

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

IN THE COURT OF COMMON PLEAS

NED GREGORY,)
)
Plaintiff)

vs.)

ORDER

HOWELL JACKSON GREGORY,)
THE GREGORY COMPANY, INC.)
and the CITY OF LANCASTER,)
)
Defendants.)

Case No.: 2008-CP-29-1084

FILED
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OF COURT
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CLERK OF COURT
LANCASTER, SC

This matter came to be heard by me as the result of the Motion of the Defendants, Howell Jackson Gregory and The Gregory Company, Inc. under Rule 59 SCRPC to Alter or Amend the Order and Judgment of this Court dated and filed on April 30, 2013 (the "April Order"). A hearing on the motion was held on July 10, 2013, at my offices located at 312 North Main Street, Lancaster, South Carolina, which hearing was attended by the Plaintiff and his attorney, Palmer Freeman, the Defendant, Howell Jackson Gregory, pro se, and James T. Irvin, Jr., attorney for the Defendant, The Gregory Company, Inc.. In addition Mitchell Norrell, attorney for the Defendant, the City of Lancaster, made an appearance, during which the Plaintiff and the City of Lancaster agreed their dispute was settled.

The Court heard and has carefully considered the arguments of the parties.

At the hearing, Plaintiff conceded that, on May 15, 2013, the Horry Master in Equity reduced the amount of one of Plaintiff's two judgments against Jack Gregory from \$45,087.47 to \$37,490.44. The April Order stated the amount of that judgment as \$45,087.47.

IT IS THEREFORE ORDERED:

Defendants' motion to amend is granted as to the amount of the initial Judgment against Jack Gregory. The corrected amount of that judgment is \$37,490.44 plus interest at 11.25% accruing since April 26, 2006.

The Plaintiff's second judgment for \$3,060 plus interest at 11.25% accruing since May 27, 2006 was not challenged by Defendants' motions and remains unchanged.

All other relief requested in Defendants' Motion is denied.

The Lancaster properties at 329 South Main Street, 331 South Main Street and 104 Chesterfield Avenue, Lancaster, described more fully in the Lis Pendens, shall be sold at public auction in Courtroom B, the Lancaster County Courthouse, 104 North Main Street, Lancaster, South Carolina at 11:00 a.m., Monday, December 2, 2013.

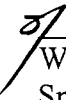
The City of Lancaster is dismissed as a Defendant.

With the exception of the foregoing, the remainder of the April Order, including without limitations the terms and conditions relating to the sale and disposition of proceeds from the sale, remains unchanged.

SO ORDERED:

October 31, 2013

Lancaster, SC



William C. Tindal
Special Referee

**NOTICE OF SPECIAL REFEREE SALE
CIVIL ACTION NO. 2008-CP-29-1084**

BY VIRTUE OF A DECREE of the Court of Common Pleas for Lancaster County, South Carolina, heretofore issued in the case of Ned Gregory vs Howell Jackson Gregory and The Gregory Company, the Special Referee for Lancaster County, or his agent, will sell on December 2, 2013, at **11:00 am**, in Courtroom "B", Lancaster County Courthouse, 104 North Main Street, Lancaster, South Carolina, to the highest bidder, the following described property:

"All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the City of Lancaster, County of Lancaster, State of South Carolina, fronting West on South Main Street for a distance of 176' and fronting south on Chesterfield Avenue for a distance of 176', being designated as Lot Nos. 1, 2, and 3 as per plat of Jack Smith Surveying dated June 9, 2008 and filed in Plat Book 2008, at Page 552. For a more minute description reference to said Plat s craved."

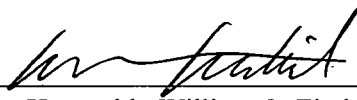
Being the identical property conveyed to The Gregory Company, Inc. by Deed of J. Stanton Cross, Jr., Master in equity for Horry County dated October 30, 2006 and recorded June 4, 2008 in the Office of the Register of Deed for Lancaster County, South Carolina in Deed Book 468, at Page 156.

TMS Number: 0081A-0F-022.00

PROPERTY ADDRESSES: 329 South Main Street, 331 South Main Street, and 104 Chesterfield Avenue, Lancaster, SC

TERMS OF SALE: FOR CASH OR ITS EQUIVALENT. An immediate deposit of 5% is required on the amount of the bid. The deposit will be applied to the purchase price when total compliance is made. In the event compliance is not made, the deposit shall be forfeited without further hearing and applied first to costs and expense of the action and then to Plaintiff's judgments. Should the successful bidder fail or refuse either to make the required deposit at time of bid or to comply with the other terms of the bid within 30 days, then the property may be re-sold on the same terms and conditions on the same or some subsequent sales day and at the risk of the defaulting bidder. Interest on the balance of the bid after the deposit is applied shall be paid through the day of compliance at the rate of 11.25% per annum. Complete terms of sale can be found in Judgment Roll 2008-CP-29-1084.

The sale shall be subject to taxes and assessments, existing easements and easements and restrictions of record.



The Honorable William C. Tindal
Special Referee for Lancaster County

Lancaster, South Carolina

October 31, 2013

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