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SC Court of Appeals

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Master in Equity

The Honorable Marvin H. Dukes III, Master in Equity

Case No. 2015-000342

Maxine Taylor, Respondent,

v.

Heirs of William Taylor, Heirs of E. Washington, Heirs of Phoebe Taylor, Heirs of Albertha Goodwine, and all persons unknown designated as a class; Richard Roe, and Beaufort County, SC, a body politic, Defendants,

Of whom Heirs of William Taylor, Heirs of E. Washington, Heirs of Phoebe Taylor, and Heirs of Albertha Goodwine are the Appellants.

Stanley Taylor, Joe A. Taylor and Martha T. Brown, Respondents,

v.

Heirs of William Taylor, Heirs of E. Washington, Heirs of Phoebe Taylor, Heirs of James Joseph Taylor, Heirs of Josephine Taylor and Georgia Champion, Appellants.

RECORD ON APPEAL  
VOLUME II OF II

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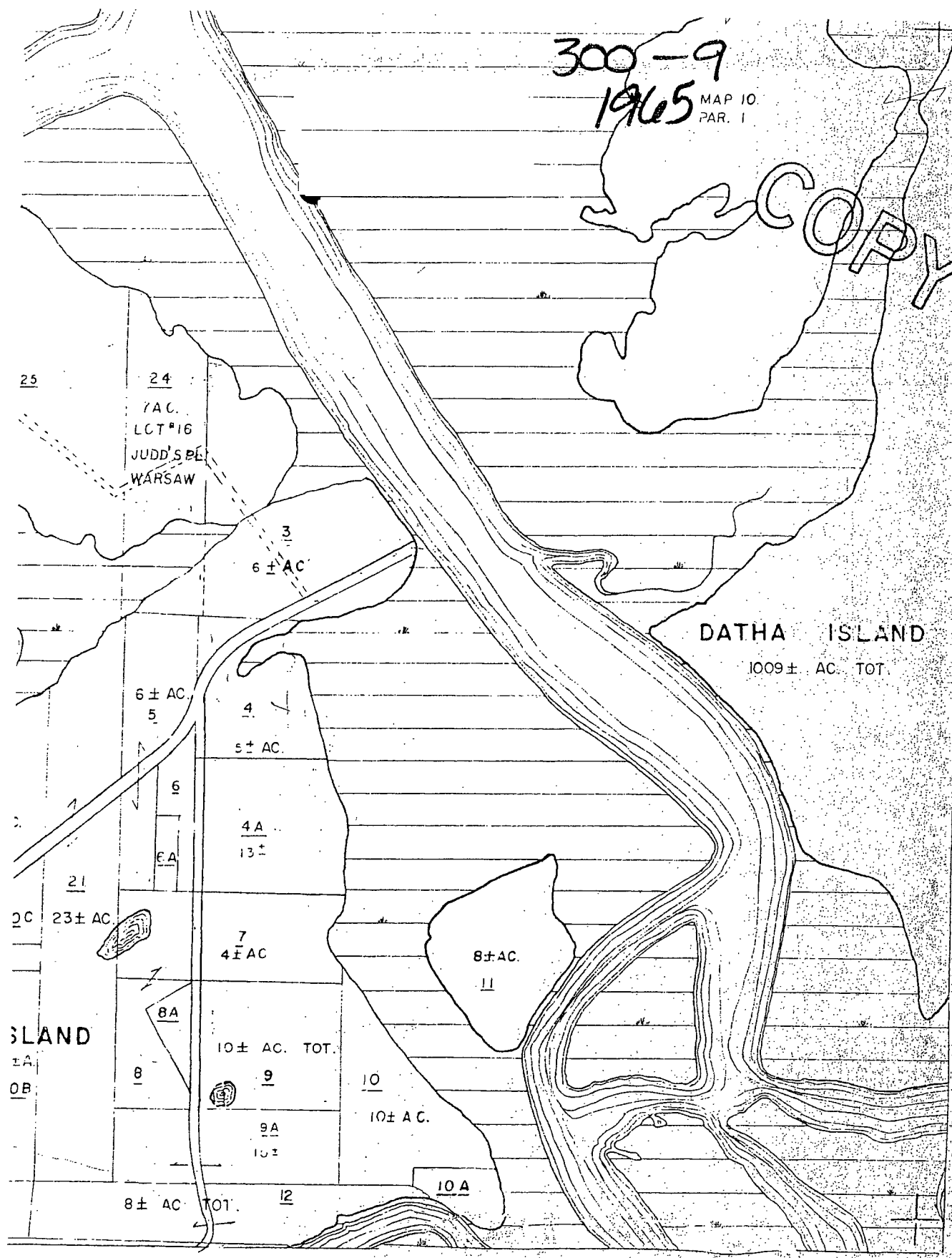
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300-9  
1965 MAP 10.  
PAR. 1

COPY



# BEAUFORT COUNTY, SOUTH CAROLINA

DATE: 1954  
REVISED 1965

SCALE 300-9

Plaintiff's Exhibit 6

1296/1

6/12/99

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  
Idangle VA 22172

the following described property: Pls. See Attached Deed

Plaintiff's Exhibit 7

R300-9-6A-1 22

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 2005

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Estate of: Estate of James Josephus Taylor

by Signature: Maxine Taylor

Witness: Wilda M. Bolles

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

hera Jenkins witnessed the execution thereof.

SWORN to before me this 26 day of May 2005

Witness Signature: Wilda M. Bolles

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

200-9-407

FORM NO. 115-QUIT-CLAIM DEED  
WALKER, EVANS & COSSWELL CO., CHARLESTON, S.C.

152  
102  
P152

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 Phoebe 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~~ thence Northerly for a distance of 413 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 149 feet, more or less to the public road and Point of Beginning. Said land hereby conveyed is the Southern portion of the same land conveyed to Phoebe Taylor By deed recorded in the Office of the Clerk of Court for Beaufort County at Book 53 page 501.

Plaintiff's Exhibit 8

TOGETHER with all and singular the rights, members, hereditaments and appurtenance 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 James Taylor  
heirs and assigns, forever—so that neither the said Grantors nor heirs, nor any other person or persons, claiming under or them, shall at any time hereafter by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part of parcel thereof, forever.  
Witness our hands and seals this 22 day of June in the year of our Lord one thousand nine hundred and Sixty and in the one hundred and Eighty Fourth year of the Sovereignty and Independence of the United States of America.  
Signed, Sealed and Delivered }  
in the presence of }  
Witnesses to the signing by }  
George Taylor, Eloise Randell and }  
Bessie Goins }  
Sarah Dawdy }  
John Hall }  
George Taylor (L.S.)  
Eloise Randell (L.S.)  
Bessie Goins (L.S.)  
Henry Taylor (L.S.)

Witnesses To the Signing by  
Henry Taylor, Robbie Taylor

Mary Lee Taylor

Robbie Taylor (L.S.) 152

Joe Taylor (L.S.)

Edward S. Anderson  
NOTARY PUBLIC, CHATAM COUNTY, GEORGIA  
BY COMMISSION EXPIRES MAY 28 1960

Georgia Wiggins (L.S.)

Witnesses to the signing by  
Joe Taylor and Georgia Wiggins

Charles E. Washington Jr.

X STATE OF NEW YORK  
COUNTY OF New York

Personally appeared before me Sarah Daudy & John Hall and made oath that they saw the within named grantors George Taylor, Eloise Randell and Bessie Goins sign, and seal and as their act and deed deliver the within written deed, and that they with Jacob Rosenzweig witnessed the execution thereof.

Sworn to before me this 11<sup>th</sup> day of May, A.D. 1960

Jacob Rosenzweig (Seal)

Sarah Daudy

JACOB ROSENZWIG, NOTARY PUBLIC  
State of New York, # 03-8661000  
Qualified in Bronx County  
Cert. filed in N. Y. County  
Commission Expires March 30, 1972.

GEORGIA  
THE STATE OF ~~NEW YORK~~  
CHATHAM County

PERSONALLY appeared before me Mary Lee Taylor and made oath that she saw the within named Henry Taylor and Robbie Taylor sign, seal, and as their act and deed, deliver the within written Deed; and that she with Edward S Anderson witnessed the execution thereof.

SWORN to before me, this 20<sup>th</sup> day of June, A.D. 1960

(SEAL)  
Stacy Boyerson (Notary State of Ga)

Mary Lee Taylor

THE STATE OF SOUTH CAROLINA  
COUNTY OF BERKLEY  
PERSONALLY appeared before me Alphonse W Pendergrass and made oath that he saw the within named Joe Taylor and Georgia Wiggins sign, seal, and as their act and deed, deliver the within written Deed; and that he with Charles E. Washington Jr. witnessed the execution thereof.

Sworn to before me this 20th day of June 1960  
Charles E. Washington Jr.  
NOTARY PUBLIC FOR SOUTH CAROLINA

Alphonse W Pendergrass

STATE OF GEORGIA  
COUNTY OF CHATHAM

I, Stacy Boyerson, a Notary Public for the State of Georgia, do hereby certify unto all whom it may concern, that Mrs. Mary Lee Taylor, wife of the within named Henry Taylor, did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily, and without any compulsion, dread or fear of any

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person or persons whomsoever, renounce, release, and forever relinquish unto James Taylor, his heirs and assigns, all her right, interest and estate, and also all her right and claim of Dower of, in or to all and singular the premises within mentioned and released.

GIVEN under my hand and seal this

Mary Taylor

20<sup>th</sup> day of June, 1960

Clayton G. ...  
Notary Public for Georgia

CEW

State of South Carolina,

To

QUIT-CLAIM DEED

Filed 22nd day of JUNE A. D. 1960  
at 11:30 o'clock A. M.  
and recorded in Book 102  
Page 152 Fee \$ 1.75  
W. R. M. C. or Clerk-Court C. P. & G. S.  
Beaufort County, S. C.

Recorded this 19 day  
of \_\_\_\_\_ Page  
in Book \_\_\_\_\_  
Fee \$ \_\_\_\_\_  
Auditor \_\_\_\_\_  
County, S. C.

SAVING & INVESTMENT CO., CHARLOTTE, S. C. 76232

The State of South Carolina,  
COUNTY OF BEAUFORT

KNOW ALL MEN BY THESE PRESENTS, That

FIRST BUILDERS CORPORATION, A corporation organized and existing under the law of the State of South Carolina -----

in the State aforesaid, for and in consideration of the sum of ELEVEN THOUSAND FIVE HUNDRED AND NO/100 (\$11,500.00) ----- Dollars

to it in hand paid at and before the sealing of these presents, by HUBERT E. LANIER ----- in the State aforesaid, for which (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 HUBERT E. LANIER, HIS HEIRS AND ASSIGNS FOREVER, the following described real estate, to-wit:

ALL that certain piece, parcel or lot of land with improvements thereon, situate, lying and being on Ladies Island, Beaufort County, South Carolina, and designated as Lot 3, in Block F of Bychwood Subdivision, on a plat made by J. C. Sammons, in July, 1954, and recorded in the office of the Clerk of Court for Beaufort County, South Carolina, in Book 9 of Plats at Page 37. Said lot may be more particularly bounded and described as follows: NORTH by Lot No. 2 in Block F of said Subdivision, and measuring thereon for a distance of Two Hundred (200') feet; EAST by Sams Point Road, and measuring thereon for a distance of Ninety-nine (99') feet; SOUTH by Lot No. 4 of Block F of said Subdivision, and measuring thereon for a distance of Two Hundred (200') feet; and WEST by a Fifteen Foot Service Lane, and measuring thereon for a distance of Ninety-nine (99') feet; all of which will be more fully shown by reference to an individual plat of said lot made by Hardwick F. Wilson, Jr. R. L. S., dated January 11, 1960.

909p 1390  
300-9-49 (w/1/2 G)

4/100B

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	Section	Page
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 18<sup>th</sup> day of December, in the year of our Lord One Thousand Nine Hundred and Ninety - 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  
Alic 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 Alic M. Hollingsworth, witnessed the execution thereof. Candace O. Harvey

SWORN to and subscribed before me

this 19<sup>th</sup> day of December, 19 96  
Alic M. Hollingsworth (SEAL)

Notary Public for South Carolina

My commission expires: My Commission Expires March 29, 2007

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 14<sup>TH</sup> DAY  
OF JANUARY 1977  
IN BOOK 909 PAGE 1501  
*Marie B. Stewart*  
AUDITOR, BEAUFORT COUNTY, S.C.

FOLDER #

SN 909 PG 1390

53 DEC 20 AM 8:54

REC'D BEAUFORT COUNTY, S.C.  
JAN 14 1977  
1436  
/ML

*Stowers Office*

1390

Plaintiff's Exhibit 10

2/10/98

58979

RECEIVED  
COUNTY OF BEAUFORT  
TAX TITLE BY THE TREASURER

11/10p17

300-9-6 (E) 1/2

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. Helena 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 22nd year of Independence of the United States of America.

Signed, Sealed and Delivered in the Presence of:

Candace O. Harvey
Amie Drough

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 Amie Drough witnessed the execution thereof.

SWORN to and subscribed before me

this 18th day of

November, 19 98

Candace O. Harvey (SEAL)

Notary Public for South Carolina

CANDACE O. HARVEY
NOTARY PUBLIC SOUTH CAROLINA

My Commission expires: MY COMMISSION EXPIRES: MARCH 20, 2005

The State of South Carolina,

**DEED**

TREASURER OF BEAUFORT COUNTY

TO

James L. 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 6th DAY  
OF January 19 99  
IN BOOK AE PAGE 2535  
Sharon Q. Summey  
AUDITOR, BEAUFORT COUNTY, S.C.

~~FILED  
GENERAL REG  
NOV 19 11:53  
EN FOLDER# PG~~  
1998/05/23 PM 5:00  
238  
110  
EN FOLDER# PG 17

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 and for the use and behoof of the said Phoebe Taylor of Wassa Island, Frogmore, in the State aforesaid. This receipt whereof is hereby acknowledged, have granted, bargained, sold, 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 Matting, 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.

Plaintiff's Exhibit 11

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 and myself and my 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, this 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

Witness, 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 husband and deed, deliver the within written Deed, and that he and Sam McGowan witness the execution thereof. SWORN to before me this 21st day of July A D 1937 John B. Thomas (Seal) M.B. Batchelder (L.S.) Notary Public, of S.C.

THE STATE OF SOUTH CAROLINA, Beaufort County. I, Notary Public, do hereby certify that the foregoing is a true and correct copy of the original of the within named deed as the same appears in my files and records. It may concern that Mrs. Phoebe Taylor, wife of the within named Phoebe Taylor, did this day appear before me, and upon being privately examined by me, did declare that she does not, and she does not know of any person or persons, whomsoever, renounce, release and convey relinquish unto the within named Phoebe Taylor, all her interest and estate and also a Four right and claim of Dower of, or in, or to all and singular the premises within mentioned and released. Given under my hand and seal, this day of July A D 1937

Recorded and certified, this 5th day of August 1938. M. B. Batchelder Deputy

JR 102178

IN THE COURT OF COMMON PLEAS

CASE NO.: 95-CP-07-1784

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, EHYLN )  
JACKSON, JOHN J. BOUQUET, THE )  
HEIRS OF NED MAJOR, ISAAH )  
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. )

*copy*

BEAUFORT COUNTY  
CLERK OF COURT  
BEAUFORT, S.C.

97 FEB 28 AM 9 35

ORDER QUIETING AND  
CONFIRMING TITLE

*(includes 2 plats)*

Plaintiff's Exhibit 12

*T/1/02*

This is an action to quiet 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 Goodwin, 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

*file in*

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 Isaiah 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

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:

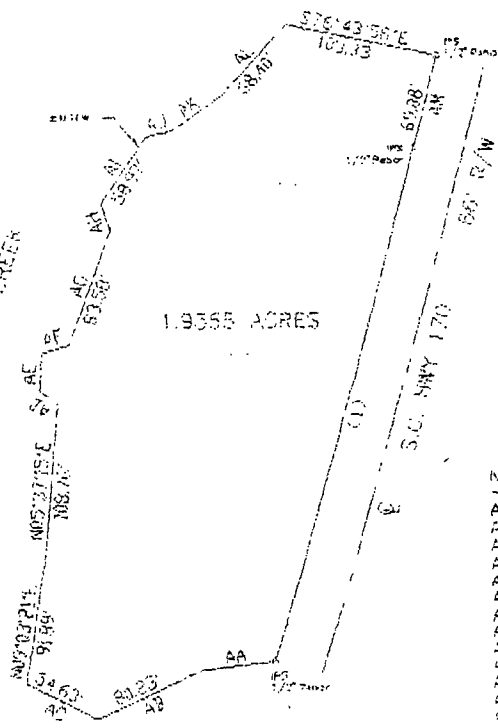
PARCEL A

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.



NO	BEARING	DISTANCE
AA	S82°26'51"W	49.95'
AD	S65°03'54"W	80.23'
AC	N62°44'09"W	54.83'
AB	N51°14'18"W	16.11'
AP	N03°31'50"E	25.96'
AF	N72°54'44"E	39.32'
AG	N20°08'56"E	23.58'
AH	N18°37'42"E	20.05'
AI	N32°06'15"E	58.93'
AJ	N77°56'11"E	18.12'
AK	N53°37'28"E	43.64'
AL	N40°26'14"E	63.47'
AM	S13°14'19"W	69.08'

NO.	BETA	RADIUS	ARC TANGENT	C BEARING	CHORD
1	3°30'45"	615934'	377.25'	S14°59'43"W	377.20'

BOUNDARY SURVEY PREPARED FOR  
RUFUS TAYLOR & GENEVA TAYLOR

A PORTION OF WARSAW ISLAND  
ST. HELENA ISLAND  
BEAUFORT COUNTY SOUTH CAROLINA



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 STANDARDS 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.

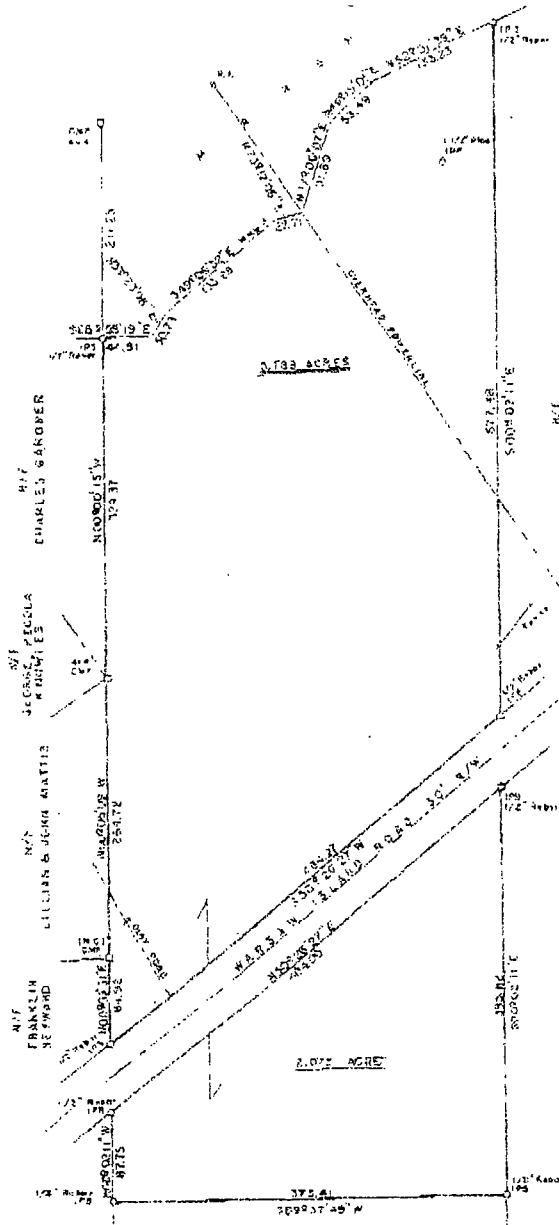
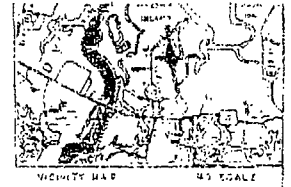
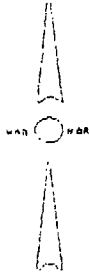
THIS PROPERTY IS LOCATED IN ZONE A-10 (ELEV. 13.00) AS DETERMINED BY FEMA, FIRM COMMUNITY-PANEL NUMBER 430025 0100 D, DATED 2/29/86.

PIN: R300-015-000-017A-0000



SCALE 1" = 100'  
JULY 30, 1988

*Robert D. Traggdon*  
ROBERT D. TRAGGDON IV RLS 14819  
BEAUFORT SURVEYING, INC.  
1925 DUKE STREET (PO BOX 1231)  
BEAUFORT, S.C. 29901  
PHONE (803) 524-3261 441-1175



5.805 ACRES  
 2.072 ACRES  
 3.733 ACRES TOTAL



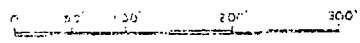
BOUNDARY SURVEY PREPARED FOR  
 BRINEY OF RUFUS & GENEVA TAYLOR

A PORTION OF LOT 7 AS SHOWN ON A PLAT BY H. G.  
 JONES, DATED MAY 1886.

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

THIS PROPERTY IS LOCATED IN ZONE A-10, (RELEV.  
 13.00) AS DETERMINED BY FEMA, FIRM COMMUNITY-  
 PLANED NUMBER 150025 0100 D, DATED 9/29/86.

FILE: R100-009-000-3036-0000



SCALE 1" = 100' JULY 20, 1986

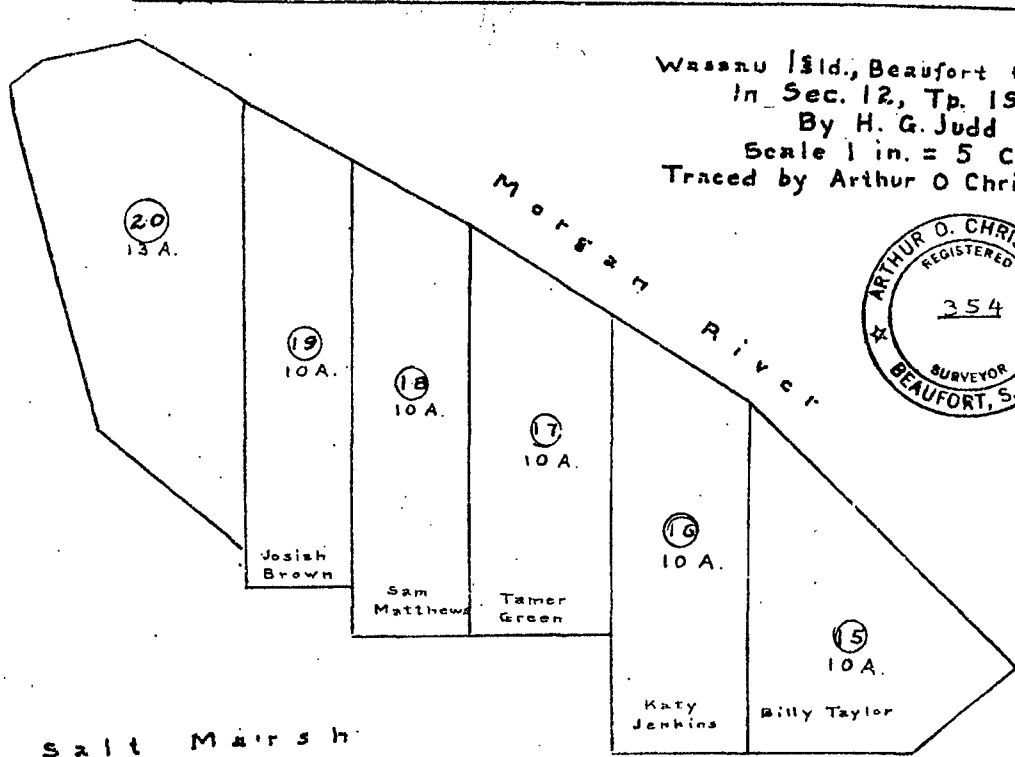
REVISION - OCTOBER 3, 1986  
 ADDED PARCEL SOUTH OF ROAD

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 STANDARDS 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 OBJECTIONS  
 OTHER THAN SHOWN.

*David M. Youmans*  
 DAVID M. YOUNG, S.D.S. 3743  
 BEAUFORT SURVEYING, INC.  
 1228 DUKE STREET, P.O. BOX 221,  
 BEAUFORT, SOUTH CAROLINA 29516

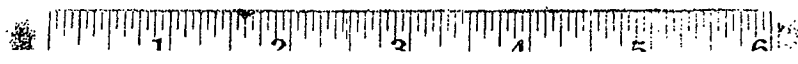
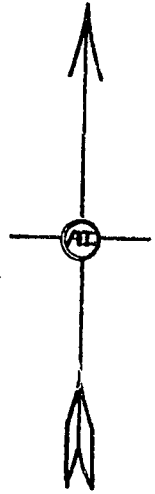
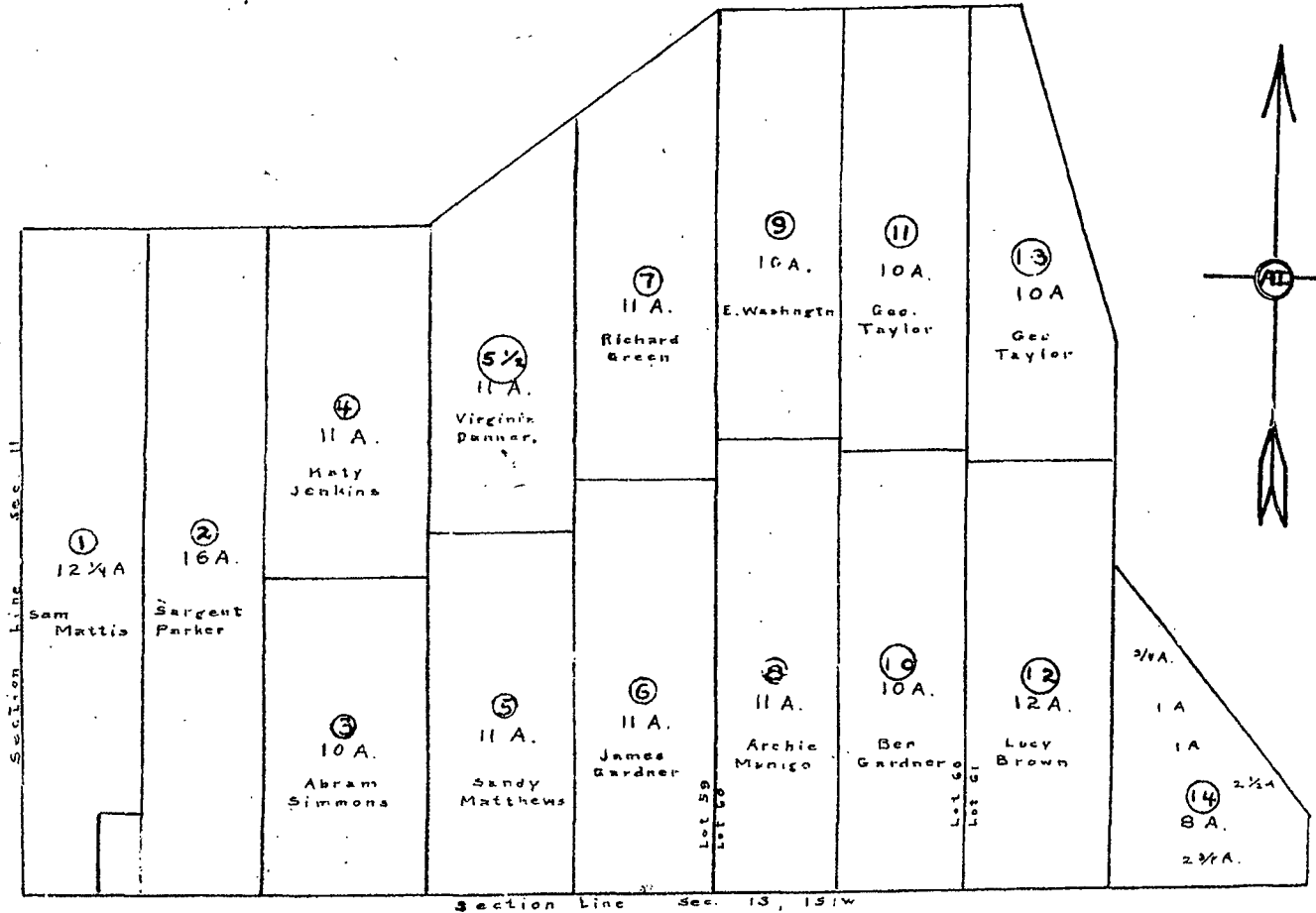
AOC Map 23

Wassau Ild., Beaufort Co., S. C.  
 In Sec. 12, Tp. 151W  
 By H. G. Judd  
 Scale 1 in. = 5 Chs.  
 Traced by Arthur O Christensen



Salt Marsh

- Lot 20 divided into 13 parts  
 2 belong to A. Manigo  
 13 equilly shared among the 13 others  
 Begining at the S end
- 1 Sargent Parker
  - 2 A. Manigo
  - 3 Sandy Matthews
  - 4 Virginia Danner
  - 5 James Gardner
  - 6 Richard Green
  - 7 A. Manigo
  - 8 E. Washington
  - 9 Ben Gardner
  - 10 Geo. Taylor
  - 11 Lucy Brown
  - 12 Billy Taylor
  - 13 Katy Jenkins
  - 14 Tamer Green
  - 15 Josiah Brown





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.

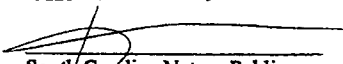
TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said **GEORGIA CHAMPION**, her heirs and assigns, forever.

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.



SWORN to before me this

5<sup>th</sup> 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 445

Sharon P. Burris  
AUDITOR, BEAUFORT COUNTY, S.C.

12/5  
85

26114

1296 p 8

STATE OF SOUTH CAROLINA  
COUNTY OF

PROBATE COURT

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>Maetta Brann</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>Port Washington, Lewis</u>
	<u>SC. 29920</u>		<u>98433</u>

the following described property: Please see Attached deeds

Plaintiff's Exhibit 18

R 300-9-6<sup>55</sup>  
+  
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

*1/10 RB*  
*C. Champion*  
*11/10.00*

BEAUFORT COUNTY SC - ROD  
 BK 02597 PGS 1245-1248  
 FILE NUM 2007053300  
 07/12/2007 04:54:38 PM  
 REC'D BY B BING RCPT# 409418  
 RECORDING FEES 10.00

Plaintiff's Exhibit 19 Deed Prepared by Grantee

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF BEAUFORT ) TITLE TO REAL ESTATE

**KNOW ALL PERSONS BY THESE PRESENTS, THAT ISAAC TAYLOR ("GRANTOR")** in the State and County aforesaid, for and in consideration of the sum of **TEN DOLLARS AND NO/100 (\$10.00)** love and affection to me in hand paid at and before the sealing of these presents by **CHRISTOPHER CHAMPION ("GRANTEE")**, Address of [REDACTED], in the State aforesaid for which the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant bargain, sell and release unto the said **CHRISTOPHER CHAMPION**, his 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 **1.036 acres**, more or less, and being shown and designated as Parcel "F" 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.

**DMP#300-009-000-0036-0000**

This being that same property conveyed to the grantor by Deed of Isaac Taylor, Rebecca Taylor, and Walter Taylor dated February 5, 1998 and recorded in the Office of the Register of Deed for Beaufort County, South Carolina in Deed Book 1034 and Page 577.

**The within Deed was prepared by Grantee.**

**Together** with all and singular, the Right, Member, Hereditaments and Appurtenances to the said Premises belonging, or in any wise incident or appertaining.

ADD DMP Record 7/16/2007 11:01:16 AM  
 BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R300	009	000	0036	0000	00

RECORDED  
 2007 Jul -17 09:09 AM  
*Sharon Q. Burris*  
 BEAUFORT COUNTY AUDITOR



9/5 62-2624-~~WILLIAM TAYLOR~~

ST. HELENA

9/5

2-2-59.13 Heirs of William (#1) Taylor.  
c/o Rita Colly  
Frog., S. C. (Warsaw)

6 Acres

Will.

H.

9/5

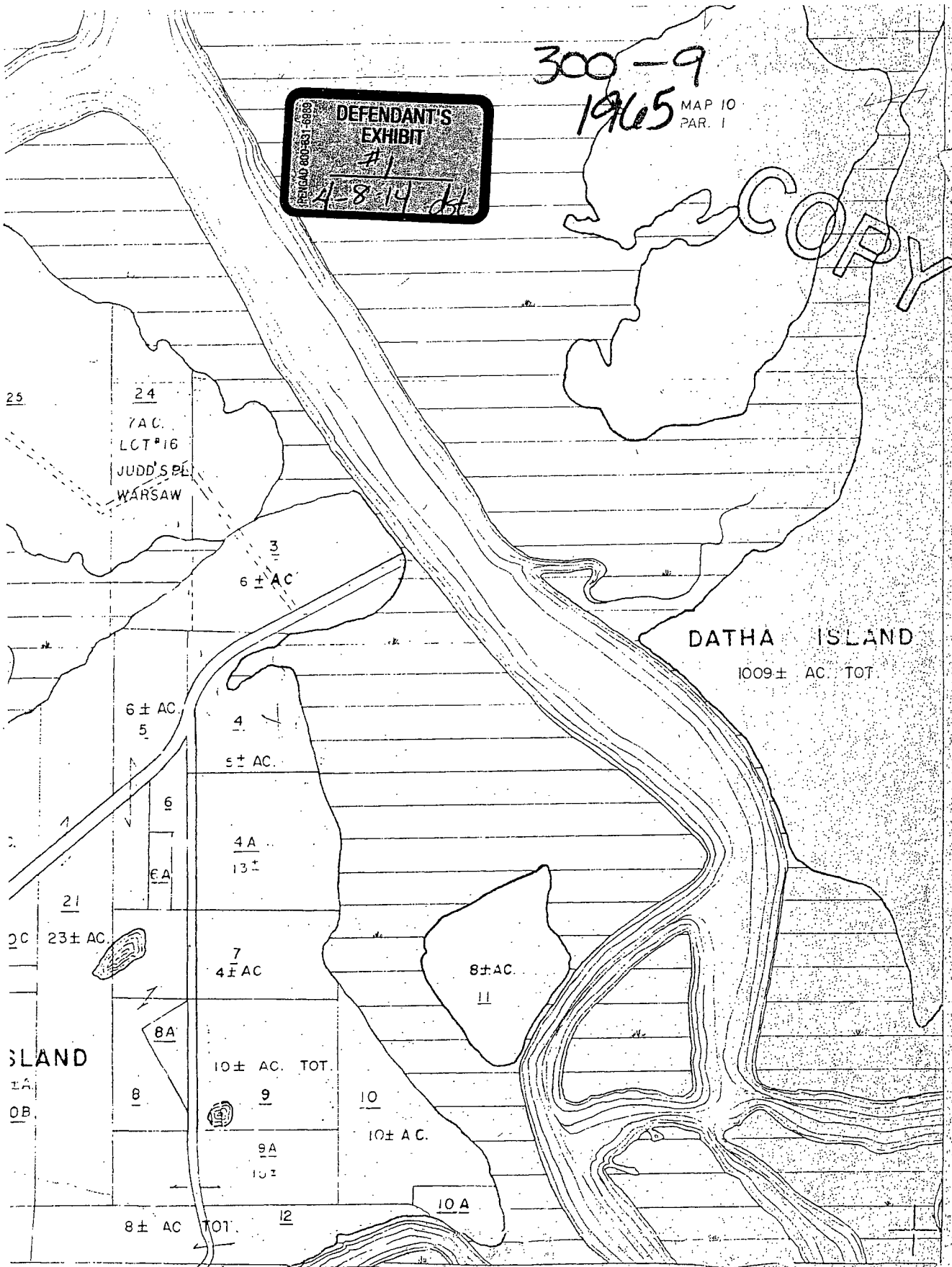
9/5 = 6 Ac

05/20/2013 15:46 BEAUFORT CO ROD

300-9  
1965 MAP 10  
PAR. I

DEFENDANT'S  
EXHIBIT  
#1  
4-8-14 dt

COPY



BEAUFORT COUNTY, SOUTH CAR

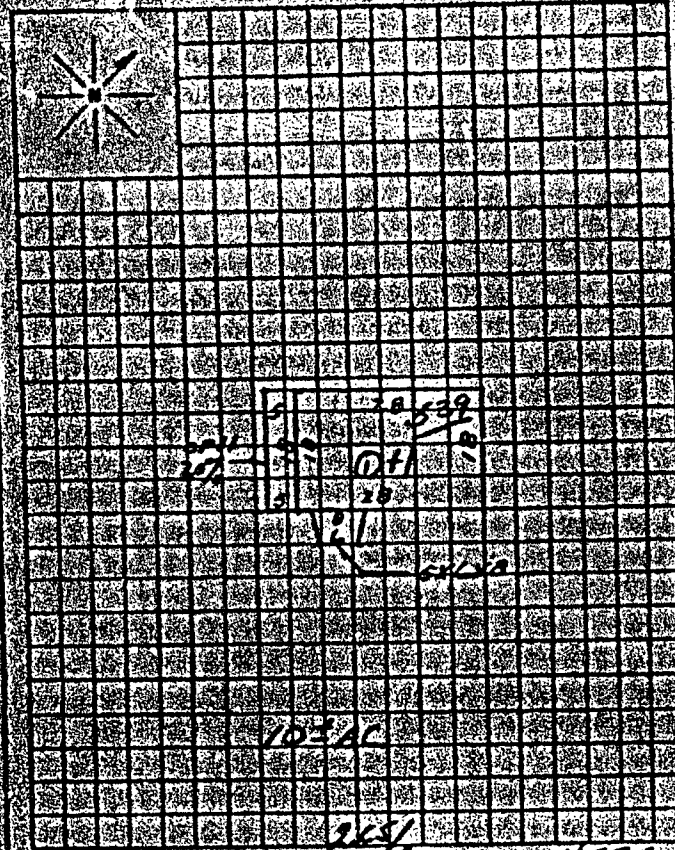
DATE: 1954  
REVISED 1965

SCAL 300-9



RESIDENTIAL PROPERTY RECORD CARD

2H-100



PROPERTY ADDRESS		ST HELENA		MAP NO.	9	PARCEL NO.	15
BUILDING NO. 1234	BUILDING NO. 1234	BUILDING NO. 1234	CARD 1 OF 1				
1. RES		ROOF		ROOMS		NOTES	
Fltr		Total Res. Rooms	4				
Shed		Rental Units					
Gable	<input checked="" type="checkbox"/>	Rooms					
Hip		Efficiency Apts.					
Gambrel		Room Apts.					
Roll		Room Apts.					
Shew	<input checked="" type="checkbox"/>	Room Apts.					
SUB-STRUCTURE		Notes					
Slab		Composition					
Flare	<input checked="" type="checkbox"/>	Metal		PLUMBING			
Conc. Slab		Wood		Insp	<input checked="" type="checkbox"/>		
Bas. Excavation		Asbestos		2 Fixture Toilet			
Conc. Bas. Floor		Tile		3 Fixture Bath			
Unfinished Bas.		Slate		4 Fixture Bath			
Finished Bas.		None		Tile Floor			
Bas. Lining Cts.		ATTIC		1/2 Tile Wall			
None		Unfinished	<input checked="" type="checkbox"/>	Full Tile Wall			
		Finished		Notes			
EXTERIOR WALLS		FLOORS		HEATING			
Wood Frame	<input checked="" type="checkbox"/>	None		None			
C.B. Frame		Brk		Chimney	<input checked="" type="checkbox"/>		
Tile Frame		Single	<input checked="" type="checkbox"/>	Fireplace	<input checked="" type="checkbox"/>		
Brick Frame		Double		Hot Air			
Stone Frame		Flse	<input checked="" type="checkbox"/>	Steam			
Sheathing		Hardwood		Forced Hot Air			
Roll		Concrete		Hot Water			
Shew		Tile-Corridor		Notes			
Shingles		None		ELECTRICITY			
Composition		EXTERIOR WALLS		Unfinished	<input checked="" type="checkbox"/>		
Metal		Unfinished		Yes	<input checked="" type="checkbox"/>		
Wood	<input checked="" type="checkbox"/>	Wall Board		None			
Asbestos		Cladding	<input checked="" type="checkbox"/>	Notes			
Stucco		Plaster - Pen. Brd.		EQUIPMENT			
Common Brick		Plywood - Pine Pan.		Vent. Fan			
Face Brick		Hardwood Panel		Air. Con. Staging			
Stone		Parred		Insulation			
None		Notes		Notes			

SCALE 1" = 30'  60'  RANDOM  PLOTTED  DRAWN BY L.G.B. 11/10/54 CLASSIFIED BY

#	STYS.	RM.	CLASS.	AREA	DATE	FLATS	REPL. COST	DATE BUILT	DEP. DATE	COND.	VALUE - 1950	CC'D.	VALUE - 1966	COND.	VALUE - 1973	COND.	VALUE - 19	APP.
1	1	R	RL	557	2-65		547,476	1936		3B	446	20	690	35	1600			
2																		
3																		
4																		
TOTALS											440		690		1600			

PROPERTY AND ASSOCIATED VALUATION SERVICES AND CONSULTANTS, PHOENIX, ARIZONA

10  
 9  
 8  
 7  
 6  
 5  
 4  
 MADE IN U.S.A.





PROPERTY ADDRESS: 73 TRACT 6-1-1  
 ZONING: 300  
 TAX CODE: 300  
 SP. DIST: 06/12/85  
 DATE PRINTED: 6113-11  
 CLASS: 3001  
 AREA: 10590  
 PARCEL NUMBER: R300 009 006 0005 0003  
 KEYNO: 274642

LAND DESCRIPTION	Size Dimension	ADJ. FACTORS	UNIT PRICE	ADJ. UNIT PRICE	UNIT	VALUE
73 TRACT 6-1-1	FP1.0	A=98 E=460	100 460	1765.00 1610.00	6.00 1.00	10590 1610.00
LAND	LAND-ADJ	INCOME	USE	FP-BLDS	FEATURES	BLD-ADJS
10590						1610

TAYLOR WILLIAM 1 HR. OF MAP -  
 VACANT  
 6-18-85  
 Take House off lot  
 1985 taxes

CARDS IN ACCOUNT	
01	OF 01
COST	13156
MARKET	
INCOME	
USE	
APPRAISED VALUE	
A	13156
PARCEL SUMMARY	
LAND	10590
BLDGS	2600
0-IMPS	
TOTAL	13156
N CNST	1125
PRIOR YEAR VALUE	
LAND	10600
BLDGS	2600
TOTAL	13200

Description	Rate	Square Feet	Rate Cost
BAS 100	24.21	539	13049
OP2 20	4.84	90	436
LIVING AREA 539 SINGLE-FAMILY			
BASE 18' x 18'			
BUILDING DIMENSIONS			
BAS E02 S05 E07 N05 E19 N18 N28			
OP2 W05 S18 .1 BAS S18			

ELEMENTS	CODE	CONSTRUCTION DETAIL
CONSTR	GP100	
FOUNDATION	02	CONCRETE
EXT CLERS	00	WOOD FRAME
ROOF TYPE	00	SHINGLES
ROOF COVER	00	SHEET METAL
FLOORS	02	SINGLE PLY
INTERIOR	00	WALLBOARD
ELECTRICAL	00	MINIMUM
PLUMBING	00	MINIMUM
FRANKING	00	
APART EQUIV	00	
PARTITION	00	
SPECIAL USE	00	

ST HELENA	LAND	TOTAL	MARKET
AREA	10590		13156
AREA	2600		16489
MARKET	24.21		20

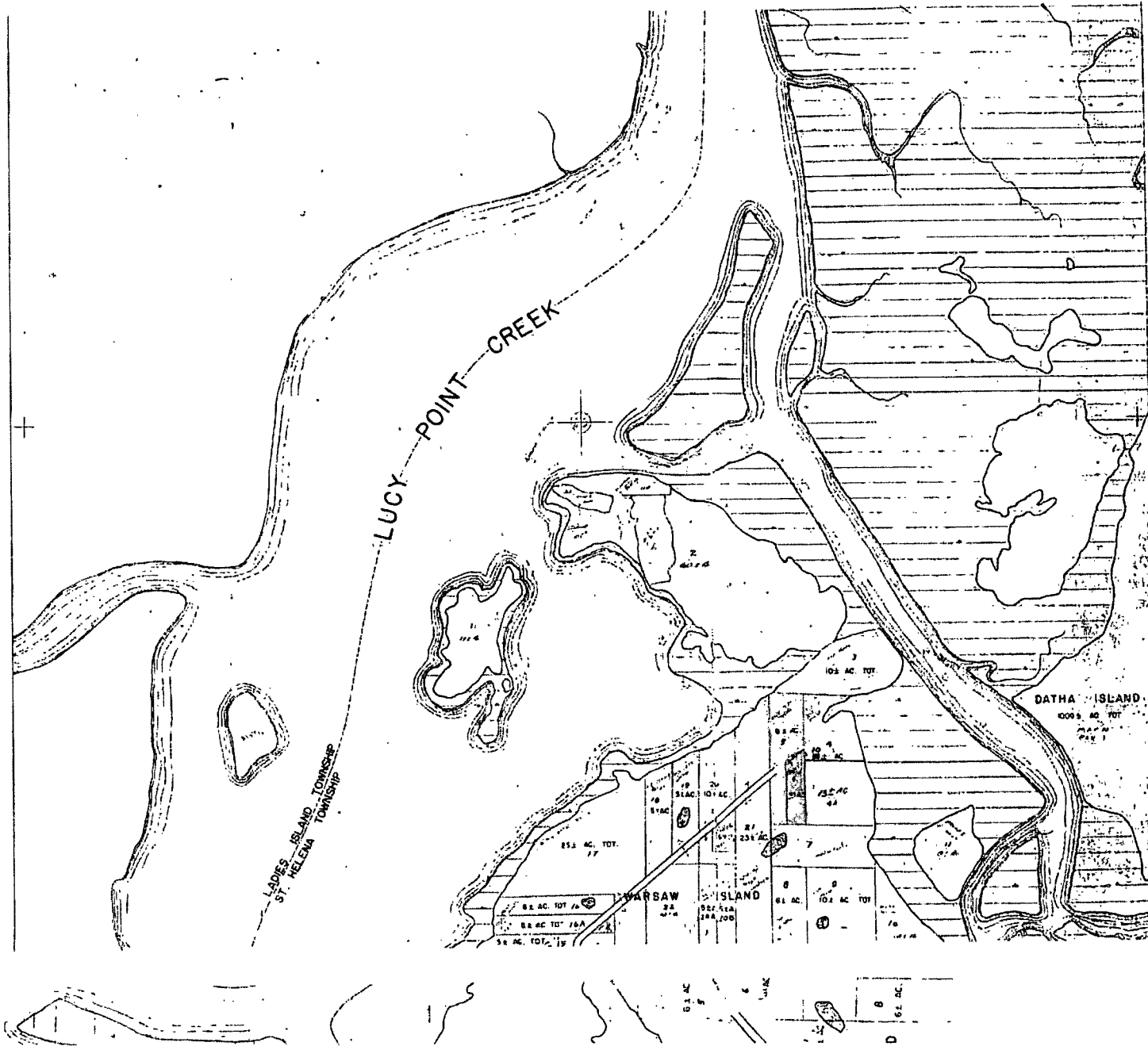
PROPERTY RECORD CARD - BEAUFORT COUNTY, SOUTH CAROLINA

DEFENDANT'S EXHIBIT  
 48-14 dst

LAND ADJUSTMENTS FEATURES

STRUCTURAL DETAILS

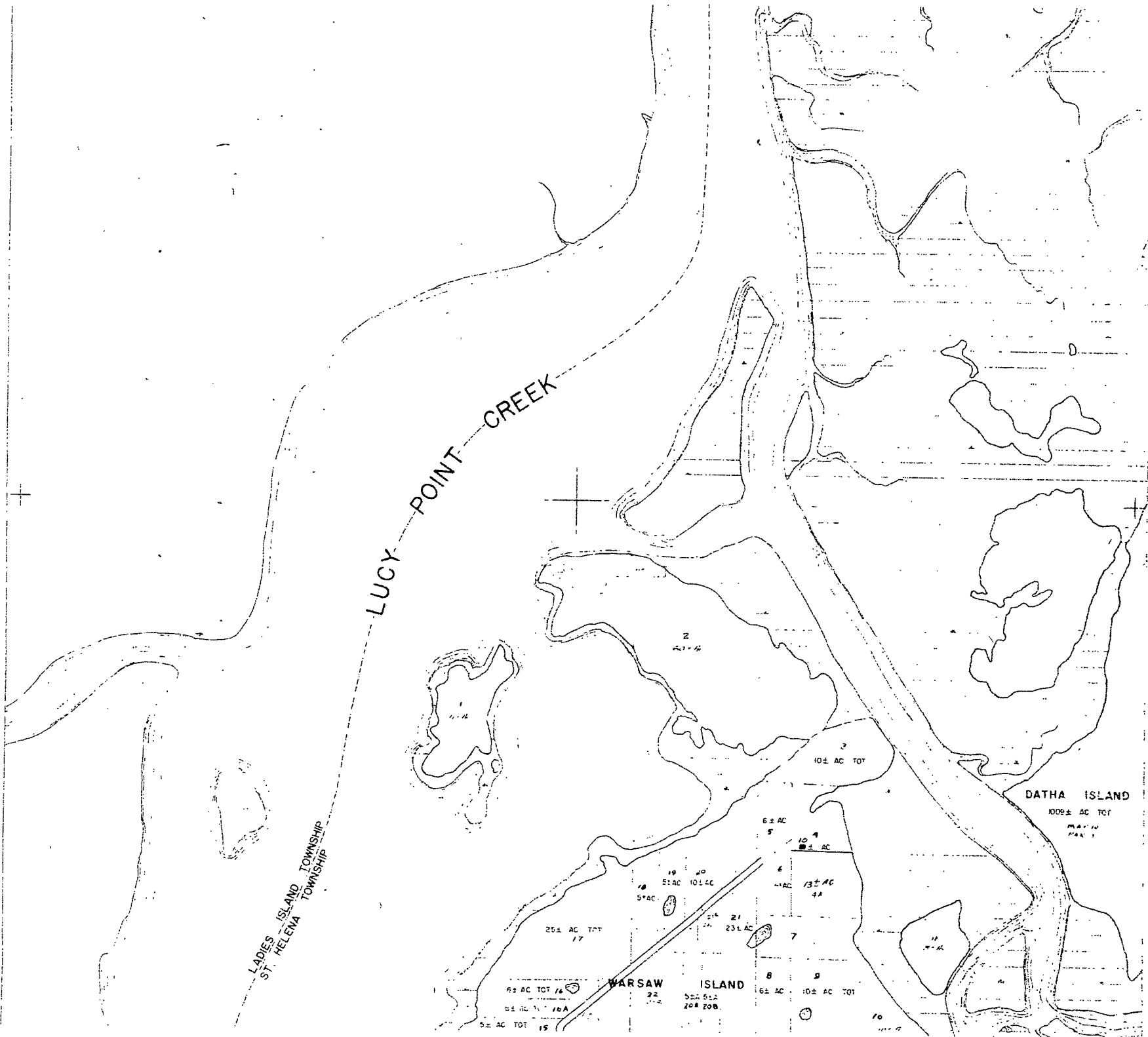
459



- 3 Dan Taylor
- 4 George Taylor
- 4A no card
- 7 Amelia Mattis
- 21 James Gardner
- 5 William Taylor
- 6 Phoebe Taylor
- 6A James Taylor

1954

DEFENDANT'S  
EXHIBIT  
# 3  
4-8-11-15 JST



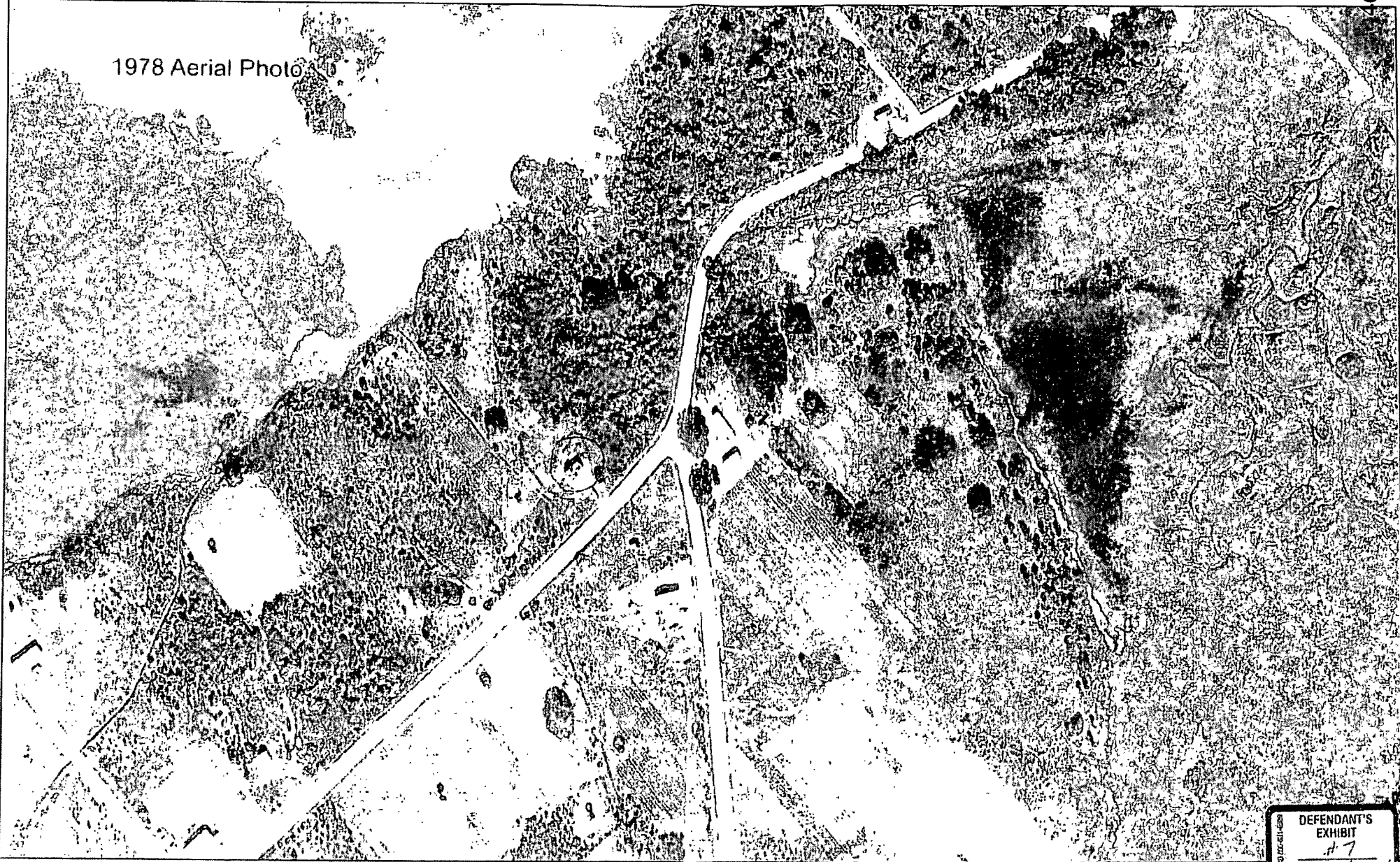
1954 AERIAL PHOTO CBR



DEFENDANT'S  
EXHIBIT  
3/462  
1-8-14

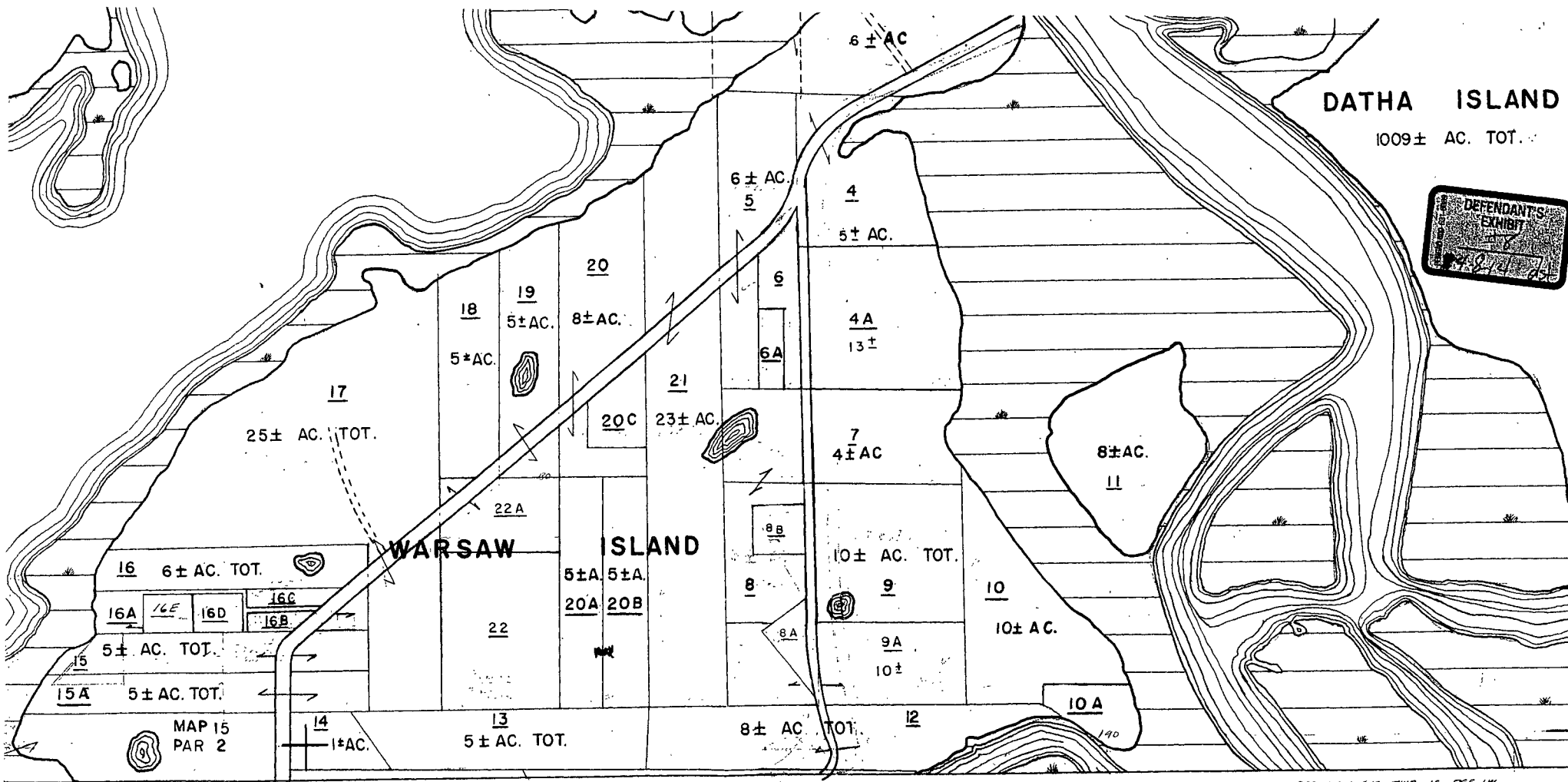
CBR GIS DEPT

1978 Aerial Photo



63

DEFENDANT'S  
EXHIBIT  
# 7  
4-8-14 dst



**DATHA ISLAND**  
1009± AC. TOT.

DEFENDANT'S EXHIBIT  
17  
7-8-1965

**WARSAW ISLAND**

See Sheet 15

SEC. 1, 2, 11 & 12, TWP. 15, R5E. 1W

**BEAUFORT COUNTY, SOUTH CAROLINA**

THIS MAP IS FOR TAX PURPOSES ONLY. ALTHOUGH IT IS COMPILED FROM RECORDED DEEDS AND PLATS, IT IS NOT INTENDED TO REPRESENT AN ACTUAL SURVEY, AND SHOULD NOT BE CONSTRUED AS SUCH.

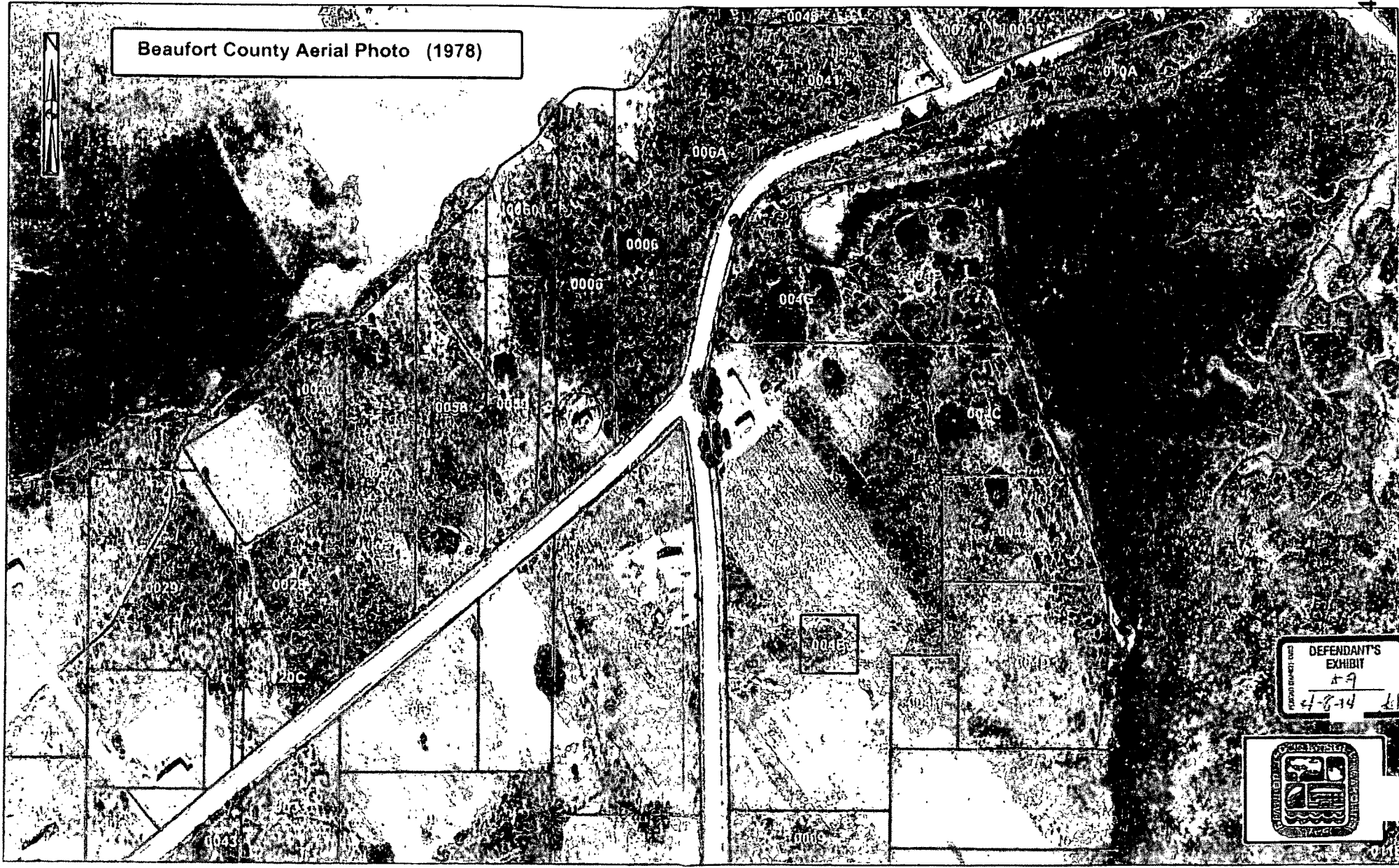
DATE: 1954  
REVISED 1965

SCALE: 1" = 400 464

ST. HELENA

SHEET NO. 9

Beaufort County Aerial Photo (1978)



DEFENDANT'S EXHIBIT  
 59  
 4-8-14





PERIGLO 800-631-6989

DEFENDANT'S  
EXHIBIT  
#10  
4-8-14 dst

006



467

PERGAD 600-631-6989  
DEFENDANT'S  
EXHIBIT  
# 11  
48-14 *dst*



PERIGAD 800-631-6989

DEFENDANT'S  
EXHIBIT

#12

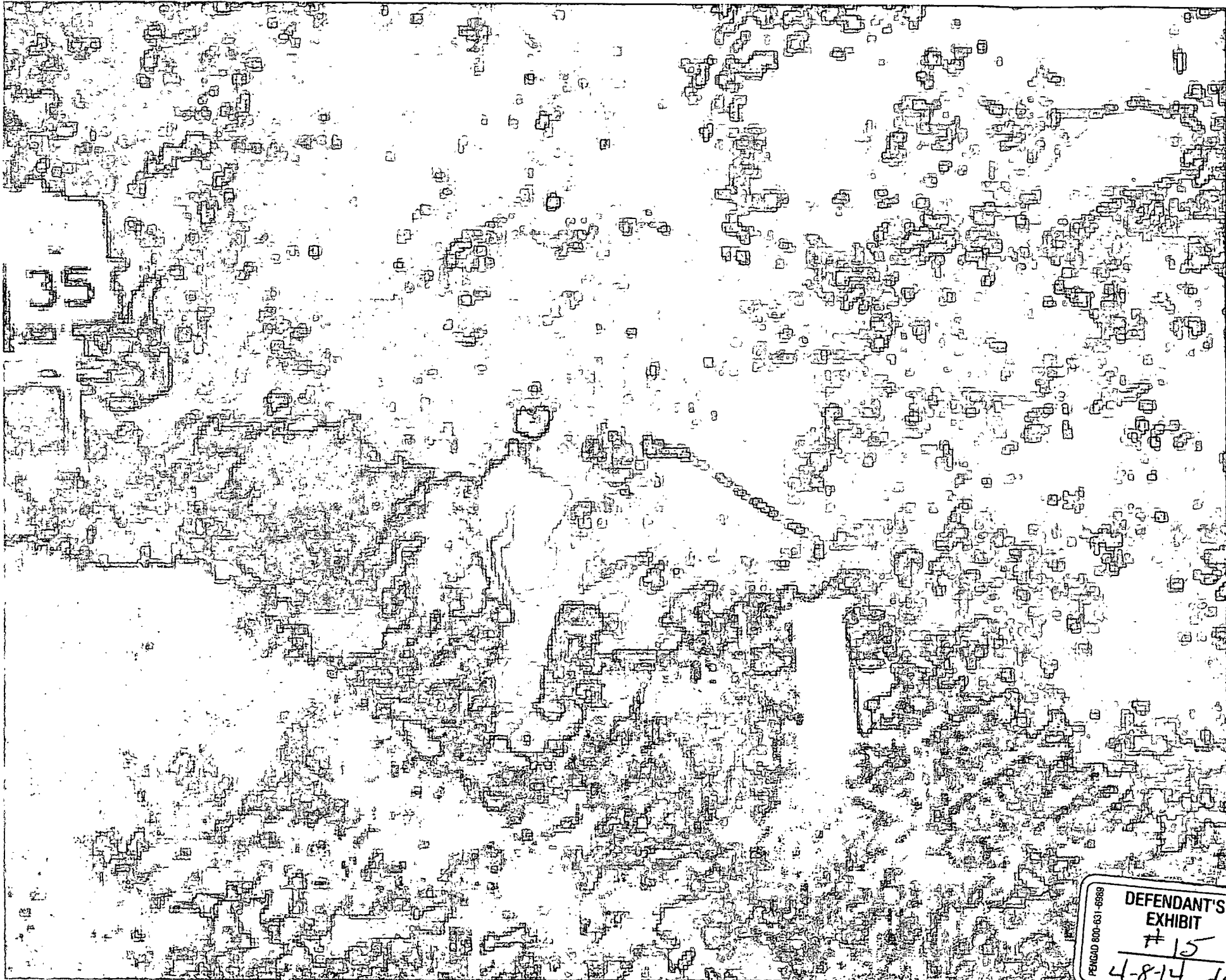
4-8-14 dst



PELICAD 800-631-6666  
DEFENDANT'S  
EXHIBIT  
#13  
4-8-14 dst



PENCAD 800-631-6989  
DEFENDANT'S  
EXHIBIT  
#14  
4-8-14 *djt*



PEKAD 800-631-6989  
DEFENDANT'S  
EXHIBIT  
# 15  
4-8-14 dst

Bidder No: 136

BEAUFORT COUNTY TREASURER  
TEMPORARY TAX RECEIPT FOR REAL PROPERTY

DELINQUENT TAX SALE

The below property is sold for nonpayment of 1994 or prior years tax.  
\$ 105.49

October 2, 1995

Bidder's Name:  
James J. Taylor  
141 Gardner Dr.  
St. Helena SC 29920

Key: 274651  
District: 300 Map: 9  
Parcel: 6 Block: 0T95  
Acres: 1.3 Lots: 0  
Buildings: 0

Owner's Name: TAYLOR PHOEBE

\$ 152.94

Highest bid received: ~~259.35~~

94's only

Treasurer's Titles can not be given until after expiration of twelve (12) months from the date of purchase, as owner, successor in title, judgement, creditor, or mortgagee can redeem same by paying taxes, penalty, and the cost of eight percent (8%) on purchase price. If a sale is voided, the bidder will not receive eight percent (8%) interest on the bid price.

258.43  
20.67  

---

179.10  
30.00  

---

309.10

1995  
R # 35320  
10/23/95  
\$ 105.49  
(R)  
152.94  
20.67  

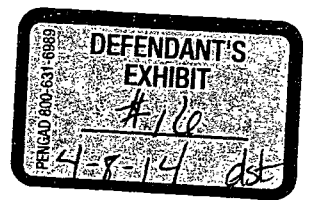
---

173.61  
95 = 105.49  
279.10

Joy Logan, Treasurer

Herschel J. Evans, Jr., Deputy Treasurer

Ø



TREASURER  
TAX BILL

ACCT KEY: 07274637  
ACCOUNT: R300 009 000 0006 0000  
DISTRICT: ST HELENA ISLAND  
TYPE PROPERTY CODE: 6003-91  
ASSESSMENT RATIO: 6 PERCENT

PAYABLE NOW..

OUTSTANDING TAX RECAP			
YEAR	TAX-DUE	PENALTY	TOTAL
1994	102.55	50.39	152.94
TOTAL-	102.55	50.39	152.94

BREAKDOWN OF 1994	
ACCOUNT	MILL
COUNTY	52.9
SCHOOL	121.5
FIRE DIST	30.2
INDG-CARE	2.5
CONT EDJC	2.0
TOTALS -	219.1

TAYLOR PHEME  
3 JAMES TAYLOR  
RR 3 BOX 140  
ST HELENA ISLAND SC 29920-9803

ACCOUNT D  
ITEM  
LAND VAL  
TAXABLE  
ASSESSED  
NO. ACRES

\*\* THIS BILL SUPERCEDES ANY PRIOR 1994 TAX BILL \*\*

MAKE CHECKS PAYABLE TO: JOY LOGAN, BEAUFORT COUNTY TREASURER

IF NOT PAID ON OR BEFORE 31 AUGUST THIS PROPERTY WILL BE DULY  
ADVERTISED AND SOLD FOR DELINQUENT TAXES AS DESCRIBED ABOVE  
ON THE FIRST MONDAY IN OCTOBER, THIS YEAR. RETURN OF THIS  
"CERTIFIED RECEIPT" SHALL BE DEEMED EQUIVALENT TO "LEVYING BY  
DISTRESS"



100B

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	Section	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 100, 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 18<sup>th</sup> day of December, in the year of our Lord One Thousand Nine Hundred and Ninety - 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  
Alicia 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 Alicia M. Hollingsworth, witnessed the execution thereof. Candace O. Harvey

SWORN to and subscribed before me  
this 19<sup>th</sup> day of December, 19 96  
Alicia 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.

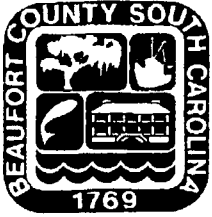
RECORDED THIS 14<sup>TH</sup> DAY  
OF ~~APRIL~~ 19 87  
IN BOOK 1111 PAGE 1571  
*Marie B. Stewart*  
AUDITOR, BEAUFORT COUNTY, S.C.

511 909 PG 1390  
FOLDER #

55 DEC 20 AM 8:51  
/MLC

1303

*McGovern Office*  
RECORDED  
JAMES J. TAYLOR  
1987  
BEAUFORT COUNTY, S.C.



Joy Logan  
BEAUFORT COUNTY TREASURER  
P.O. Drawer 487  
Beaufort, South Carolina 29901-0487  
(803) 525-7107

November 5, 1996

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

**Re: Phoebe Taylor - District 300**

Dear James J. Taylor:

This is to notify you the deed for the property you purchased at the October 2, 1995 delinquent tax sale is prepared.

Please forward cash, check or money order in the amount of \$26.85. This amount is for cost of preparing and recording the deed, and any tax due at present. Please do not mail cash.

The breakdown for the amount due is as follows:

Deed Preparation:	\$15.00
Deed Recording:	\$11.85
Tax:	
Total due:	\$26.85

The deed will be recorded with R.M.C. when payment is received. It will take 4 to 6 weeks for the deed to be processed. Once this is done, it will be mailed to you.

Sincerely,

*Herschel J. Evans Jr.*

Herschel J. Evans, Jr.  
Deputy Treasurer

County of Beaufort

355026

Beaufort, S.C. 12-13 1996

Received of James J. Taylor

Twenty-six and 85/100 Dollars

Fee For Phoebe Taylor - Dist. 300 Tax Sale Split 10-2-95

Deed Preparation, Deed Recording

\$ 26.85 cash M. W. [Signature] Clerk Official Title



Joy Logan  
BEAUFORT COUNTY TREASURER  
P.O. Drawer 487  
Beaufort, South Carolina 29901-0487  
(803) 525-7107

Date: Aug 30, 1996  
Taylor, Phoebe  
% James Taylor  
RR 3 Box ~~140~~ 140  
St. Helena SC 29920

RE: 2.6 AC

This is to advise you that the above referenced property in Beaufort County was sold for delinquent taxes on Oct. 2, 1995. The amount necessary to redeem this property is \$ 279.10. If the tax sale is not redeemed on or before Oct. 2, 1996 the property shall be deeded to the successful bidder from the above referenced tax sale.

Please note that tax sale redemptions must be tendered with cash, cashier's check or money order.

DISTRICT	<u>300</u>
MAP	<u>9</u>
PARCEL	<u>6</u>
BLOCK	<u>795</u>
KEY	<u>274651</u>

Joy Logan  
Treasurer

10-95

300-9-6

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Taylor, Phoebe  
 % James Taylor  
~~RR 3 Box 140~~  
 141 GARDNER DR  
 St. Helena SC 29920

4a. Article Number  
 P 378 557 005

4b. Service Type

- Registered  Certified
- Express Mail  Insured
- Return Receipt for Merchandise  COD

7. Date of Delivery  
 8 / 30 / 96 RW

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 X Barbara Taylor

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 37



**Recd Cert**

No Ins Do no (See F

Sent to	Taylor
Street and No.	
P.O., State and ZIP Co	
Postage	
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Show to Whom & Date Del	
Return Receipt Show Date, and Addressee	
TOTAL Postage & Fees	
Postmark or Date	

PS Form 3800, June 1991

P 917 306 195

RETURN RECEIPT SERVICE	POSTAGE		POSTMARK OR DATE
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY / RESTRICTED DELIVERY	/	
	CERTIFIED FEE + RETURN RECEIPT		
	TOTAL POSTAGE AND FEES		
SENT TO:		NO INSURANCE COVERAGE PROVIDED -- NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)	
8300 009 000 0066 0000			
TAYLOR PHOEBE JAMES TAYLOR RR 3 BOX 140 ST HELENA ISLAND SC 29920-9803			

PS FORM 3800



RECEIPT FOR CERTIFIED MAIL

**SENDER:**

- 1. Complete items 1 and/or 2 for additional services.
- 2. Complete items 3, and 4a & b.
- 3. Print your name and address on the reverse of this form so that we can return this card to you.
- 4. Attach this form to the front of the mailpiece, or on the back if space does not permit.
- 5. Write "Return Receipt Requested" on the mailpiece below the article number.
- 6. The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee

3. Article Addressed to:

8300 009 000 0066 0000

TAYLOR PHOEBE  
JAMES TAYLOR  
RR 3 BOX 140 141 Gardner Dr.  
ST HELENA ISLAND SC 29920-9803

4a. Article Number

P 917 306 195

4b. Service Type

CERTIFIED

7. Date of Delivery

5/10/95 RW

5. Signature - (Addressee)

Anna mae Taylor

6. Signature - (Agent)

8. Addressee's Address

(ONLY if requested and fee paid.)

PS FORM 3811, December 1991

DOMESTIC RETURN RECEIPT



10/01/01 10/01/01  
 10/01/01 10/01/01  
 10/01/01 10/01/01  
 10/01/01 10/01/01

10/01/01 10/01/01  
 10/01/01 10/01/01  
 10/01/01 10/01/01

DATE	AMOUNT	TAX	PAYMENTS	PENALTIES	SURCHARGE	TOTAL DUE
10/01/01	10.00	0.00				10.00
10/02/01	10.00	0.00		15.01	10.00	35.01
10/03/01	10.00	0.00	150.00	15.00	10.00	185.00
10/04/01	10.00	0.00	00.00			10.00
10/05/01	10.00	0.00	00.00			10.00
10/06/01	10.00	0.00	00.00			10.00
10/07/01	10.00	0.00	00.00			10.00

TOTAL DUE: 275.00  
 10/01/01 10/01/01  
 10/01/01 10/01/01  
 10/01/01 10/01/01

10/01/01 10/01/01  
 10/01/01 10/01/01  
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 10/01/01 10/01/01  
 10/01/01 10/01/01

OWNER	TMS #	DEED BOOK	PAGE NUMBER
Taylor Phoebe	R300-009-000-0006-0000 2.60 Acres		

**MORTGAGEE:** None

Bidder No. 47

**BEAUFORT COUNTY TREASURER  
TEMPORARY TAX RECEIPT  
DELINQUENT TAX SALE**

6%

The below property is sold for non-payment of 1996 or prior years tax.

October 6, 1997

Owner's Name: TAYLOR PHOEBE

Account No. R300 009 000 0006 0000

Acres: 2.6    Lots: 0    Buildings: 0    Key No.: 274651

Description:

Bidder's Name: *James J. Taylor  
141 Gardner Ln.  
St. H SC*

Highest bid received: 295.90

**The statement below applies to Real Estate & Mobile Homes Only.**

Treasurer's Title can not be given until after expiration of twelve (12) months from the date of purchase, as owner, successor in title, judgement, creditor, or mortgagee can redeem same by paying taxes, penalty, and the cost of eight-percent (8%) or twelve-percent (12%), as applicable, on purchase price. If sale is voided, the bidder will not receive interest on the bid price.

295.90  
23.67  

---

318.57  
11.84  

---

330.41

169.59  
23.67  

---

193.26  
97 = 52.56  

---

245.82  
4% 11.84  

---

257.66  
40.00 mtg. fee  

---

297.66    6.1998

Joy Logan, Treasurer

Herschel J. Evans, Jr., Deputy Treasurer

Overage  
295.90  
- 169.59  
- 52.56  
- 40.00  

---

33.75

1996 BEAUFORT COUNTY DELINQUENT TAX BILL

TOTAL PAYABLE NOW.. 169.59

ACCT KEY ACCOUNT NUMBER  
00274651 R300 009 000 0006 0000

ACCOUNT DATA

DISTRICT: ST HELENA ISLAND  
TYPE PROPERTY CODE: 6003-91  
ASSESSMENT RATIO: 6 PERCENT

ITEM	AMOUNT
LAND VAL	7800
TAXABLE	7800
ASSESSED	468
NO.ACRES	2.60

TAYLOR PHOEBE  
C/O JAMES TAYLOR  
141 GARDNER DRIVE  
ST HELENA ISLAND SC 29920-0000

BREAKDOWN OF 1996 TAXES

ACCOUNT	MILL	TAXES
SOL WASTE	9.70	4.54
COUNTY	50.10	23.44
SCHOOL	126.80	59.34
FIRE DIST	31.40	14.70
INDG-CARE	2.30	1.08
CONT EDUC	1.90	.89
TOTALS -	222.20	103.99

OUTSTANDING TAX RECAP

YEAR	TAX-DUE	PENALTY	TOTAL
1996	103.99	65.60	169.59
TOTAL-	103.99	65.60	169.59

FOR TAX QUESTIONS CONTACT...  
COUNTY TREASURER  
PO DRAWER 487 BEAUFORT, SC 29901  
(803) 525-7201

8230

\* IF NAME OR ADDRESS ABOVE IS NOT CORRECT PLEASE CORRECT IT ON REVERSE SIDE \*

ACCT KEY ACCOUNT NUMBER  
00274651 R300 009 000 0006 0000

PAYABLE NOW.. 169.59

\* DO NOT FOLD STAPLE OR BEND \*

MAKE CHECKS PAYABLE TO: JOY LOGAN, BEAUFORT COUNTY TREASURER

TAYLOR PHOEBE  
C/O JAMES TAYLOR  
141 GARDNER DRIVE  
ST HELENA ISLAND SC 29920-0000

IF NOT PAID BY 01 SEPTEMBER 1996 THIS PROPERTY WILL BE DULY  
ADVERTISED AND SOLD FOR DELINQUENT TAXES AS DESCRIBED ABOVE  
ON THE FIRST MONDAY IN OCTOBER, THIS YEAR. RETURN OF THIS  
"CERTIFIED RECEIPT" SHALL BE DEEMED EQUIVALENT TO "LEVYING  
BY DISTRESS."



**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Print your name and address on the reverse of this to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.

We can return this card

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

ACCT: R300 009 000 0006 0000  
 KEY: 0027 4651 DISTRICT: 0300

TAYLOR PHOEBE  
 C/O JAMES TAYLOR  
 141 GARDNER DRIVE  
 ST HELENA ISLAND SC 29920

4a. Article Number

P 967 298 974

4b. Service Type

CERTIFIED

7. Date of Delivery

8. Addressee's Address  
(ONLY if requested and fee paid.)

5. Received By: (Print Name)

*Barbara Taylor*

6. Signature: (Addressee or Agent)

PS FORM 3811, JANUARY 1996

Domestic Return Receipt

P 967 298 974

RETURN RECEIPT SERVICE	POSTAGE		POSTMARK OR DATE
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY / RESTRICTED DELIVERY	/	
	CERTIFIED FEE + RETURN RECEIPT		
	TOTAL POSTAGE AND FEES		
SENT TO:		NO INSURANCE COVERAGE PROVIDED - NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)	

PS FORM 3800

US Postal Service

**Receipt for Certified Mail**

IMPORTANT! PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS.

OWNER	TMS#	DEED BOOK	PAGE NUMBER
Taylor Phoebe	R300-009-000-0006-0000 1.30 Acres		

**MORTGAGEE:** - None

LEW T033785JUN1898 >9806<

R E A L P R O P E R T Y V I E W S C R E E N

KEY:00274651 YEAR:97

OWNER:TAYLOR PHOEBE  
C/O JAMES TAYLOR  
141 GARDNER DRIVE

ACT:R300 009 000 0006 0000  
LOC:  
MAP:1997B DIST: 300 PCA/PCS:6003-91  
SAL:\*

ST HELENA ISLAND SC 29920 0000

SPLIT 6/97 1.30 AC 9/49

MULTI: PARENT:  
AREA:E011 CITY: BUILDING INFO

VALUES: ASSESSMENT APPRAISAL  
LAND: 3900 3900  
BLDG:  
FEAT:  
MARKET: 3900 3900

ACRES: 1.30 TYPE:  
LOTS: YRBLT: EFFYR:  
BLDGS: SQ-FT:  
ACTIVITY: 98/03/18 EXEMPTS:  
LAST-SALE:80/01/01  
SALE-AMT: " " " " " "

AG USE:  
INCOME:  
TAXABLE: 3900 3900  
EXEMPT:  
ASSESSED: 234

DEED: V/I: SPASMT:  
BK/PG: - " " " " " "  
QUALIFIED:  
MORTGAGE:  
OWN %:100 NET TAXES: 52.56  
ADJ#: DATE: PAID-TAX: 52.56

JNC:> < DATA :>  
MESSAGE: SOLD AT TAX SALE  
3:19:51:65 INPUT REQUEST

< SUB:> < YR:>97<  
>@<  
0.00 Page 1



CLK.T033787JUN1898 >9806<

A C C O U N T T A X I N Q U I R Y  
: 00274651 DISTRICT: 300 OWNER:TAYLOR PHOEBE  
T:R300 009 000 0006 0000 PCA:6003-91 LEGAL:

PER	CALC/PD	BASE TAX T	PAYMENTS	PENALTIES	SURCHARGE	TAXES DUE
	98 03 18	52.56 A	52.56			
	97 10 10	103.99 F	169.59	15.60+	50.00+	
	96 09 12	105.49 A	105.49			
	95 11 02	102.55 F	152.94	15.39+	35.00+	
	94 01 10	95.66 F	95.66			
	92 12 28	88.69 F	88.69			

ALL TO:TAYLOR PHOEBE  
C/O JAMES TAYLOR  
141 GARDNER DRIVE

TOTAL OUTSTANDING:

ST HELENA ISLAND SC 29920 0000  
INC:> < DATA:>  
MESSAGE: SOLD AT TAX SALE  
:20:11:30 INPUT REQUEST

< SUB:> CONTINUE(X):> <  
< YEAR:>97<  
>@<  
0.00 Page 1



November 10, 1998

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

**Re: Pheobe Taylor**  
**R300 009 0006**

Dear James J. Taylor:

This is to notify you that the deed for the property you purchased at the October 6, 1997 delinquent tax sale is prepared.

Please forward a guaranteed funds in the form of a cashier's check, personal check, or a money order for \$26.85. This amount is the cost for preparing and recording the deed and any additional monies due at present. Please do not mail cash.

The breakdown for the amount due is as follows:

Deed Preparation:	\$15.00
Deed Recording:	\$11.85
Taxes Due:	\$
Total Due:	\$26.85

The deed will be recorded with the R.M.C. office when payment is received. It will take approximately 4 to 6 weeks for the deed to be processed and recorded. Once this is done, the deed will then be mailed to you.

Sincerely,

*Herschel J. Evans Jr.*

Herschel J. Evans, Jr.  
Deputy Treasurer

November 10, 1998

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

**Re: Pheobe Taylor**  
**R300 009 0006**

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Sincerely,

*Herschel J. Evans, Jr.*

Herschel J. Evans, Jr.  
Deputy Treasurer

County of Beaufort

439094

Beaufort, S.C. 11/17 1998  
 Received of Mr James J Taylor 300-009-0006  
 Fee For Deed prep 15.00  
Deed recording 11.85  
\$ 26.85 Cash  
 Official Title Lucy Campbell  
[Signature]

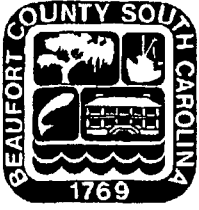
300-9-6

N. marshes of Lucy Creek

E: GA. James Taylor

S: Roadway

W: James Taylor



**Joy Logan**  
**BEAUFORT COUNTY TREASURER**  
P.O. Drawer 487  
Beaufort, South Carolina 29901-0487  
(803) 525-7107; FAX (803) 525-7254

October 20, 1997

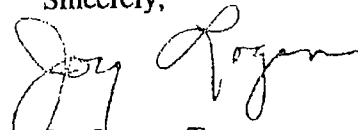
Taylor, Phoebe  
% James Taylor  
141 Gardner Drive  
St. Helena Island, SC 29920

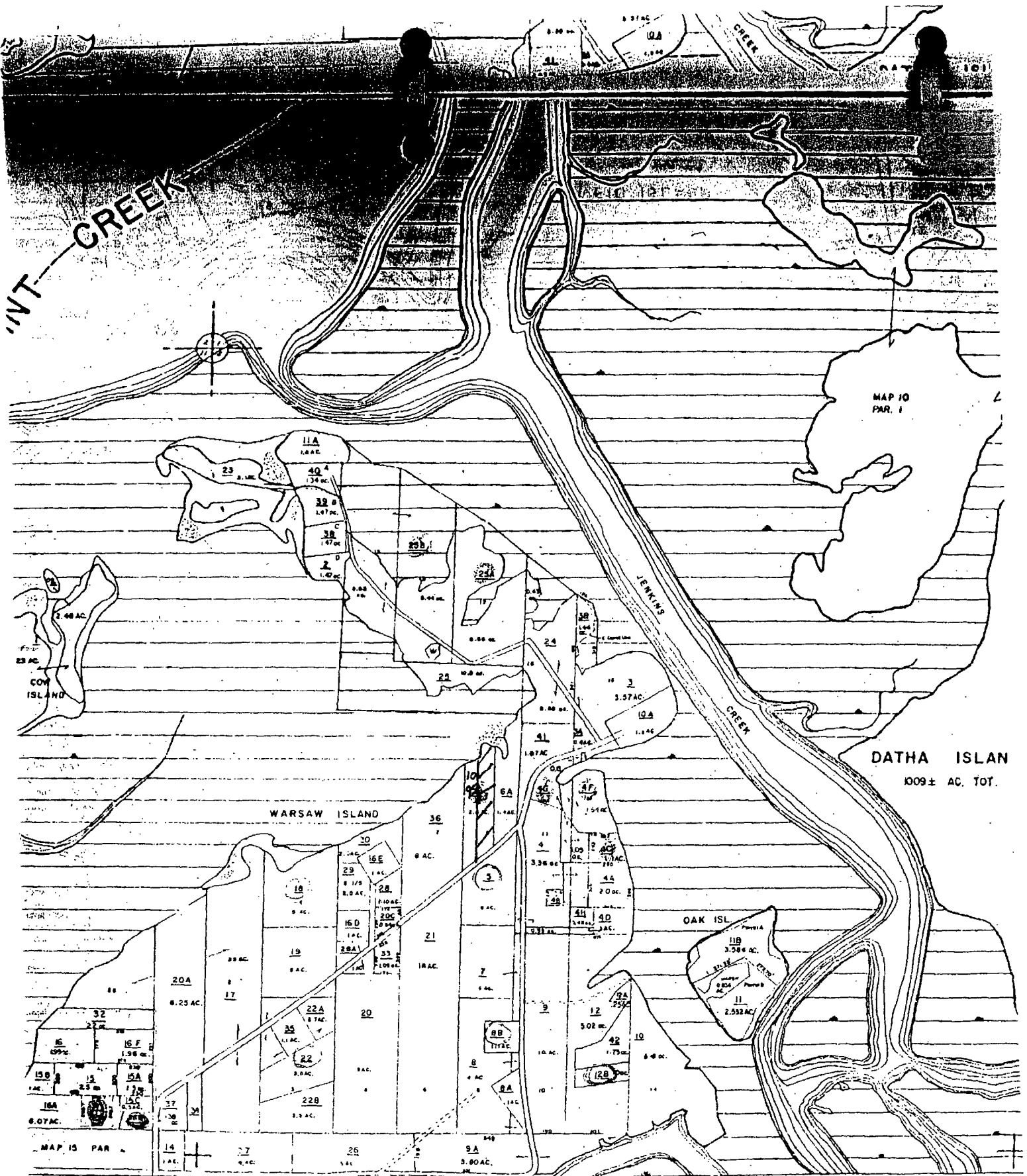
Acct: 274651  
District: R300 009 000 0006 0000

The above referenced property located in Beaufort County was sold for delinquent 1996 and/or prior taxes at the Beaufort County Tax Sale on October 6, 1997. The amount necessary to redeem the tax sale is \$193.26. This amount will remain in effect through March 16, 1998. After that date, the redemption amount shall increase by the amount of the 1997 taxes and additional cost of the sale.

All tax sale redemptions must be received not later than 5:00 P.M., October 6, 1998, and must be tendered by guaranteed funds, ie: cash, cashier's check, money order, Visa, Master Card, or Discover Card. You may contact the Treasurer by phone at (803) 525-7301.

Sincerely,

  
Joy Logan, Treasurer



See Sheet 15

300-9-6  
over

BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 400'

0 2.00 4.00 6.00 8.00

ST HELENA

SHEET NO. 499

**Office of the Treasurer  
Beaufort County  
PO Drawer 487  
Beaufort, SC 29901**

Phone: (843) 470-2769 Fax: (843) 470-2773

September 1, 1998

Taylor, Phoebe  
% James Taylor  
141 Gardner Dr.  
St. Helena SC 29920

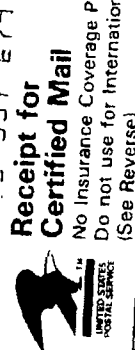
Re: R300 009 000 0006 0000  
October 6, 1997 Tax Sale

Pursuant to SC 12-51-120 notice is hereby provided to you, as the owner of the above referenced property, that you have until 5:00PM on October 6, 1998 to redeem your property from tax sale. The amount necessary to redeem the tax sale is \$297.66. If the redemption is not received by the Treasurer at such time, a Tax Sale Deed shall be issued to the successful purchaser from the sale. The redemption amount includes taxes, penalties, assessments, costs and applicable interest on the bid.

If you have any questions with regard to the tax sale please contact the Treasurer immediately.

Sincerely

Herschel J. Evans Jr.  
Deputy Treasurer



Sent to	Street and No	P.O., State and ZIP Code	Postage	Certified Fee	Special Delivery Fee	Restricted Delivery Fee
			\$			

our RETURN ADDRESS completed on the reverse side?

*10-97 TS FN 300*

<b>SENDER:</b> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input checked="" type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: <i>Taylor, Phoebe % James Taylor 141 Gardner Dr. St. Helena SC 29920</i>		4a. Article Number <i>P 378 557 679</i>
5. Signature (Addressee) <i>JAMES TAYLOR</i>		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature (Agent) <i>James Taylor</i>		7. Date of delivery <i>9/20/98</i>
		8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

2/10/97

58979

RECEIVED  
COUNTY OF BEAUFORT  
COMM. S. 52

17

THE STATE OF SOUTH CAROLINA,  
COUNTY OF BEAUFORT

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 Phoebe 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 Phoebe 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 Phoebe 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 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
Laurie Darragh

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 [unclear] witnessed the execution thereof.

Laurie Darragh

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, 2005

The State of South Carolina,

**DEED**

TREASURER OF BEAUFORT COUNTY  
TO

James L. 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 6th DAY  
OF January 1999  
IN BOOK AE PAGE 2535  
*Sharon G. Bennett*  
AUDITOR, BEAUFORT COUNTY, S.C.

~~FILED  
99 NOV 19 11:53  
BIN FOLDER#~~  
129482454  
2238  
NOV 23 PM 5:08  
BIN 1110  
FOLDER# 17

**BEAUFORT COUNTY RECORDS CENTER  
2727 DEPOT ROAD - P.O. DRAWER 1228  
BEAUFORT, SOUTH CAROLINA 29901**

**TRANSMITTAL AND RECEIPT**

Page 1 of 1

<b>DEPARTMENT</b> TREASURER	<b>ADDRESS</b> PO BOX 487 BEAUFORT SC 29901	
<b>PHONE</b> 470-2766	<b>RECORDS APPROVED FOR MICROFILMING</b>	<b>DATE FILMED</b>

FOR REFERENCE TO THESE RECORDS, GIVE RECORD CENTER THIS NUMBER

BOX NO.	RECORDS TITLE DESCRIPTION OF RECORDS WITH INCLUSIVE DATES	SCHEDULE NUMBER	DESTRUCT DATE	DATE DESTROYED	BIN NUMBER
1	GENERAL CORRESPONDENCE (ADMIN. ASST.) 1995-1997	TR74	4/2002	3/13/03	<del>8061</del>
2	NULLA BONA 1993-1994	TR74	4/2005	12/30/97	8062
3	TAX DIGEST 1991 AND PRIOR	TC1001	4/2000		8063
4	1992 DELINQUENT TAX DIGEST	TC1001	4/2000	9/12/01	<del>8064</del>
5	HOMESTEAD REPORTS 1991, 93, 94	TC10	4/2003		8065
6	1995 TAX SALE FILES	TC10	10/2005		8066 ✓
7	1995 TAX SALE FILES	TC10	10/2005		8067 ✓
8	1993 TAX SALE FILES , 1994 REDEMPTIONS	TC10	10/2004		8068
9	1994,95 TAX SALE FILES	TC10	10/2004		8069
10	97/98 GENERAL CORRESPONDENCE, SUPPLIES	TR74	4/2003	6/7/04	8070

DEPT. SIGNATURE: *Louise Dunning* TITLE: *Exec Secy* DATE: *4/14/97*

RECORDS RECEIVED BY: *[Signature]* DATE: *4/15/97*

Transmittal and Receipt return to Dept. by: *[Signature]* DATE: *4/15/97*

BEAUFORT COUNTY RECORDS CENTER  
 2727 DEPOT ROAD - P.O. DRAWER 1228  
 BEAUFORT, SOUTH CAROLINA 29901

TRANSMITTAL AND RECEIPT

Page 1 of 1

DEPARTMENT TREASURER # 11020	ADDRESS Rm #175 Admin. Bldg., 100 Ribaut Rd., Bft., S.C. 29902
PHONE 470-2765	RECORDS APPROVED FOR MICROFILMING
	DATE FILMED

FOR REFERENCE TO THESE RECORDS, GIVE RECORD CENTER THIS NUMBER

BOX NO.	RECORDS TITLE	DESCRIPTION OF RECORDS WITH INCLUSIVE DATES	SCHEDULE NUMBER	DESTRUCT DATE	DATE DESTROYED	BIN NUMBER
1	1990 Tax Sale Deeds		TC 10	SC Archives		188
2	1991 Tax Sale Deeds		TC 10	SC Archive		212
3	1993 Tax Sale Records		TC 10	2003 Arch		229
4	1993 & 1994 Tax Sale Records		TC 10	2004 Arch		230
5	1994 Tax Sale Records		TC 10	2004 "		301
6	1995 Tax Sale Records	thru 1999	TC 10	2005 "		338 ✓
<del>7</del>	<del>1996 Tax Sale Records</del>		<del>TC 10</del>	<del>2006 "</del>		
<del>8</del>	<del>1997 Tax Sale Records</del>		<del>TC 10</del>	<del>2007 "</del>		

DEPT. SIGNATURE: Candy Hawery TITLE: Treasurer DATE: 11/02/2001  
Ron Bridges  
 RECORDS RECEIVED BY: [Signature] DATE: 11/05/01  
 Transmittal and Receipt return to Dept. by: [Signature] DATE: 5-1-07  
 Revised 10-17-88

**BEAUFORT COUNTY RECORDS CENTER  
2727 DEPOT ROAD - P.O. DRAWER 1228  
BEAUFORT, SOUTH CAROLINA 29901**

**TRANSMITTAL AND RECEIPT**

Page \_\_\_\_\_ of \_\_\_\_\_

<b>DEPARTMENT</b> Treasurer	<b>ADDRESS</b> 100 Ribaut Rd./ Adm'n. #175	
<b>PHONE</b> 470-2765	<b>RECORDS APPROVED FOR MICROFILMING</b>	<b>DATE FILMED</b>

FOR REFERENCE TO THESE RECORDS, GIVE RECORD CENTER THIS NUMBER →

BOX NO.	RECORDS TITLE DESCRIPTION OF RECORDS WITH INCLUSIVE DATES	SCHEDULE NUMBER	DESTRUCT DATE	DATE DESTROYED	BIN NUMBER
135	Delinquent Digest 1997 ?	TC 01	Archival		1350
136	Delinquent Digest 1997 ?	TC 01	Archival		1351
137	Tax Sale Deeds 1992	TC 10	Archival		1352
138	Tax Sale Deeds 1993	TC 10	Archival		1353
139	Tax Sale Records 1995	TC 10	Archival		1369
140	Tax Sale Records 1996	TC 10	Archival		1370
141	Tax Sales Redeemed 1996	TC 10	Archival		1371
142	Delinquent Bills 2000 L-0	TC 05	March 2002	3/6/03	<del>10273</del>
143	Delinquent Bills 2000 A-Ch	TC 05	March 2002	3/6/03	<del>10274</del>
144	Delinquent Bills 2000 Ch-Go	TC 05	March 2002		10275
145	Delinquent Bills 2000 Go-K	TC 05	March 2002		10276
146	Delinquent Bills 2000 P-So	TC 05	March 2002		10277
<del>147</del>	<del>Delinquent-Bi</del>				
147	Delinquent Bills 2000 Sou-Z	TC 05	March 2002	3/6/03	<del>10278</del>

DEPT. SIGNATURE: Hershel J. Evans Jr. TITLE: Deputy Treasurer DATE: Nov. 6, 2002  
 RECORDS RECEIVED BY: Ron Bridges DATE: 11/11/02  
 Transmittal and Receipt return to Dept. by: [Signature] DATE: 11/11/02  
 Revised 10-17-88

BEAUFORT COUNTY RECORDS CENTER  
 2727 DEPOT ROAD - P.O. DRAWER 1228  
 BEAUFORT, SOUTH CAROLINA 29901

TRANSMITTAL AND RECEIPT

DEPARTMENT TREASURER #11020	ADDRESS PO DRAWER 487, RM 175 ADMIN BLDG 100 RIBAUT RD BFT., SC 29902
PHONE 470-2765	RECORDS APPROVED FOR MICROFILMING
	DATE FILMED

FOR REFERENCE TO THESE RECORDS, GIVE RECORD CENTER THIS NUMBER

BOX NO.	RECORDS TITLE DESCRIPTION OF RECORDS WITH INCLUSIVE DATES	SCHEDULE NUMBER	DESTRUCT DATE	DATE DESTROYED	BIN NUMBER
1	REASSESSMENT 20% A-Z TAXPAYER 1998	TR-22	3/2006	11/15/07	8073
2	"	"	"	11/15/07	8074
3	"	"	"	11/15/07	8075
4	"	"	"	11/15/07	8076
5	TAX SALE BOOK (GREENBAR) 1991-1998	TC-10	ARCHIVES		3952
6	TAX SALE BOOKS 1999	TC-10	ARCHIVES		3953
7	" 1998	"	"		3954
8	" 1998	"	"		3955
9	" 1997	"	"		3959
10	TAX SALE LEVY BOOKS 1995-1996 500-800, 100-400 & 700, 500-700	TC-10	ARCHIVES		3961
11	TAX DEEDS, TAX SALE 1996	TC-10	ARCHIVES		3962
12	" 1997	"	"		3963
13	" 1998	"	"		3975
[REDACTED]					
15	NON EXECUTED TAX DEEDS 1998-2001	TC-10	ARCHIVES		3979
16	TAX DEEDS, TAX SALE 1999	TC-10	ARCHIVES		3983
17	DELINQUENT DIGEST 2002	TR-13	4/2008	11/15/07	8078
18	" 2002	"	"	11/15/07	8079
19	TAX SALE RECORDS/BOOK 2000	TC-10	ARCHIVES		3985
20	TAX DEEDS, TAX SALE 1996	TC-10	ARCHIVES		3988

DEPT. SIGNATURE: *Betty Brewer* TITLE: TREASURER DATE: 4/13/05

RECORDS RECEIVED BY: *[Signature]* DATE: 4/14/05

Transmittal and Receipt return to Dept. by: \_\_\_\_\_ DATE: \_\_\_\_\_

Revised 10-17-88

BEAUFORT COUNTY RECORDS CENTER  
 2727 DEPOT ROAD - P.O. DRAWER 1228  
 BEAUFORT, SOUTH CAROLINA 29901

TRANSMITTAL AND RECEIPT

Page 1 of 1

DEPARTMENT <u>Treasurer</u>	ADDRESS <u>P.O. Box 487 Beaufort SC</u>	
PHONE <u>X 4760</u>	RECORDS APPROVED FOR MICROFILMING	DATE FILMED

FOR REFERENCE TO THESE RECORDS, GIVE RECORD CENTER THIS NUMBER

BOX NO.	RECORDS TITLE DESCRIPTION OF RECORDS WITH INCLUSIVE DATES	SCHEDULE NUMBER	DESTRUCT DATE	DATE DESTROYED	BIN NUMBER
1	1995 Tax Digest	TC00	10/2005		8047
2	Bankruptcy Files	TC10	10/2003		8048
3	1996 Yellow Notices	TR22	4/2002	3/10/03	<del>8049</del>
4	1996 Yellow Notices	↓	4/2002	3/10/03	8050
5	1996 Yellow Notices		4/2002	3/6/03	8051
6	1996 Yellow Notices		4/2002	3/6/03	<del>8052</del>
7	Certified Green Cards 1996		4/2002	3/6/03	8053
8	Certified Green Cards 1996		4/2002		8054
9	Certified Green cards 1996		4/2002		8055
10	Certified Green cards 1996		4/2002		8056
11	Certified green cards 1996		4/2002	3/6/03	8057
12	Certified Green cards 1996		4/2002	3/10/03	8058
13	"		4/2002	3/10/03	<del>8059</del>
14	"		4/2002	3/10/03	8060

DEPT. SIGNATURE: \_\_\_\_\_ TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

RECORDS RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Transmittal and Receipt return to Dept. by: [Signature] DATE: 4/19/99

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF BEAUFORT )  
)  
Maxine Taylor )  
)  
Plaintiff, )  
v. )  
)  
Heirs of William Taylor; Heirs of E. )  
Washington; Heirs of Phoebe Taylor; )  
Heirs of Albertha Goodwine; and all )  
Persons designated as a class; )  
Richard Row, and Beaufort County, )  
SC a body politic. )  
)  
Defendants. )

IN THE COURT OF COMMON PLEAS

CASE NO.: 2011-CP-07-2521

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF BEAUFORT )  
)  
Stanley Taylor, Joe A. Taylor and )  
Martha T. Brown )  
)  
Plaintiffs, )  
v. )  
)  
Heirs of William Taylor; Heirs of )  
E. Washington; Heirs of Phoebe )  
Taylor; Heirs of James Joseph )  
Taylor; Heirs of Josephine Taylor )  
And Georgia Champion. )  
)  
Defendants. )

IN THE COURT OF COMMON PLEAS

CASE NO. 2012-CP-07-2246

---

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.

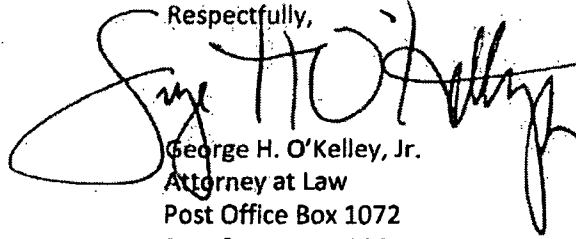
In locating boundaries described in a deed, resort is made first to the natural landmarks, then artificial ones, then adjacent boundaries and last to courses and distances. *Lake View Acres Development Co. vs. Tindal*, 412 SE 2d 457, 306 SC 477 (1991). The rule for determining a dispute in boundaries 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

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

IN THE COURT OF COMMON PLEAS  
14TH JUDICIAL CIRCUIT  
CIVIL CASE NO. 2011-CP-07-2521

Maxine Taylor, )  
 )  
Plaintiff, )

NON-JURY

vs. )

POST-HEARING BRIEF OF  
DEFENDANTS

Heirs of William Taylor, Heirs of )  
E. Washington, Heirs of Phoebe Taylor, )  
et al., )  
 )  
Defendants. )

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

IN THE COURT OF COMMON PLEAS  
14TH JUDICIAL CIRCUIT  
CIVIL CASE NO. 2012-CP-07-02246

Stanley Taylor, Joe A. Taylor )  
and Martha T. Taylor, )  
 )  
Plaintiffs, )

NON-JURY

vs. )

POST-HEARING BRIEF OF  
DEFENDANTS

Heirs of William Taylor, Heirs of )  
E. Washington, Heirs of Phoebe Taylor, )  
Heirs of James Joseph Taylor, Heirs of )  
Josephine Taylor, and Georgia Champion, )  
 )  
Defendants. )

1. History of the cases. Plaintiffs brought the actions alleging ownership of all of Lot 9, Warsaw Island, consisting of approximately 10 acres, claiming through a 1937 deed that conveyed approximately 4 acres. Defendants answered denying Plaintiffs' claims, demanding strict proof thereof, and later filed amended Answers counter-claiming that 6 of the 10 acres of the said

Lot 9 are held lawfully by the Heirs of William Taylor by adverse possession. The cases were consolidated and hearings on the matter were held on July 29, 2013 and April 8, 2014.

2. History of the land - Heirs of William Taylor.

a. Defendants unanimously testified that the 6 acres they claim as belonging to the Heirs of William Taylor have been continuously owned, occupied, cultivated, and farmed (raising cattle and other livestock) by their ancestors since St. Helena Island and Beaufort District was occupied by Federal troops in approximately 1863. Defendant Heir of William Taylor, Constance Cooper, testified that the family history of the property included that her great, great grandfather, Billy Taylor, a freed slave, purchased the property for one cent (\$0.01) an acre.

b. Defendants also unanimously testified as to the location of the property occupied by them and their ancestors and as to the use of the property. Georgia Champion testified she was raised on the property by her grandparents, Rufus Taylor and Mary Taylor, and worked the property feeding animals and watering them while growing up. Constance Cooper and her sister, Joan Hilliard, testified they routinely visited the property with their father while growing up. Even Plaintiffs Maxine and Martha Taylor admitted to playing on the property of Rufus and Mary Taylor as youngsters and begrudgingly acknowledged the property's location within Lot 9.

c. Further, Beaufort County records corroborated the ownership claimed by Defendants. In particular, the County taxed the heirs of William Taylor for 6 acres of Lot 9 for as long as records exist through to the present day. The basis for the taxation was the Arthur O. Christensen property card maintained by the County. The "AOC card" references a deed into William Taylor for 10 acres on Warsaw Island, but apparently not in Lot 9.

d. In addition, other evidence corroborated the Defendants' testimony as to the location and occupation of their 6 acres in Lot 9. This evidence included the testimony of Barry Reid, Beaufort County GIS Technician, who authenticated County aerial photographs of the property that clearly show the home built and occupied by Rufus and Mary Taylor as well as their cleared and cultivated land. In addition, at the second hearing on the actions, Defendants produced photographs of and testimony at the second hearing regarding the remains of the Rufus and Mary Taylor home place on Lot 9, particularly revealing portions of what remains of the brick foundation and metal roof of the structure. In addition, at the second hearing photographs of the abandoned

power line to and water meter for the structure were identified and shown to be on Lot 9 as previously testified to by Defendants in the first hearing.

e. Defendants have been consistent in claiming and protecting the property as theirs. In particular, Defendants Georgia Champion and Marjorie Kemp testified at the first hearing that they and their aunt, Albertha Goodwine, promptly objected to Martha Taylor's moving her mobile home onto their property. When they sought to discuss the matter with Martha Taylor, she shut the door on them. While Martha Taylor has regrettably passed during the pendency of these actions, her son, Tommy Brown, Jr., corroborated Defendants' account of this event. Defendants' position was at that time and is now that Martha Taylor placed her mobile home too far to the west in the northeast portion of Lot 9.

f. In sum, Defendants have shown by a preponderance of the evidence a history dating to 1863 of their actual, open, and continuous use, control and occupation of 6 acres of Lot 9 to the exclusion of Plaintiffs.

### 3. History of the Land - Heirs of James Taylor

a. Plaintiffs are the children of James Taylor, who was the son of Phoebe Taylor. Their claim to property in Lot 9, Warsaw Island, is through the said Phoebe Taylor.

b. By deed of "Josephine Taylor now Black", Phoebe Taylor took title property described as formerly 5 acres, now 4 acres due to erosion. An interesting note on that 1937 deed is that while it appears facially to convey good title, in fact neither title abstractor who searched the records and testified at the first hearing of these cases could find any deed into Josephine Taylor or her husband Ben Taylor that would show her seised and possessed of such land in order to convey good title to Phoebe Taylor in 1937.

c. Notwithstanding this defect, the heirs of Phoebe Taylor in 1960 conveyed to her son, James Taylor, a portion of the 4 acres consisting of 1-1/6 acres, more or less. As Defendants noted early in the presentation of evidence, this conveyance confirms Phoebe Taylor's possession of no more than 4 acres; describes a rectangular parcel running 418' north and south and 146' on its northern boundary and 140' on its southern boundary; contains, by the call of its dimensions, a parcel of 1-1/3 acres (approximately 59,774 sq. ft.); and is further described as the southern portion of Phoebe Taylor's land; and, finally, describes as its western boundary "the Estate of William Taylor".

d. James Taylor later built his house on that 1-1/6 to 1-1/3 acre property, notably locating the house south of Warsaw Road and immediately west of Gardner Drive. All the parties, both plaintiffs and defendants, identified the house and its location both on Defendant's diagrams and on Beaufort County aerial photographs. The call of the deed into James Taylor as well as the erection of James Taylor's house on this land south of Warsaw Road belies any argument that Phoebe Taylor took lands under the 1937 deed exclusively located north of Warsaw Road.

e. Thereafter, in approximately 1985, for reasons no party or living person knows and no County record exists to justify, the tax map parcel number for Phoebe Taylor's and James Taylor's parcels totaling 4 acres was switched with the tax map parcel number for the 6 acre parcel owned by the Heirs of William Taylor.

f. Notably, the taxing authority never changed the acreage assigned to each tax map parcel number, and the Heirs of William Taylor have continued to be taxed on their 6 acres while the heirs of James Taylor have been taxed on a combined total of 4 acres since the switch.

g. In 1995 and 1997, the remaining portion of Phoebe Taylor's property on Lot 9 was sold at County tax sale and purchased by James Taylor. The County Treasurer's office, as was the practice at the time, "carved off" what it considered to be sufficient property to settle the first tax indebtedness of Phoebe Taylor and, at the second tax sale, conveyed the remaining portion to the estate to James Taylor. As a consequence of the switched tax map parcel numbers, the tax deeds into James Taylor described property not of Phoebe Taylor, but of Heirs of William Taylor.

h. While Plaintiffs seek to expand their family's land holdings from 4 acres in Lot 9 to 10 acres, the tax sale files produced by the County Treasurer's Office clearly show that the property sold at tax sales in 1995 and 1997 to James Taylor comes out of Phoebe Taylor's property, not property of William Taylor. Thus, Plaintiffs' property in Lot 9 cannot be and is not of any greater acreage than the 4 acres deeded into Phoebe Taylor in 1937.

4. Location of the Parties' Respective Parcels.

a. Defendants and Defendants' witnesses testified precisely as to the location of the lands of the Heirs of William Taylor. They unanimously recounted a parcel located in Lot 9 of Warsaw Island that extends from the marshes in the northern portion of Lot 9 and include a

section that extends across Warsaw Road in the southwestern portion of Lot 9. As to the northern boundary extending to the marshes, the witnesses consistently testified that their family's cattle grazed in the northern section of Lot 9 and that even today the stakes placed by their ancestors for keeping the livestock from roaming into the marshes are visible at low tide. Plaintiffs could not offer and did not offer any such testimony of use of the northern portion of Lot 9 simply because no such use occurred.

b. Defendant's testimony was uniformly corroborated by Beaufort County records showing Defendants' ownership of 6 acres of Lot 9 and further showing the location of those 6 acres precisely where Defendants located them, that is predominantly north of Warsaw Road with a "tie-in" south of Warsaw Road. Until the inexplicable switching of tax parcel numbers, the County Assessor's and Treasurer's tax records consistently showed Defendants' property so located and still shows Defendants' property in Lot 9 as consisting of 6 acres.

c. As noted above, Plaintiffs' father, James Taylor, erected his home in which Plaintiffs were raised in the southeast portion of Lot 9, south of Warsaw Road and with dimensions showing a rectangular parcel with northern and southern boundary lines of 146' and 140', respectively. According to testimony and such records as were introduced, James Taylor built this house on that 1-1/6 to 1-1/3 acre parcel conveyed to him from Phoebe Taylor's 4 acres.

d. The inescapable conclusion from a reading of the 1937 deed, and the deeds flowing therefrom, is that the Phoebe Taylor land incorporated land both touching the marsh to the north and extending to the south such as to incorporate that land upon which James Taylor built his house and raised his family. Defendants introduced early in the proceedings a diagram that approximates just such a rectangular parcel of land, which would have its principal boundary lines running north/south, consistent with other parcels on the island.

e. Significantly, when Martha Taylor first moved her mobile home onto Defendants' land, the neighboring Defendants did not contend that all the land north of Warsaw Road was Heirs of William Taylor land. Instead, they contended, and maintain today, that Martha Taylor placed her mobile home too far west of her family's property. Thus, upon the Court recognizing the correct boundaries and quieting title as between the parties, Defendants only ask that the Martha Taylor mobile home be relocated to a proper location east of its current location.

5. The arithmetic of the case.

a. Lot 9 consists of approximately 10 acres.

b. Plaintiffs' title abstractor testified that going back to 1863, she could find only one conveyance into Phoebe Taylor in Lot 9, and that was for a parcel consisting of 4 acres, more or less. Defendant' title abstractor confirmed these findings.

c. The heirs of Phoebe Taylor conveyed out to her son, James Taylor, a parcel of 1-1/6 to 1-1/3 acres and lost or let go to tax sale two other parcels in Lot 9 consisting of a total of 2.6 acres, more or less, which parcels were purchased by the same James Taylor.

d. The simple math of the issue confirms that Plaintiffs can own no more than the 4 acres deeded into Phoebe Taylor in 1937. The 1960 deed into James Taylor of 1-1/3 acres and the later purchase by him at tax sale of 2.6 acres total 4 acres almost exactly. The testimony of one of Plaintiffs justifying their claim to the full 10 acres of Lot 9 based on the "more or less" language of the 1937 deed defies the history of the property and common sense.

e. Instead, the evidence supports the Plaintiffs' claim to 4 acres and 4 acres only, and confirms the Defendants title to the remaining 6 acres of Lot 9.

6. The Law and Equity of the Case

a. Plaintiffs' claims to any of Lot 9 in excess of a parcel consisting of 4 acres must fail under the law. They have no deed to more than 4 acres (the tax sale deeds clearly being for parcels coming out of the original 4 acre parcel conveyed to Phoebe Taylor), and can claim no lawful title in the property under any of South Carolina's adverse possession statutes (including under color of law) insofar as Martha Taylor could not claim the minimum 10 year period for true adverse possession; that is, her actual possession, use, control, or improvement of the property prior to commencement of the actions was for a period of less than 10 years. Failure to prove this single element of the allegation causes the action to fail.

b. Contrary to Plaintiffs' claims, the Defendants can and have shown, without rebuttal, their claim of title to the 6 acre parcel of Lot 9 stems from actual possession of the property from 1863 forward. Unrebutted testimony of family members described the property has having been inhabited by Defendants and their ancestors, generations of whom raised their families on the property and lived as subsistence farmers, raising cattle and growing crops on the property. Such

a history of the property meets even the most minimum statutory requirements of actual, open, notorious, exclusive, continuous and hostile possession of the property.

c. In addition, the doctrine of a "lost grant" is applicable to these cases.

(1) Historically, adverse possession is said to be based on the presumption of a lost grant. 2A C.J.S. §317. Under that rule, the long-continued, undisturbed possession of real property, accompanied by the usual claims and acts of ownership such as present here, where it appears from the facts and circumstances of the case that the deed or other muniment of title in question more likely had been executed than it had not been. *Id.* In addition to long-continued, undisturbed possession, other factors to be considered include whether the occupant has held title at all under color of title, has openly asserted title to the property, has paid taxes on the property as if it were his own, has had the beneficial use of the property, has made improvements thereon, or where the opposing party has acquiesced in claimant's occupancy of the property. *Id.*

(2) Here, Defendants have clearly occupied the property to the exclusion of all others since 1863, apparently under color of title, and have paid taxes on the property as their own; have had the beneficial use of the property by raising cattle and crops and raising generations of families on the property; and have made improvements on the property including Rufus and Mary Taylor's house in which Georgia Champion was raised. Further, however grudgingly, Plaintiffs did acknowledge in their testimony, to the extent of their years, the occupation of the property by the heirs of William Taylor, and could make no such claim on the same land on behalf of their family.

d. But for the County's unexplained and undocumented switching of the tax map parcels, the generations of ownership of the 6 acres of land of William Taylor in Lot 9 of Warsaw Island would not be questioned. Nonetheless, that ownership and use of the property for generations, the improvements to the property, and the paying of taxes, cannot, by the terms of law or equity, be undone by a recent claim to the land based on placement of a mobile home on the property for a period of less than 10 years.<sup>1</sup>

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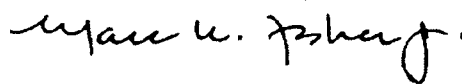
<sup>1</sup> Plaintiffs' claim in their Brief that the disposition of a quiet title action pertaining to Lot 7 is somehow controlling to resolve the present action is misplaced. In particular, the referenced notation on the plat "N/F Phoebe Taylor" would not put Defendants on notice of the switching of the tax map parcel numbers by the County because Defendants also have an ancestor of the same name.

e. Equitable Maxims. Two of the maxims of equity particularly apply to these cases. First, "Equity Will not Suffer a Wrong Without a Remedy." Here, the Defendant Heirs of William Taylor have been nearly dispossessed of land held in the family for generations and but for the County's switching of tax map parcel numbers such title would never have been questioned. The remedy is for the Court to order the County to re-establish the former tax map parcel numbers to the parcels as they are shown on County tax maps of 1956 and as updated in 1965.

Second, "He Who Seeks Equity Must do Equity." Here Defendant Heirs of William Taylor, answering Plaintiffs' Complaints, seeks that the Court quiet title to their property, and are not claiming all of Lot 9 north of Warsaw Road. Defendants have consistently sought to define the Martha Taylor claim to property north of Warsaw as a rectangular portion of the eastern most section of Lot 9 and ask that, as part of its Order, that Plaintiffs simply be ordered to move the mobile home eastward on Lot 9.

7. Conclusion. Plaintiffs have failed to prove their claim to all 10 acres of Lot 9 as alleged. Defendants have proven their title to 6 acres of Lot 9 and, notwithstanding a defective grant into Plaintiffs, do not contest Plaintiffs' title to only 4 acres of Lot 9. Defendants renew their plea that the Court quiet title to the 6 acres as well defined by the County's tax maps of 1956 and 1965. It would be grossly unjust for the Defendants to be dispossessed of property occupied, cultivated and controlled by their ancestors for generations, or for Plaintiffs to increase their ownership from 4 to 10 acres in Lot 9, due to an entirely unexplained, undocumented, and unjustified switching of tax map parcel numbers by a County employee.

Respectfully,



Marc W. Fisher, Jr.  
Levin Gilley & Fisher, LLC  
Attorneys for Defendants

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Master in Equity

The Honorable Marvin H. Dukes III, Master in Equity

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Case No. 2015-000342

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Maxine Taylor, Respondent,

v.

Heirs of William Taylor, Heirs of E. Washington, Heirs of Phoebe Taylor, Heirs of Albertha Goodwine, and all persons unknown designated as a class; Richard Roe, and Beaufort County, SC, a body politic, Defendants,

Of whom Heirs of William Taylor, Heirs of E. Washington, Heirs of Phoebe Taylor, and Heirs of Albertha Goodwine are the Appellants.

Stanley Taylor, Joe A. Taylor and Martha T. Brown, Respondents,

v.

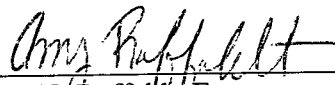
Heirs of William Taylor, Heirs of E. Washington, Heirs of Phoebe Taylor, Heirs of James Joseph Taylor, Heirs of Josephine Taylor and Georgia Champion, Appellants.

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**CERTIFICATE OF COUNSEL**

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The undersigned attorney hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

  
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Amy K. Raffaldt, Esq.  
Attorney for Appellants

September 9, 2015

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SC Court of Appeals

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Amy K. Raffalini Esq.  
Attorney for Appellants

September 9, 2015