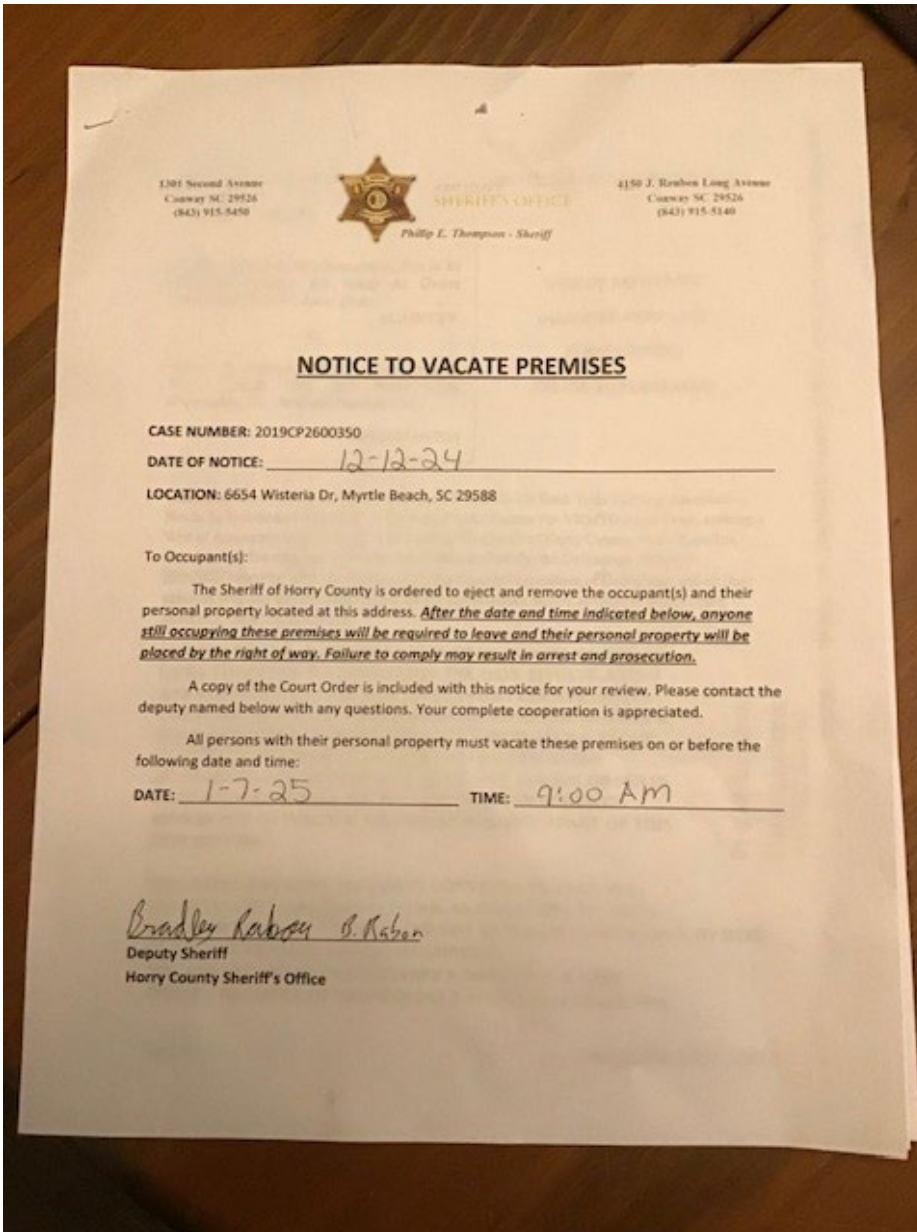


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SC Court of Appeals

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Date: Monday, January 6, 2025 11:21:32 AM



STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

IN THE COURT OF COMMON PLEAS

US Bank Trust National Association, Not in its  
Individual Capacity But Solely As Owner  
Trustee For VRMTG Asset Trust,  
PLAINTIFF,

vs.

Joanne Y. Ernesto a/k/a Joanne Ernesto;  
Myrtle Beach Golf and Yacht Club  
Association, Inc.; Midland Funding LLC,  
DEFENDANT(S)

WRIT OF ASSISTANCE  
(NON-JURY MORTGAGE  
FORECLOSURE)

C/A NO: 2019-CP-26-00350

This matter came before me upon Motion of the Movant US Bank Trust National Association, Not in its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust, seeking a Writ of Assistance to be issued by this Court to the Sheriff of Horry County, South Carolina, ordering and directing him to remove, peaceable or forcibly, the Defendants JOANNE ERNESTO together with any occupants and/or household members of Defendants and all their personal property located within or on the subject premises known as 6654 Wisteria Drive, MYRTLE BEACH, SC 29588.

ALL AND SINGULAR, THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, TOGETHER IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN SOCASTEE TOWNSHIP, HORRY COUNTY, SOUTH CAROLINA, BEING SHOWN AND DESIGNATED AS LOT BB-21 ON A PLAT OF TRACT 1, SECTION 1, MYRTLE BEACH GOLF & YACHT CLUB PREPARED BY SUR-TECH, INCORPORATED DATED OCTOBER 23, 1984, REVISED JANUARY 5, 1985, AND RECORDED IN PLAT BOOK 83 AT PAGE 216, RECORDS OF HORRY COUNTY, REFERENCE TO WHICH IS CRAVED AS FORMING A PART OF THIS DESCRIPTION.

THIS BEING THE SAME PROPERTY CONVEYED TO JOANNE Y. ERNESTO AND MARGARET J. SAUER, AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP AND NOT AS TENANTS-INCOMMON, BY DEED OF JOANNE ERNESTO DATED DECEMBER 3, 2008 AND RECORDED ON DECEMBER 5, 2008 IN THE HORRY COUNTY REGISTER OF DEEDS IN DEED BOOK 3376 AT PAGE 3161.

THEREAFTER, MARGARET J. SAUER DIED ON OCTOBER 13, 2015  
AS EVIDENCED BY SOUTH CAROLINA DHEC FILE NO. 139-15-016234  
THEREBY VESTING FULL TITLE OF THE PROPERTY IN JOANNE Y. ERNESTO  
CURRENT ADDRESS OF PROPERTY: 6654 WISTERIA DR, Myrtle Beach, SC 29588  
TMS: 184-18-01-039

The Movant, US Bank Trust National Association was the successful bidder at the public sale of the subject premises on September 3, 2024. Movant, US Bank Trust National Association has complied with its bid and has a deed to the premises (Deed Book 4869, Page 1167 records of Horry County, SC).

**NOW, THEREFORE, IT IS ORDERED** that the Defendants, JOANNE ERNESTO, together with any occupants and/or household members of Defendants shall vacate the premises within ten days after a copy of the Writ is served or posted, and that Movant, US Bank Trust National Association is entitled to recover possession of the premises on that date. The Horry County Sheriff's Office shall serve a copy of this Writ on the occupant(s) or post a copy on the property commonly known as 6654 Wisteria Drive, Myrtle Beach, SC 29588, 184-18-01-039 in the absence of finding the occupants.

**IT IS FURTHER ORDERED** that if the premises is not vacant on said date, the Sheriff of Horry County, South Carolina or his authorized deputies ("Sheriff"), be and hereby is directed to enter upon the above-referenced premises, by force if necessary, and seize the premises and to remove Defendants, members of Defendants household, or any other person who may be occupying same together with all possessions including the Defendants JOANNE ERNESTO, and to put the Movant, US Bank Trust National Association in full, peaceful and quiet possession of the premises) without delay. Within ten days thereafter, the Sheriff shall make due return to the Clerk of Court for Horry County, South Carolina, showing how this Order has been executed. A copy of the return shall be sent to Hutchens Law Firm, 240 Stoneridge Drive, Suite 400, Columbia, SC 29210, attorney for the Movant, US Bank Trust National Association and shall include the date of execution and all costs of execution.

**IT IS FURTHER ORDERED** that should personal service not be effected by the Sheriff of Horry County that copies of the Writ of Assistance shall be posted in a conspicuous place at or near the front entrance of the premises.

**IT IS FURTHER ORDERED** that if the occupants have voluntarily vacated the premises or have been ejected from the premises leaving personal property, automobiles, boats, furnishings, fixtures, or other items, the Movant, US Bank Trust National Association is authorized to remove therefrom all personal property, automobiles, boats, furnishings, fixtures and items, which personal property, being deemed abandoned. Said abandoned property shall be removed by the

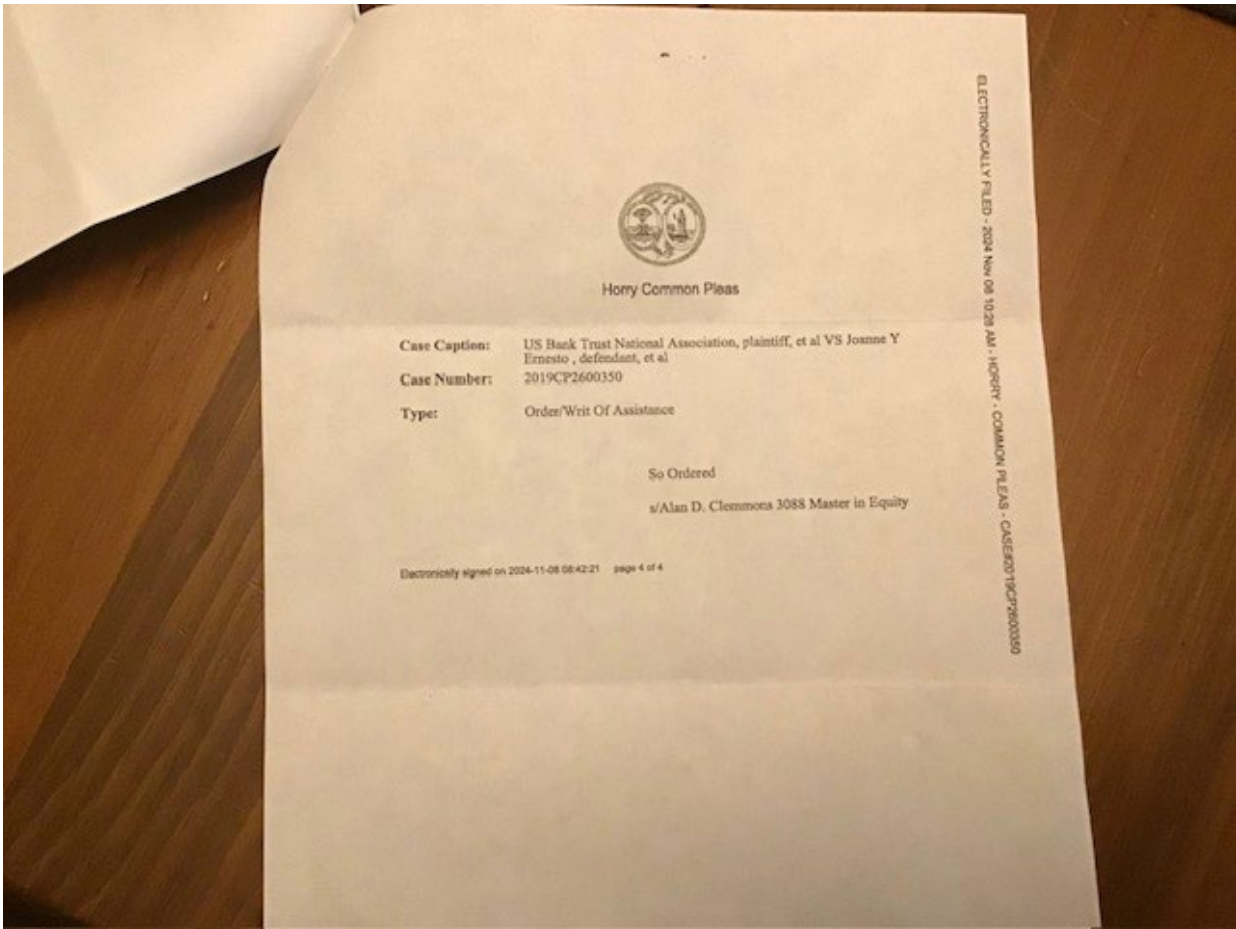
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Movant, US Bank Trust National Association or its agents from the subject property, by placing said personal property on the public street or highway or by any other means.

**AND IT IS SO ORDERED.**

**ALAN D. CLEMMONS SIGNATURE PAGE TO FOLLOW**

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