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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Joseph R. Strickland, Master-in-Equity

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SC Court of Appeals

Trial Court Case No. 2013-CP-40-05740
Appellate Case No. 2016-00046

Hamilton Duncan, Individually and Hamilton Duncan, as
Personal Representative of the Estate of Christine A. Duncan.....Respondents,

v.

Roy Drasites and Elizabeth Drasites.....Appellants.

CONSENT ORDER FOR SUBSTITUTION OF RESPONDENTS

THIS MATTER COMES BEFORE THE COURT on Motion of W. Taylor Stanley,
attorney for the Respondents, Hamilton Duncan, Individually and Hamilton Duncan, as Personal
Representative of the Estate of Christine A. Duncan, for substitution of the Respondents pursuant
to Rule 265(c), SCRAP;

IT NOW APPEARING TO THIS COURT that Appellants hereby consent to the
substitution of the Respondents in the above-captioned matter;

IT NOW FURTHER APPEARING that a portion of the subject property in connection
with the above-captioned matter has been conveyed by Hamilton Duncan, Individually and
Hamilton Duncan, as Personal Representative of the Estate of Christine A. Duncan to Hamilton E.
Duncan as Conservator for a Minor, Benjamin Witten Duncan, Case No. 2013-GC-40-00010 and
Hamilton E. Duncan as Conservator for a Minor, Jonas Rudolf Duncan, Case No. 2013-GC-40-

00011, by Deed of Distribution dated October 14, 2016 and recorded on October 17, 2016 in the Register of Deeds for Richland County in Deed Book 2156 at Page 2010, a copy of which is attached hereto as Exhibit A, and as such the parties to this appeal require substitution.

IT NOW FURTHER APPEARING that Hamilton E. Duncan as Conservator for a Minor, Benjamin Witten Duncan, Case No. 2013-GC-40-00010 and Hamilton E. Duncan as Conservator for a Minor, Jonas Rudolf Duncan, Case No. 2013-GC-40-00011 shall be substituted as Respondents in the place of Hamilton Duncan, Individually and Hamilton Duncan, as Personal Representative of the Estate of Christine A. Duncan;

THEREFORE, IT IS HEREBY ORDERED that Hamilton E. Duncan as Conservator for a Minor, Benjamin Witten Duncan, Case No. 2013-GC-40-00010 and Hamilton E. Duncan as Conservator for a Minor, Jonas Rudolf Duncan, Case No. 2013-GC-40-00011 shall be substituted as Respondents in the place of Hamilton Duncan, Individually and Hamilton Duncan, as Personal Representative of the Estate of Christine A. Duncan.

AND IT IS SO ORDERED.

_____, 2016

JUDGE FOR THE SOUTH CAROLINA
COURT OF APPEALS

I SO MOVE:



Michael W. Tighe
W. Taylor Stanley
CALLISON TIGHE & ROBINSON, LLC
Post Office Box 1390
Columbia, South Carolina 29202-1390
Telephone: 803-404-6900
Facsimile: 803-404-6902
Attorneys for Respondents

I SO CONSENT:



James Randall Davis
DAVIS FRAWLEY, LLC
140 East Main Street
P.O. Box 489
Lexington, SC 29071
Telephone: 803-359-2512
Facsimile: 803-359-7478
Attorneys for Appellants

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
IN THE MATTER OF:)
CHRISTINE A. DUNCAN)
)

IN THE PROBATE COURT
**DEED OF DISTRIBUTION
(Real Property Only)
NOT A WARRANTY DEED**
CASE NUMBER: 2012-ES-40-1525

County where property is located if not above County:

The undersigned states as follows:

Decedent died on October 22, 2012; and probate of the Estate is being administered in the Probate Court for Richland County, South Carolina in File Number: 2012-ES-40-1525.

I was appointed Personal Representative on June 19, 2013.

Decedent owned real property described as follows:

Tax Map Number: 01411-02-03

Street/Property Address: 1312 Silver Point Road, Chapin, South Carolina 29036

LEGAL DESCRIPTION:

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, containing 0.99 acres, more or less, shown and designated on a plat prepared for Jay Clark Case by Site Consultants dated April 25, 1988, and recorded in the R.M.C. Office for Richland County in Plat Book 52 at Page 1316, and being further shown on a plat prepared for A. Charles Craft, III and Manita B. Craft by Hussey, Gay, Bell & DeYoung, Inc., dated December 13, 1995. Said lands are bounded as follows: NORTH by lands now or formerly of Drasites for a distance of 207.84 feet; EAST by Silver Point Road, S40-2265, for a distance of 208.93 feet; SOUTH by lands now or formerly of Biernaski, for a distance of 208.73 feet; and WEST by further lands now or formerly of Drasites for a distance of 208.47 feet, all measurements a little more or little less.

ALSO that certain non-exclusive easement for ingress and egress over a Twenty (20') foot strip from the above described property to the 360 foot contour of Lake Murray, said easement being more particularly described in that certain deed from Woodberry Utilities, Inc., to Jay Clark Case, recorded in said RMC Office in Deed Book D393 at Page 150, being more particularly shown on the plat above referred to.

DERIVATION: This being the same property whereby an undivided one-half (1/2) interest was conveyed to Christine A. Duncan by deed of A. Charles Craft, III and Manita B. Craft dated June 28, 2002 and recorded in the Register of Deeds Office for Richland County on July 1, 2002 in Record Book 680 at Page 383 and also the same property whereby the remaining one-half (1/2) interest was conveyed by Hamilton Duncan to Hamilton Duncan as Personal Representative for the Estate of Christine A. Duncan, Case No. 2012-ES-40-1525 by deed dated September 24, 2014 and recorded in the Register of Deeds Office for Richland County on October 2, 2014 in Record Book 11431 at Page 18.

This transfer is made pursuant to:

- Decedent's Will
- Intestacy Statute: SCPC 62-2-103
- Private Family Agreement: SCPC 62-3-912
- Disclaimer by: _____
- Probate Court Order issued on June 19, 2013
- Other: _____

Book 2156-2010		
2016080147	10/17/2016 15:30:43:247 Deed of Distribution	
Fee: \$10.00	County Tax: \$0.00	State Tax: \$0.00
2016080147 John T. Hopkins II Richland County R.O.D.		

W. TAYLOR STANLEY
803.404.6900
TaylorStanley@callisontighe.com
Admitted in SC and NC

November 2, 2016

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court
Court of Appeals
P.O. Box 11629
Columbia, SC 29211

**Re: Hamilton Duncan, Individually and Hamilton Duncan, as
Personal Representative of the Estate of Christine A. Duncan
v. Roy Drasites and Elizabeth Drasites
Appellate Case No. 2016-00046
Our Case No. 6035.001**

Dear Ms. Kitchings:

Enclosed for consideration and filing, please find the original and one (1) photocopy of the Consent Order for Substitution of Respondents, in connection with the above-referenced matter. Also enclosed please find my firm's check in the amount of \$25.00 as the filing fee.

Upon the Consent Order being signed and filed, please return a clocked-in copy to me in the enclosed envelope provided herein for your convenience.

If you should have any questions, please do not hesitate to contact me.

With warmest regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC



W. Taylor Stanley

WTS/kam
Enclosure
cc: (w/ encl.) James Randall Davis, Esquire
Michael W. Tighe, Esquire
Hamilton Duncan