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Apr 03 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough,
Circuit Court Judge

Appellate Case No. 2025-001719

Henry Bailem, IV, Joseph Bailem, Sheila Bailem, Diane Jefferson,
Michael Jefferson, Sr., Rashica Coakley, and Ann Bailem Simmons,

Appellants,

v.

County of Charleston, Town of Mount Pleasant, DRB Group South Carolina, LLC f/k/a Dan Ryan Builders South Carolina, LLC, Marie P. Howard, Lewis B. Howard, Jr., Lanelle P. Johnson, William Bailem, Sr., X Syvier Lynn Johnson, Sonia Maria Simmons, Kenneth Davis, Juanita Nelson, Titus Howard, Myeisha Howard, James Howard, And John Doe and Jane Doe, fictitious names used herein to designate the unknown heirs at law, distributes, and/or devisees of all persons who are minors or members of the Armed Forces of the United States of America, as contemplated By the Soldiers' and Sailors' Relief Act, 1940,as Amended, and all persons entitled to claim under and through any of them

Defendants,

of which County of Charleston, Town of Mount Pleasant, DRB Group South Carolina, LLC f/k/a Dan Ryan Builders South Carolina, LLC are the

Respondents.

SUPPLEMENTAL RECORD ON APPEAL

W. Andrew Gowder, Jr.
Austen & Gowder, LLC
1629 Meeting Street, Suite A
Charleston, SC 29405
(843) 727-0060
andy@austengowder.com

Attorney for Appellants

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Affidavit of Robert L. Cale, Jr. ROA1227

Certificate of Counsel ROA1233

EXHIBIT “C”

Affidavit of Robert L. Cale, Jr.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO. 2023-CP-10-0947

Henry Bailem, IV, Joesph Bailem,)
Sheila Bailem, Diane Jefferson,)
Michael Jefferson, Sr., Rashica)
Coakley, and Ann Bailey Simmons,)
)
Plaintiff,)

vs.)

AFFIDAVIT OF ROBERT L. CALE, JR.

County of Charleston, Town of)
Mount Pleasant, DRB Group South)
Carolina, LLC f/k/a Dan Ryan)
Builders South Carolina, LLC,)
Marie P. Howard, Lewis B. Howard,)
Jr., Lanelle P. Johnson, William)
Bailem, Sr., X Syvier Lynn Johnson,)
Sonia Maria Simmons, Kenneth)
Davis, Juanita Nelson, Titus)
Howard, Myeisha Howard, James)
Howard, and John Doe and Jane)
Doe, fictitious names used herein to)
designate the unknown heirs at law,)
distributes, and/or devisees of all)
persons who are minors or members)
of the Armed Forces of the United)
States of America, as contemplated)
by the Soldiers' and Sailors' Relief)
Act, 1940, as Amended, and all)
persons entitled to claim under and)
through any of them,)
)
Defendants.)

Personally appeared before me, the undersigned notary public in and for the State of South Carolina and County of Charleston, the within named Robert L. Cale, Jr. who being first duly sworn by me did on his oath depose and states as follows:

1. My name is Robert L. Cale, Jr. and I am the Assessor for Charleston County, South Carolina.
2. I am authorized by the laws and statutes of South Carolina to make this affidavit.
3. As the Assessor, I oversee and manage the County's location, listing and appraisals of approximately 190,000 parcels of real property and 8,500 mobile homes in Charleston County. It is my responsibility to ensure that all properties are appraised fairly and equitably at fair market value or special use value if applicable. This value is known as the assessment which is used to calculate property taxes.
4. I also oversee and manage the County's two mappers who maintain the tax maps showing map features, property boundaries, platted lots, recorded bearings and distances, and tax map parcel identification numbers. My office updates the tax maps as new data is received relative to new subdivisions, developments, and other projects involving real property.
5. To the best of my knowledge, information, and belief, the following records, which are attached hereto, are regularly kept in the ordinary course of business, kept and maintained under my control by virtue of my office, and represent true, correct, complete and authentic copies of the same:
 - a. Tax Map Number 561-0-0 before the 1986 dedication of John Ballam Road;
 - b. Tax Map Number 561-0-0 after the 1986 dedication of John Ballam Road;
6. The Charleston County Assessor prepared the Tax Map Number 561-0-0 dated May 1, 1973, and last revised on December 31, 1984, which depicts the property of John Bailem before the recording of the Plat of Land of John Ballam Estate in Book BK, Page 135 on October 24, 1986 (the "1986 Plat"). The Tax Map shows the property containing two lots that contain a total 10 acres, which were subject to *ad valorem* taxation before the recording of the 1986 Plat.

7. After the recordation of the 1986 Plat, the Tax Map Number 561-0-0 shows subdivision of the property into five lots that contain a total of 7.64 acres. The Tax Map also shows John Ballam Road 50" R/W, which was separated from the lots and not assigned a tax map number. After recordation of the 1986 Plat, the five lots remained subject to *ad valorem* taxation; however, John Ballam Road was and is not subject to *ad valorem* taxation.

FURTHER AFFIANT SAYETH NOT.



ROBERT L. CALE, JR.
Charleston County Assessor

SWORN to before me
this 16th day of May, 2025



Notary Public for South Carolina

My Commission Expires: 9/21/31

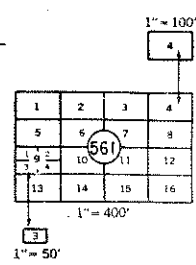


LEGEND
 COUNTY LINE
 MUNICIPAL LINE
 TAX DISTRICT LINE
 (18) MAP PARCEL NUMBER
 50S MAP SCALED DIMENSION
 10AC(C) ACREAGE COMPUTED
 DENOTES SAME OWNER



SEE TMS 360-0-0

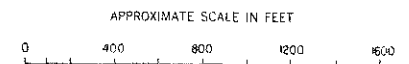
SEE TMS 577-0-0



W - WEST OF ASHLEY RIVER
 E - EAST OF COOPER RIVER
 C - CENTRAL - BETWEEN ASHLEY AND COOPER RIVERS

998

DATE COMPLETED: 3-1-73			
REVISIONS			
DEED CHANGES	FIELD CHECK	DEED CHANGES	FIELD CHECK
12-31-72		12-31-83	
12-31-80		12-31-84	
12-31-81			
12-31-82			



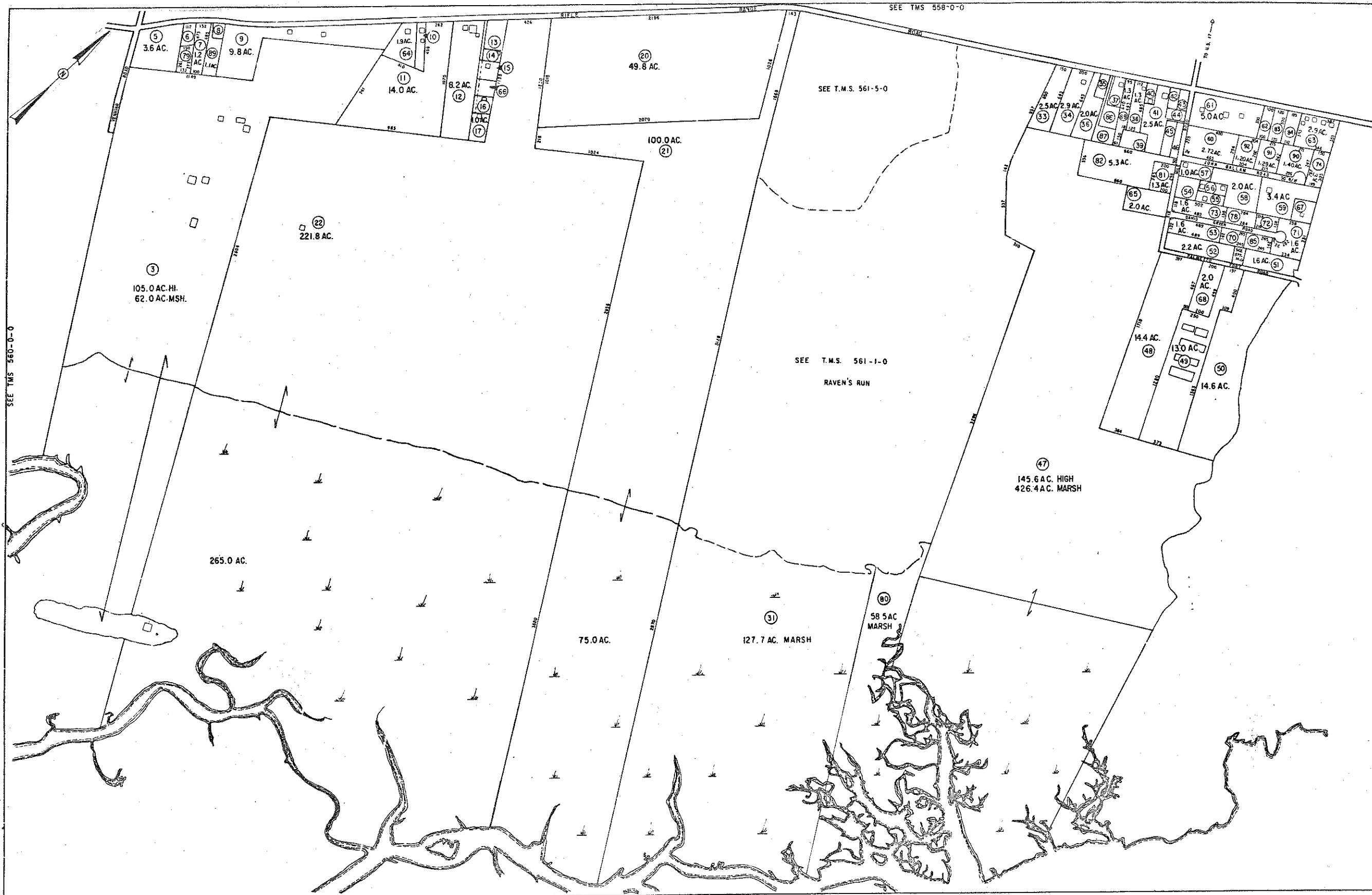
TAX MAP COMPILED FROM DEED-PLAT RESEARCH AND FIELD RECONNAISSANCE. ALL MEASUREMENTS ARE TO THE NEAREST FOOT. BUILDINGS ARE NOT PLOTTED TO EXACT SCALE OR LOCATION. DATE OF AERIAL PHOTOGRAPHY - FEBRUARY, 1967

TAX MAP PREPARED BY THE COUNTY ASSESSOR'S OFFICE. THE CHARLESTON COUNTY BOARD OF ASSESSMENT CONTROL RESERVES THE EXCLUSIVE RIGHT TO SELL THIS MAP. NO RESALE OR REPRODUCTION FOR RESALE PURPOSE IS PERMITTED.

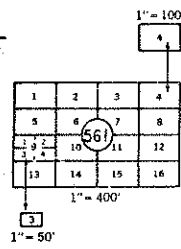
TAX DISTRICT NO. 1-3
 SCHOOL DISTRICT NO. 2
 AREA: AWENDAW SPECIAL TAX DISTRICT
 AERIAL PHOTO NO. 69-1873 ; 78-1728
 1-3 CREATED DEC 31, 1983, FORMERLY 1-2

TAX MAP NUMBER
 1"=400' 1"=100' 1"=50'
561-0-0
 CHARLESTON COUNTY, S.C.
 ROAT231

County (Ballam) 0212

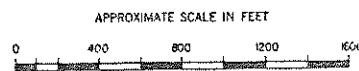


LEGEND
 COUNTY LINE
 MUNICIPAL LINE
 TAX DISTRICT LINE
 MAP PARCEL NUMBER
 MAP SCALED DIMENSION
 50S MAP SCALED DIMENSION
 10AC(C) ACREAGE COMPUTED
 DENOTES SAME OWNER



N - WEST OF ASHLEY RIVER
 E - EAST OF COOPER RIVER
 C - CENTRAL - BETWEEN ASHLEY AND COOPER RIVERS

DATE COMPLETED: 5-1-73			
REVISIONS			
DEED CHANGES	FIELD CHECK	DEED CHANGES	FIELD CHECK
12-31-85			



TAX MAP COMPILED FROM DEED PLAT RESEARCH AND FIELD RECONNAISSANCE. ALL MEASUREMENTS ARE TO THE NEAREST FOOT. BUILDINGS ARE NOT PLOTTED TO EXACT SCALE OR LOCATION. DATE OF AERIAL PHOTOGRAPHY - FEBRUARY, 1967

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 CHARLESTON COUNTY, S. C.

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Defendants,

of which County of Charleston, Town of Mount Pleasant, DRB Group South Carolina, LLC f/k/a Dan Ryan Builders South Carolina, LLC are the

Respondents.

CERTIFICATE OF COUNSEL

Pursuant to Rule 212(b), SCACR, the undersigned hereby consent to the supplementation of the Record on Appeal. The Supplemental Record on Appeal contains all additional material proposed to be included by any of the parties and not any other material.

s/ W. Andrew Gowder, Jr.

W. Andrew Gowder, Jr. (SC Bar No. 7895)
Austen & Gowder, LLC
1629 Meeting Street, Suite A
Charleston, South Carolina, 29405
(843)727-2229
andy@austengowder.com

Counsel for Appellants

s/ David G. Pagliarini

David G. Pagliarini (S.C. Bar No. 8850)
James I. Ward, IV (S.C. Bar No. 103777)
jward@tompssc.com
dpagliarini@tompssc.com
Town of Mount Pleasant
100 Ann Edwards Lane
Mount Pleasant, SC 29464
Phone: (843) 849-2020

Counsel for Respondent Town of Mount Pleasant

s/ Andrew L. Hethington

Andrew L. Hethington (S.C. Bar No. 104667)
Marc G. Belle (S.C. Bar No. 103946)
Bernard E. Ferrara, Jr. (S.C. Bar No. 9034)
bferrara@charlestoncounty.org
mbelle@charlestoncounty.org
alhethington@charlestoncounty.org
4045 Bridge View Drive
North Charleston, South Carolina 29405
(843) 958-4010

Counsel for Respondent County of Charleston

s/ W. Taylor Stanley
W. Taylor Stanley (S.C. Bar 101377)
Adams & Reese, LLP
1221 Main Street, Suite 1200
Columbia, South Carolina 29201
Taylor.Stanley@arlaw.com
803-212-6518

s/ Paul E. Sperry
Paul E. Sperry
Sperry Law, LLC
P.O. Box 14395
Charleston, South Carolina 29422
paul@sperrylawsc.com
(843)345-9880

*Counsel for Respondent DRB Group South Carolina,
LLC f/k/a Dan Ryan Builders South Carolina, LLC*