

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE BEAUFORT COUNTY
COURT OF COMMON PLEAS

STEPHEN A. SPITZ, SPECIAL REFEREE

APPELLATE CASE NO.: 2016-001878
CASE NO.: 2015-CP-07-1931

JULIA TOMPKINS EWING,

Respondent,

vs.

KEITH A. GUEST and STEPHANIE C. GUEST and
PLEASANT POINT PROPERTY OWNERS ASSOCIATION, INC.,

Defendants

OF WHOM

KEITH A. GUEST and STEPHANIE C. GUEST are

Appellants.

APPELLANTS' DESIGNATION OF MATTER
TO BE INCLUDED IN RECORD ON APPEAL

The Appellants hereby designate the following documents to be included in the Record on
Appeal:

Orders:

1. Special Referee Supplemental Second Final Order August 8, 2016
2. Special Referee Final Order of March 25, 2016.
3. Consent Order filed September 28, 2015.
4. Order Appointing Special Referee filed December 3, 2015.

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Pleadings:

1. Summons and Complaint filed on August 11, 2015.
2. Answer and Counterclaim filed on August 21, 2015.
3. Reply filed on September 17, 2015.

Motions:

1. Appellant's Motion for Reconsideration, Amendment and a New Trial dated August 8, 2016.
2. Respondent's Motion to Alter or Amend the Judgment dated April 11, 2016.
3. Motion for Temporary Injunction filed August 11, 2015.

Deeds:

1. Deed from Pleasant Point Plantation Associates to Howard N. Jones dated October 29, 1986 recorded in Book 462 a Page 1266.
2. Deed from Howard N. Jones to Robert and Lewis White dated October 29, 1986 recorded in Book 462 at Page 1271.
3. Deed from Jones Property to Robert and Lewis White dated October 29, 1986 recorded in Book 462 at Page 1274.
4. Deed from Robert Lewis White to Frank and Judith Davis dated June 19, 1987 recorded in Book 479 at Page 1180.
5. Deed dated June 19, 1987 from Robert and Lewis White to Tallahassee Neurological Center recorded in Book 479 at Page 1184.
6. Deed recorded on June 22, 1987 in Book 481 at Page 1878.
7. Deed from Tallahassee Neurological Clinic to Tallahassee Neurological Profit Sharing Plan dated March 13, 1991 recorded in Book 579 at Page 36.
8. Deed from General Tompkins to his Trust recorded in Book 799 at Page 471.
9. Deed from Davises to American Hospital Insurance Group dated June 7, 1997 recorded in Book 950 at Page 1579.
10. Deed from American Hospital Insurance Group to Roi and Dyan Young dated January 22, 1999 in Book 1132 at Page 1549.
11. Deed from Tallahassee Neurological Profit Sharing to Roi and Dyan Young dated January 25, 1999 and recorded in Book 1132 at Page 1543.
12. Deed from Roi and Dyan Young to Alyon, Inc. dated November 8, 2000 and recorded in Book 1367 at Page 1111.
13. Deed from J.P. Morgan Chase Bank to Keith and Stephanie Guest dated January 28, 2010 in Book 2938 at Page 589.
14. Deed from General and Mrs. Tompkins to Julia Tompkins Ewing dated September 12, 2013 in Book 3277 at Page 755.
15. Deed from "Davises" to America Hospital Insurance Group dated January 22, 1999 recorded in Book 950 at Page 120.

Mortgages:

1. Mortgage recorded in Mortgage Book 350 at Page 1450.

Plats:

1. Plat recorded on December 9, 1969 in Book 18 at Page 45.
2. Plat recorded in Book 19 at Page 160.
3. Plat recorded on April 11, 1974 in Book 22 at Page 109.
4. Plat recorded on July 22, 1982 in Book 30 at Page 141.
5. Plat recorded on April 11, 1974 in Book 22 at Page 109.
6. Plat recorded on April 11, 1974 in Book 22 at Page 109.
7. Plat recorded on July 21, 1982 in Book 30 at Page 141.
8. Plat recorded in Book 248 at Page 455.

Easements:

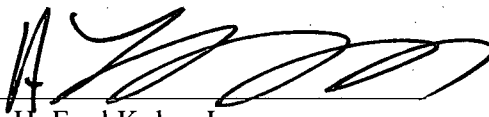
8. Easement recorded in Deed Book 248 at Page 454.

Transcripts:

1. Transcript of Hearing held on January 20, 2016, with Exhibits.
2. Transcript of Hearing held on May 20, 2016, with Exhibits.

I certify that this designation contains no matter which is irrelevant to this appeal.

MOSS, KUHN & FLEMING, P.A.

By: 

H. Fred Kuhn, Jr.
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(843)524-1302 (FX)

Beaufort, South Carolina
January 20, 2017

Attorney for the Appellant

CERTIFICATE OF SERVICE

Undersigned certifies that the Appellants' Designation of Matter to be Included in the Record on Appeal, to which this certificate is affixed, was served upon the party (s) to this action by hand delivery or by depositing a copy of same, enclosed in a first class, postpaid wrapper properly addressed to the attorney(s) of record:

Christopher Inglese, Esquire
David Tedder, Esquire
604-A Bladen Street
Beaufort, South Carolina 29902

James B. Richardson, Jr., Esquire
1229 Lincoln Street
Columbia, South Carolina 29201


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in a post office or official depository under the exclusive care and custody of the United States Postal Service, on January 20, 2017.

MOSS, KUHN & FLEMING, P.A.

By: 
Sue Radford

LAW OFFICES

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*ALSO MEMBER OF GA BAR

January 20, 2017

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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RE: Julia Tompkins Ewing v. Keith A. Guest and Stephanie C. Guest and Pleasant
Point Property Owners Association, Inc.
Appellate Case No.: 2016-001878

Dear Mrs. Kitchings:

Enclosed please find the Initial Brief of Appellants and Designation of Matter to be Included in the Record on Appeal regarding the above-referenced matter. By copy of this letter and the enclosures I am serving a copy of the same on David Tedder, Esquire, Christopher Inglese, Esquire and James B. Richardson, Jr., Esquire.

With kindest regards, I am

Very truly yours,

MOSS, KUHN, FLEMING & SMITH, P.A.



H. Fred Kuhn, Jr.

HFKjr:sr
Enclosures

cc: Christopher Inglese, Esquire (w/enclosures)
David Tedder, Esquire (w/enclosures)
James B. Richardson, Esquire (w/enclosures)