

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Edward W. Miller, Circuit Court Judge

Case No. 2009-CP23-7707

RECEIVED
OCT 15 2013
SC Court of Appeals

R.C. Frederick Hanold, III and Rose F. Hanold, and Carol R. Mitchell and George P. Mitchell, Jr., Respondents.

v.

Watson's Orchard Property Owners Association, Inc., a South Carolina Corporation, and Pelham Farm, LLC, a South Carolina Corporation, Legacy One, LLC, a South Carolina Corporation, SESP LLC, a South Carolina Corporation, an unknown Trustee of the Revocable Trust Agreement Dated March 19, 1996 established by James B. Stephens as amended, and unknown Jay Stephens and Mike Stephens as Co-Personal Representative of the Estate of James B. Stephens, Defendants.

Of whom Pelham Farm, LLC, a South Carolina Corporation, Legacy One, LLC, a South Carolina Corporation, an unknown Trustee of the Revocable Trust Agreement Dated March 19, 1996 established by James B. Stephens as amended, and unknown Jay Stephens and Mike Stephens as co-Personal Representative of the Estate of James B. Stephens, Appellants.

v.

Property Owners in Watson's Orchard Subdivision: N. Carter Poe, III; McNally Reeves, as Trustee of the Residual Trust under item Five of the Last Will and Testament of Hattie L. Reeves dated February 9, 1998; Janet B. Yusi; Lucy S. Tiller; James G. Stephens; Rachel P. McKaughan; Ramon J. Ashy and Jana Ashy; Christopher D. Scalzo and Heather V. Scalzo; Erma R. Rash, as Trustee of the Erma R. Rash Revocable Trust dated February 12, 2010; James Edwin Conrad, as Trustee of the James Edwin Conrad Living Trust dated September 7, 2010; Sue Lane Conrad; Horst H. H. Eschenberg and Floride C. Eschenberg; Caryl L. Clover, as Trustee of the Caryl L. Clover Revocable Living Trust Agreement dated May 12, 1999; Mary F. Newell; Timothy M. Conroy and Elizabeth W. Conroy; Nathan Scolari; Joel Wells Norwood and Lynn Norwood; J. Lynn Shook; Juan Hernandez and Janice M. Pelletier; Scott P. Payne and Kathleen H. Payne; Joe G. Thomason and Dana L. Henry Thomason; Traci Segura; Cameron E. Smith and Joan B. Smith; Charles E. Howard and Sharon F. Howard; Penelope J. Galbraith; Meredith C. Vry; Delores B. Mitchell; Lisette M. Silva and Mary F. Colley; Ilona K. Alford and William G. Alford; George T. McLeod and Martha T. McLeod; Ronald S. Wilson and Robin E. Wilson; The Merrill J. Gildersleeve and Anore L. Novak Revocable Living Trust dated November 1, 1996; Anna Marie T. Azores and Kim O. Gococo; Ashley Westrope as

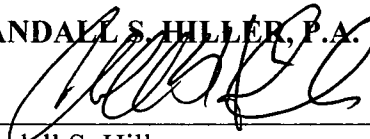
Trustee of Martha Randolph Westrop Trust dated June 6, 1988; Cliff C. Jollie and Martha W. Jollie; David A. Saliny and Xiaoli Saliny; Lecia S. Franklin; Dean D. Varner and Deborah P. Varner; W. Frank Durham, Jr.; Christine M. Howard; Samuel P. Howard, Jr. and Jane H. Howard; Manfred E. Kramer and Jane J. Kramer; Mary J. Steele; James J. Barrett, III and Kimberly A. Barrett; Richard A. Herman and Patricia L. Herrman,.....Third Party Defendants.

**ADDITIONAL MATTERS TO BE INCLUDED IN THE RECORD ON
APPEAL**

1. Deed from Lincoln of South Carolina, Inc. to Watson's Orchard Property Owners Association, Inc. recorded January 16, 1981.
2. October 1, 200 letter from Patrick H. Grayson, Jr. to Claire T. Manning.
3. Email from Ralph Aiken dated September 21, 2008.
4. Watson Orchard Property Owners Association Property Sale Advisory Committee meeting notes dated February 8, 2005.
5. Memorandum to Watson's Orchard Property Owners Association stock holders from Ralph Aiken dated July 21, 2008.
6. Letter from Patrick H. Grayson dated September 1, 2009 to Mr. Tom Dunlop.
7. Non Binding Indication of Support with attachment, undated, Bates number W001622.
8. Letter to Association Members from Ralph Aiken and Dorothy Brown dated April 15, 2006, Bates number W002047.
9. Votes of Jim, John, Jerry, Frank, Joel and Ralph, undated, Bates number W001471.
10. Vote options, handwritten note, undated, Bates number W000876.
11. WOPOA Committee meeting agenda, dated July 15, 2008, Bates number W001926-1927; W000969, W001891.
12. Certification of Ralph Aiken dated October 2, 2009.
13. Letter to Pat Grayson from James Robinson dated December 4, 1980.
14. Letter to Jim Stephens from Ray Lathan dated November 20, 1996, Bates number W002219.
15. Memo from Marion Seiffert to Claire Manning , Chicago Title dated November 7, 2008.
16. By-Laws of WOPOA.
17. Letter from WOPOA to neighbors dated November 16, 2009.
18. Handwritten WOPOA minutes dated May 29, 2001, Bates number W002056.
19. Letter from Langston Black to WOPOA dated June 15, 2010.
20. Memo from Ralph Aiken to WOPOA dated May 23, 2008.
21. Email from Ralph Aiken dated June 6, 2008.
22. Handwritten notes regarding land planning, undated. No Bates number.

23. Items for discussion by WOPOA Action Committee dated June 18, 2008.
24. Letter from Joel Norwood regarding market value estimates, undated.
25. Email from Ralph Aiken to various members dated July 30, 2008 with attachments.
26. Letter to WOPOA lot owners dated November 5, 2008.
27. Letter sent via email to Committee dated regarding zoning/votes (marked "Plaintiff's exhibit 13").
28. Letter dated November 16, 2009 to neighbors from WOPOA Board of Directors and Action Committee.
29. RelatiCorp proposal, undated.
30. Vote count Bates number W001471.
31. Handwritten vote count/notes Bates number W001542.
32. Handwritten notes regarding votes dated October 29, 2008.

RANDALL S. HILLER, P.A.



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PROOF OF SERVICE

I certify that I have served the Respondent's Initial Brief on the Appellants by depositing a copy of it in the United States Mail, postage prepaid, on October 10, 2013, addressed to its attorney of record, William Herlong, Esq., Post Office Box 2003, Greenville, South Carolina 29602.

October 10, 2013



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