

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

MIKELL R. SCARBOROUGH, Master in Equity

Appellate Case No. 2019-001289

RECEIVED
MAY 14 2020
SC Court of Appeals

Raven's Run Homeowners Association, Inc., Appellant-Respondent,

v.

Crown Pointe Association, Inc., Lois K. Novak as Trustee of the Lois K. Novak Living Trust dated 10/14/2013; Laurie T. Herron and Mark D. Herron; James B. Kubu and Melissa F. Kubu; Leila June Johnson; Danny Ta and Anita McCauley; Robert E. Luby, Jr., and Barbara Luby; Joshua D. Coonce; Lucius Roy Junevicius; Katherine Kinlaw; Thomas K. Kuyk and Melissa Ward; Roland Franklin Wooten, III, and Teresa Key Wooten; Michael P. Horvath; Timothy E. Moylan and Karen G. Moylan; Carl A. Counasse and Maureen Counasse; David A. Frielinghaus and Holly C. Frielinghaus; Christopher S. Finley and Holly M. Finley; Shirley D. Springer a/k/a Shirly Deanna Springer; Deirdre C. Knight; Robert Shane Johnson; Eric R. Sigman; Lamar R. Graves, Jr. and Terry W. Graves; Mary Elizabeth Gladdened; Philip Wallace and Naomi Grad; Thomas Edwin Davis and Luis Miguel Gonzalez Melchor; John R. Funkhouser and Jennifer L. Funkhouser; Gregory S. Cooper and Jane B. Cooper; Frank C. Jones, Jr. and Elise Ubele Jones; William P. Topping and Kris B. Topping; LaRhonda S. Ptichko; Kenneth L. Tully and Anna J. Tully, Defendants,

Of Whom James B. Kubu and Melissa F. Kubu and Leila June Johnson are the Respondents.

And Katherine Kinlaw is the Respondent-Appellant.

RESPONDENT'S DESIGNATION OF MATTER OF RESPONDENT-APPELLANT

Respondent-Appellant proposes the following to be included in the Record on Appeal:

- (1) Order of November 8, 2018
- (2) Order of July 10, 2019
- (3) Complaint filed January 31, 2017
- (4) Answer of Kinlaw filed March 16, 2017
- (5) Amended Complaint filed March 13, 2018
- (6) Answer of Kinlaw to Amended Complaint filed March 30, 2018

- (7) Crown Pointe Association, Inc.'s Motion to Dismiss or in the Alternative for Summary Judgment filed August 16, 2018
- (8) Katherine Kinlaw's Motion to Join in Defendant Crown Pointe Association, Inc.'s Motion to Dismiss or in the Alternative for Summary Judgment filed August 21, 2018
- (9) Plaintiff's Motion for Summary Judgment filed November 28, 2018
- (10) Notice of Appeal filed August 8, 2019
- (11) Transcript of Hearing of January 8, 2019
- (12) Transcript of Hearing of August 28, 2018
- (13) Crown Pointe Restrictive Covenants
- (14) Deed recorded December 11, 1985 in Book E-150, page 875
- (15) Deed recorded January 26, 1987 in Book O-161, page 258
- (16) Deed recorded April 1, 1987 in Book R-163, page 134
- (17) Deed dated December 18, 2001 and recorded in Book C-392, page 756
- (18) Deed recorded in Book H-394, page 181
- (19) Deed re-recorded in Book T-398, page 815
- (20) Plat recorded in Plat Book BG, pages 52, 53, and 54
- (21) Plat recorded August 21, 1986 in Plat Book BK, pages 1 and 2
- (22) Plat recorded in Plat Book BL, page 57
- (23) Plat recorded in Plat Book BP, pages 160-161
- (24) Plat recorded in Plat Book BP, page 163
- (25) Unrecorded plat of Seabrook dated December 1, 2016

May 7, 2020



Harold A. Oberman
SC Bar No. 15254
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60 Markfield Drive, Suite 2
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Attorney for Respondent-Appellant, Katherine
Kinlaw

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Of Whom James B. Kubu and Melissa F. Kubu and Leila June Johnson are the Respondents.

And Katherine Kinlaw is the Respondent-Appellant.

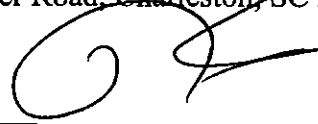
PROOF OF DELIVERY

I certify that I have served the Respondent's Designation of Matter of Respondent-Appellant, Katherine Kinlaw, by depositing one copy of it in the United States Mail, postage prepaid, on May 7, 2020, addressed to Appellant-Respondent's attorneys of record, William W. Wilkins and Kirsten Elena Smalls, Nexsen Pruet, LLC, 55 E. Camperdown Way, Greenville, SC 29601 and Geoge Hamlin O'Kelley, III, Buist, Byars & Taylor, LLC, 652 Coleman Boulevard, Suite 200, Mt. Pleasant,

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SC 29464 and Respondent, James B. Kubu and Melissa F. Kubu's attorney of record, Edward K. Pritchard, Jr., P. O. Box 639, Sullivan's Island, SC 29482 and Respondent, Leila June Johnson's attorney of record, Jeffrey T. Spell, 1721 Ashley River Road, Charleston, SC 29407.

May 7, 2020



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Attorneys for the Respondent-Appellant,
Katherine Kinlaw

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And Katherine Kinlaw is the Respondent-Appellant.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Respondent's Designation of Matter of Respondent-Appellants, Katherine Kinlaw complies with Rule 209(c) SCACR.

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May 7, 2020

Honorable V. Clair Allen
Chief Deputy Clerk
South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RE: Raven's Run Homeowners Associations, Inc. Appellant-Respondent v. Crown Point Association, Inc., et al.; Of Which Crown Pointe Association, Inc. Is the Respondent and Katherine Kinlaw is the Respondent-Appellant
Case No. 2017-CP-10-00473
Appellant Case No. 2019-001289

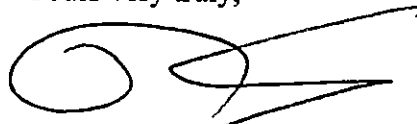
Dear Ms. Allen:

I enclose the original and one (1) copy of the Respondent's Initial Brief of Respondent-Appellant and Designation of Matter To Be Included in the Record on Appeal, along with the Proofs of Service and Certificate of Counsel, with regard to the above-captioned matter.

Upon filing, please return a clocked-in copy of each to our office in the enclosed self-addressed, stamped envelope.

With warmest personal regards, I remain

Yours very truly,



Harold A. Oberman

HAO/shb
Enclosures

cc: George Hamlin O'Kelley, III, Esquire (w/enclosures)
Anna Louise Strandberg, Esquire (w/enclosures)
Maria Kiehling Brees, Esquire (w/enclosures)
Justin M. McGee, Esquire (w/enclosures)
William W. Wilkins, Esquire (w/enclosures)
Kirsten Elena Small, Esquire (w/enclosures)
Edward K. Pritchard, Jr., Esquire (w/enclosures)
Jeffrey T. Spell, Esquire (w/enclosures)

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