann <tgramann@greenvilleesc.gov>;
Leary, Aimee Victoria-Ann <ALeary@foxrothschild.com>
Subject: RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

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Logan,

Given the City's aggressive approach to the appeal, which contrasts starkly with the City's original Answer and its nominal participation in the underlying cause and trial, is it fair to presume that the City would like to take an interest in Kellett Drive and improve and maintain it?

I am trying to make sense of the City's approach to this matter. On the one hand, the City has denied any title interest in Kellett. Your initial brief is a bit confusing, but I ultimately read that Brief to say that the City is not the holder of a public interest, though you think that SCDOT or the County might be. Please correct me if I am wrong. If I am correctly reading your brief, then the City will not improve and maintain Kellett. In the context of the present request for supplementing the record and in the context of exploring compromise or otherwise addressing appellate arguments, It would be helpful to understand your purpose.

Best regards,



William B Swent
Partner
2 W. Washington Street
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[\(864\) 751-7800](tel:(864)751-7800)
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From: Logan M. Wells <lmwells@greenvillesc.gov>
Sent: Thursday, October 24, 2024 11:14 AM
To: lbixler@bbdlawsc.com; Swent, William B. <WSwent@foxrothschild.com>
Cc: Mike Spinelli <mspinelli@greenvillesc.gov>; Tonya Gramann <tgramann@greenvillesc.gov>
Subject: [EXT] RE: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

Gentlemen:

I am following up on the email below. I appreciate your consideration.

Thank you.

Best,

Logan Wells



Logan M. Wells
Deputy City Attorney | Office of the City Attorney
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From: Logan M. Wells
Sent: Friday, October 18, 2024 4:54 PM
To: lbixler@bbdlawsc.com; Swent, William B. <WSwent@foxrothschild.com>
Cc: Mike Spinelli <mspinelli@greenvillesc.gov>; Tonya Gramann <tgramann@greenvillesc.gov>
Subject: Appellate Case No. 2024-000999; Annacey Park Homeowners Association, Inc. and the City of Greenville v. Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC

Dear Gentlemen:

I am writing pursuant to Rule 212(b), SCACR to request your consent to supplement the Record on Appeal to include the final two pages of the email chain attached hereto; the first page is included in the Record. It was not until reviewing the Record when we received it this week that we realized we had not filed a designation of matter with our initial brief in which the email requested to be included is cited. The mistake is mine and I sincerely apologize for the inconvenience it has caused. Should you consent, we will of course take responsibility for compiling, serving, and filing the supplemental materials.

If you could please respond to this email indicating your consent to the requested supplement of the Record by the close of business on Wednesday, October 23, we would greatly appreciate it. Likewise, if you do not intend to consent to this request, we would appreciate you responding to this email indicating that intention. Thank you for understanding and attention to this matter. I hope you have a pleasant weekend.

Sincerely,

Logan Wells



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Nov 15 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Patrick C. Fant, III, Circuit Court Judge

Case No. 2023-CP-23-04246

(Appellate Case No. 2024-000999)

Anderson Laurens Road AA, LLC and
Anderson Laurens, Road ZZ, LLC.....Appellants,

v.

Annacey Park Homeowners Association, Inc.
and the City of Greenville.....Respondents.

PROOF OF SERVICE

I certify that I have served a true and correct copy of **City of Greenville’s Motion to Supplement the Record on Appeal** on Appellants, Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC, and Respondent, Annacey Park Homeowners Association, Inc. addressed to their attorneys of record by placing copies in the United States Mail this 15th day of November 2024 addressed as follows:

William B. Swent, Esq.
Aimee V. Leary, Esq.
FOX ROTHSCHILD LLP
2 W. Washington Street, Ste. 1100
Greenville, SC 29601
wswent@foxrothschild.com
aleary@foxrothschild.com
Attorneys for Appellants

A. Lyon Bixler, Esq. and Patrick O. Dollar, Esq.
Bixler and Dollar, LLC
505 W. Butler Road
Greenville, SC 29607
lbixler@bbdlawsc.com
PDollar@bbdlawsc.com
Attorneys for Respondent Annacey Park
Homeowners Association

Tonya B. Gramann
Legal Office Administrator
City Attorney’s Office
P.O. Box 2207
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Phone: (864) 467-4420
Attorneys for Respondent City of Greenville



RECEIVED
Nov 15 2024
SC Court of Appeals

Office of the City Attorney

Via email (ctappfilings@sccourts.org)

November 15, 2024

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: *Anderson Laurens Road AA, LLC and Anderson Laurens Road ZZ, LLC v. Annacey Park Homeowners Association, Inc. and the City of Greenville*
Appellate Case No.: 2024-000999

Dear Ms. Kitchings:

Enclosed for filing please find an original and one (1) copy of Respondent City of Greenville's Motion to Supplement the Record on Appeal along with a certificate of service for same. Also enclosed is a check for the filing fee (Check No. 515878) in the amount of \$50.00.

By copy of this letter, copies of same are being served upon attorneys of record for Anderson Laurens Road AA, LLC, Anderson Laurens Road ZZ, LLC, and Annacey Park Homeowners Association, Inc.

Sincerely,

s/Logan M. Wells

Logan M. Wells
Deputy City Attorney

LMW/tbg

cc: (Via U.S. Mail and email w/ attachments: wswent@foxrothschild.com to William B. Swent and aleary@foxrothschild.com, Esq. to Aimee V. Leary, Esq., Attorneys for Appellants)

(Via U.S. Mail and email with attachments: lbixler@bbdlawsc.com to A. Lyon Bixler, Esq. and PDollar@bbdlawsc.com to Patrick O. Dollar, Esq. Attorneys for Respondent Annacey Park Homeowners Association, Inc.)