

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM JASPER COUNTY  
Court of Common Pleas

JUL 22 2021

**SC Court of Appeals**

C. STEPHEN BENNETT, Special Referee

Case Number 2014-CP-27-222  
Appellate Case No. 2020-001700

Sarah Bostick Howell, Appellant, v.

The Heirs and Distributees of Ollie Bostick; The Heirs and Distributees of Sarah Bostick; The Heirs and Janie Bostick; The Heirs and Distributees of Joe Bostick; The Heirs and Distributees of Margie B. Graves; The Heirs and Distributees of Johnny Bostick; The Heirs and Distributees of Freddie Bostick; The Heirs and Distributees of Ollie Bostick, Jr.; The Heirs and Distributees of Mamie B. Lucas; The Heirs and Distributees of Lawrence Bostick; Bronco Bostick; Gladys B. Williams; Lewis Bostick; Larry Bostick; Roamell Bostick; Lawrence Bostick Jr.; Rodger Bostick; Terell Bostick; and Three T Farm, LLC; Flatp SSF Timber, LLC; and Carl Polite, as adjoining Landowners; and all other heirs at law, devisees, or persons unknown, claiming by, under, or through any of the above-named persons, John Doe and Mary Roe, being fictitious names designating a class of persons, or a legal entity, infants, incompetents, persons in the Armed Forces of the United States of America, in any, known or unknown, who may be an heir, devisee, legatee, issue, alienee, administrator, executor, creditor, successor or assign having any right, title, interest, estate described in the Complaint herein, Defendants,

Of Whom Bronco Bostick is the Respondent.

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**RECORD ON APPEAL**

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## INDEX

### ORDERS:

1. Report and Order of Special Referee filed June 4, 2018
9. Order of Denial of Motion for Reconsideration filed July 22, 2019
10. Supplemental and Final Order filed November 24, 2020
12. Final Order (case number 2007CP27474) filed October 1, 2012

### PLEADINGS:

16. Summons and Complaint filed May 14, 2014
27. Answer of Bronco Bostick filed June 10, 2014
28. Answer of Rogers Bostick filed June 12, 2014
30. Answer of Larry Bostick filed August 21, 2015
34. Affidavit of Default filed May 8, 2015
36. Motion for Reconsideration filed June 7, 2018
38. Defendant Bronco Bostick's Response to Plaintiff's Motion for Reconsideration

### DEEDS and PLATS:

40. Deed from Lawrence Bostick recorded September 22, 1982, in Deed Book 34 at Page 2280.
44. Deed from Bronco Bostick recorded April 20, 2004 in Deed Book 294 at Page 239.
48. Deed from Sarah Bostick Howell recorded May 17, 2004 in Deed Book 296 at Page 73.
52. Plat containing 50 plus acres recorded May 5, 1999, in Plat Book 23 at Page 437.
53. Plat for Bronco Bostick recorded May 13, 2004, in Plat Book 27 at Page 200.
54. Plat for Sarah Bostick Howell recorded November 23, 2020, in Plat Book 0037 at Page 0279.

STATE OF SOUTH CAROLINA )

COUNTY OF JASPER )

SARAH BOSTICK HOWELL, )

Plaintiff, )

v. )

The Heirs and Distributees of OLLIE )

BOSTICK; The Heirs and Distributees of )

SARAH BOSTICK; The Heirs and )

Distributees of JANIE BOSTICK; The )

Heirs and Distributees of MARGIE B. )

GRAVES; The Heirs and Distributees of )

JOHNNY BOSTICK; The Heirs and )

Distributees of FREDDIE BOSTICK; The )

Heirs and Distributees of OLLIE )

BOSTICK, JR.; The Heirs and Distributees )

of MAMIE B. LUCAS; The Heirs and )

Distributees of LAWRENCE BOSTICK; )

GRADYS B. WILLIAMS; LEWIS )

BOSTICK; LARRY BOSTICK; )

ROAMELL BOSTICK; LAWRENCE )

BOSTICK, JR.; RODGERS BOSTICK; )

TERELL BOSTICK; AND THREE T )

FARM, LLC; FIATP SSF TIMBER, LLC; )

and CARL POLITE, as adjoining )

Landowners, and all other heirs at law, )

devisees, or persons unknown, claiming by, )

under, or through any of the above-named )

persons, JOHN DOE and MARY ROE, )

being fictitious names designating a class )

of persons, or a legal entity, infants, )

incompetents, persons in the Armed Forces )

of the United States of America, if any )

known or unknown, who may be an heir, )

devisee, legatee, issue, alienee, )

administrator, executor, creditor, successor )

or assign having any right, title, interest, )

estate in or lien upon the real estate )

described in the Complaint herein, )

DEFENDANTS, )

IN THE COURT OF COMMON PLEAS  
IN THE FOURTEENTH JUDICIAL CIRCUIT

CIVIL ACTION NO.: 14-CP-27-222  
(a non-jury matter)

**REPORT AND ORDER OF  
SPECIAL REFEREE**

\_\_\_\_\_

This matter came to be heard before me in Ridgeland, Jasper County, South Carolina, on November 1, 2017. Present at the hearing were the Plaintiff, Sarah Bostick Howell, along with her attorney, R. Thayer Rivers, Jr. Also present at the Hearing was the Defendant Bronco Bostick, along with his attorney, Daniel E. Henderson. The pro-se defendant Rodgers Bostick was present along with several the Bostick family including Larry Bostick, Lawrence Bostick, Jr., Terrell Bostick and Gladys B. Williams. This is an action to quiet title to which I was appointed to make findings of fact, conclusions of law, and render a final order appealable only to the South Carolina Court of Appeals.

At the outset, it was presented to me by attorney Rivers and a representative of the Hunter McLain law firm in Savannah Georgia, that an agreement had been made as to the boundaries of the premises involved, and that a plat made by Thomas G. Stanley, recorded in Plat Book 30 at Page 295 shows the correct boundaries between the subject property and lands of the adjoining Land Owner, Richard Smith and Ertha Smith. Such stipulation is hereby adopted as ordered by this Court. That based on stipulations of counsel it is the Order of this Court that there exist no property line disputes and that the total amount of real property which is described in this action is 50 acres in Jasper County, S.C.

This is the second time the Bostick family has been in front of me. In a prior order in the matter of Underwriter of the Lloyds of London vs. Sarah Howell, et al. (2007-CP-27-474), I ruled on a division of proceeds of a fire insurance policy of a building located on a portion of the premises which is the subject of today's Hearing. In that Order, I determined, among other things, that the late Lawrence Bostick, the father of all the parties herein, had adversely claimed a 10-acre portion of the 50-acre tract which is the subject of this action. I further recognized a deed in 1982 from Lawrence Bostick to

the Plaintiff, Sarah Howell and the Defendant Bronco Bostick conveyed to them his "one-fifth undivided interest", with the purchase price of the land shown \$1,696.86. It is thereafter noted that Sarah Howell owned one-half interest in their father's one-fifth undivided interest and that other one-half was owned by the remaining defendants, namely: Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Larry Bostick, Roemell Bostick, Gladys M. Bostick Williams, Terrell Bostick and Rodgers O. Bostick. This is by way of a deed from Bronco Bostick to himself and other Grantees recorded in Deed Book 294 at Page 239.

Thereafter, the following testimony was taken, and exhibits were issued which established (1) that the common ancestor of all the parties is Ollie Bostick, who was the grandfather having died in 1952, leaving his widow, Sarah Bostick (who thereafter died intestate in 1969) and the following children: Janie Bostick, Joe Bostick, Margie B. Graves, Johnny Bostick, Freddie Bostick, Ollie Bostick, Jr., Mamie B. Lucas and Lawrence Bostick.

The census records and other public records were used to establish the family tree which is not contested by any party and is therefore accepted as in the Complaint namely:

1. That Janie Bostick, daughter of Ollie Bostick, died intestate in 1967, leaving as her heirs the following 2 children: Robert Bostick and Gussie Bostick.
2. That Robert Bostick died intestate in 1993, leaving one child, Mimeve Bostick.
3. That Gussie Bostick died intestate in 1982, leaving three children: Benjamin Bostick, Ronald Bostick, and Margie Bostick.
4. That Joe Bostick, son of Ollie Bostick, died intestate in 1963, leaving no spouse or children.

5. That Margie B. Graves, daughter of Ollie Bostick, died intestate in 2002, leaving as her sole heirs at law two children: Mamie Lee and Ruby Sanders.

6. That Johnny Bostick, son of Ollie Bostick, died intestate in 1965, leaving no spouse or children.

7. That Freddie Bostick, son of Ollie Bostick, died intestate in 1960, leaving as his sole heirs at law three children: Carolina B. Best, Joyce E. Bostick, and Rose B. Carrington.

8. That Ollie Bostick, Jr., son of Ollie Bostick, died intestate in 1965 leaving no spouse or children.

9. That Mamie B. Lucas, daughter of Ollie Bostick, died intestate in 2003, leaving one child, William Lucas.

10. That Lawrence Bostick, son of Ollie Bostick, died intestate in 1990, leaving as his sole heirs at law eight children: Bronco Bostick, Gladys B. Williams, Lewis Bostick, Larry Bostick, Roamell Bostick, Rodgers Bostic, and Sarah Bostick Howell.

11. That by deed recorded in the Office of the Clerk of Court for Jasper County on September 22, 1982 in Deed Book 84 at Page 2280 Lawrence Bostick sold a "one-fifth undivided interest" in 50 acres to Sarah Bostick Howell and Bronco Bostick.

12. That although technically all property in this matter should have been quieted by an action solely in the name of the Heirs of Ollie Bostick, facts presented convince this Court that one certain member of the Ollie Bostick family, namely Lawrence Bostick, maintained exclusive adverse dominion, control and possession of the property amounting to an ouster of the other heirs of Ollie Bostick, and the Heirs of Lawrence Bostick are now entitled to the property by adverse possession as against any other Heirs of Ollie Bostick, and in law and in

equity, they are entitled to receive a decision of this Court quieting title in the heirs of Lawrence Bostick as Ordered below.

13. That Lawrence Bostick died 8 years after he sold a one-fifth undivided interest to his children Sarah and Bronco. While I have determined Lawrence, by ouster, earned title to the entire 50 acres tract, the deed to Sarah and Bronco did not convey the entire 50 acres.

14. The recordation of a deed from Bronco to his brothers and sisters is Book 294, Page 239 which conveyed Bronco's one-half undivided interest in his father's one-fifth undivided interest to himself and his siblings. The deed from Lawrence Bostick to Sarah and Bronco is Deed Book 84 at Page 2280. The plat from Richard Kesserling is recorded in Plat Book 23 at Page 437.

15. On or around May 17, 2004, Sarah Bostick Howell without request from any other heir of Lawrence Bostick, executed a deed to the following: Gladys M.B. Williams, Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Rodgers Bostick, Larry Bostick, Roamell Bostick and Terrell B. Bostick for 5 acres of land shown in Deed Book 296 at Page 73. A plat for a similar 5 acres in the name of Sarah Bostick Howell was allegedly presented to the other heirs but no deed was ever executed by the Defendants. Sarah Bostick Howell further testified without contradiction that she had paid \$10,000.00 toward attorney fees and cost for the prosecution of this action. She further testified, and a bill was presented in the amount of \$432.00 for survey work on the property. She additionally testified that she spent the sum of \$3,200.00 for the Kesserling plat of the 50 acres in question. She additionally testified that both she and her daughter had mobile homes located on the 5 acre premises and that she had spent considerable money on improving a pond located on the 5-acre tract. This was apparently

an attempt on the part of Mrs. Howell to save the 5 acres on which she resides in her name only.

Based on the foregoing, it is hereby Ordered as follows:

1. That this Court has jurisdiction over the property in question as well as all the persons involved.
2. That all defendants are in default save for the defendant Bronco Bostick and the defendant Rodgers Bostick.
3. That by the deed recorded in Deed Book 84 at Page 2280, Lawrence Bostick conveyed, by sale for \$1,696.86, all his one-fifth interest in the premises to the Plaintiff Sarah Bostick Howell and to the Defendant Bronco Bostick.
4. I find and conclude that Lawrence Bostick conveyed his interest he had in 10 acres of the 50 acres to Sarah Bostick Howell and Bronco Bostick, equal interests. That this deed is being deemed by this Court as a "quitclaim" of his interest. It is Ordered that subsequent deeds were executed, with the said Bronco Bostick thereafter conveying his interest to himself and his siblings, as joint tenants.
5. At the time of the conveyance noted above, Lawrence Bostick had long since ousted all the other members of the Bostick family and was, in fact, the sole owner of the 50 acres in question.
6. The intent of the deed of Lawrence Bostick mentioned above was to convey a one-fifth interest in 50 acres and was not to invest the title of one-half of the entire 50 acres in the Plaintiff, Sarah Bostick Howell and the other half in the Defendant Bronco Bostick.
7. The deed (Deed Book 84 @ Page 2280) to Sarah Bostick Howell and Bronco Bostick does not represent fee simple title of the entire premises as the result of the

establishment of ouster in this action. Had that been the intent of Lawrence Bostick, the deed would have so stated.

8. The deed of Bronco Bostick to himself and his siblings recorded in Deed Book 84 at Page 2280 vested title in that one-half undivided interest in one-fifth interest in 50 acres in those parties.

9. That it is now Ordered of the 10 acres (Deed Book 84 @ Page 2280) that the 5 of the 10 acres of property are hereby declared to be the property of Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Larry Bostick, Roamell Bostick, Gladys M. Bostick Williams, Terrell Bostick and Rodger Bostick, titled in fee simple, and they shall be responsible for attorney fees, survey, platting and recording for this property (Deed Book 296 @ Page 73).

10. That the Plaintiff Sarah Bostick Howell has expended the amount of \$13,637.00 for her benefit in this action. Equity would dictate that she be given clear title to the 5 acres she now lives on. The other 5 acres conveyed by Lawrence Bostick to Bronco Bostick and then to his siblings (excluding Sarah Bostick Howell) belongs to the other children of Lawrence.

11. That it is now Ordered that the remaining 5 acres of property contemplated in Deed 84 @ Page 2280 are hereby declared to be the property of Sarah Bostick Howell in fee simple, and she shall be responsible for attorney fees, survey, platting and recording for this property.

12. The balance of the 50 +/- acre tract passes to all the intestate heirs of Lawrence Bostick as a result of his ouster of his siblings' years ago.

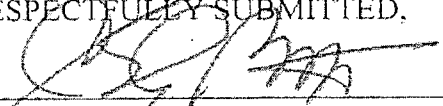
13. It may be necessary on a later date to do a division of the 50 +/- acres (minus 10 described above) amongst the parties in accordance with the interests established. The fees and costs as noted above should be borne equally if that effort is undertaken.

14. That it is Ordered that Sarah Bostick Howell as the Plaintiff is not entitled to receive reimbursement of the sum of \$13,632.00. She is getting 5 acres, to which arguably she only owns an undivided interest.

15. That it is Ordered that as between the Plaintiff and the above Defendants, all future fees and costs in this matter for attorney's fee, surveying, platting and recording, regarding the remaining 40 acres, shall be borne pro-rata between the Plaintiff and the said Defendants, Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Larry Bostick, Roamell Bostick, Gladys M. Bostick Williams, Terrell Bostick and Rodgers Bostick.

16. That it is Ordered that Two Thousand, Five Hundred (\$2,500.00) is the fee for the Special Referee, through the time of signing of this Order.

RESPECTFULLY SUBMITTED,

  
\_\_\_\_\_  
C. Stephen Bennett, Special Referee

Dated: MAY 31, 2018  
Ridgeland, South Carolina

FILED  
JASPER COUNTY  
CLERK OF COURT

STATE OF SOUTH CAROLINA )  
2019 JUL 22 PM 3:58 )  
COUNTY OF JASPER )  
SOUTH CAROLINA JUDICIAL SYSTEM )  
COURT OF COMMON PLEAS )  
FOURTEENTH JUDICIAL CIRCUIT )  
C/A NO.: 2014-CP-27-222 )

SARAH BOSTICK HOWELL, )  
Plaintiff, )  
vs. )  
The Heirs and Distributees of )  
OLLIE BOSTICK; et al. )  
Defendants. )

ORDER OF DENIAL OF MOTION  
FOR RECONSIDERATION

Be it remembered that a *Report & Order of Special Referee* was signed by me on May 31, 2018, and was filed in this matter on June 4, 2018. Thereafter, a *Motion for Reconsideration* was filed by Attorney R. Thayer Rivers, Jr., on behalf of the Plaintiff, Sarah Bostick Howell, on or about June 7, 2018, to which a *Response to Plaintiff's Motion for Reconsideration* was timely filed by Daniel E. Henderson, attorney on behalf of Defendant Bronco Bostick. Upon receiving these filings, I contacted the attorneys for the parties and urged them to attempt to settle this case, to no avail. Thereafter, I subsequently suffered a fall and injury, which necessitated surgical intervention and occupational therapy. I am still under my doctor's care for my injuries, and this has contributed to the delay in my ruling.

However, this Court, having now reviewed the Report & Order of Special Referee and both the Plaintiff's Motion and the Defendant's Response, now finds and concludes that the Plaintiff's Motion for Reconsideration should be and is hereby DENIED; and

IT IS SO ORDERED.



C. Stephen Bennett  
Special Referee for Jasper County

Date: July 22, 2019

At: Ridgeland, South Carolina.

ELECTRONICALLY FILED - 2019 Jul 22 4:07 PM - JASPER - COMMON PLEAS - CASE#2014CP2700222

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF JASPER )  
 )  
 SARAH BOSTICK HOWELL, )  
 )  
 Plaintiff, )  
 )  
 Vs. )  
 )  
 The Heirs and Distributces of )  
 Ollie Bostic, et al. )  
 )  
 Defendants, )  
 )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
 FOR THE FOURTEENTH JUDICIAL  
 CIRCUIT

CASE NO.: 14-CP-27-222  
 (A Non-Jury Matter)


SUPPLEMENTAL AND  
 FINAL ORDER

2020 NOV 24 PM 3:33

This Order is to supplement my Order of May 31, 2018. Accordingly, I rule as follows:

1. The Special Referee's Fee (\$2,500) Dollars in the amount of Twenty-Five Hundred (\$2,500) Dollars is awarded to be bourne equally by the parties.
2. There is likewise an award of One Thousand (\$1,000) Dollars as fees to Robert M. Hughes, Esquire, for Guardian ad Litem.
3. I have this day issued deeds to the parties for their final parcels which are awarded in my order of May 31, 2018.
4. Upon the payment of these funds, each party is authorized to record the deeds.
5. Upon the recordation of these deeds, the Honorable Margaret Bostick, Clerk of Court for Jasper County, South Carolina, is authorized to dismiss this case.

IT IS SO ORDERED.



C. STEPHEN C. BENNETT  
Special Referee With Finality

November 23, 2020  
Ridgeland, S.C.

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF JASPER )  
 )  
 UNDERWRITERS OF LLOYD'S )  
 LONDON, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SARAH HOWELL, et al. )  
 )  
 Defendants. )

IN THE COURT OF COMMON PLEAS  
 FOURTEENTH JUDICIAL CIRCUIT  
 C/A: 2007-CP-27-474

2012 OCT -1 AM 10:43  
 MARGARET BOSSOROK  
 CLERK OF COURT  
 JASPER COUNTY SC

**FINAL ORDER**

This matter came before me for hearing on Friday, July 6, 2012. This was the second hearing held in this matter. The original hearing had been adjourned since it appeared that all issues in the case were not properly joined, and the case was not fully ready for a final adjudication. This case is now ready to be decided and a final order can now be issued in this matter.

In my reading of Judge Mullen's Order of Reference, as Special Referee with Finality, the issue now before me is how to divide the proceeds of a home-owners insurance policy "as amongst the Defendants" in this lawsuit. The insured dwelling was situated upon the "Bostick Property" in Jasper County, S.C., and the home and contents were totally destroyed by fire on or about December 5, 2006.

The entire policy proceeds for this loss were tendered by Lloyd's for deposit into the Clerk of Court for Jasper County, the face value of which was Fifty Thousand and No/100's (\$50,000.00) Dollars. However, since the initial deposit, interest has accrued, and now the division of the total proceeds, including interest, is at issue.

Present at the hearing were: Sarah Howell, her attorney R. Thayer Rivers, Jr.; Larry Bostick, Gladys Bostick Williams, Rogers Bostick, and Louise Bostick. All parties were placed

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under oath and gave sworn testimony, save and excepting Louise Bostick who was present, but did not testify. Based upon the testimony, the law and the evidence, I find and conclude the following:

**FINDINGS OF FACT and CONCLUSIONS OF LAW**

1. That I have subject matter jurisdiction and personal jurisdiction to hear and decide this case by virtue of the location of the property, the residency of the parties, and the prior Orders of this Court.
2. That the late Lawrence Bostick owned an interest in a 50 acre tract of his family's land, located in Pineland, Jasper County, South Carolina. That upon a particular portion of this tract consisting of about 10 acres, was the family home at issue in this case.
3. That Lawrence Bostick and his immediate family occupied the family home for more than enough years to establish use, dominion, control and ownership of the family home.
4. That in 1982, Lawrence Bostick deeded his undivided interest, to two family members, to wit: he deeded a ½ undivided interest each in the entire tract (which included the home) to Bronco Bostick and to Sarah Bostick Howell as tenants in common. Thus, each of them owned a ½ undivided interest in their father's undivided interest. That on or about April 2, 2004, Bronco Bostick further deeded his ½ undivided interest to himself and to his siblings (except for Sarah Howell).
5. That the home located upon the above property was insured by Lloyds for a total of \$50,000.00 (premises and personal property), and the home and contents were totally destroyed by fire on or about December 5, 2006.
6. That at the time of the fire, the insured home was owned ½ by Sarah Howell and ½ by the remaining named Defendants: Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Larry B. Bostick, Roamell Bostick, Gladys M. Bostick Williams, Terrell B. Bostick and Rogers O. Bostick.
7. That Sarah Howell and the other Defendants had an insurable interest in the premises to the extent of their ownership, that is: Sarah Howell had an insurable interest in her ½ undivided interest in the premises and the remaining siblings had an insurable interest in their collective ½ undivided interest in the premises.
8. That prior to the fire, Sarah Howell paid the dwelling insurance premiums for the Lloyd's policy, totaling \$1,535.94, and she is entitled to be reimbursed for these payments. That Counsel for the remaining Defendants agreed that this reimbursement is proper.

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9. That there is obviously, and unfortunately, much great and deep-seeded animosity between these family members, the likes of which would cause "Devil Anse" Hatfield to blush, and thus there was spiteful, conflicting and acrimonious testimony as to who paid for the taxes, improvements, and upkeep on the home, and who may have "owned" any personal property destroyed in the fire. It is my hope that this family will some day bind its wounds and the resolution of this case may help in that regard.
10. That accordingly, I find that no party to this action has submitted any clear proof as to ownership of any personal property destroyed in the fire, and that no party to this action is entitled to any recovery for any personal property destroyed in the fire.
11. That I further find based upon the proof submitted before me at this time, that no party to this action is entitled to reimbursement for payment of taxes or upkeep on the destroyed home. However, nothing in this Order shall prevent any party from submitting proof of payment of taxes on the real property in the event of a quiet title action, or other litigation, in the future as to the entire tract.
12. That Sarah Howell should bear 1/2 of the court reporter's fees in this matter and the remaining Defendants should collectively bear the other 1/2 of the court reporter's fees; and that each party should otherwise bear his or her own attorney's fees and costs in this matter.
13. That I find that I am entitled to receive the sum of Five Thousand and No/100's (\$5,000.00) as my fees for service as Special Referee in this matter.

**BASED UPON THE FOREGOING, I ORDER THE FOLLOWING:**

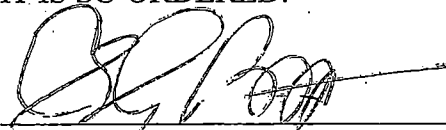
1. That the gross policy proceeds, with interest, shall be divided as follows: Sarah Howell shall receive one half (1/2) of the gross proceeds, and The Defendants, Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Larry B. Bostick, Roamell Bostick, Gladys M. Bostick Williams, Terrell B. Bostick and Rogers O. Bostick, shall be entitled to receive and equally divide between themselves the other one half (1/2) of the remaining proceeds, however, all of the above receipts will be subject to the following payments as set forth hereafter.
2. That Sarah Howell shall be repaid the insurance premium costs in this matter in the amount of \$1,535.94, in addition to her share of the proceeds set forth above;

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3. That the Special Referee shall be paid the sum of Five Thousand and No/100's (\$5,000.00) Dollars for services rendered, 1/2 paid by Sarah Howell and the remaining 1/2 collectively by the other Defendants.
4. That Sarah Howell shall pay 1/2 of the court reporter's fees in this matter and the remaining Defendants shall collectively pay the other 1/2 of the court reporter's fees in this matter;
5. That each party shall otherwise bear his or her own attorney's fees and costs in this matter.

IT IS SO ORDERED.



\_\_\_\_\_  
C. Stephen Bennett  
Special Referee with Finality

Date: October 1<sup>st</sup>, 2012.

At: Ridgeland, South Carolina.

STATE OF SOUTH CAROLINA )

COUNTY OF Jasper )

SARAH BOSTICK HOWELL, )

Plaintiff(s) )

vs. )

HEIRS OF OLLIE BOSTICK, ET AL. )

Defendant(s) )

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

14-CP - 27-

MARGARET JOHNSON  
CLERK OF COURT  
JASPER COUNTY SC

2014 MAY 14 PM 4:29

Submitted By: R. Thayer Rivers, Jr.  
Address: P. O. Box 668, Ridgeland, SC 29936

SC Bar #: 4754  
Telephone #: 843-726-8136  
Fax #: 843-726-4401  
Other:  
E-mail:

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.  NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- |  |  |   |  |
|--|--|---|--|
| <p><b>Contracts</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Constructions (100)</li> <li><input type="checkbox"/> Debt Collection (110)</li> <li><input type="checkbox"/> Employment (120)</li> <li><input type="checkbox"/> General (130)</li> <li><input type="checkbox"/> Breach of Contract (140)</li> <li><input type="checkbox"/> Other (199)</li> </ul> | <p><b>Torts - Professional Malpractice</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Dental Malpractice (200)</li> <li><input type="checkbox"/> Legal Malpractice (210)</li> <li><input type="checkbox"/> Medical Malpractice (220)</li> <li>Previous Notice of Intent Case #<br/>20__-CP-____-</li> <li><input type="checkbox"/> Notice/ File Med Mal (230)</li> <li><input type="checkbox"/> Other (299)</li> </ul>                      | <p><b>Torts - Personal Injury</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assault/Slander/Libel (300)</li> <li><input type="checkbox"/> Conversion (310)</li> <li><input type="checkbox"/> Motor Vehicle Accident (320)</li> <li><input type="checkbox"/> Premises Liability (330)</li> <li><input type="checkbox"/> Products Liability (340)</li> <li><input type="checkbox"/> Personal Injury (350)</li> <li><input type="checkbox"/> Wrongful Death (360)</li> <li><input type="checkbox"/> Other (399)</li> </ul>   | <p><b>Real Property</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Claim &amp; Delivery (400)</li> <li><input type="checkbox"/> Condemnation (410)</li> <li><input type="checkbox"/> Foreclosure (420)</li> <li><input type="checkbox"/> Mechanic's Lien (430)</li> <li><input type="checkbox"/> Partition (440)</li> <li><input type="checkbox"/> Possession (450)</li> <li><input type="checkbox"/> Building Code Violation (460)</li> <li><input checked="" type="checkbox"/> Other (499)</li> </ul>   |
| <p><b>Inmate Petitions</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> PCR (500)</li> <li><input type="checkbox"/> Mandamus (520)</li> <li><input type="checkbox"/> Habeas Corpus (530)</li> <li><input type="checkbox"/> Other (599)</li> </ul>   | <p><b>Administrative Law/Relief</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reinstate Drv. License (800)</li> <li><input type="checkbox"/> Judicial Review (810)</li> <li><input type="checkbox"/> Rel...</li> <li><input type="checkbox"/> Permanent... (830)</li> <li><input type="checkbox"/> Forfeiture-Petition</li> <li><input type="checkbox"/> Forfeiture-Consent Order</li> <li><input type="checkbox"/> Other (899)</li> </ul> | <p><b>Judgments/Settlements</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Death Settlement (700)</li> <li><input type="checkbox"/> Foreign Judgment (710)</li> <li><input type="checkbox"/> Magistrate's Judgment (720)</li> <li><input type="checkbox"/> Minor Settlement (730)</li> <li><input type="checkbox"/> Transcript Judgment (740)</li> <li><input type="checkbox"/> Lis Pendens (750)</li> <li><input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760)</li> <li><input type="checkbox"/> Confession of Judgment (770)</li> <li><input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780)</li> <li><input type="checkbox"/> Other (799)</li> </ul> | <p><b>Appeals</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Arbitration (900)</li> <li><input type="checkbox"/> Magistrate-Civil (910)</li> <li><input type="checkbox"/> Magistrate-Criminal (920)</li> <li><input type="checkbox"/> Municipal (930)</li> <li><input type="checkbox"/> Probate Court (940)</li> <li><input type="checkbox"/> SCDOT (950)</li> <li><input type="checkbox"/> Worker's Comp (960)</li> <li><input type="checkbox"/> Zoning Board (970)</li> <li><input type="checkbox"/> Public Service Comm. (990)</li> <li><input type="checkbox"/> Employment Security Comm (991)</li> <li><input type="checkbox"/> Other (999)</li> </ul> |
| <p><b>Special/Complex /Other</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmental (600)</li> <li><input type="checkbox"/> Automobile Arb. (610)</li> <li><input type="checkbox"/> Medical (620)</li> <li><input type="checkbox"/> Other (699)</li> </ul>  | <ul style="list-style-type: none"> <li><input type="checkbox"/> Pharmaceuticals (630)</li> <li><input type="checkbox"/> Unfair Trade Practices (640)</li> <li><input type="checkbox"/> Out-of State Depositions (650)</li> <li><input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660)</li> <li><input type="checkbox"/> Sexual Predator (510)</li> </ul>   |   |  |

Submitting Party Signature:

*R. Thayer Rivers, Jr.*

Date: 5/14/2014

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

16

STATE OF SOUTH CAROLINA )  
)  
)  
COUNTY OF JASPER )  
)  
)

SARAH BOSTICK HOWELL, )  
)  
)  
Plaintiff, )  
)

vs. )  
)

The Heirs and Distributees of OLLIE )  
BOSTICK; The Heirs and Distributees )  
of SARAH BOSTICK; The Heirs and )  
JANIE BOSTICK; The Heirs and )  
Distributees of JOE BOSTICK; The Heirs )  
and Distributees of MARGIE B. GRAVES; )  
The Heirs and Distributees of JOHNNY )  
BOSTICK; The Heirs and Distributees of )  
FREDDIE BOSTICK; The Heirs and )  
Distributees of OLLIE BOSTICK, JR.; The )  
Heirs The Heirs and Distributees of )  
MAMIE B. LUCAS; The Heirs and )  
Distributees of LAWRENCE BOSTICK; )  
BRONCO BOSTICK; GLADYS B. )  
WILLIAMS; LEWIS BOSTICK; LARRY )  
BOSTICK; ROAMELL BOSTICK; )  
LAWRENCE BOSTICK, JR.; RODGER )  
BOSTICK; TEREILL BOSTICK; and, )  
THREE T FARM, LLC; FIATP SSF )  
TIMBER, LLC; and CARL POLITE, as )  
adjoining Landowners; and all other heirs at )  
law, devisees, or persons unknown, claiming )  
by, under, or through any of the above- )  
named persons, JOHN DOE and MARY )  
ROE, being fictitious names designating a )  
class of persons, or a legal entity, infants, )  
incompetents, persons in the Armed Forces )  
of the United States of America, if any, )  
known or unknown, who may be an heir, )  
devisee, legatee, issue, alienee, )

IN THE COURT OF COMMON PLEAS  
FOR THE FOURTEENTH JUDICIAL  
CIRCUIT

CASE NO. 14-CP-27-<sup>200</sup>  
(A NON-JURY MATTER)

**SUMMONS**

2014 MAY 14 PM 4:29  
MARGARET BOSTICK  
CLERK OF COURT  
JASPER COUNTY SC

FILED

administrator, executor, creditor, successor )  
or assign having any right, title, interest, )  
estate in or lien upon the real estate )  
described in the Complaint herein, )  
 )  
Defendants. )  
\_\_\_\_\_ )

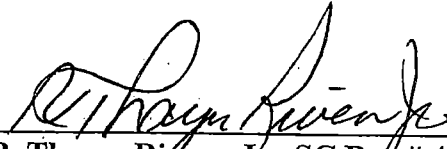
NOTICE IS HEREBY GIVEN that an action has been commenced and is now pending in this Court upon Complaint of the above named Plaintiff against the above named Defendants for the purpose of ascertaining ownership and removing any cloud upon the title of the property hereinafter described, and to forever bar all claims, rights, titles, interests or liens of the Defendants in or to the property hereinafter described.

“ALL that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Jasper, near Pineland, containing 50 acres, more or less, being bounded on the North by lands, now or formerly of Bascomb; East by lands, now or formerly, or Polite; on the South by a Public Road leading from Robertvill to Gillisonville and on the West by lands, now or formerly, of the Pineland Club.”

This being the same property conveyed by Jason C. Richardson to Ollie Bostick by deed recorded March 18, 1919 in Deed Book 3 at Page 598 in the Office of the Clerk of Court for Jasper County, South Carolina. A portion of said property is shown in plat recorded in Book 27 at Page 200, office aforesaid.

Jasper County Tax Map Ref. 016-00-03-014 and 016-00-03-063

**LAW OFFICE OF R. THAYER RIVERS, JR.**  
**Post Office Box 668**  
**252 Russell Street**  
**Ridgeland, SC 29936**  
**(843) 726-8136**



---

**R. Thayer Rivers, Jr., SC Bar # 4754**  
**Attorney for the Plaintiff**

Ridgeland, South Carolina

May 14, 2014

STATE OF SOUTH CAROLINA )

COUNTY OF JASPER )

SARAH BOSTICK HOWELL, )

Plaintiff, )

vs. )

The Heirs and Distributees of OLLIE BOSTICK; The Heirs and Distributees of SARAH BOSTICK; The Heirs and JANIE BOSTICK; The Heirs and Distributees of JOE BOSTICK; The Heirs and Distributees of MARGIE B. GRAVES; The Heirs and Distributees of JOHNNY BOSTICK; The Heirs and Distributees of FREDDIE BOSTICK; The Heirs and Distributees of OLLIE BOSTICK, JR.; The Heirs and Distributees of MAMIE B. LUCAS; The Heirs and Distributees of LAWRENCE BOSTICK; BRONCO BOSTICK; GLADYS B. WILLIAMS; LEWIS BOSTICK; LARRY BOSTICK; ROAMELL BOSTICK; LAWRENCE BOSTICK, JR.; RODGER BOSTICK; TERELL BOSTICK; and, THREE T FARM, LLC; FIATP SSF TIMBER, LLC; and CARL POLITE, as adjoining Landowners; and all other heirs at law, devisees, or persons unknown, claiming by, under, or through any of the above-named persons, JOHN DOE and MARY ROE, being fictitious names designating a class of persons, or a legal entity, infants, incompetents, persons in the Armed Forces of the United States of America, if any, known or unknown, who may be an heir, devisee, legatee, issue, alienee,

IN THE COURT OF COMMON PLEAS FOR THE FOURTEENTH JUDICIAL CIRCUIT

CASE NO. 14-CP-27- 225 (A NON-JURY MATTER)

COMPLAINT

MARGARET BOSTICK CLERK OF COURT JASPER COUNTY SC

2014 MAY 14 PM 4:29

FILED

administrator, executor, creditor, successor )  
or assign having any right, title, interest, )  
estate in or lien upon the real estate )  
described in the Complaint herein, )  
 )  
Defendants. )  
\_\_\_\_\_ )

The Plaintiff would allege and say as follows:

**FOR A FIRST CAUSE OF ACTION**

1. That the Plaintiff, Sarah Bostick Howell is a citizen and resident of Jasper County, South Carolina, and that the parcel of land which is the subject of this action is located in Jasper County, South Carolina; and this Honorable Court has jurisdiction in this matter.

2. That Three T Farm, LLC, FIATP SSF Timber, LLC and Carl Polite are adjoining landowners and are made Defendants for that reason, and so as to establish and confirm the boundaries of the property which is the subject of this action.

3. That there are joined as persons unknown any persons other than the named defendants, John Doe and Mary Roe, being fictitious names used to represent a class of persons who are infants, incompetents, in the military service or otherwise unknown to Plaintiff and who may have an interest in and to the subject real property, so that the Court may inquire into and ascertain the true heirs of Ollie Bostick.

4. The property which is the subject of this action is described as follows:

“ALL that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Jasper, near Pineland, containing 50 acres, more or less, being bounded on the North by lands, now or formerly of Bascomb; East by lands, now or formerly, or Polite; on the South by a Public Road leading from

Robertvill to Gillisonville and on the West by lands, now or formerly, of the Pineland Club.”

This being the same property conveyed by Jason C. Richardson to Ollie Bostick by deed recorded March 18, 1919 in Deed Book 3 at Page 598 in the Office of the Clerk of Court for Jasper County, South Carolina. A portion of said property is shown in plat recorded in Book 27 at Page 200, office aforesaid.

Jasper County Tax Map Ref. 016-00-03-014 and 016-00-03-063

Hereinafter referred to as the “Subject Property”.

5. That, upon information and belief, Ollie Bostick died intestate in 1952 in Jasper County, South Carolina, seized and possessed of the above described real property, leaving as his sole heirs at law his widow, Sarah Bostick, who thereafter died intestate in 1969, not having remarried, and the following children: Janie Bostick, Joe Bostick, Margie B. Graves, Johnny Bostick, Freddie Bostick, Ollie Bostick, Jr., Mamie B. Lucas, and Lawrence Bostick.

6. That, upon information and belief, Janie Bostick, daughter of Ollie Bostick, died intestate in 1967, leaving as her heirs the following two (2) children: Robert Bostick and Gussie Bostick.

7. That, upon information and belief, Robert Bostick died intestate in 1993, leaving one (1) child, Mimeve Bostick.

8. That, upon information and belief, Gussie Bostick died intestate in 1982, leaving three (3) children: Benjamin Bostick, Ronald Bostick and Margie Bostick.

9. That, upon information and belief, Joe Bostick, son of Ollie Bostick, died intestate in 1963, leaving no spouse nor children.

10. That, upon information and belief, Margie B. Grayes, daughter of Ollie Bostick, died intestate in 2002, leaving as her sole heirs at law two (2) children: Mamie Lee and Ruby Sanders.

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11. That, upon information and belief, Johnny Bostick, son of Ollie Bostick, died intestate in 1965, leaving no spouse nor children.
12. That, upon information and belief, Freddie Bostick, son of Ollie Bostick, died intestate in 1960, leaving as his sole heirs at law three (3) children: Carolyn B. Best, Joyce E. Bostick and Rose B. Carrington.
13. That, upon information and belief, Ollie Bostick, Jr., son of Ollie Bostick, died intestate in 1965, leaving no spouse nor children.
14. That, upon information and belief, Mamie B. Lucas, daughter of Ollie Bostick, died intestate in 2003, leaving one (1) child: William Lucas.
15. That, upon information and belief, Lawrence Bostick, son of Ollie Bostick, died intestate in 1990, leaving as his sole heirs at law his eight (8) children: Bronco Bostick, Gladys B. Williams, Lewis Bostick, Larry Bostick, Roamell Bostick, Rodger Bostick and the Plaintiff herein, Sarah Bostick Howell.
16. That, upon information and belief, Lawrence Bostick, son of Ollie Bostick, did convey all his right, title and interest in the real property of his father, Ollie Bostick, to Sarah Bostick Howell and Bronco Bostick by that certain deed of real estate dated September 21, 1982 and recorded September 22, 1982 in Deed Book 84 at Page 2280 in the Office of the Clerk of Court for Jasper County, South Carolina.
17. That Sarah Bostick Howell did have a survey of the Ollie Bostick property prepared by Richard Kesselring, R.L.S., dated May 4, 1999 and recorded in the Office of the Clerk of Court for Jasper County, South Carolina in Plat Book 23 at Page 437.

18. That, upon information and belief, Margie B. Graves and Mamie B. Lucas did give their undivided interest in the property of their late father, Ollie Bostick, to their brother, Lawrence Bostick, by oral gift. Lawrence Bostick and his Heirs thereafter treated the premises as being the sole property of Lawrence Bostick.

19. That, upon information and belief, Lawrence Bostick and later, the Heirs of Lawrence Bostick, have exercised complete control over the Ollie Bostick property for a period in excess of thirty (30) years, paying the taxes, farming the property and exercising complete dominion over the said property to the exclusion of the world and other possible heirs of Ollie Bostick, thereby ousting any Heirs but those of Lawrence Bostick.

20. That Bronco Bostick did covey his undivided interest in the Ollie Bostick property to himself and his brothers and sisters, save Sarah Howell Bostick, and one nephew, Terrell B. Bostick, by deed dated April 2, 2004 and recorded April 20, 2004 in the Office of the Clerk of Court for Jasper County, South Carolina in Deed Book 294 at Page 239.

21. That, in a partial partition of the property, Sarah Bostick Howell did execute a Deed to Gladys M. B. Williams, Bronco Bostick, Lawrence Bostick, Jr., Lewis Bostick, Rodgers Bostick, Larry Bostick, Roamell Bostick and Terrell B. Bostick (a nephew) for five (5) acres of land, dated May 17, 2004 and recorded May 17, 2004 in Deed Book 296 at Page 73 in the Office of the Clerk of Court for Jasper County, South Carolina. Said property being delineated on that certain plat of real estate prepared by C. Lawton Maner, R.L.S., dated May 11, 2004 and recorded in the Office of the Clerk of Court for Jasper County, South Carolina in Plat Book 27 at Page 200.

22. That, Sarah Bostick Howell, in contemplation of an exchange of Deeds in a partial partition of the subject property did have a plat prepared by C. Lawton Maner, dated June 28,

2004 for five (5.00) acres of land. Said plat has not been recorded as her siblings and nephew refused to execute the deed to Plaintiff.

**FOR A SECOND CAUSE OF ACTION**

23. That the preceding allegations of the Complaint are hereby realleged as though fully incorporated herein.

24. That the Plaintiff is desirous of the title to the Subject Property being quieted in the names of the heirs of Lawrence Bostick, individually, as hereinabove enumerated.

25. That because of the disproportionate ratios of ownership of the said land, Plaintiff is informed and believes that partition, in kind, of the Subject Property is not practical.

26. That, in accordance with the provisions of the South Carolina Code of Laws (1976), the Subject Property be sold at a Private Sale at an appraised price upon agreement of the heirs, or lacking such agreement, at an appropriate judicial sale, and after proper deduction for costs, including attorney's fees, that the proceeds be distributed amongst the parties according to their respective interests, as determined by the Court.

**WHEREFORE**, having fully set forth her case, the Plaintiff prays that this Honorable Court inquire into the matters set forth herein and grant the Plaintiff the following relief:

**AS TO THE FIRST CAUSE OF ACTION**

- a. That this Court issue an Order establishing the Heirs of Ollie Bostick and setting forth their respective interests in the Subject Property.
- b. That this Court issue an Order confirming the ouster of all Heirs of Ollie Bostick \ other than the Heirs of Lawrence Bostick.

- c. That this Court issue an Order clearing and confirming title to the Subject Property in the names of the Heirs of Lawrence Bostick, individually, and they be declared the owners in fee simple.
- d. That this Court issue an Order confirming title to the 5.00 acres shown on the plat prepared for Sarah Bostick Howell, dated June 28, 2004 by C. Lawton Maner, as the property, in fee simple, of Sarah Bostick Howell and issue a Deed to her.


**AS TO THE SECOND CAUSE OF ACTION**

- c. That this Court issue an Order partitioning the Subject Property in kind, or, in the alternative, if partition in kind is not practicable, order same to be sold at a Private Sale at an appraised price upon agreement of the heirs, or lacking such agreement at an appropriate judicial sale, and the proceeds be divided in accordance with the rights of the parties as heretofore determined.
- d. That the costs of this action, to include any appraisal fee and/or survey fee and a reasonable attorney's fee of ten (10%) percent of the gross sales proceeds, be apportioned amongst the parties in accordance with their interests in the property and constitute a lien thereon until paid.

**AS TO ALL CAUSES OF ACTION**

- e. For such other and further relief as this Honorable Court shall deem just and proper.

**LAW OFFICE OF R. THAYER RIVERS, JR.  
Post Office Box 668  
252 Russell Street  
Ridgeland, SC 29936  
(843) 726-8136**

  
\_\_\_\_\_  
**R. THAYER RIVERS, JR., SC Bar # 4754  
ATTORNEY FOR THE PLAINTIFF**

Ridgeland, South Carolina  
May \_\_\_\_\_, 2014

24

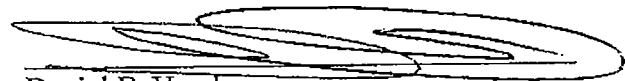
STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
 COUNTY OF JASPER 2014 JUN 10 P: 4: 00 ) CIVIL ACTION NO.: 2014-CP-27- 222  
 SARAH BOSTICK HOWELL, )  
 Plaintiff, )  
 v. )  
 HEIRS OF OLLIE BOSTICK, ET AL )  
 Defendant. )

**ANSWER  
 OF BRONCO BOSTICK**

Defendant Bronco Bostick answering the complaint hereby says:

1. That any matter not hereinafter specifically admitted, denied or qualified is denied and strict proof is demanded thereof.
2. The Defendant Bronco Bostick admits the allegations of paragraph 1, 2, 3, 4, 15, 16, 17, 20, 25, and 26.
3. Bronco Bostick denies the allegations contained in paragraphs 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 21, 22, 23, and 24.

**WHEREFORE** having fully answered the Complaint, the Defendant Bronco Bostick prays that this honorable Court do inquire into the facts and render and true and just decision and for such other and further relief the Court may deem just and proper.



Daniel E. Henderson  
 Peters, Murdaugh, Parker, Eltzroth &  
 Detrick, P.A.  
 PO Box 2500  
 Ridgeland, SC 29936  
 843-726-6131

June 10, 2014

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served upon all counsel by mailing a copy properly addressed with sufficient postage or by hand delivery affixed thereon this 10 day of June 2014

By: [Signature]

207  
 POSTED  
 6/10/14

2014 JUN 12 AM 9:20

Sarah Bostick Howell

Plaintiff

-vs-

Rodgers O. Bostick and Other (Heirs)

P.O. Box 181

Pineland, South Carolina

29934 (Defendant)

WILLIAMSON COUNTY  
CLERK OF COURT  
JASPER COUNTY SC

Amendment 7, (1791)

Guarantees the right to a jury trial in civil lawsuits where the amount in controversy, is over 20.00 dollars. Case NO. 14CP.27.222 A jury trial matter.

This is my answer to all issues that plaintiff claim or asserted to in regards to Ollie Bostick heirs. The property that is located in Pineland, South Carolina.

I must commence by saying that plaintiff, Sarah Bostick Howell, claims are null and void.

I am hereby proclaiming that Sarah Bostick Howell, is not a blood heir of Ollie Bostick. She is a bastard child and not the daughter of Lawrence Bostick nor a lineal descendant of Ollie Bostick.

A simple DNA Test of her versus Lawrence Bostick burial remains will prove that she is not an heir of Ollie Bostick. I am willing to have my father body disinter, for said DNA test. My mother told me many years ago that Sarah was the daughter of a man named Junior Beaufort. She told me that she was having an illicit love affair with this man (Junior Beaufort).

Plaintiff Sarah Bostick Howell, cannot legally initiate action to quiet title to real state property if she is not a lineal descendant of Ollie Bostick.

It is a documentary fact that if the plaintiff ever own any land in Pineland, South Carolina she sold it to her sisters and brothers for \$1.00 love and affection.

The papers were documented in the court house, what is the problem?

28

WILLIAMSON COUNTY  
CLERK OF COURT  
JUN 12 2014

The issuing of a court order to deprived Ollie Bostick heirs of their rightfully own land by a system of law call oust is parallel to usurpation.

It looks like you are trying to circumnavigate around the statue of limitation in order to get the 5.00 acres back that she sold to her sisters and brothers. 'By using all these mumbo jumbo mess and tactics'. The land was sold fair and square. What is the problem? Sarah has no land in Pineland, South Carolina. She relinquished all of her rights to the 5.00 acres for \$1.00 love and affection.

Verification

Rodgers O. Bostick, being duly sworn according to law deposes and says that he resides in Pineland, SC. That he is the defendant in this matter and that the same are true and correct of his own knowledge except as to the matters therein stated to be alleged on information and belief. And to those matters he believes to be true.



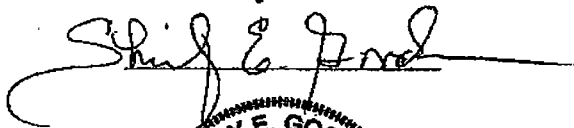
Rodgers O. Bostick

Pro se

Subscribed and sworn to before me

This 12<sup>th</sup> Day of June 2014

Notary Public



The State of South Carolina  
County of Jasper

The Court of Common Pleas for  
the Fourteenth Judicial Circuit  
Summers.

Case No.

14CP27-222

Sarah Bostick Howell Plaintiff

VS.

The heirs and distributees of Allice  
Bostick and Sarah Bidell Bostick.

I Larry Bostick asking the Court  
for a Motion of Reconsideration  
of my late respond; and along with  
my Rebuttal.

①. Sarah Howell, waived the right to  
the property, and gave back her interest  
to said Name, Lawrence J. Lewis, Rodger, Larry  
Bostick, Roswell, Gladys, Terrell; Please observe  
Deed, Volume, 296 page. 73-76.

(2) Not any of my Aunt such as Maymie, and  
name transfer their property to my Father.  
through a form of a Gift.

30  
MB

This very untrue; Sarah had a history of scheme and fraudulent acts.

(3). Sarah is not a descendant heir of Olive Bostick, and Sarah Medall Bostick, Sarah Bostick Howell, knows that she is not a biological child of Lawrence Bostick.

(4) I know Bostick; knows since the age of 16, that she was a half sister, of mine. She the only one of the children did not have and live with the rest of family members.

5. she went to preach my father Lawrence funeral, was not allowed because of that fact.

(6) She knows that her father Willie Joe Beaufort. She only child to be born out of the state. were illicit affairs happen.

(7) My Mother in July 2003. Told me at my sister: that she need pray and not to fight over your tractor that she sold from you. and she is your half sister; her father name is Willie Beaufort Joe. And please forgive her as a mother to all of us.

(8) Sarah; has been dishonest in many court proceedings.  
Sarah has complete perjury in many court proceedings.

(9) Lett but not least; My oldest brother Lawrence Jr. has live on their property longer than anyone:

(10) She thinks she is the older, and the only time someone inquiring for a Quiet title, because they have no property.

(11) Lawrence Bortick, biological represent all the distributee heirs; Now to be clear: There will not <sup>be</sup> a division of land. I, Larry Bortick; are holding the Original deed of old Bortick property. I have had it for many years. Attorney Daniel Henderson, may have a copy in his file from recent court proceedings involving his fraudulent Act.

(12) I am strongly support of action brought by pro se Rodger O'Neil Bortick; Rodger had to more stronger ties with her mother than I did; Sarah had no ties with her mother or step father. Just took advantage of them

These marginal level of education  
on the deed of 84-2280.

I certify under the penalties of  
perjury that the information stated on this  
Declaration statement is true to the best of my  
knowledge, if any, is complete, true and  
accurate.

Date 08/20/2015

Signature Larry B. Bortek  
08/20/2015

STATE OF SOUTH CAROLINA )  
)  
COUNTY OF JASPER )

SARAH BOSTICK HOWELL, )  
)  
Plaintiff, )

vs. )

The Heirs and Distributees of OLLIE )  
BOSTICK; The Heirs and Distributees )  
of SARAH BOSTICK; The Heirs and )  
JANIE BOSTICK; The Heirs and )  
Distributees of JOE BOSTICK; The Heirs )  
and Distributees of MARGIE B. GRAVES; )  
The Heirs and Distributees of JOHNNY )  
BOSTICK; The Heirs and Distributees of )  
FREDDIE BOSTICK; The Heirs and )  
Distributees of OLLIE BOSTICK, JR.; The )  
Heirs The Heirs and Distributees of )  
MAMIE B. LUCAS; The Heirs and )  
Distributees of LAWRENCE BOSTICK; )  
BRONCO BOSTICK; GLADYS B. )  
WILLIAMS; LEWIS BOSTICK; LARRY )  
BOSTICK; ROAMELL BOSTICK; )  
LAWRENCE BOSTICK, JR.; RODGER )  
BOSTICK; TERELL BOSTICK; and, )  
THREE T FARM, LLC; FIATP SSF )  
TIMBER, LLC; and CARL POLITE, as )  
adjoining Landowners; and all other heirs at )  
law, devisees, or persons unknown, claiming )  
by, under, or through any of the above- )  
named persons, JOHN DOE and MARY )  
ROE, being fictitious names designating a )  
class of persons, or a legal entity, infants, )  
incompetents, persons in the Armed Forces )  
of the United States of America, if any, )  
known or unknown, who may be an heir, )

IN THE COURT OF COMMON PLEAS  
FOR THE FOURTEENTH JUDICIAL  
CIRCUIT

CASE NO. 14-CP-27-222  
(A NON-JURY MATTER)

**AFFIDAVIT OF DEFAULT**

**POSTED**  
BY WLC DATE 5/12/15

2015 MAY -8 PM 1:31

devisee, legatee, issue, alienee, )  
administrator, executor, creditor, successor )  
or assign having any right, title, interest, )  
estate in or lien upon the real estate )  
described in the Complaint herein, )  
 )  
Defendants. )  
 )

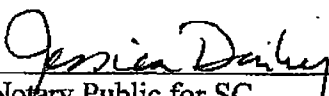
I, R. Thayer Rivers, Jr., Attorney for the Plaintiff above, do hereby certify that all Defendants are in default except for the Defendants, Bronco Bostick, represented by Daniel E. Henderson, Esquire, Rodgers Bostick, Three T Farm, LLC, FIATP SSF Timber, LLC, represented by Edgar M. Smith, Esquire, and those Defendants represented by the Guardian ad Litem, Robert M. Hughes, Esquire.

  
R. THAYER RIVERS, JR.,  
ATTORNEY FOR THE PLAINTIFF

Ridgeland, South Carolina

May 7, 2015

Sworn to before me this 7<sup>th</sup> day of May, 2015

  
Notary Public for SC  
My Commission Expires: 2/14/18

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF JASPER	)	CASE NO.: 14-CP-27-222
SARAH BOSTICK HOWELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>MOTION FOR RECONSIDERATION</b>
	)	
The Heirs and Distributees of OLLIE	)	
BOSTICK; et al.	)	
	)	
Defendants.	)	

---

You will please take notice that the Plaintiff, SARAH HOWELL, will move before the Honorable C. Stephen Bennett on the tenth (10<sup>th</sup>) day after the service hereof, or as soon thereafter as this matter may be heard, for reconsideration of the Order issued in the above matter. The grounds for reconsideration as are as follows:

1. It was clearly established by testimony that as to the ten acre tract, it was divided into two, 5 acre parcels – one going to Bronco Bostick which he conveyed to the other siblings and the other parcel was to go to the Plaintiff, Sarah Howell.
2. The action of Sarah Howell in bringing this partition action resulted in the benefit of all the heirs and is an abuse of discretion not to award attorney fees and costs to her.
3. The deed from Lawrence Bostick to Sarah Howell and Bronco Bostick clearly was intending to convey ALL of his interest in the family property. The subsequent determination of ouster and the title to all the premises being in Lawrence Bostick under the after acquired property doctrine would convey the entire premises to Sarah Howell and Bronco Bostick.
4. Contrary to the Court’s Finding in paragraph 7, the ouster had not been judicially recognized at the time of the conveyance.

Law Office of R. Thayer Rivers, Jr.

/s/ R. Thayer Rivers, Jr.  
R. THAYER RIVERS, JR.  
Post Office Box 668  
Ridgeland, SC 29936  
843-726-8136

Attorney for the Plaintiff

June 7, 2018,

Ridgeland, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF JASPER )  
  
SARAH BOSTICK HOWELL, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
The Heirs and Distributees of OLLIE )  
BOSTICK; et al., )  
 )

IN THE COURT OF COMMON PLEAS  
CIVIL ACTION NO.: 14-CP-27-222

*Defendant Bronco Bostick's Response to Plaintiff's Motion for Reconsideration*

TO: Hon. C. Stephen Bennett, SPECIAL REFEREE and R. Thayer Rivers, Jr., ATTORNEY FOR PLAINTIFF:

1. I recall no testimony that there was a "ten (10) acre tract." Lawrence in 1982 deeded his "one-fifth" undivided interest. The deed reflects consideration. It appears Gladys later gratuitously conveyed five (5) acres to the other siblings. While this may have been in hopes they would return the favor with five (5) acres, I see no evidence of it.  
  
Bronco did not convey Five (5) acres (294 @ 239). He conveyed a one-tenth (1/10) undivided interest. The complaint at paragraph twenty (20) acknowledges that Bronco conveyed an "undivided interest." That one-tenth (1/10) of fifty (50) is five (5) does not turn an undivided interest in fifty (50) acres to five (5) acres.
2. Arguably the children, other than Sarah, should contribute to cost. I do not think it should be pro rata because Sarah is getting five acres clear. She did not have this before this suit. No other child of Lawrence will get a piece clear. What Sarah was in "contemplation of" (Complaint ¶ 22) is irrelevant.
3. I have no idea how a deed plain on its face for "my one-fifth (1/5) undivided interest" in fifty (50) acres can be read to convey fifty acres. There may be an issue as to when "ouster" occurred. If the ouster occurred after the 1982 conveyance, then Lawrence did not own it all, so he could not have

conveyed it. If the ouster occurred before the 1982 conveyance, Lawrence could have said he was conveying it all. Ouster does require knowledge and intent so presumably Lawrence knew what he was doing.

- 4. I agree that the court is apparently ruling ouster of the entire tract and in this current order. The previous order apparently only recognized ouster/adverse possession of ten (10) acres.

PETERS, MURDAUGH, PARKER, ELTZROTH  
& DETRICK, P.A.

BY: S/ Daniel E. Henderson  
Daniel E. Henderson  
690 North Green Street  
Post Office Box 2500  
Ridgeland, SC 29936  
(843) 726-6131  
ATTORNEYS FOR PLAINTIFF

July 3, 2018  
Ridgeland, South Carolina

84-2280

State of South Carolina,

COUNTY OF JASPER

Know All Men by These Presents, That I, Lawrence Bostick

in the State aforesaid, -----For and ----- in consideration of the sum of One Thousand Six Hundred Ninety Six and 86/100ths (\$1,696.86) to me paid by Sarah Bostick Howell and Bronco Bostick in the State aforesaid

have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said Sarah Bostick Howell and Bronco Bostick, their heirs and assigns, forever, all my one-fifth undivided interest in the following described property, to-wit:

ALL that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Jasper, near Pineland, containing 50 acres, more or less, being bounded on the North by lands, now or formerly, of Bascomb, East by lands, now or formerly, of Polite, on the South by a Public Road leading from Robertville to Gillisonville and on the West by lands, now or formerly, of the Pineland Club.

This being the same property conveyed by Jason C. Richardson to my father, Ollie Bostick by deed recorded March 18, 1919 in Deed Book 3 at Page 598 in the Office of the Clerk of Courts for Jasper County, South Carolina

COUNTY FEE COLLECTED \$ 2.20 m.c. JASPER COUNTY, S. C.



842281

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

To HAVE AND TO HOLD all and singular the premises before mentioned unto the said

Sarah Bostick Howell and Bronco Bostick, their

Heirs and Assigns forever.

And I do hereby bind myself and my Heirs, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said

Sarah Bostick Howell and Bronco Bostick, their

Heirs and Assigns, against me and my Heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS my Hand and Seal this 21st day of September in the year of our Lord one thousand nine hundred and eighty two and in the ~~205th~~ 205th year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

*Myra ...*  
*...*

*Lawrence Bostick*  
LAWRENCE BOSTICK (SEAL)  
..... (SEAL)

41

84-2282

STATE OF SOUTH CAROLINA,  
JASPER COUNTY.

PERSONALLY appeared before me Teresa Garbade  
and made oath that she saw the within-named Lawrence Bostick  
sign, seal and, as his act and deed, deliver the within-written Deed for the uses and purposes therein men-  
tioned and that he, with R. Thayer Rivers, Jr witnessed the  
execution thereof.

SWORN to before me this 21st

day of September, 1982.

*R. Thayer Rivers, Jr.* (L.S.)  
Notary Public of S. C.

*Teresa Garbade*

MY COMMISSION EXPIRES: 5-16-83

STATE OF SOUTH CAROLINA,  
JASPER COUNTY.

RENUNCIATION OF DOWER

I, R. Thayer Rivers, Jr., do hereby certify  
unto all whom it may concern, that Mrs. Louise Bostick  
the wife of the within-named Lawrence Bostick  
did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely,  
voluntarily and without any compulsion, dread, or fear of any person or persons whomsoever, renounce, release and for-  
ever relinquish unto the within-named Sarah Bostick Howell and Bronco Bostick, their

heirs  
and assigns, all her interest and estate, and also all her right and claim of Dower of, in or to all and singular the premises  
within mentioned and released.

Given under my Hand and Seal, this 21st

day of September

Anno Domini 1982

*R. Thayer Rivers, Jr.* (L.S.)  
Notary Public of S. C.  
MY COMMISSION EXPIRES: 5-16-83

*Louise Bostick*  
LOUISE BOSTICK

42

84 2283

Sarah B. Howell  
P. O. Box 36  
Pineland, S.C. 29934

State of South Carolina,

County of JASPER

LAWRENCE BOSTICK

TO

SARAH BOSTICK HOWELL  
BRONCO BOSTICK

**TITLE TO REAL ESTATE**

I hereby certify that the within Deed was filed for record in my office at \_\_\_\_\_ M. o'clock on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and was immediately entered upon the proper indexes and duly recorded in Book \_\_\_\_\_ of Deeds, page \_\_\_\_\_

Clerk of Court of Common Pleas and General Sessions for \_\_\_\_\_ County, S. C.

I hereby certify that the within Deed has been this \_\_\_\_\_ day of \_\_\_\_\_

September, A. D. 1982, Recorded in Book 5 of Deeds, page 285

Willie Spivey Auditor  
for Jasper County

The R. L. Ryan Company, Columbia, S. C.

FILED

DATE \_\_\_\_\_ TIME \_\_\_\_\_  
BOOK 84 PAGE 228

82 SEP 22 PM 12:28

MARY C. CORPERING  
CLERK OF COURT  
JASPER COUNTY, S. C.

The within instrument has been transferred this 24 day of Sept 1982 at 10:45 o'clock 9 M., and recorded in Transfer Book 1 Page 144 in Assessor's Office. Tax Map No. 024-00-00-021 Transfer No. 82-27-545  
Melinda Staley  
JASPER COUNTY, S. C.



TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Grantees, their heirs and assigns forever.

AND Grantor does hereby bind Grantor and Grantor's heirs, assigns, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said Grantees, their heirs and assigns, against Grantor and Grantor's heirs, and all persons whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed this 2nd day of ~~March~~ <sup>April</sup>, 2004.

WITNESSES:

Cole Williams  
Witness #1  
Sworn to before me this 2nd day  
of April 2004.  
Janena P. Poy  
Notary Public 6/28/05

[Signature]  
Bronco Bostick

The within instrument has been transferred  
this 28 day of April 2004 at  
9:45 o'clock A M., and recorded  
in Transfer Book 3 Page 477  
in Assessor's Office. Tax Map No. 016-00-03-014  
Transfer No. 4-27-368  
[Signature]  
JASPER COUNTY, S.C.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF JASPER )

ACKNOWLEDGMENT

I HEREBY CERTIFY, that on this 2<sup>nd</sup> day of <sup>April</sup>~~March~~, 2004, before me, the undersigned Notary Public of the State and County aforesaid, personally appeared Bronco Bostick known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, who acknowledged the due execution of the foregoing Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

Janessa P. Boy  
Notary Public for South Carolina  
My Commission Expires: 6/28/05

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF JASPER ) AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn deposes and says:

1. I have read the information on this affidavit and I understand such information.
2. The property being transferred is located in the County of Jasper and was transferred by Bronco Bostick to Gladys Willaims et al.
3. Check One of the following: The deed is
  - (a) \_\_\_ Subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (b) \_\_\_ Subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stock holder, partner or owner of the entity, or is a transfer to a trust or a distribution to a trust beneficiary.
  - (c) X exempt from the deed recording fee because (see information section of affidavit): Transfer from family (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked ( see information section of this affidavit).
  - (a) \_\_\_ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$0.00
  - (b) \_\_\_ The fee is computed on the fair market value of the realty which is \_\_\_\_\_
  - (c) \_\_\_ The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_
5. Check \_\_\_ yes or no \_\_\_ to the following: A lien or encumbrance existed on the land, tenement or realty before transfer and remained on the land, tenement or realty after the transfer. If "yes" the amount of the outstanding balance is \_\_\_\_\_
6. The deed recording fee is computed as follows:
 

(a) Place the amount listed in Line 4 above here:	\$0.00
(b) Place the amount listed in Item 5 above here: (If no amount is listed, place zero here)	\$ 0.00
(c) Subtract line 6(b) from Line 6(a) and place Result here:	\$0.00
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is \$0.00
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:  
Grantor.
9. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned no more than one year or both.



Bronco Bostick

SWORN to before me this 2<sup>nd</sup>  
day of April, 2004.

Janesa P. Boyan  
Notary Public for South Carolina  
My commission expires: 6/28/05

DEED BOOK 294 PAGE 381  
DATE 4-26-04  
Jasper  
AUDITOR JASPER COUNTY SC

47

200400039976  
Filed for Record in  
JASPER COUNTY  
2003  
05-17-2004 At 03:30 pm.  
DEED 10.00  
Volume 296 Page 73 - 76

**Instrument**  
**200400039976**

**Instrument Volume Page**  
**200400039976 296 73**

STATE OF SOUTH CAROLINA,  
COUNTY OF JASPER.

DEED

KNOW ALL MEN BY THESE PRESENTS, THAT I, SARAH BOSTICK HOWELL in the State aforesaid for and in consideration of the sum of ONE (\$1.00) DOLLARS, love and affection me in hand paid at and before the sealing of these presents by GLADYS M. B. WILLIAMS, BRONCO BOSTICK, LAWRENCE BOSTICK, JR., LEWIS BOSTICK, RODGERS O. BOSTICK, LARRY B. BOSTICK, ROAMELL BOSTICK AND TERRELL B. BOSTICK, (hereinafter the "Grantees") P. O. Box 67, PINELAND, SC 29934 in the State aforesaid for which the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said GRANTEES, their heirs and assigns forever, all my right, title and interest in and to the following described property, to-wit:

ALL that certain piece, parcel, or lot of land, situate, lying, and being in the State of South Carolina, County of Jasper, near Pineland, containing 5.000 acres, more or less, as shown on a Plat prepared by C. Lawton Maner, R.L.S., dated May 11, 2004 and recorded in the Office of the Clerk of Court for Jasper County, South Carolina in Plat Book 27 at Page 200.

This being a portion of the lands conveyed to Sarah Bostick Howell and Bronco Bostick by Deed of Lawrence Bostick, dated September 21, 1982 and recorded on September 23, 1982 in the office of the Clerk of Court of Jasper County, South Carolina in Deed Book 84 at Page 2280.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Grantees their Heirs and Assigns forever.

AND I do hereby bind myself and my Heirs, and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said Grantees, their Heirs and assigns, against me and my Heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS my Hand and Seal, this 17th day of MAY, in the year of our Lord two thousand four and in the two hundred and twenty ninth year the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

*Riley Reed*  
*Sandra D. Davis*

*Sarah B. Howell* (L.S.)  
SARAH BOSTICK HOWELL

The within instrument has been transferred  
this 26 day of May 2004 at  
9:15 o'clock A M., and recorded  
in Transfer Book 3 Page 480  
in Assessor's Office. Tax Map No. 016-00-03-014  
Transfer No. 4-27-416  
*Sara K. Pedersen*  
JASPER COUNTY, S.C.

THE STATE OF SOUTH CAROLINA,  
COUNTY OF JASPER.

PERSONALLY appeared before me Sandra B. Boyd and made oath that he/she saw the within named SARAH BOSTICK HOWELL sign, seal, and as her act and deed, deliver the within written Deed, and that she with R. Thayer Rivers, Jr. witnessed the execution thereof.

SWORN to before me, this 17  
day of May, 2004.

R. Thayer Rivers (SEAL)  
NOTARY PUBLIC FOR S. C.  
My Commission Expires: 7-23-13

Sandra B. Boyd

THIS DEED PREPARED BY THE LAW OFFICE OF R. THAYER RIVERS, JR., P.  
O. BOX 688, RIDGELAND, S.C. 29936 (803 726 8136) WITHOUT THE  
BENEFIT OF TITLE EXAMINATION.

Instrument Volume Page  
200400039976 296 75

50

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

AFFIDAVIT OF CONSIDERATION

PERSONALLY appeared before me the undersigned, who, upon being duly sworn, deposes and says:

Property located Pineland Jasper County  
Tax Map Number 016-00-03-014 was transferred from  
Sarah Bostick Howell to Gladys B Williams et al, on the  
17 day of MAY, 2004

The transaction was (check one):

an arm's length real property transaction and the sales price paid or to be paid in money or money's worth was \$ \_\_\_\_\_ \*

not an arm's length real property transaction and the fair market value of the property is

The above transaction is exempt, or partially exempt, from the recording fee as set forth in S.C. Code Ann. Section 12-24-10 et. seq. because the deed is (See back of Affidavit.)

Inter family transfer

As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Attorney / deed preparer

I further understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than One Thousand (\$1,000.00) Dollars or imprisoned for not more than on year, or both.

RT, Gary Smith  
PURCHASER, LEGAL REPRESENTATIVE OF  
THE PURCHASER, OR OTHER RESPONSIBLE  
PERSON CONNECTED WITH THE TRANSACTION

SUBSCRIBED AND SWORN TO before me

this 17 day of May, 2004.

Sandra L. Boyd (L.S.)  
NOTARY PUBLIC FOR SOUTH CAROLINA  
My Commission Expires: 2-25-2013

DEED BOOK 296 PAGE 385  
DATE 5-25-04  
Harold J. Adams  
AUC/TOR JASPER COUNTY SC

\*The fee is based on the real property's value. Value means the realty's fair market value. In arm's length real property transactions, this value is the sales price to be paid in money or money's worth (e.g. stocks, personal property, other realty, forgiveness of debt, mortgages assumed or placed on the realty as a result of the transaction). However, a deduction is allowed from this value for the amount of any lien or encumbrance existing on land, tenement, or realty before the transfer and remaining on it after the transfer.

Instrument Volume Page  
200400039976 296 76

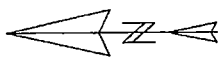
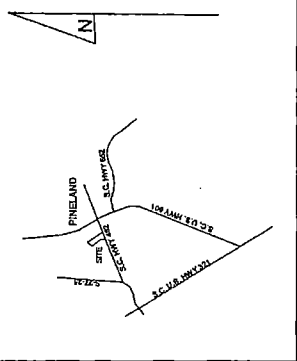
51

10.02 cash Bostick

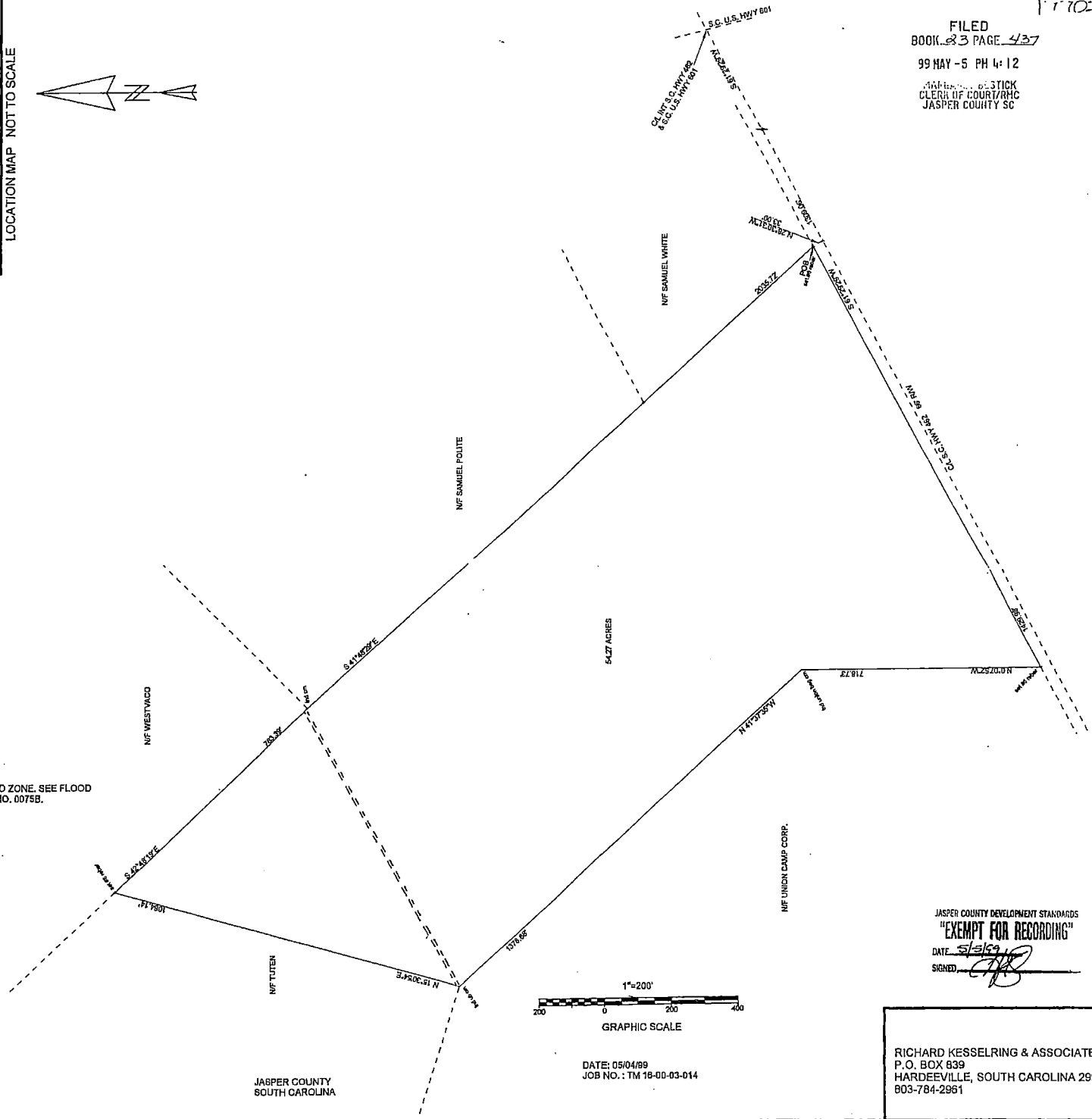
11702

50

FILED  
BOOK 23 PAGE 437  
99 MAY -5 PH 4:12  
JASPER COUNTY CLERK OF COURT/RMC  
JASPER COUNTY SC



A MAP OF A 5.427 ACRE PARCEL OF LAND NOW OR FORMERLY OF THE  
 ESTATE OF OLIE BOSTICK HOWELL AND BRONCO BOSTICK AS RECORDED IN  
 DEED BOOK 84 AT PAGE 2293 IN THE OFFICE OF THE CLERK OF COURT  
 FOR JASPER COUNTY, SOUTH CAROLINA.  
 FOR  
 SARAH BOSTICK HOWELL

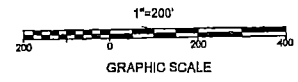


NOTE: THIS PARCEL DOES NOT LIE IN A FLOOD ZONE. SEE FLOOD  
 INSURANCE RATE MAP 450112 PANEL NO. 0075B.

I HEREBY STATE THAT TO THE BEST OF MY  
 KNOWLEDGE, INFORMATION, AND BELIEF, THE  
 SURVEY SHOWN HEREON WAS MADE IN  
 ACCORDANCE WITH THE REQUIREMENTS OF  
 THE MINIMUM STANDARDS MANUAL FOR THE  
 PRACTICE OF LAND SURVEYING IN SOUTH  
 CAROLINA, AND MEETS OR EXCEEDS THE  
 REQUIREMENTS FOR A CLASS B SURVEY AS  
 SPECIFIED THEREIN; ALSO THERE ARE NO  
 VISIBLE ENCROACHMENTS OR PROJECTIONS  
 OTHER THAN SHOWN.

*Richard Kesselring*  
 RICHARD KESSELRING, R.L.S. NO. 8105

JASPER COUNTY  
 SOUTH CAROLINA



DATE: 05/04/99  
 JOB NO.: TM 18-00-03-014

JASPER COUNTY DEVELOPMENT STANDARDS  
 "EXEMPT FOR RECORDING"  
 DATE: 5/13/99  
 SIGNED: *[Signature]*

RICHARD KESSELRING & ASSOCIATES, INC.  
 P.O. BOX 839  
 HARDEVILLE, SOUTH CAROLINA 29927  
 803-784-2961

ALL CONC. MON. CORNER MARKERS SHOWN HEREON ARE 4" SQUARE.

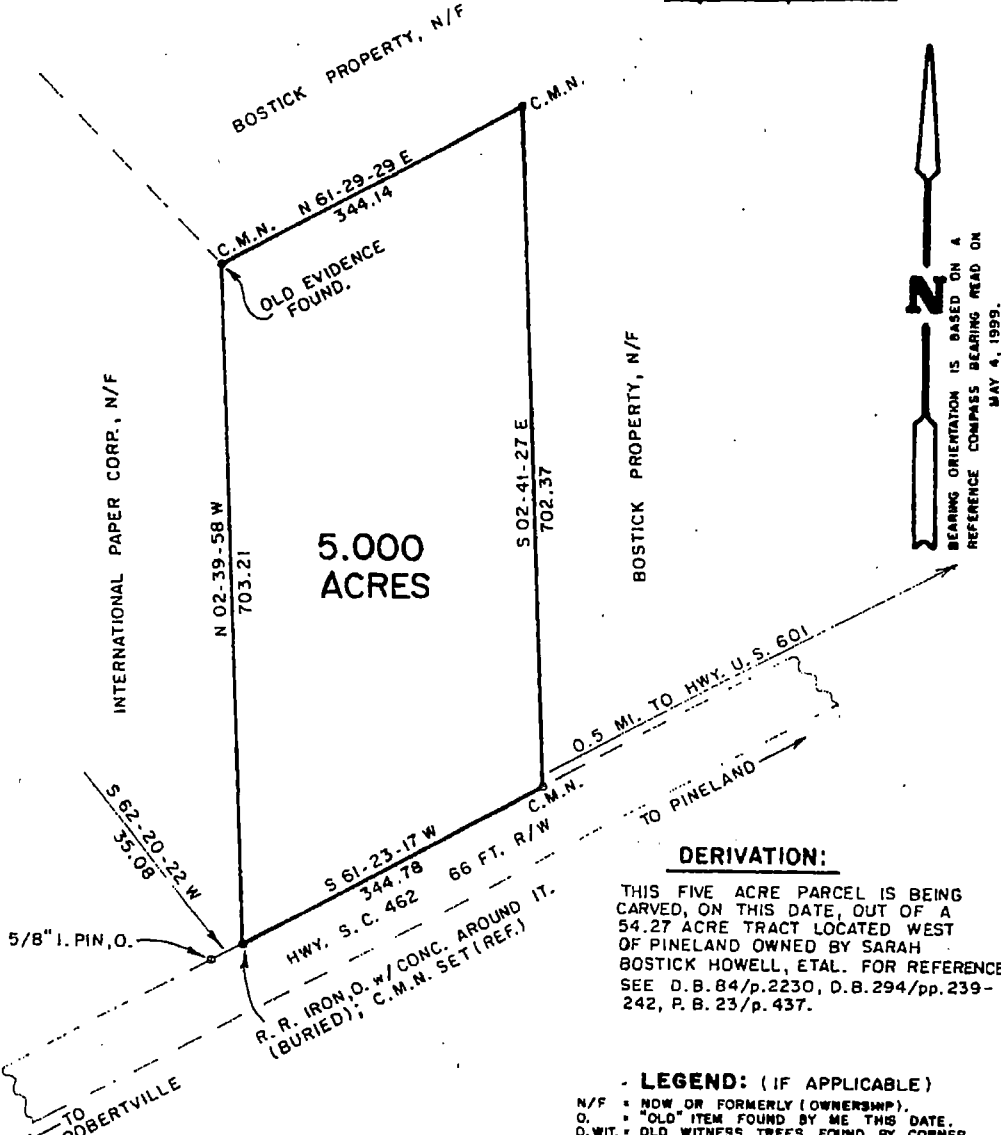
JASPER COUNTY DEVELOPMENT STANDARDS

"EXEMPT FOR RECORDING"

DATE 5/13/04

SIGNED C. Lawton Maner

200400039903  
 Filed for Record in  
 JASPER COUNTY  
 2003  
 05-13-2004 At 09:56 AM  
 PLAT 5.00  
 Volume 27 Page 200 - 200



**DERIVATION:**

THIS FIVE ACRE PARCEL IS BEING CARVED, ON THIS DATE, OUT OF A 54.27 ACRE TRACT LOCATED WEST OF PINELAND OWNED BY SARAH BOSTICK HOWELL, ETAL. FOR REFERENCE SEE D.B. 84/p.2230, D.B.294/pp.239-242, P. B. 23/p. 437.

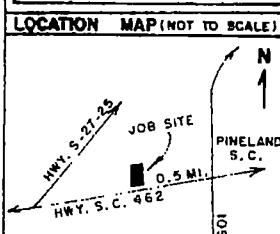
**LEGEND: (IF APPLICABLE)**

- N/F = NOW OR FORMERLY (OWNERSHIP).
- O. = "OLD" ITEM FOUND BY ME THIS DATE.
- D.WIT. = OLD WITNESS TREES FOUND BY CORNER.
- P-L = POWER LINE.
- R/L = PROPERTY LINE.
- REF. = REFERENCE.
- T.B.M. = TEMPORARY BENCH MARK.
- W.B. = WILL BOOK (AT COUNTY COURTHOUSE).
- ⊕ = EXISTING GROUND LEVEL ELEVATION.
- \* = PROPOSED FINISHED GRADE ELEVATION.
- F.F.E. = FINISHED FLOOR ELEVATION.
- ⊔ = CENTERLINE.
- C.M.N. = CONCRETE MONUMENT, NEW, SET THIS DATE.
- C.M.O. = CONCRETE MONUMENT, OLD, FOUND THIS DATE.
- D.B. = DEED BOOK (AT COUNTY COURTHOUSE).
- G.L. = GROUND LEVEL.
- HWY. = HIGHWAY.
- I.P.N. = IRON PIPE, NEW, SET THIS DATE.
- I.P.O. = IRON PIPE, OLD, FOUND THIS DATE.
- N.T.S. = NOT (DRAWN) TO SCALE.
- O.C.B. = OLD CENTER-BLAZED (TREE) FOUND THIS DATE.
- O.M.L. = OLD MARKED LINE (WITH BLAZED TREES).
- P.B. = PLAT BOOK (AT COUNTY COURTHOUSE).
- R/W = RIGHT-OF-WAY.

**PLAT PREPARED FOR:  
 BRONCO BOSTICK**

PROPERTY IS LOCATED WEST OF PINELAND. JASPER COUNTY SOUTH CAROLINA

DATE SURVEYED: MAY 11, 2004  
 SCALE: 1 INCH = 150 FEET



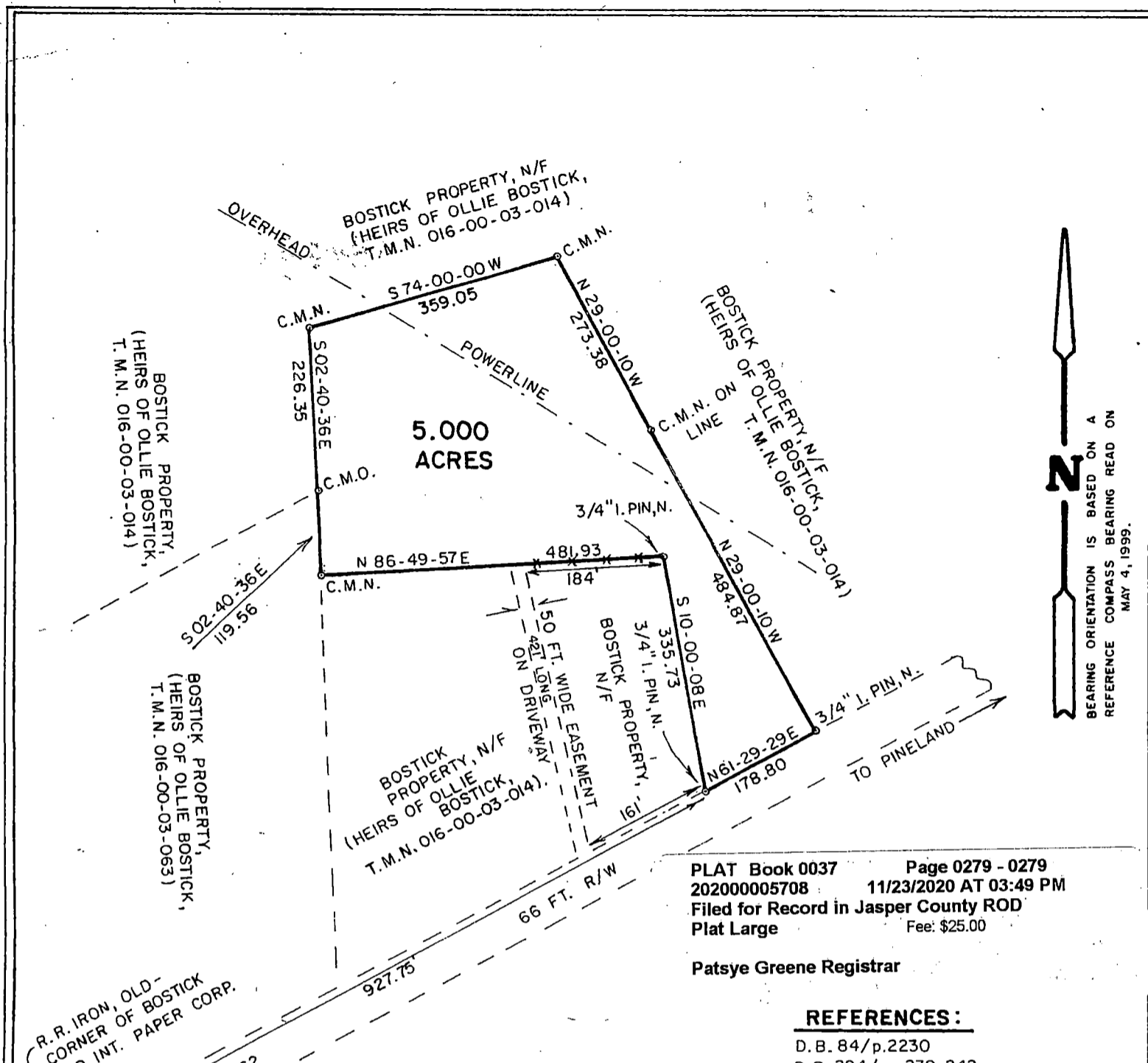
**CERTIFICATION:**  
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND IT MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "C" SURVEY AS SPECIFIED THEREIN.

*C. Lawton Maner*  
 C. LAWTON MANER,  
 S. C. REGISTERED LAND SURVEYOR NUMBER 8370

**C. LAWTON MANER, R.L.S.**  
 205 SECOND STREET EAST TELEPHONE:  
 HAMPTON, S. C. 29924 943-2366

**SURVEYOR'S LEGAL SEAL**

53



BEARING ORIENTATION IS BASED ON A  
 REFERENCE COMPASS BEARING READ ON  
 MAY 4, 1999.

PLAT Book 0037 Page 0279 - 0279  
 202000005708 11/23/2020 AT 03:49 PM  
 Filed for Record in Jasper County ROD  
 Plat Large Fee: \$25.00

Patsye Greene Registrar

**REFERENCES:**

- D. B. 84/p.2230
- D. B. 294/pp.239-242.
- P. B. 23/p. 437.
- TAX MAP No. 016-00-03-014.

ALL CONC. MONS. SHOWN HEREON ARE 4" SQUARE.

**LEGEND: (IF APPLICABLE)**

- N/F = NOW OR FORMERLY (OWNERSHIP).
- O. = "OLD" ITEM FOUND BY ME THIS DATE.
- O.WIT. = OLD WITNESS TREES FOUND BY CORNER.
- P-L = POWER LINE.
- P/L = PROPERTY LINE.
- REF. = REFERENCE.
- T.B.M. = TEMPORARY BENCH MARK.
- W.B. = WILL BOOK (AT COUNTY COURTHOUSE).
- ⊕ = EXISTING GROUND LEVEL ELEVATION.
- \* = PROPOSED FINISHED GRADE ELEVATION.
- F.F.E. = FINISHED FLOOR ELEVATION.
- ℄ = CENTERLINE.
- C.M.N. = CONCRETE MONUMENT, NEW, SET THIS DATE.
- C.M.O. = CONCRETE MONUMENT, OLD, FOUND THIS DATE.
- D.B. = DEED BOOK (AT COUNTY COURTHOUSE).
- G.L. = GROUND LEVEL.
- HWY. = HIGHWAY.
- I.P.N. = IRON PIPE, NEW, SET THIS DATE.
- I.P.O. = IRON PIPE, OLD, FOUND THIS DATE.
- N.T.S. = NOT (DRAWN) TO SCALE.
- O.C.B. = OLD CENTER-BLAZED (TREE) FOUND THIS DATE.
- O.M.L. = OLD MARKED LINE (WITH BLAZED TREES).
- P.B. = PLAT BOOK (AT COUNTY COURTHOUSE).
- R/W = RIGHT-OF-WAY.

This plat is exempt from the requirements of the Jasper County Land Development Regulations, pursuant to Section:

Article 21.1 Exempt Sub  
 Date October 19, 2020  
 Signed [Signature]

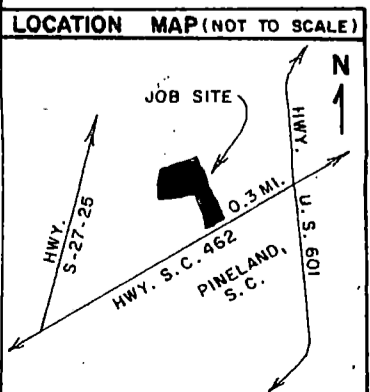
**PLAT PREPARED FOR:**  
**SARAH BOSTICK HOWELL**

PROPERTY IS LOCATED WEST OF PINELAND.

JASPER COUNTY SOUTH CAROLINA

DATE SURVEYED:  
JUNE 28, 2004

SCALE: 1 INCH = 200 FEET



**CERTIFICATION:**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND IT MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "C" SURVEY AS SPECIFIED THEREIN.

C. LAWTON MANER,  
 S. C. REGISTERED LAND SURVEYOR NUMBER 8370

**C. LAWTON MANER, R.L.S.**  
 205 SECOND STREET EAST TELEPHONE:  
 HAMPTON, S. C. 29924 943-2366

**SURVEYOR'S LEGAL SEAL**

54

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM JASPER COUNTY  
Court of Common Pleas

C. STEPHEN BENNETT, Special Referee

Case Number 2014-CP-27-222  
Appellate Case No. 2020-001700

**RECEIVED**

JUL 22 2021

**SC Court of Appeals**

Sarah Bostick Howell, Appellant, v.

The Heirs and Distributees of Ollie Bostick; The Heirs and Distributees of Sarah Bostick; The Heirs and Janie Bostick; The Heirs and Distributees of Joe Bostick; The Heirs and Distributees of Margie B. Graves; The Heirs and Distributees of Johnny Bostick; The Heirs and Distributees of Freddie Bostick; The Heirs and Distributees of Ollie Bostick, Jr.; The Heirs and Distributees of Mamie B. Lucas; The Heirs and Distributees of Lawrence Bostick; Bronco Bostick; Gladys B. Williams; Lewis Bostick; Larry Bostick; Roamell Bostick; Lawrence Bostick Jr.; Rodger Bostick; Terell Bostick; and Three T Farm, LLC; Flatp SSF Timber, LLC; and Carl Polite, as adjoining Landowners; and all other heirs at law, devisees, or persons unknown, claiming by, under, or through any of the above-named persons, John Doe and Mary Roe, being fictitious names designating a class of persons, or a legal entity, infants, incompetents, persons in the Armed Forces of the United States of America, in any, known or unknown, who may be an heir, devisee, legatee, issue, alienee, administrator, executor, creditor, successor or assign having any right, title, interest, estate described in the Complaint herein, Defendants,

Of Whom Bronco Bostick is the Respondent.

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**CERTIFICATE OF COUNSEL**

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The undersigned hereby certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Law Office of R. Thayer Rivers, Jr.

A handwritten signature in cursive script, reading "R. Thayer Rivers, Jr.", is written over a horizontal line.

R. THAYER RIVERS, JR.

Post Office Box 668

Ridgeland, South Carolina 29936

(843) 726-8136

Attorneys for the Appellant