

FORM 15
RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, Master in Equity and Special Circuit Court Judge

Case No. 2016-000245

Taiwan R. Scott, Respondent

v.

Ronald E Ford and Sonya M. Ford, Defendants,
Of whom Sonya M. Ford is the Appellant.

RECEIVED

JUN 15 2017

SC Court of Appeals

RECORD ON APPEAL

Ronald Ford and Sonya Ford
49 Oakview Rd.
Hilton Head SC 29926
843-338-6571
Appellant

Taiwan Scott
5 Candy Doll Bluff
Hilton Head SC 29928
Respondent

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*photos are of Freddie's Way, road I petitioned for, went to a public hearing in which ALL landowners and/or persons of interest was notified and attended, including Mr. Scott. Photos also show property belonging to Mr. Scott who has contributed none of his property to the shared easement known as Freddie's Way.

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STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS

CASE NO: 2014-CP-07-00426

Taiwan R. Scott,

Plaintiffs,

vs.

Ronald E. Ford, et al.,

Defendants.

FINAL ORDER

(Ending Case)

2014 OCT 14 AM 11:07
JAN ROSE
BEAUFORT COUNTY, S.C.
CLERK OF COURT

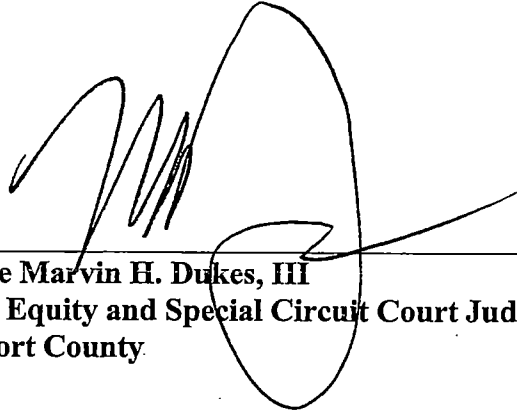
This matter came before me on October 3, 2014 pursuant to an Order of Reference hereafter filed. The parties were present pro-se.

This is an encroachment dispute. Plaintiff and Defendant are the owners of individual parcels of real estate that border on the Plaintiff's South and Defendant's North. After review of the pleadings, the evidence, testimony of Mrs. Ford and Mr. Scott and an application of applicable law, I find as follows

1. Defendants' predecessor in title, Fred Chisolm, in the year 1979 established a 30' access easement as a part of a platted subdivision of property located in Beaufort County.
2. The easement crosses the Western boundary of lot 4, owned now by the Defendants.
3. Defendants have encroached on the easement and on the southern property line of the Plaintiffs.
4. Defendants shall have 45 days from the date of this order to remove said encroachments, ie: the 30' access easement shall not be blocked or encroached upon and the portion of the vinyl fence shown as an encroachment on the Plaintiff's property (in the plat referenced hereinbelow) shall be moved.
5. Defendants shall have 60 days from the date of this order to do the following:
 - a) Pay the Plaintiff court costs, in the amount of \$290.00.

- b) In order to confirm compliance; provide to the Plaintiff, a survey plat, by a registered land surveyor, referencing and/or noting easement and boundary line encroachments as shown on the Plaintiff's Sea Island land Survey plat "Manufactured home site survey: Lot 3, Muddy Creek Plantation, Hilton Head Island, Beaufort County, South Carolina, prepared for Taiwan Scott. Date 8/18/14", which plat appears as Plaintiff's exhibit #7 in the trial exhibits.

IT IS SO ORDERED:



Honorable Marvin H. Dukes, III
Master in Equity and Special Circuit Court Judge
for Beaufort County

October 14, 2014
Beaufort, South Carolina

Complaint

STATEMENT OF THE CASE

On December 12, 2013 I received a call from the tenant living at 41 Oakview Road..(ie subject property) stating that Mrs. Ford and gentleman were walking throughout the front yard with equipment which appeared to be for surveying. When I came to the lot I observed the two of them walking throughout the yard. I inquired, and Mrs. Ford stated that she was planning on putting up a fence and that that gentleman was a contractor. I then proceeded to advice her that it would be in her best interest not to erect the fence until we had a surveyor to come out and flag the property lines and the easement. I then told her that I had already ordered a survey and it would be in both of our, best interest, to see the markers prior to any work being done. Mrs. Ford then questioned me regarding the easement. I stated that there is a 30' access easement encumbering our lots which accesses the remaining two lots. She seemed surprised, so I recommended for her to look at the legal description of her lot and she would see that it makes reference to the plat and page book for the easement. I then stated that all four deeds for the lots are written identical. I told her that I did have a copy of the plat but I would need to get, so I left.

I received a call from Mrs. Ford about a hour later asking for me to come back to her house to discuss the easement. When I arrived I was met by her mother and sister and I was questioned about the easement. I explained to them that when the properties were originally sub-divided, the county insured that they would not be land locked by requiring the 30' easement. That way everyone would always have a legal access to their properties. Mrs. Ford and her mom both stated that they did not believe that a easement exist and they were not going to leave one open.

On December 20, 2013 the surveyor had his flags and stakes located throughout the property showing the property lines and easement. As I drove up I noticed Mrs. Ford's contractor in the process of putting the fence up in the easement and over the property line. When I questioned Mrs. Ford about honoring the stakes, her response was that she did not trust the people who placed the markers and that her mother stated that the stakes were wrong. I requested for her not to allow her contractor to continue to erect the fence until we, at the very least, get the sealed surveyors plat in hand. I also suggested that if she did not trust the licensed agent I hired, to feel free to hire someone she trusted. Mrs. Ford just totally disregarded my request. She stated that she contacted the county and they told her that there was not an easement located on her property. I advised her to speak with an attorney.

On January 20, 2014, Attorney Wiseman sent Mr. and Mrs. Ford a certified letter which included a signed and sealed survey of the property showing the encroachments. Please see attached letter from Atty Wisemann. Around February 1, 2014 I went to Mrs Ford's house and questioned her about the letter. She stated that she had seen the noticed at the post office but, she never signed for the package. I then stated that the letter was also sent via regular mail. She stated that she does not receive mail at her home. On February 5, 2014 I hand delivered another copy of the letter and survey to her house. The fence has still not been removed.

Answer

Re: 2014-CP-07-00426

Sonya Ford [smchiz@yahoo.com]

Sent: Friday, April 04, 2014 12:59 PM

To: Staples Copy Center #869

14 APR -4 PM 1:45

JERRI ANN ROSENEAU
BEAUFORT COUNTY, S.C.
CLERK OF COURT

Re: 2014-CP-07-00426

I have read and find many of the statements in your summary to be erroneous. There are a number of events that you chose to leave out? We will discuss this at a later time if you deem it necessary.

**the vinyl fence has been replaced to set straighter lines.

**there is an easement that has been used by all; including landowners, emergency vehicles, etc.

when installing my fence an additional 13 feet of my property was left out with the existing entryway to evenly share responsibility of an access easement for all persons with interest.

** Beaufort County Register of deeds have verified the easements on my property is with Palmetto Electric and the Town of Hilton Head.

Feel free to contact me and discuss this matter further.

04/03/2014

Sonya Ford



04/03/2014

Ronald Ford

Ronald Ford POA Sonya Ford

Sent from my iPhone

Ronald & Sonya Ford
49 Oakview Rd
Hilton Head, SC 29926

SOUTH CAROLINA COURT OF APPEALS

IN THE COURT OF APPEALS

TAIWAN R. SCOTT

CASE # 2014 CP-07-00426

Plaintiffs

v.

NOTICE OF CIVIL APPEAL

SONYA M. FORD, RONALD FORD
Defendant

PLEASE TAKE NOTICE that Sonya M. Ford and Ronald E. Ford hereby appeal to the South Carolina Court of Appeals, of decisions made by the State of South Carolina, County of Beaufort from the order of the Honorable Marvin H. Dukes, III Master in equity and Special Circuit Court Judge for Beaufort County, entered on January 15, 2016 and from removal any portion of vinyl fence said to be an easement.

There is an existing easement that has been used for many years by ALL property owners or residents, including Mr. Scott, emergency vehicles, utility companies and all others. This easement is adjoined with properties of other family members and is used by residents living on both sides of the adjoining road. This road that adjoins, legally is an easement that is filed with the Register of Deeds, in Beaufort County, South Carolina. Although that 15ft easement exists, I have left an additional 16ft of property available to join the existing easement.

Mr. Scott claims there is a 30ft access easement through the side of my property, which

is parallel to a 30+ft road that is already used . There are electrical post that service all homes in the area, electrical wires, Mr.Scott has a part of a home in the "said" easement, waterlines and septic in this "said" easement. My deed, nor plat refers to the easement, Mr. Scott mentions. I contacted the Beaufort county register of deeds office, spoke with and emailed Ms. Mary J. Lamie, whom confirmed the only easements filed in the register of deeds office is that with The Town of Hilton Head and Palmetto Electric. I visited the register of deeds office on October 3,2014 after we appeared before the Honorable Marvin H. Dukes, III Master in equity and Special Circuit Court Judge for Beaufort County. I again spoke with Ms. Lamie, whom informed me that the paperwork used as a plat in court had not been filed in Beaufort County SC Register Of Deeds. We also searched for a written description, which has to be described in a deed for a legal easement on the property: there was no legal description filed in Beaufort County Register of Deeds for lot R510 010 000 006A. I've researched and find that there is no easement on my property.

On October 7, 2015, I was summons to appear in court once again. At this court date Mr. Scott has now filed his "new" plat (which covers all four lots associated with this said easement) in the register of deeds without contacting any of the other property owners or having anyone sign any legal paperwork to obtain the easement. The judge decided at that time to give us a month to sort things out and we would have a phone conference on November 9,2015. Unfortunately, I was unable to keep that date because of a sudden death in my immediate family. I did speak with Judge Dukes and his assistant Heather McLeod about the situation and get excused first. Ms. McLeod told me she would set another date. Due to miscommunication that date was missed. I left a message on Ms. McLeod's voice mail. On January 15, 2016 I received a phone call from Ms. McLeod. She left a voicemail. I was out of town on this date, but did call her back and she informed me I was supposed to be in court at the time. I did not receive anything informing me of this court date. She did pass me through to Judge Dukes office where they were going on with the case.

TOWN OF HILTON HEAD ISLAND
Planning Commission Meeting
Wednesday, March 4, 2015 **APPROVED**
9:00a.m. – Benjamin M. Racusin Council Chambers

Commissioners Present: Chairman Alex Brown, Vice Chairman Peter Kristian, Jim Gant, Bryan Hughes, Todd Theodore and Caroline McVitty

Commissioners Absent: Judd Carstens and Barry Taylor

Town Council Present: None

Town Staff Present: Jayme Lopko, Sr. Planner & Planning Commission Coordinator
Suzanne Brown, Addressing Technician
Marcy Benson, Senior Grants Administrator
Sally Krebs, Sustainable Practices Coordinator
Shawn Colin, Deputy Director of Community Development
Teri Lewis, LMO Official
Brian Hulbert, Staff Attorney
Kathleen Carlin, Secretary

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Freedom of Information Act Compliance

Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and Town of Hilton Head Island requirements.

5. Approval of Agenda

The Planning Commission **approved** the agenda as submitted by general consent.

6. Approval of Minutes

Commissioner Gant made a **motion** to **approve** the minutes of the special meeting held on February 10, 2015 as submitted. Vice Chairman Kristian **seconded** the motion and the motion **passed** with a vote of 6-0-0.

Vice Chairman Kristian made a **motion** to **approve** the minutes of the regular meeting held on February 18, 2015 as submitted. Commissioner Gant **seconded** the motion and the motion **passed** with a vote of 6-0-0.

7. Appearance by Citizens on Items Unrelated to Today's Agenda

None

8. Unfinished Business

None

9. New Business

Public Hearing

- a) **STDV-000199-2015** - Sonya Ford has applied for a modified vehicular access easement name for a portion of Oakview Road, which is located off Spanish Wells Road. The proposed name is Freddie's Way. The affected parcels are identified as Parcels 6, 6B, 6C, 7, 7A, 7B, 7D, 7F, 456 & 457 on Beaufort County Tax Map 10 and are addressed as 30, 32, 33, 34, 35, 36, 37, 38, 39, 41 and 43 Oakview Road. For owners of property with these addresses this application would change your address from Oakview Road to Freddie's Way. Chairman Brown introduced the application and opened the public hearing. Chairman Brown then requested that staff make their presentation.

Ms. Suzanne Brown made the presentation on behalf of staff. The staff recommended that the Planning Commission approve the Freddie's Way modified vehicular access easement name application based on the Findings of Fact and Conclusions of Law outlined in the Land Management Ordinance and enclosed in the staff's report.

Ms. Sonya Ford has proposed the modified vehicular access easement name of Freddie's Way. Currently, there are 9 homes and 2 vacant lots that will be affected. Elder Freddie Chisolm was one of the most well-known and respected natives of Hilton Head Island. He was born in 1912 and attended school on Hilton Head. His career consisted of being a shrimp fisherman and a master craftsman, mainly repairing boats and nets. He also built his home, farmed his land, raised his livestock, hunted and traded his goods at market. When he was 24, he married another native of Hilton Head and they had 4 daughters. Today, these ladies still live, own or have children on this same land. Freddie was a spiritual man who started out a deacon and ended up a pastor to several congregations. He provided leadership and guidance to his friends, family and neighbors. The grandchildren have now come together to name this access easement in honor of their late grandfather, Freddie Chisolm, who lived on this land and made it possible for them to call this their home. Fire Rescue has no concerns with the proposed name.

Following the staff's presentation, Chairman Brown requested public comments on the application and the following were received:

1. Mr. Steven Chisholm requested that approval of the application be withheld until the easement rights for his property have been secured.
2. Mr. Taiwan Scott presented statements in support of naming the 30-ft. access easement Leatha's Lane.
3. Ms. Rochelle Williams presented statements in support of the application for Freddie's Way.

4. Ms. Sonya Ford, the applicant for Freddie's Way, presented statements in support of her application.
5. Ms. Sandra Chisolm presented statements in support of naming the access easement Freddie Chisolm Way.

Following all public comments, Chairman Brown closed the public hearing and invited discussion by the Planning Commission. As part of their discussion, Vice Chairman Kristian asked the staff for their input regarding public concern with the location of the easement.

Brian Hulbert, staff attorney, presented a legal description of the easement. The location of the easement is not under jurisdiction of the Planning Commission. Mr. Hulbert stated that the Planning Commission is empowered to do one of the following: (1) approve the application as submitted; (2) approve the application with conditions; or (3) deny the application.

Mr. Hulbert presented statements regarding the Town's notification process for the Freddie's Way modified vehicular access easement name application. Vice Chairman Kristian asked the applicant if there has been ongoing discussion between the affected parties about the renaming of the road. Ms. Ford provided brief comments regarding discussions between family members.

Commissioner Gant stated that there are two topics involved in this discussion: (1) the use of a shared easement; and (2) the naming of an existing easement as brought forward by the applicant today. The Planning Commission stated that these are separate issues. Chairman Brown stated that the Planning Commission's role in deciding this application is based on the recorded easement issue only. Following final comments by the Planning Commission, Chairman Brown requested that a motion be made.

Vice Chairman Kristian made a **motion** that the Planning Commission **approve** application STDV-000199-2015 as presented by staff. Commissioner Gant **seconded** the motion and the motion **passed** with a vote of 6-0-0.

- b) **Hilton Head Island Green Blueprint** – Request for recommendation to Town Council for approval of the Hilton Head Island Green Blueprint. The final step in the Audubon International Sustainable Communities Program is to create a long-term sustainability plan. The Hilton Head Island Green Blueprint serves as this document and will guide sustainability efforts by the Town. Chairman Brown introduced the business item and requested that staff make their presentation.

Ms. Marcy Benson made the presentation on behalf of staff. The staff requested that the Planning Commission forward the Hilton Head Island Green Blueprint to Town Council with a recommendation of approval.

Ms. Benson presented an in-depth Power Point review of the Hilton Head Island Green Blueprint/Audubon Sustainable Communities Program.

Summary:

The final step of the Audubon International Sustainable Communities Program (hereafter referred to as the Program) Stage 2: Planning is to create a long-term sustainability plan. The attached plan, titled the Hilton Head Island Green Blueprint, meets this requirement. Audubon International states that the sustainability plan created during the Stage 2: Planning process will be a guiding document for Town of Hilton Head Island sustainability efforts. When the Hilton Head Island Green Blueprint receives approval by resolution from Town Council, Audubon International will present the Program Planning Award and the Town will be eligible to move to the Program's Stage 3: Implementation.

Background:

In 2010 Town Council directed staff to pursue the Audubon International Sustainable Communities Program certification. In September 2011 the Town of Hilton Head Island received the Audubon International Green Community designation. This designation indicates successful completion of all steps in the Program Stage 1: Assessment. After receiving the Green Community designation Town staff was directed by Town Council to move forward with Stage 2 of the Program. This stage was a multi-year sustainable planning process comprised of four action steps, which included (1) creating a policy statement; (2) completing a sustainability portfolio table; (3) conducting community meetings; and (4) creating a long-term sustainability plan. Completion of Stage 2 of the Program built upon the base established by obtaining the Green Community designation.

The Town's Green Community Steering Committee began work on Stage 2: Planning in August 2012. The steering committee developed a sustainable community policy which was adopted by Town Council in October 2012. Following adoption of the policy statement the sustainability portfolio table was completed and community meetings were held in January and February 2013. Development of the Hilton Head Island Green Blueprint began in the fall of 2013.

Community Development Department staff in collaboration with the steering committee, Audubon International staff and Town staff in various departments drafted the Hilton Head Island Green Blueprint which addresses the fifteen focus areas specified in the Program's long-term sustainability plan requirement. Each focus area of the Hilton Head Island Green Blueprint includes actions with identified purposes, measurable indicators, status updates and leads and partner designations which are unique to Hilton Head Island. The actions were developed with the aim to move the Town towards greater sustainability and future improvements.

If continuation with the Stage 3: Implementation of the Program commences, data gathering, and progress reports pertaining to the actions listed in the Hilton Head Island Green Blueprint will be submitted to Audubon International for review and follow-up. The information compiled will be used to develop case studies which would be available to other communities participating in the Program. Continued use of the Audubon International logo and the use of educational and outreach materials provided by Audubon International are other components of participation in Stage 3: Implementation of the Program.

In addition to the Sustainable Communities Program, Audubon International administers the Cooperative Sanctuary Program for Golf Courses, which help golf courses protect the environment and preserve the natural heritage of the game of golf; and the Green Lodgings Program, which provides assurances that audited lodging facilities meet environmental best practice standards. Within the Town of Hilton Head Island there are four (4) Audubon International certified cooperative sanctuary golf courses; Harbour Town Golf Links, Heron Point Golf Course at Sea Pines Resort, Ocean Course at Sea Pines Resort, and Robert Trent Jones Course at Palmetto Dunes. The Arthur Hills Course in Palmetto Dunes is currently participating in the certification process. There are eight Marriott properties located in the Town of Hilton Head Island with the Audubon International certified green lodging designation.

Building on the completion of the Program Stage 1: Assessment, the pending completion of Stage 2: Planning and considering community businesses participating in Audubon International sustainability focused certification programs, Town staff requests a Planning Commission recommendation to Town Council for approval by resolution of the Hilton Head Island Green Blueprint. Following Ms. Benson's presentation, Ms. Sally Krebs discussed the Town's implementation of the Hilton Head Island Green Blueprint. Ms. Krebs presented details regarding the Town's sustainability goals including air and water quality, tree preservation, and land use.

The Planning Commission stated their appreciation to the staff for their efforts in developing the Hilton Head Island Green Blueprint/Audubon Sustainable Communities Program. Chairman Brown requested public comments on this business item and the following were received:

- 1) Mr. Randy Tardy presented statements in support of the program and complimented the staff on their efforts in its development.

Following final comments by the Planning Commission, Chairman Brown requested that a motion be made.

Vice Chairman Kristian made a **motion** to forward the Hilton Head Island Green Blueprint Program to Town Council with a recommendation of **approval** as presented by staff. Commissioner McVitty **seconded** the motion and the motion **passed** with a vote of 6-0-0.

10. Chairman's Report
None

11. Commission Business
None

12. Committee Reports

Commissioner Gant report that the Circle to Circle Committee held their first meeting on February 25, 2015. The committee will meet each Wednesday at 8:30a.m in Council Chambers. The next meeting will be held on Wednesday, March 11th.

a) Staff Reports

Mr. Shawn Colin presented a status update on the USCB and Pineland Mill Shops

projects.

13. Adjournment

The meeting was adjourned at 10:05a.m.

Submitted By:

Approved By:

March 18, 2015

Kathleen Carlin
Secretary

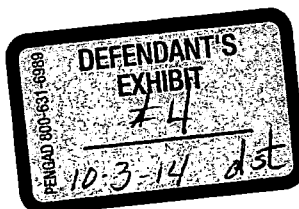
Alex Brown
Chairman

10/02/2014

To Whom it may concern, I Michael and Julia Morrall of , 39 Oakview Road, Hilton Head Island, SC. We submit this statement upon the request of Ms. Sonya Ford. During the construction of her fence at no time or at present time have it prohibited Excess to our property. When we move to our address there was a road here, which We have used for almost thirty years.

Signed this 2 day of October 2014.

Michael A. Morrall
Julia Morrall

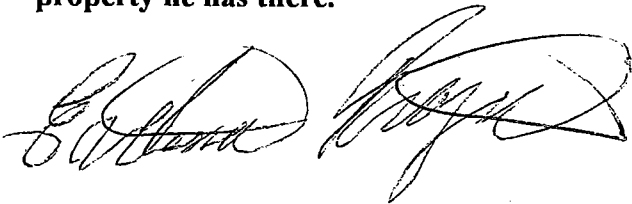


Untitled

Fri, Oct 3, 2014 at 2:21 PM

To whom it may concern. My name is Evelina Frazier. I am the owner of 30 Oakview road, lot 2 of the property. I've lived on Hilton Head all of my life. I've had this property since the 90's. My father owned this property and shared it between his daughters, and stepdaughters including my sister Genevia Calhoun-Burke. We have never had a problem with living on this property together.

Tye came to my home in December upset about Sonya putting up a fence. I told him to leave my house and never come back again. He wants to argue about a road to get to Genevia's property through Sonya property. We've always used the road on the side to get to our property. Why would we go through her yard? I'm not arguing with him about something that needs no explanation. There's a road everyone including Tye has used for years and he's the only person complaining about not getting to his property. Not true!! We are supposed to be family. If he continues with this fight with Sonya over property I'll have him move everything off of my property he has there.



Charge

1. Encroachment on to Mr. Scotts property
2. Easement blocked\Landlocked
3. \$290 owed to plaintiff for court cost

Request to Charge

This case should be considered and decided by you as an action between persons of equal standing in the community, of equal worth, and holding the same or similar stations of life. This case is very unique in nature and very disheartening because it's between relatives. Encroachment has been rectified, fee has been paid to plaintiff and vehicular access easement has been established.

If you look closely at the evidence, you'll find that Mr. Scott claims are not Reasonably Necessary and is purely based on hate. An easement is defined as a right to cross or otherwise use someone else's land for a specified purpose. The access is there for all property owners to access their property and I took additional steps to ensure it will not be a future problem.

For years, Mr. Scott and all other residents have used the easement provided by a portion of my land and a portion of our adjacent neighbors land. Mr. Scott has not cleared any of his personal land or contributed to the Vehicular Access, Freddie's Way and from the looks of things he does not have any intentions to deem any of his personal property a part of the easement. I at no time blocked or closed off any portion of land for my neighbors to get to their homes.

I am certain this case can be resolved and we can go back to our normal everyday lives if ALL involved property owners can sit and converse, to come to a happy medium.

Please take notice that all photos submitted as evidence in this case is of the proposed easement in question. The road now used, which is shown is 16 feet of property belonging to Ronald and Sonya Ford and 15 feet belonging to another property owner for a total of 31 plus feet of easement. The property located behind the fence belongs to Mr. Scott, who has not opened any part of the proposed easement on his property for the other property owners to access their property. Also included is the letter and map from the Town Of Hilton Head, where in February 2015, I applied for a modified easement, which is the legal Vehicular Access "Freddie's Way".

I am seeking a fair and proper judgment or reversal of the order.

Thank you for your time and consideration in this important matter.



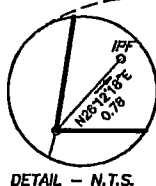
LEGEND
CMF OLD CONCRETE MONUMENT FOUND
GI GRATE INLET
IPF OLD IRON PIN FOUND
LP LIGHT POLE
TP TELEPHONE PEDESTAL
TV CABLE TV PEDESTAL

N/F
ELMER & MINNIE HAMILTON

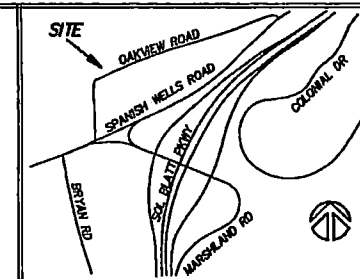
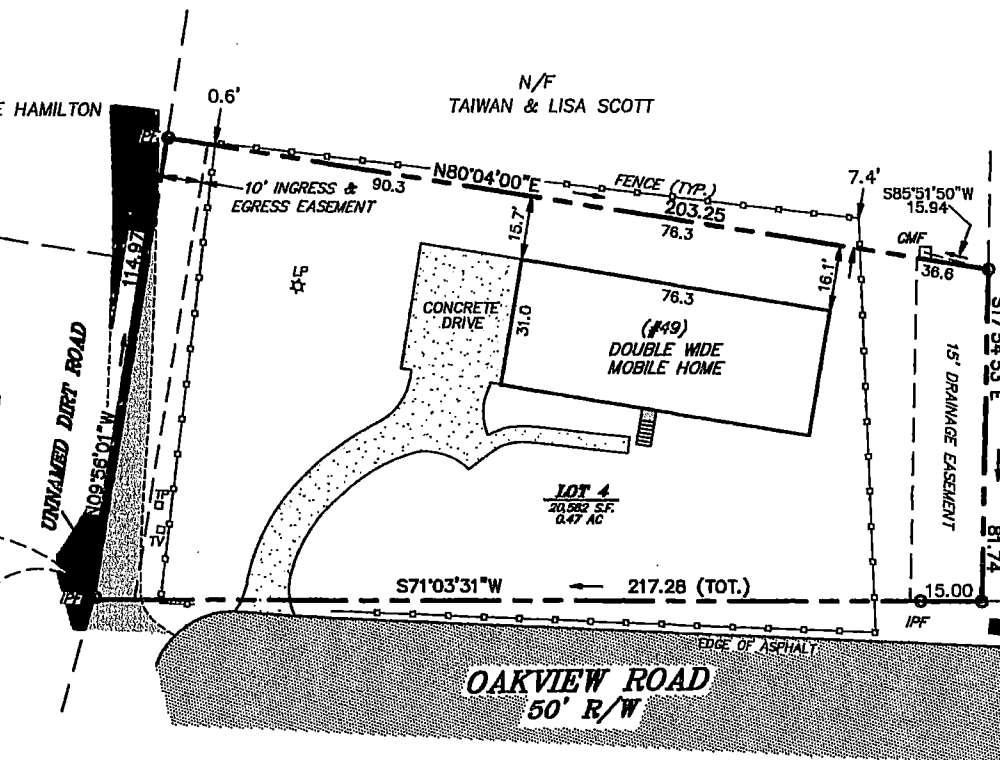
N/F
TAIWAN & LISA SCOTT

N/F
ELMER HAMILTON

N/F
JOSA RAMOS



DETAIL - N.T.S.



Some or all areas on this plot are flood hazard areas and have been identified as having at least a one percent chance of being flooded in any given year by rising tide waters associated with possible hurricanes. Local regulations require that certain flood hazard protection measures be incorporated in the design and construction of structures in these designated areas. References shall be made to the development covenants and restrictions of this development and requirements of the Town Building Official. In addition, federal law requires mandatory purchase of flood insurance as a prerequisite to federally insured mortgage financing in these designated flood hazard areas.

NOTES:

1. THIS PROPERTY LIES IN FLOOD ZONE "A7", B.F.E.=14' PER FIRM NO. 450250007D EFFECTIVE 9/29/86.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. SAID PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, AND/OR ANY OTHER FACTS OF RECORD THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT DOES NOT CERTIFY THE ABSENCE OR PRESENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.
4. LOCATIONS OF UNDERGROUND UTILITIES ARE FROM SURFACE INDICATIONS AND ARE NOT CERTIFIABLE.
5. THIS SURVEY IS INTENDED ONLY FOR WHOM IT WAS PREPARED AND IS NOT TRANSFERABLE TO ANYONE, INCLUDING WITHOUT LIMITATION, SUBSEQUENT OWNERS OF THIS PROPERTY.
6. THE CERTIFIER HAS NOT INVESTIGATED OR BEEN INSTRUCTED TO INVESTIGATE THE EXISTENCE OR NONEXISTENCE OF ANY OVERLAY DISTRICTS, SUCH AS: AIRPORT, MILITARY, NOISE, CRASH POTENTIAL OR ENVIRONMENTAL ISSUES.
7. ALL BUILDING CODES AND RESTRICTIONS APPLICABLE TO THIS SITE SHALL BE VERIFIED WITH THE PROPER AUTHORITIES PRIOR TO ANY AND ALL DESIGN AND CONSTRUCTION.
8. THE PROPOSED FLOOR ELEVATION WAS PROVIDED BY K. HOVNANIAN HOMES.

PREPARED FOR: SONYA FORD

A.P.N. R510-010-000-006A

REFERENCES:

- PLAT BOOK 28, PAGE 178
- A REVISED BOUNDARY SURVEY OF LOT 4 OAKVIEW ROAD BY ATLANTIC SURVEYING CO. DATED 5/10/01
- PLAT SHOWING DITCH EASEMENT, TAX PARCEL R510-010-000-006A BY JACK JONES, P.L.S. DATED 4/28/04



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 "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

MACK W. THOMAS III
S.C.P.L.S. 14531

A BOUNDARY SURVEY OF
LOT 4

OAKVIEW ROAD

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1"=30'
DATE: 1/19/15
JOB No.: 53740

SURVEYED BY: BM
DRAWN BY: MT
CHECKED BY: EI



COASTAL
SURVEYING CO., INC.
49 RIVERWALK BLVD., BLD. 8
HEDGELAND, S.C. 29636
(843) 645-4448

2 1/4" x 3 1/2" 125/2015/03740A.dwg 1/19/2015 9:47:57 AM EST



Quran Ford <quran.qf@gmail.com>

Fwd: Parcel 510-10-5A

Sonya Ford <smchiz@yahoo.com>
To: Quran Ford <quran.qf@gmail.com>

Tue, May 23, 2017 at 10:34 PM

Sent from my iPhone

Begin forwarded message:

From: Sonya Ford <smchiz@yahoo.com>
Date: May 23, 2017 at 10:17:41 PM EDT
To: Qur'An Ford <QFord@hgvc.com>
Subject: Fwd: Parcel 510-10-5A

Sent from my iPhone

Begin forwarded message:

From: "Lamie, Mary" <maryl@bcgov.net>
Date: December 13, 2013 at 1:48:46 PM EST
To: Sonya Ford <smchiz@yahoo.com>
Subject: RE: Parcel 510-10-5A

Sonya,
I contacted the Town of Hilton Head and they said, the ditch behind your property and Oakview Rd. are both owned by the Town of Hilton Head.
I have attached the deed which mentions the ditch, and the plat is prepared for Town of Hilton Head. You can call them if you have any more questions. They more or less handle most of their easements that other Beaufort areas rely on the County to take care of.

Mary J. Lamie
Beaufort County ROD
Beaufort County SC
Ph. 843-255-2560
Fax 843-255-9439
maryl@bcgov.net

-----Original Message-----

From: Sonya Ford [mailto:smchiz@yahoo.com]
Sent: Thursday, December 12, 2013 10:21 AM
To: Lamie, Mary
Subject: Parcel 510-10-5A

Hello,

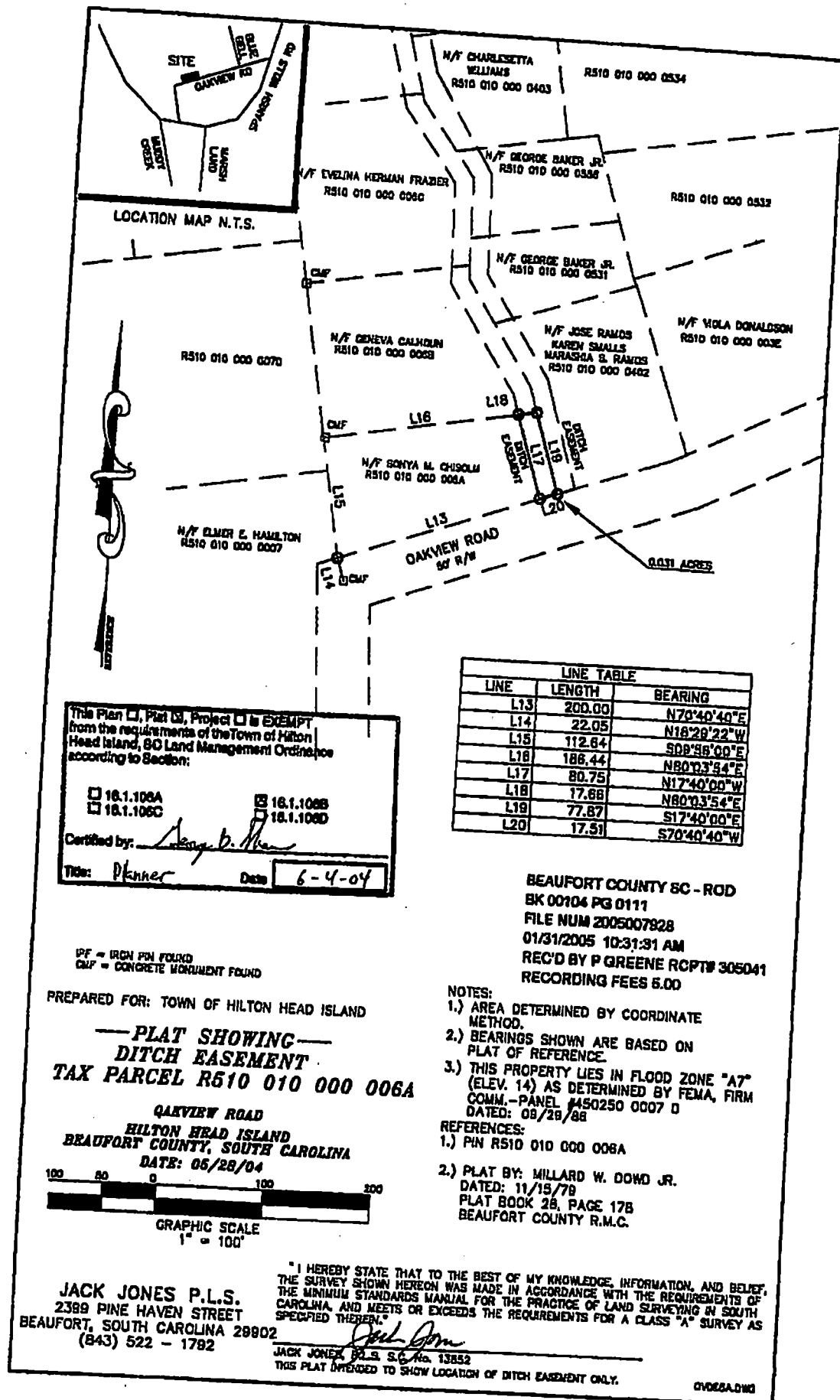
I am requesting information on property located at 49 Oakview Rd. On Hilton Head Island. Is the easement for properties located behind my through or on the side of my property? There is a road on the side that has been used for 10+ years but I'm unsure if it has been deeded a legal easement.

Thanks,

Sonya Ford
843-338-6571

Sent from my iPhone

 **Ford.pdf**
106K



for
Lester

RECORDED
2012 May -29 10:50 AM

Sharon Q. Bunn
BEAUFORT COUNTY AUDITOR

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

) QUIT-CLAIM DEED

BEAUFORT COUNTY SC - ROD
BK 03143 PG 1054
FILE NUM 2012027244
05/17/2012 11:23:34 AM
REC'D BY R WEBB RCPT# 676943
RECORDING FEES 10.00
County Tax 0.55
State Tax 1.30
Transfer Tax 0.63

KNOW ALL ME BY THESE PRESENTS, that **DE' ANTE TYRONE SMALL (GRANTOR)** in consideration of the premises and also in the consideration of the sum of **Two Hundred Fifty and NO/100 (\$250.00) DOLLARS AND NO OTHER CONSIDERATION** to the said Grantor in hand paid at and before the sealing and delivery of these presents by **JOSA RAMOS AKA JOSE RAMOS (GRANTEE)**, 61 Oakview DR, Hilton Head, SC 29926 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 **JOSA RAMOS AKA JOSE RAMOS, HIS heirs and assigns, forever, in fee simple**, the following described property to-wit:

All that certain piece, parcel or lot of land, situate, lying, and being on Hilton Head Island, Beaufort County, South Carolina as shown and designated as **PARCEL B POR LOT 1 OAKVIEW PB43 P66 PB81 P98 *4/02 0.18 AC DEDUCTED FROM 10/3E 10/07 0.07 AC DITCH ESMT PB118 P75 DB2518 P1003 TOWN HH containing 0.51 acres.**

This property was conveyed to the Grantor by way of deed in Deed Book 750 at Page 2449 and deed in Deed Book 1466 at Page 2043.

This Deed was prepared by the Grantor without benefit of title examination

Parcel number is R510-010-000-0402-000

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 singular the said premises before mentioned unto the said **JOSA RAMOS AKA JOSE RAMOS, HIS heirs, Successors and Assigns, forever** so that neither the said Grantor, nor their heirs, Successors and Assigns, nor any person or persons, claiming under the said Grantor and Grantor's heirs, Successors and Assigns, 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 or parcel thereof, forever.

IN WITNESS WHEREOF, we have caused these premises to be executed this 17th day of May 2012.

WITNESSES:

Sharon Q. Bunn
(Signature of Witness 1)

De' Ante Tyrone Small
DE' ANTE TYRONE SMALL

Sharon M. Little
(Signature of Witness 2)

Brandi Brown
(Signature of Notary)

ADD DMP Record 5/23/2012 08:58:48 AM
BEAUFORT COUNTY TAX MAP REFERENCE

Dist	Map	SMap	Parcel	Block	Week
R510	010	000	0402	0000	00

STATE OF SOUTH CAROLINA)

Colleton
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I HEREBY CERTIFY, that before me, the undersigned Notary Public of the State and County aforesaid, personally appeared **DE' ANTE TYRONE SMALL (GRANTOR)**, known to me (or satisfactorily proven) to be the person (s) whose name is subscribed to the within Deed, who acknowledged the due execution of the foregoing Deed. *SCIO*

exp 5/3/15

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

Brandi Brown
(SIGNATURE OF NOTARY AND SEAL)

My Commission Expires
5/2012



Quran Ford <quran.qf@gmail.com>

Fwd: Street Design Requirements

1 message

Sonya Ford <smchiz@yahoo.com>
To: Quran Ford <quran.qf@gmail.com>

Tue, May 23, 2017 at 10:35 PM

Sent from my iPhone

Begin forwarded message:

From: Sonya Ford <smchiz@yahoo.com>
Date: May 23, 2017 at 10:13:30 PM EDT
To: Qford@hgvc.com
Subject: Fwd: Street Design Requirements

Sent from my iPhone

Begin forwarded message:

From: Shoemaker Darrin <DarrinS@hiltonheadislandsc.gov>
Date: October 2, 2015 at 12:09:03 PM EDT
To: "smchiz@yahoo.com" <smchiz@yahoo.com>
Subject: Street Design Requirements

Good day, Ms. Ford. It was a pleasure speaking to you earlier today. You inquired regarding the street design requirements that the Town imposes on various classifications of streets. These requirements are based on the amount of traffic that the street carries. For streets that serve residences exclusively, the daily traffic demand on the street may be estimated by taking the number of residences and multiplying that number by ten. Therefore, if a road serves ten residences, the maximum daily traffic demand on the street would be estimated to be 100. The standards shown below in red were adopted by the Town many years ago, but we have numerous roads and streets within the Town that may not meet these requirements. In these instances, we do not try to retroactively impose the below requirements on pre-existing roads. But if someone wants to ADD traffic to the road, say by subdividing a parcel into smaller lots that will each accommodate an additional residence, the road must be improved to fully comply with the below standards.

To assist you in understanding the columns in the below table, I've already stated that the "Maximum Daily Traffic Demand" can effectively be interpreted as the number of residences served multiplied by ten. The "Minimum Pavement Width" can be interpreted as the minimum width that is available for folks to drive upon, whether the "pavement" is actually asphalt paving, gravel, or even

earth that is sufficiently compacted and cleared to drive upon. The "Minimum Right-of-Way" width is the width of the narrow parcel of land that the road or street is situated WITHIN, and the "Minimum Shoulder Width" would be an area inside of the Right-of-Way but outside of the road or street itself that can be employed by a motorist to either pull off of the road or for maintenance activities such as mowing by the roadway's owner.

We have many roads or streets that do not comply with the below because they predate the establishment of the below standards. We also do not generally require a dedicated right-of-way of any width in instances where five or fewer residences are located, adopting the position that a 20' wide access easement can serve in lieu of a dedicated right-of-way. An easement is an area of land located on private property that someone else other than the property owner has been granted a legal right to use, for vehicular access purposes in this example.

Please let me know if I may assist further. Thanks, DAS/

Darrin A. Shoemaker, P.E.

Traffic and Transportation Engineer

Town of Hilton Head Island

1 Town Center Court

Hilton Head Island, SC 29928-2701

(843)341-4774

(843)842-8587 fax

(843)384-5021 cell

- **D. Design Standards by Street Type**

1. Street Standards

All *streets* in the *Town* shall comply with the *street* standards established in Table 16-5-105.D.1: Street Standards.

Type of Street	Maximum Daily Traffic Demand	Minimum Pavement Width	Minimum Shoulder Width	Minimum Right-of-Way
Lane	50	20 ft	4 ft	30 ft
Cul-de-sac ³	250	20 ft	4 ft	40 ft
	500	20 ft	8 ft	50 ft

Type of Street	Maximum Daily Traffic Demand	Minimum Pavement Width	Minimum Shoulder Width	Minimum Right-of-Way
Local <i>Access</i>	2,000	22 ft	8 ft	50 ft
Subcollector	4,000	24 ft	8 ft	60 ft
Collector	6,000	24 ft	10 ft	70 ft
Minor Arterial	25,000	24 ft	10 ft	70 ft
Major Arterial	50,000	24 ft	12 ft	120 ft
1. One-way <i>streets</i> shall have a minimum clear pavement width of 14 feet. 2. Shoulders shall be stable areas adjoining both sides of the <i>roadway</i> that are capable of supporting vehicles. They shall have a cross-slope no steeper than 12:1 (8.33%), and be clear of obstructions. If the required shoulder width is not desirable or attainable, raised curbing compliant with SCDOT standards may be substituted for the shoulder. 3. A hammerhead may be used in place of a <i>cul-de-sac</i> if the maximum AADT are 250 trips or less.				
TABLE 16-5-105.D.1: STREET STANDARDS				
STREET TYPE	MAXIMUM AADT	MINIMUM PAVEMENT WIDTH ¹	MINIMUM SHOULDER WIDTH ²	MINIMUM RIGHT-OF-WAY

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed.

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Any views expressed in this message are those of the individual sender.

This message has been scanned for viruses and spam by McAfee.



Mail body: Fwd:

Sent from my iPhone

Begin forwarded message:

From: Sonya Ford <smchiz@yahoo.com>
Date: October 3, 2014 at 8:08:07 AM EDT
To: cc0869@staplescopycenter.com







February  2015

RE: Notice of Public Hearing

Dear  **Property Owner:**

Pursuant to the Town of Hilton Head Island's Land Management Ordinance, Section 16-2-102(E)2.c, you are hereby notified and invited to attend the Planning Commission Public Hearing on **March 4, 2015 at 9:00 a.m.** in the Benjamin M. Racusin Council Chambers, One Town Center Court, Hilton Head Island, to consider the following item:

STDV-000199-2015 -Sonya Ford has applied for a modified easement name for a portion of Oakview Road, which is located off Spanish Wells Road. The proposed name is Freddie's Way. The affected parcels are identified as Parcels 6, 6B, 6C, 7, 7A, 7B, 7D, 7F, 456 & 457 on Beaufort County Tax Map 10 and are addressed as 30, 32, 33, 34, 35, 36, 37, 38, 39, 41, and 43. For owners of property with these addresses this application would change your address from Oakview Road to Freddie's Way.

Documents related to the proposed amendment are available during regular business hours for public inspection between 8:00 a.m. and 4:30 p.m., Monday through Friday, at the Information Center, located at One Town Center Court, Hilton Head Island. If you have any questions regarding this case, please contact Suzanne Brown at 843-341-4741.

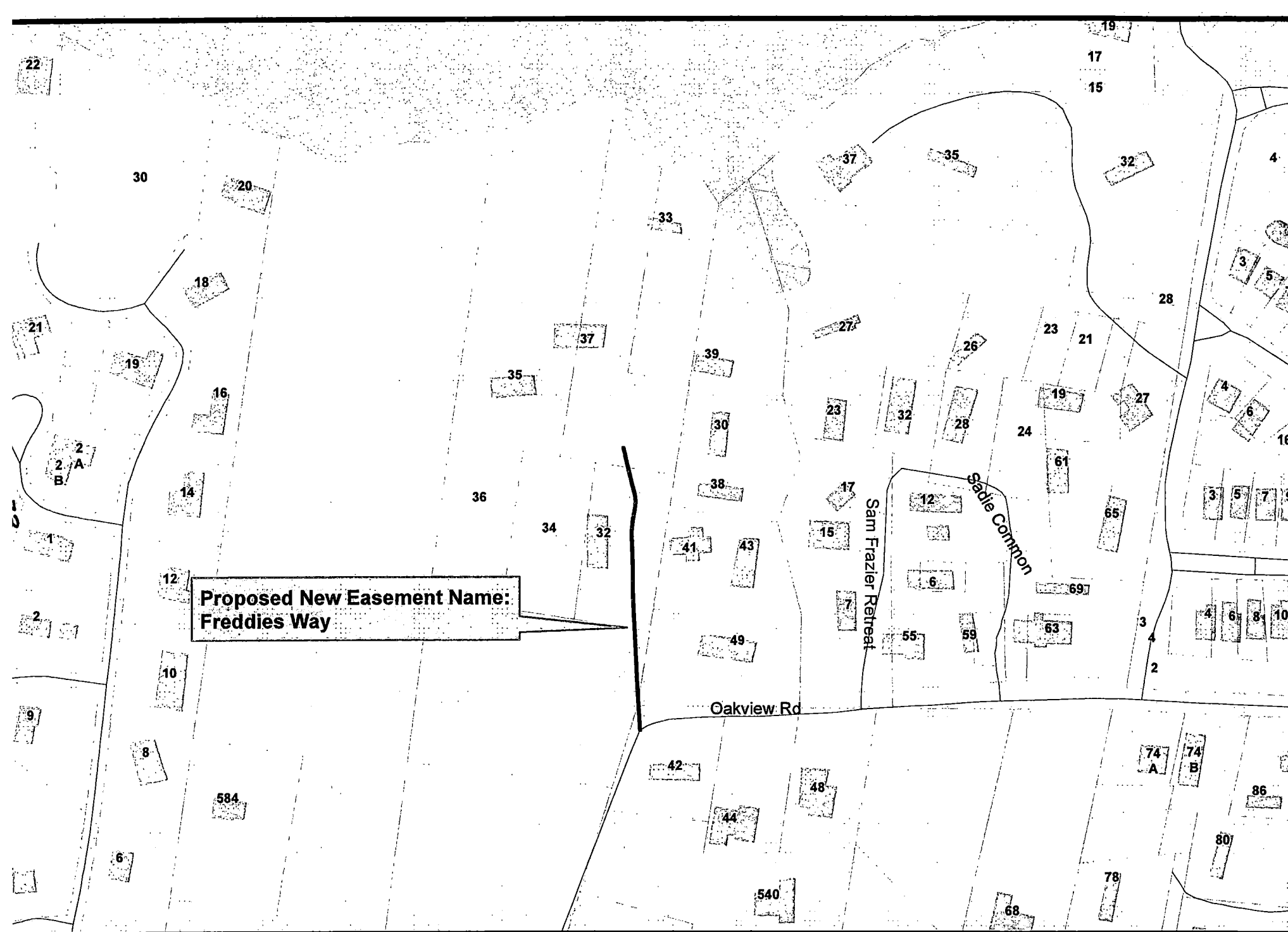
Interested parties may appear and speak at the Public Hearing or submit evidence or comments to Suzanne Brown by email at suzanneb@hiltonheadislandsc.gov or by mail to the Town at One Town Center Court, Hilton Head Island, SC 29928.

The Town of Hilton Head Island has an Assistive Listening System and Spanish Translator available upon request. Please call 843-341-4757 in advance of the meeting to arrange for these services.

La ciudad de la isla de Hilton Head tiene un sistema que escucha de Asistive y un traductor español disponibles a petición. Llame por favor 843-341-4757 antes de la reunión para arreglar para estos servicios.

Sincerely,

 Applicant



**Proposed New Easement Name:
Freddie's Way**

Oakview Rd

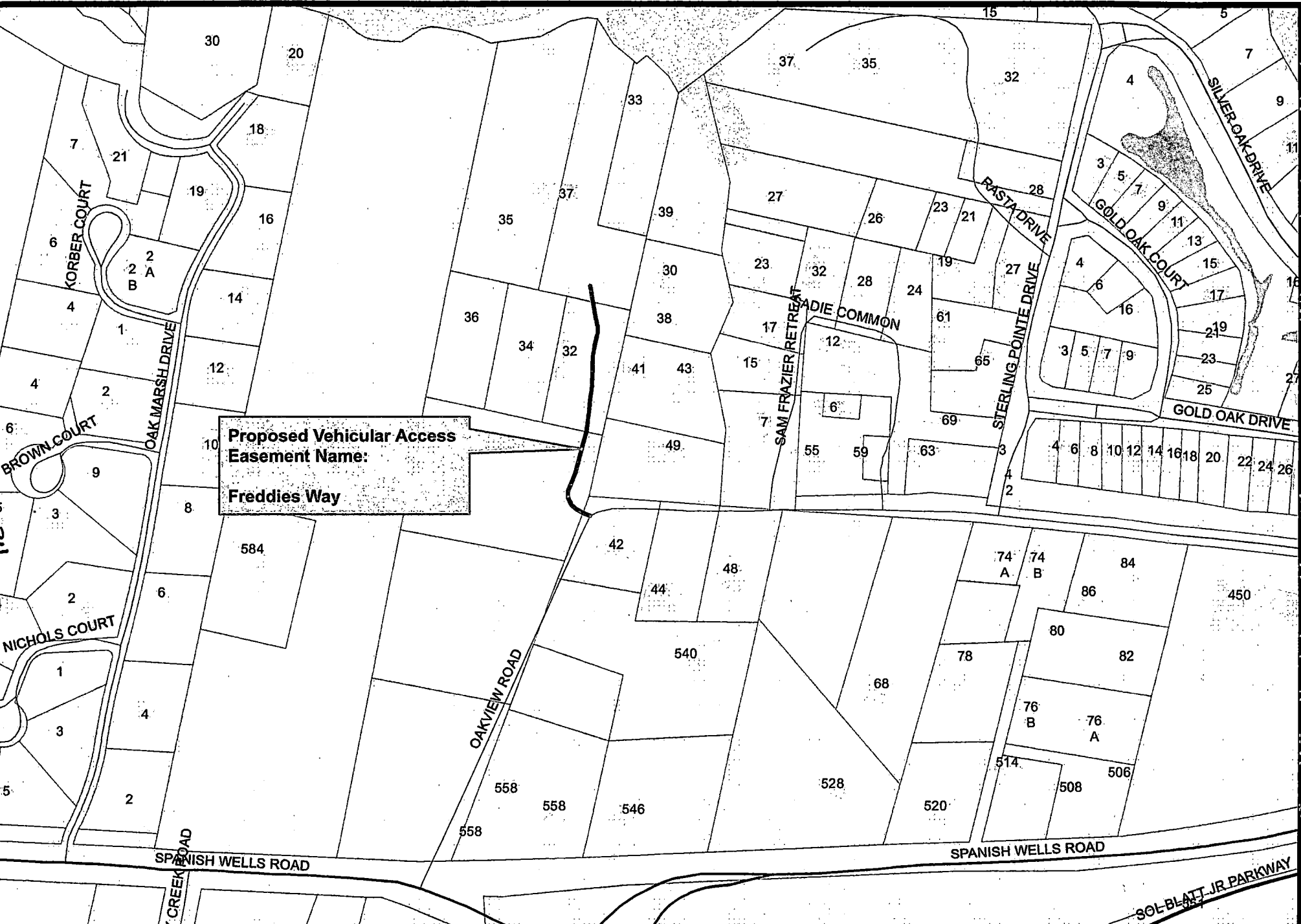
Sam Frazier Retreat

Sadie Common

Town of Hilton Head Island
Proposed New Easement Name:
Freddie's Way



Proposed Vehicular Access
Easement Name:
Freddies Way



RECEIVED

JUN 15 2017

SC Court of Appeals

Certificate of Appellant

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

June 12, 2017

Sonya Ford
49 Oakview Rd
Hilton Head, South Carolina 29926
(843) 338-6571
Appellant

S. 