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Dec 10 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.

APPENDIX TO RECORD ON APPEAL

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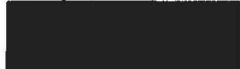
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**APPENDIX TO RECORD ON APPEAL
INDEX**

	PAGE
Remainder of Austin Rutherford Email dated January 23, 2023 the beginning of which is located at Record Page 165	1
Eddie Littleton Email dated January 23, 2023	1
Certificate of Counsel	3

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@greenville.gov www.greenville.gov [West End Small Area Plan](#)
 Phone: 864 467 4247

From: Eddie Littleton <elittleton@greenville.gov>

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

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

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Phone: 864 467 4439 Mobile: 864 430 5351

City of Greenville FOIA - 0018

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and the City of GreenvilleRespondents.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Appendix to the Record on Appeal contains all additional materials consented to be supplemented in the Record by all parties and not any other material.

s/Logan M. Wells
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v.

Annacey Park Homeowners Association, Inc.
and the City of GreenvilleRespondents.

PROOF OF SERVICE

I certify that I have served a true and correct copy of **Appendix to 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 10th day of December 2024 addressed as follows:

William B. Swent, Esq.
Aimee V. Leary, Esq.
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Attorneys for Respondent City of Greenville



Office of the City Attorney

Via email (ctappfilings@sccourts.org)

December 10, 2024

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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Dec 10 2024
SC Court of Appeals

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 the Appendix to Record on Appeal in the above-referenced case. A bound copy will be mailed to the Court today.

By copy of this letter, the Appendix to Record on Appeal is being served upon attorneys of record for Anderson Laurens Road AA, LLC, Anderson Laurens Road ZZ, LLC, and Annacey Park Homeowners Association, Inc., and bound copies will be mailed today.

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.)