

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Judge Marvin H. Dukes III, Master-in-Equity

APPELLATE COURT CASE NO. 2019-000928  
COMMON PLEAS CASE NO. 2017-CP-07-00851

**RECEIVED**  
OCT 17 2019  
SC Court of Appeals

River City Developers, LLC ..... Appellant,

v.

The Marshes at Lady’s Island Homeowners’ Association, Bundy Appraisal & Management, First Green, LLC, Tige Howie & Stephen Scott ..... Respondents.

**DESIGNATION OF MATTER TO BE  
INCLUDED IN THE RECORD ON APPEAL**

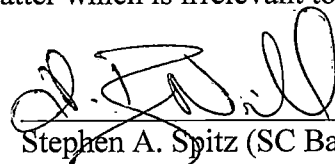
Appellant proposes the following be included in the Record on Appeal:

1. Complaint
2. Answer
3. Declaration of Covenants, Conditions, and Restrictions for The Marshes at Lady’s Island
4. Plat Book 111, at Page 17 (“2005 Plat”)
5. Plat Book 75, at Page 874 (“2000 Boundary Survey”)

6. Plat Book 118, at Page 131 (“2007 Plat”)
7. General Warranty Deed to River City Developers, LLC, Book 3339, at page 2834, Berkeley County Register of Deeds
8. Warranty Deed to River City Developers, LLC, Book 3339, at page 2817, Berkeley County Register of Deeds
9. Affidavit of Benjamin C. Gecy
10. Plaintiff’s Motion for Summary Judgment
11. Defendants’ Motion for Summary Judgment
12. Letter and Findings of J. Thomas Mikell
13. Affidavit of Raymond H. Williams
14. Supplemental Affidavit of Curtis L. Coltrane
15. Plaintiff’s Notice of Motion and Motion for Reconsideration Pursuant to Rule 59
16. Plaintiff’s Memorandum in Support of its Motion for Reconsideration and in Opposition to Defendants’ Request for Attorney’s Fees
17. Order, filed Jan. 3, 2019
18. Order, filed May 2, 2019
19. Supplemental Declaration to Declaration of Covenants, Conditions, and Restrictions for Wright’s Point (“Cullen Supplemental Declaration”)

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

October 14, 2019



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Stephen A. Spitz (SC Bar #5287)  
Irish “Ryan” Neville (SC Bar #76513)  
STEVENS & LEE  
151 Meeting Street, Suite 350  
Charleston, SC 29401  
Phone: 843-414-5080  
[irn@stevenslee.com](mailto:irn@stevenslee.com)  
[sasp@stevenslee.com](mailto:sasp@stevenslee.com)  
ATTORNEYS FOR APPELLANT

THE STATE OF SOUTH CAROLINA  
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**PROOF OF SERVICE**

I certify that I have served the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal by depositing a copy of it in the United States Mail, postage prepaid, on October 14, 2019, addressed to their attorneys of record, Kevin W. Mims, Whidbee S. Perrin, and J. Barnwell Fishburne at 50 Immigration Street, Suite 200, Charleston, SC 29403 as well as Michael A. Timbes at 15 Middle Atlantic Wharf, Charleston, SC 29401.

October 14, 2019

  
Irish "Ryan" Neville (SC Bar #76513)  
Stephen A. Spitz (SC Bar #5287)  
STEVENS & LEE  
151 Meeting Street, Suite 350  
Charleston, SC 29401  
Phone: 843-414-5080  
[irn@stevenslee.com](mailto:irn@stevenslee.com)  
[sasp@stevenslee.com](mailto:sasp@stevenslee.com)  
ATTORNEYS FOR APPELLANT

**STEVENS & LEE**  
**LAWYERS & CONSULTANTS**

151 Meeting Street, Suite 350  
Charleston, SC 29401  
(843) 414-5080 Fax (843) 414-5081  
www.stevenslee.com

Direct Dial: (843) 414-8864  
Email: irn@stevenslee.com  
Direct Fax: (610) 371-8594

October 14, 2019

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

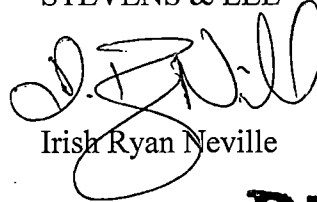
**Re: River City Developers, LLC v. The Marshes at Lady's Island Homeowners'  
Association, Bundy Appraisal & Management, First Green, LLC, Tige Howie &  
Stephen Scott**  
Case No.: 2017-CP-07-00851  
Our File No.: 113518-00001

Dear Ms. Kitchings:

Enclosed for filing, please find an original and one copy of the Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal, along with the Proof of Service. Please file the original, time-stamp the copy, and return the copy to me via the enclosed prepaid envelope. If you have any questions, please do not hesitate to contact us.

Best regards,

STEVENS & LEE



Irish Ryan Neville

Enclosures

Cc: Kevin W. Mims, Esq.  
Whidbee Sale Perrin, Esq.  
J. Barnwell Fishburne, Esq.  
Michael A. Timbes, Esq.  
Mr. Benjamin C. Gecy (via e-mail only)

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SC Court of Appeals

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The Honorable Jenny Abbott Kitchens  
Clerk of Court, SC. Ct. App.  
1220 Senate St.  
Columbia, SC 29201

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