
POST TRIAL BRIEF OF PLAINTIFFS

These two actions were joined for trial. The properties are all in what is known as Lot 9, Warsaw Island. The Trial commenced on July 29, 2013, and lasted all day. At the end of that portion, the Court raised questions. The matter was recessed and the trial continued on April 8, 2014, and went to its conclusion.

FACTUAL MATTERS

Plaintiffs assert their ancestor, Phoebe Taylor, owned the property. Phoebe obtained a deed in 1937, which is recorded in the records of Beaufort County (see Exhibit 12 of first record).

After Phoebe died, James Taylor, a son, recorded a deed in 1960 to some of the property. This deed was given by his siblings. It is described as the southern portion of the land conveyed to Phoebe Taylor in Book 53 at Page 501 (the 1937 deed). This 1960 deed is Exhibit 11 from the first hearing.

James went into possession, farmed row crops, raised livestock and built a home. He lived in the house until he died in 1999. The Plaintiffs were raised on the land where the home still stands. (See aerial photo Exhibit 9 from second hearing.)

In 1997, an order quieting title to certain property on Warsaw Island was filed. The case number was 96-CP-07-1784. The case was captioned "Isaac Taylor, Rebecca Taylor and Walter Taylor vs. the Heirs of Rufus Taylor, et. al." Albertha Goodwine and Phoebe Taylor were named as Defendants. The two parcels were described as 7.862 acres, more or less, which bisected the Warsaw Island Road, with 5.789 acres to the North and 2.073 acres lying to the South.

The description references a plat by David S. Youmans, RLS, which is a part of the decree. The plat is for Lot 7 of Warsaw. (Note that Plaintiffs own Lot 9). The plat shows the property to the East, which is Lot 9, as "n/f Phoebe Taylor."

Clearly by the quiet title action 1996-97, the Rufus Taylor property was ruled to be in Lot 7, not Lot 9. (See Exhibit 9 to first hearing).

Phoebe Taylor's name appears on the Youmans plat of 1996 (Exhibit 4) and the other plat (Exhibit 1). The surveyors who testified said they researched to get the "lay of the land". Mr. Youmans testified also that he found the tax parcel numbers were switched. He also verified that old descriptions could be off as regards acreage. Mr. Youmans indicated that Ms. Champion's driveway encroached onto Lot 9.

To further verify that Defendants' land was in Lot 7, we see deeds to Christopher Champion in 2007 to the southern portion of Lot 7 (identified as Parcel "F" on the March, 1998, Youmans' plat) which was recorded in Record Book 2597, Page 1245. And, a deed was issued by the three plaintiffs in the 1996-97 quiet title action to Georgia Champion to one acre designated as Parcel "D" (also in Lot 7). That deed is recorded in Book 1034 at page 567.) It was recorded in 1998.

Prior to the trial, Defendants moved to amend their Answer to allege adverse possession. The Court granted the motion and the Answer was amended. At trial Defendants presented no evidence of adverse possession.

The Defendants nor their predecessors have even been shown in a deed of record as to Lot 9.

Ms. Cindy Spencer, a title abstractor tied in all of the record owners of Lot 9. She said the descriptions are "iffy" and this is expected in this area.

However, one thing is constant: the lots run due North and South and those lines have not changed.

James Taylor purchased at two tax sales. The first resulted in a deed recorded in Book 99, page 1390, filed in December 1995. (Exhibit 10). The description was 1.3 acres bonded on the marsh and being the western portion of Parcel 6. We note that this had to be the Northern part as the James Taylor home site is not on the marsh. Of particular the eastern portion of Parcel 6 at a tax sale and his deed was recorded in Book 1110 at page 17.

James Taylor died in 1999 and he devised the southern portion (his home site) to Maxine Taylor. He divided the northern part to Martha Brown, Stanley Taylor and Joe A. Taylor. The plaintiffs have been in possession of the two parcels since the devise. Martha Brown, now deceased, has had a mobile home on the Northern property for almost six years.

LAW AND ANALYSIS

Defendants could produce no deeds to the subject properties. The earlier quiet title reports that Rufus Taylor was "seized and possessed" of the property which is in Lot 7 of the Warsaw Island surveys. Conversely, the plaintiffs trace title back to 1937 and the deed into Phoebe Taylor.

Another point is that James Taylor obtained two tax sale deeds in the late 1990's. Plaintiffs draw the Court's attention to Section 12-51-40, et. seq. of the Code of Laws. These sections deal with procedures for collection of taxes and sale of real estate to satisfy payments. Section 12-51-160 states that an action for recovery of land sold pursuant to this chapter must not be maintained unless brought within two years from the date of sale. The prior quiet title did not concern the land subject hereto. This statute must be strictly construed.

In the trial, much ado was made about acreage. We believe the acreage as to the Lot 9 ownership is "in the ball park". However, Plaintiffs have the law on their side also. As we established, the old land lot lines have remained inviolate.

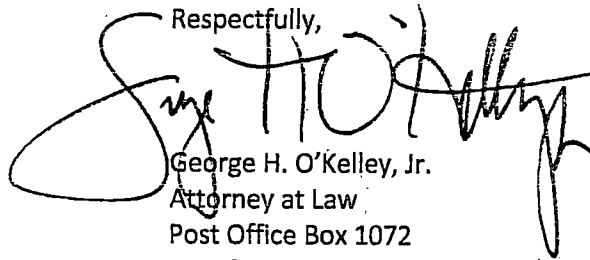
In locating boundaries described in a deed, resort is made first to the natural landmarks, then artificial ones, then adjacent boundaries and last to courses and distances. *Lake View Acres Development Co. vs. Tindal*, 412 SE 2d 457, 306 SC 477 (1991). The rule for determining a dispute in boundaries states that the quantity of land is one of the lowest on the scale of importance. *Kalpmann vs. Hook*, 32 SE 2d 882, 206 SC 51 (1945).

Testimony as to the acreage in Plaintiff's deeds must be relegated to the legal rules. They clearly got, at one time or another, all of Lot 9.

CONCLUSION

The subject properties are owned by the Taylors. In all probability, Rufus Taylor built his house on the wrong side of the property line (east side instead of west). The 1996 quiet title clearly was regarding Lot 7 and no claim to Lot 9 was advanced. If Defendants claimed Lot 9 it would be logical that they would have included it in the 1996 action. All of this, coupled with proven ownership by the Taylor family, compels that judgment in both cases be had in favor of Plaintiffs.

Respectfully,


George H. O'Kelley, Jr.
Attorney at Law
Post Office Box 1072
Beaufort, S. C. 29901

April 30, 2014

1004

49246

1390

THE STATE OF SOUTH CAROLINA,
COUNTY OF BEAUFORT

55 1.30
TAX TITLE BY THE TREASURER

TO ALL WHOM THESE PRESENTS MAY CONCERN:

WHEREAS, the provisions of Title 12, Chapter 51, Section 10 through 170 of the South Carolina Code, 1976, as amended, entitled "Alternate procedure for Collection of Property Taxes," duly enacted by the General Assembly of the State of South Carolina, provide an additional method and alternate procedure for the collection, handling and distribution of delinquent property taxes, penalties and costs due to counties and other political subdivisions of the State; and

WHEREAS, the provisions of the aforesaid Title 12, Chapter 51, Sections 10 through 170, authorize the levy by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes, penalties, costs and sale of property following proper advertisement of the property for sale; and

WHEREAS, I, JOY LOGAN, TREASURER OF BEAUFORT COUNTY, pursuant to the authority of the aforesaid provisions and amendments thereto, issued a warrant or execution in duplicate against Taylor, Phoebe, a defaulting taxpayer of said Beaufort County, to levy by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the 1994 (year) taxes and costs in the amount of \$ 152.94; and

WHEREAS, by virtue of said warrant or execution, Herschel J. Evans, Jr. (authorized officer) did on May 1, 1995 (date of certified mail notice of delinquent tax), under cover of "certified mail - return receipt requested, deliver to addressee only," mail notice to said delinquent taxpayer; and indicate whether or not received; and was received.

WHEREAS, (in the event the certified mail notice was returned), the officer authorized and directed to collect delinquent taxes, penalties and costs did, on N/A (date of posting of notice), take exclusive possession of the property against which such taxes were assessed by posting of a notice at one or more conspicuous places on the real premises hereinafter described, reading "seized by N/A (person officially charged with collection of delinquent taxes of Beaufort County) to be sold for delinquent taxes"; and

WHEREAS, Herschel J. Evans, Jr. (person officially charged with the collection for delinquent taxes) did thereafter properly advertise the property for sale once a week for three successive weeks for sale in September 1995 (month/year); and

Dist.	Map	Subdiv.	Parcel
300	9		49

WHEREAS, upon the failure of the delinquent taxpayer, or anyone acting in his behalf, to pay the taxes, penalties and costs, the property described hereinafter was duly sold at public auction on the sales day of the month of October in the year 1995 during the usual hours of sale, to James J. Taylor (purchaser), the purchaser and the highest bidder at such sale for the sum of (\$ 258.43), and furnished the purchaser a receipt for such purchase money and annexed such receipt to the duplicate warrant for the endorsement thereon of his actions thereunder; and

WHEREAS, under cover of certified mail, return receipt requested, deliver to addressee only, Herschel J. Evans, Jr. (person officially charged with the collection of delinquent taxes) did, on August 30, 1996 (date) mail to the owner of record on February 1, 1996 (year of expiration of redemption period) a Notice addressed to Taylor, Pheobe (owner of record on February 1, immediately preceding the end of the redemption period) that the property described on the Notice had been sold for taxes and advising said owner if not redeemed by paying taxes, penalties, costs and interest in the amount of \$ 279.10 on or before October 2, 1996 (twelve months from date of sale) a tax title would be issued to the successful purchaser at the tax sale; and was not redeemed; and

WHEREAS, twelve months have elapsed since the date of sale for delinquent taxes, and the said Taylor, Pheobe (defaulting taxpayer) or other parties interested after due notice have failed to redeem said lands so sold.

NOW THEREFORE, I, JOY LOGAN, TREASURER OF THE COUNTY OF BEAUFORT, in consideration of the premises, and the sum of (\$ 258.43) to me by the said James J. Taylor have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said James J. Taylor;

All that certain piece, parcel or lot of land, situate, lying and being in the St. Helena Island District, containing 1.3 acre in Beaufort County, South Carolina, and being the Western portion of Parcel 6, bounded on the North by marsh, on the East by the remainder of Parcel 6, Pheobe Taylor, on the South by highway, and on the West by Geneva & Rufus Taylor, Parcel 36.

This is the same lot of land sold at the Delinquent Tax Sale of
(Month/Day) October 2, _____, 19 95, for delinquent
taxes in the name of Taylor, Pheobe
(District 300, Map 9, Submap _____)
(Parcel 6, Block T95)

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 all and singular the premises hereby granted, and with the appurtenances, unto the said James J. Taylor, heirs and assigns forever, according the form, force and effect of the laws and usages of the State of South Carolina, in such cases made and provided.

WITNESS my Hand and Seal this 18th day of December, in the year of our Lord One Thousand Nine Hundred and Ninty - six and in the 120 year of Independence of the United States of America.

Signed, Sealed and Delivered in the Presence of:

Candace O. Harvey
Alice M. Hollingsworth

Joy Logan
JOY LOGAN
TREASURER OF BEAUFORT COUNTY

State of South Carolina)
County of BEAUFORT)

Probate

Personally appeared before me Candace O. Harvey who, being duly sworn, deposed and said that (s)he saw the within named Joy Logan as Treasurer of Beaufort County sign, seal and deliver the within deed, and that (s)he, together with Alice M. Hollingsworth witnessed the execution thereof. Candace O. Harvey

SWORN to and subscribed before me

this 19th day of December, 19 96
Alice M. Hollingsworth (SEAL)
Notary Public for South Carolina

My commission expires: My Commission Expires March 29, 2000

The State of South Carolina,

DEED

TREASURER OF BEAUFORT COUNTY
TO

James J. Taylor
141 Gardner Drive
St. Helena Island, SC 29920

Filed _____ day
of _____ A.D. 19 ____
at _____ o'clock _____ M.
and recorded in Book _____
Page _____ Fee, \$ _____

R.M.C. or Clerk Court C.P. & G.S.
Beaufort County, S.C.

Recorded this _____ day
of _____, 19 ____
in Book _____ Page _____
Fee, \$ _____

Auditor, Beaufort County S.C.

RECORDED THIS 14TH DAY
OF THURSDAY 19 67
IN BOOK 909 PAGE 157
Handwritten signature
AUDITOR, BEAUFORT COUNTY, S.C.

SS DEC 20 AM 8:51
BIN 909 PG 1390
FOLDER #

McGowan Office
INDEXED 1436
JAMES A. SUTHERLAND, JR.
REC'D. CLERK COURT S.C.
MLC

1390

2/10/98

58979

BEAUFORT COUNTY
RECEIVED
COUNTY \$ 52 TAX \$ 30
TAX TITLE BY THE TREASURER

17

THE STATE OF SOUTH CAROLINA,
COUNTY OF BEAUFORT

TO ALL WHOM THESE PRESENTS MAY CONCERN:

WHEREAS, the provisions of Title 12, Chapter 51, Section 10 through 170 of the South Carolina Code, 1976, as amended, entitled "Alternate procedure for Collection of Property Taxes," duly enacted by the General Assembly of the State of South Carolina, provide an additional method and alternate procedure for the collection, handling and distribution of delinquent property taxes, penalties and costs due to counties and other political subdivisions of the State; and

WHEREAS, the provisions of the aforesaid Title 12, Chapter 51, Sections 10 through 170, authorize the levy by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes, penalties, costs and sale of property following proper advertisement of the property for sale; and

WHEREAS, I, JOY LOGAN, TREASURER OF BEAUFORT COUNTY, pursuant to the authority of the aforesaid provisions and amendments thereto, issued a warrant or execution in duplicate against Pheobe Taylor, (a defaulting taxpayer of said Beaufort County), to levy by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the 1996 taxes and costs in the amount of \$169.59; and

WHEREAS, by virtue of said warrant or execution, Herschel J. Evans, Jr., (authorized officer) did on May 1, 1997 (date of certified mail notice of delinquent tax), under cover of "certified mail - return receipt requested, deliver to addressee only," mail notice to said delinquent taxpayer; and indicated whether or not received; and was received

WHEREAS, (in the event the certified mail notice was returned), the officer authorized and directed to collect delinquent taxes, penalties and costs, did on N/A (date of posting of notice), take exclusive possession of the property against which such taxes were assessed by posting of a notice at one or more conspicuous places on the real premises hereinafter described, reading "seized by N/A (person officially charged with collection of delinquent taxes of Beaufort County) to be sold for delinquent taxes"; and

WHEREAS, Herschel J. Evans, Jr., (person officially charged with the collection of delinquent taxes) did thereafter properly advertise the property for sale once a week for three successive weeks for sale in October - 1997 (month/year); and

R300-9-6-0 I

WHEREAS, upon the failure of the delinquent taxpayer, or anyone acting in his behalf, to pay the taxes, penalties and costs, the property described hereinafter was duly sold at public auction on the sales day of the month of October in the year 1997 during the usual hours of sale to James J. Taylor at such sale for the sum of \$295.00, and furnished the purchaser a receipt of such purchase money and annexed such receipt to the duplicate warrant for the endorsement thereon of his actions thereunder; and

WHEREAS, under cover of certified mail, return receipt requested, deliver to addressee only, Herschel J. Evans, Jr., (person charged with the collection of delinquent taxes) did on September 1, 1998 (date) mail to the owner of record on February 1, 1998 (year of expiration of redemption period) a Notice addressed to Pheobe Taylor (owner of record on February 1, immediately preceding the end of the redemption period) that the property described on the Notice had been sold for taxes and advising said owner if not redeemed by paying taxes, penalties, costs and interests in the amount of \$297.66 on or before October 6, 1998, (twelve months from date of sale) a tax title would be issued to the successful purchaser at the tax sale; and was not redeemed; and

WHEREAS, twelve months have elapsed since the date of sale for delinquent taxes, and the said Pheobe Taylor (defaulting taxpayer) or other parties interested after due notice have failed to redeem said lands so sold.

NOW, I, JOY LOGAN, TREASURER OF THE COUNTY OF BEAUFORT, in consideration of the premises, and the sum of \$295.00 to me by the said James J. Taylor have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said James J. Taylor.

All that certain piece, parcel, or lot of land, situate, lying and being on St. Helens Island, in Beaufort County, South Carolina containing 1.3 acres and being bordered on the North by marshes of Lucy Creek, on the East by lands of James Taylor, on the South by a roadway and on the West by lands of James Taylor. This being the the Eastern half of Parcel 6, and the remaining 1.3 acres of the original 2.6 acre tract, which was sold previously at tax sale.

This is the same lot of land sold at the Delinquent Tax Sale
of October 6, 1997, for delinquent taxes in the name of
Pheobe Taylor.
District: 300 Map: 9 S/Map
Parcel: 6 Block: T97

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 all and singular the premises hereby granted, and with the
appurtenances, unto the said James J. Taylor, heirs and assigns forever, according to the form, force and
effect of the laws and usages of the State of South Carolina, in such cases made and provided.

WITNESS my Hand and Seal this 18th day of November, in the year of
our Lord One Thousand Nine Hundred and ninety eight and in
the 222nd year of Independence of the United States of America.

Signed, Sealed and Delivered in the Presence of:

Candace O. Harvey
Lummi Duvall

Joy Logan
JOY LOGAN
TREASURER OF BEAUFORT COUNTY

State of South Carolina)
County of BEAUFORT

Probate

Personally appeared before me Lummi Duvall
Candace O. Harvey who, being duly

sworn, deposed and said that (s)he saw the within named Joy Logan as Treasurer of Beaufort County
sign, seal and deliver the within deed, and that (s)he, together with Richard B. Evans Jr.
witnessed the execution thereof.

Lummi Duvall

SWORN to and subscribed before me

this 18th day of

November, 1998

Candace O. Harvey (SEAL)
Notary Public for South Carolina

CANDACE O. HARVEY
NOTARY PUBLIC SOUTH CAROLINA
My Commission expires: MY COMMISSION EXPIRES: MARCH 20, 2003

The State of South Carolina,

DEED

TREASURER OF BEAUFORT COUNTY
TO

James J. Taylor

141 Gardner Lane

St. Helena Island, SC 29920

Filed _____ day
of _____ A.D. 19 ____
at _____ o'clock _____ M.
and recorded in Book _____
Page _____ Fee, \$ _____

R.M.C. or Clerk Court C.P. & G.S.
Beaufort County, S.C.

Recorded this _____ day
of _____, 19 ____
in Book _____ Page _____
Fee, \$ _____

Auditor, Beaufort County S.C.

RECORDED THIS _____ DAY
OF _____ 19____
IN BOOK 2535
Sharon A. Sumner
AUDITOR, BEAUFORT COUNTY, S.C.

~~FILED
93 NOV 19 5:11:53
BK FOLDER# PG~~
18480456 FILED
2238
93 NOV 23 PM 5:00
BK 110
FOLDER# PG 17

4/28
p

17021

WARRANTY DEED

THE STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT) KNOW ALL MEN BY THESE PRESENTS)

We, ISAAC TAYLOR, REBECCA TAYLOR and WALTER TAYLOR, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, paid at and before the sealing of these presents by GEORGIA CHAMPION, 165 Warsaw Island Road, St. Helena Island, South Carolina 29920, in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by presents do grant, bargain, sell and release unto GEORGIA CHAMPION, her heirs and assigns forever, in fee simple, the following described real property, to wit:

ALL that certain piece, parcel or lot of land situate, lying and being on Warsaw Island in Beaufort County, South Carolina, and consisting of 1.00 acres, more or less, and being shown and designated as Parcel "D" on that Plat prepared for the Heirs of Rufus and Geneva Taylor by David S. Youmans R.L.S. 9765 dated March 13, 1998 and recorded on April 20, 1998 in Plat Book 64 at page 120 in the Office of the Register of Deeds for Beaufort County, South Carolina.

This is a portion of that same property acquired by Grantors by virtue of that Order Quietng and Confirming Title filed in the Beaufort County Court of Common Pleas on February 28, 1997 in an action captioned *Isaac Taylor, et alia v. Heirs of Rufus Taylor, et alia*, bearing Civil Action Number 96-PC-07-1784.

Dist.	Map	Submap	Parcel	Block
300	9		60	

This Deed was prepared by the law firm of Moss & Kuhn, P.A., 1501 North Street, P.O. Drawer 507, Beaufort, South Carolina 29901 (HFK, Jr).

TMS # R300-009-000-0036-_____

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, all and singular, the said Premises before mentioned unto the said **GEORGIA CHAMPION**, her heirs and assigns, forever.

AND, the said **ISAAC TAYLOR, REBECCA TAYLOR and WALTER TAYLOR** do hereby bind themselves and their Heirs, Assigns, Executors, Administrators and Personal Representatives, to warrant and forever defend, all and singular, the said Premises unto the said **GEORGIA CHAMPION**, her heirs and assigns, against us and our Heirs, and all persons whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF ISAAC TAYLOR, REBECCA TAYLOR and
WALTER TAYLOR have set forth their Hands and Seals this 5th day of February in
the year of our Lord one thousand nine hundred and ninety-eight

Signed, Sealed and Delivered)
In The Presence Of)

Alberta Goodwine
Witness (Non-notary)

ISAAC TAYLOR
ISAAC TAYLOR

[Signature]
Witness (Notary)

REBECCA TAYLOR
REBECCA TAYLOR

WALTER TAYLOR
WALTER TAYLOR


The State of South Carolina)
County of Beaufort)

PERSONALLY appeared before me the above first-signed witness who, on oath,
says that s/he saw the within named ISAAC TAYLOR, REBECCA TAYLOR and
WALTER TAYLOR, as their act and deed, sign and deliver the within written Deed, and
that s/he with the above second-signed witness, a notary public, witnessed the execution
thereof.

Alberta Goodwine
Witness (Non-notary)

SWORN to before me this

5th day of February, 1998.



South Carolina Notary Public
My Commission expires: 10-12-2000

RECORDING INFORMATION

Filed this _____ day of _____, 1998 at _____ o'clock and
recorded in Deed Book _____ at Page _____.

Beaufort County Register of Deeds

Recorded this _____ day of _____, 1997 in Book _____ at Page _____.

Beaufort County Auditor's Office

9292 Moss

571

FILED
JOHN A. SULLIVAN - RMC
BEAUFORT COUNTY, S.C.

98 APR 17 PM 3:53

BK 1034 PG 567
FOLDER#

RECORDED THIS 13 DAY
OF May 19 98
IN BOOK AE PAGE 443
Sharon P. Burns
AUDITOR, BEAUFORT COUNTY, S.C.

BOOK 53

THE STATE OF SOUTH CAROLINA,

Whereas Ben Taylor, deceased, late of Wassa Island in the County of Beaufort in the State aforesaid, died intestate, was possessed of five (5) acres of land, leaving no issue and as his only heir at law, his wife Josephine Taylor, now Black, therefore

KNOW ALL MEN BY THESE PRESENTS, That I the said Josephine Taylor, now Black, of Frogmore, County of Beaufort

in the State aforesaid for and in consideration of the sum of forty (\$40.00) Dollars to me in hand paid and before the reading of these Presents by Phoebe Taylor of Wassa Island, Frogmore, in the State aforesaid. (The receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said Phoebe Taylor, all of that certain piece, parcel or lot of land, situate, lying and being on Wassa Island in the County and State aforesaid, being bounded on the north by lands now or formerly of Estate of Sam Matig, on the east by lands now or formerly of George Taylor, on the south by lands now or formerly of Estate Ben Gardner, and on the west by lands now or formerly of Estate of William Taylor, the tract hereby being conveyed originally contained five (5) acres but, on account of constant erosions, is now considered to be four (4) acres, more or less, and is the same tract inherited from my first husband, Ben Taylor, deceased.

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, all and singular, the said premises before mentioned unto the said Phoebe Taylor, her Heirs and Assigns forever

AND I do hereby bind myself and my Heirs, Executors and Administrators, to warrant and defend, all and singular, the said premises unto the said Phoebe Taylor, her Heirs and Assigns against me and my Heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof

WITNESS MY Hand and Seal, the twenty second day of July in the year of our Lord one thousand nine hundred and thirty-seven and of the Independence of the United States of America the sixty second

Witnessed, Sealed and Delivered in the Presence of: John B. Thomas, Josephine Black, Sam McGowan

THE STATE OF SOUTH CAROLINA, Beaufort County, Personally appeared before me John B. Thomas and made oath that he saw the within named Josephine Black her act and deed, deliver the within written Deed, and that he with Sam McGowan witness the execution thereof. SWORN to before me this 21st day of July A. D. 1937 (Seal) M.B. Batchelder (L.S.) Notary Public, of S.C., John B. Thomas

THE STATE OF SOUTH CAROLINA, Beaufort County, I, Notary Public, do hereby certify that when it may concern that Mrs. Josephine Black did this day appear before me, and upon being privately examined by me, did declare that she does not by voluntarily and without any person or persons whatsoever, renounce, release and never relinquish unto the within named Heirs and Assigns, all her interest and estate, and also all her right and claim of Power of, or, or to all and singular the premises within mentioned and released Given under my hand and seal, this day of A. D. 19

Recorded and certified, this 5th day of April 1938, M. G. Rodgers Deputy

THE STATE OF SOUTH CAROLINA,

To All Whom These Presents May Come:

James Taylor, Joe Taylor, Henry Taylor, Robbie Taylor, George Taylor
Bessie Goins, Eloise Randell, Georgia Wiggins

~~XXXXXXXXXX~~

SEND GREETING:

Whereas Phocbe Taylor, deceased, late of Wasaw Island in the County of Beaufort in the State aforesaid, died intestate, was possessed of four (4) acres of land, leaving eight issue; James Taylor, Joe Taylor, Henry Taylor, Robbie Taylor, George Taylor, Bessie Goins, Eloise Randell and Georgia Wiggins as her only heirs at law, therefore

NOW, KNOW ALL MEN BY THESE PRESENTS, That We the said James Taylor, Joe Taylor, Henry Taylor, Robbie Taylor, George Taylor, Bessie Goins, Eloise Randell and George Wiggins

in consideration of the premises and also in consideration of the sum of TEN (10) dollars and love and affection which we hold for the grantee to us in hand paid at and before the sealing and delivery of these presents by

James Taylor

(the receipt whereof is hereby acknowledged) have remised, released and forever quit-claimed, and by these presents do remise, release and forever quit-claim unto the said James Taylor

All of that certain piece, parcel or tract of land situated, lying, and being on Wasaw Island, Beaufort County, South Carolina, containing One and One Sixth (11/6) acres, more or less, and being more particular bounded and described as follows, to wit: Beginning at a point where lands of Gardner meet this tract on the public road, ~~thence North~~ thence Northerly for a distance of 418 feet, more or less, thence due West for a distance of 146 feet to lands of the Estate of William Taylor, Thence South along the lands of Taylor for a distance Of 418 feet, more or less, to lands of Gardner. East for a distance of



CEW

State of South Carolina,

To

QUIT-CLAIM DEED

Filed 22nd day
of JUNE A. D. 19 60
at 11:30 o'clock A. M.
and recorded in Book 102
Page 152 Fee, \$ 1.75

W. J. Rodden
W. J. Rodden, R. M. C. or Clerk Court C. P. & G. S.

Beaufort County, S. C.

Recorded this day
of 19
in Book Page

129611

6/25

26113

1

PROBATE COURT

STATE OF SOUTH CAROLINA
COUNTY OF

IN THE MATTER OF Estate of James Josephus Taylor
CASE NUMBER 99ES0700290

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 6 day of March 1999 and,

WHEREAS, the estate of the decedent is being administered in the Probate Court for Beaufort
County, South Carolina in File # 99ES0700290 and,

WHEREAS, the grantee herein is either a beneficiary or heir at law, as appropriate, of the decedent; and,

WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted bargained, sold and released, and by these Presents does grant, bargain, sell and release to:

Name: Maxine Taylor
Address: 3504 A Mason Way
Triangle VA 22173

the following described property: Pls. see Attached deed

R300-9-6A-1 45

RESPONDENTS EX. 8

PAGE 1 OF 2

FORM #400PC (1/99)
62-3-907, 62-3-908

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises/Property belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the said Maxine Taylor their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed, this 25 day of May 18 00

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF Estate of: Estate of James Josephus Taylor by Signature: Maxine Taylor

Witness: Wilde M. Ballis

Witness: Jenna Harris

STATE OF SOUTH CAROLINA COUNTY OF _____) PROBATE

PERSONALLY appeared before me Wilde M. Ballis and made oath that he/she saw the within named

Personal Representative(s) sign, seal, and as their act and deed, deliver the within written Deed, and that he/she with Jenna Harris witnessed the execution thereof.

SWORN to before me this 26 day of May 18 2000

Witness Signature: Wilde M. Ballis

[Signature]
Notary Public for South Carolina
My Commission Expires: 7-16-2005

26114

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12916 p 8

PROBATE COURT

STATE OF SOUTH CAROLINA
COUNTY OF

IN THE MATTER OF Estate of James Josephus Taylor
CASE NUMBER 99ES0700290

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 6 day of March 1999 and,

WHEREAS, the estate of the decedent is being administered in the Probate Court for Beaufort
County, South Carolina in File # 99ES0700290; and,

WHEREAS, the grantee herein is either a beneficiary or heir at law, as appropriate, of the decedent; and,

WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted bargained, sold and released, and by these Presents does grant, bargain, sell and release to:

Name:	<u>Maetha Bizzo</u>	<u>Stanley Taylor</u>	<u>Joe A Taylor</u>
Address:	<u>141 Gardner Drive</u>	<u>4530 Peru Drive</u>	<u>659 Magnolia Blvd</u>
	<u>St. Helens Island</u>	<u>Columbus GA. 31907</u>	<u>Fort Washington Lewis</u>
	<u>SC-29920</u>		<u>29433</u>

the following described property: Please see attached deeds

R300-9-6
+
49

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises/Property belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the said Martha Brown
Stacy Taylor, Joe A. Taylor
their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed, this 26 day of May 2000

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF
Estate of: Estate of James Josephus Taylor
by Signature: [Signature]

Witness: [Signature]

Witness: [Signature]

STATE OF SOUTH CAROLINA
COUNTY OF _____) PROBATE

PERSONALLY appeared before me Wilda M. Bolles
_____ and made oath that he/she saw the within named
Personal Representative(s) sign, seal, and as their act and deed, deliver the within written Deed, and that he/she with _____

Lena Jenkins witnessed the execution thereof.

SWORN to before me this 26 day of May 2000
Witness Signature: [Signature]

[Signature]
Notary Public for South Carolina
My Commission Expires: 2005/16/July

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

ISAAC TAYLOR, REBECCA TAYLOR,)
AND WALTER TAYLOR,)

Plaintiffs,)

vs.)

THE HEIRS OF RUFUS TAYLOR,)
THE HEIRS OF GENEVA TAYLOR,)
THE HEIRS OF WILLIAM TAYLOR,)
ALBERTHA GOODWINE, PHOEBE)
TAYLOR, JAMES TAYLOR, GEORGE)
PECOLA KNOWLES, FRANKLIN)
HEYWARD, THE HEIRS OF JOSEPH)
GARDNER, ALBERTHA LADSON,)
LILLIAN B. MATTIS, JOHN MATTIS,)
JR., GERLENE MATTIS, PAUL)
MATTIS, CHARLES W. GARDNER,)
LINDA H. JOHNSON, NATHAN)
TAYLOR, HAROLD B. CHISHOLM,)
BEATRICE B. CAPERS, ETHELN)
JACKSON, JOHN J. BOUQUET, THE)
HEIRS OF NED MAJOR, ISAIAH)
MAJOR, FREDERICKA TAYLOR;)
IF ANY OF THESE PERSONS ARE)
LIVING, AND IF NOT LIVING, THEN)
THE HEIRS, DEVISEES OR)
SUCCESSORS IN TITLE TO THEM;)
AND ALL PERSONS UNKNOWN)
HAVING OR CLAIMING TO HAVE)
ANY RIGHT, TITLE, INTEREST IN)
OR LIEN UPON THE REAL)
PROPERTY DESCRIBED IN THE)
COMPLAINT HEREIN BEING)
DESIGNATED COLLECTIVELY AS)
JOHN DOE AND MARY ROE;)
INCLUDING ALL PERSONS WHO)
MAY BE DECEASED, MINORS, IN)
THE ARMED FORCES OF THE)
UNITED STATES, NON COMPOS)
MENTIS OR UNDER ANY OTHER)
DISABILITY,)

Defendants.)

OK 102178
IN THE COURT OF COMMON PLEAS

CASE NO.: 96-CP-07-1784

copy

MAXED

BEAUFORT COUNTY
CLERK OF COURT
BEAUFORT, S.C.

97 FEB 28 AM 9 35

ORDER QUIETING AND
CONFIRMING TITLE

(includes 2 plats)

1
T/K

This is an action to quite and confirm title to two (2) parcels of real estate located in Beaufort County, South Carolina. This action was commenced by the filing of a Summons and Complaint in the Beaufort County Court of Common Pleas on November 8, 1996. Attached to the Complaint, as exhibits, are plats of the two (2) subject parcels of real property.

On November 8, 1996, a Petition seeking the appointment of a Guardian ad Litem was filed, and on November 15, 1996 an Order was filed appointing Melanie A. Joseph, Esquire, as the Guardian ad Litem for John Doe and Mary Roe, and all unknown persons with an interest in the subject properties, minor heirs, and persons under disability or in the military service.

A Petition for Order of Publication was filed on November 14, 1996 and an Order for Publication was filed on that same date. Service by publication was effectuated pursuant to said Order by publication of the Summons in the Beaufort Gazette, a newspaper published in the City of Beaufort, County of Beaufort, State of South Carolina, on December 9, 16, and 23, 1996, as evidenced by the Affidavit of Service filed on January 23, 1997.

On November 18, 1996, a copy of the Summons and Complaint, Petition for Appointment of Guardian ad Litem, Order for Guardian ad Litem, Answer of Guardian ad Litem, Petition for Order of Publication, and Order for Publication, as well as an Acceptance of Service form, was mailed to each of the named living Defendants, except Fredericka Taylor, via United States Postal Service by Certified Mail-Return Receipt Requested, as evidenced by the Affidavits of Service filed on January 14, 1997. The Return Receipts were signed by or on behalf of George and Pecola Knowles, Charles Gardner, Albertha Ladson, Gerlene Mattis, John Mattis, Jr., Lillian B Mattis, and Paul Mattis on November 20, 1996; by or on behalf of James Taylor and Phoebe Taylor on November 21, 1996; by or on behalf of Albertha Goodwine, and Nathan Taylor on November 22, 1996; and by or on behalf of Beatrice Capers and Harold Chisholm on November 26, 1996. Additionally, Acceptances of

TICC M

Services were signed by Albertha Ladson on November 29, 1996, by George and Pecola Knowles on December 2, 1996, by Nathan Taylor on December 5, 1996, by John J. Bouquet on December 9, 1996 and by Fredericka Taylor on January 3, 1997.

The Guardian ad Litem filed her Answer on November 18, 1996. George and Pecola Knowles, through their attorney W. Brantley Harvey, Jr., Esquire, filed their Answer on December 2, 1996. Beatrice Capers, Harold Chisholm, and Ethlyn Jackson, through their attorney Bernard McIntyre, Esquire, filed their Answer on December 19, 1996. Additionally, through correspondence, Gerlene Mattis, John Mattis, Jr., Lillian B. Mattis, and Paul Mattis entered an appearance through their attorney J. Thomas Mikell, Esquire and Nathan Taylor entered an appearance through his attorney, George R. Wiggs, Esquire.

The only named living Defendant who was not served was Isaack Major, who is referenced in the Complaint as an adjoining landowner, but who in fact owns property across a public road from one of the subject parcels. I find he is not a necessary party to this action.

This matter came to be heard before me for the purpose of conducting a final hearing in the Beaufort County Court of Common Pleas on February 20, 1997. Each of the Plaintiffs was present and were represented by their attorney, H. Fred Kuhn, Jr., Esquire. Also present was Bernard McIntyre, Esquire, appearing on behalf of his clients, Beatrice Capers, Harold Chisholm, and Ethlyn Jackson. Several other parties and witnesses were present, including, but not limited to, Albertha Goodwine, Linda H. Johnson, and Lillian B. Mattis.

Testimony was taken and various documents were introduced into evidence. Pursuant to the testimony and documentary evidence introduced I make the following Findings of Fact.

FINDINGS OF FACT

1. This is an action to quiet and clear title to two (2) parcels of real property which are

TJ (10/21)

situate, lying, and being in the County of Beaufort in the State of South Carolina.

2. Rufus Taylor died intestate in 1964.

3. At the time of his death, Rufus Taylor was a citizen and resident of Beaufort County, South Carolina.

4. At the time of his death, Rufus Taylor was seized and possessed of clear, legal, and marketable title in and to the following parcels of real property, to wit:

PARCEL A

ALL that certain piece, parcel or lot of land situate, lying and being on Warsaw Island in Beaufort County, South Carolina consisting of 7.862 acres, more or less, which is bisected by Warsaw Island Road with 5.789 acres lying north of said road and 2.073 acres lying south of said road, all as is more fully shown and described on that plat prepared for the Heirs of Rufus and Geneva Taylor dated July 29, 1996 prepared by David S. Youmans, R.L.S. #9765, a copy of which is attached to this Order and incorporated herein by reference.

PARCEL B

ALL that certain piece, parcel or lot of land situate, lying and being on Warsaw Island in Beaufort County, South Carolina consisting of 1.9355 acres, more or less, as is more fully shown and described on that plat prepared for Rufus Taylor and Geneva Taylor dated July 30, 1996 and prepared by Robert D. Trogdon, IV, R.L.S. #14819, a copy of which is attached to this Order and incorporated herein by reference.

5. Rufus Taylor left as his sole surviving heirs at law his wife and his children, Isaac Taylor, Rebecca Taylor, and Walter Taylor. His wife subsequently died intestate leaving as her sole surviving heirs at law the same children, being Isaac Taylor, Rebecca Taylor and Walter Taylor.

6. The Plaintiffs have no claim of title or ownership interest in that 3.36 acre Island as shown on a plat prepared for the Heirs of Eleazar Black recorded in the Office of the Clerk of Court for Beaufort County, in Plat Book 34 at Page 82 on December 12, 1986, which is the subject of a prior quiet title action filed in Beaufort County Judgment Roll No. 65109.

Pursuant to the foregoing Findings of Fact I make the following Conclusions of Law.

CONCLUSIONS OF LAW

1. This Court has jurisdiction and venue in this matter.
2. Pursuant to the South Carolina Statutes of Devise and Decent, Isaac Taylor, Rebecca Taylor and Walter Taylor are each seized and possessed of an undivided one-third (1/3) interest in and to each of the subject parcels of real property.

IT IS, THEREFORE, ORDERED that Isaac Taylor, Rebecca Taylor, and Walter Taylor are the owners, in fee simple absolute, and are seized and possessed of clear, legal, and marketable title in and to the following parcels of real property, to wit:

PARCEL A

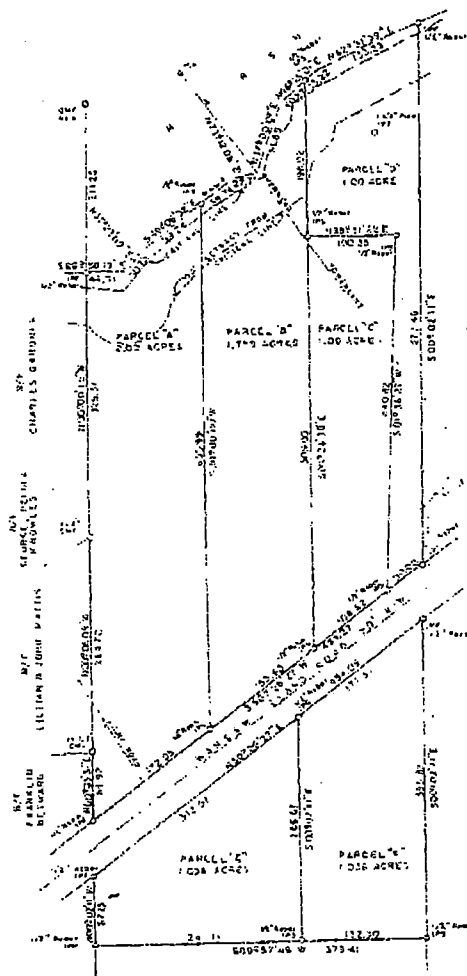
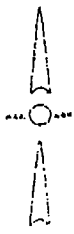
ALL that certain piece, parcel or lot of land situate, lying and being on Warsaw Island in Beaufort County, South Carolina consisting of 7.862 acres, more or less, which is bisected by Warsaw Island Road with 5.789 acres lying north of said road and 2.073 acres lying south of said road, all as is more fully shown and described on that plat prepared for the Heirs of Rufus and Geneva Taylor dated July 29, 1996 prepared by David S. Youmans, R.L.S. #9765, a copy of which is attached to this Order and incorporated herein by reference.

PARCEL B

ALL that certain piece, parcel or lot of land situate, lying and being on Warsaw Island in Beaufort County, South Carolina consisting of 1.9355 acres, more or less, as is more fully shown and described on that plat prepared for Rufus Taylor and Geneva Taylor dated July 30, 1996 and prepared by Robert D. Trogdon, IV, R.L.S. #14819, a copy of which is attached to this Order and incorporated herein by reference.

The said Isaac Taylor, Rebecca Taylor, and Walter Taylor hold title to the foregoing two (2) parcels of real property as tenants in common, each possessing an undivided one-third (1/3) interest in the whole, and the interest of any and all other persons claiming any right, title, interest or estate, or lien upon, the above described parcels A and B shall be and are hereby forever barred.

Copy 100



9/1/93 Military Court

THE AREA SHOWN ON THIS PLAT IS A GENERAL REPRESENTATION OF THE LOCATION OF THE SUBJECT PROPERTY. THE BOUNDARIES AND DIMENSIONS ARE SUBJECT TO CHANGE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

Michael Holman
DATE 2/20/98
3/30/01
EXPIRATION DATE

PARCEL "A"	2.00 ACRES
PARCEL "B"	1.749 ACRES
PARCEL "C"	1.00 ACRES
PARCEL "D"	1.00 ACRES
PARCEL "E"	1.016 ACRES
PARCEL "F"	1.215 ACRES
TOTAL	7.987 ACRES



BOUNDARY SURVEY PREPARED FOR
HEIRS OF RUFUS & GENEVA TAYLOR

A PORTION OF LOT 7 AS SHOWN ON A PLAT BY H.G. JORD, DATED MAY 1865.

REFERENCE PLAT: PLAT BY NIELS CHRISTENSEN, DATED FEBRUARY 27, 1974, REVISED OCTOBER 1, 1974, RECORDED IN PLAT BOOK 23, PAGE 13.

THIS PROPERTY IS LOCATED IN ZONE A-10; IELSV-11.061 AS DETERMINED BY FEMA, FIRM COMMUNITY-PANEL NUMBER 450025 0100 S, DATED 5/29/66.

0 50' 100' 200' 300'

SCALE 1" = 100' JULY 29, 1996

PIX: K180-209-008-0836-088G

REVISION: MARCH 13, 1998
ADDED PARCELS "A", "B", "C", "D", "E" AND "F" THIS DATE.

REVISION: OCTOBER 3, 1994
ADDED PARCEL SOUTH OF ROAD THIS DATE.

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARD MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

David S. Youmans
DAVID S. YOUNG, R.L.S. 9765
BEAUFORT SURVEYING, INC.
1925 CURT STREET (P.O. BOX 113)
BEAUFORT, SOUTH CAROLINA 29501
(803) 524-2251 525-1175

