

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

Paul M. Burch, Circuit Court Judge

Appellate Case No. 2016-001104

**RECEIVED**  
JAN 31 2019  
SC Court of Appeals

Heather Rousey Piper,

Respondent,

v.

Kerry Grissinger,  
William P. Hardee, and  
Paul E. Lesondak,

of whom:  
Kerry Grissinger and  
Paul E. Lesondak,  
are the

Appellants.

---

MEMORANDUM ON PETITION FOR REHEARING

---

The Petitioners petition for a rehearing of the matter above under Rule 221(a), S.C.A.C.R.

This Petition is based upon those certain points, factual and legal, which the Petitioner believes the Court to have overlooked or misapprehended, as set out herein.

THE DECISION ON APPEAL

This decision of this Court was filed January 16, 2019. To the extent allowed, the Petitioners restate and by this reference reargue all matter set out in their Brief and referenced in their Record on Appeal.

## BACKGROUND

This action concerns the right to an easement over real property for the purpose of access. In 1951, the real property in question was divided by Taylor, and a common roadway was platted between real property retained by Taylor and that conveyed to Severance. A copy of the 1951 Plat showing the roadway, which lies over both Taylor and Severance, is incorporated in the RECORD ON APPEAL, p.328.

The 1951 Severance property has now been divided, the present owners being GRISSINGER (Tax Map No. 080-03-04-009) and LESONDAK (Tax Map No. 080-03-04-008). The Taylor property over which the common road was platted in part is now owned by HARDEE (Tax Map No. 080-03-04-007). The 1988 Plat for B.P. Severance and the 2012 Plat for Dennis and Rosemary Rousey are also incorporated in the RECORD ON APPEAL, pp.334-335, 332.

The Respondent Ms. ROUSEY is the owner of the tract in the rear of these properties (Tax Map No. 080-034-04-010). That tract is without access to any public road. By this action, ROUSEY sought to have her right to the use of an easement granted or declared.

As shown by the 1988 Plat, a Dirt Drive then existed going to the South of the house on the LESONDAK property, continuing through the GRISSINGER tract and on to the ROUSEY property. A copy of the 1997 Plat showing that configuration is incorporated in the RECORD ON APPEAL, p.337.

Sam Austin, the former owner of the LESONDAK tract, testified that he and his wife bought that land in December, 1997. RECORD ON APPEAL, p.193, l.6-11. Austin further testified that, as of the time of their purchase, the portion of the Dirt Drive running to the ROUSEY tract (referenced in the Court's Order as "the Piper Parcel") was overgrown and unused. RECORD ON APPEAL, p.194, l.22-23; 0.242, l.11-22. Except for the attempted use of this area for access by the Respondent and her parents in or after 2012 (which resulted in this action), no evidence of use of that Dirt Drive or the portion thereof leading to the ROUSEY tract was presented. RECORD ON APPEAL, generally.

Mr. Austin further testified that, with the consent of the neighboring landowners, he moved the access road to that area now shown as Severance Drive on the Plat for Dennis and Rosemary Rousey, the Respondent's parents, dated 2012. RECORD ON APPEAL, p.239, l.18 – p.240, l.12. This change was made during his ownership of the present LESONDAK tract and prior to his sale thereof in February, 2009. RECORD ON APPEAL, p.239, l.18 – p.240, l.12; p.241, l.2-15. A copy of the 2012 plat is incorporated in the RECORD ON APPEAL, p.332. This plat shows no extant road or easement to the ROUSEY property other than Severance Drive, which drive is

the original common roadway of 1951 with some adjustments.

The Respondent ROUSEY sought to establish her right to access her property by a) either the roadway shown on the 1988 Plat (hereafter “the claimed LESONDAK or GANDY easement”) or b) by using Severance Drive and going past GRISSINGER's front door (hereafter “the claimed GRISSINGER or ‘Current’ easement”). She alleged theories of easement implied by prior use, by necessity and prescriptive easement.

The Appellants LESONDAK and GRISSINGER sought a declaratory judgment as to any existing easements, claimed trespass to their properties, and waiver as to use of the 1951 common roadway.

This matter came on for trial before the Circuit Court sitting without a jury on March 14<sup>th</sup>, 2016. The Respondent was represented by Jessica C. Crowson and Christopher Boguski of Rogers Lewis Jackson Mann & Quinn. The Appellants KERRY GRISSINGER and PAUL E. LESONDAK were represented by John Martin Foster. The Defendant WILLIAM P. HARDEE appeared *pro se*.

The Circuit Court issued its Order dated May 3, 2016 and filed May 9, 2016. That Order characterizes the issues as being “to determine the most appropriate and feasible means of access to the Piper Parcel”. RECORD ON APPEAL, p.\_\_\_\_. It finds that the “GANDY” or LESONDAK easement is “the most appropriate means of access” to and from the Piper or ROUSEY tract. RECORD ON APPEAL, p.2.

The unreported decision of the Court of Appeals affirming the decision of the Circuit Court was filed January 16, 2019.

### GROUND OF APPELLATE DECISION

The decision of the Court of Appeals panel disposes of the argument of the Appellants as stated in the following notations (citations of cases omitted):

We affirm pursuant to Rule 220(b), SCACR, and the following authorities: . . . (“An issue is deemed abandoned if the argument in the brief is only conclusory.”); . . . (finding a conclusory, two-paragraph argument that cited no authority other than an evidentiary rule was abandoned). . . , Rule 208(b)(1)(B), SCACR (“Ordinarily, no point will be considered [that] is not set forth in the statement of the issues on appeal.”); . . . (“An unappealed ruling is the law of the case and requires affirmance.’ Thus, should the appealing party fail to raise all of the grounds upon which a lower court's decision was based, those unappealed findings—whether correct or not—become the law of the case.” . . . (“A ruling not challenged on appeal is the law of the case, regardless of the correctness of the ruling.”); . . . (“An appellant may not use . . . the reply brief as a vehicle to argue issues not argued in the appellant's brief.”); . . . (“The appellants have the

responsibility to identify errors on appeal, not the [c]ourt. . . . '[A]ppellate courts, like well-behaved children, do not speak unless spoken to and do not answer questions they are not asked.'" (last alteration by court) . . . ("When a party receives an order that grants certain relief not previously contemplated or presented to the trial court, the aggrieved party must move, pursuant to Rule 59(e), SCRCF, to alter or amend the judgment in order to preserve the issue for appeal."); . . . ("Declaratory judgment actions are neither legal nor equitable[,] and[] therefore, the standard of review depends on the nature of the underlying issues.") . . .

[*Piper v., Grissinger, ET AL.*, Unpublished Opinion No. 2109-UP-030.]

### GROUND FOR REHEARING

Counsel for Appellants must confess that he lacks the ability to understand the application of principals cited to this appeal. The cited grounds seem to be no more than a grab-bag of grounds to affirm without any application of any reason to the facts of the case or to the grounds of appeal. Counsel cannot respond to a general statement of precedents, nor can the Supreme Court, as required, determine how the stated precedents apply to this case. By this Memorandum, he attempts to respond to what he intuitively feels to be the Court's rationale.

The Respondent raised the question of issue preservation in her Brief. The Appellants responded on point in their Reply Brief. This was the proper and accepted method of discussing an issue raised for the first time in the Respondent's Brief. There was no attempt by the Appellants to argue an additional ground by a Reply Brief.

The Appellants reiterate their arguments stated in the Reply Brief. The Respondent argues that the Appellants failed to specifically argue or raise the issue of easement by necessity at trial. BRIEF OF RESPONDENT, p.13. Precedent requires the Respondent, as the proponent of an easement to prove all elements of an easement, as argued in Appellants' Reply Brief.

The Appellants would note that both parties were requested to submit proposed Orders to the Circuit Court. RECORD ON APPEAL, *Form 4* Order, p.5. This was done by both parties. A copy of the e-mail of Appellants' counsel, with its attachments, is attached hereto and made a part hereof. The Court will note that, in addition to other arguments, the Appellants in fact raised in its proposed Order all issues which form the basis for their appeal.

In addition, the citations above also refer, to the lack of a Rule 59 Motion directed to the Circuit Court. It is Appellants' contention that the requirements for a Rule 59 Motion apply when

the Court below has failed to deal with an issue or to adequately respond to a point of law or fact.

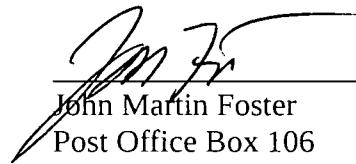
In the case at hand, all arguments were in fact before the Circuit Court. However, regardless of that fact, the precedent on easement requires the proponent to bear the burden of proving all elements of an easement, under whatever grounds. Those elements are not present in the Record, and no evidence of them exists, as argued at length in the Appellants' Briefs.

The Circuit Court dealt with all issues before it by finding a factual and legal basis for an easement in its Order of May 3, 2016. That basis does not exist in the Record. This Appeal did not require the Appellants to re-argue the issues already decided by the Circuit Court in its Order. RECORD ON APPEAL, p.1.

### CONCLUSION

For all the reasons set out and referenced above, the Petitioners request that this matter be reheard by the Court of Appeals, and for any other relief to which they may be entitled in law or equity.

Respectfully submitted,



---

John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
(803) 324-8100  
Attorney for Petitioners

January 30, 2019

Rock Hill, South Carolina

Rousey v Lesondak et al.

**Subject:** Rousey v Lesondak et al.

**From:** John Martin Foster <jmfoster@comporium.net>

**Date:** 4/14/16, 10:59 AM

**To:** "The Honorable Paul M. Burch" <pburchj@sccourts.org>, pburchlc@sccourts.org, Jessica Clancy Crownsn <jcrowson@rogerslewis.com>, cboguski@rogerslewis.com

Judge Burch:

I attach our proposed Order with plat attachments. I trust it is proper for me to tell the Court that our negotiations fell apart once the estimate for the road clearing rose far beyond the level discussed after our hearing.

I understand that the docx file is the form in which you wish to receive the proposed order. Please inform me if I can supply anything further.

Respectfully,

--

Martin Foster

JMFOSTER@COMPORIUM.NET

THE GUARDIAN BUILDING 223 EAST MAIN STREET SUITE 520 ROCK HILL, SC 29730

P.O. Box 106 ROCK HILL, SC 29731-6108

803 324-8100 803 324-8109: FAX

**PRIVILEGED AND CONFIDENTIAL:** This electronic message and any attachments are confidential property of the sender. The information is intended only for the use of the person to whom it was addressed. Any other interception, copying, accessing, or disclosure of this message is prohibited. The sender takes no responsibility for any unauthorized reliance on this message. If you have received this message in error, please immediately notify the sender and purge the message you received. Do not forward this message without permission.

**IRS CIRCULAR 230 DISCLOSURE:** To ensure compliance with requirements imposed by the IRS, we inform you that any US federal tax advice contained in this document is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code Section 6662(d) or (ii) promoting, marketing or recommending to another party any transaction or matter that is contained in this document.

— Attachments: —

---

OrderGrLs.docx	11.9 KB
19512016-04-14-104514.pdf	41.0 KB
19882016-04-14-104546.pdf	116 KB
19972016-04-14-104632.pdf	141 KB
20122016-04-14-104758.pdf	153 KB

STATE OF SOUTH CAROLINA	]	IN THE COURT OF COMMON PLEAS
	]	
COUNTY OF CHESTER	]	SIXTH JUDICIAL CIRCUIT

HEATHER PIPER ROUSEY,	]	
	]	
Plaintiff,	]	ORDER
vs.	]	
	]	
KERRY GRISSINGER,	]	C.A. No. 2015-CP-12-00024
WILLIAM P. HARDEE, and	]	
PAUL E. LESONDAK,	]	
	]	
Defendants.	]	
_____	]	

This matter came on for trial before the Circuit Court sitting without a jury on March 14<sup>th</sup>, 2016. The Plaintiff was represented by Jessica C. Crowson and Christopher Boguski of Rogers Lewis Jackson Mann & Quinn. The Defendants KERRY GRISSINGER and PAUL E. LESONDAK were represented by John Martin Foster. The Defendant WILLIAM P. HARDEE appeared *pro se*.

Based upon the evidence presented and the arguments of counsel and the *pro se* party, this Court makes the following Findings of Fact and reaches the following Conclusions of Law:

This action concerns the right to an easement over real property for the purpose of access. In 1951, the real property in question was divided by Taylor, and a common roadway was platted between real property retained by Taylor and that conveyed to Severance. A copy of the 1951 Plat showing the roadway, which lies over both Taylor and Severance, is incorporated herein.

The 1951 Severance property has now been divided, the present owners being GRISSINGER (Tax Map No. 080-03-04-009) and LESONDAK (Tax Map No. 080-03-04-008). The Taylor property over which the common road was platted in part is now owned by HARDEE (Tax Map No. 080-03-04-007). The 1988 Plat for B.P. Severance and the 2012 Plat for Dennis and Rosemary Rousey are also incorporated herein.

The Plaintiff Ms. ROUSEY is the owner of the tract in the rear of these properties, Tax Map No. 080-034-04-010 (hereafter also "ROUSEY"). That tract is without access to any public road. By this action, the Plaintiff seeks to have her right to the use an easement granted or declared.

As shown by the 1988 Plat, a Dirt Drive then existed going to the South of the house on

the LESONDAK property, continuing through the GRISSINGER tract and on to the Plaintiff's property. A copy of the 1997 Plat showing that configuration is incorporated herein.

Mr. Sam Austin testified that he and his wife bought what is now the LESONDAK tract in December, 1997. He further testified that, as of the time of their purchase, the portion of the Dirt Drive running to the ROUSEY tract was overgrown and unused. Except for the attempted use of this area for access by the Plaintiff and her parents in or after 2012 (which resulted in this action), no evidence of later use of that Dirt Drive or the portion thereof leading to the ROUSEY tract was presented.

Mr. Austin further testified that, with the consent of the neighboring landowners, he moved the access road to that area now shown as Severance Drive on the Plat for Dennis and Rosemary Rousey, the Plaintiff's parents, dated 2012. This change was made during his ownership of the present LESONDAK tract prior to his sale thereof in February, 2009. A copy of the 2012 plat is incorporated herein. This plat shows no extant road or easement to the ROUSEY property other than Severance Drive, which drive is the original common roadway of 1951 with some adjustments.

The Plaintiff seeks to establish her right to access her ROUSEY property by a) either the roadway shown on the 1988 Plat (hereafter "the claimed LESONDAK easement") or b) by using Severance Drive and then past GRISSINGER's front door (hereafter "the claimed GRISSINGER easement"). She alleges theories of easement implied by prior use, by necessity and prescriptive easement.

The Defendants LESONDAK and GRISSINGER also seek a declaratory judgment as to any existing easements, claim trespass to their properties, and waiver as to use of the 1951 common roadway.

The Court notes, first, that there is no question as to the Plaintiff's right to access her property by the area designated as common roadway on the 1951 Plat and, basically, that shown on the 2012 Plat as Severance Road. As stated by the Supreme Court:

"Generally, where property sold is described with reference to a plat or map upon which streets and ways are shown, an easement therein is implied . . . There is an implied covenant that such ways exist and shall continue to exist. Easements implied in accord with such principles are deemed a part of the property to which the grantee is entitled, and neither the grantor nor any person claiming under the conveyances can repudiate the easements or deny they exist, where they are capable of existing"

[*Billings v. McDaniel*, 217 S.C. 261, 265, 60 S.E.2d 592, 593 (1950), quoting 17 AM.JUR. Easements, ¶ 47, p.958.]

The Court notes, secondly, that Ms. ROUSEY does not deny the existence of this 1951 common roadway easement.

#### EASEMENT IMPLIED BY PRIOR USE

The Supreme Court has held that:

[A]n easement implied by prior use exists when: (1) the dominant and servient tracts of land originated from a common owner; (2) the use was in existence at the time the original grantor severed the tracts; and (3) the use was apparent, continuous, and necessary for enjoyment of the dominant tract.

[*Boyd v. Bellsouth Telephone*, 369 S.C. 410, 416, 633 S.E.2d 136, 139 (2006).]

In the case at hand, there was no evidence to show the existence of either the claimed LESONDAK easement or the GRISSINGER easement as of the time when the original grantor severed the tracts. Further, the evidence clearly disproves any continuous use of either the LESONDAK or the GRISSINGER easement as access to the ROUSEY property. The Plaintiff's claim of an easement implied by prior use of these claimed easements fails.

#### PRESCRIPTIVE EASEMENT

In the same cited case, the Supreme Court set out the elements of prescriptive easement::

To establish a prescriptive easement, the party asserting the right must show: (1) continued use for 20 years, (2) the identity of the thing enjoyed, and (3) use which is either adverse or under a claim of right. *Horry County v. Laychur*, 315 S.C. 364, 367, 434 S.E.2d 259, 261 (1993); *Shia v. Pendergrass*, 222 S.C. 342, 351, 72 S.E.2d 699, 703 (1952). When the claimant has established that the use was open, notorious, continuous, and uninterrupted, the use will be presumed to have been adverse. *Poole v. Edwards*, 197 S.C. 280, 283, 15 S.E.2d 349, 350 (1941).

[*Boyd v. Bellsouth Telephone*, 369 S.C. 410, 419, 633 S.E.2d 136, 141 (2006).]

Again, the evidence presented clearly demonstrates a lack of continued use for the required period of twenty (20) years. In addition, no evidence was presented that would show use of the designated GRISSINGER easement prior to the purchase of the ROUSEY property by the Plaintiff's parents in 2012. The Plaintiff's claim of prescriptive easement fails.

#### EASEMENT BY NECESSITY

Given the interconnection of the theories of easement, the *Boyd* Court discussed easement by necessity:

The party asserting the right of an easement by necessity must demonstrate: (1) unity of title, (2) severance of title, and (3) necessity. *Kennedy v. Bedenbaugh*, 352 S.C. 56, 60, 572 S.E.2d 452, 454 (2002). . . .

The necessity required for easement by necessity must be actual, real, and reasonable as distinguished from convenient, but need not be absolute and irresistible. *Jowers [v Hornsby]*, 292 S.C. at 550-51, 357 S.E.2d at 711 (citing *Steele v. Williams*, 204 S.C. 124, 28 S.E.2d 644 (1944); *Merrimon [v McCain]*, 201 S.C. at 76, 21 S.E.2d at 404; *Lawton v. Rivers*, 13 S.C.L. (2 McCord) 445 (1823)).

[*Boyd v. Bellsouth Telephone*, 369 S.C. 410, 418-420, 633 S.E.2d 136, 140-141 (2006).]

The evidence in this matter makes clear the former unity of title of the tracts in question, and their severance. The question is whether the Plaintiff has demonstrated that either the claimed LESONDAK or GRISSINGER easements are necessary to her in light of the unquestioned existence of the platted common roadway along the HARDEE tract.

Faced with a similar situation in *Morrow v. Dyches*, 328 S.C. 522, 492 S.E.2d 420 (Ct.App. 1997), the Court of Appeals stated:

Only reasonable necessity is required; thus, the easement must be more than merely convenient, but it does not need to be absolutely essential. *Jowers v. Hornsby*, 292 S.C. 549, 357 S.E.2d 710 (1987). . . . Although the Morrows claim necessity because they wish to use the CSX tract for large tractor-trailers to access the rear of their store, their claim fails because the entire eastern side of their tract borders on and is accessible by a public road. The doctrine only provides reasonable access to the dominant estate when

there is none; it does not provide a means for ensuring a preferred method of access to a particular portion of a tract when access to the tract is otherwise available. Cf. *Hayes v. Tompkins*, 287 S.C. 289, 337 S.E.2d 888 (Ct.App. 1985) (easement by necessity across adjoining land was upheld because a deep gully separated the dominant estate from a bordering public road).

[*Morrow v. Dyches*, 328 S.C. 522, 529, 492 S.E.2d 420, 424 (Ct.App. 1997)].

The Plaintiff has clear access by the platted common roadway. The other claimed easements are those she prefers. Under the established precedent of this State as recited in *Morrow, supra*, the Plaintiff has failed to demonstrate necessity in those claimed easements over GRISSINGER or LESONDAK.

The Court further notes that allowance of the claimed easements would necessitate either a roadway almost in front of GRISSINGER's home, or within a few feet of that of LESONDAK. Thus, equitable grounds also exist to deny those claimed easements on the grounds of necessity.

#### COMMON ROADWAY EASEMENT

Having confirmed the Plaintiff's right to an easement over the 1951 common roadway and the existing Severance Drive as it runs along the HARDEE property, the Court rejects any defense of waiver or estoppel as to the existing storage building or well on the GRISSINGER property that may exist within the common roadway. GRISSINGER denies the same to be within that area. If, however, the same are determined to lie therein by survey, the Plaintiff shall have the right to cause them to be repositioned.

#### TRESPASS

The Defendants GRISSINGER and LESONDAK have counterclaimed for damages. The Court finds any such damages to be *de minimis*. It accordingly awards no damages for the Plaintiff's past use of the claimed GRISSINGER or LESONDAK easements.

#### INJUNCTION

The testimony of the parties demonstrates a history of ill feeling and threats between the

parties, including threats of arrest of Mr. GRISSINGER by the Chester Sheriff's Department arising from the Plaintiff's use of her claimed easement past his front door.. By motion of counsel and upon the Court's own motion, and good cause appearing therefor, the parties herein, and each of them, and any officer, agent, servant, employee, attorney or person in active concert or participation with them who receives actual notice of this Order by personal service or otherwise, are hereby restrained from doing any act or thing with, or involving, the other parties herein which would endanger life, limb or property, or cause, or tend to cause, a breach of the peace, or endanger the peace and good order of the community.

AND IT IS SO ORDERED.

---

Paul M. Burch  
Judge for the Sixth Judicial Circuit

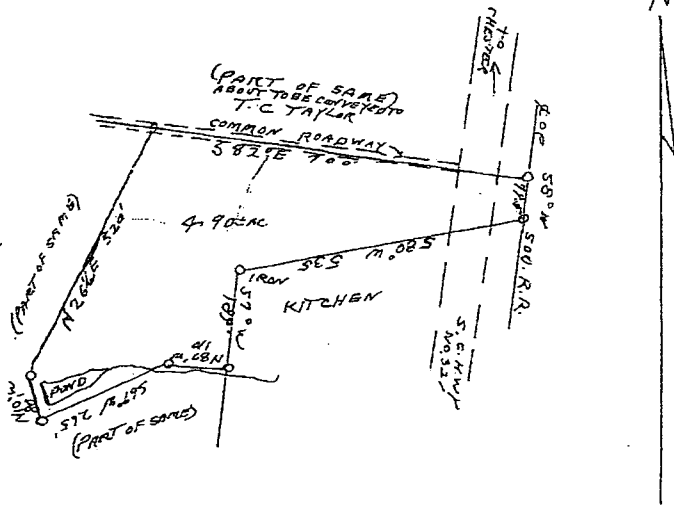
April \_\_, 2016

Pageland, South Carolina

L I P T

11:50 A.M.

4



PLAT OF  
 PROPERTY BELONGING  
 TO  
 A. J. TAYLOR  
 AND  
 MRS UNICE TAYLOR  
 ABOUT TO BE CONVERTED TO  
 LUCILLE T. SEVERANCE  
 CHESTER COUNTY, S.C.

Nov. 14, 1951

SCALE 1" = 20'  
L. H. MELTON

*Recorded  
 November 24, 1951  
 Delivered 30:*

102-202

B-102/2

B-102/2

102-202

LUCILLE T. SEVERANCE  
Deed Book 352, Page 005

CHARLES C. SHIRLEY, JR.  
Deed Book 486, Page 619  
Plat Book "J", Page 44

CLARENCE V. JACKSON  
Deed Book 486, Page 74  
Plat Book "J", Page 64

ROSEMARY ROUSEY  
Deed Book 323, Page 355  
Plat Book "J", Page 34

ANDREW SANDY, JR.  
Deed Book 401, Page 44  
Plat Book "T", Page 15

AREA = 4.012 Acres



LOCATION MAP  
NOT TO SCALE

FILED  
JUN 27 11 08 AM '88  
C.C. HARRIS  
CLERK OF COURTS  
CHESTER COUNTY, S.C.

### PLAT OF SURVEY FOR E. P. SEVERANCE

BEING A 4.012 ACRE TRACT  
LOCATED ON U.S. # 321

CHESTER TOWNSHIP,  
CHESTER COUNTY,  
SOUTH CAROLINA

JUNE 27, 1988

EDWARD F. WOODWARD  
Surveyor  
Chester County, S.C.

SCALE: 1" = 50'



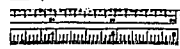
222 SALUDA STREET  
ROCK HILL, SOUTH CAROLINA  
PHONE: 803-324-2475

NOTE:  
EIP = EXISTING IRON FOUND  
NIP = NEW IRON REBAR SET

I HEREBY CERTIFY THAT THE RATIO OF  
PRECISION OF THE UNADJUSTED FIELD  
SURVEY IS 1 IN 10,000 AND THAT THE  
AREA HAS COMPUTED BY THE DAVID  
METHOD.

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS  
AN ACTUAL FIELD SURVEY BY ME THIS DATE AND  
THAT, TO THE BEST OF MY KNOWLEDGE, THERE ARE  
NO ENCROACHMENTS OR PROJECTIONS  
OTHER THAN SHOWN AND THAT THE STRUCTURES  
SHOWN ARE NOT LOCATED BY A SPECIAL PLAT, SO  
HEARD TO BE UNLESS NOTED.

*Edward F. Woodward*  
EDWARD F. WOODWARD R.L.S. 8613



C-130/9B

Calc Side 130 Pg 9B

Calc Side 130 Pg 9B

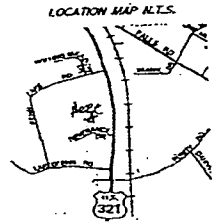
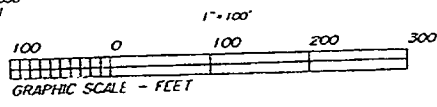
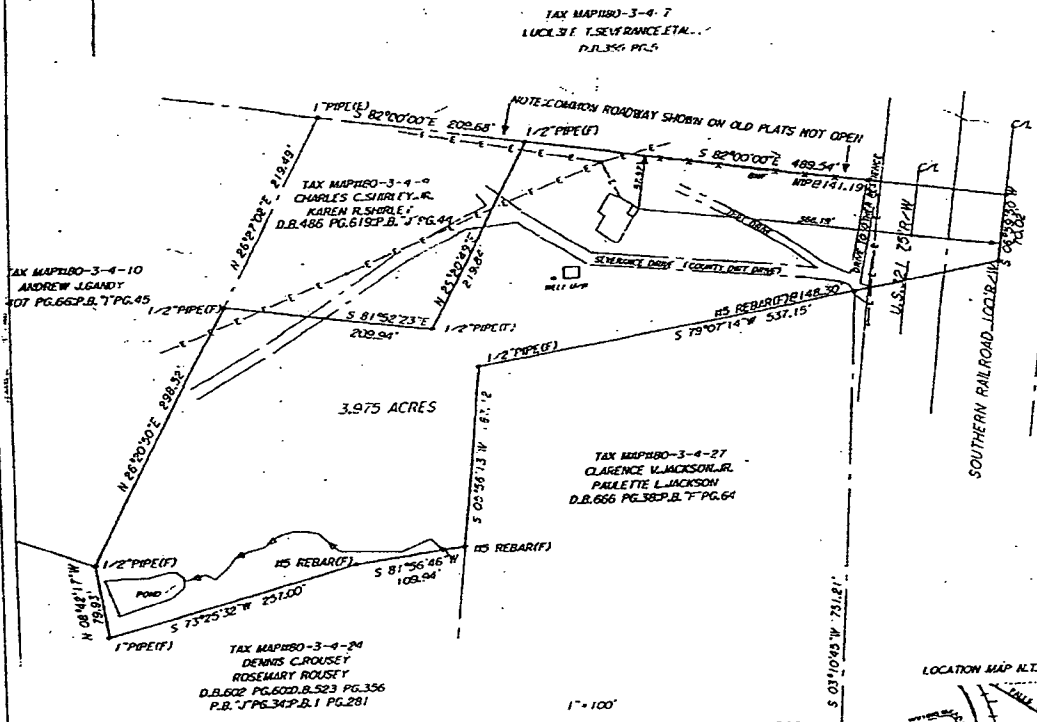
PLAT OF SURVEY FOR  
FRANK WILLIAM YOUNG  
BEING A 3.975 ACRE TRACT  
LOCATED ON SOUTHERN RAILROAD & U.S. 32  
CHESTER TOWNSHIP, CHESTER COUNTY, SOUTH CAROLINA  
DI CTAREK 9.1907  
REFERENCE: TAX MAP 80-3-4-8  
P.B. 74 PG. 178 P.B. 7 PG. 4

FILED, RECORDED, INDEXED  
03/11/1998 02:39  
Tax Fees 10.00 St Fees 0.00  
Ls Fees 0.00 Pages: 1  
Clerk of Court  
See E. Carpenter

The subdivision plat shown herein was prepared in accordance with the Chester County Land Ordinance and has been approved for recording by the Clerk of Court of Chester County, South Carolina.

3-16-98  
S. J. Hipp  
Chester County Planning Commission

MAGNETIC NORTH



Have found to comply with Regulations and is in the office of the Clerk of Court.

2-6-98  
S. J. Hipp  
Platting Commission

NOTES  
w/n

SURVEY CONDUCTED AND WAS PERFORMED IN ACCORDANCE WITH THE PRACTICE 'LAW' OF SOUTH CAROLINA. THE METHOD BEARINGS SHOWN UNLESS OTHERWISE NOTED.

THE INFORMATION SHOWN HEREON IS THE RESULT OF A SURVEY PERFORMED UNDER THE SUPERVISION OF WILLIAM V. HIPPI AND WAS COMPLETED ON THE DATE SHOWN ABOVE. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE MEASUREMENT STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED UNDER THE CODE OF LAWS OF SOUTH CAROLINA, TITLE 40, CHAPTER 21, AND IS OF CLASS-A STANDARD. THE CURVED AREA (IF SHOWN) WAS DETERMINED USING THE D.M.D. METHOD. BEARINGS WERE RECORDED AS SHOWN. ENCROACHMENTS ARE AS SHOWN, UNLESS NOTED OTHERWISE AND ARE NOT WITHIN A SPECIAL 50' HAZARD ZONE ACCORDING TO PLAT MAPS.

S. J. Hipp  
WILLIAM V. HIPPI, S. 1934

HIPP LAND SURVEYING  
3574 VICTORIAN HILLS DRIVE  
RICHBURG, S.C. 29729  
PHONE (803) 789 3716

NOTE:  
EIP = EXISTING IRON PIN  
NIP = NEW IRON PIN  
PK = PK MARK  
RR = RAILROAD SPIKE

PLAT OF SURVEY FOR Cab D Side 183 Pg 8B  
 DENNIS C. & ROSEMARY ROUSEY  
 CHESTER TOWNSHIP, CHESTER COUNTY, SOUTH CAROLINA

MARCH 28, 2012  
 REFERENCES: TAX MAP #080-03-04-010  
 D.B.944 PG.278; P.B."J" PG.45

201200072583  
 Filed for Record in  
 CHESTER COUNTY SC  
 SUE K. CARPENTER, CLERK OF COURTS  
 05-16-2012 At 03:38:33 pm.  
 PLAT 16.00

T.M.#80-3-4-7  
 WILLIAM P. HARDEE  
 D.B.754 PG.4

HAMILTON, DELLENEY & GRIER, P.A.  
 ATTORNEYS AT LAW  
 P.O. BOX 808  
 CHESTER, SC 29708-0808

MAGNETIC NORTH

T.M.#80-3-4-20  
 FRANK L. WRIGHT-LE  
 JEAN D. WRIGHT-LE  
 D.B.891 PG.102  
 CAB."J" S-6 PG.5B

T.M.#80-3-4-6  
 JEFFERY W. KEENON  
 D.B.580 PG.271

T.M.#80-3-4-8  
 KERRY GRISSINGER  
 D.B.781 PG.322; P.B."J" PG.44

T.M.#80-3-4-8  
 DOROTHY JEAN JOHNSON  
 D.B.984 PG.125; CAB."C" S-130 PG.9B

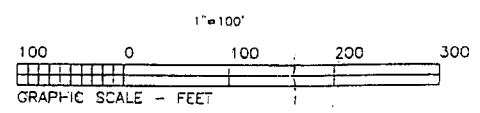
T.M.#80-3-4-24  
 DENNIS C. ROUSEY  
 ROSEMARY ROUSEY  
 D.B.602 PG.60; P.B."1" PG.281  
 P.B."J" PG.34

T.M.#80-3-4-17  
 JOHN RICE  
 D.B.1003 PG.194  
 CAB."C" S-165 PG.3B

NOTE:  
 [Symbol] EXISTING IRON PIN  
 [Symbol] NEW IRON PIN  
 [Symbol] PK NAIL  
 [Symbol] RAILROAD SPIKE  
 P.P. PINCHED PIPE

NO NEW LOTS OR LINES ESTABLISHED

HIPP LAND SURVEYING, INC.  
 3574 VICTORIAN HILLS DRIVE  
 RICHBURG, S.C. 29729  
 PHONE (803) 789 3716



NOTE: SHOWN AS A COMMON ROAD (P.B."I" PG.45; P.S."J" PG.44; P.B."I" PG.4)  
 SEVERANCE DRIVE  
 GRAVEL DRIVE  
 S 60°35'24"E 420.85'

