

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Beaufort County

Court of Common Pleas

Carmen Tevis Mullen  
Circuit Court Judge

Appellate Case No. 2016-001113

Trial Court Case No. 2014-CP-07-02670

RECEIVED

AUG 10 2017

SC Court of Appeals

BENJAMIN C. GECY, RIVER CITY DEVELOPERS, LLC and  
RIVER CITY REAL ESTATE, LLC .....Appellants,

v.

SOMERSET POINT AT LADY'S ISLAND HOMEOWNERS'  
ASSOCIATION, INC., f/k/a COOSAW RIVER ESTATES  
HOMEOWNERS' ASSOCIATION, LLC, HILTON C. SMITH,  
JR., COOSAW INVESTMENTS, LLC, and HILTON C. SMITH  
JR., INC. OF SOUTH CAROLINA .....Defendants,

Of which HILTON C. SMITH, JR., COOSAW INVESTMENTS,  
LLC, and HILTON C. SMITH, JR., INC. OF SOUTH  
CAROLINA are .....Respondents.

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

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Appellants' propose the following be included in the Record on Appeal:

1. Somerset Point ARC filing of record
2. Coosaw Investments, LLC Developer rights
3. Coosaw River Estates Master Declaration
4. Coosaw River HOA
5. Somerset Point Estates Lady's Island HOA Sept. 20, 2011 Complaint by River City Developers, LLC Case # 2011-CP-07-03945, Somerset Point and Lady's

Island HOA complaint #2011-CP-07-04028 9/27/2011, Request for Injunctive Relief

6. Hilton Smith Jr. Affidavit dated 9/21/2011
7. Ex Parte Restraining order/motion dated 9/26/11
8. Master in Equity Ruling Sept. 29,2011 Denying
9. Certificate of Exemption filed by Smith attorney Eversole
10. Injunctive Relief filing 9/26/11
11. Plaintiff motion to continue 9/28/11
12. Dismissal Case # 2011-CP-07-04028 11/14/11
13. 10/24/2011 defendant counterclaim & pleadings including Lis Pendens
14. Notice of Pendency of Action 10/24/11 Case # 2011-CP-07-02129
15. River City blanket mortgage w/Normandy Corp.
16. SC Code Ann. SS 15-11-10. et seq.
17. Lis Pendens
18. Defendants answers to case # 2011-CP-07-03945
19. Plaintiff motion to strike lis pendens 1/4/12
20. Order from Master In Equity striking Lis Pendens 2/15/12
21. Defendants Motion To Reconsider 2/17/12
22. Certificate of lien recording by defendant 2/10/12
23. Hilton Smith Jr. affidavit in support of assessment lien and amounts due HOA for fines 3/2/12
24. Somerset Point ARC Standards
25. Plaintiff motion to strike certificate of lien dated 2/17/12
26. Defendants return and defense of lis pendens and certificate of lien dated 3/5/12
27. Hearing date of Plaintiff motion to strike certificate of lien
28. Defendants motion to amend dated 3/30/12
29. Defendants additional filing of certificate of lien 3/12/13 & 3/13/12
30. M.I.E. order prepared by defendant 4/6/12
31. M.I.E. order denying Somersets Motion to Reconsider the striking of the Lis Pendens 4/6/12. Also denying Plaintiffs motion to strike the certificate of lien, 4/6/12
32. Masters equitable remedy order 4/6/12
33. Defendants motion for contempt & Rule to Show Cause and stay appeal dated 4/27/12
34. Master-In-Equity Form 4 order denying request for Rule & denied motion for stay of the time to appeal order dated 5/31/12
35. Order denying Stay 7/13
36. Defendants notice of Appeal 6/28/12
37. Defendants submissions to appellate court
38. Defendants motion to withdraw appeal dated 8/5/13
39. Appellate courts dismissal order dated 5/12/13
40. River City Motion to construe and order dated 6/3/13
41. Trial Judge order 11/12/15 granting Summary Judgment



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S.C. Bar No. 2982

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August 7, 2017

Hilton Head Island, South Carolina.