

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Roger M. Young, Circuit Court Judge

Appellate Case No. 2018-000907

**RECEIVED**  
MAR 02 2020  
SC Court of Appeals

241-243 E. Bay Holdings, LLC, ..... Appellant,

v.

The City of Charleston, The Board of Zoning Appeals-Zoning for the City of Charleston,  
Apex Real Property, LLC, and East Bay 7, LLC, ..... Respondents.

**AGREEMENT OF DISMISSAL UNDER RULE 260(b)**

Appellant, 241-243 E. Bay Holdings, LLC, and Respondents, the City of Charleston, the Board of Zoning Appeals-Zoning for the City of Charleston, and Apex Real Property, LLC, hereby agree that the above referenced case has been resolved and that this proceeding should be dismissed. East Bay 7, LLC never appeared in this action and has no interest. There will be no taxation of costs or attorneys' fees to any party. Respondents City of Charleston and the Board of Zoning Appeals-Zoning for the City of Charleston (collectively, the "City Respondents") are not parties to any other agreement arising from or relating to this appeal, the underlying matter, or the dismissal of this appeal, and the remaining parties to this appeal acknowledge that no such agreement will be binding on the City Respondents.

February 27, 2020

Alice F. Paylor

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w/  
permission

Attorney for Respondents The City of  
Charleston and The City of Charleston  
Board of Zoning Appeals-Zoning

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w/ permission

Attorney for Respondent Apex Real  
Property, LLC and East Bay 7, LLC

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The City of Charleston, The City of Charleston Board of Zoning Appeals – Zoning, Apex Real Property, LLC, and East Bay 7, LLC ..... Respondents.

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**PROOF OF SERVICE**

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I do hereby certify that on February 27, 2020, I have served all counsel in this action with a copy of the documents herein below specified by mailing a copy of the same by United States mail, postage prepaid, to the following address:

Documents:           **Agreement of Dismissal under Rule 260(b)**

Counsel Served:

Daniel S. McQueeney, Jr., Esquire  
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50 Broad Street  
Charleston, SC 29401

Charles J. Baker, III, Esquire  
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Taylor Davis

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Legal Assistant to Alice Paylor

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# ROSEN | HAGOOD

Taylor Davis  
tdavis@rosenhagood.com

February 27, 2020

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MAR 02 2020  
SC Court of Appeals

**VIA U.S. MAIL**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: 241-243 E. Bay Holdings, LLC v. The City of Charleston, et al.  
Appellate Case No.: 2018-000907

Dear Ms. Kitchings:

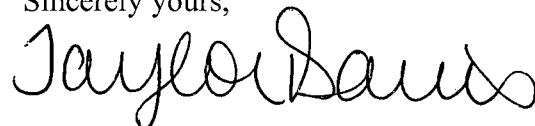
Enclosed please find an original and one (1) copy of the Agreement of Dismissal under Rule 260(b) along with our Proof of Service in connection with the above referenced matter. Please file the original and return a clocked copy to me in the enclosed self-addressed, stamped envelope provided.

By copy of this letter to all counsel of record, we are serving them with a copy.

Should you have any questions or concerns, please do not hesitate to contact us. Thank you for your assistance with this matter.

With kind regards, I am

Sincerely yours,



Taylor Davis  
Legal Assistant to Alice Paylor

/td

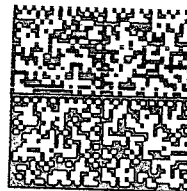
Enclosures

cc: Daniel S. McQueeney, Jr., Esquire  
Charles J. Baker, III, Esquire

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**ROSEN | HAGOOD**

151 Meeting Street, Suite 400  
Charleston, South Carolina 29401



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**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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