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THE STATE OF SOUTH CAROLINA COURT OF APPEALS

[In the Supreme Court]

APPEAL FROM EDGEFIELD COUNTY

JOHN F. BYRD, JR. SPECIAL REFEREE

RECEIVED

MAR 13 2018

Case No. : 2014 - CP - 19- 097

SC Court of Appeals

APPELLANT RECORD ON APPEAL

Beverly Ann Gilchrist, Appellant,

v.

Florence Miles, Jimmy Glover, Albert Glover, Tommy Glover, Mary M. Bibbs, Annie Jefferson, Barry Shedrick, Myra S. Padgett, Wade Shedrick, Randy Glover, Genie Miles, Freddie Glover, Jr., Aaron Glover, Steven R. Glover, Terrie G. Frazier and Odell Glover, Doretha Sander, Michael Holmes, Jackie James, Donnell Hampton, Yvonne Forrest, ...Including any children and heirs at law or distributees and devisees and all persons entitled to claim under or through them, and all other persons unknown claiming any right, title or interest in a lien upon the real estate described in the Complaint herein, any unknown adults being a class designated as John Doe; and any unknown infants, minors or persons under a legal disability including those in the military service of the United States of America, being a class designated as Richard Roe, Respondents.

Beverly A Gilchrist

132 Samuel E. Diggs Rd.

Trenton, SC 29847

(803) 552-2677

PRO/SE' for Appellant: BEVERLY ANN GILCHRIST

Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent
Odell Glover

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“ SUMMONS ”

EDGEFIELD COUNTY
CLERK OF COURT
SHIRLEY F. NEWBY

STATE OF SOUTH CAROLINA

2014 APR -7 PM 2:01

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

COUNTY OF EDGEFIELD

Beverly Ann Gilchrist,

Plaintiff,

vs.

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wasde Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr.,

Defendants.

DOCKET NO.: 2014-CP-19-097

COMPLAINT

The Plaintiff, Beverly Ann Gilchrist, complaining of the Defendants herein would respectfully show unto the Court and allege as follows:

1. This Court has jurisdiction of the parties and subject matter and venue is proper.
2. The Plaintiff, Beverly Ann Gilchrist, is an adult citizen and resident of Edgefield County, South Carolina.
3. The Defendants, upon information and belief, are citizens and residents of Edgefield County, South Carolina.
4. That this is an action for partition of real property situate in Edgefield County, South Carolina and described as follows:

TRACT 1:

All that certain piece, parcel or tract of land situate, lying and being in the County of Edgefield, State of South Carolina containing 3 acres, more or less and being bounded on the NORTHWEST by S.C. Highway [illegible]; bounded on the NORTH by lands of Odell Glover and Webb, now or formerly; bounded on the

WEST by lands of Swearingen, now or formerly; and on the SOUTH by right-of-way of Edgefield County Water and Sewer authority which property is found in plat Book 10 at page 23.

This is the identical property conveyed by deed of A.J. Randall to Martha Glover dated August 3, 1987, and recorded August 5, 1987, in the office of the Clerk of Court for Edgefield County in Deed Book 111 at Page 20.

LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

This is the identical property conveyed by deed of Martha Glover to Teresa G. Edwards dated January 16, 1989, and recorded January 17, 1998, in the Office of the Clerk of Court for Edgefield County in Deed Book 119 at page 89.

Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre, more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996 in the office of the Clerk of Court for Edgefield County in Deed Book 510 at page 260.

Parcel ID: 173-00-00-003-000

4. The parties hereto are the heirs of Martha Settles Glover and J.L. Gover, Sr.

5. That by Deed of Distribution through the Estate of J.L. Glover, Sr., (2010-ES-19-00049) recorded in Deed Book 1288 at page 222 and filed on June 10, 2010, and by Deed of Distribution through the estate of Martha Settles Glover (2006-ES-19-00068) recorded in Deed Book 1288 at page 215 and filed on June 10, 2010, the subject properties were conveyed to the parties as tenants in common.

6. That the Plaintiff has paid the annual real estate taxes on the property.

7. That the parties are unable, without Court intervention, to agree upon a fair settlement of the real property which is the subject of this action.

FOR A FIRST CAUSE OF ACTION
(PARTITION)

8. That each and every allegation contained in paragraphs one (1) through seven (7) is realleged as if repeated herein verbatim.

9. The parties are owners in common of parcels of real property situate in Edgefield County, South Carolina.

10. The Plaintiff is informed and believes that pursuant to § 15-61-10 et seq of the South Carolina Code of Laws of 1976, as amended, she is entitled to have the parcels partitioned.

11. The Plaintiff is informed and believes that pursuant to § 15-61-25 of the South Carolina Code of Laws of 1976 as amended, each of the defendants has the right to purchase the interest of the Plaintiff and the other Defendants at a price to be determined by the Court.

12. The Plaintiff is informed and believes that the property is not capable of being partitioned in kind.

13. The Plaintiff is informed and believes that she is entitled to an award of reasonable attorneys fees and costs.

FOR A SECOND CAUSE OF ACTION
(EQUITABLE LIEN)

14 That each and every allegation contained in paragraphs one (1) though thirteen (13) is realleged as if repeated herein verbatim.

15. That the Plaintiff has paid annual taxes for the real property which is the subject of this action. Through Plaintiff's payment of the real estate taxes the property was preserved.

16. Plaintiff is informed and believes that she is entitled to an equitable lien against the real property in an amount equal to the taxes paid, together with prejudgement interest at the legal rate, and her reasonable attorneys fees and costs.

WHEREFORE, Plaintiff requests:

1. That the Court inquire into all of the matters alleged herein,
2. That the Court determine the interests of the parties and confirm title to the property as found to be vested.
- 3 That the Court issue an Order of Partition.
4. That the Court find that the property is incapable of partition in kind.
5. That each party be given credit for taxes and assessments paid by the party on the property.
6. That the property be sold at public or private sale.
7. That the Plaintiff be awarded attorneys fees and costs.

8. That after payment of liens, attorneys fees, costs, and disbursements, the proceeds of sale should be divided among the heirs in proportion to their interest in the real estate.

9. And for such other and further relief as may be just and proper.

Columbia, South Carolina

April 4, 2014



Herbert E. Buhl, III

2204 Devine Street

Columbia, SC 29205

(803) 799-3767

ATTORNEY FOR THE PLAINTIFF

EDGEFIELD COUNTY
CLERK OF COURT
SHIRLEY F. NEWBY

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS
FOR THE
ELEVENTH JUDICIAL CIRCUIT

COUNTY OF EDGEFIELD

2014 AUG 20 AM 11:06

Beverly Ann Gilchrist,

Plaintiff,

vs.

DOCKET NO.: 2014-CP-19-097

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wasde Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr., Aaron
Glover, Steven R. Glover, Terrie G. Frazier
and Odell Glover,

Defendants.

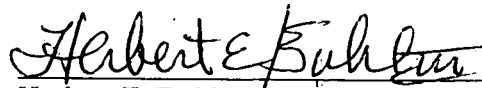
AMENDED SUMMONS

TO: THE DEFENDANTS, ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint, attached hereto, a copy of which is hereby served upon you, and to serve a copy of your Answer on the subscriber at 2204 Devine Street, Columbia, South Carolina, within thirty (30) days after such service, exclusive of the date of such service. If you fail to answer the Complaint within this time, the Plaintiff will apply to the Court for the relief demanded in the Complaint.

Columbia, South Carolina

August 19, 2014


Herbert E. Buhl, III
2204 Devine Street
Columbia, South Carolina 29205
(803) 799-3767

ATTORNEY FOR THE PLAINTIFF

EDGEFIELD COUNTY
CLERK OF COURT
SHIRLEY F. NEWBY
STATE OF SOUTH CAROLINA
2014 AUG 20 AM 11:06
COUNTY OF EDGEFIELD

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

Beverly Ann Gilchrist,

DOCKET NO.: 2014-CP-19-097

Plaintiff,

vs.

AMENDED COMPLAINT

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wasde Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr., Aaron
Glover, Steven R. Glover, Terrie G.
Frazier and Odell Glover,

Defendants.

The Plaintiff, Beverly Ann Gilchrist, complaining of the Defendants herein would respectfully show unto the Court and allege as follows:

1. This Court has jurisdiction of the parties and subject matter and venue is proper.
2. The Plaintiff, Beverly Ann Gilchrist, is an adult citizen and resident of Edgefield County, South Carolina.
3. The Defendants, upon information and belief, are citizens and residents of Edgefield County, South Carolina.
4. That this is an action for partition of real property situate in Edgefield County, South Carolina and described as follows:

TRACT 1:

All that certain piece, parcel or tract of land situate, lying and being in the County of Edgefield, State of South Carolina containing 3 acres, more or less and being bounded on the NORTHWEST by S.C. Highway [illegible]; bounded on the

NORTH by lands of Odell Glover and Webb, now or formerly; bounded on the WEST by lands of Swearingen, now or formerly; and on the SOUTH by right-of-way of Edgefield County Water and Sewer authority which property is found in plat Book 10 at page 23.

This is the identical property conveyed by deed of A.J. Randall to Martha Glover dated August 3, 1987, and recorded August 5, 1987, in the office of the Clerk of Court for Edgefield County in Deed Book 111 at Page 20.

LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

This is the identical property conveyed by deed of Martha Glover to Teresa G. Edwards dated January 16, 1989, and recorded January 17, 1998, in the Office of the Clerk of Court for Edgefield County in Deed Book 119 at page 89.

Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre, more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996 in the office of the Clerk of Court for Edgefield County in Deed Book 510 at page 260.

Parcel ID: 173-00-00-003-000

4. The parties hereto are the heirs of Martha Settles Glover and J.L. Gover, Sr.

5. That by Deed of Distribution through the Estate of J.L. Glover, Sr., (2010-ES-19-00049) recorded in Deed Book 1288 at page 222 and filed on June 10, 2010, and by Deed of Distribution through the estate of Martha Settles Glover (2006-ES-19-00068) recorded in Deed Book 1288 at page 215 and filed on June 10, 2010, the subject properties were conveyed to the parties as tenants in common.

6. That the Plaintiff has paid the annual real estate taxes on the property.

7. That the parties are unable, without Court intervention, to agree upon a fair settlement of the real property which is the subject of this action.

FOR A FIRST CAUSE OF ACTION
(PARTITION)

8. That each and every allegation contained in paragraphs one (1) through seven (7) is realleged as if repeated herein verbatim.

9. The parties are owners in common of parcels of real property situate in Edgefield County, South Carolina.

10. The Plaintiff is informed and believes that pursuant to § 15-61-10 et seq of the South Carolina Code of Laws of 1976, as amended, she is entitled to have the parcels partitioned.

11. The Plaintiff is informed and believes that pursuant to § 15-61-25 of the South Carolina Code of Laws of 1976 as amended, each of the defendants has the right to purchase the interest of the Plaintiff and the other Defendants at a price to be determined by the Court.

12. The Plaintiff is informed and believes that the property is not capable of being partitioned in kind.

13. The Plaintiff is informed and believes that she is entitled to an award of reasonable attorneys fees and costs.

FOR A SECOND CAUSE OF ACTION
(EQUITABLE LIEN)

14 That each and every allegation contained in paragraphs one (1) though thirteen (13) is realleged as if repeated herein verbatim.

15. That the Plaintiff has paid annual taxes for the real property which is the subject of this action. Through Plaintiff's payment of the real estate taxes the property was preserved.

16. Plaintiff is informed and believes that she is entitled to an equitable lien against the real property in an amount equal to the taxes paid, together with prejudgement interest at the legal rate, and her reasonable attorneys fees and costs.

WHEREFORE, Plaintiff requests:

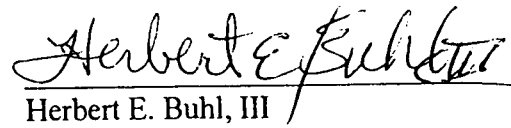
1. That the Court inquire into all of the matters alleged herein,
2. That the Court determine the interests of the parties and confirm title to the property as found to be vested.
- 3 That the Court issue an Order of Partition.
4. That the Court find that the property is incapable of partition in kind.
5. That each party be given credit for taxes and assessments paid by the party on the property.
6. That the property be sold at public or private sale.
7. That the Plaintiff be awarded attorneys fees and costs.

8. That after payment of liens, attorneys fees, costs, and disbursements, the proceeds of sale should be divided among the heirs in proportion to their interest in the real estate.

9. And for such other and further relief as may be just and proper.

Columbia, South Carolina

August 19, 2014

A handwritten signature in cursive script, reading "Herbert E. Buhl, III", written over a horizontal line.

Herbert E. Buhl, III

2204 Devine Street

Columbia, SC 29205

(803) 799-3767

ATTORNEY FOR THE PLAINTIFF

STATE OF SOUTH CAROLINA
COUNTY OF EDGEFIELD

2015 MAY 21

Beverly Ann Gilchrist,

Plaintiff,

vs.

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wasde Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr., Aaron
Glover, Steven R. Glover, Terrie G. Frazier
and Odell Glover, Doretha Sander, Michael
Holmes, Jackie James, Donnell Hampton,
Yvonne Forrest, ...Including any children
and heirs at law or distributees and devisees
and all persons entitled to claim under or
through them, and all other persons
unknown claiming any right, title or interest
in a lien upon the real estate described in the
Complaint herein, any unknown adults being
a class designated as John Doe; and any
unknown infants, minors or persons under a
legal disability including those in the
military service of the United States of
America, being a class designated as
Richard Roe,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE
SEVENTH JUDICIAL CIRCUIT

DOCKET NO.: 2014-CP-19-097

SECOND AMENDED SUMMONS

TO: THE DEFENDANTS, ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint, attached hereto, a copy of which is hereby served upon you, and to serve a copy of your Answer on the subscriber at 2204 Devine Street, Columbia, South Carolina, within thirty (30) days after such service, exclusive of the date of such service. If you fail to answer the Complaint within this

time, the Plaintiff will apply to the Court for the relief demanded in the Complaint.

Columbia, South Carolina

May 19, 2015

A handwritten signature in cursive script, reading "Herbert E. Buhl, III", written over a horizontal line.

Herbert E. Buhl, III
2204 Devine Street
Columbia, South Carolina 29205
(803) 799-3767

ATTORNEY FOR THE PLAINTIFF

STATE OF SOUTH CAROLINA
COUNTY OF EDGEFIELD

2015 MAY 2

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT
P11 2:53

Beverly Ann Gilchrist,

Plaintiff,

vs.

DOCKET NO.: 2014-CP-19-097

SECOND AMENDED COMPLAINT

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wasde Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr., Aaron
Glover, Steven R. Glover, Terrie G.
Frazier and Odell Glover, Doretha Sander,
Michael Holmes, Jackie James, Donnell
Hampton, Yvonne Forrest, ...Including
any children and heirs at law or
distribulees and devisees and all persons
entitled to claim under or through them,
and all other persons unknown claiming
any right, title or interest in a lien upon
the real estate described in the Complaint
herein, any unknown adults being a class
designed as John Doe; and any unknown
infants, minors or persons under a legal
disability including those in the military
service of the United States of America,
being a class designated as Richard Roe,

Defendants.

The Plaintiff, Beverly Ann Gilchrist, complaining of the Defendants herein would respectfully show unto the Court and allege as follows:

1. This Court has jurisdiction of the parties and subject matter and venue is proper.

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LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

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Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre, more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996 in the office of the Clerk of Court for Edgefield County in Deed Book 510 at page 260.

Parcel ID: 173-00-00-003-000

TRACT 3:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, State of South Carolina, containing Thirty-Two Hundredths (0.32) of an acre, more or less as will more fully appear by reference to a plat thereof, prepared by C. Ashley Abel, R.L.S., dated January 3, 1996, and recorded in the Office of the Clerk of Court for Edgefield County on Record Book 509 at Page 320. Said plat is incorporated herein and made a part and parcel of description by reference thereto. Said property is bounded generally in accordance with said plat on the NORTH by lands now or formerly of Edgefield County Board of Trustees; on the EAST by a road designated as S.E. Diggs Road connecting South Carolina Highway 19; on the SOUTH by lands now or formerly of Martha Glover; and on the WEST by lands now or formerly of Hamp E. Holmes, Jr.

This is a portion of that property conveyed to Martha Glover by deed of J.R. Smith dated August 8, 1956, and recorded in the Office of the Clerk of Court for Edgefield County in Deed Book 45 at Page 608.

NOTE: The Western portion of the above described property is already owned by the Grantee herein.

Parcel ID: Portion of 173-00-02-003

4. The parties hereto are the heirs of Martha Settles Glover and J.L. Gover, Sr.
5. That by Deed of Distribution through the Estate of J.L. Glover, Sr., (2010-ES-19-00049) recorded in Deed Book 1288 at page 222 and filed on June 10, 2010, and by Deed of

Distribution through the estate of Martha Settles Glover (2006-ES-19-00068) recorded in Deed Book 1288 at page 215 and filed on June 10, 2010, the subject properties were conveyed to the parties as tenants in common.

6. That the Plaintiff has paid the annual real estate taxes on the property.

7. That the parties are unable, without Court intervention, to agree upon a fair settlement of the real property which is the subject of this action.

FOR A FIRST CAUSE OF ACTION
(PARTITION)

8. That each and every allegation contained in paragraphs one (1) through seven (7) is realleged as if repeated herein verbatim.

9. The parties are owners in common of parcels of real property situate in Edgefield County, South Carolina.

10. The Plaintiff is informed and believes that pursuant to § 15-61-10 et seq of the South Carolina Code of Laws of 1976, as amended, she is entitled to have the parcels partitioned.

11. The Plaintiff is informed and believes that pursuant to § 15-61-25 of the South Carolina Code of Laws of 1976 as amended, each of the defendants has the right to purchase the interest of the Plaintiff and the other Defendants at a price to be determined by the Court.

12. The Plaintiff is informed and believes that the property is not capable of being partitioned in kind.

13. The Plaintiff is informed and believes that she is entitled to an award of reasonable attorneys fees and costs.

FOR A SECOND CAUSE OF ACTION
(EQUITABLE LIEN)

14 That each and every allegation contained in paragraphs one (1) through thirteen (13) is realleged as if repeated herein verbatim.

15. That the Plaintiff has paid annual taxes for the real property which is the subject of this action. Through Plaintiff's payment of the real estate taxes the property was preserved.

16. Plaintiff is informed and believes that she is entitled to an equitable lien against the real property in an amount equal to the taxes paid, together with prejudgement interest at the legal rate, and her reasonable attorneys fees and costs.

WHEREFORE, Plaintiff requests:

1. That the Court inquire into all of the matters alleged herein,
2. That the Court determine the interests of the parties and confirm title to the property as found to be vested.
- 3 That the Court issue an Order of Partition.
4. That the Court find that the property is incapable of partition in kind.
5. That each party be given credit for taxes and assessments paid by the party on the property.
6. That the property be sold at public or private sale.
7. That the Plaintiff be awarded attorneys fees and costs.

8. That after payment of liens, attorneys fees, costs, and disbursements, the proceeds of sale should be divided among the heirs in proportion to their interest in the real estate.

9. And for such other and further relief as may be just and proper.

Columbia, South Carolina

May 19, 2015



Herbert E. Buhl, III

2204 Devine Street

Columbia, SC 29205

(803) 799-3767

ATTORNEY FOR THE PLAINTIFF

" ORDERS "

STATE OF SOUTH CAROLINA)
)
COUNTY OF EDGEFIELD)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

RECEIVED
SEP 06 2016
SC Court of Appeals

Beverly Ann Gilchrist,)

Plaintiff,)

-v-)

Florence Miles, Jimmy Glover, Albert)
Glover, Tommy Glover, Mary M. Bibbs)
Annie Jefferson, Barry Shedrick, Myra S.)
Padgett, Wade Shedrick, Randy Glover,)
Genie Miles, Freddie Glover, Jr., Aaron)
Glover, Steven R. Glover, Terrie G.)
Frazier and Odell Glover, Doretha Sander,)
Michael Holmes, Jackie James, Donnell)
Hampton, Yvonne Forrest, ...Including)
any children and heirs at law or)
distributees and devisees and all persons)
entitled to claim under or through them,)
and all other persons unknown claiming)
any right, title or interest in a lien upon)
the real estate described in the Complaint)
herein, any unknown adults being a class)
designated as John Doe; and any unknown)
infants, minors or persons under a legal)
disability including those in the military)
service of the United States of America,)
being a class designated as Richard Roe,)
)
Defendants.)

DOCKET NO.: 2014-CP-19-097

ORDER

This matter for partition of real property in Edgefield County, South Carolina, came to be heard on February 5, 2016. The Plaintiff, Beverly Ann Gilchrist, was present with her attorney, Herbert E. Buhl, III of Columbia, South Carolina. The Defendant, Odell Glover, appeared represented by his attorney, Jennifer P. Sumner, of Edgefield, South Carolina. Mr. Patrick McWilliams, Attorney at Law, of Aiken, South Carolina, was appointed Guardian at Law, and also appeared. Numerous other named Defendants appeared but were not represented by counsel.

This action was commenced by the filing of a Summons, Complaint and Lis Pendens by the Plaintiff and service was duly made on all Defendants. The Defendant, Odell Glover, and the Guardian ad Litem duly filed Answers and/or responsive pleadings accordingly. The remainder of the Defendants are in default.

An Order of Reference was thereafter signed by the Court appointing the undersigned as Special Referee. It also appears that all required documents mentioned above, were properly filed with the Court.

FINDINGS OF FACT

This is a partition action brought by the Plaintiff against the Defendants seeking a Court ruling as to whether or not the real properties described herein can be partitioned, or divided, or whether a partition and sale would be proper. The Plaintiff also seeks an equitable lien for taxes claimed to be paid by her, in addition to legal fees and costs.

The Defendant, Odell Glover, duly filed an Answer and Counterclaim denying portions of the Complaint and seeking a Court's ruling in the matter. The Guardian ad Litem filed an Answer seeking the Court's protection in this matter against those Defendants designated as John Doe and Richard Roe.

It appears that this action included three (3) tracts of land in Edgefield County, and are described on the attached Exhibit "A" of this Order.

It appears from the evidence and testimony presented that the within real property was originally owned by Martha Glover and J. L. Glover, Sr., both now deceased, and was ultimately inherited by the Plaintiff and Defendants through the Martha Glover Estate filed in the Edgefield County Probate Court in File 2006-ES-19-0068 and the J. L. Glover, Sr. Estate filed in 2018-ES-19-00049, respectively.

There appears from the testimony that there are presently nineteen (19) title owners of the property, at the time of the Hearing, with different fractional ownership interests. In addition, from both direct and cross examination of all witnesses a partition in kind of the properties would not be feasible, nor equitable to the parties involved.

Testimony was presented by the Plaintiff that she believes she is entitled to reimbursement for property taxes paid on certain of the properties, however, testimony from other witnesses disputed the payments, amounts and dates paid. Witnesses also testified that they also paid taxes in the past. The Court questions these tax payments by the testifying parties, in that one, or more, of the properties taxes were not timely paid, resulting in tax sales being held by the Edgefield County Tax Collector. If redemption of these properties was made, it is unclear as to who, in addition to the Plaintiff, contributed funds and how much was paid by each contributor.

Testimony was presented by the Plaintiff that she paid in excess of FIFTEEN THOUSAND AND NO/100 (\$15,000.00) DOLLARS in legal fees but there was no substantiation as to who rendered these legal services and for what purposes. The Court did receive, however, information as to the Plaintiff's fees and costs of Attorney Buhl.

There was also disputed testimony by the parties, and witnesses, whether the Plaintiff actually improved the properties since she has been living on the property. Also, it appears that Plaintiff has not paid, nor reimbursed, the other joint owners, monetarily for her living on the properties.

It does appear from the testimony that the Plaintiff believes she is entitled to have certain of the properties cut off or given to her by the Court as well as to declare an equitable lien for her legal fees and costs.

The Court takes note of the questionable descriptions of the properties in question from the wording of the Complaint, Lis Pendens and the County tax map numbers accompanying same. The aerial photograph which was entered into evidence differs in acreages and this issue will be addressed in the following Conclusions of Law.

CONCLUSIONS OF LAW

I find the following conclusions:

- (a) That this Court has jurisdiction of the subject matter of this case and thus has authority to determine the interests of the parties and authority to order a Partition-in-Kind or Partition-and-Sale of the properties.
- (b) Venue is proper as the property is located in Edgefield County, South Carolina.
- (c) All Defendants were properly served with the Summons, Complaint and Lis Pendens and were given proper notice of the Hearing. In addition, I find and conclude that the parties were given proper notice of their right to purchase this property pursuant to the S.C. Code of Laws, Sec. 15-61-25, 1976, as amended.
- (d) I conclude that the Guardian ad Litem appointed by the Court has properly represented all persons designated as John Doe or Richard Roe, in all phases of these proceedings.
- (e) This Court, from the testimony and evidence presented, finds that the within properties cannot be partitioned equitably in kind and as such should be sold by the undersigned Special Referee at public sale at a designated time as specified in a Notice of Sale to be published for three (3) weeks in a local Edgefield newspaper, or in another newspaper of general distribution, as required by law.
- (f) That prior to such publications, the attorneys shall submit to the Court a current description of the properties to be sold, provided the descriptions describe the correct current acreages and boundaries for the same properties sought to be partitioned in the Plaintiff's Complaint.
- (g) In addition, the attorneys shall submit to the Court a current list of the nineteen (19) owners of the properties as testified to and their percentage of ownership for the purpose of distribution of the sales proceeds. This Court reserves the right to hold a Supplemental Meeting with the attorneys of record to make such determinations, if necessary.
- (h) The sale shall be conducted on the first Monday of such month to be designated in the Notice of Sale at 11:00 A.M. on the Courthouse steps of Edgefield County.
- (i) This Court, being a Court of Equity, finds from the testimony and evidence presented that it would be unfair and unjust to all nineteen (19) owners to allow the cutting off or partitioning any portion of the property, specifically, for the Plaintiff or any other party and respectfully denies Plaintiff's request to do so.
- (j) All of the properties involved in this action are to be sold to the highest bidder.
- (k) The Court finds that Plaintiff's request for an equitable lien and prejudgment interest are to be denied. In addition, all requests for reimbursement for Probate matters are also denied, as these issues were decided by the Probate Court when the cases were closed.
- (l) That at the completion of sale and full payment made by the purchaser(s), the following costs are to be deducted and disbursed and the net proceeds are to then be disbursed to the nineteen (19) title holders of the properties as their percentage interest might appear:

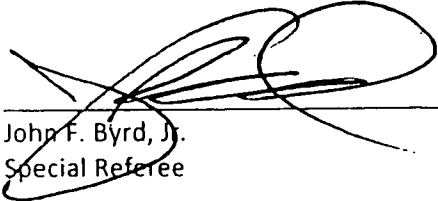
- (1) Court reporter fee (per invoice);
- (2) Publication of Notice of Sale (per invoice);

- (3) Special Referee's fee (per invoice);
- (4) The sum of \$3,500.00 shall be allocated from the sale for Plaintiff's attorneys fees and costs and the sum of \$1,500.00 for Defendant, Odell Glover's, attorneys fees and costs. All other costs are to be paid by the respective parties;
- (5) Guardian ad Litem Fee (per invoice);
- (6) The balance is to be distributed to the nineteen (19) title owners of record as to their percentage of ownership.
- (m) Deeds to purchasers will be issued by the Special Referee upon compliance with all successful bids and purchasers shall be responsible for deed preparation, stamps and recording.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED :

That Items (a) through (m) of the Conclusions of Law are hereby adopted as stated herein and are hereby incorporated as the Order of this Court. The Court will retain jurisdiction to resolve any issues that may arise until the property is sold and complied with, and the proceeds have been disbursed to final completion.

IT IS SO ORDERED.



John F. Byrd, Jr.
Special Referee

June 23, 2016
Edgefield, South Carolina

EXHIBIT "A"

TRACT 1:

All that certain piece, parcel or tract of land situate, lying and being in the County of Edgefield, State of South Carolina containing 3 acres, more or less and being bounded on the NORTHWEST by S.C. Highway [illegible]; bounded on the NORTH by lands of Odell Glover and Webb. now or formerly: bounded on the WEST by lands of Swearingen, now or formerly; and on the SOUTH by right-of-way of Edgefield County Water and Sewer authority which property is found in plat Book 10 at page 23.

This is the identical property conveyed by deed of A.J. Randall to Martha Glover dated August 3, 1987, and recorded August 5, 1987, in the office of the Clerk of Court for Edgefield County in Deed Book 111 at Page 20.

LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

This is the identical property conveyed by deed of Martha Glover to Teresa G. Edwards dated January 16, 1989, and recorded January 17, 1998, in the Office of the Clerk of Court for Edgefield County in Deed Book 119 at page 89.

Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre, more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996 in the office of the Clerk of Court for Edgefield County in Deed Book 510 at page 260.

Parcel ID: 173-00-00-003-000

EXHIBIT "A" Continued

TRACT 3:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, State of South Carolina, containing Thirty-Two Hundredths (0.32) of an acre, more or less as will more fully appear by reference to a plat thereof, prepared by C. Ashley Abel, R.L.S., dated January 3, 1996, and recorded in the Office of the Clerk of Court for Edgefield County on Record Book 509 at Page 320. Said plat is incorporated herein and made a part and parcel of description by reference thereto. Said property is bounded generally in accordance with said plat on the NORTH by lands now or formerly of Edgefield County Board of Trustees; on the EAST by a road designated as S.E. Diggs Road connecting South Carolina Highway 19; on the SOUTH by lands now or formerly of Martha Glover; and on the WEST by lands now or formerly of Hamp E. Holmes, Jr.

This is a portion of that property conveyed to Martha Glover by deed of J.R. Smith dated August 8, 1956, and recorded in the Office of the Clerk of Court for Edgefield County in Deed Book 45 at Page 608.

NOTE: The Western portion of the above described property is already owned by the Grantee herein.

Parcel ID: Portion of 173-00-02-003

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. DEELIN

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS
COUNTY OF EDGEFIELD 2017 MAR 27 PM 12: 22 ELEVENTH JUDICIAL CIRCUIT

Beverly Ann Gilchrist,

DOCKET NO.: 2014-CP-19-097

Plaintiff,

vs.

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wasde Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr.,

SUPPLEMENTAL ORDER

Defendants.

This matter came before the Court on February 28, 2017, following the Plaintiff's dismissal of her appeal and pursuant to Section G of the Order filed on June 23, 2016. The purpose of the meeting of Attorneys, only, was for logistical and clarification purposes to determine which properties were to be sold at Public Sale, and the percentages of ownership possessed by each heir. Present at the hearing were Herbert E. Buhl, III, Attorney for the Plaintiff, Jennifer P. Sumner, Attorney for Defendant, Odell Glover and Patrick A. McWilliams, Guardian ad Litem.

Mr. Buhl presented a letter along with copies of the Deeds of Distribution of the Estates of Martha Settles Glover (2006-ES-19-00068) and J.L. Glover, Sr., (2010-ES-19- 00049) which reflected the percentage of ownership which Plaintiff believes that she was to receive.

Ms. Sumner presented a chart indicating the percentages of ownership of each heir based upon the Statute of Descent and Distribution.

The Court finds, and approves, and incorporates by reference the chart submitted by Ms.

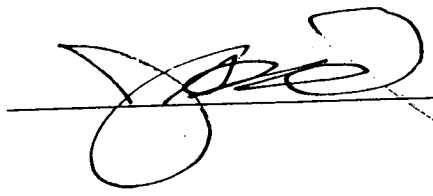
Sumner, and will use this breakdown when disbursements of proceeds of the sale occurs.

The Court finds that the tracts to be sold are as follows:

- (a) 1.8 acres (Tax Map #173-05-02-005-000);
- (b) 0.37 acre (Tax Map #173-00-02-080-000);
- (c) 0.97 acre (Tax Map #173-00-00-003-000);
- (d) All tracts are located southeast of Diggs Road;
- (e) The tract shown in the Complaint which is presently owned by Heyward Bibbs is not to be sold.

The sale will offer the tracts first, individually, and then combined, to arrive at the total highest bid price.

AND IT IS SO ORDERED.



John F. Byrd, Jr.
Special Referee

Edgefield, South Carolina

March 23, 2017

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. REEL

2017 MAR 27 PM 12:22

JOHN F. BYRD, JR.

ATTORNEY AT LAW

P.O. Box 466, Edgefield, South Carolina 29824-0466

307 Simkins St. (803) 637-3103

FAX (803) 637-3677

March 2, 2017

Herbert E. Buhl, III, Esquire
Attorney at Law
2204 Devine St.
Columbia, South Carolina 29205

Jennifer P. Sumner, Esquire
Attorney at Law
P. O. Box 502
Edgefield, South Carolina 29824

Patrick A. McWilliams, Esquire
Attorney at Law
P. O. Box 521
Aiken, South Carolina 29802

RE: Beverly A. Gilchrist -v- Florence Miles, et al
Edgefield County
2014-CP-19-097

Dear Mr. Buhl, Ms. Sumner and Mr. McWilliams:

Just a follow-up to our meeting held in my office on February 28th pursuant to Court Order dated June 23, 2016 (See-(g)-Conclusions of Law). I thank you for attending and for all of your output for purposes of clarification.

As I stated, the two (2) issues that needed clarification, before sale, were an accurate current description of the properties to be sold and a breakdown of the percentage-ownership interests for purposes of final disbursement, after costs.

First: I believe that everyone is now in agreement with the various interests as shown on the chart submitted by Ms. Sumner. I approve and will use that breakdown when disbursement occurs.

Second: It appears that the tracts to be sold are as follows:

- (a) Tract #1 (2.17 acres) made up of a 1.8-acre tract (Tax Map #173-00-02-005-000) and a 0.37-acre tract (Tax Map #173-00-02-080). *— 1.8 + 0.37 = 2.17*
- (b) Tract #2 (0.97 acres) (Tax Map #173-00-00-003-000)
- (c) Both tracts are located southeast of Diggs Road.
- (d) Tract #3, as shown on the Amended Complaint, will not be considered as it has already been conveyed to Heyward Bibbs.

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. LEE

2017 MAR 27 PM 12:22

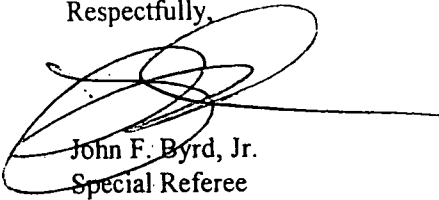
RE: Gilchrist -v- Miles, et al
March 2, 2017
Page -2-

The sale will offer the tracts first, individually, and then combined, to arrive at the total highest bid price for the property.

Please let me know ASAP if there are any corrections, changes or additions that need to be addressed before I prepare a Notice of Sale.

Thank you again for your help and concerns in moving toward completion of this matter.

Respectfully,



John F. Byrd, Jr.
Special Referee

JFB Jr/s

HERBERT E. BUHL, III
ATTORNEY & COUNSELOR AT LAW

2204 DEVINE STREET • SUITE B
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE
(803) 799-3767
FACSIMILE
(803) 252-2610

September 30, 2016

VIA EMAIL & REGULAR MAIL

Jennifer P. Sumner, Esquire
P.O. Box 502
217 Folk Street
Edgefield, SC 29824

Re: Beverly Gilchrist v Florence Miles, et al
2016-CP-19-001834

Dear Ms. Sumner,

In discussing this matter with my client, it is her position that in order to arrive at the correct percentages due to the various heirs, the Deeds of Distribution filed on June 6, 2010, in the matter of J. L. Glover, Sr., 2010-ES-19-00049, Book 1288 at Page 222; In the matter of Martha Settles Glover, 2010-ES-19-00068, Book 1288 at Page 215, and in the matter of Beatrice Glover, 2010-ES-19-00080, Book 1288 at Page 229, must be confirmed. I have attached copies of the Deeds for your convenience.

It appears that three (3) of the children of Freddie Glover were accounted for in the probate process and their share was recognized, the other four (4) children of Freddie Glover: Yvonne Forrest, Michael Holmes, Doreatha Sanders and Jacqueline James were added by the Amended Complaint, and would share the portion allocated to Freddie Glover.

According to the Deeds of Distributions filed in the probate court, Ms. Gilchrist is entitled 1/10 of J. L. Glover's interest in the properties, and one half (1/2) of Martha Settles Glover's interest in the properties, along with a 1/20 interest as Personal Representative. It further appears from the Deeds that she is entitled to a one fourth (1/4) interest of Beatrice Glover's interest in the properties.

Roughly calculated it is Ms. Gilchrist's position that she is entitled to approximately sixty percent (60%) of the property under the Deeds. The addition of the four (4) heirs of Freddie Glover does not significantly change the overall picture.

Please review this matter with your clients and let me know whether we can resolve the appeal. I have spoken with Mr. McWilliams, the Guardian ad litem and believe that he would be agreeable to a settlement in this matter.

I hope to hear from you soon.

Thank you for your assistance in this matter.

Sincerely,



Herbert E. Buhl, III
Attorney at Law

HEB/kw

Enclosures: (as stated above)

cc: Beverly Gilchrist
Patrick McWilliams

South Carolina Correction Deed Form

In South Carolina, use a correction deed to amend a previously recorded deed that contains a minor error.

A corrective deed is in effect an explanation and correction of an error in a prior instrument. As such, it passes no title, but only reiterates and confirms the prior conveyance. It should be executed from the original grantor to the original grantee, and it needs to be recorded in order to be legally valid.

The correction deed must reference the original conveyance it is correcting by type of error, date of execution and recording, as well as by recording number and location. Beyond that, it restates the information given in the prior deed, thus serving as its de facto reiteration. The prior deed, however, which constitutes the actual conveyance of title, remains on record.

Deeds of correction are most appropriate for minor errors and omissions in the original deed, such as misspelled names, omission of marital status, or typos in the legal description. More substantial changes, such as adding a name to the title, changing vesting information or legal description of the property, require a new deed of conveyance instead of a correction deed.

Correction deeds are exempt from deed recording fee, often referred to as documentary or deed stamps, pursuant to South Carolina Statutes 12-24-40 (12), which exempts deeds "that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, as long as no consideration is paid or is to be paid under the corrective or quitclaim deed."

However, an affidavit of exemption must be filed with the correction deed indicating the specific exemption.

Martha Glover's ownership		100%	J.L. Glover's ownership at death	0.576923	total ownership
J.L. + <u>2 dec. kids</u>	0.5	0.576923077			
13 kids	0.038462		11 kids - 0.052447552		
Odell Glover		0.038461538	0.052447552		9%
Jimmy Glover		0.038461538	0.052447552		9%
Tommy Glover		0.038461538	0.052447552		9%
Mary Bibbs		0.038461538	0.052447552		9%
Albert Glover		0.038461538	0.052447552		9%
Florence Miles		0.038461538	0.052447552		9%
Annie Jefferson		0.038461538	0.052447552		9%
J.L. Glover, Jr.					
Dinelle		0.038461538	0.052447552		9%
Roger (dec)					
Freddie Glover					
Freddie Glover, Jr.		0.005494505	0.007492507		1%
D'Oretha Sanders		0.005494505	0.007492507		1%
Randy Glover		0.005494505	0.007492507		1%
Genie Miles		0.005494505	0.007492507		1%
Yvonne Forrest		0.005494505	0.007492507		1%
Michael Holmes		0.005494505	0.007492507		1%
Jacqueline James		0.005494505	0.007492507		1%
Beatrice Glover					
Beverly Gilchrist		0.009615385	0.013111888		2%
Terrie Frazier		0.009615385	0.013111888		2%
Aaron Glover		0.009615385	0.013111888		2%
Steven Glover		0.009615385	0.013111888		2%
Thelia Glover					
Myra Padgett		0.012820513	0.017482517		3%
Wade Shedrick		0.012820513	0.017482517		3%
Barry Shedrick		0.012820513	0.017482517		3%
John Glover	deceased				
Lawrence Glover	deceased				
		1.00000000	0.57692308		100%

* Martha Glover died owning 100% interest in the subject properties. J.L. Glover inherited his 1/2 interest as surviving spouse, PLUS the interest of two children predeceasing both parents.

** Upon the death of J.L. Glover, each direct child held the intestate interest inherited at their mother's death, plus the interest held by the father. Thus, each of the eleven children who survived their parents inherited a total of 9%, with any child dying since, having their 9% share distributed to their heirs.

Correction Deed

Once a deed has been recorded, it is part of the public record and cannot be changed. It is possible, however, to amend that record by adding a newly executed deed, usually called correction or corrective deed, deed of correction or, in some states, deed of confirmation. As confirmatory instrument, it perfects an existing title by removing any defects, but it does not pass title on its own.

A correction deed confirms the covenants and warranties of the prior deed. It needs to refer to that instrument by indicating its execution and recording date, the place of recording, and the number under which the document is filed. It also must identify the error or errors by type before supplying a correction. The body of this new deed contains the same information as the original deed and thus confirms the conveyance of title. Generally, all parties who signed the prior deed must sign the correction deed in the presence of a notary, who will acknowledge its execution.

A corrective deed is most often used for minor mistakes, such as misspelled or incomplete names, missing or wrong middle initials, and omission of marital status or vesting information. It can also be used for obvious errors in the property description. For example: errors transcribing courses and distances; errors incorporating a recorded plat or deed reference; errors in listing a lot number or designation; or omitted exhibits that supply the legal description of the property. A correction deed can also amend defects in the execution or acknowledgement of the original deed.

Resolving material errors often causes confusion. A material correction constitutes an actual change in the substance of the deed, such as changing the legal description, adjusting the amount of consideration, and adding or removing names. Some states allow a corrective instrument to address these flaws, but others require an entirely new deed.

Non-material changes are generally typographical in nature and may be adjusted with a less involved correction. For example, some states accept a re-submission of the original deed with corrections, along with a cover page that contains a correction statement, error identification, and clear reference to the previously recorded deed. Depending on the error type and gravity, re-acknowledgement may not be required under such circumstances.

In some states, an affidavit of correction or a scrivener's affidavit may be recorded and serve as notification of an error in a recorded deed. It is usually reserved for minor corrections and typographical mistakes, and it can often be given by persons other than the parties of the original instrument, as long as reasons for the correction and knowledge of the facts corrected are stated and evidence of notification of the original parties or their heirs is provided. However, it does not constitute an actual correction of the original deed in the way a corrective deed does.

Changes affecting the legal description of the property are often sensitive in nature and best handled by a new corrective deed, signed by the original grantor. Some states

Sandy Shirley

From: Sandy Shirley <sandyshirley@bellsouth.net>
Sent: Thursday, March 23, 2017 10:00 AM
To: 'jennifer@sumnerlawfirm.us'; 'hbuhl@bellsouth.net'; 'mcwilliamspatrick@hotmail.com'
Subject: Gilchrist -v- Miles
Attachments: Gilchrist Supplemental Order.pdf

Please see attached signed Supplemental Order.

John F. Byrd, Jr.
Special Referee

EDGEMFIELD COUNTY
CLERK OF COURT
CHARLES L. BYRD
2017 MAR 27 PM 12:22

HERBERT E. BUHL, III
ATTORNEY & COUNSELOR AT LAW

2204 DEVINE STREET • SUITE B
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE
(803) 259-3767
FACSIMILE
(803) 252-2610

EDGEFIELD COUNTY
CLERK OF COURT
CHARLES L. LEE
2017 MAR 27 PM 12:22

March 8, 2017

Via Email: johnbyrdjr@bellsouth.net

John F. Byrd, Jr., Esquire
P.O. Box 466
307 Simpkins Street
Edgefield, SC 29824

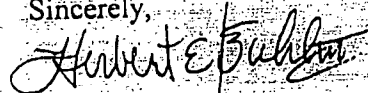
Re: Beverly Ann Gilchrist vs. Florence Miles, et al.
2014-CP-19-097

Dear Mr. Byrd,

I received your letter of March 2, 2017 regarding the supplemental conclusions of law and the breakdown of the various interests of the parties and the tracts to be sold. I would respectfully request that the issues and conclusions be included in a Supplemental Order as my client still has exceptions to the percentages of interest, and tracts to be sold as outlined in the letter.

Thank you for your assistance in this matter.

Sincerely,



Herbert E. Buhl, III
Attorney at Law

HEB/kw

Enclosures: (as stated above)

cc: Beverly Gilchrist

Jennifer P. Sumner, Esquire

CHARLES WHEELER
CLERK OF COURT
2017 MAR 27 PM 12:22

Sandy Shirley

To:

hbuhl@bellsouth.net; Jennifer Sumner; mcwilliamspatrick@hotmail.com

Subject:

Gilchrist -v- Miles

This is in response to Herbert's email of March 8th regarding the case referenced above.

As all of you know and are aware from my letter to you of March 2nd, we had a called meeting pursuant to my Order of June 23, 2016, Sec. (g). The purpose of this meeting of Attorneys, only, was for logistical and clarification purposes to give me some guidance in the preparation of the Notice of Sale and later disbursement of proceeds after sale. No additional testimony was to be taken.

As my memory and notes reflect, we were in agreement with the properties to be sold and a chart showing percentages of ownership after doing the math. I asked each of you for any additional comments and if there was an agreement as to these terms. No objections were made. I remember an oral concurrence by all attorneys present and the meeting was concluded.

Herbert, I do not believe an Order, as you requested, is in order. My letter is a confirmation of the discussions at the meeting. However, if you feel you want an Order, please prepare and submit one to me and the other counsel involved. It must clearly state what we discussed and agreed upon at the meeting. I will consider such upon receipt.

Thank all of you for your continued concern and interest in working toward concluding this matter for the benefit of all parties involved.

John F. Byrd Jr.,
Special Referee

P.41

STATE OF SOUTH CAROLINA)
)
COUNTY OF EDGEFIELD)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT 2016 AUG -5 AM 11:02

Beverly Ann Gilchrist,)
)
Plaintiff,)

-v-)

Florence Miles, Jimmy Glover, Albert)
Glover, Tommy Glover, Mary M. Bibbs)
Annie Jefferson, Barry Shedrick, Myra S.)
Padgett, Wade Shedrick, Randy Glover,)
Genie Miles, Freddie Glover, Jr., Aaron)
Glover, Steven R. Glover, Terrie G.)
Frazier and Odell Glover, Doretha Sander,)
Michael Holmes, Jackie James, Donnell)
Hampton, Yvonne Forrest, ...Including)
any children and heirs at law or)
distributees and devisees and all persons)
entitled to claim under or through them,)
and all other persons unknown claiming)
any right, title or interest in a lien upon)
the real estate described in the Complaint)
herein, any unknown adults being a class)
designated as John Doe; and any unknown)
infants, minors or persons under a legal)
disability including those in the military)
service of the United States of America,)
being a class designated as Richard Roe,)

Defendants.)

DOCKET NO.: 2014-CP-19-097

ORDER DENYING PLAINTIFF'S MOTION
FOR REHEARING AND/OR
RECONSIDERATION AND/OR FOR A
NEW TRIAL

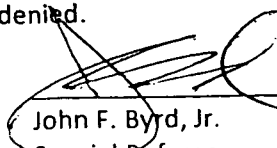
RECEIVED

SEP 06 2016

SC Court of Appeals

The undersigned, acknowledging receipt of Plaintiff's Motion dated July 5, 2016, has re-reviewed all testimony and evidence presented at the February 5, 2016, hearing, particularly as to those items raised in the above Motion. The Court respectfully denies, without hearing, the relief sought by Plaintiff. It appears affirmatively that the greater weight, or preponderance of the evidence, as to the issued raised, was not shown nor presented on behalf of Plaintiff to the satisfaction of the Court.

The Motion, as to the issues raised, is hereby denied.


John F. Byrd, Jr.
Special Referee

August 4, 2016
Edgefield, South Carolina

JOHN F. BYRD, JR.

ATTORNEY AT LAW

P.O. Box 466, Edgefield, South Carolina 29824-0466
307 Simkins St. (803) 637-3103
FAX (803) 637-3677

August 5, 2016

Herbert E. Buhl, III, Esquire
Attorney at Law
2204 Devine St.
Columbia, South Carolina 29205

Jennifer P. Sumner, Esquire
Attorney at Law
217 Folk St.
Edgefield, South Carolina 29824

Patrick A. McWilliams, Esquire
Attorney at Law
P. O. Box 521
Aiken, South Carolina 29802

RE: Beverly A. Gilchrist -v- Florence Miles, et al
Edgefield County

Dear Mr. Buhl, Ms. Sumner and Mr. McWilliams:

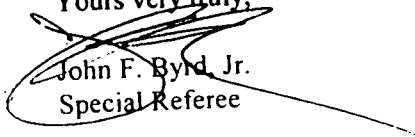
Enclosed is a clocked copy of the Denial of Motion Order regarding issues raised by the Plaintiff.

I have not received from counsel, to date, a current description of the properties to be sold as requested in the Order of June 23, 2016. Thus, it appears that the description in the lawsuit pleadings will have to be used in publishing the Notice of Sale. I intend to prepare a Notice, after this letter, to run for three (3) weeks, in the local paper, as soon as possible.

Finally, I still do not have a breakdown of the 19 owners, as requested, and pursuant to applicable Court rules, I will hold the proceeds of sale, after paying costs, in escrow until full identification and respective fractional interests are submitted.

With kindest regards, I remain,

Yours very truly,


John F. Byrd, Jr.
Special Referee

JFBjr/s
Enclosure

“ DESIGNATIONS ”

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

RECEIVED
OCT 19 2017
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT OF APPEALS

.....

APPEAL FROM EDGE FIELD COUNTY

Court of Common Pleas

JOHN F. BYRD, Special Referee

.....

Case No. 2014-CP-19-097

.....

Beverly A. Gilchrist, as Personal

Representative of Estate's of

Martha "Settles" Glover;

J. L. Glover, Sr.; & Beatrice Glover; FOR: THE Appellant;

BEVERLY ANN GILCHRIST.....CASE No. 2017 -000997

V....Respondent'(s)

Respondent'(s).....Florence Miles,Jimmy Glover,
Albert Glover(deceased)2017; Tommy Glover, Mary M. Bibbs, Annie
Jefferson, Barry Shedrick, Myra S. Padgett, Wade L. Shedrick, Randy
Glover,Genie Miles, Freddie Glover, jr.,Aaron Glover, Steven R. Glover,
Terrie G. Frazier, and Odell Glover, Doretha Sanders, Michael Holmes,
Jackie James, Donnell Hampton, Yvonne Forrest,...Including any
children and heir or distributees and devisees and all persons entitled
to claim under or through them, and all other persons unknown
claiming any right, title or interest in a lien upon the real estate
described in the complaint herein, any unknown adults being a class
designated as John Doe; and any unknown infants, minors or persons
under a legal disability including thoes in military service of the United
States of America, being a class designated as Richard Roe,
Rwspondents.....

.....

DESINATION OF MATTER TO BE
INCLUDED IN THE APPEAL

.....

Appellant proposes the following be included in the Record on Appeal:

- 1).Order of June 23,2016
- 2). Oder of August 4, 2016
- 3). Order of March 23, 2017
- 4)). Transcript of Proceedings dated:Friday, February 5, 2016 10:00 a.m.
- 5). Deeds of Disribution Dated: June 10, 2010

6).Appellant's Request ,Letter's of Counsel of Records;
dated:September 30, 2016

7).Appellant TRANSCRIPT & Exhibits;PG.11 #14 – 25; PG.12 #1 -
25;PG.13 #1 – 25 & PG.14; # 14 – 25; PG. 15.. # 16 – 25 (DEEDS);

8). TRANSCRIPT; TAXES & " EXPENSES PAID BY APPELLANT",PG. 18 #
1,23 -25, PG. 21 # 1,16 -25 , PG. 22 # 1 -13 ,9 TOTAL: (\$ 6'977.52
)TAXES;

9). DEFENDANT" ODELL GLOVER"TRANSCRIPT, TESTIMONIAL; PG. 95 # 1
– 7; PG. 96 # 9 -25; PG. 97 # 1 – 23 ;(Appellant) Preserved heir
properties.....

.....
CC:Jennifer P. Summers, Equire;

P.O. BOX 502

Edgefield, SC 29824

PH.(803) 637 – 7034

Attorney'(s) of Record:

I certify that this designation contains no matter which is irrrrelevant
to this appeal. October 17, 2017

PRO/SE'; Beverly A. Gilchrist

Sincere Thanks

Beverly A. Gilchrist; PRO/SE' for:

Appellant...BEVERLY ANN GILCHRIST

132 Samuel E. Diggs Rd.

Trenton, SC 29847

PH. (803) 552 -2677

E – mail : BEVERLYBROWNGILCHRIST62@YAHOO.COM

**PROOF OF SERVICE OF RESPONDENT'S BRIEF & DESIGNATION OF
MATTERS**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Special Referee for Common Pleas

John F. Byrd, Jr., Special Referee

Case No. 2014-CP-19-097
Appellate Case # 2017-000997

Beverly Ann Gilchrist,

Appellant,

v.

Respondent.

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wade Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr. Aaron
Glover, Steven R. Glover, Terrie G. Frazier,
Odell Glover, Doretha Sander, Michael
Holmes, Jackie James, Donnell Hampton,
Yvonne Forrest...Including any children and
heirs at law or distributees and devisees and
all persons entitled to claim under or through
them, and all other persons unknown
claiming any right, title or interest in a lien
upon the real estate described in the
Complaint herein, any unknown adults being
a class designated as John Doe; and any
unknown infants, minors or persons under a
legal disability including those in the military
service of the United States of America,
being a class designated as Richard Roe,
Respondents

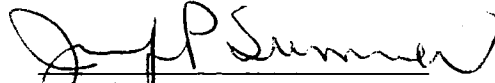
DESIGNATION OF MATTERS TO BE INCLUDED ON APPEAL

Respondent proposes that the following be included in the Record on Appeal:

1. Second Amended Summons and Complaint
2. Transcript and Exhibits of February 5, 2016 Hearing
3. Order dated June 23, 2016
4. Order dated August 1, 2016
5. Supplemental Order dated March 23, 2017 including incorporated chart

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

Respectfully Submitted,



Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent

December 5, 2017
Edgefield, SC

“ TRANSCRIPT ”

29

P.52

1 APPEARANCES:

2
3 ATTORNEY FOR PLAINTIFF
4 BEVERLY A. GILCHRIST:

5 LAW OFFICES OF HERBERT E. BUHL, III
6 BY: HERBERT E. BUHL, III, ESQUIRE
2204 Devine Street
Columbia, South Carolina 29205

7
8 ATTORNEY FOR DEFENDANT
9 ODELL GLOVER:

10 ANDERSON & SUMNER, LLP
11 BY: JENNIFER P. SUMNER, ESQUIRE
217 Folk Street
Post Office Box 507
Edgefield, South Carolina 29824

12
13 GUARDIAN AD LITEM:

14 LAW OFFICES OF PATRICK McWILLIAMS
15 BY: PATRICK McWILLIAMS, ESQUIRE
100 Park Avenue, SW
16 Post Office Box 521
Aiken, South Carolina 29802

17
18
19
20
21
22
23
24 (INDEX AT REAR OF TRANSCRIPT)

25
ABC REPORTING SERVICE (803) 730-3015

1 THE COURT: This is a matter that was
2 filed, Case No. 2014-CP-19-097, originally filed,
3 and a motion -- I mean a hearing was scheduled at
4 which time after discussions were held, it was
5 decided to be continued until certain matters were
6 changed in the pleadings. It appears that these
7 documents may have been completed and were filed
8 properly with the court.

9 Mr. Herbert Buhl represents the
10 plaintiff, Beverly Ann Gilchrist, Ms. Jennifer
11 Sumner represents the defendant Odell Glover, and
12 Mr. Patrick McWilliams of Aiken has been appointed
13 as guardian ad litem.

14 Since we went into the reading on the
15 initial part of the pleadings earlier, we'll go
16 ahead and start.

17 For the record, so that we're clear,
18 Mr. Buhl, if you'll just kind of in a short
19 synopsis explain what this case is about. Then
20 I'll allow Ms. Sumner and Mr. McWilliams also.

21 MR. BUHL: All right. As a
22 preliminary matter, Your Honor, I'd like to add
23 the hearing notice, the original, to the file.

24 THE COURT: All right.

25 MR. BUHL: And I also have the

1 affidavit of publication from the Edgefield
2 Advertiser to add to the file.

3 THE COURT: All right.

4 MR. BUHL: Basically, Your Honor,
5 this is an action for partition. It involves
6 several pieces of property that were heir's
7 property from the estate of J.L. Glover and
8 Martha Settles Glover as well as Beatrice Glover.

9 There are deeds of distribution that
10 were filed with the probate court to indicate the
11 shares allocated to each of the heirs, and
12 apparently a couple of potential heirs were left
13 out of that group, and so we brought this action
14 to clear the titles and partition if necessary.

15 My client is also seeking
16 reimbursement for taxes paid and fees paid over
17 the years on these properties. And that's
18 basically what we're here for.

19 THE COURT: You're asking for
20 partition and sale?

21 MR. BUHL: We would ask for partition
22 and sale as last resort. We think that my client
23 would have a claim because she's paid
24 approximately \$15,000 out of her own pocket at
25 this point to pay back taxes and keep the property

1 in the estate.

2 She lives on one of the pieces of
3 property, the .97 acres, and, you know, she is
4 seeking the reimbursement for what she's paid,
5 which she would really like to have those parcels
6 that she wants taken out and sell the rest.

7 THE COURT: Okay. So as I get it
8 straight in my mind, you're asking for a -- this
9 is a partition action, but you're asking that your
10 client be reimbursed for actions taken to preserve
11 the properties --

12 MR. BUHL: Right.

13 THE COURT: -- that she wants some
14 selective tracts to go to her --

15 MR. BUHL: Right.

16 THE COURT: -- and if that can't be
17 done, then all the property be put up and sold at
18 a partition and sale.

19 MR. BUHL: Right. And that she be
20 given credit at that time for what she's paid.

21 THE COURT: Okay. All right. Thank
22 you, sir.

23 MR. BUHL: Okay.

24 THE COURT: Ms. Sumner?

25 MS. SUMNER: Thank you, Your Honor.

1 While I agree that it is a difficult situation
2 with 19 titleholders to this piece -- these pieces
3 of property, my client does not believe that
4 Ms. Gilchrist should be given credit for any of
5 the payments that she made based on the fact that
6 she lived on the property, and we believe that
7 there is case law that says that the co-tenant who
8 has been in sole possession of the piece of
9 property is deemed to have undertaken the
10 discharge of certain duties to the other
11 co-tenants.

12 Ms. Gilchrist has lived there
13 since '96. She has solely possessed that piece of
14 property where she lives. If she did pay some
15 taxes in preservation of some sort, I'm not sure
16 what that would be.

17 I know my client has paid taxes on
18 several occasions. We have receipts for that. I
19 think other family members that are here will
20 testify that they have paid taxes, so we don't
21 think that she deserves any reimbursement where
22 the other family members are not asking for any
23 reimbursement, and we do not contest the sale of
24 the property.

25 THE COURT: All right. Thank you.

1 Before I get to Mr. McWilliams, the other
2 defendants, Florence Miles, Jimmy Glover,
3 etcetera, are all of you here today, are any of
4 you represented by counsel? Are you here acting
5 in what we call a pro se capacity? That means
6 you're representing yourself. Do you all
7 understand what I'm asking? Not that you -- in
8 other words, other than Mr. McWilliams, Ms. Sumner
9 and Mr. Buhl, no other attorneys are involved in
10 this action. Am I correct?

11 (Reply of no from those present.)

12 THE COURT: Yes, ma'am?

13 MS. SUMNER: Your Honor, they will be
14 called as witnesses on behalf of my client.

15 THE COURT: All right. So they will
16 appear as pro se default. All right.

17 Mr. McWilliams, you heard the two
18 procedures -- I mean two policies set out by both
19 plaintiff and defendant. Do you have any comments
20 at this time before we proceed with the
21 testimony?

22 MR. MCWILLIAMS: I think everybody
23 has been notified and I think all the parties are
24 present and it's right for the Court to make a
25 decision on the matter.

1 THE COURT: And you represent all the
2 unknown --

3 MR. McWILLIAMS: Yes.

4 THE COURT: -- heirs and defendants
5 and persons under disability --

6 MR. McWILLIAMS: Yes, sir.

7 THE COURT: -- John Doe, Richard Roe.

8 THE COURT: All right. Thank you.

9 All right. When a witness is called,
10 if that witness will step forward and be sworn and
11 sit in the witness box over here, we will allow
12 their testimony to begin.

13 Mr. Buhl, since you're the
14 plaintiff's attorney, I'll allow you to call your
15 first witness.

16 MR. BUHL: I call Beverly Gilchrist.

17 THE COURT: Ms. Gilchrist, if you'll
18 come around, please, and raise your right hand.

19 BEVERLY A. GILCHRIST being first
20 duly sworn, testified as follows:

21 THE COURT: If you'll just have a
22 seat. Would you all excuse me.

23 (Off-the-record discussion.)

24 THE COURT: Thank you. You can
25 proceed. Would you speak loud and clear. The

1 court reporter has to take it and I'm getting to
2 be that stage in life, old age, where I don't hear
3 as well as I used to, so I'd like everybody in
4 this room to be able to hear the testimony. Thank
5 you very much.

6 Mr. Buhl?

7 DIRECT EXAMINATION

8 BY MR. BUHL:

9 Q. All right. Ms. Gilchrist, would you
10 state your full name, please.

11 A. Beverly Ann Gilchrist.

12 Q. Ms. Gilchrist, you have put together
13 a notebook for everybody?

14 A. Yes, sir.

15 Q. All right. And it's -- you wanted to
16 use that notebook to help you --

17 A. Guide.

18 Q. -- keep -- guide us through this?

19 MR. BUHL: All right. That's a copy
20 for you, Your Honor. Ms. Sumner and
21 Mr. McWilliams also have a copy.

22 BY MR. BUHL:

23 Q. You brought this action to partition
24 the property and clear title; is that correct?

25 A. Yes, sir.

ABC REPORTING SERVICE (803) 730-3015

1 Q. Okay. And tell me, what is your --
2 has been your involvement in this heir's property?

3 MS. SUMNER: I'm sorry. Mr. Buhl, if
4 you could, I can't see.

5 THE COURT: Yeah. If you'll stand
6 right here and -- all Counsel, I believe it would
7 be better.

8 MS. SUMNER: Thank you.

9 THE WITNESS: Well, I was born in
10 1962, July 26. I was born and raised in my
11 grandmother's, Martha Glover and J.L. Glover's,
12 home estate until I married out of the home, and
13 in 1996 I approached my grandmother,
14 Martha Glover, to be on a piece of the property,
15 and she agreed with written agreement in the
16 courthouse that I could be on the .97, so, as long
17 as I keep the taxes paid on it, it was all right.

18 Of course in 1999 my grandmother
19 passed away, September 19, '99. It was generally
20 the idea everyone would go and get their tax paper
21 from home -- per the homestead because all taxes
22 was in her name, so --

23 BY MR. BUHL:

24 Q. And how many pieces of property did
25 she own when she passed?

1 A. She owned six pieces of property.

2 Q. Okay.

3 A. And so at that time, I guess by the
4 shock kind of like, there was some times things
5 was kind of mixed up on paying the taxes as to who
6 paid what because there were times my taxes was
7 low, other was high on their property in which
8 they were granted to stay on and they will pay the
9 lower taxes, which was mine, and sometime I would
10 have to grab the highest tax, so that's probably
11 why there would be some discrepancies on who paid
12 what.

13 Q. Okay. And she passed in 1999.

14 A. She passed in 1999.

15 Q. She did not have a will.

16 A. She didn't have a will.

17 Q. Okay. Now, who is J.L. Glover?

18 A. J.L. Glover were her husband, which
19 were my grandfather.

20 Q. All right. And when did he pass?

21 A. He passed away in 2001, December.

22 Q. Okay. Now, you opened the probate
23 estate sometime later.

24 A. Yes. I opened the probate estate in
25 2010.

1 Q. For both of them?

2 A. For both of them.

3 Q. Okay. And at that time two deeds of
4 distribution were filed with the court?

5 A. Yes, sir.

6 Q. Okay. And --

7 A. And along with my mom, the third
8 deed, because she passed away.

9 Q. Is that -- your mother was Beatrice?

10 A. Yes, sir. Beatrice Glover.

11 Q. All right. And you handled her
12 estate as well?

13 A. Yes, sir.

14 Q. Okay. And so you inherited part of
15 her property.

16 A. Yes, sir.

17 Q. All right. Did the deeds of
18 distribution accurately reflect the percentage
19 that you were supposed to get from both your
20 grandfather and grandmother and your mother?

21 A. Yes, sir.

22 Q. Okay. And they're on file with
23 the --

24 A. Edgefield --

25 Q. -- court?

1 A. -- County Courthouse.

2 Q. Okay. And they are in your file
3 somewhere?

4 A. Yes, sir.

5 Q. Do you have copies of them?

6 A. Yes, I have copies of them.

7 Q. Can you --

8 A. I have up under Martha Glover, which
9 had to be probated first before J.L. could have
10 anything to come down to him, by him being the
11 second to die. I got up under my grandmother,
12 Beverly Ann Gilchrist, first one mentioned, I have
13 a half of the descendant's(sic) interest as
14 personal representative for the estate of J.L.
15 Glover, Sr., and then on Martha Glover, I also,
16 Beverly Ann Gilchrist, got a 1/20th of the
17 descendant's interest as personal representative
18 for the estate of Beatrice Glover.

19 On my grandfather, as the deed came
20 down through my grandmother, Martha Glover, I got
21 a 10th of an interest due to my personal
22 representative for the estate of my mother,
23 Beatrice Glover.

24 Q. Okay. Can you hand me those?

25 MR. BUHL: Your Honor, we would move

1 to introduce both of these as Plaintiff's 1 and 2.

2 THE COURT: These are the deeds of
3 distribution of J.L. Glover, Sr., and
4 Martha Glover.

5 Any objections?

6 MS. SUMNER: No, Your Honor, I don't
7 have any objections as long as those are there for
8 me to refer to because the copies I received only
9 have the cover pages and don't contain the
10 descriptions or all of the heirs. As long as I
11 can reference them up there.

12 THE COURT: All right.

13 MR. McWILLIAMS: No objection.

14 THE COURT: Okay. Mark these as
15 Exhibits 1 and 2.

16 (PLF. EXH. 1, Deed of Distribution in
17 the Matter of J.L. Glover, Sr., Filed 6-10-2010,
18 was marked for identification and admitted into
19 evidence.)

20 (PLF. EXH. 2, Deed of Distribution in
21 the Matter of Martha Settles Glover, Filed
22 6-10-2010, was marked for identification and
23 admitted into evidence.)

24 BY MR. BUHL:

25 Q. Have you compiled a list of the

1 values of the property from the tax records?

2 A. Yes, sir.

3 Q. Before we start, let me just grab
4 that list from you so I can show it to Ms. Sumner
5 and Mr. McWilliams.

6 A. (Witness complied.)

7 MS. SUMNER: No objection.

8 MR. McWILLIAMS: No objection.

9 BY MR. BUHL:

10 Q. This is not a complete list of --

11 A. For the deed of distribution. Yeah,
12 that's it right there. I gave you --

13 Q. Is that all the property?

14 A. Yeah. That's all the property right
15 there.

16 MR. BUHL: Okay. We move to
17 introduce this as Plaintiff's 3.

18 THE COURT: Objection, Ms. Sumner?

19 MS. SUMNER: No, Your Honor.

20 MR. McWILLIAMS: No objection.

21 THE COURT: Plaintiff's 3.

22 (PLF. EXH. 3, List of Land
23 Appraisals, 2015, was marked for identification
24 and entered into evidence.)

25 BY MR. BUHL:

1 Q. And how did you compile that list?

2 A. I compiled it from the value that was
3 on the tax paper of 2015.

4 Q. Okay. Who has paid the taxes on
5 the .97 acres that you currently live on?

6 A. I've paid the taxes. Like I said,
7 back during the first part when my grandmother
8 first passed away in '99, that was just persons on
9 the estate just come and grab one, so that's the
10 discrepancy of maybe one to two receipts being
11 missing from me both on .97.

12 Q. Okay. As far as you know, were other
13 people paying taxes?

14 A. Yes, sir. I have proof of
15 Teresa Edwards have been clocked in on file as
16 paying the 2.59 ever since she been on the land.

17 Q. Okay. Is she still on the property?

18 A. She still on -- she's renting out the
19 0.49 that my grandmother, Martha Glover, had given
20 to her.

21 Q. Do you have some receipts in your
22 book from -- on the .97 --

23 A. Yes, sir.

24 Q. -- acres?

25 A. Yes, sir.

1 Q. Can you pull those for us? These are
2 tax bills that you have paid.

3 A. Yes, sir.

4 MR. BUHL: I would move to introduce
5 these as Plaintiff's 4.

6 THE COURT: This represents what,
7 Mr. Buhl?

8 MR. BUHL: These are taxes on the .97
9 acres that Ms. Gilchrist resides on and she has
10 paid.

11 THE COURT: All right. Let me
12 clarify something. I believe she just testified
13 she paid the taxes as well as other persons. I
14 mean, those are the taxes that were paid --

15 MR. BUHL: Right.

16 THE COURT: -- by Ms. Gilchrist and
17 other persons?

18 MR. BUHL: No.

19 THE WITNESS: Just mine. Like I say,
20 since '99.

21 THE COURT: Yes, ma'am.

22 THE WITNESS: Just since '99,
23 although I was on the land in '96.

24 MS. SUMNER: The only objection I
25 would have is that those aren't actually receipts

1 that show she paid those taxes.

2 THE COURT: That's what I was --

3 THE WITNESS: Yeah, there are some in
4 there. Don't drop them. The receipts are with.

5 THE COURT: All right.

6 THE WITNESS: Like 2008 receipts are.

7 MR. BUHL: Go ahead and pull your
8 receipts.

9 THE WITNESS: Yeah, right there. I
10 kind of put them at the bottom, yeah. I kept the
11 final receipts.

12 THE COURT: All right. Plaintiff's
13 4, total of tax bills --

14 THE WITNESS: That's some more of --

15 THE COURT: -- paid. Are those
16 combined with these, Mr. Buhl?

17 THE WITNESS: Yes. Yes, sir.

18 MR. BUHL: Let me hand these to
19 Ms. Sumner.

20 MR. McWILLIAMS: No objection.

21 THE COURT: All right. Add these as
22 taxes paid during the period of time testified to,
23 Plaintiff's Exhibit 4, total.

24 (PLF. EXH. 4, Tax Receipts, was
25 marked for identification and admitted into

1 evidence.)

2 THE COURT: All right, sir.

3 BY MR. BUHL:

4 Q. Ms. Gilchrist, go ahead and pull --
5 you paid taxes for other pieces of property --

6 A. Okay.

7 Q. -- during -- since all of this
8 started. Go ahead and pull those out for us.

9 A. Okay.

10 Q. Okay.

11 A. Here you go. Those are the true
12 receipts for the estate, because I bought
13 everything out, so that's probably it. I was
14 buying out everything. That's the taxes for the
15 2015 taxes for the appraisal.

16 (Witness tendering documents to
17 Mr. Buhl).

18 MR. BUHL: Your Honor, we would move
19 to introduce these as Plaintiff's 5. This is tax
20 bills paid on other pieces of property of the
21 estate.

22 THE COURT: Okay. She didn't
23 identify this.

24 Ms. Gilchrist, what are these?

25 THE WITNESS: Okay. Those are tax

1 papers after I became the representative of my
2 grandmother's, Martha Glover, estate and my
3 grandfather, J.L. Glover's estate in 2010. Those
4 are receipts from where I had to buy all those
5 properties out of the sale as it came upon me as
6 the representative to make sure her estate is paid
7 up.

8 THE COURT: You're referring to tax
9 sales --

10 THE WITNESS: Yes, tax sales.

11 THE COURT: -- held by Edgefield --

12 THE WITNESS: Yes.

13 THE COURT: -- County.

14 THE WITNESS: Yes, sir.

15 THE COURT: And these are the tax
16 sales --

17 THE WITNESS: Yes, sir.

18 THE COURT: -- receipts.

19 THE WITNESS: Yes, sir.

20 THE COURT: Okay. Was there any
21 objection, Ms. Sumner?

22 MS. SUMNER: No, Your Honor.

23 MR. McWILLIAMS: No, Your Honor.

24 THE COURT: Okay. Tax sales,
25 identified as No. 5, receipts.

1 (PLF. EXH. 5, Tax Receipts, was
2 marked for identification and entered into
3 evidence.)

4 THE COURT: All right. Let me stop
5 at this point. I forgot to mention it. Anybody
6 that has a cell phone or similar device on at this
7 time, I'd appreciate it if you'd cut them off. We
8 don't want to be interrupted by cell phones going
9 off during the hearing, and I cut mine off. I
10 would appreciate everybody in the courtroom unless
11 it's absolutely necessary, counsel excluded,
12 because it may pertain to the case. Please cut
13 them off. Thank you very much.

14 Sorry. Continue, Mr. Buhl.

15 BY MR. BUHL:

16 Q. Ms. Gilchrist, if I understand the
17 tax receipts correctly, it looks like you redeemed
18 the 1.80 acres from a tax sale in 2011; .37 acres
19 was redeemed in 2012; the .37 acres was redeemed
20 in 2011; .37 acres was redeemed in 2014; and the
21 1.80 acres was redeemed again in 2013 as well as
22 in 2015.

23 A. Yes, sir.

24 Q. All right. And you also paid the
25 taxes on the .25 acres in 2015 and the .43

1 acres --

2 THE COURT: Mr. Buhl, I'm sorry.
3 You're going to have to let her testify.

4 MR. BUHL: Okay.

5 BY MR. BUHL:

6 Q. In 2015; is that correct?

7 A. Yes, sir.

8 Q. Okay. In your calculations, the
9 taxes paid on the .97 acres and all these other
10 taxes that you have paid, have you come up with a
11 total?

12 A. Yes, sir. The total for the taxes is
13 \$6,977.52.

14 Q. Okay. Have you made any improvements
15 on any of the property?

16 A. Yes, sir. On the 0.97, in April of
17 2006 I did a clearing of the land for \$800.

18 Q. Okay. Do you have a receipt for
19 that?

20 A. No, I didn't have a receipt. He
21 didn't charge. I mean, you know, he didn't write
22 out a receipt. He just cleared the land.

23 Q. All right. On any of the three
24 estates that you handled for your grandmother,
25 your grandfather or your mother, did you ever

1 charge a fee?

2 A. Yes. I mean, I'm charging a
3 executive fee of 5 percent of the estate.

4 Q. You're asking the Court to --

5 A. Yes.

6 Q. -- consider that today.

7 A. Yes, to consider that, because I have
8 not received any monetary whatsoever from the
9 estates.

10 Q. All right. Who paid the costs of
11 opening and closing all of those estates?

12 A. I did.

13 Q. Okay. And you are asking the Court
14 to consider reimbursing you for attorneys' fees
15 that you have paid --

16 A. Yes, sir.

17 Q. -- so far?

18 A. Yes, sir.

19 Q. And how much is that?

20 A. Total have come to \$15,973.38.

21 Q. Okay. That's with --

22 A. Attorney fees, estate cost, estate
23 4,910 for executive estate, 5 percent of it,
24 attorney fees for opening and closing, 2,500,
25 \$2,500.

- 1 Q. All right. And that was --
- 2 A. Their court cost 7 --
- 3 Q. -- for the attorney for the estates.
- 4 A. For the estate.
- 5 Q. Okay. And you have paid me to start
- 6 this case.
- 7 A. Yes. I paid you 2,500 to start.
- 8 Q. And you understand there is --
- 9 A. Yes.
- 10 Q. -- more due.
- 11 A. Yes, sir. Yes, sir.
- 12 Q. Okay. What proposal do you have for
- 13 the Court as a way to resolve this?
- 14 A. To resolve this, I -- to be
- 15 satisfied, according to deed, 65 -- I own 0.65
- 16 percent of the estate, and to satisfy that, which
- 17 came up to \$50,000, that's due me on the deed, and
- 18 for what I put into it as executor, I'm asking for
- 19 at least my side of the 0.7 on the side which my
- 20 mama used to stay, the 0.37 and the 1.80.
- 21 I'm also applying for the 0.43 and
- 22 I'm looking for the 0.25, and also the homestead
- 23 which doesn't touch \$50,000 still is 0.9. There
- 24 is a 0.37 -- I mean 0.32 also that is connected
- 25 with that, and in order to pay the attorney fees

1 of \$15,000, I want that to be considered to be put
2 up for sale, the 0.19 and the 0.32.

3 Q. Now, is --

4 THE COURT: Excuse me. Would you all
5 hold -- please stop the conversation in the back
6 of the room. I can't hear the testimony. Thank
7 you.

8 BY MR. BUHL:

9 Q. If the Court cannot, you know --

10 A. Oblige?

11 Q. -- give you those properties, then
12 you're -- you would want to be reimbursed for your
13 monetary outlay and have the properties sold?

14 A. Yes. That's why I came to the
15 conclusion of the two properties if need be, the
16 0.19 and the 0.32.

17 Q. Now, who is living on any of property
18 at this point?

19 A. My uncle, Albert Lee Glover, is in
20 the .19 homes of my grandmother. On the 0.32, my
21 Aunt Mary Bibbs and her husband, Heyward Bibbs, is
22 on that.

23 Q. Okay. And you're on the .97 you
24 said?

25 A. And I'm on the .97.

1 Q. Okay. Anything else you want to tell
2 Judge Byrd?

3 A. Like I said, through all of this the
4 reason I'm asking for this also, as the
5 representative I was taken through much mental and
6 physical abuse from the heirs, several heirs. I
7 have hospital records. I been hit with blocks
8 just because I tried to protect things on my
9 property in April of 2013.

10 I tried to sell the truck in January
11 of 2012 to pay the property that had been in --
12 the .37 was up for sale when I first took on the
13 office of personal representative. I sold the
14 truck to pay the taxes but was denied, and it was
15 taken away from me and put back into the estate
16 and distributed to the heirs. I had to pay that
17 myself.

18 Q. You're talking about the taxes --

19 A. Yes, the taxes --

20 Q. -- on the .37?

21 A. -- on the .37. At that time I was
22 being threatened by a heir, Mary Bibbs, that it
23 was going to be some killing. I have the police
24 report. And then in April 2013, like I say,
25 Odell Glover grandson came and ran into my

1 children basketball goal, so I tried to settled
2 the matter by putting up a few blocks to stop them
3 from coming upon the property to do any more
4 damage, but I had to call the police and I have a
5 police report.

6 I had a brick stone thrown on my
7 leg. I had to go to the emergency room and
8 attended the emergency room. I have the bill for
9 that and also the police report saying that it's
10 best to get this land straightened out before
11 someone get hurt.

12 I tried to do a mediation on November
13 3, 2012. I was kind of like laughed at. I have
14 papers what was sent back to me from Ms. Bibbs,
15 from Ms. Florence Miles, that they didn't respond
16 to trying to say, If you all just leave me be,
17 give me the .97 and my mom .37, I can let you have
18 it for peace sake, even though I knew what I was
19 entitled to. That didn't work.

20 But instead, in September, the 11th,
21 2014, I received a letter from Mr. Odell Glover.
22 He said he wanted me to give him my .97, which I
23 lived on, the .37 and the 1.80 to him freely with
24 love.

25 Same time I received a letter from

1 Mary Bibbs September 12, 2014, telling me to give
2 her my grandmother's house free of charge with
3 love.

4 After that, seeing that they wasn't
5 really looking to put anything monetary toward the
6 property, I had to go, my husband and I,
7 Mr. Calvin Gilchrist, and put his truck and his
8 car up for a lien, which there where it still is,
9 to pay the property taxes of 2015.

10 During the time of going back to
11 research what was going on that had been falsified
12 with the deed that was going around about the .32,
13 Lawyer Buhl helped me to substantiate that there
14 was some fraudulent activity going on there, and I
15 went to the courthouse and pulled the records.

16 There was a covenant uniform done for
17 the 0.32, and the uniform covenant was just for a
18 loan land improvement through my grandmother to
19 them, to Mary Martha Bibbs.

20 After the mortgage was paid out, the
21 uniform covenant said that it goes back to the
22 estate of my grandmother. So where the deed come
23 from, I have no idea, but that what made me
24 investigate the property.

25 And then after Chase, getting back to

1 the house of my grandmother, .19, they added me on
2 to my grandmother's home. After they added me
3 October 9, 2015, I had some vandalism done to my
4 vehicles out in my yard, and I had a -- got a
5 police report stating that on November the 9th of
6 2015, so --

7 Q. Have you --

8 A. -- I feel like I need this to come to
9 an end where I can protect myself, where I can put
10 up some fences in fear for my safety, but I
11 couldn't do any of this because they was part of
12 the heirs and I couldn't restrict them, so that's
13 why I say I want to be judged to get the land that
14 I offered, you know, to partake of.

15 Q. Let me hand you some documents and
16 see if you can identify that.

17 A. Yes, sir. This is the 1.80 acres
18 that I bought out of the tax sale.

19 Q. Now, is that an exhibit that you
20 prepared --

21 A. Yes, sir.

22 Q. -- of your costs and expenses?

23 A. Yes, sir.

24 MR. BUHL: I would move to introduce
25 that as Exhibit 6.

1 MR. McWILLIAMS: No objection.

2 THE COURT: And this is what now,
3 Mr. Buhl?

4 MR. BUHL: Plaintiff's 6, sort of a
5 summary of what she's paid out and what she's
6 asking the Court to reimburse her for.

7 THE COURT: Any objections from
8 either counsel?

9 MS. SUMNER: No. Your Honor.

10 MR. McWILLIAMS: No.

11 THE COURT: Okay. Exhibit 6.

12 (PLF. EXH. 6, List of
13 Taxes/Improvements/Costs, was marked for
14 identification and admitted into evidence.)
15 BY MR. BUHL:

16 Q. Ms. Gilchrist, you're also seeking
17 attorneys' fees for this particular action?

18 A. Yes, sir.

19 Q. Okay. Let me hand you a document
20 which has an exhibit attached to it. Does that
21 figure on the last page of the exhibit reflect the
22 attorneys' fees and costs that have been expended?

23 A. Yes, sir.

24 Q. Okay. And those costs were on your
25 exhibit also?

1 A. Yes, sir. Yes, sir.

2 MR. BUHL: Your Honor, I would move
3 to introduce the affidavit and exhibit for
4 attorneys' fees.

5 MS. SUMNER: No objection.

6 MR. McWILLIAMS: No objection, Your
7 Honor.

8 THE COURT: All right.
9 Plaintiff's 7.

10 (PLF. EXH. 7, Affidavit in Support of
11 Plaintiff's Claim for Attorney's Fees, Costs and
12 Suit Money of Herbert E. Buhl, III, Esquire, was
13 marked for identification and admitted into
14 evidence.)

15 THE WITNESS: That's just basically
16 it. I'm just right now just ready to be in a
17 position where I can protect my family, like I
18 said, my husband and all, so when I got hit with a
19 brick, he had been threatened by Odell Glover with
20 a shotgun all because he asked him to please help
21 with taxes.

22 And he had a garden on the land, on
23 the .37 that was put up for sale, and he got
24 angry, went in and got a shotgun, police was
25 called, told him to go and put the gun away that

1 he pulled on my husband while he was standing
2 there in our yard.

3 So just please, if you just grant
4 me -- you know, I think I'm entitled out of the
5 mental, physical, emotional stress of all of this,
6 so.

7 THE COURT: Anything further?

8 MR. BUHL: That's all we have, Your
9 Honor.

10 THE COURT: All right.

11 Ms. Gilchrist, you are to answer any questions
12 that Ms. Sumner or Mr. McWilliams have. It's
13 called cross-examination and you answer
14 questions. You are still under oath.

15 THE WITNESS: Okay.

16 THE COURT: Ms. Sumner?

17 CROSS-EXAMINATION

18 BY MS. SUMNER:

19 Q. Ms. Gilchrist, you said that you were
20 raised in the home estate by -- in your
21 grandmother's home?

22 A. Yes, ma'am.

23 Q. And when you took on the duty to
24 probate the estates of both your grandmother and
25 your grandfather, why did you not probate those

1 pieces?

2 A. Wait. What pieces?

3 Q. The house.

4 A. I did but I left it open for
5 investigation. As you can see in your portfolio,
6 the Henderson Law Firm wrote Judge Peeler a letter
7 stating that I probated two pieces of land but I
8 wanted the third land investigated because I felt
9 like fraudulent had been going on on the .19 --

10 Q. What do you mean --

11 A. -- piece of --

12 Q. -- "fraudulent"?

13 A. Well, fraudulent is, like I said, it
14 was a deed going around. I have the deed in here
15 that was going around saying that the .32 was
16 being owned already, but when I did the
17 investigation, like I say, Lawyer Buhl, when I
18 took him on, that's the second attorney, to
19 complete this, he went and investigated it.

20 I have it here, tract land, all that
21 certain parcel is incorporated with the 119 Map
22 No. 173-00-02-003. It was incorporated with that
23 land, and as he gave me that, I went to the
24 courthouse and investigated what was behind that.

25 Q. Okay. So your answer is exact -- you

1 did not probate all of the assets of either one of
2 the estates because you --

3 A. I did probate. I probated the two
4 tracts of land what I'm on, and I probated the
5 0.32, which was a 2.9.

6 Q. What about the other four tracts?
7 You said your grandmother owned six tracts when
8 she passed.

9 A. Yes. When she --

10 Q. Why did you only do the two you were
11 interested in?

12 A. It was divided into that. I mean,
13 I'm saying those tract. My mama stayed on the
14 tract of --

15 Q. Besides of who stayed on it --

16 A. Yes.

17 Q. -- you took on the fiduciary duty to
18 be the personal representative --

19 A. Yes.

20 Q. -- of that estate.

21 A. Yes.

22 Q. You knew that she owned six pieces --

23 A. Yes.

24 Q. -- but you chose to only probate two
25 that you were interested in; is that correct?

1 A. Yes, because I didn't want --

2 Q. That's okay. That's all right.

3 A. I didn't want to probate the third
4 one because I would have been telling a lie.

5 Q. Okay.

6 A. I'm not going to sign my name to --

7 Q. That's fine. No. No.

8 A. -- a lie.

9 Q. Okay. So you opened the estates of
10 your grandmother and your grandfather and you
11 closed those; is that correct?

12 A. Yes. I closed them in -- well, just
13 say Judge Peeler closed them after he said I did a
14 fraudulent or wrong act by selling the truck to
15 pay for the .37.

16 Q. Okay. Let me stop you. Judge Peeler
17 closed the estate because he stated that you --

18 A. Yes.

19 Q. -- committed fraudulent acts as the
20 personal representative?

21 A. No, not fraudulent. I went against.

22 Q. I thought you used the word
23 fraudulent.

24 A. I went -- I went against what he
25 asked me to do; that was to get the -- pay for

1 the -- get the truck off my grandmother's
2 property, which I didn't need his permission, and
3 I got records to show that. I had a right to make
4 sure my grandmother's land stayed intact. All
5 taxes, all fees, all delinquencies, that was my
6 job as the personal representative.

7 Q. But only on the tracts of land that
8 you chose to probate, right?

9 A. No. Yes. And I probated --

10 Q. Okay.

11 A. I probated --

12 Q. No. That's fine. You answered my
13 question. That's fine.

14 A. I probated all of them. I just made
15 sure the third tract was to be investigated, and
16 he said that's why a deed was not issued, because
17 I wanted it investigated before I deed it out.

18 Q. But that was not what the probate
19 court wanted you to do.

20 A. No. No. That's -- I mean, what I'm
21 saying, it was up to me. They wanted me to sign
22 the deeds, and I said no.

23 Q. Who is "they"?

24 A. Judge Peeler and --

25 Q. The Court.

1 A. Yeah. Judge Peeler.
2 Q. Okay.
3 A. Well, if you call it the Court, okay.
4 Q. They want --
5 A. Probate Judge Peeler.
6 Q. They wanted you to properly
7 distribute the properties --
8 A. Yes.
9 Q. -- but you --
10 A. He wanted --
11 Q. -- didn't want to.
12 A. No. I -- not with the third
13 property --
14 Q. Okay.
15 A. -- the point --
16 Q. That's fine. You said that your
17 grandmother agreed to let you put a mobile home on
18 the piece that you live on now in '96; is that
19 correct?
20 A. Yes.
21 Q. And you also said, and I think this
22 is exactly what you said, as long as you paid the
23 taxes.
24 A. Yes.
25 Q. So in essence, you were allowed to

1 stay on that property in return for paying the
2 taxes on that property.

3 A. Yes. But that was a --

4 Q. But it didn't give --

5 A. -- conversation --

6 Q. -- you any ownership. That was --

7 A. Like I said, she wrote me. She gave
8 me the right in writing and put it in the books in
9 Edgefield County court records, for my --

10 Q. Do you have that with you?

11 A. Yes, I do. It's in your portfolio
12 too.

13 Q. Just read the top of the document for
14 me.

15 A. Edgefield County dwelling unit
16 location at Book 0515, Page 1 of 0124; name of
17 occupant, Beverly Gilchrist; Martha Glover
18 property owner; Beverly Gilchrist, signature of
19 occupant June 6, 1996. 1996.

20 Q. So how does that show permission to
21 put it there?

22 A. Through Martha Glover, my
23 grandmother.

24 Q. She issued a permit?

25 A. Yes.

1 Q. Okay.

2 A. Well, I'm just saying, you told me to
3 read it so I read it, so how you look at it, I
4 don't know, but this --

5 Q. Well, it sounds like --

6 A. -- what she gave me.

7 Q. -- it's a permit issued by the
8 county.

9 A. Yeah.

10 Q. Okay.

11 A. That give me lawful permit to be on
12 her land.

13 Q. Okay. Issued by the county.

14 So you paid the taxes on that piece
15 of property and she allowed you to stay there.

16 A. Yes. Until she died in '99.

17 Q. And then did you continue to pay the
18 taxes?

19 A. Yes, I continued to pay the taxes.

20 Q. Okay. But I think that you said, in
21 the first years when your grandmother passed
22 people would come and grab one.

23 A. Yes.

24 Q. And I think you meant the tax bills?

25 A. Yeah. A tax bill would always go to

1 her house, and she would have us to come and grab
2 our taxes. There were on several occasions I
3 approached and said, Where is my tax, and it's
4 like --

5 Q. Who did you ask?

6 A. Well, I'm just saying, I would ask
7 whoever was living in the home, Ms. Mary Bibbs, or
8 whoever. It's like you have to just go in there
9 and get whatever is left. They don't care if it
10 was for the 1.80.

11 But majority of the time I had my tax
12 but I -- as time went on, then they was paying my
13 tax, because I had the lowest tax. My tax was
14 something like 250. Theirs was 4- and 5-, and
15 they didn't want to pay those high taxes, so my
16 taxes would be gone --

17 Q. Well, you refer to it --

18 A. -- because --

19 Q. -- as "your taxes and their taxes,"
20 but actually --

21 A. Because she --

22 Q. -- all 19 titleholders --

23 A. I made a promise to her.

24 Q. -- have interest.

25 A. I made a promise to her, my

1 grandmother. That's why I said "my taxes,"
2 because that was what she -- those was her
3 words --

4 Q. Do you --

5 A. -- so I was keeping my promise even
6 after death.

7 Q. When you had your --

8 A. That I would pay my taxes.

9 Q. When you put your mobile home there,
10 did you intend for it to stay in that spot
11 forever?

12 A. Yes. I mean, as long as I may live.

13 Q. That was the understanding of you and
14 your grandmother, that you would always live
15 there.

16 A. Yes. It's --

17 Q. Not that you would look for another
18 place --

19 A. No.

20 Q. -- to put it.

21 A. Because she said all the time she
22 bought all the land for her grandchildren to live
23 on.

24 Q. Okay. The taxes for the year that
25 she passed, I think that was in '99, did you pay

1 those?

2 A. '99 taxes? Yes. I paid --

3 Q. On what piece?

4 A. I just -- like I say, there was some
5 pieces missing with the disturbance of her death,
6 trying to straighten out what to do next. I
7 assumed the ones that were in charge, but I just
8 went over and just picked up a tax and I paid it.

9 But there was one occasion Mary Bibbs
10 couldn't wait because -- really, my general way of
11 paying my taxes was during income tax time, so
12 when that tax came out in September and October, I
13 wouldn't pay it until January, February of the
14 next year because I could pay it out of my taxes,
15 but there were one time she rushed, said she
16 didn't like for her mom to be in the paper.

17 I'm going to pay the taxes.

18 I said, Well, whatever, that's the
19 way you feel.

20 Because I was paying it the way that
21 I was accommodated to pay it as long as it got
22 paid.

23 Q. Do you think that you ever paid the
24 taxes on time?

25 A. It's not about on time. I -- my --

1 Q. No. That's not -- I'm asking you a
2 yes or no.

3 A. It is on time. I'm still on it, so
4 I'm paying --

5 Q. On time.

6 A. -- the taxes on time.

7 Q. So you don't --

8 A. I'm still on the property.

9 Q. -- accrue penalties.

10 A. Huh?

11 Q. If you don't pay your --

12 A. I make --

13 Q. -- taxes by a certain date, you
14 accrue penalties, so are you saying that you've
15 never accrued penalties?

16 A. Yes, I probably -- I did if I didn't
17 pay it from this time to that.

18 Q. And --

19 A. Yes, I accrue penalties, but I also
20 paid for it.

21 Q. Okay. In one of your exhibits, the
22 exhibit with the amounts that you've paid out,
23 you've got amounts for taxes that you've paid, and
24 one, two, three, four, five, six of those went to
25 tax sale before their taxes were paid, and you're

1 asking this Court to give you credit for not
2 paying it on time and then making everybody pay
3 for the late payments?

4 A. No. I paid mine. That was my choice
5 for my .97. That was my choice for the .97.

6 Q. I don't know. You can help me
7 understand, but I see these other acreages with
8 tax sale and you're asking for credits.

9 A. Those -- those was not my problem at
10 that time.

11 Q. But you asked --

12 A. That only became my problem when I
13 became the representative. That became my job.

14 Q. And you voluntarily took on that
15 job.

16 A. No, I didn't, because also I was
17 being said that I'm going to have to move my
18 trailer. Odell Glover --

19 Q. No. That's not what --

20 A. -- came with --

21 Q. -- I asked you.

22 A. Yeah.

23 Q. Did you voluntarily take on the job
24 of being the personal representative?

25 A. Yes.

1 Q. Did you know that there was -- there
2 were no funds, no actual money in the estate?

3 A. Yeah. But there was --

4 Q. But you're asking that you --

5 A. -- actually money among the family.

6 Q. But you're asking for a commission to
7 be paid --

8 A. Yes --

9 Q. -- to you.

10 A. -- because there's still actually
11 money among the family.

12 Q. But you've closed the estate.

13 A. Yes. I closed it because the judge
14 closed it, not me. I didn't close it. He closed
15 it because of the threat Mary Bibbs made on me for
16 selling the truck off of my grandmother's property
17 to pay taxes they wouldn't pay --

18 Q. Did Mary --

19 A. -- and they sent a cop --

20 Q. -- Bibbs get arrested?

21 A. Yes. They sent --

22 Q. She did get arrested?

23 A. No. No. She should have because
24 they came to my door --

25 Q. That's okay.

1 A. -- to arrest me. They sent two
2 sheriffs to my door to arrest me for the truck.

3 Q. So the sheriff's officers wanted
4 to --

5 A. That's right.

6 Q. -- arrest you. The probate court --

7 A. Yes.

8 Q. -- judge wanted to --

9 A. Yes.

10 Q. -- close you out of --

11 A. Yes.

12 Q. -- the estate.

13 A. Yes. Yes.

14 Q. Okay.

15 A. Odell Glover sent two deputies to
16 lock me up and told me if I didn't have that money
17 or that truck back on that property right then and
18 there by 4:30 that day, and if you look in your
19 documents, you got the documents of the day that I
20 turned the money in.

21 Q. Okay. You gave us a list of
22 appraisals for the property for what you consider
23 the property in full to be worth?

24 A. Yeah. I just went by the -- what's
25 on the 2015.

1 Q. Okay. And what was the total value?

2 A. 70,512.

3 Q. And did you take into consideration
4 the open mortgage that's on the property?

5 A. No.

6 Q. Why not?

7 A. I just went by the appraisal, what I
8 was asked to do upon the counsel.

9 Q. So the valuations for your interest
10 are not accurate if you take off --

11 A. They may not be. I just went by what
12 my -- what my counsel told me to do.

13 Q. Okay. Do you happen to know how much
14 is owed on that mortgage?

15 A. Something like 15,000 on the .19,
16 yeah.

17 Q. And how do you know that?

18 A. Well, because I have access to it of
19 being the personal representative.

20 Q. But you're not the personal
21 representative.

22 A. Back then I were.

23 Q. Okay. When you were corresponding
24 with the mortgage holder back in October, did you
25 represent to Chase that you were the personal

1 representative and you weren't?

2 A. If you look through your portfolio,
3 you will find --

4 Q. No. I'm asking you a question. Did
5 you represent to Chase in October that you were
6 still the --

7 A. No. I represented --

8 Q. -- personal representative?

9 A. -- to Chase in 2015, April -- I mean
10 2011 when I was the representative.

11 Q. So these documents that I have that
12 were coming to you in October of 2015, what did
13 you represent yourself as at that time?

14 A. I started in 2011. I was the
15 personal representative. And on this, I left that
16 open, like I said, that .19 open to be
17 investigated.

18 Q. What --

19 A. And through the court in 2011 --

20 Q. That's not the question,

21 Ms. Gilchrist. The question --

22 A. Well, you have to first --

23 Q. -- is --

24 A. You have to first know what went up
25 to come down.

1 Q. No. I'm asking you a simple
2 question. What did you represent your capacity as
3 when you communicated with Chase in October of
4 2015?

5 A. I represented myself as I have
6 ownership into the property of a 0.65 percent.

7 Q. But this is only relative to the
8 house --

9 A. Yeah.

10 Q. -- the .19.

11 A. No. My 0.65 is relevant to all my
12 grandmother's estates.

13 Q. No. I'm only talking about the
14 account with Chase. What did you tell them was
15 your capacity in regards to this --

16 A. That I --

17 Q. -- mortgage on the .19?

18 A. That I was also owner. The taxes
19 come in my name.

20 Q. And that's a good point.

21 A. Yeah.

22 Q. Why do the --

23 A. So --

24 Q. -- taxes come in your name?

25 A. I don't know. Simply because I

1 didn't deed it out.

2 Q. Did you go to the tax office and ask
3 that those bills be sent to you --

4 A. No.

5 Q. -- for all the property?

6 A. No. Because I was surprised what was
7 it doing in my name.

8 Q. Really?

9 A. Yes.

10 Q. How do you think the tax assessor
11 received your address?

12 A. Because I was the personal
13 representative. I became -- everything was in my
14 address on July the 10th of -- July 2010.

15 Q. So when you --

16 A. I am the eternal.

17 Q. You're the -- excuse me? You're the
18 attorney?

19 A. I am Beverly Ann Gilchrist, eternal.

20 Q. What does that mean?

21 A. That I am over -- at that time I was
22 over making sure everything stayed intact, such as
23 bills --

24 Q. But you were removed --

25 A. -- debts.

1 Q. -- from that position by the Court.

2 A. Yeah. Judge Peeler.

3 Q. Okay.

4 A. You know, because I sold a vehicle --

5 Q. Because you were doing --

6 A. -- of the estate.

7 Q. -- things fraudulently.

8 A. No. No. Because that's not what my
9 duties specify.

10 Q. Okay. Ms. Gilchrist, I don't know
11 how to ask the question a different way. You were
12 communicating with Chase on the .19 tract as to
13 the open mortgage; is that correct?

14 A. Yeah. But also you --

15 Q. So why were you communicating with
16 them?

17 MR. BUHL: She's already --

18 THE WITNESS: Read that paper --

19 MR. BUHL: -- answered that twice.

20 THE WITNESS: -- and you will see.

21 MS. SUMNER: What was the answer?

22 THE WITNESS: Read the paper.

23 MR. BUHL: She is --

24 THE WITNESS: It's in your portfolio.

25 MR. BUHL: She's one of the heirs to

1 the property.

2 MS. SUMNER: That's not why she said
3 she was speaking with them. She was --

4 THE WITNESS: You want to read this?
5 I'll read it to you. You read that and you'll get
6 your answer. Read it. What's the
7 qualifications?

8 BY MS. SUMNER:

9 Q. Ms. Gilchrist, this relates to being
10 an executive --

11 A. Read it.

12 Q. -- for an estate --

13 A. Read.

14 Q. , -- and you --

15 A. Read.

16 Q. -- have been --

17 A. Read.

18 Q. -- dismissed.

19 THE COURT: Ma'am? Ma'am, I'm going
20 to direct you. She is asking the questions.

21 THE WITNESS: Oh, okay.

22 THE COURT: You have to answer them.

23 Okay?

24 THE WITNESS: Okay. Yes, sir.

25 BY MS. SUMNER:

1 Q. Those would be if you were the
2 personal representative. The probate court has
3 already determined you weren't fit to be the
4 personal representative. You do not have that
5 authority any longer. There are 19 titleholders
6 to the property.

7 MR. BUHL: And I'll object to the
8 relevance. I mean, where are going with this?

9 THE COURT: This is
10 cross-examination. She's opened the door.

11 MS. SUMNER: Ms. Gilchrist brought
12 the mortgage in.

13 BY MS. SUMNER:

14 Q. Ms. Gilchrist, who has been paying
15 the mortgage?

16 A. My uncle. But he's been taking the
17 payments to Mary Bibbs because I have written out
18 certain things for my own self during the time
19 back then.

20 Q. And do you think that your uncle or
21 Mary Bibbs should be reimbursed for all the
22 payments they've made on the mortgage?

23 A. Well, I'm saying, she took that on
24 herself. She didn't have to. She stay at 0.32.

25 Q. You paid the taxes. You didn't have

1 to.

2 A. Yeah. And also --

3 Q. Okay. Well, it's the same thing.

4 A. And at the time, also, Judge Peeler
5 told me no one was supposed to be staying on the
6 estate, so he also went against his authority too,
7 right? As though -- because he also had to be
8 corrected.

9 Q. Ms. Gilchrist, if you'll just answer
10 the questions as I ask them, please.

11 A. Okay.

12 Q. Okay. So in the number that you
13 supplied in the taxes that you've paid, what
14 amount of that do you believe was for late
15 payments, fees, because you did not pay those
16 taxes that you took responsibility to pay on time?

17 A. I paid those taxes probably on the
18 last day. It was --

19 Q. That's not --

20 A. That was two --

21 Q. -- my question. About --

22 A. -- or three years.

23 Q. -- how much of the amount -- you
24 should have the paper in front of you. About how
25 much of the amount that you're claiming you paid

1 in taxes was due to the taxes being paid late?

2 A. Yes.

3 Q. What amount?

4 A. All of it. Simply because --

5 Q. All of the amount --

6 A. -- they had been --

7 Q. -- was late?

8 A. They had been -- they had been in
9 sale for two years. Two years. Two years. Two
10 years. Look at the time from it went into sale to
11 the time last date of to get it out of sale.

12 Q. But you understand, if you --

13 A. I know it wasn't --

14 Q. -- were responsible to pay the taxes
15 and you paid them on time, there would be no late
16 fees or sales.

17 A. Yeah. And that went for all the
18 heirs. If they paid it on time, it would have
19 been paid on time. And Judge Peeler made that
20 clear. I wasn't entitled to pay all the taxes.
21 Mary Bibbs and Odell Glover was present at that
22 probate hearing, and they said, Do you understand,
23 Mr. -- Ms. Bibbs and Mr. Glover, she is not
24 responsible for these taxes. All the heirs are
25 responsible for these taxes.

1 Q. So are you testifying that you did
2 not go to the tax assessor's office or contact
3 them and tell them to change the bills to come to
4 your address?

5 A. No. No.

6 Q. And do you think that if the bills
7 had come to Ms. Bibbs or --

8 A. Everybody was --

9 Q. -- Mr. --

10 A. -- getting them as far as I know.

11 Q. -- Mr. Glover that --

12 A. I would call my sister --

13 Q. The tax office --

14 A. -- and she said she had got one.

15 Q. -- only sends out one bill, one bill,
16 and it was going to you.

17 A. Really?

18 Q. You were the only that received the
19 tax bills.

20 A. Really?

21 Q. You were the only one who knew the
22 amount to pay.

23 A. Really?

24 Q. Yes.

25 A. My sister didn't tell me that. She

1 received it from my brother and --

2 Q. So you took responsibility to pay --

3 A. No, I didn't.

4 Q. -- the taxes but you don't understand
5 how that works.

6 A. I understand how it work.

7 Q. That's okay.

8 A. Everybody was responsible.

9 Everybody. So that's why the tax stayed into sale
10 for two whole years. My goodness.

11 Q. But, Ms. Gilchrist, you can't come up
12 with a figure. You said all of what was paid
13 was --

14 A. If you --

15 Q. -- late; is that right?

16 A. Yeah. Two years.

17 Q. Okay. No. That's fine. That's --

18 A. Look at your --

19 Q. That's your answer.

20 A. Look at your paper.

21 Q. That's fine. In some of your
22 testimony you stated that you believe that the
23 other pieces of property also should be sold, is
24 that correct, the pieces you chose not to probate?

25 A. The attorney have to be paid \$15,000.

1 Q. Okay. In your initial action you
2 only chose two properties to include in this
3 action. Why didn't you include the others?

4 A. The two -- the .43 was new.
5 Somewhere Mary Bibbs and Heyward Bibbs went up
6 there to the courthouse trying to say they was
7 paying too much taxes and they didn't own that
8 property and they shouldn't be paying for the .43
9 and the .25.

10 Q. That's not my --

11 A. So those are new properties. That's
12 why I said that. That was new --

13 Q. Why did you not --

14 A. -- property.

15 Q. -- include the tracts that you stated
16 today you want to be sold in your action?

17 A. Because that's the only way to get to
18 pay the attorney fee.

19 Q. To pay your attorney fee.

20 A. Both attorney fees. Some I had to
21 probate, and now I'm here with you.

22 Q. You chose to probate voluntarily,
23 right?

24 A. And now I'm here with you.

25 Q. No. Did you choose to do it?

1 A. I -- no. I chose to go in there and
2 get my mother's part of the probate. When I got
3 in there, it was suggested by my attorney and
4 Mr. Peeler that I take on representation so they
5 can get through with these deeds and get these
6 thing out of my grandmother's name before more
7 people die and it's going to be a bigger mess. I
8 went there for my mother's.

9 Q. Not for the good of the estates.

10 A. That's right. My mother --

11 Q. That's okay.

12 A. -- was alive.

13 Q. You answered my question. That's
14 good.

15 A. My mother was alive.

16 Q. You said that you've done a lot of
17 work on the property you live on.

18 A. Uh-huh.

19 Q. And in 2006 you did some clearing?

20 A. Yes. The back part where the brick
21 house were was just full of weeds and whatever.

22 Q. Okay. Take a look at this and tell
23 me which pieces -- where do you live on that
24 picture?

25 A. Right here.

1 Q. Right there? So it's fair to say
2 it's right there as well?

3 A. Uh-huh.

4 Q. And that's a fair and accurate
5 picture of the state of the property?

6 A. Not in 2006.

7 Q. When would you say this is?

8 A. That would be basically now.

9 Q. Now?

10 A. Yeah.

11 Q. Okay. So you're claiming that you
12 have preserved the property, and you understand
13 that the property you live on, all these other
14 people have as much interest or more than you do.

15 A. Uh-huh.

16 Q. Do you understand that as a
17 titleholder?

18 A. No.

19 Q. You don't. Okay.

20 A. Because I go by the figures.

21 Q. Okay.

22 A. I go by the figures on the deed.

23 MS. SUMNER: Your Honor, I would like
24 to introduce these pictures that Ms. Gilchrist has
25 already said are true and accurate pictures of

1 where she lives on the property.

2 THE WITNESS: Where I live at now.

3 MS. SUMNER: Yes.

4 THE WITNESS: Not in 2006.

5 MS. SUMNER: That's right.

6 After she's preserved it, this is
7 what it looks like.

8 THE COURT: Any objections?

9 THE WITNESS: Oh, it looks like that
10 because I been threatened, I told you, by your
11 client Odell Glover and Ms. Mary Bibbs to at least
12 stop beautifying the land, so what you see is what
13 you get.

14 THE COURT: Do you want to mark them
15 individual or altogether?

16 MS. SUMNER: Just together, Your
17 Honor, would be fine.

18 BY MS. SUMNER:

19 Q. So, Ms. Gilchrist, in the picture the
20 white trailer is --

21 THE COURT: Six pictures.

22 Q. -- where you live; is that correct?

23 A. Huh?

24 Q. The white trailer is --

25 A. Yeah.

1 Q. -- where you live?

2 A. Yes. The beige and white.

3 Q. Okay. And then there is another
4 structure --

5 THE COURT: Defendants' 1.

6 (DFT. EXH. 1, Color Photographs (6),
7 was marked for identification and admitted into
8 evidence.)

9 Q. -- in there that is another mobile
10 home; is that correct?

11 A. Yes.

12 Q. And who does it belong to?

13 A. Land.

14 Q. The estate?

15 A. The estate.

16 Q. Okay. And what is it used for right
17 now?

18 A. Just storage.

19 Q. Have you ever kept dogs in it?

20 A. I got dogs around it.

21 Q. You've never kept dogs in the
22 trailer?

23 A. My husband may have put one in it.

24 Q. Okay.

25 A. I mean, out of the cold. We do care

1 about animals.

2 Q. Okay. I'm sure you do.

3 A. Yes.

4 Q. And the back, you use it as a
5 trailer? I mean a warehouse of some sort? The
6 building in the back.

7 A. Yes.

8 Q. And it used to be a house; is that
9 right?

10 A. Yeah.

11 Q. And has anybody else --

12 A. I mean a long years ago.

13 Q. Okay. And has anybody else been
14 using either of those structures?

15 A. No.

16 Q. Just you?

17 A. Uh-huh.

18 Q. Okay. And what percent interest do
19 you own in the land in the estate itself?

20 A. 0.65.

21 Q. 0.65?

22 A. 0.65.

23 Q. And that would be your mother's
24 portion?

25 A. No. Because after they made me

1 representative, then that took on a whole other
2 avenue. I went there to get my mother's portion.
3 That's how it all began. But when I showed up in
4 the courtroom, then they went to discussing why
5 don't we just do this and do that before more
6 people die because we been trying to get these
7 people to do this. They come in here arguing and
8 bickering. They can't get it together, so --

9 Q. So --

10 A. -- Ms. Gilchrist here with a lawyer.
11 We can just go and get it done.

12 Q. So the interest in the land, it was
13 divided. There were 13 children, is that right,
14 initially?

15 A. Initially, yeah.

16 Q. Okay. And then six of those have
17 passed?

18 A. Yeah. Even my mother passed during
19 that time.

20 Q. Okay. So you have the interest of
21 one of those 11, and then that interest is split
22 between you and your siblings, and there is four
23 of you; is that right?

24 A. Uh-huh.

25 Q. So that's the share that you own in

1 the land.

2 A. Well, between me and my sibling I own
3 a 1/10 -- 20th and a 1/10th of my mother. Of my
4 own self being the representative, I got -- was
5 given a half of the decedent's interest before it
6 came down to J.L., because my grandmother had to
7 be probated first.

8 It had been over ten years and no one
9 had probated it her, so in order for them, the
10 siblings, to get anything, as Judge Peeler said on
11 his tape, they barely made it. He told Mr. Glover
12 and Ms. Bibb, You barely made it.

13 Q. Barely made what?

14 A. I don't know. He said -- he said far
15 as probate.

16 Q. So you understand that when your
17 grandmother died, she didn't have a will so she
18 left half of her interest to her spouse and the
19 other half split between her 13 --

20 A. Well, that's just the law.

21 Q. -- children -- no. Wait. I'm asking
22 a question, though.

23 A. Oh, okay.

24 Q. You understand that that is how it
25 would flow down because she didn't have a will.

1 You never owned half the estate. You were the
2 personal representative who was distributing the
3 estate. When you say you owned a half of it at
4 one point, you didn't. Is that right?

5 A. I'm just going by the deed. I'm
6 sticking with the deed. I mean, I don't know how
7 you would --

8 Q. Okay.

9 A. How you would clarify it. I'm
10 just --

11 Q. Well, let me ask you --

12 A. -- sticking with the deed.

13 Q. -- if this is correct. Your mother
14 was one of how many children? 11?

15 A. She was the first oldest.

16 Q. No. I'm just --

17 A. She was --

18 Q. She was one of how many children?

19 A. 13.

20 Q. And she's passed and you're one of
21 her four children?

22 A. Yes.

23 Q. So that's the interest you own in the
24 land.

25 A. No. I'm just looking at whatever the

1 deeds say on them.

2 Q. Okay. So you think that the best
3 thing to happen for the property is for it to be
4 sold.

5 A. For -- if need be, for attorney fees,
6 yes.

7 Q. Well, how would you propose if you
8 don't sell the property that this be resolved?

9 A. That's the only way it's going to be
10 resolved, because otherwise somebody, as been
11 stated in law enforcement letters, someone is
12 going to get hurt or killed, so it best to be sell
13 it and now.

14 Q. And you don't think it's possible for
15 it to be divided?

16 A. No.

17 Q. And you don't think --

18 A. Huh-un.

19 Q. -- it's possible for --

20 A. Huh-un.

21 Q. -- all these people to own it.

22 A. Huh-un. Because they already been
23 getting death threats. Just like I told you, I
24 got written statements from authority.

25 Q. So the only -- the only avenue is to

1 sell it. Is that --

2 A. That's the only avenue.

3 Q. Okay. And out of the things that
4 you're asking to be reimbursed for from that sale,
5 all the taxes you said that you've paid them all
6 late; is that correct?

7 A. I bought them all out of sale.

8 Q. Okay. After you didn't pay the
9 taxes.

10 A. After they didn't pay the taxes.

11 Q. But they didn't get the bill.

12 A. Yes, they did.

13 Q. Only one bill goes out, and you said
14 you got the bill, right?

15 A. I have witnesses here if that's what
16 you want the answer to.

17 Q. No. I'm asking did you get the tax
18 bills?

19 A. I did and others did too. My
20 brother, my sister.

21 Q. You got them --

22 A. Those --

23 Q. -- and you paid them late and --

24 A. No.

25 Q. -- you want to be reimbursed for

1 those late fees.

2 A. No. Because we all was supposed to
3 come together and pay them.

4 Q. And you said that you made
5 improvements on that property that we showed you a
6 picture of, and you want to be reimbursed for
7 those too.

8 A. Yeah.

9 Q. And you want to be reimbursed for
10 your attorney fees for bringing this action to sue
11 all the other titleholders.

12 A. Like I said, I --

13 Q. That was a yes or no question.

14 A. Yes.

15 Q. Okay. And what else is it that you
16 want to be reimbursed for out of the funds?

17 A. Like I said, I want reimbursement for
18 bringing this out of the sale for the last five
19 years. I want reimbursement for my attorney fees
20 to both attorneys. Three now attorneys because
21 I've got the guardian, so I want their fees paid,
22 and like I say, and then I have also physical and
23 emotional records from the heirs where they
24 threatened me.

25 Q. Well, you --

1 A. And I have hospital records and I
2 have also a threat that I be killed.

3 Q. Well --

4 A. So don't you think --

5 Q. -- if the other titleholders agree
6 that the land needs to be sold, why did you have
7 to bring this action?

8 A. What?

9 MR. GILCHRIST: Because of the cost.

10 A. Yeah.

11 Q. I'm sorry?

12 A. If other holders agree for it to be
13 sold?

14 Q. Right.

15 A. What you mean "agree for it to be
16 sold"?

17 Q. If the other titleholders agree that
18 the property needs to be sold, why did you have to
19 bring an action?

20 A. They wasn't agreed for it to be sold.

21 Q. Do you have --

22 A. I was --

23 Q. -- proof of that?

24 A. I was buying it at the tax sale
25 because I own a 0.65 according to the deed.

1 MR. GILCHRIST: And the cops told to
2 sell.

3 Q. Okay.

4 A. And the cops said in their records
5 that that's the way.

6 MS. SUMNER: Your Honor, I ask that
7 this person who is not a witness not be able to
8 tell the witness what to say.

9 THE COURT: I'll ask you to just
10 refrain from any comments during this action
11 unless you're called to the stand. Okay?

12 MR. GILCHRIST: Okay. I'm talking to
13 myself.

14 BY MS. SUMNER:

15 Q. And, Ms. Gilchrist, you said that you
16 attempted to try mediation?

17 A. Uh-huh.

18 Q. Did you hire --

19 A. You want to see?

20 Q. -- a mediator? No, ma'am.

21 A. No?

22 Q. Did you hire a mediator?

23 A. No. I just tried to be peaceful
24 between the family like Peeler, Mr. Peeler, said
25 it should be handled among the heirs.

1 Q. Do you think it's peaceful when
2 deputies show up on your door?

3 A. I didn't ask them to show up on my
4 door.

5 Q. I'm sure you didn't.

6 A. I was doing just fine.

7 Q. I'm sure.

8 A. I had sold the vehicle to pay their
9 taxes.

10 MS. SUMNER: Your Honor, that's all I
11 have.

12 THE COURT: Thank you.

13 Mr. McWilliams, ask her any questions
14 you have.

15 MR. MCWILLIAMS: Thank you, Your
16 Honor.

17 CROSS-EXAMINATION

18 BY MR. MCWILLIAMS:

19 Q. Ms. Gilchrist, as far as you know,
20 everybody with an interest in these properties
21 have been notified of today's hearing?

22 A. Yes, sir.

23 MR. MCWILLIAMS: That's all the
24 questions I have, Your Honor.

25 THE COURT: Any redirect?

1 MR. BUHL: Just a couple for
2 clarification.

3 REDIRECT EXAMINATION

4 BY MR. BUHL:

5 Q. The dispute that you had with
6 Judge Peeler was over the sale of the truck?

7 A. Yes, sir.

8 Q. And you sold it and you were going to
9 pay the taxes with it?

10 A. Yes, sir. And he agreed at the time.

11 Q. And he wanted you to distribute that
12 \$450 to all of the heirs as opposed to paying the
13 taxes with it.

14 A. That's what he wanted, yes.

15 Q. And that was your dispute.

16 A. Yes.

17 Q. All right. Do you have a copy of the
18 deed that you think that there was some fraud
19 involved with?

20 A. Yes.

21 (Tendering document.)

22 THE COURT: Any objection?

23 MS. SUMNER: Your Honor, I don't
24 really know what it is. It's the back page of a
25 document. I need to see the front.

1 (Ms. Gilchrist looking through
2 documents.)

3 THE COURT: Mr. Buhl, you about ready
4 to move on?

5 MR. BUHL: Yeah. I'm sorry, Your
6 Honor. We have --

7 BY MR. BUHL:

8 Q. Ms. Gilchrist, just, if you can't
9 find the first page, that's fine.

10 A. Okay.

11 Q. Tell us what you thought the problem
12 was with this last deed that you didn't submit to
13 the probate court.

14 A. Yeah. It had been signed -- a deed
15 came across -- I came across the deed. Like I
16 said, I left the third property to be
17 investigated, and that was the deed that I ran
18 across with the investigation.

19 Q. Okay. And that was a deed?

20 A. Yeah. And it didn't get paid off.
21 My grandmother, the loan that got to Mr. Bibbs and
22 Ms. Bibbs, it wasn't paid off until 2003, and the
23 uniform code was that it was to go back to my
24 grandmother's estate once it was paid out, so when
25 they came up with this deed -- and my grandmother

1 died in 1999, and this wasn't paid out. The 0.32
2 wasn't paid out until 2003.

3 Q. And what was the deed book number on
4 that document that you were referring to?

5 A. It's in Book 0527, Page 0237.

6 Q. All right. And you didn't feel
7 comfortable submitting a deed to the probate court
8 when you had those questions.

9 A. Yes. Yes, sir. That's right.

10 Q. Ms. Sumner asked you about
11 mediation. You wrote a letter to all of the heirs
12 trying to resolve this; did you not?

13 A. Yes.

14 Q. Do you have a copy of that?

15 A. Yes, sir.

16 (Tendering document.)

17 MS. SUMNER: I have to object to
18 that. It's not signed by anyone. There is no
19 indication exactly who it was sent to. I'm not
20 sure what it's submitted to prove.

21 THE WITNESS: Here are the envelopes.

22 THE COURT: Mr. Buhl, she testified
23 that she wrote that letter and sent a copy to
24 different persons named on those envelopes?

25 MR. BUHL: We only have two of the

1 envelopes, but, yeah, she...

2 THE WITNESS: I sent it out to all
3 the heirs.

4 THE COURT: Okay.

5 BY MR. BUHL:

6 Q. And the date that you sent this --

7 A. Yes, sir.

8 Q. -- was when?

9 A. Oh, that was November the 12th.

10 Q. Of?

11 A. Of 2012. November the 3rd of 2012.

12 Q. And this was your attempt to try to
13 resolve the case?

14 A. (No verbal response.)

15 THE COURT: Do you still have an
16 objection, Ms. Sumner?

17 MS. SUMNER: Yes, Your Honor, I do.
18 These envelopes indicate that, well, it was never
19 delivered to anybody. These are the only two
20 envelopes and they're unclaimed, so I have...

21 MR. BUHL: Well, they don't indicate
22 that they were not delivered to anybody. They
23 indicate that these two --

24 THE COURT: All right. For the sake
25 of the record for clarification, I'm going to

1 admit them as, based upon her testimony, documents
2 sent, and this will be Plaintiff's 8.

3 (PLF. EXH. 8, Letter Dated November
4 3, 2012, with Two Envelopes Marked Unclaimed, was
5 marked for identification and admitted into
6 evidence.)

7 THE COURT: Anything further,
8 Mr. Buhl?

9 MR. BUHL: Just one other question,
10 Your Honor.

11 BY MR. BUHL:

12 Q. You paid taxes late. Did anybody
13 offer to help you pay the taxes at all?

14 A. No, sir.

15 Q. And you paid them late because there
16 was no money in the estates?

17 A. No, sir.

18 MR. BUHL: All right.

19 THE COURT: Any recross?

20 MS. SUMNER: Yes, Your Honor.

21 RECROSS EXAMINATION

22 BY MS. SUMNER:

23 Q. Ms. Gilchrist, you testified that
24 nobody helped you or offered to help you pay the
25 taxes; is that right?

1 A. That's right. Like I said, even my
2 husband went begging because he had to put up his
3 car and his truck to pay it. He had a gun put
4 on -- pulled on him by Mr. Odell Glover and he
5 still didn't pay it.

6 Q. Okay.

7 A. He didn't get a dime.

8 Q. The instances when Mr. Odell Glover
9 bought the properties out of the tax sale and you
10 later redeemed them, how can you say that wasn't
11 an effort to help pay the taxes?

12 A. He bought them out of the tax sale
13 when? Since I became representative in 2010?

14 Q. Over the period of the taxes --

15 A. I --

16 Q. -- being paid.

17 A. I have no idea what's been paid
18 before then. My consideration was the .97.
19 That's all. But I became entitled to take care of
20 the property after I became the representative in
21 April 20th of 2010. My concern wasn't with the
22 rest because they had the responsibility of paying
23 their part, whatever they was on, and I took the
24 responsibility for my part before 2010.

25 Q. But the only person that lives on any

1 of the property that's in question would be you
2 and Albert, correct?

3 A. No. Theresa Edwards.

4 Q. She purchased her property. It's in
5 her name.

6 A. No. She was -- she was also
7 paying --

8 Q. Are you saying that --

9 A. -- for the property.

10 Q. -- Theresa Edwards was not deeded her
11 property by --

12 A. Yes --

13 Q. -- your grandmother?

14 A. -- but she took care --

15 Q. Okay. That's a yes or no.

16 A. Oh, okay. You said there is no
17 evidence. I was just fixing to hand you in
18 evidence.

19 Q. Evidence of what?

20 A. Theresa Edwards paid the property
21 taxes back then, from '99 to 2009.

22 Q. And you didn't pay any of those
23 taxes.

24 A. No. I wasn't the representative.

25 Q. You didn't pay any taxes on the

1 property --

2 A. Not over there.

3 Q. -- that you lived --

4 A. Yeah. Mine.

5 Q. Okay.

6 A. I paid it on mine.

7 Q. So you've paid no taxes on any

8 property --

9 A. Until 2000 --

10 Q. -- that was yours --

11 A. In 2010 I become the representative.

12 Q. So for the 10 years that that

13 property had not been probated, you paid no taxes

14 on any of it.

15 A. No. Because my mother --

16 Q. Who do you think paid those taxes?

17 A. My mother was --

18 Q. I'm just asking, who do you think

19 paid it?

20 A. My mother for one. My mother --

21 Q. But you didn't --

22 A. -- for one.

23 Q. -- pay any of it.

24 A. My mother for one.

25 Q. That's okay.

1 A. Because she was on the -- she was on
2 the land.

3 Q. So over the ten-year period you paid
4 no taxes but you still want your interest in those
5 pieces.

6 A. No. I'm getting -- I'm getting my
7 interest because I kept it out of foreclosure, out
8 of sale.

9 Q. The mediation that you said you
10 attempted to avoid this, you presented a letter
11 but the letter is not signed by you. It's not
12 directed to the other titleholders. It's directed
13 to the Court of Common Pleas. Your proof that you
14 mailed it to anybody would be two envelopes that
15 are clearly marked unclaimed that the people they
16 were addressed to never got the letter. That's
17 your proof that you attempted mediation; is that
18 right?

19 A. The...

20 Q. Is that right?

21 A. The mail. The mail is, yeah.

22 Q. The unclaimed --

23 A. Yeah.

24 Q. The unclaimed envelopes that no one
25 ever --

1 A. The federal mail that's been marked.

2 MS. SUMNER: Okay. Your Honor,
3 that's all I have.

4 THE COURT: Okay.

5 MR. BUHL: I've got one.

6 THE COURT: Mr. McWilliams?

7 MR. McWILLIAMS: No further
8 questions, Your Honor.

9 MR. BUHL: A clarification, Your
10 Honor?

11 THE COURT: Okay.

12 FURTHER REDIRECT

13 BY MR. BUHL:

14 Q. You mailed the letter of November 3,
15 2012, to all the heirs --

16 A. Yes, sir.

17 Q. -- that you are aware of.

18 A. Yes, sir. Yes, sir.

19 Q. Okay. And the only two --

20 A. Responded.

21 Q. -- letters you got back were the
22 ones --

23 A. Yes.

24 Q. -- that were introduced.

25 A. Yes.

1 Q. All the rest you assumed were
2 received.

3 A. Were, yes. Yes, sir.

4 MR. BUHL: That's all I have, Your
5 Honor.

6 THE COURT: Any other questions?

7 Call your next witness, sir.

8 MR. BUHL: That's all we're going to
9 present.

10 THE COURT: Step down,

11 Ms. Gilchrist, if you will.

12 Ms. Sumner, you ready to call your
13 witness?

14 MS. SUMNER: Yes, Your Honor. I call
15 Odell Glover.

16 THE COURT: Come around, sir.

17 ODELL GLOVER, being first duly
18 sworn, testified as follows:

19 DIRECT EXAMINATION

20 BY MS. SUMNER:

21 Q. Mr. Glover, you were one of the 11
22 children; is that correct?

23 A. Yes, ma'am.

24 Q. Okay. And on this map, would this be
25 where you live? Do you need to come closer?

1 A. Yeah, I do, but I think you're right.

2 MS. SUMNER: Your Honor, is that

3 okay, if he does?

4 THE COURT: That's fine.

5 BY MS. SUMNER:

6 Q. That's your house?

7 A. Yes, ma'am.

8 Q. Okay. And can you tell me what that
9 piece is?

10 A. That's Beverly's. Where Beverly
11 lives.

12 Q. Where Ms. Gilchrist is living now?

13 A. That's right.

14 Q. That's her trailer that she lives in?

15 A. That's right.

16 Q. And these are the structures that
17 were already there?

18 A. That's right.

19 Q. Now, is this the other piece that she
20 is asking the court to partition?

21 A. Yes.

22 Q. Okay.

23 A. Yes. Yes. Right here, Jerry and
24 Theresa own that, but this is the property right
25 in there that she got one of the list to be paid.

1 Q. And then who lives there? Is that
2 Theresa's?

3 A. Yeah. That's right. Theresa, yes.

4 Q. Okay. And she's one of the
5 grandchildren too, right?

6 A. Yes.

7 Q. All right. And this piece that's in
8 the back, that's still owned by -- it's still in
9 your mother's name, right?

10 A. That's exactly right.

11 Q. And then over here, that's still in
12 your mother's name. That's her --

13 A. That's right.

14 Q. -- corner house.

15 A. That's the house.

16 Q. Okay. And then on either side of her
17 are the pieces, separate tracts, that she owns,
18 right? It's three pieces --

19 A. That's right.

20 Q. -- over there?

21 A. I think this may be the Bibbs'
22 property.

23 Q. All right. That is the Bibbs.
24 That's your mom's house there.

25 A. That's right.

1 Q. And then that's the --

2 A. That's the vacant.

3 Q. -- empty spot, yeah. Okay. All
4 right. You can have a seat.

5 MS. SUMNER: Your Honor, can I
6 introduce this picture also into the evidence for
7 your review?

8 THE COURT: What is it?

9 MS. SUMNER: It is --

10 THE COURT: A tax assessor's --

11 MS. SUMNER: -- printed by the tax
12 assessor.

13 THE COURT: Tax assessor's --

14 MS. SUMNER: It's a GIS tax
15 assessor's --

16 THE COURT: Do you have the tax map?
17 I mean the --

18 MS. SUMNER: It has it on there, yes,
19 sir.

20 THE COURT: Okay. Any objections?

21 MR. BUHL: No.

22 MR. McWILLIAMS: No, Your Honor.

23 THE COURT: All right. Without
24 objection, Plaintiff's -- I mean Defendants' 2,
25 aerial photograph of property in question.

1 (DFT. EXH. 2, Color Aerial Map, was
2 marked for identification and admitted into
3 evidence.)

4 THE COURT: Thank you, sir.
5 Appreciate that.

6 BY MS. SUMNER:

7 Q. Mr. Glover, do you recall when
8 Ms. Gilchrist moved that trailer there?

9 A. Truthfully, I just remember what date
10 it was. What year, I don't know.

11 Q. Right. And when she moved her
12 trailer there, what do you think the intentions
13 were, or do you know?

14 A. Well, I don't know, but I was afraid
15 her intention was to put it on the lot because it
16 stayed parked off the lot about maybe two weeks or
17 maybe a month. I don't know. But it was just
18 parked out there on old man Cooks' property.
19 Well, Cooks ask me about it, and what I told him,
20 I didn't know.

21 And he said, Well, they need to move
22 it off his property. So I started kind of
23 questioning around in the family, and it was
24 Beverly's trailer.

25 And at that time all of my family was

1 telling me she tried to negotiate with mama to let
2 her put it on the property and mama wouldn't do
3 it, but somewhere down the line, I must say, she
4 was tired, And go on and put it there, that still
5 that they put somewhere and going to hope that be
6 soon. I think all of family can know my mama
7 would, and she put it there and I hear her said
8 that once they stayed that long, she paid the
9 tax. I don't know what her and mama got together,
10 but I know this happened.

11 Q. But it wouldn't surprise you that
12 your mother let her put it there in return for
13 paying the taxes.

14 A. Yes, ma'am.

15 Q. That she wasn't giving her the land.

16 A. Oh, no. Oh, no. Oh, no. Not by a
17 long shot.

18 Q. Okay. All right. And the other
19 pieces, after your parents passed, before the
20 estates were probated ten years later, who paid
21 the taxes?

22 A. After my mother?

23 Q. All the different pieces, uh-huh.

24 A. After my mother pass?

25 Q. Uh-huh.

1 A. I paid it twice. I don't know the
2 very first two time or what, but I paid it twice,
3 and -- because all of us would get a copy of the
4 taxes need to be paid. Everybody in the family
5 would get a copy, even I think the grands would,
6 that this property need to be paid on "X" date.

7 And I always tried to pay my property
8 and all the property, anything I owed the
9 government close I can for penalty because I knew
10 it would go up, up, up percentage-wise, so it's
11 come out to all of us and I paid it twice.

12 Third time it come out, my wife ask
13 me, When we going to pay the taxes, because that's
14 how we do our business.

15 So I said, Well, you hearing from
16 anybody? I said, No. But all us had agreed to
17 pay for it together as long as -- until we got it,
18 straighten out, so whatever.

19 And I waited for a whole year for
20 some kind of hearing from the tax office what kind
21 of tax was owed on it. I never did get one, so I
22 asked my sister, Mary, had she got it. I said,
23 You all got the tax bill on the property?

24 She said, No. I ain't seen it. And
25 so I never did see it. I didn't see it no more.

1 Well, now, come to find out Beverly had had the
2 address moved up from my mama's box somewhere. I
3 don't know where it was. I didn't see another
4 copy of the tax in about three years.

5 Then I went to going to the
6 courthouse trying to find out what was going on up
7 there with the tax, and I talked to the girl, and
8 she said, Beverly had this coming to I guess her
9 address, so we don't send them out to you
10 anymore.

11 That's when I jumped up. I said, Oh,
12 no wonder I ain't got a bill on it. I said, I
13 ain't got no kind of bill on it of no kind.

14 So I kept up with the tax because I
15 didn't want to lose the property. The properties
16 is all around me surrounded. If you read that
17 map, I'm surrounding with all the property. And..

18 You know, I talk on, but now I hear
19 her sit up here that a gun was pulled on her.
20 Well, but, you know, I'm kind of like I can just
21 say a lot, but I don't need to, because this man
22 come down to my garden. I was out there trying to
23 plant my garden and he's big drunk or doing his
24 business, but he's selling the properties. I'm
25 down there working my garden. I hear somebody

1 talking to me, cussing me out all kind of -- I
2 can't even call the names in here.

3 Shake your head if you want to, but
4 you know it's true.

5 Q. Mr. Glover, isn't your garden on your
6 property, though?

7 A. No.

8 Q. That is over here?

9 A. It was -- it was where -- Theresa and
10 Jerry moved. They move their house vacant. They
11 moved, and I ask them could I go down there and
12 put a garden where his horse stay, where he had
13 two horses. It was on my mother's property.

14 Q. Okay.

15 A. So he told me yes. I went there and
16 plowed up because a horse stay is a good place to
17 put a garden. I plow it up. I had the garden
18 looking good out there. I hear cussing me out on
19 the end of the garden. I didn't know what it
20 was. And when I looked up and saw him and
21 another, looked like to me which was drunk but
22 none of my business, but I ran to get my shotgun.
23 I mean I ran. I didn't slow down and run and get
24 it.

25 And he got in his car and he went

1 back around and he come back front of my door
2 right where I live and stopped the car in the road
3 and started cussing me out again, and God in
4 heaven it was the truth, because my dad had shot
5 at him when he was doing my dad the same way, and
6 all of my family can witness that, running out in
7 the woods, so.

8 But, you know, I know I'm saying the
9 wrong thing, but if he had stepped out that car
10 cussing me, he would have had -- I won't be saying
11 it, but go ahead.

12 Q. Okay.

13 A. But nevertheless, I didn't see no
14 more of the tax papers. Then when I got to hear
15 anything, Beverly was paying it. And I goes up
16 then every -- in there every year before then,
17 then see they hadn't been paid. I go by the tax
18 office. I'm real good about going there, and see
19 hadn't been paid. They know me good.

20 So they tell me, No.

21 I said, Well, it got to be paid
22 today, don't it? Going up for sale. And it
23 wasn't paid.

24 I go in the courthouse. I got a
25 folder full of letters. They're writing me a

1 letter telling me taxes, going up for sale. I got
2 them to do that. I went there and bought it
3 twice, if not three times. I'm pretty sure it
4 might have been three times to keep it from being
5 lost because -- lost in the property because the
6 property surrounding my property.

7 All we here all today, less than 2
8 acres land. I hear her say 90- and \$75,000 for
9 less than 2 acres of land. I see she got all her
10 nasty reasons. What you looking for? I had a
11 wheelbarrow can hold all of it.

12 And I begged her. Me and
13 Judge Peeler begged her like a dog, Let's try and
14 get this matter settled without going through this
15 kind of thing. And I see she got a lawyer. She
16 want me to pay her lawyer fee. She going to pay
17 mine?

18 But nevertheless, the right is just
19 right and going to be right anyway. You know,
20 I'm -- you know, I'd do anything. I go a whole
21 miles out of the way to do the right thing, but
22 this just criminal. This foolish. I just didn't
23 know I had anybody in my family this foolish.

24 Q. Well, Mr. Glover, I understand, and
25 based on some of the things that have been

1 testified to today, that there is -- there has
2 been some bad blood between the parties, and, of
3 course, you live directly beside the property that
4 Ms. Gilchrist is living on right now that is owned
5 by the family members.

6 A. That's right.

7 Q. Has Ms. Gilchrist taken any actions
8 to block other titleholders off of that particular
9 property?

10 A. Well, she blocked me off.

11 Q. And how did she do that?

12 A. With cement blocks.

13 Q. With cement blocks.

14 So that you couldn't come on the
15 property that you have an interest in.

16 A. (Witness nodding head.)

17 Q. Okay.

18 A. And I didn't --

19 Q. And did she put up no trespass signs?

20 A. Yeah. She's got them up now.

21 Q. And do you think that means the other
22 titleholders that own more interest in the
23 property than she does?

24 A. I reckon so.

25 Q. Okay. And you've paid the taxes.

1 You have even bought the property at a tax sale
2 and Ms. Gilchrist came back and paid them to
3 redeem them.

4 A. Redeem.

5 Q. Knowing that it had already been
6 paid.

7 A. That's exactly right.

8 Q. Okay. You heard her testify that
9 nobody ever helped pay any of the taxes.

10 A. I hear.

11 Q. Okay. Can you tell me what that is?

12 A. Where I paid the taxes. It's my
13 check.

14 Q. And who is it made out to?

15 A. The tax office.

16 Q. Okay. And is that a receipt, a copy
17 of a receipt they issued to you?

18 A. Yes, ma'am.

19 MS. SUMNER: Your Honor, I'd like to
20 enter that.

21 THE COURT: Any objections?

22 MR. BUHL: No objection.

23 MR. McWILLIAMS: No objection.

24 (DFT. EXH. 3, Copy of Check Dated
25 12-8-10 and Receipt Dated 12-10-10, was marked for

1 identification and admitted into evidence.

2 BY MS. SUMNER:

3 Q. So, Mr. Glover, that is proof of one
4 of the times --

5 THE COURT: That's 3.

6 Q. -- that you purchased the property at
7 a tax sale so that it would stay in the family.
8 Okay.

9 And then after you purchased it at
10 the tax sale, what happened? Did you get a deed
11 for it?

12 A. No.

13 Q. Why?

14 A. Because she redeemed it back.

15 Q. She went and paid the taxes over what
16 you had paid.

17 A. And much more because all of the
18 rates was in it then.

19 Q. Okay.

20 A. I know she done it three time.

21 Q. Three times?

22 A. Three time. I went up this year to
23 do what she -- she -- I tell you, I went up this
24 year here and past to do. It went up this year.
25 She bought it after it went up for sale, because

1 when I went up to redeem it, it had already been
2 paid up after the sale.

3 Q. All right. Mr. Glover, can you tell
4 me what that is?

5 A. I really can't see. I really can't.

6 Q. It says here that it's a delinquent
7 tax sale receipt.

8 A. Okay.

9 Q. Is that your signature right there?

10 A. That's exactly what it is.

11 Q. Okay. So that is the receipt from,
12 let's see, December 13 of 2013 where you paid the
13 taxes on one of these pieces of property, or you
14 purchased it, actually, at the tax sale.

15 A. At the tax sale, yeah.

16 Q. And then after you purchased it at
17 the tax sale in 2013, what happened?

18 A. Beverly...

19 Q. She went back and paid the taxes over
20 what you'd paid.

21 A. That's right.

22 Q. And more.

23 A. That's right.

24 Q. Okay. Is it fair to say that your
25 family wanted to keep the taxes paid --

1 A. Yes.

2 Q. -- your family members?

3 A. Yes, ma'am.

4 Q. And is it fair to say that if you
5 thought that the taxes weren't going to get paid,
6 that you all would all pitch in and pay those?

7 A. That's what we decided. That's it.

8 Q. And is that what happened?

9 A. No.

10 Q. What happened?

11 A. Well, what happened, she actually
12 took it out from under us because it was being
13 paid.

14 Q. No problems.

15 A. No problems.

16 Q. The taxes were being paid?

17 A. It were being paid and were going to
18 be paid up to today.

19 MS. SUMNER: Your Honor, I'd like to
20 enter that tax receipt from the tax sale.

21 THE COURT: Objections?

22 MR. BUHL: No objection.

23 MR. McWILLIAMS: No objection.

24 THE COURT: Okay. 4.

25 (DFT. EXH. 4, Delinquent Tax Sale

1 Receipt Dated 12-2-13, was marked for
2 identification and admitted into evidence.)

3 BY MS. SUMNER:

4 Q. So there were no issues with the
5 payment of the taxes until -- until you said
6 Beverly had the address changed on the bills and
7 only one bill was sent out.

8 A. A hundred percent right.

9 Q. Then you had to resort to buying it
10 at the tax sale.

11 A. That's exactly right.

12 Q. And then she would redeem it.

13 A. That's exactly right.

14 Q. With late penalties.

15 A. That's exactly right.

16 Q. Okay. And your interest in the land
17 in question is as a direct child of the Glovers,
18 J.L. and Martha; is that right?

19 A. That's exactly correct.

20 Q. Okay. So Ms. Gilchrist's interest in
21 the land would be a fourth of that same interest;
22 is that right?

23 A. That's right.

24 Q. Because she was Beatrice's daughter.

25 A. That's right.

1 Q. Okay. So --

2 A. Four. Should be four, yeah.

3 Q. -- basically you all -- in
4 titleholders you all have 11 -- is it 11 siblings
5 still --

6 A. Seven.

7 Q. Seven siblings living, six have
8 passed, and so the ones that have passed, all but
9 two of those, I think, had children, so their
10 children take their shares but just in lesser
11 amounts of interest.

12 A. That's right.

13 Q. Okay.

14 A. That's right.

15 Q. Now, Mr. Glover, what do you think
16 would be the best thing to do with the land?

17 A. I would really -- I would just like
18 for it to remain. Like I said again, I'm sitting
19 in the middle of it. I would like to see it
20 divided up. That's what I would like to see.

21 Q. But that would be real hard to do
22 with 19 titleholders, wouldn't it?

23 A. Yeah, because I guess -- I guess if
24 that happen, some of them have a place to spit out
25 of.

1 Q. That's true.

2 A. Yes.

3 Q. That's true. Because we've got this
4 piece that's .97, and then we've got this piece
5 here that's the .80. That's not very much to
6 divide between 19 people, is it?

7 A. No, ma'am. Because I went with -- I
8 talk with most of here in the family, and they had
9 gave me their portion, and I think even one of
10 them testify. All -- I talk with most of them
11 here and they had gave me their portion because it
12 was small, so small.

13 Q. Yeah. So you agree something needs
14 to be done.

15 A. Yeah.

16 Q. Okay.

17 A. Definitely.

18 Q. And you all have been talking about
19 it some.

20 A. Yeah.

21 Q. Okay. Were you surprised when you
22 got served with this lawsuit?

23 A. Yeah.

24 Q. Okay.

25 A. Very surprised.

1 Q. And you think your family could work
2 something out.

3 A. Oh, yeah.

4 Q. Do you think that Ms. Gilchrist has
5 improved this piece since she lived on it?

6 A. Oh, no. That would be -- look, I
7 tell you. It's kind of a shame, living right in
8 front of my house. I hate to say that, but the
9 value would be zero.

10 Q. Did you ever make any efforts to say
11 spruce up any of this here?

12 A. Yeah. Me and my sister -- I had
13 start fixing the house up because the house been
14 rented out. The house in fair shape. I had to
15 start fixing it up and renting it out. Look, this
16 the whole claim on paying the taxes.

17 We was going to fix the trailer up
18 and we was going to fix the house up and we were
19 going to set and not worry about the tax because
20 the tax going to be paid on Beverly's place. All
21 we feel too because we got it fixed up.

22 And they started using the garage out
23 of the house. I even bust the water line and
24 everything to put a big door just to fix it up,
25 and you can get 3- or \$400 a month on a house like

1 that. It's going to pay the tax, keep the tax
2 going.

3 And me and my sister, Mary, that's
4 what we started doing. And I go up there one day,
5 they had dogs in there. Had dogs, had pups. I
6 ain't got no problem with dogs.

7 Q. In the trailer that you had been
8 fixing --

9 A. In the trailer.

10 Q. -- up to rent?

11 A. In the trailer. I hear the bark and
12 bark and bark. I went to the door, and it just
13 filled with pups. The trailer full of pups.

14 Then the car was tore up in the
15 garage, and you couldn't see or nothing. All the
16 junk and everything. And he was garaging in the
17 car -- in the house. And I had to throw my hands
18 up, you know, to see that. It really hurt my
19 heart.

20 Q. So you could have potentially rented
21 that --

22 A. Oh, indeed.

23 Q. -- and used that money to pay the
24 taxes.

25 A. Oh, indeed. We fixed it --

1 Q. And Ms. Gilchrist --

2 A. -- up now.

3 Q. -- put dogs in it.

4 A. That's right. That's right.

5 Q. Okay.

6 A. That's right.

7 STEVEN GLOVER: Well, I don't care
8 who tell is, I'm going to say it.

9 THE COURT: No. No. No, sir.

10 STEVEN GLOVER: You know they're
11 homeless dogs.

12 THE COURT: Sir, I'm going to ask you
13 to step outside if you're going to speak out.
14 Sir, you understand?

15 STEVEN GLOVER: Yes, sir. I heard
16 you perfectly well.

17 THE COURT: Thank you.

18 BY MS. SUMNER:

19 Q. So, Mr. Glover, do you think that
20 it's fair and reasonable that Ms. Gilchrist should
21 be given credit for improvements on the property,
22 for paying her attorney to bring this action
23 against all the family members?

24 A. I would like that to be a question
25 addressed to Ms. Gilchrist, but I say, you know, I

1 don't see where it would, no.

2 MS. SUMNER: Okay. That's all I
3 have, Your Honor.

4 THE COURT: All right. Mr. Glover,
5 answer any questions Mr. Buhl might have, please.

6 CROSS-EXAMINATION

7 BY MR. BUHL:

8 Q. I don't have too many questions,
9 Mr. Glover. On the two tax bills that you paid
10 that you say that Ms. Gilchrist then went back and
11 redeemed for the estate, you actually got your
12 money back, didn't you?

13 A. Yeah.

14 Q. Yeah. And plus interest.

15 A. Yeah.

16 Q. Okay. So on the larger receipt it
17 looks like one was \$992. What piece of property
18 was that on?

19 A. I just -- when I go up there I just
20 pay for all the tax my mama owed. And God knows
21 that's all. I want to tell the truth. It could
22 have been all of them, it could have been one, but
23 I believe it was on the whole shebang.

24 Q. Okay.

25 A. We can go back and I can find out,

1 but I just -- I ain't up for looking, but I don't
2 tote a lot of paper around.

3 Q. And the second time you paid \$250.

4 A. That's right.

5 Q. And you say that Ms. Gilchrist
6 redeemed that for the estate after that, and you
7 got your money back?

8 A. I just remember.

9 Q. I mean, that's normal procedure, that
10 you would -- once it's redeemed, you --

11 A. Oh, yeah. Yeah, that's normal
12 procedure. I feel redeemed.

13 Q. Okay. When did you go down to the
14 treasurer's office and ask about the tax bills?

15 A. I go all the time.

16 Q. So you're aware of what they were.
17 You were down there regularly?

18 A. I was down there -- like every time
19 the tax come up to be paid, I would go there and
20 check it.

21 Q. Okay. And just for clarification,
22 you don't -- you live on your own property. You
23 don't live on property of the estate; is that
24 correct?

25 A. No. That's right.

1 Q. And the only people living on the
2 estate property are Ms. Bibbs and your son,
3 Albert?

4 A. Well, Ms. Bibbs don't live on that
5 property now. We ain't talking about Ms. Bibbs'
6 property. It gets small enough, but that ain't --
7 that's different property.

8 Q. Okay.

9 A. Don't nobody live on -- excuse me.
10 Don't nobody live on the property I live on but
11 me.

12 Q. Right.

13 A. And my surrounding are Beverly live
14 on that property. Nobody else live on it.

15 Q. Okay. And the two tax receipts that
16 you have shown us today is the only time that you
17 have paid the taxes, that you have receipts for.

18 A. Well, I know I paid it twice.

19 Q. Okay. The two that --

20 A. Me and my family paid it once. Or I
21 think Mira, me and Mira maybe paid it once, and I
22 paid it twice but I paid it.

23 MR. BUHL: Your Honor, that's all the
24 questions I have.

25 THE COURT: Answer any questions from

1 Mr. McWilliams.

2 CROSS-EXAMINATION

3 BY MR. McWILLIAMS:

4 Q. Mr. Glover, as far as you know,
5 anybody with an interest in this property has been
6 notified of this action.

7 A. I reckon Beverly spoke to them. I
8 ain't seen no records now. Let me be fair on
9 that.

10 Q. Anybody -- all your relatives have
11 been notified.

12 A. I can't answer that.

13 Q. You can't? Okay.

14 MR. McWILLIAMS: That's all the
15 questions I have.

16 THE WITNESS: But I can -- if I can
17 say one more thing? We met here once and all the
18 people was notified. That's what I'm calling a
19 meeting. And Beverly was supposed to renotify all
20 the people. Now, whether she done it or not, I
21 don't have no records of it.

22 BY MR. McWILLIAMS:

23 Q. If there was an ad ran in the
24 newspaper, you would believe everybody had been
25 notified then.

1 A. If I read it and seen everybody, but
2 I didn't -- I didn't tell anybody it was in the
3 newspaper. I never seen it.

4 MR. McWILLIAMS: Okay. That's all
5 the questions.

6 THE WITNESS: I ain't sure everybody
7 notified or not. Let me be clear, very clear,
8 because I want to have the meeting. I don't
9 know.

10 BY MR. McWILLIAMS:

11 Q. Right. You notified anybody you know
12 that you're a relative, correct?

13 A. Say again?

14 Q. Anybody that is your relative, you
15 have spoken to about this, that you know where
16 they're located at.

17 A. No.

18 Q. No? Okay.

19 A. No. I thought that what you said.
20 No. I haven't seen or talked to nobody. She
21 supposed to have done. I haven't told a soul.

22 Q. Okay.

23 A. I got my letter in the mail that, you
24 know, we supposed to meet again today because we
25 met once and all of them, everybody, wasn't

1 notified.

2 MR. MCWILLIAMS: Okay. That's all
3 the questions I have, Your Honor.

4 THE COURT: Ms. Sumner, any
5 redirect?

6 MS. SUMNER: Just real quickly.

7 REDIRECT EXAMINATION

8 BY MS. SUMNER:

9 Q. Mr. Glover, there was some confusion
10 about who lives where. The two pieces that are
11 involved in this action are this piece and this
12 piece, right?

13 A. That's right.

14 Q. And Beverly lives here?

15 A. Yeah.

16 Q. Nobody lives here?

17 A. No.

18 Q. There is no family member living on
19 either of these tracts but Beverly.

20 A. That's exactly correct.

21 Q. And she's been there since 1996.

22 A. That's exactly right.

23 MS. SUMNER: Okay.

24 THE COURT: Anything else, Mr. Buhl?

25 MR. BUHL: I have no other questions.

1 THE COURT: Anything else,
2 Mr. McWilliams?

3 MR. McWILLIAMS: No, sir.

4 THE COURT: Would counsel approach
5 the bench just a minute?

6 Off the record.

7 (Off-the-record bench discussion.)

8 THE COURT: All right. Ms. Sumner,
9 call your next witness.

10 MS. SUMNER: Your Honor, I call
11 Mary Bibbs.

12 THE COURT: Step down, Mr. Glover, if
13 you will. Thank you.

14 THE WITNESS: Okay.

15 THE COURT: State your name for the
16 record, please.

17 MS. BIBBS: Mary Martha Bibbs.

18 THE COURT: Ms. Bibbs, raise your
19 right hand and be sworn.

20 MARY MARTHA BIBBS, being first
21 duly sworn, testified as follows:

22 THE COURT: Thank you.

23 DIRECT EXAMINATION

24 BY MS. SUMNER:

25 Q. Now, Ms. Bibbs, can you tell us how

1 you're a party to this action? Are you a child of

2 Martha --

3 A. Oh, yes.

4 Q. -- and J.L.'s? Okay.

5 All right. So Mr. Odell Glover is
6 your brother.

7 A. Yes.

8 Q. Okay. And Ms. Gilchrist would be
9 your niece --

10 A. Yes.

11 Q. -- is that right? Okay.

12 And on our picture here, you live
13 close to this property too, right?

14 A. The homestead, yes.

15 Q. I think you live right across from
16 Mr. Glover?

17 A. Yes.

18 Q. Okay. So that would be your house
19 right there?

20 A. Yes.

21 Q. Okay. Now, over the years since your
22 mother passed and your dad, have you helped pay
23 the taxes on the properties?

24 A. Yes.

25 Q. Okay. And they're more than just

1 these two pieces that Ms. Gilchrist has in the
2 action today, right?

3 A. Yes.

4 Q. Those other pieces, they're located
5 over here beside you, right?

6 A. That's right.

7 Q. Okay. And then one right there.

8 A. Yes.

9 MR. BUHL: Can I just interrupt a
10 second?

11 MS. SUMNER: Uh-huh.

12 (Off-the-record discussion.)

13 BY MS. SUMNER:

14 Q. Ms. Bibbs, the house that's over here
15 by you that's still in your mother's name, who
16 lives there?

17 A. My brother Albert.

18 Q. Okay. And how long has he lived
19 there?

20 A. He was born and raised there.

21 Q. Okay. And is there a mortgage on
22 that property?

23 A. Yes.

24 Q. And since your mother has passed, who
25 pays that mortgage?

- 1 A. We both do together.
- 2 Q. You and Albert pay it together?
- 3 A. Yes.
- 4 Q. And how much is that payment a month?
- 5 A. 351.
- 6 Q. And about how much is left on that?
- 7 A. I think the principal is 25,000.
- 8 Q. You think left?
- 9 A. Left.
- 10 Q. Okay. So I guess out of the value of
- 11 all the properties owned by your mother, we would
- 12 take off 25,000 then for what's left on that
- 13 mortgage that's got to be paid.
- 14 A. Yes.
- 15 Q. Okay. All right. Did you receive
- 16 some kind of mail that made you concerned about
- 17 that mortgage?
- 18 A. Yes. Ever since she put my sister in
- 19 the hospital -- her mother in the hospital, she
- 20 been back now and changed and slipped into my
- 21 mother house and stole Chase, find out where
- 22 mortgage at, just before she came representative.
- 23 She sneaked in there while my sister
- 24 still there and went back down and got the
- 25 mortgage paper and called Chase and tried to get a

1 loan in some kind of way. They knew I was paying
2 it, so they didn't notify me.

3 Q. So you've been paying it and it's
4 been --

5 A. Yes.

6 Q. -- on time.

7 A. Yes.

8 Q. No problems with it.

9 A. No.

10 Q. The bill comes in your deceased
11 mother's name --

12 A. Yes.

13 Q. -- and you pay it.

14 A. Yes.

15 Q. Okay.

16 A. Tax and insurance.

17 Q. And you don't have any idea why
18 Ms. Gilchrist would want to get in touch with
19 Chase?

20 A. To make a loan. To make a loan. I
21 had to stop her one time when -- before her mother
22 came -- before her mother died in 2010 and she
23 went back and call them again but she didn't know
24 they e-mail my son in the e-mail, so that's how I
25 got contact that she was trying to refinance it to

1 get a loan but she's not responsible for paying it
2 back.

3 That's what the letter say that we
4 got from Chase. I think that's the way it went.
5 But she was contacting them trying to get a loan.

6 Q. So you believe she was trying to use
7 the property too to back the loan?

8 A. Yes.

9 Q. Okay. And, Ms. Bibbs, do you know
10 how many times you paid taxes on the property
11 that's involved?

12 A. Oh, across the street?

13 Q. Well, any of it.

14 A. Well, I paid my mother ever since
15 she -- my father pass in 2001. I been paying tax
16 on the lien.

17 Q. Okay.

18 A. And across the street, like I -- like
19 she used always told me, I don't like my mother
20 name to be in the paper, so I paid it early, so
21 after I -- no. They will call and see if it was
22 late, so I paid early.

23 So later on, next thing I knew, tax
24 are going in Beverly name. But I paid maybe about
25 four time I know.

1 Q. Okay.

2 A. About four time, uh-huh.

3 Q. Ms. Bibbs, do you think that Beverly
4 should be reimbursed for paying the taxes on the
5 piece she's lived in since '96?

6 A. No, because -- no. She destroyed it
7 what she live at. It's destroyed. I wish you go
8 out there and take pictures. It's destroyed.

9 Q. So you think she's done more --

10 A. She sure --

11 Q. -- damage to the property --

12 A. Yeah.

13 Q. -- than preserving --

14 A. Yes.

15 Q. -- the property.

16 A. Yes. Yes. It really -- that's God
17 truth. I wouldn't lie. I love her but she did
18 more damage.

19 Q. And do you think that it was
20 necessary for her to bring this lawsuit?

21 A. No, it wasn't. No. It just a shame
22 to see that, you know, family people trying to
23 take something, but she never tried to know with
24 the lien and help pay the lien. I never could pay
25 my tax and the mortgage, but ever since my mother

1 been dead 2001, but she don't do nothing but come
2 and try to refinance it, but trying to take
3 something just out of our control. How do she
4 deserve that? How?

5 What kind of heart do you have? What
6 kind of name in Jesus heart do you have?

7 MS. SUMNER: All right. Ms. Bibbs,
8 thank you.

9 That's all I have, Your Honor.

10 THE COURT: Ms. Bibbs, have a seat.
11 Answer any questions Counselor Mr. Buhl might
12 have, please.

13 CROSS-EXAMINATION

14 BY MR. BUHL:

15 Q. Ms. Bibbs, do you have any
16 documentation on the loan balance?

17 THE COURT: Excuse me.

18 Could we have the noise down,
19 please.

20 THE WITNESS: I didn't bring that
21 with me but I...

22 BY MR. BUHL:

23 Q. But you could provide it to the
24 Court?

25 A. Yeah. I see the principal for 30 --

1 I mean for 25,000. I guess that's the balance,
2 the principal.

3 Q. All right. If you could --

4 A. I been paying on for 30 -- it will be
5 30 years for a hundred thousand dollars. That's
6 the way that loan was set up.

7 Q. All right.

8 A. We got 11 more years to go.

9 Q. But you think you could provide the
10 Court --

11 A. Yeah.

12 Q. -- with a copy of that?

13 A. Yes.

14 Q. Okay. And do you have any receipts
15 for the taxes that you say you paid?

16 A. No, because I let them deduct it from
17 my bank account.

18 Q. All right.

19 A. And I know they have a file with it.

20 MR. BUHL: Okay. No other questions.

21 THE COURT: Answer any questions
22 counsel has.

23 MR. McWILLIAMS: I have no questions,
24 Your Honor.

25 THE COURT: Redirect?

1 MS. SUMNER: No, Your Honor.

2 THE COURT: Ms. Bibbs, you can step
3 down. Thank you.

4 Call your next witness, ma'am.

5 MS. SUMNER: Your Honor, I would like
6 to let the family members testify as to their
7 position, and I don't know the best way to do that
8 for the Court. Could we possibly go down and let
9 them identify themselves?

10 THE COURT: Better not. Better just
11 take them one at a time and swear them and let
12 them testify.

13 MS. SUMNER: Okay.

14 THE COURT: Unless you want to let
15 one or so speak for the rest.

16 MS. SUMNER: No. I --

17 THE COURT: Just call -- let's go
18 through the procedure until we get through.

19 MS. SUMNER: Okay. Mr. Tommy Glover,
20 come on and have a seat right here.

21 THE COURT: Mr. Glover, come on up.
22 State your name for the record, please.

23 MR. TOMMY GLOVER: Tommy Glover.

24 THE COURT: And raise your right
25 hand.

1 TOMMY GLOVER, being first duly
2 sworn, testified as follows:

3 THE COURT: Thank you. Have a seat.
4 Answer any questions Ms. Sumner might have.

5 DIRECT EXAMINATION

6 BY MS. SUMNER:

7 Q. All right. Mr. Glover, you were one
8 of the 13 children; is that correct?

9 A. Yes, ma'am.

10 Q. Okay. And where do you live?

11 A. I live down on .19, not far. About 2
12 miles from where Odell live at.

13 Q. Okay. So you have the same interest
14 as the siblings do.

15 A. Yeah.

16 Q. You have your interest, the same
17 interest that Mr. Odell has.

18 A. Yeah.

19 Q. The same interest that Ms. Bibbs
20 has. Okay.

21 A. Yeah.

22 Q. Now, I know that you're very familiar
23 with this property. Do you go visit near here?

24 A. From time to time I do.

25 Q. Okay. And would you say that

1 Ms. Gilchrist has done anything to improve this
2 piece of property where she lives?

3 A. I looked at it this morning. Good
4 gracious. It's like -- I don't know what they
5 done. Tore it down or something. Almost falling
6 down.

7 Q. So it's fair to say that you don't
8 see any improvements that --

9 A. No improvement at all.

10 Q. -- have happened since she's been
11 there.

12 A. It's torn down it look like to me. I
13 looked at it this morning. I hadn't seen it in a
14 few weeks and "whoo." I don't know.

15 Q. Have you ever had an occasion to pay
16 any of the taxes on the properties?

17 A. No. I never paid any.

18 Q. And were you ever asked to pay taxes?

19 A. No. No.

20 Q. And who do you -- what's your
21 understanding as to who pays the taxes or has paid
22 them over the years?

23 A. Well, we supposed to all -- agree
24 with Odell and Mary. We was all going to get
25 together and pay the taxes --

1 Q. Okay.

2 A. -- but I didn't hear no more about it
3 because I thought Odell taken care of that, and I
4 thought let him take care of that.

5 Q. And were you surprised when you were
6 served with this lawsuit?

7 A. Yeah, I was. I was real surprised.
8 I didn't know. I never got feudings in my family.

9 Q. And what do you think is the fair
10 thing to do with the property?

11 A. I want the property to stay where it
12 is. I don't want the property to sold. My mama
13 wouldn't want that.

14 Q. Do you --

15 A. Not that.

16 Q. -- think that Ms. Gilchrist deserves
17 to get a piece --

18 A. No.

19 Q. -- for just herself?

20 A. No. No. I do not. I do not. I
21 don't.

22 Q. And do you think that she should be
23 reimbursed for her fees for this action?

24 A. I don't think she should be
25 reimbursed. When Beverly moved there, my mama

1 told me, says, Go over there. She said, You know
2 more about what stuff. I let mama have that
3 land. I sold it to my mama.

4 Q. Okay.

5 A. Where she live at. And she said,
6 Well, Beverly want to move a trailer up here. You
7 know where the stops at. You know, make sure they
8 got it on, you know, the right place.

9 And I went over there and I walked
10 around and looked at it, and I went back and told
11 her, you know, and where they need to put -- set
12 the trailer at, and she said, Well I'm going to
13 let them move the trailer. Just that will be
14 fine. She said she wanted to move the trailer
15 until they found somewhere else to live. So I
16 said move the trailer until they find somewhere
17 else to go.

18 Q. Okay.

19 A. So that's what she agreed on.

20 Q. So in your opinion do you believe
21 that her payment of the -- some of the taxes is a
22 fair off-trade because she was allowed to use that
23 piece of property for those years?

24 A. No, I don't think so.

25 Q. That's not even fair?

1 A. No, not even fair.

2 Q. Okay.

3 A. She still on the land so I don't
4 see -- you know, it ain't fair. I just think all
5 of us can get together and, you know, do this
6 thing together, and somebody ought to take us,
7 Odell, my oldest brother, and Mary for some
8 concern. They can take over and take care of
9 that. I mean, I don't -- I wouldn't object to
10 that. I wouldn't object to it whatsoever.

11 Q. Okay.

12 A. But if they still on it, that trailer
13 won't be that long, I tell you that, because I
14 looked at it this morning and I thought it had
15 tore down.

16 MS. SUMNER: Okay. Thank you.

17 THE COURT: Answer any questions from
18 counsel.

19 MR. BUHL: No questions.

20 MR. McWILLIAMS: No questions, Your
21 Honor.

22 THE COURT: You can step down, sir.

23 MS. SUMNER: Your Honor, I call
24 Florence Miles.

25 THE COURT: Ms. Miles, come around,

1 know about her purchasing and buying these because
2 I would be her caretaker. I take her and she
3 do -- we doing this and that.

4 Q. That would be your mother?

5 A. My mother.

6 Q. Okay.

7 A. I'm talking about my mother. Okay.

8 When she purchased those land, that last piece
9 Beverly stayed on, she said, Take me up here to
10 Chase Bank. We're going to borrow some money and
11 get it worked up, get all the trees and stuff cut
12 down and so it can look presentable.

13 So we did that. That's where the
14 loan come in at from Chase Bank. We went to
15 Columbia, Chase Bank. She got the loan. We
16 purchased that piece of land right there. We
17 purchase it from my brother Tommy. Tommy had it
18 at that time.

19 So we purchase it from him, and it
20 became into my mama name. A little bit before she
21 died, fast-forward, she -- she -- in 1996 she
22 comes to me and she says, Beverly, which is my
23 niece, says she want -- she want to stay on a
24 piece of the land.

25 Now, this is my mother telling me

1 this. I don't want even my grandchildren to have
2 nary a piece of it. It was for my sibling, your
3 all children.

4 So I said, Well Mama, I have
5 children. If anything ever happen to you, it
6 suppose to fall down.

7 So she says it just like this. If I
8 ever die, keep up this land taxes. And she left
9 two buildings on there and tell me, Rent them out
10 and keep them up. Keep the taxes up.

11 Number one, she was like, Don't let
12 nobody know about the land. Just me and her.
13 Don't let nobody know about the land buying, how I
14 got the money to purchase.

15 So it was a big hold on me that I had
16 to hold in because she entrusted me, telling don't
17 tell nobody how she got the big amount of money to
18 purchase it, but I knew she had a loan.

19 So, then, but when she died,
20 everybody go crazy, like, How she get this money?
21 Where she get this loan from? She made the loan.
22 I took her.

23 So then when she let Beverly move,
24 she said, Okay, she lose her house in Edgefield.
25 Her and her husband was staying in Edgefield.

1 They lose their house and in turn was out in the
2 cold. She comes to mama, say, I need a place to
3 stay. Her sister borrow her a trailer. Her
4 sister and my sister, which is her mama, her mama
5 and her sister borrow her a trailer but they
6 didn't have nowhere to put it, no land, so mother
7 then ask me, Do you think that would be a good
8 idea?

9 I say -- she said, I never want to
10 deed it to them because it's not theirs, but she
11 welcome to stay there as long as she keep the
12 taxes paid, and I hope that don't be long that she
13 stay there and she'll find her somewhere to go.

14 And so then, God is my witness, she
15 goes then and purchase it and she let her come and
16 set it. She said, Just give her that little
17 corner piece. You can see where she stays on the
18 corner right by the road. She said, She is not to
19 touch no more. Give her that little corner piece
20 right there just enough for a little bit of yard
21 to put her a garden in and that's it, but I would
22 never deed it on to her.

23 Now, you notice she did deed Theresa
24 off to her because Theresa paid her for it, and
25 she told -- and Theresa made it through by the

1 court saying, I want mine deeded all, grandma.
2 And mother deeded her when the -- I brought mama
3 up here.

4 Q. But she paid her for it.

5 A. And she paid her for it, and mama
6 deeded it off to her. She got her deed. But then
7 nobody else get it because mama left it like that,
8 so.

9 But a little before she died I had a
10 feeling she probably know because we talk more
11 closer, but she didn't look like she was fixing to
12 die, but we talked more close about what if.

13 So then she goes, she say, I wonder
14 can I put the land in your name.

15 I said, No, not in mine, because
16 that's a big responsibility, 13 siblings. It
17 would be too -- I said huh-un.

18 So then after I didn't, she went on
19 and died kind of suddenly with a massive heart
20 attack, fell ill, and then now she dead. Now they
21 struggling about who own this, who own that. They
22 never thought once the -- like I said, let's come
23 together, let's do this thing, because she done
24 left a little property.

25 It ain't been a whole big kaboom like

1 Beverly Hills or nothing. She just left a little
2 piece for us to keep up the tax, keep family
3 members whenever they lost a place, that one can
4 move out and one can move on until they get --
5 now, mama -- my mother was good at that.

6 One move in and the other -- when you
7 catch a toehold, it's time for you to move and go
8 ahead. If somebody lose out, let them in and let
9 one of the grands grab a toehold again, and keep
10 it moving like that. Keep it moving. I'm not
11 picking one of you all.

12 So after she decide not to put in my
13 name and she did die, then I took care of my
14 daddy, and when I would take care of my daddy, I
15 could have -- I could have brought daddy up here
16 and had the land willed to me. I didn't want
17 that. I wanted to keep it flowing like she said
18 she wanted.

19 My mother was a mother in integrity
20 to take care of her grandchildren to her grave.
21 She didn't care whether you lose out. She didn't
22 care whether you was a stranger. She was going to
23 put a roof over your head. That was my mother.
24 She care about other people more than she did
25 really about us. She'll let anybody stay there

1 that lose out.

2 Q. I understand.

3 A. Yes.

4 Q. Now, Ms. Miles, do you think in your
5 opinion that Ms. Gilchrist has improved this
6 property?

7 A. Oh, no. The property went down.

8 Q. Okay.

9 A. Really, we had -- me and mama had
10 re-did the house in the back. We had painted it,
11 had big picture window put in. That's when we
12 were talking about, she was saying, If anything
13 ever happen to me, I want you to go ahead,
14 renovate this property, renovate this house, which
15 was the house Tom used to stay in way back.

16 And then in front, we moved the
17 trailer there, so she said, Both of them can bring
18 about four-something apiece. Keep up the loan.
19 Nobody ought to know about this loan. That was --
20 that was throwed at me, nobody was to know about
21 the loan.

22 Q. Well, can you tell me who uses these
23 two pieces that you're talking about? Who uses
24 this building back here and this other trailer
25 here?

1 A. Beverly took it all. She took it
2 all.

3 Q. Okay.

4 A. She just took it all. She just went
5 to using it. And she call me a couple times. She
6 said, Are you just going to let them do you like
7 this?

8 And I said, Do me like what?

9 Just let them take the land from
10 you? I mean, won't you trying to stop them?

11 I was like, Beverly, lookee here. I
12 don't call her Beverly. We call her Pit. I said,
13 Pit, tell me. If the other siblings ain't going
14 to sign for it, stop calling me like I own it. I
15 just only have a point share in that.

16 And I knew that. I said, Why you
17 leaning on me to make me say something to promise
18 you that I can't promise you nothing. It don't
19 belong to me.

20 Q. Well, Ms. Mile, it seems like with
21 the situation the way it is, it's going to be hard
22 for all 19 of you all to own it together, so if
23 the only solution is to sell the property and
24 divide the money that you get for it, do you think
25 that Beverly ought to be reimbursed for what she

1 spent for living on that piece of property?

2 A. Oh, because she has to stay there, so
3 she should be made to pay taxes. She asked to
4 stay there, you know. We ain't made her stay.
5 She could of got up and moved anytime she wanted
6 to.

7 Q. Right.

8 A. You see what I'm saying?

9 Q. Yes, ma'am.

10 A. Yeah. I moved. You know, I'm on my
11 own. I moved in my own spot. Go get your own
12 spot. Then you won't have all us be, you know.

13 MS. SUMNER: Your Honor, that's all I
14 have for this witness.

15 THE COURT: Answer any questions
16 Mr. Buhl might have.

17 MR. BUHL: No questions, Your Honor.

18 THE COURT: Answer any questions that
19 Mr. McWilliams might have.

20 MR. MCWILLIAMS: No questions.

21 THE COURT: Okay. Step down. Thank
22 you, Ms. Miles.

23 THE WITNESS: You're welcome.

24 THE COURT: Ms. Sumner, call your
25 next witness.

1 MS. SUMNER: One minute, Your Honor.

2 THE COURT: All right.

3 MS. SUMNER: Your Honor, that's all
4 we have.

5 THE COURT: All right.

6 Mr. McWilliams, do you have any witnesses you'd
7 like to call.

8 MR. McWILLIAMS: No, Your Honor.

9 THE COURT: Okay. Mr. Buhl, do you
10 have anything further?

11 MR. BUHL: No, Your Honor.

12 THE COURT: Ms. Sumner, do you have
13 anything you want to present to the Court?

14 MS. SUMNER: Maybe a brief closing
15 statement at some point?

16 THE COURT: I was going to ask you if
17 all three of you would have just a brief closing
18 statement, and I'm going to take under advisement
19 this matter.

20 Mr. Buhl, since you're the moving
21 party's attorney, just a very short brief. The
22 day is moving on and we've spent a long time today
23 in court, and I've gotten I think the gist of the
24 testimony and the evidence, and I'd like to hear
25 from you and Ms. Sumner and Mr. McWilliams as to

1 your feelings in the matter.

2 CLOSING STATEMENTS

3 MR. BUHL: All right, Your Honor. As
4 we said earlier, you know, it's our position that
5 she seeks reimbursement for certain things that
6 she paid, taxes, things necessary to keep the
7 estate -- to keep the property from being sold and
8 lost to the estate.

9 She did pay the taxes on her .97 acre
10 part from 1999 on to the present day, but there is
11 other taxes that were paid. There was redemptions
12 to keep the property in the estate so that we
13 would have something to discuss here today.

14 She is asking the Court to allow her
15 reasonable attorney fees. Her proposal is that
16 the .97 and the .37 be deeded to her in lieu of or
17 in exchange for her costs and expenses.

18 If that's not a possibility, then we
19 have no choice but to ask the Court to sell it at
20 public sale. And I don't think it's subject to
21 being divided equally between all of the heirs and
22 not subject to some kind of in-kind distribution,
23 so I think we're limited in terms of where we can
24 go.

25 THE COURT: Thank you.

1 Ms. Sumner?

2 MS. SUMNER: Well, Your Honor, I
3 think from testimony you've heard, all 19
4 titleholders have an interest in the property, and
5 I don't believe that anybody wanted it to come to
6 this point where it would have to be sold or
7 divided.

8 They have lived in harmony with this
9 property and the taxes being paid since 2001 when
10 the father passed, and everything had been fine
11 until this action.

12 I know that Ms. Gilchrist says that
13 she deserves some special reimbursement for the
14 expenses that she's put into the property, but I
15 think from the pictures that we've presented and
16 the testimony from the other titleholders, there
17 has not been any improvement in the property.
18 Just the opposite of that.

19 And as far as the amount of taxes
20 paid, Ms. Gilchrist has presented us with tax
21 bills, but as we saw, they were really checks that
22 didn't prove she made those payments. And, of
23 course, we don't have receipts because these
24 family members who paid the taxes didn't expect to
25 have to be reimbursed for it. They did it because

1 they had the money and they wanted to preserve the
2 property and it not go up for a tax sale.

3 Ms. Gilchrist had said that she felt
4 burdened to pay the taxes, but my client paid the
5 taxes, bought it from a tax sale which would have
6 kept it in the same situation with all the same
7 titleholders.

8 Ms. Gilchrist chose to redeem it.
9 She didn't have to. It was taken care of. It
10 would have stayed in the title the way it was
11 held.

12 We don't believe that Ms. Gilchrist
13 should be reimbursed for her expenses or her
14 attorney fees because the Rule 71-D-3 says that
15 one can be awarded reimbursement from common funds
16 for attorney fees generated by the partition to
17 the extent that attorneys' efforts benefited all
18 parties.

19 We don't think this is a case where
20 you can say it benefited all the parties. All of
21 these people were fine in the position they were
22 in until this action was brought. We don't
23 believe that her attorney fees should be taken out
24 of all of the titleholders funds if the property
25 is sold.

1 We don't see a whole lot of options
2 but to sell the property, and my hopes would be
3 that if the property was sold and those -- that
4 those family members who want to put the money in
5 and pay the taxes and so forth, that if it was put
6 up for sale, they would have the opportunity to
7 purchase it back and it would stay in the family,
8 but selling it seems to be the only option.

9 That would be our hope. We don't
10 believe that Ms. Gilchrist deserves anything but
11 the years she's been allowed to stay on the
12 property. Thank you.

13 THE COURT: Thank you.

14 Mr. McWilliams?

15 MR. McWILLIAMS: Yes, Your Honor. As
16 the guardian, I believe all parties, heirs,
17 minors, John Roe, Richard Roe -- John Doe, Richard
18 Roe, have been properly notified and it's properly
19 before this Court to make a ruling on what to do
20 in this matter, and hopefully this family will
21 settle their differences.

22 THE COURT: Thank you.

23 I'm going to ask that this matter be
24 transcribed and the bill submitted to plaintiff's
25 counsel for payment, to be determined later, who

1 we'll ultimately decide, but he -- I think
2 plaintiff has requested that the court reporter
3 be -- I'm going to need a transcription of this --
4 and a record, and I'm going to make a
5 determination based on the testimony and evidence.

6 In which, I assume you're going to
7 take with you.

8 We've got several exhibits for the
9 plaintiff and for the defendant. As soon as I
10 receive the transcription, I will work to
11 resolving this and issuing an order accordingly.

12 I would request that if there is any
13 possibility of resolving this matter between the
14 parties, between counsel, between three counsel,
15 you all make every effort to do so.

16 This is a family matter. It has been
17 a family matter, mother, father, brothers,
18 sisters, family lands. Regardless of the
19 difference that have arisen, I would certainly
20 hope that efforts could be made to resolve
21 something that's satisfactory to all. If not, the
22 decision is in my hands ultimately, and I will
23 have to decide accordingly.

24 I thank all of you ladies and
25 gentlemen for coming. I appreciate your

1 attendance. We've been here awhile. I commend
2 all three counsel on their excellent matter in
3 which they have performed today.

4 It's not an easy task because all of
5 you have been family members forever. Counsel
6 just tries to represent their respective interest
7 but in a sense of fairness and justice being
8 presented, and I think all of them have done that
9 today.

10 If anyone else has any questions,
11 refer it to your attorneys. The attorneys. Do
12 not try to attempt -- I've served as special
13 referee for over 22 years in three counties, and
14 there are instances where there are differences,
15 that the parties will later, when I get back to my
16 office, they will call me and want to talk about
17 the case and want to tell me their side of it and
18 this kind of thing.

19 Do not attempt to do that. For one
20 thing, it's illegal. For another thing, I'm not
21 going to talk to you. Each of you, the defendant
22 and plaintiff, have counsel, and I will be glad to
23 discuss the matters with counsel together.

24 If there is anything else that needs
25 to be brought up at this time -- speak to your

1 attorney, Mr. Glover. Ask your attorney.

2 MR. ODELL GLOVER: I think you need
3 to talk to him, Judge.

4 STEVEN GLOVER: It ain't nothing
5 wrong with me, Your Honor.

6 MR. ODELL GLOVER: He glooming at me
7 already before we even leave.

8 STEVEN GLOVER: It ain't nothing
9 wrong with me.

10 THE COURT: Now, I would hope that
11 you all would leave here respectfully and
12 peacefully. I don't want to have to call any kind
13 of authority or anything. You all have done well
14 today, and I appreciate it. We've been down here
15 a long time. Let's move on out.

16 We'll postpone the conclusion of this
17 hearing until such time as I get a report from our
18 very able court reporter, and I thank all of you
19 for coming.

20 (The hearing concluded at
21 approximately 12:38 p.m.)

22
23
24
25

1 CERTIFICATE OF REPORTER

2
3 I, Cheryl A. Wiszowaty, Court
4 Reporter and Notary Public in and for the State of
5 South Carolina, do hereby certify that I reported
6 this hearing on the 5th day of February, 2016, and
7 that the foregoing 142 pages constitute a true and
8 correct transcription of said hearing.

9
10 I further certify that I am neither
11 attorney nor counsel for, nor related to or
12 employed by any of the parties connected with this
13 action, nor am I financially interested in said
14 cause.

15
16 I further certify that the original
17 of said transcript shall be hereafter sealed and
18 delivered to Special Referee John F. Byrd, Jr. 307
19 Simkins Street, Edgefield, South Carolina.

20
21 In witness whereof I set my hand and
22 seal this 18th day of May 2015, at Lexington
23 County, South Carolina.

24
25 My Commission
expires
5/16/2017

Cheryl A. Wiszowaty,
Court Reporter and Notary
Public for the
State of South Carolina

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* * * * *

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ABC REPORTING SERVICE (803) 730-3015

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“ DEEDS ”

MARTHA "SETTLE'S" GLOVER: DEED;

Prepared by:
The Henderson Law Firm, P.C.
109-B Oak Avenue
Greenwood, S.C. 29646

201000001818 DR 1288 215
201000001818
Filed for Record in
EDGEFIELD COUNTY, SC
SHIRLEY F NEWBY, CLERK OF COURT
06-10-2010 At 01:42 pm.
DEED 11.00
OR Book 1288 Page 215 - 221

TITLE NOT EXAMINED

201000001818 EXEMPT
SHIRLEY F NEWBY
CLERK OF COURT
EDGEFIELD COUNTY SC
06-10-2010 01:42 pm.
REC FEE: 11.00

STATE OF SOUTH CAROLINA)
COUNTY OF EDGEFIELD)

IN THE MATTER OF: MARTHA SETTLES GLOVER

CASE NUMBER: 2006-ES-19-00068

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 24th day of September, 1999; and,

WHEREAS, the decedent's estate is being administered in the Probate Court for Edgefield County, South Carolina, in File No. 2006-ES-19-00068; and,

WHEREAS, the grantees herein are either the decedent's beneficiaries or heirs at law, as appropriate; 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:

BEVERLY ANN GILCHRIST, (1/2 of Decedent's interest)
AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF J.L. GLOVER, SR.
132 SE Diggs Road
Trenton, S.C. 29847

BEVERLY ANN GILCHRIST, (1/20 of Decedent's interest)
AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF BEATRICE GLOVER
3312 Highway 19
Trenton, S.C. 29847

FLORENCE MILES (1/20 of Decedent's interest)
31 Carrie Lane
North Augusta, S.C. 29860

JIMMY GLOVER (1/20 of Decedent's interest)
5 Yates Lane
Trenton, S.C. 29847

ALBERT GLOVER (1/20 of Decedent's interest)
123 Diggs Road
Trenton, S.C. 29847

TOMMY GLOVER (1/20 of Decedent's interest)
200 Greenland Drive
North Augusta, S.C. 29841

MARY M. BIBBS (1/20 of Decedent's interest)
127 SE Diggs Road
Trenton, S.C. 29847

ODELL GLOVER (1/20 of Decedent's interest)
126 SE Diggs Road
Trenton, S.C. 29847

ANNIE JEFFERSON (1/20 of Decedent's interest)
3350 Highway 19
Trenton, S.C. 29847

BARRY SHEDRICK (1/60 of Decedent's interest)
1131 Watson Road
Trenton, S.C. 29847

MYRA S. PADGETT (1/60 of Decedent's interest)
1131 Watson Road
Trenton, S.C. 29847

WADE SHEDRICK (1/60 of Decedent's interest)
1131 Watson Road
Trenton, S.C. 29847

RANDY GLOVER (1/60 of Decedent's interest)
325 Parker Street
Johnston, S.C. 29832

GENIE MILES (1/60 of Decedent's interest)
325 Parker Street
Johnston, S.C. 29832

FREDDIE GLOVER, JR. (1/60 of Decedent's interest)
325 Parker Street
Johnston, S.C. 29832

the following described property, to wit:

TRACT 1:

All that certain piece, parcel or tract of land situate, lying and being in the County of Edgefield, State of South Carolina containing 3 acres, more or less and being bounded on the NORTHWEST by S.C. Highway [illegible]; bounded on the NORTH by lands of Odell Glover and Webb, now or formerly; bounded on the WEST by lands of Swearingen, now or formerly; and on the SOUTH by right-of-way of Edgefield County Water and Sewer Authority which property is found in Plat Book 10 at Page 23.

This is the identical property conveyed by deed of A.J. Randall to Martha Glover dated August 3, 1987, and recorded August 5, 1987, in the Office of the Clerk of Court for Edgefield County in Deed Book 111 at Page 20.

LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

This is the identical property conveyed by deed of Martha Glover to Teresa G. Edwards dated January 16, 1989, and recorded January 17, 1989, in the Office of the Clerk of Court for Edgefield County in Deed Book 119 at Page 89.

Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at Page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996, in the Office of the Clerk of Court for Edgefield County in Deed Book 510 at Page 260.

Parcel ID: 173-00-00-003-000

Grantees' Address: 132 SE Diggs Road, Trenton, S.C. 29847

TOGETHER, with all and singular the Rights, Members, Hereditaments, and Appurtenances to the said Premises/Property belonging, or in any wise incident or appertaining.

TO HAVE AND HOLD, all and singular, the said Premises/Property unto the said BEVERLY ANN GILCHRIST, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF J.L. GLOVER, SR.; BEVERLY ANN GILCHRIST, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF BEATRICE GLOVER; FLORENCE MILES; JIMMY GLOVER; ALBERT GLOVER; TOMMY GLOVER; MARY M. BIBBS; ODELL GLOVER; ANNIE JEFFERSON; BARRY SHEDRICK; MYRA S. PADGETT; WADE SHEDRICK; RANDY GLOVER; GENIE MILES; and FREDDIE GLOVER, JR., their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed this 10 day of June, 2010.

BY: Beverly A. Gilchrist p.r.
BEVERLY ANN GILCHRIST, Personal Representative
Estate of Martha Settles Glover

SIGNED, SEALED, AND DELIVERED IN THE PRESENCE OF:

Carm M. Helms
Witness

Deris W. Bennett
Witness

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENWOOD) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that he/she saw the within named Personal Representative sign, seal, and as her act and deed deliver the within written Deed of Distribution, and that he/she with the other witness hereto witnessed the execution thereof.

Carol M. Helman
Witness

SWORN to before me this
10th day of June, 2010.

Denise W. Helman (LS)
Notary Public for South Carolina
My Commission expires: 11/20/13

(SEAL)

STATE OF SOUTH CAROLINA)
) AFFIDAVIT
COUNTY OF GREENWOOD)

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The Property being transferred is located at SE Diggs Road and 132 SE Diggs Road, Trenton bearing Edgefield County Tax Map Numbers 173-00-02-005-000 and 173-00-00-003-000 and was transferred by Beverly Ann Gilchrist, as personal representative for the Estate of Martha Settles Glover, to Beverly Ann Gilchrist, as personal representative for the Estate of J.L. Glover, Sr.; Beverly Ann Gilchrist, as personal representative for the Estate of Beatrice Glover; Florence Miles; Jimmy Glover; Albert Glover; Tommy Glover; Mary M. Bibbs; Odell Glover; Annie Jefferson; Barry Shedrick; Myra S. Padgett; Wade Shedrick; Randy Glover; Genie Miles; and Freddie Glover, Jr., on June 10, 2010.
3. Check one of the following: The Deed is
 - a. _____ Subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b. _____ Subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity or is a transfer to a trust or as a distribution to a trust beneficiary.
 - c. XXX Exempt from the deed recording fee because (See information section of affidavit: DEED OF DISTRIBUTION) (If exempt, please skip items 4-7 and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Yes
_____ No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit):
 - a. _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - b. _____ The fee is computed on the fair market value of the realty which is \$ _____.
 - c. _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: \$ _____
 - (B) Place the amount listed in item 5 above here: \$ _____ (If no amount is listed, place zero here.)
 - (C) Subtract Line 6(B) from 6(A) and place result here: \$ _____
7. The deed recording fee is based on the amount listed on Line 6(C) above and the deed recording fee is \$ _____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the

"J.L. GLOVER, SR." DEED;

Prepared by:
The Henderson Law Firm, P.C.
109-B Oak Avenue
Greenwood, S.C. 29646

201000001819
Filed for Record in
EDGEFIELD COUNTY, SC
SHIRLEY F NEWBY, CLERK OF COURT
06-10-2010 At 01:42 pm.
DEED 11.00
DR Book 1288 Page 222 - 228

TITLE NOT EXAMINED

201000001819 EXEMPT
SHIRLEY F NEWBY
CLERK OF COURT
EDGEFIELD COUNTY, SC
06-10-2010 01:42 pm.
REC FEE: 11.00

STATE OF SOUTH CAROLINA)
)
COUNTY OF EDGEFIELD)

IN THE MATTER OF: J.L. GLOVER, SR.

CASE NUMBER: 2010-ES-19-00049

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 25th day of December, 2001; and,

WHEREAS, the decedent's estate is being administered in the Probate Court for Edgefield County, South Carolina, in File No. 2010-ES-19-00049; and,

WHEREAS, the grantees herein are either the decedent's beneficiaries or heirs at law, as appropriate; 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:

BEVERLY ANN GILCHRIST, (1/10 of Decedent's interest)
AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF BEATRICE GLOVER
3312 Highway 19
Trenton, S.C. 29847

FLORENCE MILES (1/10 of Decedent's interest)
31 Carrie Lane
North Augusta, S.C. 29860

JIMMY GLOVER (1/10 of Decedent's interest)
5 Yates Lane
Trenton, S.C. 29847

ALBERT GLOVER (1/10 of Decedent's interest)
123 Diggs Road
Trenton, S.C. 29847

TOMMY GLOVER (1/10 of Decedent's interest)
200 Greenland Drive
North Augusta, S.C. 29841

MARY M. BIBBS (1/10 of Decedent's interest)
127 SE Diggs Road
Trenton, S.C. 29847

ODELL GLOVER (1/10 of Decedent's interest)
126 SE Diggs Road
Trenton, S.C. 29847

ANNIE JEFFERSON (1/10 of Decedent's interest)
3350 Highway 19
Trenton, S.C. 29847

BARRY SHEDRICK (1/30 of Decedent's interest)
1131 Watson Road
Trenton, S.C. 29847

MYRA S. PADGETT (1/30 of Decedent's interest)
1131 Watson Road
Trenton, S.C. 29847

WADE SHEDRICK (1/30 of Decedent's interest)
1131 Watson Road
Trenton, S.C. 29847

RANDY GLOVER (1/30 of Decedent's interest)
325 Parker Street
Johnston, S.C. 29832

GENIE MILES (1/30 of Decedent's interest)
325 Parker Street
Johnston, S.C. 29832

FREDDIE GLOVER, JR. (1/30 of Decedent's interest)
325 Parker Street
Johnston, S.C. 29832

the following described property, to wit:

TRACT 1:

All that certain piece, parcel or tract of land situate, lying and being in the County of Edgefield, State of South Carolina containing 3 acres, more or less and being bounded on the NORTHWEST by S.C. Highway [illegible]; bounded on the NORTH by lands of Odell Glover and Webb, now or formerly; bounded on the WEST by lands of Swearingen, now or formerly; and on the SOUTH by right-of-way of Edgefield County Water and Sewer Authority which property is found in Plat Book 10 at Page 23.

This is the identical property conveyed by deed of A.J. Randall to Martha Glover dated August 3, 1987, and recorded August 5, 1987, in the Office of the Clerk of Court for Edgefield County in Deed Book 111 at Page 20.

LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

This is the identical property conveyed by deed of Martha Glover to Teresa G. Edwards dated January 16, 1989, and recorded January 17, 1989, in the Office of the Clerk of Court for Edgefield County in Deed Book 119 at Page 89.

Derivation: Deed of Distribution from the Estate of Martha Settles Glover dated June 10, 2010, and recorded June 10, 2010, in the Office of the Clerk of Court for Edgefield County in Deed Book 1288 at Page 215.

Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at Page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996, in the Office of the Clerk of Court for Edgefield County in Deed Book 510 at Page 260.

Derivation: Deed of Distribution from the Estate of Martha Settles Glover dated June 10, 2010, and recorded June 10, 2010, in the Office of the Clerk of Court for Edgefield County in Deed Book 1288 at Page 215.

Parcel ID: 173-00-00-003-000

Grantees' Address: 132 SE Diggs Road, Trenton, S.C. 29847

TOGETHER, with all and singular the Rights, Members, Hereditaments, and Appurtenances to the said Premises/Property belonging, or in any wise incident or appertaining.

TO HAVE AND HOLD, all and singular, the said Premises/Property unto the said BEVERLY ANN GILCHRIST, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF BEATRICE GLOVER; FLORENCE MILES; JIMMY GLOVER; ALBERT GLOVER; TOMMY GLOVER; MARY M. BIBBS; ODELL GLOVER; ANNIE JEFFERSON; BARRY SHEDRICK; MYRA S. PADGETT; WADE SHEDRICK; RANDY GLOVER; GENIE MILES; and FREDDIE GLOVER, JR., their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed this 10 day of June, 2010.

BY: Beverly Ann Gilchrist P.R.
BEVERLY ANN GILCHRIST, Personal Representative
Estate of J.L. Glover, Sr.

SIGNED, SEALED, AND DELIVERED IN THE PRESENCE OF:

Ann M. Gilchrist
Witness

Denise W. Gilchrist
Witness

STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF GREENWOOD)

PERSONALLY appeared before me the undersigned witness and made oath that he/she saw the within named Personal Representative sign, seal, and as her act and deed deliver the within written Deed of Distribution, and that he/she with the other witness hereto witnessed the execution thereof.

Cynthia M. Adams
Witness

SWORN to before me this
10th day of June, 2010.

Dennis W. Schmidt (LS)
Notary Public for South Carolina
My Commission expires: 11/20/13

(SEAL)

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD) AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The Property being transferred is located at SE Diggs Road and 132 SE Diggs Road, Trenton bearing Edgefield County Tax Map Numbers 173-00-02-005-000 and 173-00-00-003-000 and was transferred by Beverly Ann Gilchrist, as personal representative for the Estate of J.L. Glover, Sr., to Beverly Ann Gilchrist, as personal representative for the Estate of Beatrice Glover; Florence Miles; Jimmy Glover; Albert Glover; Tommy Glover; Mary M. Bibbs; Odell Glover; Annie Jefferson; Barry Shedrick; Myra S. Padgett; Wade Shedrick; Randy Glover; Genie Miles; and Freddie Glover, Jr., on June 10, 2010.
3. Check one of the following: The Deed is
 - a. _____ Subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b. _____ Subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity or is a transfer to a trust or as a distribution to a trust beneficiary.
 - c. XXX Exempt from the deed recording fee because (See information section of affidavit: DEED OF DISTRIBUTION) (If exempt, please skip items 4-7 and go to item 8 of this affidavit.)

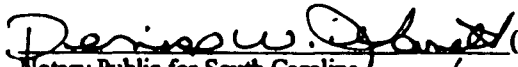
If exempt under exemption #14 as described in the information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Yes _____ No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit):
 - a. _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$_____.
 - b. _____ The fee is computed on the fair market value of the realty which is \$_____.
 - c. _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$_____.
5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is \$_____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: \$_____
 - (B) Place the amount listed in item 5 above here: \$_____ (If no amount is listed, place zero here.)
 - (C) Subtract Line 6(B) from 6(A) and place result here: \$_____
7. The deed recording fee is based on the amount listed on Line 6(C) above and the deed recording fee is \$_____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor.

9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.


Responsible Person Connected with the Transaction

SWORN to before me this 10th
day of June, 2010.

 (LS)
Notary Public for South Carolina
My Commission expires: 11/20/13

INFORMATION:

Except as provided in this paragraph the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

1. Transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than \$100.00.
2. Transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions.
3. That are otherwise exempted under the laws and Constitution of this State or of the United States of America.
4. Transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A).
5. Transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interest in the realty that are being exchanged in order to partition the realty.
6. Transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39.
7. That constitute a contract for the sale of timber.
8. Transferring realty to a corporation, a partnership, or to a trust in order to become, or as, a stockholder, partner or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, partnership or trust.
9. Transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust in which the beneficiaries are all members of the same parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A).
10. Transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation.
11. Transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership.
12. That constitute a corrective deed or q quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
13. Transferring realty subject to a mortgage to the mortgagee whether by deed or in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
14. Transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
15. Transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 USC Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

" BEATRICE GLOVER " DEED;

Prepared by:
The Henderson Law Firm, P.C.
109-B Oak Avenue
Greenwood, S.C. 29646

201000001820
Filed for Record in
EDGEFIELD COUNTY, SC
SHIRLEY F. HENRY, CLERK OF COURT
06-10-2010 AT 01:42 PM.
DEED 10.00
DP Book 1282 Page 229 - 2

201000001820 EXEMP
SHIRLEY F. HENRY
CLERK OF COURT
EDGEFIELD COUNTY, SC
REC FEE: 10.00

TITLE NOT EXAMINED

STATE OF SOUTH CAROLINA)

COUNTY OF EDGEFIELD)

IN THE MATTER OF: BEATRICE GLOVER

CASE NUMBER: 2010-ES-19-00080

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 21st day of March, 2010; and,

WHEREAS, the decedent's estate is being administered in the Probate Court for Edgefield County, South Carolina, in File No. 2010-ES-19-00080; and,

WHEREAS, the grantees herein are either the decedent's beneficiaries or heirs at law, as appropriate; 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:

BEVERLY ANN GILCHRIST (1/4 of Decedent's interest)
132 SE Diggs Road
Trenton, S.C. 29847

AARON GLOVER (1/4 of Decedent's interest)
3312 Highway 19
Trenton, S.C. 29847

STEVEN R. GLOVER (1/4 of Decedent's interest)
3312 Highway 19
Trenton, S.C. 29847

TERRIE G. FRAZIER (1/4 of Decedent's interest)
3312 Highway 19
Trenton, S.C. 29847

EDGEFIELD COUNTY ASSESSOR'S OFFICE
Tax Map # 193-00-02-0054173-000
Witness Date: 6-10-10

the following described property, to wit:

TRACT 1:

All that certain piece, parcel or tract of land situate, lying and being in the County of Edgefield, State of South Carolina containing 3 acres, more or less and being bounded on the NORTHWEST by S.C. Highway [illegible]; bounded on the NORTH by lands of Odell Glover and Webb, now or formerly; bounded on the WEST by lands of Swearingen, now or formerly; and on the SOUTH by right-of-way of Edgefield County Water and Sewer Authority which property is found in Plat Book 10 at Page 23.

This is the identical property conveyed by deed of A.J. Randall to Martha Glover dated August 3, 1987, and recorded August 5, 1987, in the Office of the Clerk of Court for Edgefield County in Deed Book 111 at Page 20.

LESS, HOWEVER, All that certain piece, parcel or lot of land with all improvements thereon situate, lying and being in the County of Edgefield, State of South Carolina containing Forty-one Hundredths (0.41) acre, more or less, and being bounded on the NORTHWEST by Tillman Street; on the NORTH by a drive way, lands of Odell Glover, and lands of Martha Glover; on the SOUTHEAST by lands of Martha Glover and on the SOUTH by right of way of Edgefield County Water & Sewer Authority, and perhaps lands of Randall. All of which is shown by reference to that plat of C. Ashley Abel, RLS, dated 12/09/88, recorded in Plat Book 30, Page 96.

This is the identical property conveyed by deed of Martha Glover to Teresa G. Edwards dated January 16, 1989, and recorded January 17, 1989, in the Office of the Clerk of Court for Edgefield County in Deed Book 119 at Page 89.

Derivation: Deed of Distribution from the Estate of Martha Settles Glover dated June 10, 2010, and recorded June 10, 2010, in the Office of the Clerk of Court for Edgefield County in Deed Book 1288 at Page 215.

Derivation: Deed of Distribution from the Estate of J.L. Glover, Sr., dated June 10, 2010, and recorded June 10, 2010, in the Office of the Clerk of Court for Edgefield County in Deed Book 1288 at Page 220.

Parcel ID: 173-00-02-005-000

TRACT 2:

All that certain piece, parcel or tract of land, with all improvements thereon, situate, lying and being in the County of Edgefield, containing one (1) acre more or less, and the same being bounded as follows: NORTH by lands of Albert Webb, EAST by Albert Webb, SOUTH by Odell Glover and WEST by right-of-way of S.C. Highway No. S-19-75, and being more particularly described on a plat recorded in Plat Book 20 at Page 102, records of Edgefield County.

This is the identical property conveyed by deed of Tommy A. Glover, Sr., and Gloria A. Glover to Martha Glover dated April 22, 1996, and recorded April 24, 1996, in the Office of the Clerk of Court for Edgefield County in Deed Book 510 at Page 260.

Derivation: Deed of Distribution from the Estate of Martha Settles Glover dated June 10, 2010, and recorded June 10, 2010, in the Office of the Clerk of Court for Edgefield County in Deed Book 1288 at Page 215.

Derivation: Deed of Distribution from the Estate of J.L. Glover, Sr., dated June 10, 2010, and recorded June 10, 2010, in the Office of the Clerk of Court for Edgefield County in Deed Book 1288 at Page 222.

Parcel ID: 173-00-00-003-000

Grantees' Address: 132 SE Diggs Road, Trenton, S.C. 29847

TOGETHER, with all and singular the Rights, Members, Hereditaments, and Appurtenances to the said Premises/Property belonging, or in any wise incident or appertaining.

TO HAVE AND HOLD, all and singular, the said Premises/Property unto the said BEVERLY ANN GILCHRIST, AARON GLOVER, STEVEN R. GLOVER, and TERRIE G. FRAZIER, their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed this 10 day of June, 2010.

BY: Beverly Ann Gilchrist *pk*
BEVERLY ANN GILCHRIST, Personal Representative
Estate of Beatrice Glover

SIGNED, SEALED, AND DELIVERED IN THE PRESENCE OF:

Cathy M. Allen
Witness

Dennis W. Hamet
Witness

I HEREBY CERTIFY THAT THE WITHIN DEED
HAS BEEN TO B 14th DAY OF
June A 2010 RECORDED IN
BOOK 8 OF DEEDS PAGE 184
Bill Gilchrist
P.216

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that he/she saw the within named Personal Representative sign, seal, and as her act and deed deliver the within written Deed of Distribution, and that he/she with the other witness hereto witnessed the execution thereof.

Carol M. Johnson
Witness

SWORN to before me this
10th day of June, 2010.

Dennis W. Johnson (LS)
Notary Public for South Carolina
My Commission expires: 11/20/13

(SEAL)

STATE OF SOUTH CAROLINA)
COUNTY OF GREENWOOD) AFFIDAVIT

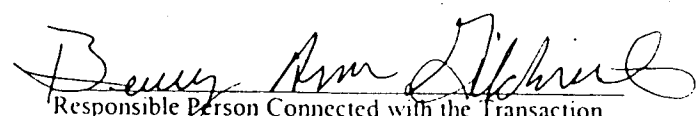
PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The Property being transferred is located at SE Diggs Road and 132 SE Diggs Road, Trenton bearing Edgefield County Tax Map Numbers 173-00-02-005-000 and 173-00-00-003-000 and was transferred by Beverly Ann Gilchrist, as personal representative for the Estate of Beatrice Glover, to Beverly Ann Gilchrist, Aaron Glover, Steven R. Glover, and Terrie G. Frazier on June 10, 2010.
3. Check one of the following: The Deed is
 - a. _____ Subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b. _____ Subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity or is a transfer to a trust or as a distribution to a trust beneficiary.
 - c. XXX Exempt from the deed recording fee because (See information section of affidavit: DEED OF DISTRIBUTION) (If exempt, please skip items 4-7 and go to item 8 of this affidavit.)

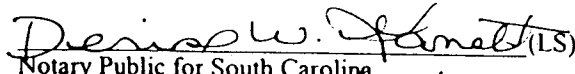
If exempt under exemption #14 as described in the information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Yes _____ No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
 - a. _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$_____.
 - b. _____ The fee is computed on the fair market value of the realty which is \$_____.
 - c. _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$_____.
5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is \$_____.
6. The deed recording fee is computed as follows:
 - (A) Place the amount listed in item 4 above here: \$_____
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 - (C) Subtract Line 6(B) from 6(A) and place result here: \$_____
7. The deed recording fee is based on the amount listed on Line 6(C) above and the deed recording fee is \$_____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Grantor.
9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit

is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

 R.R.
Responsible Person Connected with the Transaction

SWORN to before me this 10th
day of June, 2010.


Notary Public for South Carolina
My Commission expires: 11/22/13

INFORMATION:

Except as provided in this paragraph the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

1. Transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than \$100.00.
2. Transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions.
3. That are otherwise exempted under the laws and Constitution of this State or of the United States of America.
4. Transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A).
5. Transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interest in the realty that are being exchanged in order to partition the realty.
6. Transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39.
7. That constitute a contract for the sale of timber.
8. Transferring realty to a corporation, a partnership, or to a trust in order to become, or as, a stockholder, partner or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, partnership or trust.
9. Transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust in which the beneficiaries are all members of the same parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A).
10. Transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation.
11. Transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership.
12. That constitute a corrective deed or quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
13. Transferring realty subject to a mortgage to the mortgagee whether by deed or in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
14. Transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
15. Transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 USC Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

" EXHIBITS "

FINAL TAX NOTICE

EDGEFIELD COUNTY, S. C.

2010 TAXES

TYPE TAX	REAL ASMT.	PERS ASMT.	LEVY	PROPERTY TAX
TOTAL COUNTY	380		322.83	122.68

BREAKDOWN OF YOUR TOTAL TAX AMOUNT	TYPE TAX	LEVY	TAX AMOUNT
	COUNTY OPERATION	74.90	28.46
	COUNTY DEBT SERVICE	4.36	1.66
	HOSPITAL OPERATION	6.50	2.47
	EMS	10.40	3.95
	INDUSTRIAL DEV	.83	.32
	RECREATION	1.50	.57
	SCHOOL OPERATION	189.84	72.14
	SCHOOL BOND	24.50	9.31
	FIRE	10.00	3.80

EXTRACT	IN ACRES	NO LOTS	NO BLDG	MORT CODE	RATIO
1	.37				6

NAME AND ADDRESS OF PROPERTY OWNER(S)

RECEIPT NBR: 006583-10-3

GILCHRIST BEVERLY ANN ETAL

13S S E DIGGS RD
TRENTON SC 29847

PAY TO:

EDGEFIELD COUNTY
TAX COLLECTOR

CHECK MUST CLEAR BANK
BEFORE TAXES ARE PAID.

PLEASE RETURN THIS NOTICE WITH REMITTANCE

EDGEFIELD COUNTY TAX COLLECTOR

129 COURTHOUSE SQUARE STE. 202

EDGEFIELD, S.C. 29824

"NOTICE OF SEIZURE AND TAX SALE"

IF THESE DELINQUENT TAXES ARE NOT PAID, ADDITIONAL
COST OF ADVERTISING WILL BE ADDED AND THE PROPE
WILL BE ADVERTISED AND SOLD AT PUBLIC AUCTION.

TAX YEAR 2010 TAX MAP NUMBER 173-00-02-080-00

PROPERTY DESC SOUTH SIDE HWY # DB 1205

APPRAISED VALUE (TAXABLE) 6290

PROPERTY TAX AMOUNT (COUNTY) 12

LESS STATE HOMESTEAD (COUNTY)

SCHOOL TAX CREDIT SAVINGS

LESS SALES TAX CREDIT (COUNTY)

PLUS

Thru Jan. 15, 2011 10

PENALTY 15%

COST

PAY THIS AMOUNT ON OR BEFORE 4/29/2011 10

PAY THIS AMOUNT AFTER 4/29/2011 10

PAY THIS AMOUNT AFTER 8/01/2011 20

PAY THIS AMOUNT AFTER 11/03/2011 20

* NOTICE OF TAX SALE DECEMBER 5th 20

\$314.01 if by
redeemed by
3/6/12

MY PERSONAL monies

ARLENE S. TRAXLER EDGEFIELD COUNTY TREASURER	CASH RECEIPT		Date <u>2-2-12</u>	004821
	Received From <u>Beverly Gilchrist</u>			
	Address _____			
			Dollars \$ <u>314.01</u>	
	For <u>Sp. Fee</u>			
	ACCOUNT		HOW PAID	
	AMT OF ACCOUNT		CASH	
	AMT PAID <u>314.01</u>		CHECK	
	BALANCE DUE		CREDIT CARD	
			By <u>[Signature]</u>	

ITEM NO: 00672

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on December 2, 2013. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgment creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office, delinquent taxes, penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale.

If you wish to redeem the property described above, the redemption amount is listed below with the date needed by:

\$243.94 (3%) due on or before March 3, 2014.

NO CHECKS!!!! MONEY ORDER, CASHIER'S CHECK OR CASH ONLY

SINCERELY,
LINDA B PRIEST

MAP: 173-00-02-080
ITEM NO: 0672

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on December 2, 2013. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgment creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office, delinquent taxes, penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale.

If you wish to redeem the property described above, the redemption amount is listed below with the date needed by:

\$251.44 (6%) due on or before June 3, 2014.

NO CHECKS!!!! MONEY ORDER, CASHIER'S CHECK OR CASH ONLY

SINCERELY
LINDA B PRIEST

S. C. DEED & MORTGAGE CLERK SOUTH CAROLINA COUNTY ASSESSOR	CASH RECEIPT		Date <u>3/20/14</u>	0051
	Received From <u>Beverly Gilchrist</u>			
	Address <u>M/P # 173-00-02-080</u>			
	For <u>Redeem from 2013 Tax Sale</u>		Dollars \$ <u>251</u>	
	P.222			

ALL PERSONAL monies

12/02/2011 *** TAX RECEIPT ***

RECEIPT NUMBER: 006741-10-3
MAP-BLOCK-PARCEL: 173-00-02-005-000
PROP-DESC:
LOCATION:

ACRES: 1.80
LOTS:
BLDGS:

ASSESSMENT: 920
GLOVER MARTHA

P O BOX 152
TRENTON SC. 29847

DB 111 0020
LEVY-YEAR: 2010 15.00%
DIST/TWN: 1

APPR: 15300

CURRENT YEAR TAX: 297
RESIDENTIAL CRD:
COUNTY-CRD: 8
CITY TAX:
CITY-CRD:
TOTAL GROSS: 288
TREAS-PENALTY: 43
CITY PENALTY:
COST 1: 2
COST 2: 35
COST 3: 30
COST 4: 25

12/02/2011
TOTAL PAID: 424

Check Amount(s) \$999.87
Check(s) Total \$999.87
Fee Total \$0.00
Cash Paid by Customer \$999.87

Transaction # 037 0052
12:53PM 12/04/13

ARLENE S. TRAXLER
FIELD COUNTY TREASURER

CASH RECEIPT
Date 12-4-13 005028
Received From Beverly Hilchrist
Address
For 2012 Tax Sale
ACCOUNT HOW PAID

NE S. TRAXLER
COUNTY TREASURER

CASH RECEIPT
Date 1/30/15 005169
Received From Beverly Ann Hilchrist
Address M/P# 173-00-02-005-000
For Redeem from 2011 TAX SALE
Dollars \$ 564.92
P.223

(803)637-4069

P.O. BOX 22

EDGEFIELD, S.C. 29824

FAX (803)637-7155

COUNTY AUDIT

(803)637-4

***** REAL ESTATE TAX NOTICE *****

RECEIPT-YR-TY	MAP-BLOCK-PARCEL	ADD-DATE	COUNTY-TAX	221.
006790-13-3	173-00-02-005-000	10/10/2013	H/S-CR	.
DESCRIPTION:			RSD-CR	.
LOCATION:	DB 1288 229		SALE-CR	8.
TYPE: REAL ESTATE			LANDFILL	.
			COUNTY-TOT	212.

BLD-ASM	LAND-ASM	H/S-ASM	NET-ASM	YEAR	LEVY	CITY-TAX
	660		660	2013	335.87	H/S-CR
APPR-VAL	NO-BLDS:	NO-LOTS:	ACRES:			SALE-CR
11,039			1.80			.

DIST-NO	R-13-006790	CITY-NET
1	GILCHRIST BEVERLY ANN ETAL	.
	132 S E DIGGS RD	DUE-DATE: 01/15/2014 212.
	TRENTON SC 29847	FROM 01/16 THRU 02/01 219.
		ROM 02/02 THRU 03/16 234.

AFTER 03/16/2014 TAXES GO DELINQUENT
WITH 15% PEN & COST. TAX COLLECTOR WI
MAIL NEW TAX NOTICE WITH PEN & COST.

**EDGEFIELD COUNTY TAX COLLECTOR
129 COURTHOUSE SQUARE, STE 202
EDGEFIELD, SC 29824
803-637-4068
FAX 803-637-4128**

DATE: JANUARY 10, 2015

**TO: BEVERLY ANN GILCHRIST ETAL
% MARY M BIBBS
127 SE DIGGS RD
TRENTON, SC 29847**

**FROM: Stephanie Lee
Edgefield County Tax Collector**

**MAP# 173-00-02-005-000
ITEM NO: 00578**

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on December 1, 2014. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgment creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office, delinquent taxes, penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale.

If you wish to redeem the property described above, the redemption amount listed below with the date needed by:

\$564.52 (3%) due on or before MAR. 2, 2015.

NO CHECKS!!!!!! CASHIER'S CHECK, MONEY ORDER, CASH, AND CREDIT CARDS (2% FEE APPLIES)

SINCERELY,

STEPHANIE LEE

COUNTY TREASURER
(803) 637-4069

EDGEFIELD COUNTY
P.O. BOX 21
EDGEFIELD, S.C. 29824



BILL GILCHRIST
COUNTY AVE
(803) 637-4069

***** REAL ESTATE TAX NOTICE *****

RECEIPT-YR-TY MAP-BLOCK-PARCEL ADD-DATE
006761-11-3 173-00-00-003-000 10/12/2011
DESCRIPTION: M/H STORAGE
LOCATION: S-19-75--1 MH DB 1286 AEA
TYPE: PEAL ESTATE

COUNTY-TAX 101.
H/S-CR
FCD-CR 60.
SLE-CR 4.
FOLL
TNT-TOT 36.

PLD-ASM LAND-ASM H/S-ASM NET-ASM YEAR LEAF
10 290 310 2011 327.22
APPR-VAL NO-BLDS: NO-LOTS: ACRES:
7,708 1 .97

CITY-TAX
H/S-CR
SALE-CR

DIST-NO R-11-006761
1 GILCHRIST BEVERLY ANN ETAL

132 S E DIGGS RD
TRENTON SC 29847

CITY-NET
DUE-DATE: 01/15/2012 36
FROM 01/16 THRU 02/01 38
ROM 02/02 THRU 03/16 40
AFTER 03/16/2012 TAXES GO DELINQUEN
WITH 15% PEN & COST. TAX COLLECTOR W.
MAIL NEW TAX NOTICE WITH PEN & COST

187

DELINQUENT TAX OFFICE
SUITE 202
129 COURTHOUSE SQUARE
EDGEFIELD, SC 29824

DATE: DECEMBER 31, 2012

TO: GILCHRIST BEVERLY ANN ETAL

132 S E DIGGS RD

TRENTON SC 29847

FROM: LINDA B PRIEST
EDGEFIELD COUNTY TAX COLLECTOR

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 173-00-00-003-000 DISTRICT 1

ITEM# 12-00622

M/H STORAGE S-19-75--1 MH DB 1288 229

97

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ 375.25 (03%) due on or before MARCH 04, 2013

~~REDEMPTION AMOUNT DUE ON OR BEFORE MARCH 04, 2013~~

~~REDEMPTION AMOUNT DUE ON OR BEFORE MARCH 04, 2013~~

~~REDEMPTION AMOUNT DUE ON OR BEFORE MARCH 04, 2013~~

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS ON/BEFORE DECEMBER 04, 2013 !

If you fail to redeem the property by said date, a tax deed will be issued the successful bidder. No Checks!!! Money Order, Cashiers Check, or Cash On

12/02/2011 *** TAX RECEIPT ***

RECEIPT NUMBER: 006739-10-3
MAP-BLOCK-PARCEL: 173-00-00-003-000
PROP-DESC:

LOCATION: S-19-75--1 MH DB 510 260

ACRES: .97 LEVY-YEAR: 2010 15.00%
LOTS: DIST/TWN: 1

BLDGS: 1
ASSESSMENT: 680 APPR: 16990
GLOVER MARTHA

123 S E DIGGS RD
TRENTON SC 29847

CURRENT YEAR TAX: 219.52
RESIDENTIAL CRD: 129.09CR
COUNTY-CRD: 9.17CR
CITY TAX: .00
CITY-CRD: .00CR
TOTAL GROSS: 81.26
TREAS-PENALTY: 12.19
CITY PENALTY: .00
COST 1: 2.00
COST 2: 35.00
COST 3: 30.00
COST 4: 25.00

12/02/2011

AID:

185.45 LP

CASH RECEIPT

Date

12-22-13

004946

Received From

Beverly Ann Gilchrist

Address

Dollars \$ 275.25

For

By [Signature]

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT

CASH

275.25

AMT. PAID

CHECK

BALANCE

MONEY ORDER

By

[Signature]

.97

RECEIPT-YR-TY

006789-13-3

DESCRIPTION: M/H STORAGE

LOCATION: S-19-75--1 MH

TYPE: REAL ESTATE

BLD-ASM: 20

H/S-ASM:

NET-ASM: 310

MORT-CODE:

LAND-ASM: 290

NO-ACRES: .97

NO-LOTS:

NO-BLDS: 1

EDGEFIELD COUNTY

MAP-BLOCK-NUMBER

173-00-00-003-000

DB 1288 229

GILCHRIST BEVERLY ANN ETAL

132 S E DIGGS RD

TRENTON SC 29847

COUNTY TAX: 104.
COUNTY RES CR: 62.
COUNTY H/S TAX: .
COUNTY PENALTY: 3.
COUNTY SALES CR: 6.

CITY-TAX: .
CITY H/S TAXES: .
CITY PENALTY: .
CITY SAL TAX: .

GARBAGE: .

AMOUNT PAID: 39.3

DATE-PAID: 02/25/2014

RECEIPT-YR-TY

006974-14-3

DESCRIPTION: M/H STORAGE

LOCATION: S-19-75--1 MH

TYPE: REAL ESTATE

BLD-ASM: 20

H/S-ASM:

NET-ASM: 310

MORT-CODE:

LAND-ASM: 290

NO-ACRES: .97

NO-LOTS:

NO-BLDS: 1

EDGEFIELD COUNTY

MAP-BLOCK-NUMBER

173-00-00-003-000

DB 1288 229

GILCHRIST BEVERLY ANN ETAL

132 S E DIGGS RD

TRENTON SC 29847

COUNTY TAX: 103.6
COUNTY RES CR: 62.2
COUNTY H/S TAX: .00
COUNTY PENALTY: 1.04
COUNTY SALES CR: 6.63

CITY-TAX: .00
CITY H/S TAXES: .00
CITY PENALTY: .00
CITY SAL TAX: .00

GARBAGE: .00



DELINQUENT TAX EXECUTION NOTICE

TYPE TAX	REAL ASMT	PERS ASMT	LEVY	PROPERTY TAX
TOTAL COUNTY	660		327.22	215.97

BREAKDOWN OF YOUR TOTAL TAX AMOUNT	TYPE TAX	LEVY	GROSS TAX AMOUNT
	COUNTY OPERATION	74.90	49.44
	COUNTY DEBT SERVICE	4.36	2.88
	HOSPITAL OPERATION	6.50	4.29
	EMS	10.40	6.86
	INDUSTRIAL DEV	.83	.55
	RECREATION	1.50	.99
	SCHOOL OPERATIONS	194.73	128.52
	SCHOOL BOND	24.00	15.84
	FIRE	10.00	6.60

CHTRACT	TH APES	TH LOTS	TH BLESSE	MOAT CODE	BATH
1	1.80				6

**MAKE CHECK
PAYABLE TO:
EDGEFIELD COUNTY
TAX COLLECTOR**

NAME AND ADDRESS OF PROPERTY OWNER(S)
RECEIPT NBR: 006762-11-3
GILCHRIST BEVERLY ANN ETAL
132 S E DIGGS RD
TRENTON SC 29847

6% APPRAISED 11039

CHECK MUST CLEAR BANK
BEFORE TAXES ARE PAID.

IF YOU HAVE QUESTIONS ABOUT THIS TAX NOTICE OR OTHER TAX
MATTERS, PLEASE CALL THE APPROPRIATE COURTHOUSE NUMBER.

Real Property
COUNTY ASSESSOR 637-4086
(Land, Buildings, Mobile Homes, Legal Residence, Agriculture Use, RollBack, Improvements)
Personal Property
COUNTY AUDITOR 637-4034
(Car, Boat, Aircraft, Business Personal Property (County), Homestead Exemptions)
COUNTY TREASURER 637-4089
Paid Records
DELINQUENT TAX OFFICE 637-4088
Delinquent Taxes

PLEASE RETURN THE STUB
WITH REMITTANCE TO:
EDGEFIELD COUNTY TAX COLLECTOR
129 COURTHOUSE SQUARE STE 202
EDGEFIELD, S.C. 29824

DETACH HERE AND RETURN BOTTOM PORTION WITH PAYMENT
EDGEFIELD COUNTY, S. C.

TAX YEAR 2011

DELINQUENT TAX EXECUTION NOTICE



*****AUTO**5-DIGIT 29847 6 5
GILCHRIST BEVERLY ANN ETAL
132 SAMUEL E DIGGS RD
TRENTON SC 29847-2016

006762-11-3
RECEIPT NUMBER

GILCHRIST BEVERLY ANN ETAL

EDGEFIELD COUNTY DELINQUENT TAX EXECUTION NOTICE

TAX YEAR	TAX MAP NUMBER	173-00-02-005-000
2011		
PROPERTY DESC		DB 1288 229
APPRAISED VALUE (TAXABLE)		11039
PROPERTY TAX AMOUNT (COUNTY)		215.97
LESS STATE HOMESTEAD (COUNTY)		
SCHOOL TAX CREDIT SAVINGS		
LESS SALES TAX CREDIT (COUNTY)		5.85
PLUS		
Thru Jan. 15, 2012		210.12
PENALTY 15%		31.52
COST		2.00
PAY THIS AMOUNT ON OR BEFORE 4/30/2012		243.64
PAY THIS AMOUNT AFTER 4/30/2012		278.64
PAY THIS AMOUNT AFTER 8/01/2012		308.64
PAY THIS AMOUNT AFTER 11/02/2012		333.64

*** NOTICE OF TAX SALE ***
*** DECEMBER 3th 2012 ***

**** NOTICE OF SEIZURE AND TAX SALE ****
IF THESE DELINQUENT TAXES ARE NOT PAID, THE
PROPERTY WILL BE SOLD AT PUBLIC AUCTION.

006762-11-3

TAX YEAR	TAX MAP NUMBER	173-00-02-005-000
2011		
PROPERTY DESC		DB 1288 229
PAY THIS AMOUNT ON OR BEFORE: APR 30TH, 2012		\$243.64
PAY THIS AMOUNT		
AFTER 4/30/2012		278.64
PAY THIS AMOUNT		
AFTER 8/01/2012		308.64
PAY THIS AMOUNT		
AFTER 11/02/2012		333.64

In an effort to save our county taxpayers money, the County will NO
mail out a receipt for this payment unless the box below is checked
Official receipt can be obtained at www.edgefieldcounty.sc.gov

☐ YES, please send a receipt

DELINQUENT TAX OFFICE
SUITE 202
129 COURTHOUSE SQUARE
EDGEFIELD, SC 29824

DATE: DECEMBER 31, 2012

TO: GILCHRIST BEVERLY ANN ETAL

132 S E DIGGS RD

TRENTON SC 29847

FROM: LINDA B PRIEST
EDGEFIELD COUNTY TAX COLLECTOR

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 173-00-02-005-000 DISTRICT 1

ITEM# 12-00623

DB 1288 229

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ 559.82 (03%) due on or before MARCH 04, 2013

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS ON/BEFORE DECEMBER 04, 2013 !

If you fail to redeem the property by said date, a tax deed will be issued the successful bidder. No Checks!!! Money Order, Cashiers Check, or Cash On

EXHIBIT OF BEVERLEY A. GILCHRIST

Real Estate Taxes

0.97 Acres	Paid September, 1999 - September, 2011		\$4,442.86
1.80 Acres	December 2, 2011	(Tax Sale)	\$424.05
0.37 Acres	February 2, 2012	(Tax Sale)	\$314.70
0.37 Acres	December 17, 2011	(Tax Sale)	\$66.84
0.37 Acres	March 20, 2014	(Tax Sale)	\$251.44
1.80 Acres	December 4, 2013	(Tax Sale)	\$709.32
0.97 Acres	February 25, 2014		\$39.34
1.80 Acres	January 30, 2015	(Tax Sale)	\$564.32
0.43 Acres	January 30, 2015		\$98.78
0.25 Acres	January 30, 2015		\$65.87
	Subtotal:		\$6,977.52

Improvements

0.97 Acres	April, 2006	(Clearing)	\$800.00
	<u>Court Costs:</u>		\$785.86
	<u>Attorneys Fees:</u>		\$2,500.00
	<u>Estate Costs:</u>		\$4,910.00
	Total:		\$15,973.38

I certify that this this Record on Appeal contain no matters which is irrelevant to this Appeal.

Dated: 3/13/18;

RECEIVED
MAR 13 2018
SC Court of Appeals

SINCERELY,

Beverly A. Gilchrist

Beverly A. Gilchrist;

PRO/SE' FOR: APPELLANT.....BEVERLY ANN GILCHRIST

132 Samuel E. Diggs Rd.

Trenton, SC 29847

(803) 552 -2677