

# DUFFY & YOUNG LLC

96 BROAD STREET, CHARLESTON SC 29401

telephone 843-720-2044 facsimile 843-720-2047

ATTORNEYS AT LAW

June 12, 2018

*VIA U.S. MAIL*

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

**RECEIVED**

JUN 15 2018

SC Court of Appeals

RE: I'On Assembly, Inc., et al. v. The I'On Company, LLC, et al.  
Civil Action No.: 2010-CP-10-10490  
Appellate Case No.: 2015-001590

Dear Ms. Kitchings:

It has come to our attention that the document included in the Record on Appeal for this matter as Plaintiffs' Trial Exhibit 117 (R. p. 2356-2402) is incorrect. That document was a prior version of Plaintiffs' Exhibit 117 and was not admitted into evidence. The proper document for the Record on Appeal as Plaintiffs' Trial Exhibit 117 is attached here.

Please let us know if you need any additional information or if you'd like us to send any additional copies.

Thank you for your assistance in this matter.

Very truly yours,



Brian C. Duffy

Enclosure

cc: Justin O. Lucey, Esq.  
Joshua F. Evans, Esq.  
Timothy W. Bouch, Esq.  
Yancey A. McLeod, III, Esq.

bduffy@duffyandyoung.com

WWW.DUFFYANDYOUNG.COM

# Joe Griffith, Inc., REALTORS

~~180 East Bay Street~~ • Charleston, South Carolina 29401  
310 Meeting Street (803) 577-2230

*FAX To Joe, Tom  
Geoff.  
Return to me  
to read  
2/23*

February 19, 1999

Mr. Vincent G. Graham  
The I'On Company  
P.O. Box 986  
Mount Pleasant, SC 29465

Re: Proposal from GR, LLC for access to the I'On  
Sewer, Club Facilities & Boat Ramp/Community Dock

Dear Vince,

I am writing to you in response to your proposal dated December 8, 1999 relating to the access to the above-mentioned amenities currently located or planned at I'On.

As you know, we recently purchased the Mevers tract and the new ownership entity is GR, LLC. After our recent meeting, I discussed your proposal with the new owners for their comments and response. They have indicated an interest in pursuing this proposal but would request a modification to some of the terms and conditions of your proposal.

We discussed your suggestion regarding the access from Mathis Ferry Road to our project. While this suggestion may have merit, it is not economically feasible for our development as we have reduced the number of lots to approximately 110-115.

The proposal regarding the access connections from our property to I'On is acceptable as stated in the section Proposal, items 1., 2., 3., & 4. The condition stated in item 3. will be contingent upon the design and location of the access connection point(s) being accepted and approved by the Town of Mount Pleasant. GR, LLC reserves the right to approve or reject any access connection location and design recommended by the I'On Assembly.

The sewer lift station and off site improvements will have the capacity to accommodate our project and will be co-ordinated with our engineers at Seamon-Whitesides and Associates. Sewer lift station and off site improvements shall meet the Town of Mount Pleasant requirements.

Mr. Vincent G. Graham  
 February 19, 1999  
 Page Two

The Club Facilities are to include the following amenities in Phase I: 1.) Minimum of six (6) lighted clay tennis courts; 2.) an 8 lane by 25 yard swimming pool with removable bubble for year round swimming; 3.) Kiddy pool; 4.) Locker and bath facilities; 5.) 3,600 square foot Creek Club located on the waterfront park on Hobcaw Creek. Additional phases of the Club Facilities are to include additional tennis courts, pool, and other meeting halls.

The boat ramp and community dock will be available to our property owners for an annual "key deposit" of \$25-50.00.

It is our understanding that the I'On Club will be limited to 850 members which would include our 110-115 property owners. Our property owners will pay an initiation fee and annual dues in accordance with the lot owners in I'On. Each member will have access to all facilities and will have first priority and discounted rates for the Creek Club.

GR, LLC will pay a total of \$435,000 for the above-mentioned facilities and sewer tie-in based on the following breakdown:

1.) Sewer Tie-In	\$ 85,000
2.) Club Amenities entitlement	\$385,000
3.) Boat Ramp/Community Dock	\$ 25,000
Total	\$435,000

The terms of the proposal are as follows:

Initial Deposit	\$ 50,000
-Upon Site Plan Approval from Town of Mount Pleasant	
Contribution of Residual Land	\$ 50,000
-Upon obtaining subdivision of residual land and recordable plat	
Land Disturbance Permit	\$100,000
-Approval by Town of Mount Pleasant	
Upon Fifty (50%) Percent completion of Club Amenities and Boat Ramp/Community Dock	\$117,500
Upon One hundred (100%) percent completion of Club Amenities and Boat Ramp/Community Dock	\$117,500

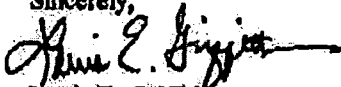
Mr. Vincent Graham  
February 19, 1999  
Page Three

As part of its compensation offer for the above-mentioned package, GR, LLC will transfer ownership of the residual land (approximately .94 acres) adjacent to I'On to The I'On Company at a value of \$50,000. The property is shown on the attached proposed site plan. The transfer will occur when the property can be subdivided and can be formally transferred under the regulations of the Town of Mount Pleasant. We will submit this item to the Town as soon as possible and try to get approvals immediately.

In addition, The I'On Company will provide to GR, LLC final approved plans (Phase I) for the Club Amenities and Boat Ramp/Community Dock and a construction schedule for the completion of this project. The above-mentioned construction is to be completed within eighteen (18) months from the execution date of the formal agreement or GR, LLC shall have the right to terminate the agreement and have all monies refunded.

If these terms and conditions are acceptable to you, please indicate by your signature below. Upon mutual agreement by both parties, The I'On Company will have a more formal document prepared for execution.

Sincerely,



Louis E. Griffith  
Broker in Charge

Accepted and Agreed:

\_\_\_\_\_ Date

cc: Joseph P. Griffith  
Joe Rice

WCSR 001340

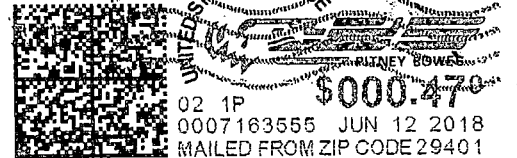
# DUFFY & YOUNG LLC

96 BROAD STREET CHARLESTON, SC 29401

ATTORNEYS AT LAW

CHARLESTON SC 294

13 JUN 2018 PM



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