

STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

ATHIA ELBADAWY & LYNNE CHAI
Plaintiff,

vs.

D.R. HORTON, INC
Defendant.

IN THE COURT OF COMMON PLEAS
JUDICIAL CIRCUIT

CASE NO: 2024-CP-18-01459

**MOTION AND ORDER INFORMATION
FORM AND COVERSHEET**

Plaintiff's Attorney:

DRO-SE, Bar No. _____

Address:

493 WISE Rd, Summerville SC

Phone: 843-641-8556 Fax 29483

E-mail: _____ Other: _____

Defendant's Attorney:

MARK Bible JR, Bar No. 101624

Address:

325 W. McBee Ave, Suite 301, Greenville

Phone 864-242-4899 Fax SC, 29601

E-mail: _____ Other: _____

- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
- FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
- PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: MOTION TO IN

Estimated Time Needed: _____

Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type

- Written motion attached
- Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

[Signature]
Signature of Attorney for Plaintiff / Defendant

APR 17, 2024
Date submitted

SECTION III: Motion Fee

- PAID - AMOUNT: \$ _____
- EXEMPT:

(check reason)

- Rule to Show Cause in Child or Spousal Support
- Domestic Abuse or Abuse and Neglect
- Indigent Status State Agency v. Indigent Party
- Sexually Violent Predator Act Post-Conviction Relief
- Motion for Stay in Bankruptcy
- Motion for Publication Motion for Execution (Rule 69.1 CP)
- Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
- Name of Court Reporter: _____
- Other: _____

2025 APR - 7 PM 4:33
 FILED-RECORDED
 CHEPOT GRAHAM
 CLERK OF COURT
 DORCHESTER COUNTY

JUDGE'S SECTION

- Motion Fee to be paid upon filing of the attached order.
- Other: _____

JUDGE CODE _____

Date: _____, 20

CLERK'S VERIFICATION

Collected by: _____ Date Filed: _____, 20

- MOTION FEE COLLECTED: \$ _____
- CONTESTED - AMOUNT DUE: \$ _____

any legally binding permit. Despite the Plaintiffs' repeated requests for the Defendant to file a legal declaration and permit, the Defendant has not complied. On January 21, 2025, the Defendant unexpectedly produced a questionable permit during the live virtual court hearing. The Defendant's lawyer, Mark Bibie submitted an email claiming that this permit was valid and issued by Dorchester County, complete with the signature of Dorchester County employee, Mike Goldston, dated February 16, 2023. As a result of this action, the Plaintiffs felt compelled to conduct their own independent investigation. They are now confident that the Defendant never possessed a legal permit to work on their driveway on Wise Lane and instead has obtained a fake or forged permit and statement. There is no origin or paper trail that supports the existence of a permit issued by Dorchester County, and the Plaintiffs have documented this in EXHIBIT #9. Through extensive research, the following facts have been uncovered and consistently proven. Ownership of the property was transferred from BRD Land & Investment to the Defendant in August 2023, and as shown in Exhibit # E11-1 DRH are the owners of D V Timbers Subdivision dated 07/21/2022 and not in April 2024, as testified by Kelsey Harper and Chris Hill in their sworn affidavits, as shown in Exhibit -E11 & E12. This evidence clearly establishes that the Defendant became the primary legal owner in August 2023.. Additionally, the documents and transcripts indicate that all permits and documents transfer immediately to the new owners once the formal process is completed. As of August 2023, the Defendant has been directly responsible for all permits issued and bears primary responsibility for the DV Timbers subdivision.

When BRD Land & Investment applied for a permit to work on Helms Drive, the application was submitted on 07/05/2022. The permit was then approved by Dorchester county employee, Mike Goldston on 02/16/2023 and was valid for one year, as indicated in the permit application shown in Exhibit #E11-3. Despite a thorough search conducted by the Plaintiffs, there is no evidence that any permits were ever issued by Dorchester County. Let's analyze the timeline of the permit, as the dates do not align according to the Plaintiffs' calculations:

1. The date the permit was issued is 02/16/2023.
2. The expiration date of the permit is 02/16/2024.
3. The date the Defendant purchased the property from BRD Land & Investment is 08/23/2023 or 07/2/2022.

Since the Defendant D.R. Horton, Inc. was required to submit a new application for the permit, which was never done, this situation raises concerns of forgery. Based on the recorded information available, the permit that was issued on 04/24/2024 should be deemed invalid and exhibit E11-4 clear signs of forgery. Furthermore, after an exhaustive search, no evidence has been found that Dorchester County approved the alleged permit for work on Wise Lane, the Plaintiffs' private road/private driveway. This leads to a critical question: Why did the Defendant present a forged permit to the court during the virtual hearing on 01/21/2025 before the Honorable Judge Matie Murphy? This action appears to have been intended to confuse and belittle both the court and the Plaintiffs.

In light of these findings, the Plaintiffs request that the court conduct the following actions:

1. Immediately open an internal investigation into the ongoing actions of the Defendant, D.R. Horton, Inc.
2. Issue arrest warrants for all individuals involved in the fraud perpetrated by the Defendant, D.R. Horton, Inc. and Dorchester County employees. These individuals should be interrogated, including Dorchester County's Deputy attorney, Bradley Mitchell, as the Plaintiffs believe he has committed perjury against them and the citizens of Dorchester County. His ability to perform his duties without influence from outside companies, like the Defendant, is in question.
3. Designate an executive authority to arrest the accused parties.
4. Inform the South Carolina state prosecutor about the violations and crimes committed, and initiate a comprehensive investigation into these troubling cases of corruption.
5. Notify the FBI about all allegations raised by the Plaintiffs regarding the misuse of power and influence in Dorchester County. Given the local and federal laws that have allegedly been broken, an investigation by the FBI is warranted.
6. Lift any and all immunity that County employees involved in the corruption of these ongoing cases may have.
7. Align the court's actions with the laws of South Carolina, specifically requesting that the public be called upon to assist in the investigation.

8. Utilize social media and television to encourage public participation, allowing individuals to present any information to the court panel. A dedicated hotline could be established for this purpose.

WHEREFORE, For the reasons outlined above, the Plaintiffs respectfully request that this Court enter an order directing an open internal investigation into the matter. The Plaintiffs further requests that this Court permit and order further proceedings as deemed appropriate.

Respectfully Submitted,
Attia Elbadawy and Lynne Chatlos
Plaintiffs pro se
493 Wise Lane
Summerville, SC 29483
843-641-8556
email: ala_international@yahoo.com



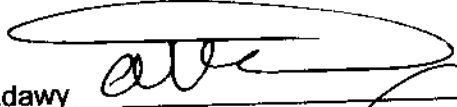
CERTIFICATE OF SERVICE

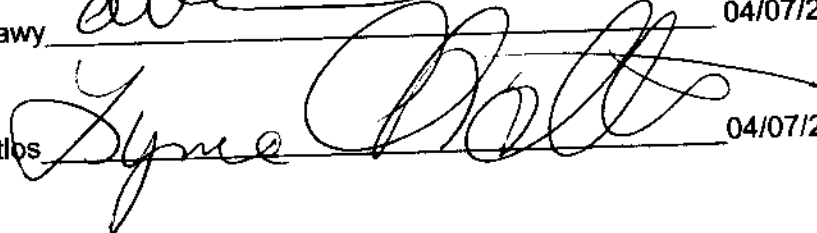
This is to certify that we have served a true copy of this Motion to Open Internal Investigation to the Defendant D.R. Horton, Inc. this 7 day of April, 2025, by depositing a copy of the same in the United States Mail, proper postage affixed, addressed as follows:

Mark A. Bible, Jr., (SC Bar #101624)
John T. Crawford, Jr. (SC Bar # 69682)
KENISON, DUDLEY & CRAWFORD, LLC
325 West McBee Avenue, Suite 301 Greenville, SC 29601
Ph. 864.242.4899 Fax 864.242.4844
Attorneys for Defendant, D.R. Horton, Inc and

Bradley A Mitchell, Deputy County Attorney
DORCHESTER COUNTY ATTORNEY'S OFFICE
201 Johnston Street
St. George, South Carolina 29477
bmitchell@dorchestercountysc.gov
843.563.0097

Plaintiffs

Attia Elbadawy  04/07/2025

Lynne Chatlos  04/07/2025

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)
)
Attia Elbadawy and Lynne Chatlos)
Plaintiffs)
)
 V)
D R HORTON, INC)
)
Defendants)

IN THE COURT OF COMMON PLEAS

Civil Action No: 2024-CP-18-01459


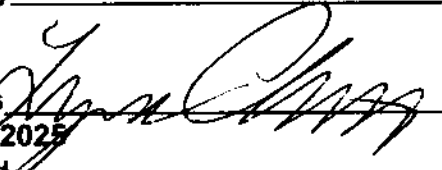
CERIFICATE OF SERVICE

D.R. Horton
Third-Party Plaintiffs,
V
Dorchester County
Third-Party Defendants

FILED-RECORDED
2025 APR -7 PM 4:33
SHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

This is to certify that I have served a true Copy to the Defendants listed below, by depositing a copy of the same in the United States Mail, proper postage affixed, addressed as follows:

Mark A. Bible, Jr., (SC Bar #101624)
John T. Crawford, Jr. (SC Bar # 69682)
KENISON, DUDLEY & CRAWFORD, LLC
325 West McBee Avenue, Suite #301
Greenville, SC 29601
Ph. 864.242.4899 Fax 864.242.4844
Attorneys for
Defendant, D.R. Horton, Inc

Attia Elbadawy 
Lynne Chatlos 
Date: April 7, 2025
493 Wise Road
Summerville, SC 29483
Ph#: 843-641-8556
ala_international@yahoo.com

FILED-RECORDED

2025 APR -7 PM 4: 33

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

EXHIBIT # 9

Contractor

CERTIFIED COPY

2025 MAR 14 PM 2: 31

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

BRD Land & Investment



0 permits listed.

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6

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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Permit #

**202405115 (Issued 5/24/2024) DV Timbers
Subdivision off Trinity and Helms Drive
Stantec Permit ID 254725
Details Request Inspection Cancel
Inspection Map**

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY
MAR 14 PM 2:31
CERTIFIED COPY

Permit #

**202403578 (Issued 9/25/2024) Evolve 9306 -
DV Timbers STANTEC Permit ID 239695
Details Request Inspection Cancel
Inspection**

*E9
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2025 APR -7 PM 4:33
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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Permit Num	202403578	<i>date: 9/25/24</i>
ID	239695	
Description	New 73 lot subdivision connecting to Helms Drive and Trinity Drive and establishing two new County Roads within the subdivision that have associated curb and gutter and drainage systems. New water and sewer utilities throughout the development. A new sewer forcemain extension on Wise Lane. New water main extensions on Helms Drive, Range Drive, Wise Lane, Weir Street, and Twin Lakes Drive.	

Contacts

Type	Name	Organization
Engineer of Record	Jacob Lemus	STANTEC
Project Manager	Jared Williamson	D. R. Horton

GIS	
Parcel Account No	
Inspector	
Council District	
Flood Zone	
Tax District	
Jurisdiction	
Subdivision	
Zoning	
City	
TMS #	

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 OHERYL GRAHAM
 CLERK OF COURT
 DORCHESTER COUNTY

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Request Inspection Cancel Inspection Map Print

Permit Num: 202405115 Date: 5/24/24
 ID: 254725

Type	Name	Organization
Engineer of Record	Bryan Kizer	Stantec
Engineer of Record	Ryan Foss	Stantec
Engineer of Record	Taylor Reeves	Stantec
Engineer of Record	Jacob Lemus	Stantec
Contact Type	Barry Stollar	STANTEC

Name	Status	Date
stormwater	Approved	2/5/2025
stormwater	Not Approved	12/18/2024
stormwater	Approved	10/2/2024
roof Roll	Approved	8/29/2024
roof Roll	Approved	8/29/2024
stormwater	Approved	7/17/2024
Pre Construction Meeting	Approved	5/29/2024

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 Cheryl Graham
 CLERK OF COURT
 WORCESTER COUNTY

Parcel Account No
 Inspector
 Council District
 Flood Zone
 Tax District
 Jurisdiction
 Subdivision
 Opening
 Utility
 MS #

CHERYL GRAHAM
 CLERK OF COURT
 WORCESTER COUNTY

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NO MORE WORK

PERMIT SEARCH

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Eq
1/24

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Contractor

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

BRD Land and Investments



0 permits listed.

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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Details

(Issued *Carol Graham*
CLERK OF COURT
DORCHESTER COUNTY

Request Inspection

9/25/2024)

Cancel Inspection

Evolve 9306 -

Map

DV Timbers

STANTEC

Permit ID

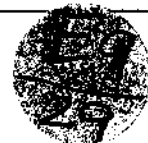
239695

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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CERTIFIED COPY



P

Request Inspection Cancel Inspection Map Print

2025 MAR 14 PM 2: 23

Permit Num	202403578
ID	239695
Description	New 73 lot subdivision connecting to Helms Drive and Trinity Drive and establishing two new County Roads within the subdivision that have associated curb and gutter and drainage systems. New water and sewer utilities throughout the development. A new sewer forcemain extension on Wise Lane. New water main extensions on Helms Drive, Range Drive, Wise Lane, Weir Street, and Twin Lakes Drive.

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

Contacts

Type	Name	Organization
Engineer of Record	Jacob Lemus	STANTEC
Project Manager	Jared Williamson	D. R. Horton

GIS

Parcel Account No	
Inspector	
Council District	
Flood Zone	
Tax District	
Jurisdiction	
Subdivision	
Zoning	
City	
TMS #	

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CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

FILED RECORDS

The above permit # 202403578 was issued on 09/25/2024. Which was 20 days after the plaintiffs filed their civil lawsuit against the defendant D. R. Horton and Dorchester County. On 09/05/2024, the plaintiffs filed the civil lawsuit.

The same description on the above permit, that was Submitted the last minutes at 4:45 pm on Friday 01/17/2025.

Just 3 days before the virtual hearing on Tuesday, 01/21/2025

01/20/2025, Monday, was a national holiday.

That permit shows it was issued on 04/24/2024.

For the same permit # 202403578, see Exhibit#E9-3.

An Evoive Dorchester County search was run, coming back with No results.

And the one issued on 09/25/2024, under permit# 202403578 could not be found on the application form.

It should say Wise Lane on it, and it does not.

CERTIFIED COPY

2025 MAR 14 PM 2: 23



Mike Goldston

Mike Goldston, PE
Engineering Manager
Dorchester County Public Works
mgoldston@dorchestercountysc.gov

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

**Mike Goldston Signature,
The same one shown on the Application
form for the Encroachment permit by
B R D Land and Investments
Exhibit#E9-2 date: 02/16/2023**

**According to the Evolve Dorchester County
search, No permit was ever issued on 02/16/2023
to B R D Land and Investments for Helms Drive.**

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CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Date Range

2/16/2023

2/16/2023



0 permits listed.

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Ceryl Graham
CLERK OF COURT
DORCHESTER COUNTY



CERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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Carol Graham
CLERK OF COURT
NORCHESTER COUNTY

Date Range

2/16/2023

2/16/2023



0 permits listed.

CHERYL GRAHAM
CLERK OF COURT
NORCHESTER COUNTY

2025 APR - 7 PM 4: 34

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FILED-RECORDED

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CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

EXHIBIT # 11

E11
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DHEC OCRM State Coastal Zone Consistency (CZC) Certification Request Form

Project Name:

DV Timbers Subdivision

Applicant Information:

Contact Name Michael Condon
Address D.R. Horton
Phone # 843-530-0147
E-mail bmcondon@drhorton.com

Agent/Engineer Information:

Contact Name Bryan Kizer P.E. - Stantec
Address 4969 Centre Pointe Dr, North Charleston, SC 29418
Phone # 843-740-6328
E-mail Bryan.Kizer@stantec.com

Site details:

Location/Address: SE of Helms Dr. and Pruitt St. Intersection

County: Dorchester County

TMS: 134-00-00-039

Type of Permit Requested:

(ex. Landfills, Mining, Wastewater, etc.)
NPDES Stormwater (Land Disturbance), Water PTC, Wastewater PTC, USACOE NWP

Name of Permitting Authority(s):

(ex. DHEC Bureau of Water)
DHEC Bureau of Water, OCRM, USACOE

Description of Proposed Activity(s):

● including total disturbed area, name of and distance to nearest waterbody, and onsite non-jurisdictional wetland impacts and acreage.

This application is for the DV Timbers Subdivision. The project is to include site development for 73 single family residential lots and necessary utility extensions to service said lots. New infrastructure includes storm drainage, water supply, and sanitary sewer. The total area of the proposed site is 57.4 acres, while the total disturbed area is 45.1 acres. Impervious area to be added to the site is 7.0 acres. There will be jurisdictional wetlands located within the site area. All wetland disturbance is permitted under the USACOE Nationwide Fill Permit. All wetland impacts are reflected on the Notice of Intent (NOI) copied on this submittal. This is a NON-MS4 project, thus the stormwater technical review will be done by SCDHEC. Dorchester County Engineering will also be providing a stormwater technical review as the project will go through their TRC review process.

The site is about 321 feet away from Cypress Swamp and around 690 feet from Hurricane Branch.

All applicable Project Policy Checklist(s) that apply to the proposed project must be submitted with this request form. (See www.scdhec.gov/environment/ocrm/czc for available Policy Checklists)

Submitted By: Bryan Kizer P.E. - Stantec Consulting Services

Date: 10/10/2023

2025 APR -7 PM 4:30
CHEMEL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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Submit by Email

Print Form

APPLICATION FOR ENCROACHMENT PERMIT
DORCHESTER COUNTY



Dorchester County Public Works
Transportation Department
2120 East Main Street, Dorchester, SC 29437
(843) 832-0070 office - (843) 832-0064 fax
(843) 563-0070 office - (843) 563-0064 fax

Applicant Name: D.R. Horton Road Name: Scotch Range Rd, Helms Dr, Trinity Dr
Address: 2057 Wambaw Creek Rd. Subdivision: Helms Dr.
City, State & Zip: Charleston, SC 29492 Nearest Int. Rd: Helms Dr.
Contact Number: 843-530-0147 Email Address: bmcondon@drhorton.com

1 The undersigned applicant hereby applies to Dorchester County Public Works and the Transportation Department for a permit to encroach on the County right-of-way or easement as shown and described herein:

2 Encroachment Type: Driveway Other

3 Description and details of proposed encroachment and installation (attach drawings showing the encroachment on the right-of-way or easement).

4 The undersigned applicant hereby requests Dorchester County Public Works and the Transportation Department to permit encroachment on the County's right-of-way or easement as described herein. It is expressly understood that the encroachment shall be installed in accordance with the description and details attached hereto and made a part hereof, including the General Provisions and Special Provisions. The applicant agrees to assume any and all liability that may be caused by the construction, maintenance, use, moving or removing, of the physical appurtenances contemplated herein and agrees to indemnify Dorchester County from any liability incurred or injury or damage sustained by reason of the past, present, or future existence of said appurtenances.

Applicant Printed Name & Date: Michael Condon 10-4-23
Applicant(s) Signature & Title: [Signature] Asst. Secretary

Area Below For County Use Only:

In compliance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application and special provisions below or attached hereto, the County approves the request. This permit is valid for a period of twelve (12) months from the date of approval.

Special Provisions: _____

Approved by & Date: _____
Print Name & Title: _____

MARGARET L BAILEY
DORCHESTER COUNTY
REGISTER OF DEEDS

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201 Johnston Street ~ Saint George, SC 29477 (843) 563-0181

*** THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE ***

*** ELECTRONICALLY RECORDED DOCUMENT ***

Instrument #:	2024007103	Return To:	
Receipt Number:	185008		
Recorded As:	EREC-DEED		
Recorded On:	April 12, 2024		
Recorded At:	01:00:27 PM	Received From:	SIMPLIFILE
Recorded By:	MB	Parties:	
Book/Page:	RB 15235: 269 - 274		Direct- BRDL SPE 1 LLC
Total Pages:	6		Indirect- DR HORTON INC

*** EXAMINED AND CHARGED AS FOLLOWS ***

Recording Fee:	\$15.00	RECEIVED
Consideration:	\$2,190,000.00	2024 JUN -07 PM 02:51
County Tax:	\$2,409.00	DORCHESTER CO ASSESSORS OFFICE
State Tax:	\$5,694.00	RECEIVED 07th Day
Tax Charge:	\$8,103.00	of JUNE 2024
		JAMES MESSERVY, JR
		Auditor Dorchester County SC

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 CHERYL GRAHAM
 CLERK OF COURT
 DORCHESTER COUNTY
 ELECTRONICALLY RECORDED



Margaret Bailey

Margaret Bailey - Register of Deeds

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Prepared by:
Harvey & Vallini, LLC
497 Bramson Court, Suite 201
Mount Pleasant, SC 29464

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Recorded by and Return to:
Womble Bond Dickinson (US) LLP
P.O. Box 999, Chas. SC 29492

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER) LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that **BRDL SPE 1 LLC**, a North Carolina limited liability company (herein "Grantor"), in the state aforesaid, for and in consideration of the sum of **Two Million One Hundred Ninety and 00/100 Dollars (\$2,190,000.00)**, to Grantor in hand paid at and before the sealing of these presents by **DR HORTON, INC.**, a Delaware corporation (herein "Grantee"), in the State aforesaid, the receipt whereof is hereby acknowledged, has, subject to those matters set forth in Exhibit B attached hereto (collectively, the "Permitted Exceptions"), granted, bargained, sold and released, and by these presents does grant, bargain, sell, and release, unto the said Grantee, its successors and assigns, all of its right, title and interest in and to the following described property, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR A LEGAL DESCRIPTION OF THE PROPERTY BEING CONVEYED (THE "PREMISES")

Grantee(s) Address: 2057 Wambaw Creek Road, Charleston, SC 29492

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said Premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, subject to the Permitted Exceptions, all and singular, the said Premises before mentioned unto the said Grantee, its successors and assigns, forever.

AND, subject to the Permitted Exceptions, Grantor does hereby bind itself and its successors, executors, administrators, and assigns to warrant and forever defend, all and singular, the Premises before mentioned unto the said Grantee, its successors and assigns, against Grantor and Grantor's successors lawfully claiming, or to claim the same, or any part thereof.

FILED-RECORDED
FILED-RECORDED

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IN WITNESS WHEREOF, the Clerk of Court does hereby set its hand and seal this 9 day of April, 2024.

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Signed, Sealed And Delivered
In The Presence Of:

BRDL SPE 1 LLC,
a North Carolina limited liability company

[Signature]
1st Witness

By: [Signature] (SEAL)
Jeri Thompson, CFO or Maurice Johnson,
President

[Signature]
2nd Witness

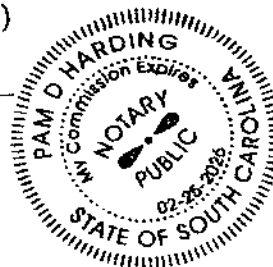
STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

ACKNOWLEDGEMENT

BEFORE ME, the undersigned Notary Public, personally appeared on this day, Jeri Thompson, as CFO for BRDL SPE 1 LLC, a North Carolina limited liability company, and acknowledged the due execution of the foregoing instrument.

Sworn to before me this 9th
day of April, 2024

[Signature] (L.S.)
Notary Public for
My commission expires: 2-25-26
PAM O. Harding



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EXHIBIT "A"
LEGAL DESCRIPTION AND DERIVATION

All that certain piece, parcel or tract of land, situate lying and being near Knightsville, Dorchester County, South Carolina shown and designated as "PARCEL C, 54.505 ACRES" on that plat entitled "SUBDIVISION PLAT OF DORCHESTER COUNTY TMS# 127-00-00-074, A 1,374.53 ACRE TRACT OF LAND INTO PARCEL A, A 97.156 ACRE TRACT, PARCEL B, A 212.618 ACRE TRACT, PARCEL C, A 54.505 ACRE TRACT, AND PARCEL D, WITH A RESIDUAL ACREAGE OF 1,010.26 ACRES OWNED BY DV TIMBER LLC, LOCATED NEAR KNIGHTSVILLE, DORCHESTER COUNTY, SOUTH CAROLINA" prepared by Andrew C. Gillette, Jr. P.L.S. 27736 of Parker Land Surveying, LLC, dated January 28, 2020 and recorded in the ROD Office for Dorchester County, South Carolina on May 23, 2022 in Plat Book N at Page 72. Said parcel of land, having such size, shape, dimensions, buttings and boundings as will by reference to said Plat more fully appear.

This being the same property conveyed to BRDL SPE 1 LLC, a North Carolina limited liability company by deed of DV Timber LLC, a South Carolina limited liability company dated March 29, 2024, and recorded April 2, 2024, in the office of the Register of Deeds for Dorchester County, South Carolina in Book 15218 at Page 177. Also being the same property conveyed to BRDL SPE 1 LLC, a North Carolina limited liability company by deed of BRD Land & Investment, a South Carolina general partnership dated April 9, 2024, and recorded simultaneously herewith.

TMS No.: 134-00-00-039

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

2025 APR - 7 PM 4: 34

FILED-RECORDER

EXHIBIT "B"
PERMITTED EXCEPTIONS

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APR 7 2025

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CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

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STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY
AFFIDAVIT FOR TAXABLE
OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who, being duly sworn, deposes and says:

1. I have read the information contained this affidavit and I understand such information.
2. The property being transferred is bearing Dorchester County Tax Map Number 134-00-00-039, was transferred by BRDL SPE 1 LLC, a North Carolina limited liability company to DR Horton, Inc., a Delaware corporation on April 1, 2024.
3. Check one of the following: The deed is:
 - a) XXX subject to the deed recording fee as a transfer for consideration paid or to be made in money or money's worth.
 - b) _____ subject to the deed recording fee as a transfer between a corporation, partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary
 - c) _____ exempt from the deed recording fee because (See Information section of affidavit): _____
(If exempt please skip items 4 - 7, and go to item 8 of this affidavit.)
If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit).
 - (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$2,190,000.00.
 - (b) The fee is computed on the fair market value of the realty which is: _____
 - (c) The fee is computed on the fair market value of the realty as established for property tax purposes, which is: _____
5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes," the amount of the outstanding balance of this lien or encumbrance is: _____
6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: ~~\$2,190,000.00~~ 2,190,000.00
 - (b) Place the amount listed in item 5 above here: 0
(If no amount is listed, place zero here.)
 - (c) Subtract Line 6(b) from Line 6(a) and place result here: \$2,190,000.00
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$8,103.00
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor
9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

BY: [Signature]
J. A. Thompson
(Responsible Person Associated with Transaction)

SWORN to and subscribed before me this
9th day of April, 2024
Notary Public for South Carolina
My Commission Expires: 2-25-26
Notary (L.S.): [Signature]
Notary (printed name): Pam D. Harding
PAM D. Harding



HVSEH-23-35001

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CLERK OF COURT
DORCHESTER COUNTY

Deed Page # 264

Sale Price \$5

Sale Date 04/11/2024

Grantor BRD LAND & INVESTMENT

Grantee BRDLSPE 1 LLC

Recorded Date 04/12/2024

- IMPROVEMENTS
- LAND DETAILS
- ASSESSMENT DETAILS
- SALES HISTORY

Sales History

Deed Book	Deed Page	Grantor	Grantee	Sale Price	Sale Date	Recorded Date
015235	264	BRD LAND & INVESTMENT	BRDL SPE 1 LLC	\$5	04/11/2024	04/12/2024
015235	269	BRDL SPE 1 LLC	DR HORTON INC	\$2,190,000	04/11/2024	04/12/2024
015218	170	DV TIMBER LLC	BRD LAND & INVESTMENT	\$5	03/29/2024	04/02/2024
015231	196	DV TIMBER LLC	BRD LAND & INVESTMENT	\$0	03/29/2024	04/10/2024
015356	074	DV TIMBER LLC	BRD LAND & INVESTMENT	\$5	03/29/2024	06/20/2024
BACK						

D.R. HORTON Sold to D.R. HORTON
then D.R. HORTON Buys it Back
FROM D.R. HORTON.



4969 Centre Pointe Drive, Suite 200
North Charleston SC 29418-6952

10/10/23

October 10, 2023

Project/File: 215618367

To Whom it May Concern:

**Reference: DV Timbers Subdivision, Dorchester County || NPDES Coverage Number: SCR10ZC9N
Major Modifications: New Owner, and Total Disturbed Area Increase**



On behalf of our client, DR Horton, Stantec is pleased to submit a Notice of Intent Application and supporting documentation for your review. The above referenced project was recently granted coverage under the GCP. This project transfers ownership of the approved project to a new owner, our client, and increases the total disturbed area.

~~DV Timbers Subdivision is located in Dorchester County and connects Helms Drive, Trinity Drive, and ^{Misc} Road West of Knightsville, South Carolina. The project maintains the previous overall design of a new development for 73 single family residential lots and necessary utility extensions to service the development. New infrastructure includes storm drainage, water supply, and sanitary sewer. The previously approved permit included a proposed ~~storm drainage system~~. This project removes the need for a pump station and therefore is no longer included.~~

The total area of the proposed site is 57.4 acres. The proposed major modifications increase the total disturbed area to 41.5 acres from previously approved 34.0 acres. The grantee of the undeveloped parcel logged the property prior to selling to new owners. This is the source of the increase in disturbed area and it will be used for rear yard green spaces. The impervious area to be added to the site remains 7.0 acres.

There will be jurisdictional wetlands located within the site area. All wetland disturbance is permitted under the USACOE Nationwide Fill Permit. All wetland impacts are reflected on the Notice of Intent (NOI) copied on this submittal. This is a NON-MS4 project, thus the stormwater technical review will be done by SCDHEC. Dorchester County Engineering will also be providing a stormwater technical review as the project will go through their TRC review process.

Respectfully,

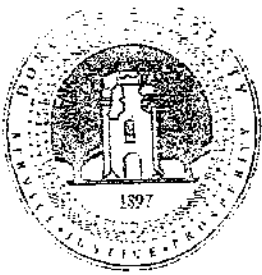
Principal

Principal
Direct: (843) 740-6328
Mobile: (843) 817-9817

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

2025 APR -7 PM 4: 35

FILED RECORDS



Dorchester County

ENCROACHMENT PERMIT

Permit # 202403578

Issued Date 04/24/2024

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4

Category Encroachment

Contact Jacob Lemus
Business STANTEC

Permit Details

Job Address DV Timbers
TMS Number

Scope Other
Work Start Date 04/03/2023

Description

New 73 lot subdivision connecting to Helms Drive and Trinity Drive and establishing two new County Roads within the subdivision that have associated curb and gutter and drainage systems. New water and sewer utilities throughout the development. A new sewer forcemain extension on Wise Lane. New water main extensions on Helms Drive, Range Drive, Wise Lane, Weir Street, and Twin Lakes Drive.

Conditions

In compliance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application and special provisions below or attached hereto, the County approves the request. This permit is valid for a period of twelve (12) months from the date of approval.

The undersigned hereby makes application for a permit to complete the above described work on the stated premises, and agrees, in consideration of issuance of this permit, to do only the work specified herein and to faithfully comply with all applicable codes and ordinances as set forth by the State of South Carolina and Dorchester County. I have read and understand the aforementioned

Applicant Jacob Lemus Date 04/24/2024

Contractor / Agent / Owner

Address 4969 Centre Pointe Drive Suite 200 Telephone 803463242 Email jacob.lemus@stantec.com
North Charleston SC 29418

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DORCHESTER COUNTY

DRH_000004

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APPLICATION FOR ENCROACHMENT PERMIT



2025 APR -7 PM 4:35 **Dorchester County Public Works Transportation Department**

**CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY
BRD Land & Investment**

2120 East Main Street, Dorchester, SC 29437
(843) 832-0070 office - (843) 832-0064 fax
(843) 563-0070 office - (843) 563-0064 fax

Applicant Name: _____ Road Name: Scotch Range Rd, Helms Dr, Trinity Dr
 Address: 234 Kingsley Park Drive, Suite 110 Subdivision: _____
 City, State & Zip: Fort Mill, SC 29715 Nearest Int. Rd: Helms Dr.
 Contact Number: 843-593-7950 Email Address: mark@chsland.com

1 The undersigned applicant hereby applies to Dorchester County Public Works and the Transportation Department for a permit to encroach on the County right-of-way or easement as shown and described herein:

2 Encroachment Type: Driveway Other

3 Description and details of proposed encroachment and installation (attach drawings showing the encroachment on the right-of-way or easement).

4 The undersigned applicant hereby requests Dorchester County Public Works and the Transportation Department to permit encroachment on the County's right-of-way or easement as described herein. It is expressly understood that the encroachment shall be installed in accordance with the description and details attached hereto and made a part hereof, including the General Provisions and Special Provisions. The applicant agrees to assume any and all liability that may be caused by the construction, maintenance, use, moving or removing, of the physical appurtenances contemplated herein and agrees to indemnify Dorchester County from any liability incurred or injury or damage sustained by reason of the past, present, or future existence of said appurtenances.

Applicant Printed Name & Date: Kevin Burrell 7-5-22

Applicant(s) Signature & Title: [Signature] GP

Area Below For County Use Only:

In compliance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application and special provisions below or attached hereto, the County approves the request. This permit is valid for a period of twelve (12) months from the date of approval.

Special Provisions: _____

Approved by & Date: Mike Goldston 2/16/2023

Print Name & Title: Mike Goldston, Engineering Manager



DHEC OCRM State Coastal Zone Consistency (CZC) Certification Request Form

2025 APR -7 PM 4: 35

E11
2

Project Name:

DV Timbers Subdivision

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Applicant Information:

Contact Name Michael Condon

Address D.R. Horton

Phone # 843-530-0147

E-mail bmcondon@drhorton.com

Agent/Engineer Information:

Contact Name Bryan Kizer P.E. - Stantec

Address 4969 Centre Pointe Dr, North Charleston, SC 29418

Phone # 843-740-6328

E-mail Bryan.Kizer@stantec.com

Site details:

Location/Address: SE of Helms Dr. and Pruitt St.
Intersection

County: Dorchester County

TMS: 134-00-00-039

Type of Permit Requested:

(ex. Landfills, Mining, Wastewater, etc.)

NPDES Stormwater (Land Disturbance), Water PTC, Wastewater PTC, USACOE NWP

Name of Permitting Authority(s):

(ex. DHEC Bureau of Water)

DHEC Bureau of Water, OCRM, USACOE

Description of Proposed Activity(s):

- including total disturbed area, name of and distance to nearest waterbody, and onsite non-jurisdictional wetland impacts and acreage.

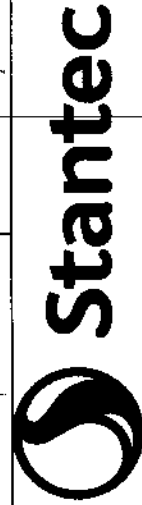
This application is for the DV Timbers Subdivision. The project is to include site development for 73 single family residential lots and necessary utility extensions to service said lots. New infrastructure includes storm drainage, water supply, and sanitary sewer. The total area of the proposed site is 57.4 acres, while the total disturbed area is 45.1 acres. Impervious area to be added to the site is 7.0 acres. There will be jurisdictional wetlands located within the site area. All wetland disturbance is permitted under the USACOE Nationwide Fill Permit. All wetland impacts are reflected on the Notice of Intent (NOI) copied on this submittal. This is a NON-MS4 project, thus the stormwater technical review will be done by SCDHEC. Dorchester County Engineering will also be providing a stormwater technical review as the project will go through their TRC review process.

The site is about 321 feet away from Cypress Swamp and around 690 feet from Hurricane Branch.

All applicable Project Policy Checklist(s) that apply to the proposed project must be submitted with this request form. (See www.scdhec.gov/environment/ocrm/czc for available Policy Checklists)

Submitted By: Bryan Kizer P.E. - Stantec Consulting Services

Date: 10/10/2023



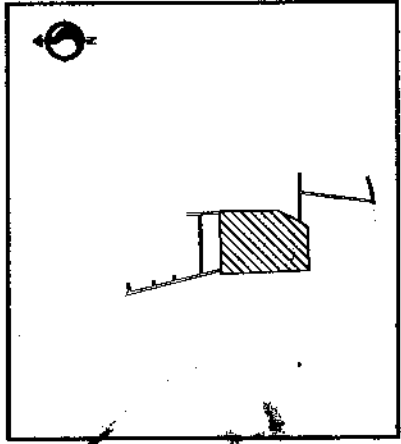
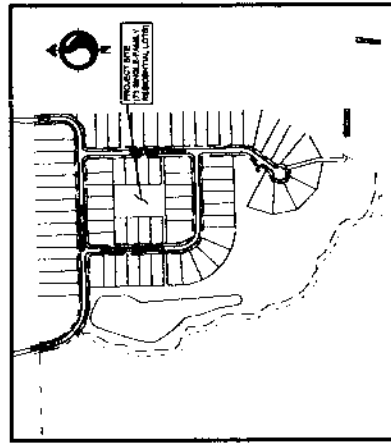
STANTEC CONSULTING SERVICES INC.
4969 CENTRE POINTE DRIVE, SUITE 200
NORTH CHARLESTON, SC 29418
TEL 843.740.7700

D.R. HORTON INC.
2057 WAMBAW CREEK RD
CHARLESTON, SC 29492
TEL (843) 530-0147

DV TIMBERS
SUBDIVISION
NEAR KNIGHTSVILLE,
DORCHESTER COUNTY, SC
TMS#: 134-00-00-039
Evolve 9603

NO.	DATE	DESCRIPTION
1	04/07/2024	PRELIMINARY PLAN
2	04/07/2024	APPROVED
3	04/07/2024	APPROVED WITH CONDITIONS

DORCHESTER COUNTY
PLANNING & ZONING - SUBDIVISION PLAN
PRELIMINARY PLAN
APPROVED
APPROVED WITH CONDITIONS
BY Tim Solberg, ACP DATE 5/29/2024



PROJECT CONTACTS	MUNICIPALITY PROVIDER	CONTACT	PHONE
PLANNING & ZONING	DORCHESTER COUNTY PLANNING	EMILY WYNN	(843) 453-5311
WATER	SCDHEC/COM	PAULEA WINKLER	(843) 453-5328
SEWER	DORCHESTER COUNTY WATER & SEWER	STEVEN BICKER	(843) 501-9191
ENGINEERING	DORCHESTER COUNTY WATER AUTHORITY	ROCHE MURDAUGH	(843) 875-0146
	DORCHESTER COUNTY ENGINEERING	MIKE GOLDSTON	(843) 654-0189



2024.07.21

PROJECT NUMBER: 215616778



4969 CENTRE POINTE DRIVE, SUITE 200
NORTH CHARLESTON, SC 29418
WWW.STANTEC.COM
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CLERK OF COURT
DORCHESTER COUNTY

Sheet Number	Sheet Title
C0.0	COVER
C0.1	GENERAL NOTES
C0.2	EXISTING CONDITIONS AND DEMOLITION PLAN
C1.0	STORM WATER POLLUTION & PREVENTION PLAN NOTES
C1.1	STORM WATER POLLUTION & PREVENTION PLAN - PHASE 1
C1.2	STORM WATER POLLUTION & PREVENTION PLAN - PHASE 2
C1.3	STORM WATER POLLUTION & PREVENTION PLAN - PHASE 3
C1.4	STORM WATER POLLUTION & PREVENTION DETAILS
C1.5	STORM WATER POLLUTION & PREVENTION DETAILS
C1.6	STORM WATER POLLUTION & PREVENTION DETAILS
C1.7	STORM WATER POLLUTION & PREVENTION DETAILS
C2.0	SITE PLAN
C2.1	ROAD PLAN AND PROFILE
C2.2	ROAD PLAN AND PROFILE
C2.3	ROAD PLAN AND PROFILE
C2.4	ROAD PLAN AND PROFILE
C2.5	ROAD PLAN AND PROFILE
C2.6	SITE AND ROAD DETAILS
C2.7	SITE AND ROAD DETAILS
C2.8	SITE AND ROAD DETAILS
C3.1	GRADING & DRAINAGE PLAN
C3.2	GRADING & DRAINAGE PLAN
C3.3	GRADING & DRAINAGE PLAN
C3.4	GRADING & DRAINAGE PLAN
C3.5	GRADING & DRAINAGE PLAN
C3.6	GRADING & DRAINAGE PLAN
C3.7	STORM DRAIN PROFILES
C3.8	STORM DRAIN PROFILES
C3.9	STORM DRAIN PROFILES
C3.10	STORM DRAINAGE DETAILS
C3.11	STORM DRAINAGE DETAILS
C3.12	STORM DRAINAGE DETAILS
C3.13	STORM DRAINAGE DETAILS
C4.1	SEWER PLAN & PROFILE
C4.2	SEWER PLAN & PROFILE
C4.3	SEWER PLAN & PROFILE
C4.4	SEWER PLAN & PROFILE
C4.5	SEWER PLAN & PROFILE
C4.6	SEWER PLAN & PROFILE
C4.7	SEWER DETAILS
C5.0	OVERALL WATER PLAN
C5.1	WATER PLAN - OFFSITE
C5.2	WATER PLAN
C5.3	WATER PLAN - OFFSITE
C5.4	WATER PLAN - OFFSITE
C5.5	WATER DETAILS
C5.6	WATER DETAILS

Dorchester County
APPROVED
Department: Public Works
Project No.: 5086
Date: 5/24/2024
Stamped By: PHC/DGA

ADDITIONAL INCLUDED SHEETS / PROVIDED BY OTHERS:
SHEET NO. 215616778
TITLE: SUBDIVISION PLAN (SUBDIVISION BOUNDARY SHEET)
SHEET NO. 215616778
TITLE: SUBDIVISION PLAN (SUBDIVISION BOUNDARY SHEET)

Scale: AS NOTED
Drawing No.: C0.0
Revision: 0



DV TIMBERS
NEAR KNIGHTSVILLE
DORCHESTER COUNTY, SOUTH CAROLINA 29483



FORM A
PRIMARY PERMITTEE TRANSFER OF OWNERSHIP
(New Owner/Operator Notifications)
Under South Carolina
NPDES Construction Stormwater General Permit SCR100000

Section 2.4.3 of the Construction General Permit (CGP) requires that New Owner/Operators of prior approved Ongoing Projects notify the Department in writing within fourteen (14) calendar days of the change in ownership. Lending or other institutions taking operational control of a prior approved construction site (due to foreclosure, bankruptcy, abandonment, etc.) must also contact the Department within fourteen (14) business days of taking title to the property. Transfer of Ownership Notifications and information defining the stabilization and construction activity status of the site must also be provided as defined in Section 2.4.3 of the Construction General Permit (CGP).

A new NOI must be submitted and NPDES coverage granted by the Department prior to any new Owner/Operator performing any construction activities at the site. Transferred sites must also be properly stabilized prior to issuance of new coverage. Sites that are properly stabilized are not required to submit a new NOI immediately and may submit this form as initial notification to the Department. New Owner/Operators must agree to comply or not comply with an existing Comprehensive SWPPP and must initial the appropriate SWPPP Acceptance and Compliance Statement in Section E. If your site is properly stabilized, and you are simply making a notification, a pdf of this form may be submitted electronically to the Department, or, the original signed document may be mailed as defined in the instructions to this form. To apply for new coverage under this permit, attach a completed copy of this form to the new C-SWPPP and NOI. NPDES coverage fee of \$125 is required when the NOI application is submitted for NPDES coverage. No fee is required for Transfer of Ownership Notifications.

Date: 06/20/2023

County: Dorchester

A. NOTIFICATION ONLY NPDES COVERAGE

1. Project/Site Name (As Approved by the Department): D.V. Timbers Subdivision
2. NPDES Coverage No. or State Permit (File Tracking) No: SCR10ZC9N
3. Larger Common Plan (LCP) Name: (If Applicable, As Approved by the Department): _____
4. If Applicable: MS4 Reviewer: Dorchester County MS4 Operator: Dorchester County

B. Current Primary Permittee (Owner/Operator) Information

1. Current Primary Permittee (Owner/Operator) Name: BRD Land & Investment
 Company Name (As Applicable): BRD Land & Investment EIN: 82 - 4766940
 Mailing Address: 234 Kingsley Park Drive, Suite 110 Email Address: mark@chsland.com
2. Property Owner Name: Same as above
 Company Name (As Applicable): _____ EIN: _____
 Mailing Address: _____ Email Address: _____

C. New Primary Permittee (Owner/Operator) Information

<input type="checkbox"/> Person <input checked="" type="checkbox"/> Company	If a Company, are you a <input type="checkbox"/> Lending Institution or <input type="checkbox"/> Government Entity? Company EIN (if applicable): EIN: _____
---	--

1. Primary Permittee Name: D.R. Horton, Inc.
 Mailing Address: 2057 Wambaw Creek Road City: Charleston State: SC Zip: 29492
 Phone: _____ Fax: _____ Email Address: _____
2. Contact /ODSA Name (If different from above OR if owner is a company): Mr. Michael Condon
 Mailing Address: _____ City: _____ State: _____
 Phone: _____ Fax: _____ Email Address: _____

D. Transfer of Ownership Information

1. Title Date or Effective Date of Transfer of Ownership to New Owner: _____
2. Lending/ Government Institution/Other Entity Only (Select the appropriate option of intent below):
 Purchasing this project/site WITH THE INTENT FOR RESALE ONLY (without operational control of site development)
 Purchasing this project/site WITH THE INTENT OF CONTINUING CONSTRUCTION ACTIVITIES (for site development)
 (Provide a summary of planned proceedings below. Attach additional sheets if necessary).
D.R. Horton, Inc. has purchased the approved project to construct and establish the new subdivision, that will bear its name and branding.
3. Any Active Warning or Compliance Notice issued by the Department for the current approved project or site? Yes No
 If yes, Date Issued: _____
4. Select As applicable: Entire Permit or Site being transferred to the New Owner/Operator, or
 A Portion of the Entire Permit or Site being transferred to the New Owner/Operator?
5. Complete both tables A and B below for each site or portion of the site being transferred.

2023 APR -7 PM 4: 55
 CHERRY GRAM
 CLERK OF COURT
 DORCHESTER COUNTY

Instructions for Completing the Transfer of Ownership form

If you are uncertain whether you need to obtain coverage under the NPDES General Permit for Stormwater Discharges From Construction Activities SCR100000 (CGP), if you cannot access the websites listed in these instructions, or if you have any other questions, contact the Bureau of Water Stormwater Permitting Section (BOW) at (803) 898-4300. Please see the Bureau of Water, Stormwater Permitting website (<http://www.scdhec.gov/stormwater>) for guidance and additional information.

This Transfer of Ownership form must be completed by a new Property Owner taking title to or ownership of a previously approved NPDES construction site as the new Primary Permittee. This form must be submitted to the Department or respective Municipal Separate Storm Sewer System (MS4) as notification of changes in ownership. **If your project is located within a Municipal Separate Storm Sewer System (MS4), you must contact the applicable MS4 to determine their requirements and fees for ownership transfers. NO FEE IS REQUIRED FOR SUBMITTING A TRANSFER OF OWNERSHIP NOTIFICATION TO THE DEPARTMENT. A \$125 NPDES COVERAGE FEE IS REQUIRED WHEN THE NOI IS SUBMITTED FOR NPDES COVERAGE OF A NEW OWNER/OPERATOR AS THE PRIMARY PERMITTEE.**

When Do I Need to Complete This Form?

The CGP requires that the Department receive notification within fourteen (14) calendar days of a new Owner taking title to the property or within 14 business days of a Lending or other type institution taking over operational control of a construction site due to abandonment, foreclosure proceedings, or permittee filing for bankruptcy. **If your project or site is being transferred to a new Owner/Operator as the Primary Permittee, you must complete this form and/or the Notice of Intent as defined in Section 2 of the CGP to make such notifications.** This Transfer of Ownership form also identifies the current construction activity status for the property or site being transferred (i.e., active, inactive, under delayed commencement of construction activity, temporarily stabilized, permanently stabilized, etc.).

What Are the New Owners Responsibilities?

All new Property Owners and lending and other types of institutions taking ownership of a prior approved NPDES construction site become responsible for stormwater discharges from the property. New Owners must ensure that if construction activities have temporarily or permanently ceased, **all disturbed areas are properly stabilized as soon as practicable and within fourteen (14) calendar days of taking title to a property.** New Owners of sites not properly stabilized may be issued a compliance agreement.

Some institutions, such as lending institutions, taking over a construction site, may do so with only the intent for property resale, therefore may not intend to obtain NPDES coverage as a Primary Permittee with the intent to complete construction activities at a site. In such cases, commencement or recommencement of construction activities may be delayed for longer unplanned periods of time. Institutions taking ownership of such sites must ensure that they are properly stabilized to minimize the potential for erosion. **Each new Owner and subsequent owner must provide notification to the Department or respective MS4 within fourteen (14) calendar days of taking ownership. Each new Owner completing this form becomes responsible for stabilization of the site and stormwater discharges from the site until NPDES coverage is granted to a subsequent Owner/Operator as Primary Permittee for the site.**

Prior to initiating construction activity at the site as the new Owner/Operator, a new Notice of Intent (NOI) and a SWPPP Compliance Agreement or, if applicable, a new or modified SWPPP must be submitted to and approved by the Department. **The NOI must be submitted at a later date if the site is properly stabilized. If your site is INACTIVE & NOT stabilized or properly stabilized, a complete NOI and this form must be submitted to the Department as defined in the CGP.**

Completing the Form

Complete the entire form. **Allocate if necessary for stay within the space allowed for each item. Submit a completed form to the applicable SCDHEC office at:**

Coastal Counties		Non-Coastal Counties	
Coastal Stormwater Section	Stormwater Permitting Section	Stormwater Permitting Section	
1362 McMillan Avenue Suite 400 Charleston, SC 29405		200 Sull Street, Columbia, SC 29201-1708	

or the appropriate MS4 or local entity responsible for plan reviews. Provide the date and county and identify if this form is submitted as a Notification ONLY or for new NPDES coverage. If submitted as notification, complete the entire form. Complete sections B, D, and E if submitted with a NOI for NPDES coverage.

Section A - Project/Site Information

Provide the name of the approved project or site, as approved by the Department on the previous approved NOI. Provide the NPDES or State Permit (File Tracking) number. If part of a Larger Common Plan (LCP), identify the LCP name. If this project is in a MS4 area, identify the entity designated as the MS4 Reviewer and Operator (i.e., Lexington County, City of Greer, etc.).

Section B - Current Primary Permittee (Owner/Operator) Information

List the complete legal name of the current Owner/Operator and Property Owner, as applicable. If a company, provide the company name and requested information. Provide complete mail and e-mail information.

Section C - New Primary Permittee (Owner/Operator) Information

List the complete legal name of the new Owner/Operator. If a person, provide the name. If a company, identify if you are a Lending Institution or Government Entity. Provide the company name and the Employer Identification Number (EIN) as established by the U.S. Internal Revenue Service. Provide the complete mailing address, telephone number, fax and e-mail address. Provide the Contact (ODSA) information.

Section D - Transfer of Ownership Information

Complete this entire section. Complete all tables and information requested to identify the stabilization status and plans for continued construction activities for the site or portions(s) of the site being transferred. Attach additional sheets as necessary.

Section E - Signatures & Certifications

Read the certification statements (in entirety). Provide your signature and the date and initial the applicable Compliance Statement. **DO NOT SIGN IN BLACK INK.** If the signature of the current Owner/Operator cannot be obtained, please check the box provided in this section.

Table A: Site Transfer Information & Status (Attach additional sheets as necessary)

a. Site Name(s) or Portion of Site Being Transferred Name	b. Total Number of Acres Being Transferred (Nearest tenth of an acre)	c. Current Total Number of Disturbed Acres (Nearest tenth of an acre)	d. Identify if Site(s) or Lot(s) are Currently Abandoned or Subject to Pending Foreclosure or Bankruptcy Proceedings?
2025 APR -7 PM	57.4	57.4	<input type="checkbox"/> Abandoned <input type="checkbox"/> Foreclosure <input type="checkbox"/> Bankruptcy <input checked="" type="checkbox"/> N/A
D.V. Timbers Subdivision	Total: 57.4	Total: 57.4	<input type="checkbox"/> Abandoned <input type="checkbox"/> Foreclosure <input type="checkbox"/> Bankruptcy <input checked="" type="checkbox"/> N/A

Table B: Project Status & Construction Activity Status

If the site under the control of the new Owner is **inactive** and all areas disturbed have not reached stabilization, the new Owner must obtain permit coverage and provide stabilization as defined in this permit.

a. Site Name(s) or Portion of Site Being Transferred Name	b. Is your Site(s) Currently: Active or Inactive or Under Delayed Recommencement of Construction Activities?	c. If Inactive or Under Delayed Recommencement of Construction Activities	
		Is the Transferred Site or Transferred Portion Currently Stabilized? (If No, provide stabilization completion date below)	Identify Proposed Date for Recommencement of Construction Activities?
D.V. Timbers Subdivision	<input type="checkbox"/> Active <input checked="" type="checkbox"/> Inactive <input type="checkbox"/> Under Delayed Recommencement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, date for completion:	11/30/2023
	<input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Under Delayed Recommencement	<input type="checkbox"/> Yes <input type="checkbox"/> No If No, date for completion:	

E. Signatures & Certifications (Read the Certification statements below (in entirety). Initial the applicable C-SWPPP Compliance Statement below. Sign and date the certification agreement. Initial the applicable C-SWPPP Compliance Certification Statement. DO NOT SIGN IN BLACK INK!

Current Owner/Operator Certification

If the signature of the current Owner/Operator cannot be obtained, please check this box: Provide explanation in the project Narrative.

"As the Current Owner/Operator for this project, I hereby certify that the site or portion of the site described above is covered under the Construction General Permit which has now transferred ownership/responsibility as indicated above. The new owner or operator, has been made aware of the importance of site stabilization in an effort to control pollutant runoff and/or sedimentation. I hereby relinquish the responsibility and ownership of the NPDES Permit or portion of the NPDES permit listed in Section A. I realize that sediment and erosion control compliance responsibilities for the site or portions of the site listed in Section D now belong solely to the new Owner/Operator


Signature of Current Owner/Operator or Duty Authorized Representative

8/29/23
Date Signed

New Owner/Operator Certifications/Compliance Statement

"As the New Owner/ Operator for this project, I certify that I or, I on behalf of my company and its contractors and agents, as the case may be, am responsible (per this transfer of ownership) for all of the land-disturbing activities, stormwater discharges, and related maintenance thereof for this construction project or construction site.

(Initial the applicable C-SWPPP Compliance statement below)

"I agree to comply with the existing Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and will follow (construct in accordance to) the previous approved C-SWPPP, including Grading & Drainage Provisions and Best Management Practices (BMPs) as identified in the previous NPDES approval."

OR

"I will provide a new Notice of Intent (NOI) and new Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) and will follow (construct in accordance to) the new approved C-SWPPP, including Grading & Drainage Provisions, and Best Management Practices (BMPs) as identified in the new C-SWPPP approved by the Department."

"As the New Owner, I also hereby certify that I or I (on behalf of my company and its contractors and agents), as the case may be, am responsible for installing and maintaining the appropriate sediment and erosion control measures to provide continued stabilization for the project or site identified in Section A. I understand that stabilization measures shall be implemented as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than fourteen (14) calendar days after work has ceased, except where stabilization by the 14th day is precluded by snow cover or frozen ground. Where construction activity on a portion of the Site is temporarily ceased, and earth-disturbing activities will be resumed within 14 calendar days, temporary stabilization measures do not have to be initiated on that portion of the Site. I further certify that I also understand that SCDHEC is authorized to inspect the transferred site pursuant to regulations and standards identified in the NPDES General Permit for Stormwater Discharges from Construction Activities (CGP). Having understood the above information, I am signing this agreement as the New Owner of the aforementioned property covered under the NPDES general permit."


Signature of New Owner/Operator or Duty Authorized Representative

9/12/23
Date Signed

FILED-RECORDED

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF DORCHESTER

2025 APR -7 PM 4:35

C.A. NO. 2024-CP-18-01459

Attia Elbadawy and Lynne Chatlos,

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Plaintiffs,

v.

D.R. Horton, Inc.,

Defendant.

**AFFIDAVIT OF
KELSEY HARPER**

D.R. Horton, Inc.,

Third-Party Plaintiff,

v.

Dorchester County,

Third-Party Defendant.

PERSONALLY APPEARED BEFORE ME an officer duly authorized to administer oaths, Kelsey Harper, who after first being sworn states:

1. My name is Kelsey Harper and I am competent in all respects to testify as to the matters set forth herein. I have personal knowledge of the subject matter of this dispute, specifically regarding D.R. Horton, Inc.'s acquisition of property and entitlements which are the subject of this dispute.

2. D. R. Horton, Inc. is the owner of a tract of land in Dorchester County, South Carolina, the same bearing Dorchester County TMS No. 134-00-00-039 (the "DRH Tract"). Title to the DRH Tract was received from BRDL SPE 1, LLC, a subsidiary of BRD Land & Investment, LLC (collectively "BRD") on or about April 9, 2024.

3. I am employed by D. R. Horton, Inc. as Land Entitlements Manager for, among other things, the development of the DRH Tract into a residential subdivision, plans for the same and permits having been submitted to and approved by Dorchester County.

4. To the best of my knowledge, prior to D.R. Horton, Inc. taking ownership of the DRH Tract, BRD, a land development entity, performed work and obtained governmental approvals to cause the DRH Tract to be subdivided and developed into a subdivision of single-family residences.

5. In conjunction with BRD and DRH, an engineering company by the name of Stantec Consulting Services, Inc. ("Stantec") prepared subdivision plans and performed

infrastructure engineering associated with development of the DRH Tract. The engineering and subdivision plans prepared by Stantec were submitted to and approved by Dorchester County governmental bodies and agencies (collectively the "County") prior to D.R. Horton, Inc. acquiring the DRH Tract. The County approved plans for the DRH Tract development are attached hereto and enclosed herewith as Exhibit 1.

6. Prior to acquisition of the DRH Tract, D.R. Horton, Inc., entered into an agreement with BRD for the purchase of the DRH Tract and assignment of BRD's developer rights, permits and other governmental approvals received by or on behalf of BRD as it pertains to development of the DRH Tract (the "Land Purchase Contract").

7. As a part of the acquisition of the DRH Tract from the BRD entities, DRH had a contractual right to receive assignment of County government approvals and permits that had been obtained by BRD and/or Stantec as it pertains to development of the DRH Tract.

8. In furtherance of BRD's pre-construction and/or development activities, BRD and/or Stantec applied for and obtained an encroachment permit from Dorchester County Public Works for purposes including construction and/or installation of new sewer extensions on "Wise Lane" and as more specifically described in the approved encroachment permit (the "Encroachment Permit") attached hereto and incorporated herein as a part of Exhibit 1. This Encroachment Permit and associated rights were conveyed to DRH as a part of DRH's acquisition of the DRH Tract.

9. As a part of the Land Purchase Contract, D.R. Horton, Inc. was allowed a due diligence period, during which D.R. Horton, Inc. exercised its rights to review governmental approvals and permits having been obtained or received by or on behalf of BRD with respect to developing the DRH Tract.

10. The due diligence period of the Land Purchase Contract provided D.R. Horton, Inc. the ability to analyze potential development of the DRH Tract, intricacies of constructing subdivision infrastructure which would be used to service the DRH Tract once developed, and determine the viability and costs of development were D.R. Horton, Inc. to purchase and develop the DRH Tract in accordance with governmental approvals and permits received by or on behalf of BRD.

11. During the Land Purchase Contract due diligence period and prior to D.R. Horton, Inc. acquiring title to the DRH Tract, DRH was provided the Encroachment Permit and evidence of other governmental approvals pertaining to development of the DRH Tract.

12. Given the size, location and intended development of the DRH Tract, necessary infrastructure for the development, permitted locations for installation of subdivision infrastructure, and the costs which would be incurred if installed were critical elements of D.R. Horton, Inc.'s review of the potential development and decision-making process.

14. In deciding to purchase the DRH Tract and in progressing with development of the same, D.R. Horton, Inc. relied upon the governmental approvals and permits issued by the County and departments thereof.

15. In addition to governmental approvals and permits obtained by BRD and reviewed

and relied upon by D.R. Horton, Inc. in deciding to purchase the DRH Tract, D.R. Horton, Inc. also obtained surveys and property records relating to the DRH Tract and surrounding properties including the subdivision plat prepared for American Mortgage & Investment Co. which dedicates all roads, streets, and easements to public use (the "AMI Plat"), the same being attached hereto and incorporated herein as Exhibit 2.

16. The AMI Plat shows the roadway and/or street which is the subject of this litigation, referred to as "Wise Road" and "Wise Lane".

17. As provided by the AMI Plat, D.R. Horton, Inc. understood and contends that Wise Road a/k/a Wise Lane is not a private driveway or roadway but is a roadway or street having been dedicated to public use by American Mortgage & Investment Co. since 1967.

18. Dedication of the Road to public use was also a critical factor relied upon by D.R. Horton, Inc. in deciding to purchase the DRH Tract as BRD had obtained governmental approval to encroach upon the Road to install new sewer and water extensions to serve the development.

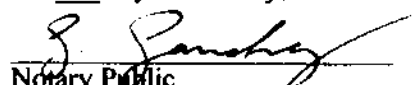
19. After acquiring title to the DRH Tract and receiving assignment of BRD's developer rights and the governmental permits and approvals obtained by and/or on behalf of BRD regarding the DRH Tract, DRH began development of the DRH Tract and matters were then transferred within D.R. Horton, Inc. to its local Land Development department.

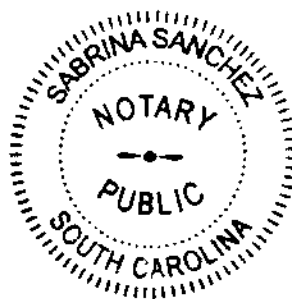
FURTHER THE AFFIANT SAYETH NAUGHT.

This the 17th day of January, 2025.


Kelsey Harper
Land Entitlements Manager
D. R. Horton, Inc.

Charleston County, South Carolina
Sworn to and subscribed before me this
the 17th day of January, 2025.


Notary Public
My commission expires: 10/29/30



FILED-RECORDED

STATE OF SOUTH CAROLINA

2025 APR -7 PM 4:35

IN THE COURT OF COMMON PLEAS

COUNTY OF DORCHESTER

CHERYL GRAHAM, NO. 2024-CP-18-01459
CLERK OF COURT
DORCHESTER COUNTY

Attia Elbadawy and Lynne Chatlos,

Plaintiffs,

v.

D.R. Horton, Inc.,

Defendant.

**AFFIDAVIT OF
CHRIS HILL**

D.R. Horton, Inc.,

Third-Party Plaintiff,

v.

Dorchester County,

Third-Party Defendant.

PERSONALLY APPEARED BEFORE ME an officer duly authorized to administer oaths, Chris Hill, who after first being sworn states:

1. My name is Chris Hill and I am competent in all respects to testify as to the matters set forth herein. I have personal knowledge of the subject matter of this lawsuit.

2. D. R. Horton, Inc. is the owner of a tract of land in Dorchester County, South Carolina, the same being more particularly described in the deed attached hereto and incorporated herein as Exhibit 1 (the "DRH Tract").

3. I am employed by D. R. Horton, Inc. as Land Development Manager for, among other things, the development of the DRH Tract into a residential subdivision, plans for the same and permits having been submitted to and approved by Dorchester County.

4. Attia Elbadawy and Lynne Chatlos (collectively the "Plaintiffs") are the owners of certain real estate adjacent to the DRH Tract, located at 493 Wise Road, Summerville, South Carolina 29483 (the "Plaintiffs Property"). The deed to Plaintiffs' Property is attached hereto and incorporated herein together with the deed's associated plat as Exhibit 2.

5. The Plaintiffs' Property is accessed through, over and/or across Wise Road a/k/a Wise Lane (the "Road").

6. The Road currently intersects a portion of the southeastern boundary of the DRH Tract. (Ans., Ex., F pp. 1-2).

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7. I am informed and understand that D.R. Horton, Inc. has obtained governmental approvals to cause the DRH Tract to be subdivided and developed into a subdivision of single-family residences. Such governmental approvals include, among other things, approved subdivision plans and an encroachment permit which permits DRH to construct necessary sewer and water infrastructure along the Road and tie into existing infrastructure which lies beneath Weir Street.

8. Given the size, location and intended development of the DRH Tract, necessary infrastructure for the development, permitted locations for installation of subdivision infrastructure, and the costs which would be incurred if installed are critical elements of D.R. Horton, Inc.'s review of the potential development and decision-making process. Without certain infrastructure (including sewer and water) the development of the DRH Tract would not be viable and/or would otherwise be cost prohibitive.

9. During my involvement in this matter as Land Development Manager, I have reviewed surveys and property records relating to the DRH Tract and surrounding properties including the subdivision plat prepared for American Mortgage & Investment Co. which dedicates all roads, streets, and easements to public use (the "AMI Plat"), the same being included in Exhibit 2.

10. The AMI Plat shows the roadway and/or street which is the subject of this litigation, referred to as "Wise Road" and "Wise Lane".

11. As provided by the AMI Plat, D.R. Horton, Inc. understands and contends that Wise Road a/k/a Wise Lane is not a private driveway or roadway but is a roadway or street having been dedicated to public use by American Mortgage & Investment Co. since 1967. It is our understanding the County also contends the Road is a public road and issued encroachment permits accordingly.

12. After acquiring title to the DRH Tract and receiving assignment of developer rights and the governmental permits and approvals regarding the DRH Tract, DRH began development of the DRH Tract consistent with issued governmental approvals.

13. After acquiring title to the DRH Tract and receiving assignment of developer rights and the governmental permits and approvals regarding the DRH Tract, representatives of D.R. Horton, Inc., met with employees and representatives of Dorchester County and/or departments of government for Dorchester County to discuss installation and/or construction of water and sewer infrastructure along the Road. Meeting minutes from one such meeting on July 16, 2024 are attached hereto and incorporated herein as Exhibit 3. At no time prior to the initiation of the above-captioned lawsuit, did Dorchester County representatives provide notice to D.R. Horton, Inc. that installation of the water and/or sewer infrastructure along or beneath the Road would not be allowed.

14. Prior to initiation of the above-captioned lawsuit, D.R. Horton, Inc. was led to believe and relied upon the Encroachment Permit and representations of Dorchester County agents, employees and/or representatives that installation or construction of sewer and water infrastructure along or beneath the Road was approved and acceptable to Dorchester County.

15. Prior to initiation of the above-captioned lawsuit, D.R. Horton, Inc. was led to believe and relied upon title research, the AMI Plat, and representations of Dorchester County agents, employees and/or representatives that the Road is a public road and not private property as the Plaintiff has asserted. As of the date hereof, D.R. Horton, Inc. has not located any recorded instrument establishing that any portion of the Road is private or otherwise inaccessible to the public or D.R. Horton, Inc.

16. Despite the existence of plats of record showing the Road is a publicly used and accessible roadway and despite the conveyance of the Plaintiffs' Property being subject to "easements, restrictions, covenants, and conditions of record, including matters shown on recorded plats," the Plaintiffs caused the construction of a gate across the Road which precludes or otherwise prevents access or use of the Road by anyone other than Plaintiffs and their invitees. A photograph of the Plaintiffs' gate is attached hereto and incorporated herein as Exhibit 4.

17. As of the date hereof, Plaintiffs contend the Road is not a public road, but rather is a private road or driveway and have refused to remove the gate, thus preventing access and use of the Road by D.R. Horton, Inc. and its employees, contractors and/or consultants in furtherance of developing the DRH Tract.

18. D.R. Horton, Inc. and the public at large will suffer irreparable harm if Plaintiffs are permitted to continue blocking access and use of the Road (a public roadway) via the Plaintiffs' gate.

19. D.R. Horton, Inc. and the public at large will suffer irreparable harm if Plaintiffs are not enjoined from blocking access and use of the Road (a public roadway), ordered to remove the Plaintiffs' gate, and ordered to cease and desist from activities and/or the installation of obstacles over and/or across the Road to prevent access and use of the same.

20. Remedies at law, such as monetary damages, are inadequate to compensate D.R. Horton, Inc. for its injuries if Plaintiffs are permitted or are otherwise allowed to block access and use of Road. Disallowance of use of the Road in accordance with the county approve encroachment permits and approvals will render development of the DRH Tract (as approved by Dorchester County) virtually impossible. Notwithstanding the foregoing, D.R. Horton, Inc. is actively suffering monetary damages as work on the development has been effectively stopped for nearly seven months leading D.R. Horton to increased carrying costs, increasing material costs, and increasing labor costs which are expected to adversely affect D.R. Horton, Inc. to the tune of several hundreds of thousands of dollars.

28. To the best of my knowledge no D.R. Horton, Inc. employees or representatives have threatened or otherwise made indecent remarks to Plaintiffs. However, on one or more occasions agents and/or representatives have been on the receiving end of such remarks by Plaintiffs.

21. To the best of my knowledge no D.R. Horton, Inc. employees or representatives have accessed or otherwise trespassed upon Plaintiffs' actual property. We do, however, concede having accessed and used the Road prior to Plaintiffs blocking the same.

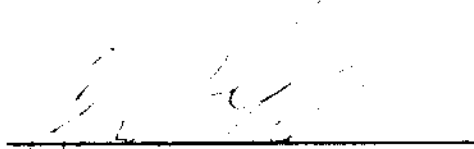
22. D.R. Horton, Inc., is prepared and willing to submit security in such sum as the Court deems just and proper, for the payment of costs and damages as may be incurred by Plaintiffs if the Court later finds Plaintiffs to be wrongfully enjoined or restrained. Likewise, to the extent Plaintiffs seek injunctive relief against D.R. Horton, Inc., they too should be required to post bond.

23. I have read the pleadings and motions of D.R. Horton, Inc. and the materials, allegations, and claims set forth therein are true and correct of my own knowledge, except those things therein alleged on information and belief, but as to those, I believe them to be true.

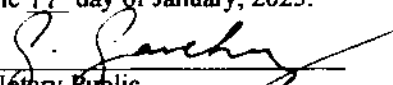
[SIGNATURE PAGE FOLLOWS]

FURTHER THE AFFIANT SAYETH NAUGHT.

This the 17th day of January, 2025.


Chris Hill
Land Development Manager for
D. R. Horton, Inc.

Charleston County, South Carolina
Sworn to and subscribed before me this
the 17th day of January, 2025.


Notary Public
My commission expires: 10/29/30

