

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HAMPTON COUNTY
Court of Common Pleas

Walter H. Sanders Jr., Special Referee

Case No. 2018-001554

RECEIVED

JAN 15 2019

SC Court of Appeals

Yvette Cole, Appellant,

v.

Shirley Heyward, Respondent.

RECORD ON APPEAL

Yvette Cole
152 East 111th Street Apt. 6D
New York, NY 10029
(212)-427-2042
Appellant

Shirley Heyward
560 Sapp Blyd Se
Estill, SC 29918
Respondent

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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
)
 COUNTY OF HAMPTON) CASE NUMBER: 2017-CP-25-041
)
 YVETTE COLE)
)
)
 Plaintiff,)
)
 -vs-)
)
 SHIRLEY HEYWARD)
)
 Defendant,)

ORDER

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

#1
(Handwritten signature)

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

#2
WHS


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

IN THE COURT OF COMMON PLEAS
CASE NO: 2017-CP-25-041

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

The Plaintiff, Yvette Cole, has moved pursuant to Rule 59 (e) SCRCP, for reconsideration of the Order dated January 15, 2018, filed March 19, 2018. After careful consideration, the Court **DENIES** the motion.

IT IS SO ORDERED.



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

Fairfax, South Carolina

July 11, 2018.

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

YVETTE COLE

Plaintiff,

-vs-

SHIRLEY HEYWARD

Defendant,

FILED
11:46 AM PM

JUL - 5 2018

MYLINDA D NETTLES
CLERK OF COURT
HAMPTON COUNTY, SC

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

PROPOSED ORDER

RESPONDENT, hereby file this Proposed Order in addition to the Motion for Reconsideration that was filed on the 30 March 2018 in the Hampton County Court of Common Pleas. This order proposes the following:

1. **YVETTE COLE IS FOUND TO BE THE SOLE OWNER OF THE PROPERTY LOCATED AT 560 SAPP BLVD, SE, ESTILL, SC 29918 WITH THE CORRESPONDING MAP NUMBER 069-01-12-007.**
2. **SHIRLEY HEYWARD IS FOUND TO HAVE NO OWNERSHIP RIGHTS OR INTEREST IN THE PROPERTY LOCATED AT 560 SAPP BLVD, SE, ESTILL, SC 29918 WITH THE CORRESPONDING MAP NUMBER 069-01-12-007.**
3. **IT IS FOUND THAT NO OTHER PERSON HAS ANY OWNERSHIP RIGHTS OR INTEREST IN THE PROPERTY LOCATED AT 560 SAPP BLVD, SE ESTILL, SC 29918 WITH THE CORRESPONDING MAP NUMBER 069-01-12-007.**
4. **IT IS FOUND THAT BANK OF AMERICA IS THE ONLY ONE OTHER THAN YVETTE COLE WHO HAS AN INTEREST IN THE PROPERTY LOCATED AT 560 SAPP BLVD, SE ESTILL, SC 29918 WITH THE CORRESPONDING MAP NUMBER 069-01-12-007.**
5. **IF AN ACCURATE DECISION CANNOT BE MADE ON THE AFOREMENTIONED ISSUES, JUDGE WALTER H. SANDERS JR. RECUSE HIMSELF FROM ANY FURTHER PROCEEDINGS REGARDING THIS CASE.**

Yvette Cole

Yvette Cole
July 2, 2018

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

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

YVETTE COLE

Plaintiff,

-vs-

SHIRLEY HEYWARD

Defendant,

MOTION FOR RECONSIDERATION

RESPONDENT, hereby file this Motion for Reconsideration from the 15 January 2018 Decision of Special Referee Walter H. Sanders Jr. of the Hampton County Court of Common Pleas, a copy of which was received on 29 March 2018 by Respondent and respectfully avers: THAT--

THE RESOLUTION SUBJECT OF RECONSIDERATION

The Special Referee Walter H. Sanders Jr. of the Hampton County Court of Common Pleas promulgated a Decision on 15 January 2018, the decretal portion of which reads:

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.

BASIS FOR RECONSIDERATION

This Court's January 15, 2018 Order improperly granted Shirley Heyward, with others, an undivided right, title and interest in the property located at 560 Sapp Blvd, SE, SC 29918 because the property that is here in dispute located at 560 Sapp Blvd, SE, Estill, SC 29918 is *not the property that Special Referee Sanders is referring to in his decision.*

A motion for reconsideration is appropriate in the following circumstances: (1) to address an intervening change in controlling law; (2) to consider new evidence not previously available; (3) to correct a clear or manifest error of law or fact; or (4) to prevent manifest injustice. *Fisherman's Harvest, Inc. v. Post, Buckley, Schuh & Jernigan, Inc., et al., No. G-05-0151, 2008 WL 4277001, at *2 (S.D. Tex. Sept. 10, 2008)* (citations omitted).

(3) to correct a clear or manifest error of law or fact; Special Referee Walter H. Sanders Jr. made several errors of law and fact and they are as follows:

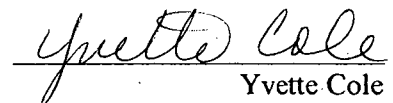
1. *Hezekiah Heyward* not *Hezehih Heyward* has estate that is administrated at File Number 96-ES-25-83 in the Office of the Probate Court of Hampton County South Carolina. Point 8 of Decision.
2. The Estate of Hezekiah Heyward that is administrated at File Number 96-ES-25-83 in the Office of the Probate Court of Hampton County South Carolina is *not* the property located at 560 Sapp Blvd, SE, Estill SC 29918. Point 8 of Decision.
3. Hezekiah's property and the property that is in dispute located at 560 Sapp, Blvd, SE, Estill, SC 29918 have *two different Map Numbers*.
 - a. Hezekiah Heyward's Property has *Map Number 069-01-12-010*. This property was never probated and in 2007 Shirley Heyward purchased this property through a tax sale
 - b. Yvette Cole's Property, located at 560 Sapp Blvd, SE, Estill, SC 29918 has *Map Number 069-01-12-007*.
4. The property that Ruth Heyward Thornton conveyed her undivided interest 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 Courts for Hampton County, South Carolina is the property located at 560 Sapp, Blvd, SE, Estill, SC 29918 and *not* the property Hezekiah Heyward devised to his seven children testate. Point 9 of Decision.
5. The title search that was done on the property located at 560 Sapp, Blvd, SE, Estill, SC 29918 and is filed in the Hampton County Court, deemed Yvette Cole the *sole* owner of the property. Point 5 of Decision.

(4) to prevent manifest injustice; Special Referee Walter H. Sanders Jr. should have recused himself from presiding over this case.

1. Walter H. Sanders Jr. was hired to represent Yvette Cole in 1998 in an eviction action against Shirley Heyward over the property located at 560 Sapp Blvd, SE, Estill, SC 29918. This is the same property at dispute in this case.
2. Walter H. Sanders Jr. took \$300.00 from Yvette Cole and did nothing further.
3. Actions were taken in the form of filing a complaint against Walter H. Sanders Jr. with the South Carolina Bar association disciplinary committee.

CONCLUSION

For the foregoing reasons, Defendant Yvette Cole, respectfully request that this Court reconsider and grant Yvette Cole sole ownership interest in the property located at 560 Sapp Blvd, SE, Estill, SC 29918.


Yvette Cole
March 30, 2018

DEED PREPARED-TITLE NOT EXAMINED

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF HAMPTON)

KNOW ALL MEN BY THESE PRESENTS, That RUTH HEYWARD THORNTON in the State aforesaid for and in consideration of the sum of Five and no/100 (\$5.00) Dollars to me paid by YVETTE COLE in the State aforesaid, County of Hampton the receipt whereof is hereby acknowledged, have granted, bargain, sold and released, by these presents do grant, bargain, sell and release unto the said YVETTE COLE, her heirs and assigns, the following described property, to-wit:

All that certain piece, parcel or lot of land, situate, lying and being located in the Southeastern Section of the Town of Estill, as is fully shown and delineated upon a plat of Joe P. Miley, Reg., C.E., & L.S. dated January 20, 1971 and appearing of record in the office of the Clerk of Court for Hampton County, South Carolina in Plat Book 14, at page 8. Said lot is bounded as follows, to-wit: On the North for 110' by C. R. Long; on the East by a street for 150'; on the South 112' by a Canal; and on the West by 132' all measurements being more or less.

DERIVATION: This being the same interest conveyed to Grantor herein by deed recorded in the office of the Clerk of Court for Hampton County in Deed Book D-66, at page 616.

TM# 069-01-12-007

DOCUMENTARY REVENUE

EXEMPT

COUNTY STATE

Page 1 of 3

DATE 7-11-97

BOOK 9003 PAGE 336

GRANTED BY DEED TO Yvette Cole
P.O. Box 1579
Estill, SC 29918

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said property belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said YVETTE COLE, her heirs and assigns forever.

And I do hereby bind myself and my heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said YVETTE COLE, her heirs and assigns, against me and my heirs and against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS my hands and seal this 27th day of June, in the year of our Lord one thousand nine hundred and ninety-seven and in the two hundred and twenty-first year of Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
In the Presence of:


Marie H. Crews
[Signature]

Ruth Heyward Thornton (S.)
RUTH HEYWARD THORNTON

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

ELSON WILSON appeared before me the undersigned and made oath that she saw the within named ELSON HEYWARD THORNTON sign, seal and as her intended residence of the within named Title to Real Estate for the uses and purposes therein mentioned and that he and the other witness subscribed above witnessed the execution thereof.

SWORN to before me this
27th day of June, 1997.



Notary Public for South Carolina
My Commission Expires: 02-13-05

Marie H. Crews

RECORDED THIS 11 DAY
OF July 19 97
IN BOOK 6 PAGE 261
Veresa S. Williams
AUDITOR Hampton COUNTY, S.C.

ORIGINAL RETURNED
TO Solomon & Lawton

RECORDED IN BOOK 9085 PAGE 334-E
THIS 11 DAY OF July 19 97
AT 12:30 MIDDAY
Myranda D. Nettles
CLERK OF COURT FOR
HAMPTON COUNTY, SOUTH CAROLINA

**FREELANCE ABSTRACTING SERVICES
A TITLE RESEARCH COMPANY
44 JASMINE HALL ROAD
SEABROOK, SC 29940**

PAM GODWIN

Cellular (843) 812-0291 Fax (843) 846-1103 Office (843) 846-9247

DATE <i>12/6/14</i>		NUMBER <i>H2014-802</i>	
PROPERTY SEARCHED			
<i>069-01-12-007</i>			
<i>Yvette Cole</i>			
ATTORNEY <i>Thayer Rivers</i>			
		SEARCH FEE	
		COPY FEE	
		TOTAL	<i>\$ 170.00</i>

THANK YOU!

Freelance Abstracting Services

Requested by: Thayer Rivers Date Requested: _____ Date Needed: _____

Type Search Needed: (Full) Limited Purchaser: _____ Leins: _____

Property Description: Parcel in Southeast Section, Town of Estill

Township: Hampton County Plat Book: 14 Page: 8

Current Owner	Book	Page
Yvette Cole		
Chain of Title (See Attached)		

County: _____ District: _____ Map 069 Submap 01 Parcel 12 Block 007
 _____ lot bldg _____ acres 4% (6%) \$ 2000.00 assessed \$ 33,300.00 appraised

2014 Real Estate Taxes \$ 1,266.24 with penalties due/paid Key#: _____

na PR Taxes \$ _____ with penalties _____ due/paid Key#: _____

Mobile Home Taxes: Yes / (No)

All Prior Years Paid Unless Otherwise Stated

Mortgages: (2) MB 422 p 101 - Yvette Cole to Bank of America, N.A. For \$25,000.00 dated 11-8-06 and recorded 12-7-06 at 12:54pm
(1) MB 89 p 243 - Sadie Heywood and Ruth M. Johnson to Jim Walter Homes for \$33,948.00 dated 4-28-06 and recorded 5-17-06. (Odd - no assignments!!)
MB 98 p 323 - Rel of easement

ELECTRONICALLY FILED - 2017 Feb 01 3:37 PM - HAMPTON - COMMON PLEAS - CASE#2017CP2500041

Freelance Abstracting Services

ELECTRONICALLY FILED - 2017 Feb 01 3:37 PM

Property Description: _____

Township: _____

Plat Book: _____ Page: _____

Chain of Title	Book	Page
Yvette Cole	6-27-97 7-1-97	203 336
z Ruth Heyward Thornton		
* No probate records found for Sadie Heyward. The assessor's office notes she died 2-26-96 - they couldn't find a death certificate		
heirs assigns Sadie Heyward and Ruth Heyward	4-10-46 4-3-26	66 616
developed C.R. Long	12-1-42 12-2-42	37 539
z C.B. Herndon		

HAMPTON - COMMON PLEAS - CASE#2017CP2500041

2-03

It is further understood and made of the nature hereof that in case of default by the mortgagor in the performance of any of the covenants herein on the part of the Mortgagee, then it shall be lawful for the Mortgagee to exercise all remedies available to it including without limitation, the power to sell the property, or to foreclose thereon, or to take any other action which may be necessary to protect its interest in the property, and the Mortgagee shall have the right to take such action without any notice or demand, and without any liability for the consequences of such action.

It is further understood and agreed by and between the parties that the Mortgagee shall have the right to exercise any option or preferred lease, lease or contract and to enforce any debt of the Mortgagee at any time without notice or prior notice of any kind, and the Mortgagee shall have the right to exercise any option or preferred lease, lease or contract and to enforce any debt of the Mortgagee at any time without notice or prior notice of any kind, and the Mortgagee shall have the right to exercise any option or preferred lease, lease or contract and to enforce any debt of the Mortgagee at any time without notice or prior notice of any kind.

OF WITNESS WHEREOF, we have hereunto set our hand and seal this 28th day of April A.D. 1978.

Billie B. DeLoach
By Billie B. DeLoach, as the
Trust and Legal Attorney in Fact for
Sadie Hayward

As to Billie B. DeLoach for Sadie Hayward
Joe Brown
J.S. Brown
Notary Public

STATE OF SOUTH CAROLINA
COUNTY OF Hampton
PERSONALLY APPEARED BEFORE me JOE BROWN
Billie B. DeLoach and Billie B. DeLoach
do hereby declare to me that they are the persons named in the foregoing instrument and that they are the persons named in the foregoing instrument and that they are the persons named in the foregoing instrument.

I have on before me this 28th day of April 1978
Joe Brown
Notary Public, S.C.
My Commission Expires 9-16-81.

STATE OF SOUTH CAROLINA
COUNTY OF
UNCLINATION OF DOWER
I, Joe Brown, a Notary Public for South Carolina, do hereby certify that on this day before me, and upon being solemnly and separately examined by me, did declare that the two parties, voluntarily and without any coercion, fraud or force of any person or persons whatsoever, executed, signed, and delivered the within instrument, and that they are the persons named in the within instrument, and that they are the persons named in the within instrument, and that they are the persons named in the within instrument.



RECORDED BY BOOK 12-12 PAGE 215
FILED BY Joe Brown
CLERK OF COURT FOR
HAMPTON COUNTY, SOUTH CAROLINA
RETURN TO:
JIM WALTER HOMES, INC.
P. O. BOX 22601
TAMPA, FLORIDA 33622
Melvin L. Jim Walter Homes

616

do 616 p 616

THE STATE OF SOUTH CAROLINA

COURTY OF HAMPTON

I, C.R. Long

KNOW ALL MEN BY THESE PRESENTS, THAT

For and to the use of the sum of Two Thousand and no/100 (\$2,000.00) Dollars, paid by Sadie Hayward and Ruth Hayward, 2445 8th Ave. N.Y., N.Y. 10018

have granted, conveyed, sold and released, and by these presents do grant, convey, sell and release unto the said

Sadie Hayward and Ruth Hayward, their heirs and assigns, the following described premises, to-wit:

All that certain piece, parcel or lot of land, situate, lying and being located in the Southeastern Section of the Town of Still, as is fully shown and delineated upon a plat of Joe P. Niley, Reg. C.E.'s L.S., dated January 20, 1971 and appearing of record in the office of the Clerk of Court for Hampton County, S.C. in Plat Book 14 at page 8. Said lot is bounded as follows, to-wit: On the North for 110' by C.R. Long; on the East by a street for 150'; on the South 112' by a Canal; and on the West for 131' all measurements being more or less. This being a portion of the premises deeded the Grantor by deed of C.B. Herndon appearing of record in the Clerk's office in book 0-87 at page 139.

State Stamp \$4.00

RECEIVED DEEDS HAMPTON COUNTY, S.C. 2/20

TOGETHER with all and singular, the Rights, Members, Memberships and Appurtenances to the said Premises belonging, or in anywise incident or appertaining

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Sadie and Ruth Hayward, their heirs and assigns forever.

AND I, the hereby said myself and my heirs, Executors and Administrators, to support and forever defend, all and singular, the said Premises unto the said Sadie and Ruth Hayward, their heirs and assigns forever.

Witness my hand and seal this 10th day of April in the year of our Lord one and in the 100th year of the Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF Lee S. Bowers C.R. Long, Sr. Seal

Billie E. DeLoach Seal STATE OF SOUTH CAROLINA Hampton County

PERSONALLY appeared before me Billie E. DeLoach and made oath that C.R. Long

do hereby certify that Lee S. Bowers is a duly qualified and sworn Notary Public for the State of South Carolina, and that his commission expires on the 10th day of April, A.D. 1971.

Lee S. Bowers Notary Public of S.C. My Commission expires 9-16-81

STATE OF SOUTH CAROLINA Hampton County. Notary Public for S.C. I hereby certify that C.R. Long is a duly qualified and sworn Notary Public for the State of South Carolina, and that his commission expires on the 10th day of April, A.D. 1971.

do hereby certify that Lee S. Bowers is a duly qualified and sworn Notary Public for the State of South Carolina, and that his commission expires on the 10th day of April, A.D. 1971.

Lee S. Bowers Notary Public of S.C. Commission expires 9-16-81

Recorded on April 23, 1976 at 4:00 P.M. Helen G. Youmans, Clerk of Court Delivered to Lee S. Bowers

M-98

MB 980 243
re:
MB 890 243

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LEE J. FLOWERS
Attorney at Law
P. O. Box 94
Estill, South Carolina 29718

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

RELEASE OF MORTGAGE

KNOWN ALL MEN BY THESE PRESENTS: That Jim Walters Homes
(Bank, Loan Co., etc.)
(City)

South Carolina, as Mortgagee under the terms of that certain real estate mortgage from
Sadie Heyward and Ruth M. Johnson
(Mortgagor)

Estill, South Carolina, and recorded in
(City)
Mortgage Book M-89 at Page 243-244 County of Hampton South Carolina, for good
consideration has remised, released and discharged, and by these presents does hereby
remise, release and discharge from the lien of the aforesaid mortgage/ the following
property, to-wit:

All that certain piece, parcel or strip of land being 30' feet wide and
leading from the Southwestern corner of the property of the mortgagors
to the Southeastern corner of said property. It is understood that
said easement is as fully shown in the plans prepared by Sewell
Engineering Company for the Sewerage Project for the Town of Estill,
and shall be equidistance on both sides of the pipe as hereafter laid in
the ground.

This being the exact easement given to the Town of Estill heretofore by
the said Mortgagors.

Provided, however, that the security of Jim Walters Homes
(Bank, Loan Co., etc.)

as described in the security instrument above referred
to and described shall be preserved and protected; and that the lien of the said mortgage
shall secure the instrument except as hereby released and discharged, shall remain in full
force and effect; in the terms conditions and covenants thereof, and of the said note on
instrument thereof secured, shall remain unchanged.

MORTGAGES

- 324 -

IN WITNESS, WHEREOF, Jim Walters Homes, INC.
(Bank, Loan Co., etc.)

_____ has caused these presents to be executed in its name by

J. H. Kelly
(Agent for Bank, Loan Co., etc.) and its corporate seal to be hereto affixed

this 30th day of January in the year of our Lord One Thousand Nine Hundred and Eighty ~~and~~ and in the Two Hundred and 4th Hundredths year of the Sovereignty and Independence of the United States of America.

JIM WALTERS HOMES, INC.
(Bank, Loan Co., etc.)
By: [Signature]
(Agent for Bank, Loan Co., etc.'s Signature)
J. H. Kelly, Asst. Vice President

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Patti L. Schmid
WITNESS TO AGENT'S SIGNATURE (sign here)
Sandra A. Quintana
WITNESS TO AGENT'S SIGNATURE (sign here)

FLORIDA
STATE OF ~~FLORIDA~~
COUNTY OF Hillsborough

PERSONALLY appeared before me Patti L. Schmid
(Write or Type in Witness's Name who signs before Notary)

who, being on oath, says that s/he saw the within named Jim Walter Homes, Inc.
(Bank, Loan Co., etc.)

_____ by J. H. Kelly
(Write or Type in Bank, Loan Co., etc. Agent's name)

seal said instrument, and, as its act and deed, deliver the same, and that s/he
with Sandra A. Quintana
(Write or Type in Other Witness's Name) witnessed the execution thereof.

Patti L. Schmid
(One Witness signs here before a Notary)

SWORN to and subscribed before me
this 30th day of January, 19 80

Victoria H. Pignatelli
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: (Notarized Seal)
Notary Public State of South of Large
By Commission Expires Mar. 22, 1982.

Released to Lee Bowen
RECORDED IN BOOK 798 PAGE 327-28
THIS 6 DAY OF February 1980
AT 2:50 P.M. O'CLOCK

WELCH C. YOUNG
WELCH C. YOUNG, CLERK OF COURT FOR
HAMPTON COUNTY, SOUTH CAROLINA

Taxpayer Search, View & Pay Online

Taxpayer Search, View & Pay Online

Tax Search Parameters

Search Type Property Motor Vehicle Both

Tax Year

Payment Status

Search By

Search Tips

Increase the speed and accuracy of your Tax Search:

Select a Search Type

Select a Tax Year

Select a Pay Status

Search by one criteria only:
Owner Name, Receipt Number or Map Number

Enter Last Name followed by First Name to narrow search.
Example: Smith John

Owner Name	Year	Receipt	Description	Type	Status	Paid Date	
COLE YVETTE	2014	2909143	069-01-12-007	Property	Unpaid		<input type="text" value=""/>
COLE YVETTE	2013	2881133	069-01-12-007	Property	Paid	02/26/14	<input type="text" value=""/>
COLE YVETTE	2012	2915123	069-01-12-007	Property	Paid	02/20/14	<input type="text" value=""/>
COLE YVETTE	2011	2888113	069-01-12-007	Property	Paid	04/24/13	<input type="text" value=""/>
COLE YVETTE	2010	2876103	069-01-12-007	Property	Paid	08/06/12	<input type="text" value=""/>
COLE YVETTE	2009	2811093	069-01-12-007	Property	Paid	02/16/11	<input type="text" value=""/>
COLE YVETTE	2008	2842083	069-01-12-007	Property	Paid	11/09/09	<input type="text" value=""/>
COLE YVETTE	2007	2779073	069-01-12-007	Property	Paid	10/09/08	<input type="text" value=""/>
COLE YVETTE	2006	2687063	069-01-12-007	Property	Paid	12/18/06	<input type="text" value=""/>
COLE YVETTE	2005	2674053	069-01-12-007	Property	Paid	01/04/06	<input type="text" value=""/>
COLE YVETTE	2004	2669043	069-01-12-007	Property	Paid	03/01/05	<input type="text" value=""/>
COLE YVETTE	2003	2635033	069-01-12-007	Property	Paid	10/12/04	<input type="text" value=""/>
COLE YVETTE	2002	2610023	069-01-12-007	Property	Paid	09/02/03	<input type="text" value=""/>
COLE YVETTE	2001	2635013	069-01-12-007	Property	Paid	01/07/03	<input type="text" value=""/>
COLE YVETTE	2000	2610003	069-01-12-007	Property	Paid	09/21/01	<input type="text" value=""/>

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Taxpayer Search,
View & Pay Online

Taxpayer Search, View & Pay Online

COLE YVETTE
100260000

Record Type: Property
Receipt No.: 002881-13-3
Tax Year: 2013

Base Amount: \$1,357.60
Net Taxes: \$1,278.01
Penalties: \$127.80
Balance Due: \$0.00

Payment Status: Paid
Paid Date: 2/26/2014
Paid Amount: \$1,405.81

Penalty Date	Amount Due
January 16	3%
February 2	10%
March 17	15%

Map No.: 069-01-12-007.
District: S
Assessed Value: 0
Fair Market Value: 33.300

Description:



Taxpayer Search,
View & Pay Online

Taxpayer Search, View & Pay Online

COLE YVETTE
100260000

Record Type: Property
Receipt No.: 002909-14-3
Tax Year: 2014

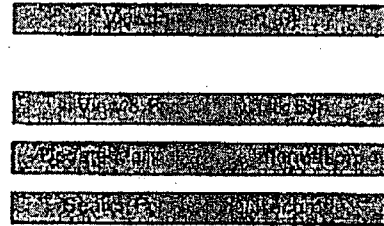
Base Amount: \$1,337.60
Net Taxes: \$1,266.24
Penalties: \$0.00
Balance Due: \$1,266.24

Payment Status: Unpaid
Paid Date:
Paid Amount: \$0.00

Penalty Date	Amount Due
January 16	3%
February 2	10%
March 17	15%

Map No.: 069-01-12-007
District: S
Assessed Value: 0
Fair Market Value: 33,300

Description:



PROBATE COURT

Closed by Rule 4 8-18-03

COUNTY OF HAMPTON

IN THE MATTER OF (Decedent Name) *Hezekiah* HEZEKIAH HEYWARD

CASE NUMBER 96-ES-25-83

APPLICATION FOR

PETITION FOR

(check any that apply)

- INFORMAL
- PROBATE OF WILL
- APPOINTMENT

- FORMAL
- TESTACY
- APPOINTMENT

Applicant/Petitioner: RUTH HEYWARD THORNTON
 Address: 170 GRAYSON ST. APT 40-G, ESTILL, SC 29918
 Telephone: (803)625-0202

I. ALL APPLICANTS/PETITIONERS MUST COMPLETE THIS SECTION.

1. Nature of interest of undersigned.

2. Decedent Information

Name: HEZEKIAH HEYWARD
 Social Security Number: 254-16-1654
 Date of Birth: 11-11-19
 Date of Death: 06-03-96
 Age at date of death: 76
 Domicile at date of death: HAMPTON (county) SOUTH CAROLINA (state)

3. Venue for this proceeding is proper in this county because.

- Decedent was domiciled in this county at date of death
- Decedent was not domiciled in South Carolina, but property of Decedent was located in this county at date of death.
- Decedent has a right to take legal action in this county because

4a. Names and addresses of devisees, including dates of birth of minors

Name	Date of Birth	Address	Relationship to Decedent
<u>RUTH THORNTON</u>	<u>05-02-49</u>	<u>170 GRAYSON ST, ESTILL, SC</u>	<u>DAUGHTER</u>
<u>VALERIE HEYWARD</u>	<u>12-30-56</u>	<u>453 KENNEDY ST, ESTILL, SC</u>	<u>DAUGHTER</u>

(use additional sheet if necessary)

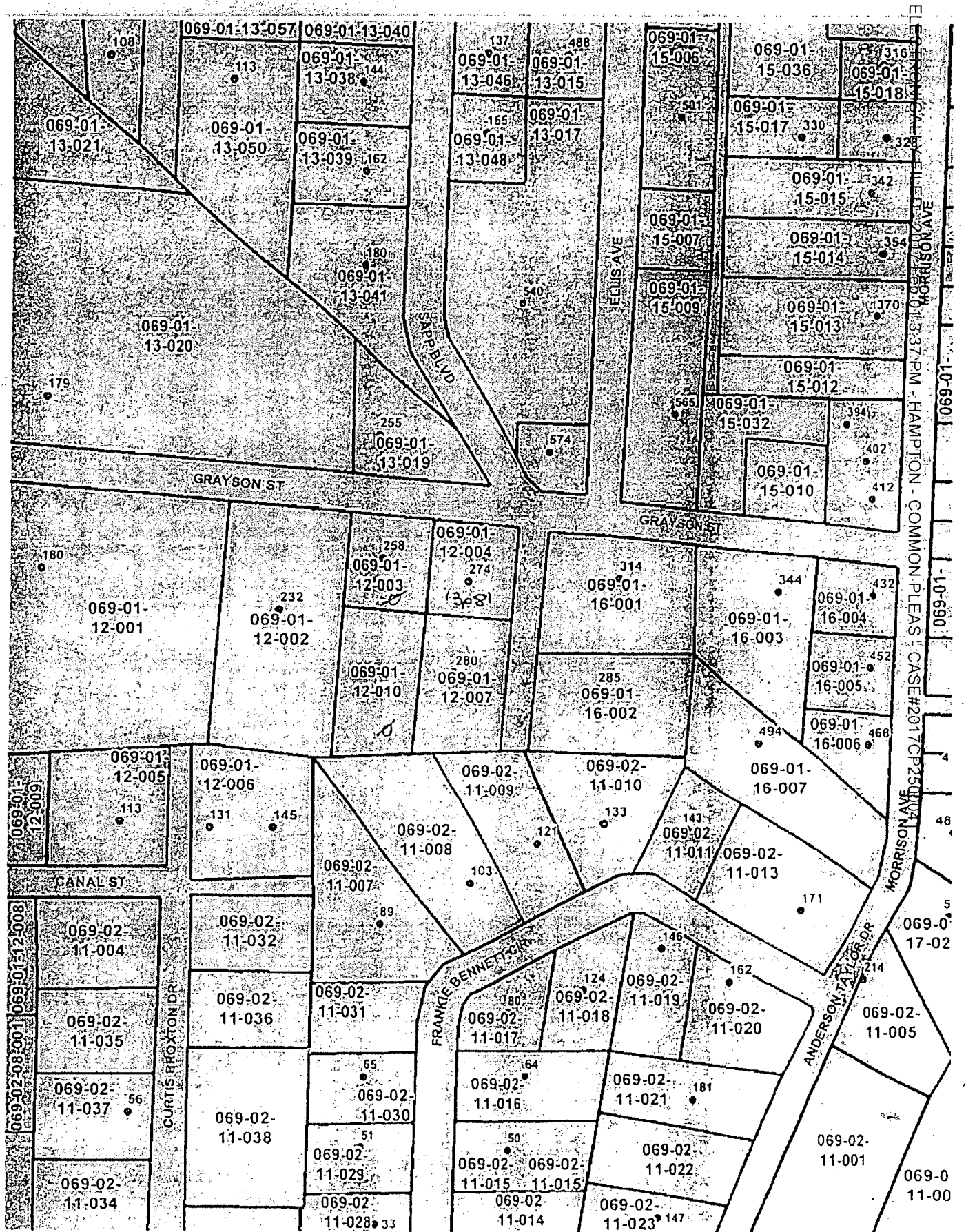
4b. Names and addresses of intestate heirs who are not devisees, including dates of birth of minors

Name	Date of Birth	Address	Relationship to Decedent
<u>KELVIN HEYWARD</u>	<u>01-26-55</u>	<u>3400 PAWHATAN RIVERDALE, MD</u>	<u>SON</u>
<u>LEROY BOSTICK</u>	<u>10-28-42</u>	<u>8218 WAPATI CT, PASADENA MD</u>	<u>SON</u>
<u>SHIRLEY HEYWARD</u>	<u>02-20-53</u>	<u>PO BOX 1406, ESTILL, SC</u>	<u>DAUGHTER</u>
<u>YVETTE COLE</u>	<u>03-14-58</u>	<u>112 W. 114th ST, NY, NY 10026</u>	<u>DAUGHTER</u>
<u>GARY HEYWARD</u>	<u>08-08-61</u>	<u>5400 POWHATAN, RIVERDALE, MD</u>	<u>SON</u>

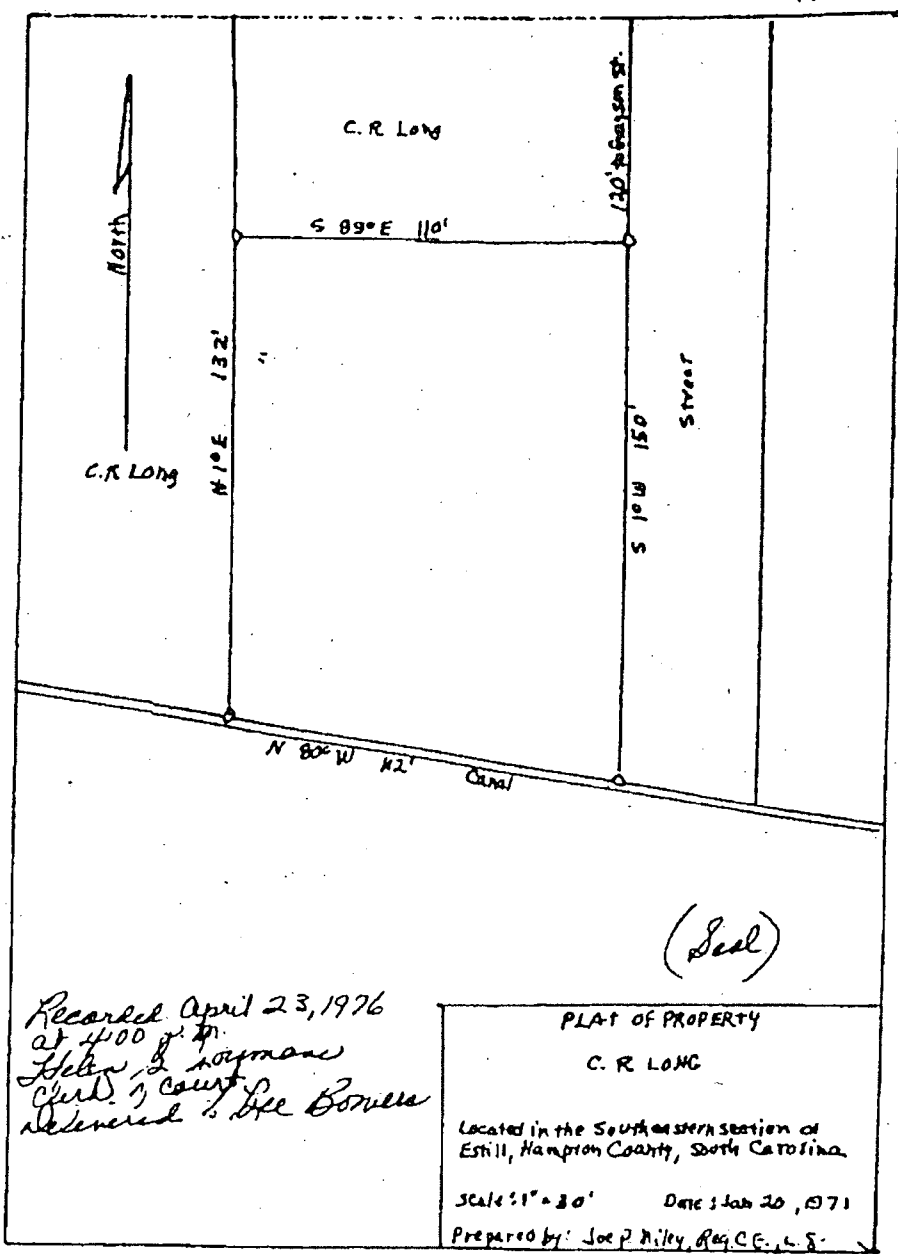
(use additional sheet if necessary)

FORM #300PC (1/91)
62-3-203, 62-3-301, 62-3-303, 62-3-401, 62-3-402, 62-3-499,
62-3-414, 62-3-601, 62-3-704, 44-23-1090, 44-23-1120

Recorded with Will 15 P. 226-227
GRAPHIC PRESS 3631 Deere Street, West Columbia, South Carolina 29170 (803)796-4707

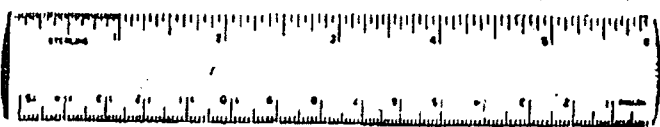


1408

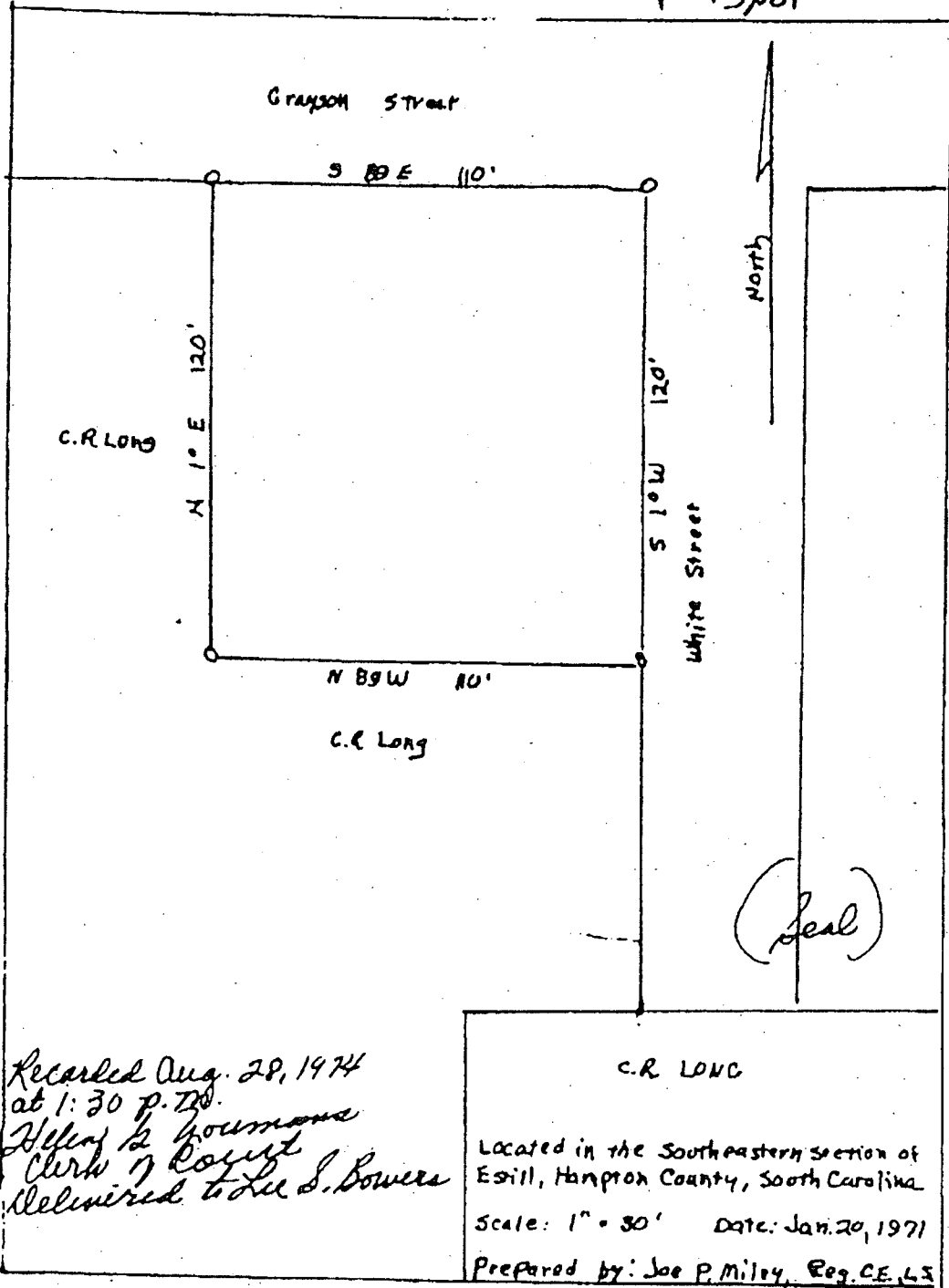


Recorded April 23, 1976
 at 4:00 p.m.
 Helen S. Longman
 Clerk of Court
 delivered to Lee Bowles

PLAT OF PROPERTY
 C. R. LONG
 Located in the Southeastern section of
 Estill, Hampton County, South Carolina.
 Scale: 1" = 80' Date: Jan 20, 1971
 Prepared by: Joe P. Nixey, Reg. C.E., L.S.



PB 13,081



Recorded Aug. 28, 1974
 at 1:30 P.M.
 Filed by Thomas
 Clerk of Court
 Delivered to Lee S. Bowers

C.R. LONG
 Located in the Southeastern section of
 Esill, Hampton County, South Carolina
 Scale: 1" = 30' Date: Jan. 20, 1971
 Prepared by: Joe P. Miley, Reg. C.E., L.S.

Instrument Book Page
200600003044 428 115

Legal Description

All that certain piece, parcel or lot of land, situate, lying and being located in the southeastern section of the Town of Estill, as is fully shown and delineated upon a plat of Joe O. Miley, Reg., C.E. & L.S. dated January 20, 1971 and appearing of record in the Office of the Clerk of Court for Hampton County, South Carolina in Plat Book 14, at Page 8, said lot is bounded as follows, to-wit

On the North for 110' by C.R. Long; on the East by a Street for 150'; on the South 112' by a canal'; and on the West by 132' all measurements being more or less.

It being that same property conveyed unto Yvette Cole by Deed from Ruth Heyward Thornton, dated June 27, 1997 and recorded July 11, 19997 in the RMC Office for Hampton County, South Carolina, in Book D203, Page 336.

Tax No.: 069-01-12-007

Property Address: 512 Sapp Blvd., Estill, SC 29918

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After Recording Return To:
Bank of America, NA
Consumer Post Closing Review
FL9-700-04-21 9000 Southside
Blvd, Bld 700
Jacksonville, Florida 32256
Loan Number: 68278001123199

200600003044
Filed for Record in
HAMPTON COUNTY SC
MYLINDA NETTLES
12-07-2006 At 12:54 pm.
R-MORTGAGE 21.00
Book 428 Page 101 - 115

200600003044
CLAY OLSON
300 W. COLEMAN BLVD, STE 206B
MT PLEASANT, SC 29464

Law Office of Clay Olson, PC
300 West Coleman Blvd., Ste. 206B
Mt. Pleasant, SC 29464

Instrument Book Page
200600003044 428 101

(Space Above This Line For Recording Data)

MORTGAGE

DEFINITIONS

(A) "Security Instrument" means this document, which is dated NOVEMBER 8, 2006, together with all Riders to this document.

(B) "Borrower" is YVETTE COLE

the party or parties who have signed this Security Instrument.

Borrower is the Mortgagor under this Security Instrument.

(C) "Lender" is Bank of America, NA

Lender is a National Banking Association organized and existing under the laws of THE UNITED STATES OF AMERICA

Lender's address is 100 North Tryon Street, Charlotte, North Carolina 28255

Lender is the Mortgagee under this Security Instrument.

(D) "Agreement" means the Home Equity Line of Credit Agreement signed by the Borrowers.

(E) "Account" means the Home Equity Line of Credit Account pursuant to which the Lender makes Advances to the Borrower at the Borrower's direction, allowing the Borrower to repay those Advances and take additional Advances, subject to the terms of the Agreement.

(F) "Credit Limit" means the maximum aggregate amount of principal that may be secured by this Security Instrument at any one time. The Credit Limit is \$25,000.00. Except to the extent

prohibited by Applicable Law, the Credit Limit does not apply to interest, Finance Charges, and other fees and charges validly incurred by Borrower under the Agreement and this Security Instrument. The Credit Limit also does not apply to other advances made under the terms of this Security Instrument to protect Lender's security and to perform any of the covenants contained in this Security Instrument.

(G) "Account Balance" is the total unpaid principal of the Account, plus earned but unpaid Finance Charges, outstanding fees, charges, and costs.

(H) "Maturity Date" is the date on which the entire Account Balance under the Agreement is due. The entire Account Balance on your Account, as defined in the Agreement and this Security Instrument, is due on NOVEMBER 8, 2031

(I) "Property" means the Property that is described below under the heading "Transfer of Rights in the Property."

(J) "Secured Debt" means:

MORTGAGEE REQUESTS NOTICE OF ANY ADVERSE ACTION
THAT A PRIORITY LIEN HOLDER TAKES WITH REGARD TO
THE PROPERTY, INCLUDING DEFAULT AND FORECLOSURE

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

Yvette Cole (Seal)
YVETTE COLE -Borrower

____ (Seal)
-Borrower

____ (Seal)
-Borrower

____ (Seal)
-Borrower

____ (Seal)
-Borrower

____ (Seal)
-Borrower

#1
Witness:

[Signature]

#2
Witness:

[Signature]
Robert Glaser

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STATE OF New York)
~~SOUTH CAROLINA~~)
COUNTY OF New York) PROBATE

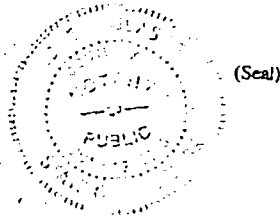
PERSONALLY appeared before me the undersigned witness who, being duly sworn, deposes and says that (s)he saw the within named, YVETTE COLE

sign, seal and as their act and deed, deliver the within written mortgage, and that deponent with the other witness named above, witnessed the execution thereof.

SWORN to before me this 6th day of November, 2006

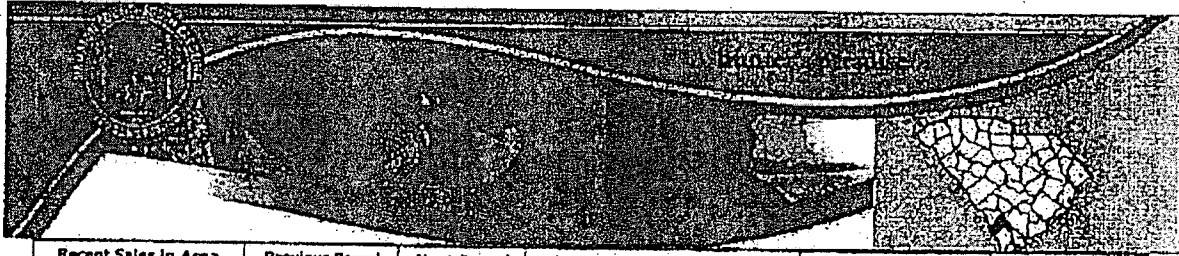
Felix Mack
Witness #1

[Signature]
Notary Public for State of New York (LS)



My commission expires:

ROBERT GLASER
Notary Public - State of New York
No. 01GL8148037
Qualified in New York County
My Commission Expires June 19, 2010



Recent Sales in Area	Previous Parcel	Next Parcel	Return to Main Search Page	Subscription Home	Hampton Home
--------------------------------------	---------------------------------	-----------------------------	--	-----------------------------------	------------------------------

Owner and Parcel Information			
Owner Name	COLE YVETTE	Today's Date	November 28, 2014
Mailing Address	PO BOX 716	Parcel Number	069-01-12-007
	NEW YORK NY 10026	Tax District	County (District S)
Location Address	560 SAPP BLVD		
Class Code (NOTE: Not Zoning Info)	200- Single Family Res. Not Owner Occupied	Acres	.00
Description		Parcel Map	Map available with subscription
Legal Information		Record Type	Residential
Town Code / Neighborhood		Owner Occupied	
Mailing Labels Available with subscription			

2013 Value Information				
Land Value	Improvement Value	Total Value	Taxable Value	Total Assessment
\$ 4,700	\$ 28,600	\$ 33,300	\$ 33,300	\$ 2,000

To create an account for the subscription service or for more information about the subscription service click here					
Recent Sales in Area	Previous Parcel	Next Parcel	Return to Main Search Page	Subscription Home	Hampton Home
The Hampton County Tax Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: October 1, 2014					
© 2008 by the Hampton County Tax Assessor's Office Website design by gspbk.com					

97-1056

STATE OF SOUTH CAROLINA)
) AFFIDAVIT
 COUNTY OF HAMPTON)

PERSONALLY appeared before me the undersigned, who being duly sworn deposes and says:

1. I have read the information this affidavit and I understand such information.

2. The property being transferred is located at Estill, SC
 bearing Hampton County Tax Map Number, was transferred
 by Ruth Heyward Thornton
 to Yvette Cole
 on June 27, 1997.

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) exempt from the deed recording fee because (See Information section of affidavit):
 (If exempt, please skip items 4 - 7, and go to item 8 of this affidavit)

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: _____

Page 1 of 4

BOOK 323 PAGE 334

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 Line 6(a) and place result here: _____

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$10.00

8. As required by Code Section 12-24 70, I state that I am a responsible person who was connected with the transaction as: _____

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
27th day of June, 1997.

A.G. Solomons, Jr.
Print or Type Name Here

Mani H. Crow
Notary Public for South Carolina
My Commission Expires: 5-3-98

db37p539

539

Form 14--Title to Real Estate--Revised 1935

STATE OF SOUTH CAROLINA,

County of Hampton.

KNOW ALL MEN BY THESE PRESENTS, THAT

I, C. B. Herndon,

In the State aforesaid County of Hampton In consideration of the sum of \$2,000.00 Dollars to me paid by the said C. B. Herndon the receipt of these moneys by C. B. Herndon In the State aforesaid County of Hampton

The receipt aforesaid is hereby acknowledged, law granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said C. B. Herndon, his heirs and assigns, the following described property, to-wit: All of that certain piece, parcel or tract of land situate, lying and being in Hampton County, South Carolina, containing one hundred seventy-four (174) acres, more or less, and bounded on the north by the north side of the Town of Edisto, lands of Josephine Johnson, Mrs. M. F. Davis, and Annie Adams; bounded on the East by said north side of Josephine Johnson, Mrs. M. F. Davis, and Annie Adams, and by C. B. Herndon; bounded on the South by a portion of said tract belonging to C. B. Herndon; and on the West by State of S. C. Towns, State Highway, and by the north side of said Edisto, as still more fully appear by plat recorded in the office of the Clerk of Court for Hampton County, South Carolina, in Plat Book 33, page 183. The said tract of land being a portion of that certain tract of land conveyed unto C. B. Herndon by deed of S. T. DeLoach, Clerk of Court for Hampton County, South Carolina, dated January 23, 1936 and recorded in said work of Court's office on January 23, 1936 in Book 12-0, at page 21.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or to be lawfully had or apprehended, TO HAVE AND TO HOLD of and together, the said Premises before mentioned unto the said C. B. Herndon, his heirs, administrators, assigns

AND I do hereby bind myself and my heirs, Executors and Administrators, to warrant and forever defend, of and defend, the said Premises unto the said C. B. Herndon, his heirs, administrators, assigns

Myself and Assigns, witness MYSELF and SEVERAL OTHERS Myself and several other persons witnesses

WITNESS ME Myself and Seal this 1st day of December, 1942 In the year of our Lord one thousand nine hundred and forty two and in the one hundred and sixty seventh year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF GEORGE WATSON, Notary Public of S. C. C. B. Herndon (Seal)

SWORN to before me this 1st day of December, A. D. 1942 George Watson, Notary Public of S. C. C. B. Herndon (Seal)

THE STATE OF SOUTH CAROLINA, HAMPTON County, RENUNCIATION OF DOWER I, A. T. Everett, Jr., a Notary Public for S. C. do hereby certify that all whom it may concern, that Mrs. Julia T. Herndon the wife of the above named C. B. Herndon did this day appear before me, and upon being privately and separately examined by me, she declared that she does freely, voluntarily, and without any compulsion, fraud or force of any person or persons whatsoever, ratify, release and forever relinquish unto the within named C. B. Herndon, his heirs and assigns, all her interest and claim, and also all her right and claim of dower, of, to or in all and singular the premises within mentioned and released.

Given under my Hand and Seal this 1st day of December, Anno Domini 1942 A. T. Everett, Jr. (Seal) Julia T. Herndon Notary Public of S. C. (Notarial Seal) Recorded December 2nd, A. D., 1942, at 10:30 A. M., S. T. DeLoach, Clerk of Court, Delivered to E. D. Thomas.

D-74

db74404

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON) WATER AND SEWER EASEMENT

The Undersigned Grantor(s), Ruth M. Johnson

in consideration of One and No/100 (\$1.00) Dollar, hereby grant(s) to the Town of Estill, its successors and assigns, a ~~Twenty (20)~~ ^{Twenty (20)} foot wide perpetual easement and an additional Fifteen (15) foot wide temporary construction easement for the construction and maintenance of an underground water and sewer line necessary or convenient in connection therewith together with all rights and privileges incident to the use and enjoyment therein, and the right of ingress and egress to and along the said water and sewer line, over and under that certain parcel of land more fully described as follows, to wit:

All that certain piece, parcel or strip of land situate, lying and being in the southeastern section of Estill, S. C., same being a twenty (20) foot wide parcel of land leading from the property of the grantor in a southwesterly direction to Lewton Avenue as shown on page 3 of the Sewell Engineering Plans for the Town of Estill;
ALSO, a twenty (20) foot wide parcel leading from the southwestern corner of the property of the grantor to the southeastern corner of said property, as shown on page 3 of the plans of Sewell Engineering for the Town of Estill.

Said easements being equal distance from the pipe hereafter laid in the ground.

It is understood and agreed between the parties that:

- 1. All excavation to lay said water and sewer line, and its maintenance, shall be accomplished without damage to the contiguous property of the grantor(s).
- 2. The grantor(s) shall have the right to use the land described herein for any purpose whatsoever, providing it does not interfere with the said easement right.
- 3. This agreement shall extend to the parties, their heirs, executors, administrators, successors and assigns.

TO HAVE AND TO HOLD, all and singular the rights, privileges and easement aforesaid unto the said Town of Estill, its successors and assigns, forever.

404

DEEDS

465

AND I do hereby bind myself and my heirs, executors, and administrators to warrant and forever defend all and singular the said rights, privileges and easements unto the said Town of Estill, its successors and assigns, against me and my heirs and all other persons whomsoever lawfully claiming to or claim the same or any part thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Seal this 11th day of Feb., 1980.

Witnesses: Lee S. Bowers, Ruth M. Johnson (SEAL) Ruth M. Johnson

STATE OF SOUTH CAROLINA) PROBATE
COUNTY OF HAMPTON)

PERSONALLY appeared before me, Carlos V. Brown and made oath that he saw the within named Ruth M. Johnson sign, seal and as her act and deed, deliver the within water and sewer line easement for the uses and purposes therein mentioned, and that he with Lee S. Bowers witnessed the Execution thereof.

SWORN to before me this 11th day of Feb., 1980. Lee S. Bowers Notary Public for S.C. My Commission Expires: 9-16-1981.

STATE OF SOUTH CAROLINA) NOT NECESSARY - GRANTOR A WOMAN
COUNTY OF) RENUNCIATION OF DOWER

I, do hereby certify unto all whom it may concern, that Mrs. the wife of the within-named did this day appear before me and upon being privately and separately examined by me, did declare that she does freely, voluntarily and without any compulsion, dread, or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the within-named Town of Estill, its successors and assigns, all her interest and estate, and also all her right and claim of Dower of, in or to all and singular the premises within mentioned and released.

Given under my Hand and Seal, this day of Anno Domini 19

RECORDED IN BOOK D-76 PAGE 444-445 THIS 11th DAY OF February 1980 AT 4:00 P.M. O'Clock

Notary Public for My Commission Expires: Helen C. Youmans, CLERK OF COURT FOR HAMPTON COUNTY, SOUTH CAROLINA

D-74

74,406

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON) WATER AND SEWER EASEMENT

The Undersigned Grantor(s), Badie Heyward & Hezekiah Heyward

In consideration of One and No/100 (\$1.00) Dollar, hereby grant(s) to the Town of Estill, its successors and assigns, a ~~Twenty (20)~~ ^{Twenty (20)} foot wide perpetual easement and an additional Fifteen (15) foot wide temporary construction easement for the construction and maintenance of an underground water and sewer line necessary or convenient in connection therewith together with all rights and privileges incident to the use and enjoyment therein, and the right of ingress and egress to and along the said water and sewer line, over and under that certain parcel of land more fully described as follows, to wit:

All that certain piece, parcel or strip of land situate, lying and being in the southeastern section of Estill, S. C., same being a twenty (20) foot wide parcel of land leading from the property of the grantor in a southwesterly direction to Lawton Avenue as shown on page 3 of the Sewell Engineering Plans for the Town of Estill; ALSO a twenty (20) foot wide parcel leading from the southwestern corner of the property of the grantor to the southeastern corner of said property, as shown on page 3 of the plans of Sewell Engineering for the Town of Estill.

Said easements being equal distance from the pipe hereafter laid in the ground

This being a portion of the premises conveyed by Deed recorded in the office of the Clerk of Court for Hampton County, South Carolina, in Deed Book 88 at Page 618.

It is understood and agreed between the parties that:

1. All excavation to lay said water and sewer line, and its maintenance, shall be accomplished without damage to the contiguous property of the grantor(s).
2. The grantor(s) shall have the right to use the land described herein for any purpose whatsoever, providing it does not interfere with the said easement right.
3. This agreement shall extend to the parties, their heirs, executors, administrators, successors and assigns.

TO HAVE AND TO HOLD, all and singular the rights, privileges and easement aforesaid unto the said Town of Estill, its successors and assigns, forever.

-406-

-407

AND I do hereby bind myself and my heirs, executors, and administrators to warrant and forever defend all and singular the said rights, privileges and easements unto the said Town of Estill, its successors and assigns, against me and my heirs and all other persons whomsoever lawfully claiming to or claim the same or any part thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Seal this 29th day of January, 19 80.

Witnesses:

Lee S. Bowers
Edgar L. Dreher, Jr.

Hezekiah Heyward (SEAL)
Sadie Heyward

RECORDED IN BOOK D-11 PAGE 406-407
THIS 11th DAY OF February 1980
AT 4:00 P. M. O'Clock

STATE OF SOUTH CAROLINA)
COUNTY OF Hampton)

Helen K. Youmans
HELEN C. YOUMANS, CLERK OF COURT FOR
HAMPTON COUNTY, SOUTH CAROLINA
Delivered to Sadie Heyward

PERSONALLY appeared before me, Edgar L. Dreher, Jr.

and made oath that he saw the within named Hezekiah Heyward sign, seal and as his act and deed, deliver the within water and sewer line easement for the uses and purposes therein mentioned, and that with Lee S. Bowers, witnessed the Execution thereof.

SWORN to before me this 29th day of January, 19 80

Lee S. Bowers
Notary Public for S.C.
My Commission Expires: 8-16-81

Edgar L. Dreher, Jr.

STATE OF SOUTH CAROLINA)
COUNTY OF Hampton) RENUNCIATION OF DOWER

I, Lee S. Bowers, A Notary Public for S. C., do hereby certify unto all whom it may concern, that Mrs. Sadie Heyward, the wife of the within-named Hezekiah Heyward did this day appear before me and upon being privately and separately examined by me, did declare that she does freely, voluntarily and without any compulsion, dread, or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the within-named Town of Estill, its successors and assigns, all her interest and estate, and also all her right and claim of Dower of, in or to all and singular the premises within mentioned and released.

Given under my Hand and Seal, this 29th day of January Anno Domini 19 80

Lee S. Bowers
Notary Public for S.C.
My Commission Expires: 8-16-81

Sadie Heyward
Sadie Heyward

db132e73

6983

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON) POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that we, Sadie Heyward and Hezekiah Heyward, do make, constitute and appoint RUTH HEYWARD as my true and lawful attorney for me and in my name, with all power and authority to sign any and all documents for me which I could sign if we were personally present, including, but not limited to, checks, stocks, certificates of deposit, savings accounts, deeds, mortgages, and any other documents which we would be empowered to legally sign as if we were personally present, together with full power and authority also to appoint an attorney or attorneys under her for that purpose, to make, appoint and substitute; and to do all lawful acts for effecting the premises hereinbefore set out. All that said attorney or attorneys, substitute or substitutes shall do herein by virtue hereof is hereby ratified and confirmed.

IN WITNESS WHEREOF we have set our hands and seals this

3rd day of May, 1989.

In the Presence of:

Mary M. Cooper
Evelyn T. Wier

Sadie Heyward
Sadie Heyward
Hezekiah Heyward
Hezekiah Heyward

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

PERSONALLY appeared before me Mary M. Cooper who on oath says that she saw the within named Sadie Heyward and Hezekiah Heyward sign, seal and deliver the within Power of Attorney and that she with Evelyn T. Wier witnessed the execution thereof.

SWORN to before me this
3rd day of May, 1989.

Evelyn T. Wier
Notary Public for S.C.
My Comm. expires: 1-22-92

Mary M. Cooper
RECORDED IN BOOK 4132 PAGE 78
THIS 7th DAY OF May 1989.
AT Hampton, S.C.
Helena B. Garrison
NOTARY PUBLIC FOR SOUTH CAROLINA

BOOK 4132 PAGE 78

Delivered to Lee Bowers

the Office of the Clerk of Court for Hampton County, South Carolina in Book 11, at Plats at page 41.

This conveyance is made subject to protective covenants dated July 20, 1968, and recorded in the Office of the Clerk of Court for Hampton County in Book 33 of Deeds at at Pages 834-835.

The property intended to be conveyed is a part of the property conveyed to the within Grantor by Charles N. Pulaski, Winston F. Pulaski and Loree M. Pulaski and recorded in the Office of the Clerk of Court for Hampton County in Book 33 of Deeds at pages 482-483 respectively.

This deed was prepared by the Law Firm of Levin, Sans & Calhoun, 411 Craven Street, Beaufort, South Carolina, 29902.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned us to the said COASTAL CONTRACTORS, INC., its successors and Assigns forever

And the said Carolina Realty Company does hereby bind itself and its successors, to warrant and forever defend all and singular the said premises us to the said COASTAL CONTRACTORS, INC., its successors Heirs and Assigns, against itself and its successors law fully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF CAROLINA REALTY COMPANY (insert name of Corporation) has caused these presents to be executed in its name by Edwin M. Pike, Jr. (insert name of President or Vice President) its President and by L.N. Davis, Jr. (insert name of Sec. or Treas.) its Secretary and its corporate seal to be hereto affixed this 12th day of April in the year of our Lord One Thousand nine hundred and seventy six and in two hundredth year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered in Presence of

Janet M. Welsh Witness
Norma C. Boyer Witness

Handwritten signature: Hank Thompson

CAROLINA REALTY COMPANY (Seal)
By: Edwin M. Pike, Jr. President
Edwin M. Pike, Jr.
L.N. Davis, Jr. Sec. or Treas.
L.N. Davis, Jr.

THE STATE OF SOUTH CAROLINA, COUNTY OF BEAUFORT

PERSONALLY appeared before me Janet M. Welsh (insert name of Witness) who, on oath, says that he saw the within named Carolina Realty Company (insert name of Corporation) by Edwin M. Pike, Jr. (insert name of President or Vice President) its President sign the within Deed, and L.N. Davis, Jr. (insert sec. or Treas.) its Secretary attest the same, and the said Corporation, by said officers, seal said deed, and, as its act and deed, deliver the same, and that he, with Norma C. Boyer (insert name of other witness) witnessed the execution thereof.

Sworn to before me, this 12th day of April A.D. 1976

Janet M. Welsh (Witness)

Norma C. Boyer (SEAL) Notary Public, S.C. My commission expires 1-21-80

Recorded on April 21, 1976 at 8:55A.M.

Helen G. Youmans Clerk of Court Mailed to Levin, Sans & Calhoun

HESEKIAH AND SADIE HEYWARD TO BILLIE B. DELOACH

Handwritten: See New York Attorney General's Office... GENERAL POWER OF ATTORNEY

THE STATE OF SOUTH CAROLINA, COUNTY OF HAMPTON.

KNOW ALL MEN BY THESE PRESENTS, That Mr. Heseekiah Heyward and Sadie Heyward have constituted, made and appointed and by these presents do constitute, make and appoint BILLIE B. DELOACH, true and lawful Attorney for them and in their name and stead, and to use, to set, demand, sue for, levy, recover and receive all such sums and sums of money, debts, rents, goods, wares, dues, accounts, and other demands whatsoever, which are or should be due, owing or payable to us or detained from us in any manner or ways or means whatsoever;

In particular to sign any document in my or our name, to execute deeds, mortgages, or other instruments which the said Billie B. Deloach finds necessary and proper in the handling of our affairs. The power is expressly granted to encumber our property, deed same to execute notes, agreements, sign checks, or to do any act which we or I could do if personally present.

Giving and granting unto BILLIE B. DELOACH said Attorney by these presents full and whole power, strength and authority, in and about the premises; to have, use and take all lawful ways and means in our name for the recovery thereof; and upon the receipt of any such debts, dues, or sums of money aforesaid, acquaintances or other sufficient discharges, for us and in our name to make, seal and deliver, and generally all and every other act and acts, thing and things, device and devices in law whatsoever needful and necessary to be done in and about the premises, for us and in our name to do, execute and perform, as fully, largely and amply to all intents and purposes, as I or we might or could do, if I or we personally present, or if the matter required more special authority than is herein given and Attorneys one or more under us for the purpose aforesaid, to make and constitute and again at pleasure revoke, ratify, allowing and holding, for firm and effectual, all and whatsoever said Attorneys shall lawfully do in and about the premises, by virtue hereof.

IN WITNESS WHEREOF, WE have hereunto set our hand and seal;

Dated at Estill the 1st day of February in the year of our Lord One thousand nine hundred and 73 and in the 196th year of the Sovereignty and Independence of the United States of America.

Handwritten: db 6 7 30

Sealed and delivered in the Presence of:

Lee S. Bowers
C.R. Logan

Hezekiah Hayward (LS)

Sadie Hayward (LS)

BE IT KNOWN that on the 1st day of February one thousand nine hundred and 73 and in the 196th year of the Independence of the United States of America, be fore me, Lee S. Bowers NOTARY PUBLIC, by Letters Patent, under the Great Seal of the State, duly accommisioned, and sworn, came Hezekiah Hayward and Sadie Hayward above named and acknowledged the foregoing power of Attorney to be their Act and Deed.

IN TESTIMONY WHEREOF, we have hereunto set out hands and affixed our seals Notarial, at Estill, in the State aforesaid, the day and year last mentioned.

Lee S. Bowers
My commission Expires 9-16-81

Hezekiah Hayward (L.S.)

500 state stamp affixed

Sadie Hayward (L.S.)

STATE OF SOUTH CAROLINA,
COUNTY OF HAMPTON.

Personally appeared before me Cecil H. Logan and made oath that he saw the within named Hezekiah Hayward and Sadie Hayward sign, seal, and as their Act and Deed, deliver the within written Power of Attorney, and that he with Lee S. Bowers witnessed the execution thereof.

SWORN to before me, this 1st day of February, A.D. 1876.
Lee S. Bowers
My commission Expires 9-16-81

C.R. Logan

Recorded April 27, 1876 at 8:15 A.M.

Helen G. Youmans
Helen G. Youmans, Clerk of Court
Delivered to Lee S. Bowers

LEE JONES
TO
SARA AIKEN

EASEMENT

STATE OF SOUTH CAROLINA
HAMPTON COUNTY.

Whereas, Sara Aiken is the owner of a lot of land in Hampton County, S.C., and there present three (3) miles Southeast of Estill, S.C., and there present
ELECTRONICALLY FILED 2017/11/08 01:37:37 PM - HAMPTON - COMMON PLEAS - CASE#2017CF2500041

DEEDS

db 77,253

- 253 -

TOWNSHIP BLANK No. 64
POWER OF ATTORNEY
Revised 1998, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017

STATE OF SOUTH CAROLINA,
COUNTY OF HAMPTON

Know All Men by These Presents,

That L. Ruth Heyward Johnson

do make, execute and appoint Hesekiah Heyward

true and lawful Attorney for me and in my name the right to sign
any and all documents necessary in connection with any loans on any property which
I may own in Hampton County and sign my name for any other purpose which he
deems necessary and proper; I hereby revoke my previous Power of Attorney
granted to Billie B. DeLoach, to sign my name in my stead;

*JH
LCP
5-27-81*

together with full power and authority also to appoint an Attorney or attorneys under
that purpose, to make, appoint and substitute; and to do all lawful acts for effecting the premises herebefore set
out. All that said Attorney or Attorneys, substitute or substitutes shall do herein by virtue hereof is hereby author-
ized and confirmed.

Witness the due execution of these presents on this 21st day of May A. D. 1981

L. Ruth Heyward Johnson
Ruth Heyward Johnson

Signed, Sealed and Delivered
in the Presence of

JH (2)
[Signature]
[Signature]

REUBEN COLON
Notary Public, State of New York
No. 03-0714979
Qualified in Brown County
March 20, 1983

D-77

STATE OF SOUTH CAROLINA
COUNTY OF New York
Personally appeared before me (R) James Holmes
who being duly sworn, says in oath, that he was present and saw the within named

sign, seal, and SS REUBEN COLON deliver the following Power of Attorney and that he with
(R) Reuben Colon
witnessed the execution thereof.

Sworn to and subscribed before me this 21st
day of May A. D. 1987 (R) James Holmes
(R) Reuben Colon (L. S.) S. S.
Notary Public for South Carolina.
New York
REUBEN COLON
Notary Public, State of New York
No. 03-0714973
Qualified in Orange County
Commission Expires March 30, 1983.

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

RUTH HEYWARD JOHNSON
TO
HEZEKIAH HEYWARD

POWER OF ATTORNEY

I hereby certify that the within Power of At-
torney has been this 26th day of May
1987 A. D. 1987 at
3:50 o'clock P.M.
recorded in Book D-77 Page 157
Reuben Colon
James Holmes
County, C
C.C.P.A.G.B.
TIMESAYER
100-0-858
Timesaver Publishing Co.
Greenville, S. C.

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DEEDS

- 255 -

TRANSFER BLANK No. 64
POWER OF ATTORNEY
Revised Feb. 22, 1967, S. C.

STATE OF SOUTH CAROLINA,
COUNTY OF HAMPTON

Know All Men by These Presents,

That We, Hexeklah Heyward and Sadie Heyward

do make, constitute and appoint Yvette Heyward our

true and lawful Attorney for us and in our name the right to sign any and all documents necessary in connection with any loans on any property which I may own in Hampton County and sign my name for any other purpose which she deems necessary and proper; I hereby revoke my previous Power of Attorney granted to Billie B. DeLoach, recorded in the Office of the Clerk of Court for Hampton County, S. C., in Book D-67 at Page 30;

HS4
cleb
5-27
81

together with full power and authority due to appoint an Attorney or attorneys under us for that purpose, to make, appoint and substitute; and to do all lawful acts for effecting the purposes hereinafore set out. All that said Attorney or Attorneys, substitute or substitutes shall do herein by virtue hereof is hereby ratified and confirmed.

Witness the due execution of these presents on this 28th day of May A. D. 19 81

Signed, Sealed and Delivered
in the Presence of
Lee S. Owens
Elizabeth Allen

Hexeklah Heyward (L.S.)
Sadie Heyward (L.S.)
Sadie Heyward

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STATE OF SOUTH CAROLINA

COUNTY OF HAMPTON

Personally appeared before me Evelyn T. Wier

who being duly sworn, says on oath, that he was present and saw the within named Hezekiah Heyward and Sadie Heyward

sign, seal, and as their act and deed, deliver the foregoing Power of Attorney; and that he be with Lee S. Bowers

attested the execution thereof.

Given to and subscribed before me this 28th day of May A. D. 1981
Lee S. Bowers
Notary Public for South Carolina.

Evelyn T. Wier

My Commission expires: 9-18-1981

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

HEZEKIAH HEYWARD AND
SADIE HEYWARD

TO
YVETTE HEYWARD

POWER OF ATTORNEY

I hereby certify that the within Power of At-

torney has been this 26th day of May

1981

at 50 o'clock P M.

in the City of Hampton

Lee S. Bowers

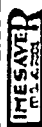
Notary Public

Hampton, S.C.

Evelyn T. Wier

Notary Public

Hampton, S.C.



NO. 44
Timesaver Publishing Co.
Greenville, S.C.

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KEEP THIS SIDE FOR YOUR RECORD

SEE REVERSE SIDE

RETURN THIS STUB WITH PAYMENT

CHECK MUST CLEAR BANK BEFORE TAXES ARE PAID



002909-14-3
SCOLE YVETTE

RECEIPT

PROPERTY TAX

TAX YEAR 2014

PROPERTY VALUE (TAXABLE) 33300

PROPERTY TAX AMOUNT (COUNTY) 1029.1

PROPERTY TAX AMOUNT (CITY) 208.1

SCHOOL TAX CREDIT SAVINGS

UNEMPLOYMENT TAX CREDIT (COUNTY) 38.1

UNEMPLOYMENT TAX CREDIT (CITY) 32.1

TOTAL TAX 1266.24

PAID 0.00

DUPLICATE 0.00

REMAINDER 0.00

PROPERTY VALUE (TAXABLE) 33300

PROPERTY TAX AMOUNT (COUNTY) 1029.1

PROPERTY TAX AMOUNT (CITY) 208.1

SCHOOL TAX CREDIT SAVINGS

UNEMPLOYMENT TAX CREDIT (COUNTY) 38.1

UNEMPLOYMENT TAX CREDIT (CITY) 32.1

TOTAL TAX 1266.24

PAID 0.00

DUPLICATE 0.00

REMAINDER 0.00

TAX YEAR 2014	TAX MAP NUMBER 069-01-12-007
PRIOR YEAR TAX ON THIS PROPERTY	1278.01
PROPERTY VALUE (TAXABLE)	33300
PROPERTY TAX AMOUNT (COUNTY)	1029.1
PROPERTY TAX AMOUNT (CITY)	208.1
SCHOOL TAX CREDIT SAVINGS	
UNEMPLOYMENT TAX CREDIT (COUNTY)	38.1
UNEMPLOYMENT TAX CREDIT (CITY)	32.1

PAY THIS AMOUNT \$1266.24

By: 01/15/2015

DATE	PERCENTAGE	AMOUNT
1/16/2015	3%	1504.
2/2/2015	10%	1892.
3/17/2015	15%	1856.

Taxes are based on property ownership as of 12-31-14

IF YOU HAVE QUESTIONS ABOUT THE TAX OR OTHER MATTERS, PLEASE CALL THE APPROPRIATE NUMBER:

- Personal Property (Cars, Boats, Aircraft, Business Personal Property, County, Homestead Exemptions) (803) 814-2114
- County Assessor (Land, Buildings, Mobile Homes, Legal Residences, Agriculture, Uninc. Road/Back Improvements) (803) 814-3000
- County Treasurer (Tax Payment) (803) 814-3118
- Tax Collector (Delinquent Taxes) (803) 814-3125

PROPERTY LICENSED OR REGISTERED WITH A STATE AGENCY MUST BE APPEALED TO THE COUNTY AUDITOR BY THE TAX DUE DATE OTHER PERSONAL PROPERTY UNDER THE JURISDICTION OF THE COUNTY AUDITOR AND CONTROLLED REGULATION OF THE S.C. DEPARTMENT OF REVENUE MAY BE APPEALED TO THE S.C. DEPARTMENT OF REVENUE IN WRITING BY THE TAX DUE DATE.

FROM _____

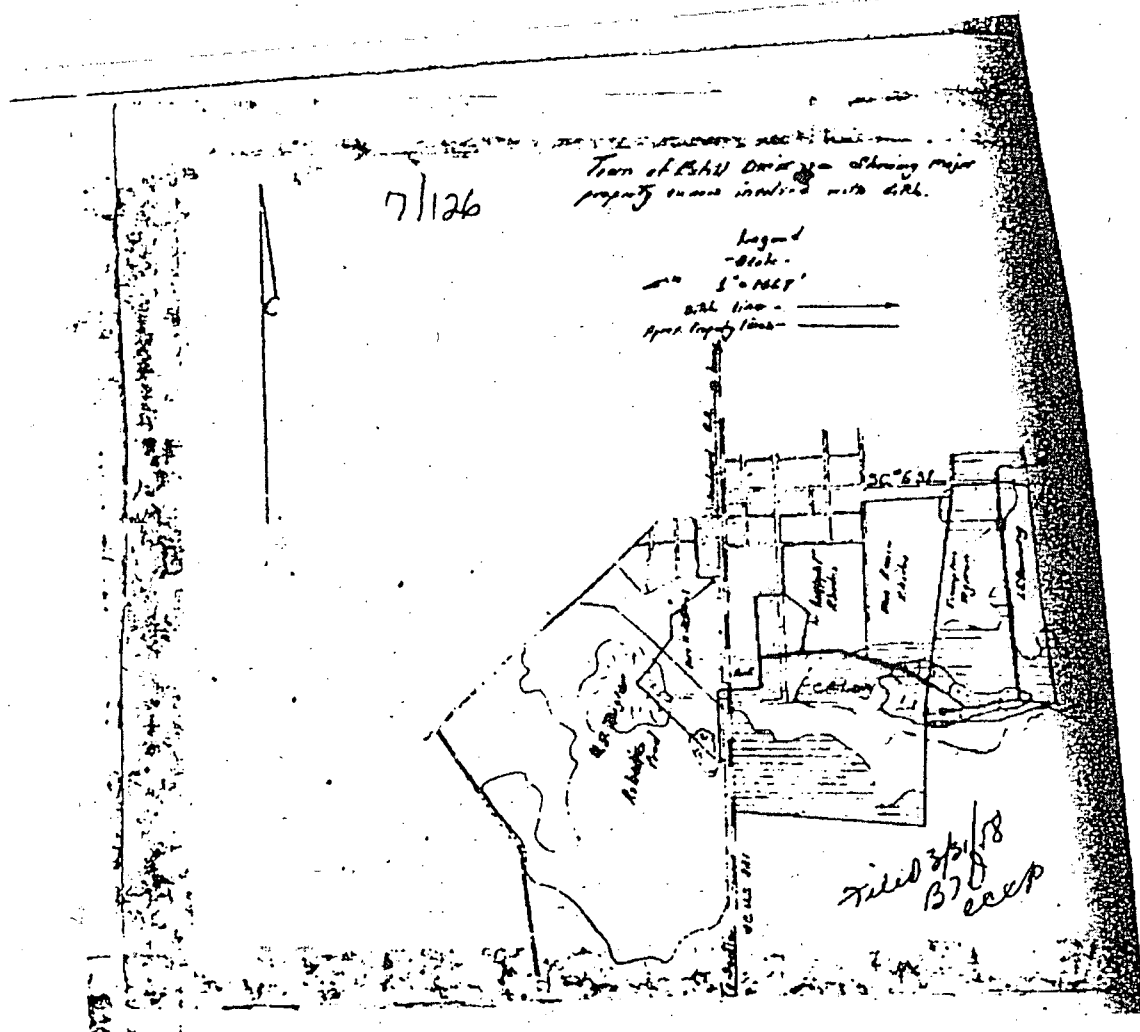
CHECK IF NEW ADDRESS

002909-14-3

WILSON P. TUTEN, JR.
TREASURER, HAMPTON COUNTY
PO BOX 87
HAMPTON SC 29924-0087



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7/126

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)

LAST WILL AND TESTAMENT OF
HEZEKIAH HEYWARD

I, HEZEKIAH HEYWARD, of the County of Hampton, State of South Carolina, being of sound and disposing mind, and desiring to make disposition of my earthly estate, do hereby MAKE, PUBLISH and DECLARE this instrument to be my Last Will and Testament, hereby revoking any and all writings of a testamentary nature heretofore made by me.

FIRST: I direct that my just debts, including funeral expenses, be paid as soon as practical after my death.

SECOND: I hereby give, devise and bequeath all of my property, real, personal, and mixed, wheresoever located to my six children in equal shares, share and share alike.

THIRD: I hereby nominate and appoint my daughter, Ruth Heyward Thornton, as my Personal Representative of this my Last Will and Testament and direct that he/ she serve without the requirement of bond. In the event Ruth Heyward Thornton is unable or unwilling to serve, I appoint my daughter, Valerie Heyward, to serve in her capacity.

Handwritten initials: BS, MS, BK

I, HEZEKIAH HEYWARD, the Testator, sign my name to this instrument this 20th day of May, 1996 and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute it willingly, that I execute it as my free and voluntary act for the purpose herein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Handwritten signature: Hezekiah Heyward
Hezekiah Heyward

Handwritten: EX. B

we, Gayle B. Appleby and Kathy Brown, the witnesses,
and at least one of us being duly sworn, do hereby declare generally and to the undersigned
authority, that the Testator signs and executes this instrument as his/her Last Will and that he/she
signs it willingly, and that each of us, in the presence and hearing of the Testator, hereby signs this
will as witnesses to the Testator's signing, and that to the best of our knowledge the Testator is
eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Gayle B. Appleby
Kathy Brown

STATE OF SOUTH CAROLINA
COUNTY OF HAMPTON

PROBATE

Subscribed, sworn to, and acknowledged before me by HEZEKIAH HEYWARD,
the Testator, and subscribed and sworn to me by Gayle B. Appleby, witness, this 20th
day of May, 1996.

[Signature]
Notary Public for South Carolina

My Commission Expires: 05-27-2001

Certificate of Counsel

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

January 9, 2019

/s/ Yvette Cole

Yvette Cole

152 East 111th Street Apt. 6D

New York, NY 10029

(212)-427-2042

Appellant

RECEIVED
JAN 15 2019
SC Court of Appeals