

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)
)
YVETTE COLE)
)
)
Plaintiff,)
-vs-)
)
SHIRLEY HEYWARD)
)
Defendant,)

IN THE COURT OF COMMON PLEAS
CASE NUMBER: 2017-CP-25-041

ORDER
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SEP 10 2018
SC Court of Appeals

THIS is an action to determine if the Plaintiff, Yvette Cole, is the sole owner of the property located at 560 Sapp Blvd, SE, Estill, South Carolina. This matter was referred to me pursuant to Rule 53 of the South Carolina Rules of Civil Procedure. A hearing was held on December 19, 2017. Present were the Plaintiff, Yvette Cole and the Defendant, Shirley Heyward.

Based on the testimony and documentary evidence, I find as follows:

1. Plaintiff, Yvette Cole, is a resident of New York State, residing at 152 East 111th Street Apt. 6D, New York, NY 10029.
2. Defendant, Shirley Heyward is a resident of South Carolina, residing at 560 Sapp Blvd. SE, Estill, SC 29918.
3. The Plaintiff claims that she is the sole owner of the property located at 560 Sapp Blvd, SE, Estill, SC 29918.
4. The Defendant claims she also has an ownership interest in the subject property.
5. A title search was performed by Freelance Abstracting Services. The title search has been filed and is a part of the record.
6. Sadie Heyward and Ruth Heyward were conveyed the subject property by deed of C. R. Long dated April 10, 1976 and recorded April 23, 1976 in Deed Book D66 at Page 616 in the Office of the Clerk of Court for Hampton County, South Carolina.
7. Sadie Heyward died intestate on February 26, 1996 survived by her husband, Hezekiah Heyward and seven children, namely Ruth Heyward Thornton, Valerie Heyward, Kelvin Heyward, Leroy Bostick, Gary Heyward, the Plaintiff Yvette Cole and the Defendant Shirley Heyward.
8. Hezekiah Heyward died testate on June 3, 1996 devising all his interest to his children, namely, Ruth Heyward Thornton, Valerie Heyward, Kelvin Heyward, Leroy Bostick, Gary Heyward, the Plaintiff, Yvette Cole and the Defendant Shirley Heyward. The Estate of Hezehih Heyward is administrated at File

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Number 96-ES-25-83 in the Office of the Probate Court for Hampton County South Carolina.

9. Ruth Heyward Thornton f/k/a Ruth Heyward conveyed her undivided interest in the subject property to the Plaintiff, Yvette Cole, by deed dated June 27, 1997 and recorded July 11, 1997 in Deed Book D203 at Page 336 in the Office of the Clerk of Court for Hampton County, South Carolina.

I conclude that the Plaintiff, Yvette Cole, is not the sole owner of the property located at 560 Sapp Blvd, SE, Estill, SC 29918. I further conclude that the Defendant, Shirley Heyward, has an ownership interest in the property located at 560 Sapp Blvd, SE, Estill, SC 29918.

IT IS ORDERED that the Plaintiff, Yvette Cole and the Defendant, Shirley Heyward, with others own an undivided right, title and interest in the property located at 560 Sapp Blvd, SE, Estill, SC 29918.

AND IT IS SO ORDERED.



Walter H. Sanders, Jr.
Special Referee
Hampton County, South Carolina

Fairfax, South Carolina
January 15, 2018

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WHL

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March 19, 2018

Ms. Yvette Cole
152 E. 111th Street, Apt. 6D
New York, NY 10029

Ms. Shirley Heyward
560 Sapp Blvd. SE
Estill, SC. 29918

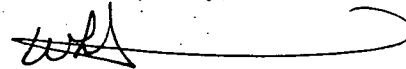
RE: Yvette Cole vs Shirley Heyward
Case No. 2017-CP-25-041

Dear Ms. Cole and Ms. Heyward:

In regards to the above referenced, please find enclosed a copy of the Final Order filed in this case.

With warm regards, I remain

Yours very truly,



Walter H. Sanders, Jr.
Special Referee
Hampton County

WHS, Jr. /cps