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STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Churchill Park

Plaintiff,

vs.

Alan G. Nix; and The Estate Of Norma J. Nix,

Defendants.

(3001-20060)

IN THE COURT OF COMMON PLEAS

C/A NO: 2017-CP-10-04031

MOTION
FOR
WRIT OF ASSISTANCE

RECEIVED

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SC Court of Appeals

State Street Holdings, LLC (hereinafter "State Street") moves before this Honorable Court to issue a Writ of Assistance to put State Street in possession of property that is the subject of the above captioned action. As grounds for this motion, State Street alleges that:

1. That Churchill Park brought a foreclosure suit and obtained a Judgment of Foreclosure and Sale which was filed on November 9, 2017 in the Office of the Clerk of Court for Charleston County.
2. That the property that is the subject of this action (hereinafter the "Property") is described as follows:

All that certain piece, parcel, or lot of land, together with the improvements thereon, situate, lying and being in the Town of Mount Pleasant, County of Charleston, State of South Carolina, and being more particularly shown and delineated as Lot 22 on that certain plat by Southeastern Surveying, Inc., entitled "A FINAL SUBDIVISION PLAT OF CHURCHILL PARK, PHASE III, PARCEL 10, PARKWEST OWNED BY C. RICHARD DOBSON BUILDERS, INC., LOCATED IN THE TOWN OF MOUNT PLEASANT CHARLESTON COUNTY, SOUTH CAROLINA", dated December 31, 1999, and recorded in Plat Book ED at Page 904, in the Office of the Register of Deeds for Charleston County.

TMS: 598-03-00-096

Derivation: This being the same property conveyed to Alan G. Nix and Norma J. Nix by deed of C. Richard Dobson Builders, Inc dated July 13, 2001 and recorded July 20, 2001 in Book 377 at Page 595 in the Office of the Register of Deeds for Charleston County.

Property Address:
1401 Densmore Circle
Mt. Pleasant, SC 29466

3. That pursuant to said Judgment of Foreclosure and Sale, the Master in Equity for Charleston County sold the Property at public auction October 6, 2020 to State Street. Thereafter, State Street complied with its bid and a Master's Deed was issued transferring ownership of the Property to State Street. This Master's Deed was recorded on December 9, 2020 in Book 0941 at Page 914 in the Office of the Register of Deeds for Charleston County.

4. That the Property is occupied and there is within the Property, certain items of personal property and furniture which the occupants have failed or refused to remove from the Property, although occupants have been informed that the Property is now owned by State Street.

5. That State Street notified the occupants of the Property of the circumstances of the sale and demanded that they immediately vacate the Property.

6. That State Street is entitled to immediate, peaceable possession of the Property.

7. That the occupants of the Property, their heirs and assigns, and any other persons residing in the Property, if any, should be required to vacate Property immediately, taking with them all of the personal belongings contained within the Property.

8. That if the occupants fail to voluntary vacate the Property and remove their personal property, the Sheriff for Charleston County should be ordered and directed to remove the said

occupants, their heirs and assigns, their family and invitees, if any, and their personal property without delay.

9. That State Street is informed and believes that State Street is entitled to a Rule to Show Cause directing the occupants of the Property appear before this Court to show cause, if any they can, as to why they should not immediately vacate the premises and why the Sheriff for Charleston County should not be ordered and directed to remove them should they fail to voluntarily vacate the premises.

WHEREFORE, State Street Holdings, LLC prays that this Court to issue its Rule to Show Cause in accordance with this motion; that it issue its Order granting a Writ of Assistance; and for such other and further relief as the Court may deem just, equitable and proper.

s/Michael P. Morris
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Attorney for State Street Holdings, LLC

December 21, 2020
Lexington, SC

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS

C/A NO: 2017-CP-10-04031

Churchill Park

Plaintiff,

SUMMONS
(Writ of Assistance)

vs.

Alan G. Nix; and The Estate Of Norma J. Nix,

Defendants.

(3001-20060)

TO: Occupant(s) of the property located at 1401 Densmore Circle, Mt. Pleasant, SC 29466:

YOU ARE HEREBY SUMMONED and required to appear and defend the Rule to Show Cause on _____ at _____ o'clock __.m. pursuant to applicable court rules, a copy of which is herewith served upon you, and if you fail to appear and defend, judgment by default will be rendered against you and the Court will issue a Writ of Assistance ordering and directing the Sheriff of Charleston County to remove peaceably or forcibly any occupant of the property located at 1401 Densmore Circle, Mt. Pleasant, SC 29466, together with all of the personal property located within or on the subject premises.

s/Michael P. Morris
Michael P. Morris
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Attorney for State Street Holdings, LLC

December 21, 2020
Columbia, SC