

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Marvin H. Dukes, III, Master in Equity and Special Circuit Court Judge

Appellate Case No. 2020-001275

Westbury Park Residential Association, Inc.,.....Respondent,

v.

Estate at Westbury Owners Association, Inc.,.....Appellant.

RESPONDENT’S DESIGNATION OF MATTER TO BE INCLUDED IN THE
RECORD ON APPEAL

Respondent Westbury Park Residential Association, Inc., designates the following to be included in the Record on Appeal with any necessary redactions pursuant to Supreme Court Order 2014-04-15-02, including but not limited to non-parties’ addresses:

1. Notice of Appeal, filed September 22, 2020
2. Order denying injunction and granting in part and denying in part motion for partial summary judgment, filed September 21, 2020
3. Complaint, filed January 24, 2020
 - a. Exhibit 1, Declaration of Covenants, Conditions, Restrictions and Easements for Palmetto Lakes Apartments at Westbury Park
 - b. Exhibit 2, 1998 Deed from Plantation Properties to Westbury Park Apartments
 - c. Exhibit 3, 2005 Limited Warranty Deed to Real Estate
 - d. Exhibit 4, 2018 Notice of Extension of the Declaration of Covenants, Conditions, Restrictions, and Easements for Palmetto Lakes Apartments at Westbury Park

- e. Exhibit 5, 2009 letters
4. Notice and Motion for Temporary Injunction, filed January 24, 2020
5. Answer and counterclaims of Estate at Westbury Owners Association, Inc., filed March 18, 2020
 - a. Exhibit 2, Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Palmetto Lakes Apartments at Westbury Park
6. Plaintiff's Reply to Counterclaims, filed April 13, 2020
7. Defendant Estate at Westbury Owners Association, Inc.'s motion for partial summary judgment, filed May 21, 2020
8. Consent Order of Reference to the Master-in-Equity, filed June 8, 2020
9. Plaintiff's Amended Memorandum in Opposition to Defendant Estate at Westbury Owners Association, Inc. motion for summary judgment, filed June 8, 2020
10. Memorandum in Opposition to Plaintiff's motion for temporary injunction, filed September 14, 2020
 - a. Exhibit 1, March 17, 2020 Westbury Park ROA letter
 - b. Exhibit 2, June 23, 2020 email and attachment
 - c. Exhibit 3, notice from Estate at Westbury Management
 - d. Exhibit 4, April 9, 2020 email
 - e. Exhibit 5, The Estate at Westbury Horizontal Property Regime Master Deed
11. Defendant/Counterclaim Plaintiff's memorandum in support of motion for partial summary judgment, filed September 14, 2020
 - a. Exhibit 1, plat/map
 - b. Exhibit 4, Declaration of Covenants, Conditions, and Restrictions for Westbury Park Residential Properties
 - c. Exhibit 8, plat/map
12. Plaintiff's Supplemental Memorandum in Opposition to Summary Judgment and in Support of its Motion for a Temporary Injunction, filed September 15, 2020
 - a. Exhibit 2, Estate at Westbury meeting minutes from December 11, 2010
 - b. Exhibit 3, January 18, 2011 letter from Estate at Westbury

- c. Exhibit 6, October 15, 2018 letter
- d. Exhibit 7, June 20, 2019 letter
- e. Exhibit 8, April 8, 2020 letter

13. Transcript of hearing on September 16, 2020, all pages

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

April 28, 2021

Respectfully submitted,

s/Kathleen C. Barnes

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