

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
The Honorable Marvin H. Dukes, III, Master in Equity

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Appellate Case No. 2019-000928  
Common Pleas Case No. 2017-CP-07-00851

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

v.

River City Developers, LLC, Appellant.

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

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Respondents propose the following be included in the Record on Appeal:

1. Affidavit of Curtis L. Coltrane and Exhibits
2. Selected excerpts from the Transcript of the October 16, 2018 Hearing: Page 5 at Line 9 – Page 22 at Line 8; Page 26 at Line 14 – Page 27 at Line 2; Page 28 at Line 9 – Page 29 at Line 21; Page 33 at Line 6 – Page 34 at Line 7; Page 35 at Lines 7 – 17; Page 36 at Lines 9 – 14
3. Selected excerpts from the Transcript of the February 22, 2019 Hearing: Page 15 at Line 9 – Page 18 at Line 18
4. Complaint
5. Answer

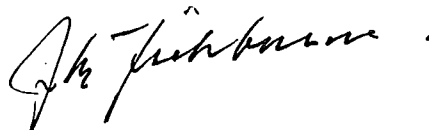
6. Declaration of Covenants, Conditions, and Restrictions for The Marshes at Lady's Island
7. Plat Book 111 at Page 17 ("2005 Plat")
8. Plat Book 75 at Page 874 ("2000 Boundary Survey")
9. Plat Book 118 at Page 131 ("2007 Plat")
10. General Warranty Deed to River City Developers, LLC, Book 3339 at Page 2834,  
Beaufort County Register of Deeds
11. General Warranty Deed to River City Developers, LLC, Book 3339 at Page 2817,  
Beaufort County Register of Deeds
12. Plaintiff's Motion for Summary Judgment
13. Defendant's Motion for Summary Judgment
14. Supplemental Affidavit of Curtis L. Coltrane
15. Defendants' Memorandum in Support of Motion for Summary Judgment/Declaratory  
Judgment filed July 25, 2018
16. Order filed January 3, 2019
17. Order filed May 2, 2019

*Attorney Signature Page to Follow*

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

November 13, 2019

Respectfully submitted,



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ATTORNEYS FOR RESPONDENTS

THE STATE OF SOUTH CAROLINA

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The Honorable Marvin H. Dukes, III, Master in Equity

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AFFIDAVIT OF SERVICE

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I certify that I have served Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal via electronic mail and by depositing a copy in the United States Mail, postage prepaid, on November 13, 2019, addressed to Appellant's attorneys of record, Irish "Ryan" Neville and Stephen A. Spitz, at 151 Meeting Street, Suite 350, Charleston, South Carolina, 29401.

*Attorney Signature Page to Follow*

Respectfully submitted,



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ATTORNEYS FOR RESPONDENTS

November 13, 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, Tige Howie and Stephen Scott, et al.*  
**Case Number:** 2017-CP-07-00851  
**Appellate Number:** 2019-000928  
**Claim Number:** 072-0288-2017  
**LM File Number:** 114-20177042

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed for filing, please find an original and one copy of Respondents' Initial Brief and Respondents' Designation of Matter to be Included in the Record of Appeal, along with the Affidavit 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 or concerns, please do not hesitate to contact us.

With kindest regards, I am

Sincerely,

LUZURIAGA MIMS, LLP

A handwritten signature in cursive script, appearing to read "J. Barnwell Fishburne, Jr.".

J. Barnwell Fishburne, Jr.

JBf/jbf

Enclosures

Cc: Irish "Ryan" Neville, Esq.  
Stephen A. Spitz, Esq.



LUZURIAGA MIMS, LLP  
50 Immigration Street, Suite 200 • Charleston, SC 29403



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VIA U.S. MAIL ONLY  
The Honorable Jenny Abbott Kitchings  
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