

Catwalk, LLC, *et al.* v. Sea Pines South Beach Property Owners' Association, Inc.

Case 2014-Cp-07-1435

Order of Hon. Marvin H. Dukes, III, dated March 18, 2016

RECEIVED
MAR 25 2016
SC Court of Appeals

STATE OF SOUTH CAROLINA
 COUNTY OF BEAUFORT
 IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2014 CP-07-01435

Catwalk, LLC, et al.

Sea Pines South Beach Property Owners Association

RECEIVED
 MAR 25 2016
 SC Court of Appeals

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: BEAUFORT COUNTY MASTER IN EQUITY	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

2016 MAR 18 PM 4:00
 CLERK SCJP
 BEAUFORT COUNTY
 SC

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This came before me on Plaintiff's Motion to Amend, filed 2/4/2016. After hearing from all parties, I hereby deny the motion for the reasons previously stated in the order and because of the following:

The word "applicable" (which in this context means relevant) refers to any part of the 1970 covenants which would have dealt specifically with commercial properties. If the 1973 covenants were intended to completely replace the 1970 covenants, the word "applicable" would be unnecessary, and the word "sole" could have stood alone. Likewise, the phrase "to the extent there is a conflict..." implies that the 1973 covenants were intended as a commercial covenant overlay to act in conjunction with the 1970 covenants.

ORDER INFORMATION

This order ends does not end the case.
 Additional Information for the Clerk : _____

INFORMATION FOR THE PUBLIC INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

3069

Judge Code

3/18/16
Date

For Clerk of Court Office Use Only

This judgment was entered on the 19 day of March 16 and a copy mailed first class or placed in the appropriate attorney's box on this 21 day of March 2016 to attorneys of record or to parties (when appearing pro se) as follows:

Curtis Lee Coltrane

John Michael Jordan

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT STAFF

Court Reporter: N/A