

The State of South Carolina
In The Court of Appeals

Appeal from Charleston County
Hon. J. Derham Cole, Circuit Court Judge

Case No. 2019-CP-10-1887
Probate Case No. 2016-ES-10-02054
Appeal Case 2020-000853

In the Matter of re Estate of Annie Mae Crosby:

Jessie Fred Crosby and Robert Edward Crosby, Jr., Respondents

v.

Rose Mae Crosby Walsh, individually and as personal representative of the Estate
of Annie Mae Crosby, and Kelvin Wayne Crosby, Respondents,

Of Whom Rose Mae Crosby Walsh, individually and as personal representative of
the Estate of Annie Mae Crosby is the Appellant.

RECORD ON APPEAL
VOLUME TWO

Gregg Meyers
217 Lucas Street Unit F1
Mt. Pleasant SC 29464
843-324-1589
attygm@gmail.com
Attorney for appellant Rose Walsh
Crosby, individually and
as personal representative

Thomas E. Lydon
McAngus, Gouldelock, & Courie, LLC
1320 Main Street, 10th Floor
PO Box 12519
Columbia SC 29211
803-779-2300
tlydon@mgclaw.com
Attorney for respondents Jessie Fred Crosby
And Robert Edward Crosby, Jr.

Kelvin Crosby, pro se
181 Azalea Drive
Waynesville NC 28786

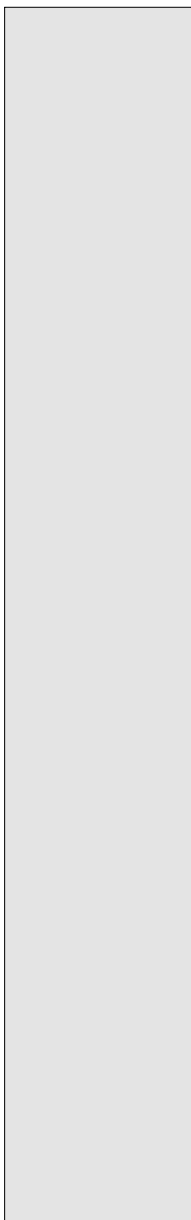
Volume Two

Pleadings (cont'd)

- | | | |
|-----|---|----------------|
| 4. | (cont'd) 4/12/18 Amended Petition to Approve Sale of Real Estate, Exhibits F to H | pp. 235 to 292 |
| 20. | 5/23/18 Motion to Compel and for Removal of Personal Representative | pp. 293 to 307 |
| 21. | 6/20/18 Petition to Enforce Sale and Remove the Personal Representative, with Exhibits | pp. 308 to 330 |
| 22. | 6/25/18 Return to Petition, Counterclaim, Motions for Judgment on the Pleadings and for Summary Judgment (cont'd in vol. 3) | pp. 331 to 339 |

Exhibit F

Appraisal of 3303 Von Ohsen Road
March 23, 2018



APPRAISAL REPORT

OF THE REAL PROPERTY LOCATED AT

Von Oshen Road
Ladson, SC 29456

for

Moore & Van Allen
78 Wentworth Street
Charleston, SC
29401

as of

March 23, 2018

by

Andrew B. Wilkins, MAI
21 GAMECOCK AVENUE, SUITE C
CHARLESTON, SC 29407

SASS, HERRIN & ASSOCIATES, INC.

SASS, HERRIN & ASSOCIATES, INC.
21 GAMECOCK AVENUE, SUITE C
CHARLESTON, SC 29407
843-766-7500

April 2, 2018

Moore & Van Allen
78 Wentworth Street
Charleston, SC
29401

Property - Von Oshen Road
Ladson, SC 29456
Borrower -
File No. - 18-120w
Case No. -

Dear Ms. Russell:

In accordance with your request, I have prepared an appraisal of the real property located at Von Oshen Road, Ladson, SC.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of March 23, 2018 is :

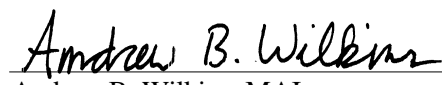
\$22,500

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.


Respectfully submitted,

SASS, HERRIN & ASSOCIATES, INC.



Andrew B. Wilkins, MAI
SC Certification #GC 4333

R. App. 000237

 AI Reports™ Form 120.04*	Client File #:		Appraisal File #:	18-120w
	Summary Appraisal Report • Land			
	Appraisal Company: SASS, HERRIN & ASSOCIATES, INC.			
	Address: 21 GAMECOCK AVENUE, SUITE C, CHARLESTON, SC 29407			
Phone: 843-766-7500		Fax: 843-571-6170		Website: www.sassherrin.com
Appraiser: Andrew B. Wilkins, MAI		Co-Appraiser:		
AI Membership (if any): <input type="checkbox"/> SRA <input checked="" type="checkbox"/> MAI <input type="checkbox"/> SRPA		AI Membership (if any): <input type="checkbox"/> SRA <input type="checkbox"/> MAI <input type="checkbox"/> SRPA		
AI Status (if any): <input type="checkbox"/> Candidate for Designation <input type="checkbox"/> Practicing Affiliate		AI Status (if any): <input type="checkbox"/> Candidate for Designation <input type="checkbox"/> Practicing Affiliate		
Other Professional Affiliation:		Other Professional Affiliation:		
E-mail: AWilkins@sassherrin.com		E-mail:		
Client: Moore & Van Allen		Contact: Ms. Anne Kelley Russell		
Address: 78 Wentworth Street, Charleston, SC 29401				
Phone: 843-579-7095		Fax: 843-579-8737		E-mail: akrussell@mvalaw.com
SUBJECT PROPERTY IDENTIFICATION				
Address: Von Oshen Road				
City: Ladson		County: Charleston		State: SC ZIP: 29456
Legal Description: Lot 1 Block C				
Tax Parcel #: 388-00-00-111		RE Taxes: 429.53		Tax Year: 2017
Use of the Real Estate As of the Date of Value: The site is vacant land.				
Use of the Real Estate Reflected in the Appraisal: Residential				
Opinion of highest and best use (if required): Residential				
SUBJECT PROPERTY HISTORY				
Owner of Record: Annie Mae Crosby				
Description and analysis of sales within 3 years (minimum) prior to effective date of value: There have been no sales of the subject in the three-year period preceding this report.				
Description and analysis of agreements of sale (contracts), listings, and options: We are unaware of any listings, contracts, or options in the year prior to this report.				
RECONCILIATIONS AND CONCLUSIONS				
Indication of Value by Sales Comparison Approach		\$ 22,500		
Indication of Value by Cost Approach		\$ N/A		
Indication of Value by Income Approach		\$ N/A		
Final Reconciliation of the Methods and Approaches to Value: Because the subject of this appraisal is vacant land, only the sales comparison approach to value was utilized. Vacant land in this area is not typically leased, so the income capitalization approach is not necessary. There are no improvements, so the cost approach is not applicable. This has not resulted in a misleading indication of value.				
Opinion of Value as of: March 23, 2018		\$ 22,500		
Exposure Time: 6 to 12 months				
The above opinion is subject to: <input type="checkbox"/> Hypothetical Conditions and/or <input type="checkbox"/> Extraordinary Assumptions cited on the following page.				

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Client:	Moore & Van Allen	Client File #:	
Subject Property:	Von Oshen Road	Appraisal File #:	18-120w

ASSIGNMENT PARAMETERS

Intended User(s): **The Estate of Annie Mae Crosby and their attorney Ms. Anne Kelley Russell**

Intended Use: **Estimate Market Value for estate settlement purposes**

This report is not intended by the appraiser for any other use or by any other user.

Type of Value: **Market** Effective Date of Value: **March 23, 2018**

Interest Appraised: Fee Simple Leasehold Other

Hypothetical Conditions: (A hypothetical condition is that which is contrary to what exists, but is asserted by the appraiser for the purpose of analysis. Any hypothetical condition may affect the assignment results.)

No hypothetical conditions were utilized in this report.

Extraordinary Assumptions: (An extraordinary assumption is directly related to a specific assignment and presumes uncertain information to be factual. If found to be false this assumption could alter the appraiser's opinions or conclusions. Any extraordinary assumption may affect the assignment results.)

No extraordinary assumptions were utilized in this report.

In accordance with Standard Rule 2-2(b) of the Uniform Standard of Professional Appraisal Practice (USPAP), this is a summary appraisal report.

SCOPE OF WORK

Definition: The scope of work is the type and extent of research and analysis in an assignment. Scope of work includes the extent to which the property is identified, the extent to which tangible property is inspected, the type and extent of data research, and the type and extent of analysis applied to arrive at credible opinions or conclusions. The specific scope of work for this assignment is identified below and throughout this report.

Scope of Subject Property Inspection/Data Sources Utilized	Approaches to Value Developed
<p>Appraiser Property Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date of Inspection: March 23, 2018 Describe Scope of Property Inspection, Source of Area Calculations and Data Sources Consulted: I walked the site, but relied on public records and available plats, to determine the size.</p>	<p>Cost Approach: <input type="checkbox"/> Is necessary for credible results and is developed in this analysis <input checked="" type="checkbox"/> Is not necessary for credible results; not developed in this analysis <input type="checkbox"/> Is not necessary for credible results but is developed in this analysis</p>
<p>Co-Appraiser Property Inspection: <input type="checkbox"/> Yes <input type="checkbox"/> No Date of Inspection: Describe Scope of Property Inspection, Source of Area Calculations and Data Sources Consulted:</p>	<p>Sales Comparison Approach: <input checked="" type="checkbox"/> Is necessary for credible results and is developed in this analysis <input type="checkbox"/> Is not necessary for credible results; not developed in this analysis <input type="checkbox"/> Is not necessary for credible results but is developed in this analysis</p>
	<p>Income Approach: <input type="checkbox"/> Is necessary for credible results and is developed in this analysis <input checked="" type="checkbox"/> Is not necessary for credible results; not developed in this analysis <input type="checkbox"/> Is not necessary for credible results but is developed in this analysis</p>

Additional Scope of Work Comments: **I identified the subject property through public records, discussions with the property contact, and verification with public servants. I am not a surveyor; therefore, I have relied on public information to identify the subject, many of which are included or referenced in this report. I researched public records, the local multiple listing service (MLS), national listing services, and spoke with a number of realtors and property owners in the subject market. When possible, each sale comparable was verified with a party immediately involved with the transaction and supported by public records. I also performed an exterior inspection of each land sale, when possible. The subject's land value was determined by comparing the subject site as if vacant to vacant land sales in the subject market. Search parameters included sites with a similar highest and best use, as near the subject as possible.**

Significant Real Property Appraisal Assistance: None Disclose Name(s) and contribution:

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Client:	Moore & Van Allen	Client File #:	
Subject Property:	Von Oshen Road	Appraisal File #:	18-120w

MARKET AREA ANALYSIS

Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Built Up <input type="checkbox"/> Under 25% <input checked="" type="checkbox"/> 25%-75% <input type="checkbox"/> Over 75%	Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Supply & Demand <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	Value Trend <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Decreasing	Typical Marketing Time <input type="checkbox"/> Under 3 Months <input type="checkbox"/> 3-6 Months <input checked="" type="checkbox"/> Over 6 Months
Neighborhood Single Family Profile Price: <u>50,000</u> Age: <u>New</u> <u>280,000</u> Low <u>58</u> <u>192,000</u> High <u>12</u> Predominant		Neighborhood Land Use 1 Family <u>70</u> % Commercial <u>2</u> % Condo _____ % Vacant <u>25</u> % Multifamily <u>3</u> %		Neighborhood Name: Ladson Area PUD <input type="checkbox"/> Condo <input type="checkbox"/> HOA: \$ _____ / Amenities: N/A	

Market area description and characteristics: The subject property is located on Von Oshen Road in the Ladson area of Charleston County. Von Oshen Road is a two lane, asphalt paved street. It runs between Highway 78 to Lincolnville Road. This area is dominated by single family residences. Most of the commercial uses in this area are located along nearby Highway 78. The subject property backs up to a retention pond for the adjacent Charleston Chase neighborhood. This is a 42 lot single family home neighborhood being developed by J. Meyers Homes. Houses range in size from 1,248 SF to 2,498 SF. Prices range from \$179,990 to \$213,990. Oak Hollow is another neighborhood located near the subject. Oak Hollow is a Low Income Housing project that was developed in 2012. There are a total of 44 units in this project. There are also many established homes along Von Oshen Road.

SITE ANALYSIS

Dimensions: <u>150' x 100' x 150' x 100'</u>	Area: <u>15,000 SF or 0.34 Acres</u>
View: <u>Avg Interior View</u>	Shape: <u>Rectangular</u>
Drainage: <u>Appears adequate</u>	Utility: <u>Average Residential Lot</u>
Site Similarity/Conformity To Neighborhood	Zoning/Deed Restriction
Size: <input type="checkbox"/> Smaller than Typical <input checked="" type="checkbox"/> Typical <input type="checkbox"/> Larger than Typical	View: <input type="checkbox"/> Favorable <input checked="" type="checkbox"/> Typical <input type="checkbox"/> Less than Favorable
	Zoning: <u>R-4, Single Family</u> <input checked="" type="checkbox"/> Legal <input type="checkbox"/> No zoning <input type="checkbox"/> Legal, non-conforming <input type="checkbox"/> Illegal
	Covenants, Condition, & Restrictions <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown Documents Reviewed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Ground Rent \$ _____ /
Utilities	Off Site Improvements
Electric <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other Gas <input type="checkbox"/> Public <input type="checkbox"/> Other Water <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other Sewer <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other	Street <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private Alley <input type="checkbox"/> Public <input type="checkbox"/> Private Sidewalk <input type="checkbox"/> Public <input type="checkbox"/> Private Street Lights <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private

Site description and characteristics: The most recent plat noted on the property record card is dated March 24, 1964. The plat does not indicate the exact size of the site but does have two dimensions shown above. I also consulted the property record card which confirmed the same dimensions. By my calculations, the size is 15,000 square feet or 0.34 acres. Easements are as recorded. No encroachments were noted at the time of inspection. According to the latest FEMA flood map, the subject property is located in an X zone, an area of minimal flood hazard. Typically flood insurance is not required by lending institutions in an X zone. The flood zone was taken from the latest maps but the final determination is from the survey.

HIGHEST AND BEST USE ANALYSIS

Present Use Proposed Use Other:

Summary of highest and best use analysis: Legally, the subject property is to be utilized for residential use. It has enough area to support residential uses. The majority of the properties along Von Oshed Road are utilized for residential use. Therefore, the highest and best use of the subject property as vacant is as a future residential lot.

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Client:	Moore & Van Allen	Client File #:	
Subject Property:	Von Oshen Road	Appraisal File #:	18-120w

SITE VALUATION

Site Valuation Methodology

Sales Comparison Approach: A set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have been sold recently, then applying appropriate units of comparison and making adjustments to the sale prices of the comparables based on the elements of comparison. The sales comparison approach may be used to value improved properties, vacant land, or land being considered as though vacant; it is the most common and preferred method of land valuation when an adequate supply of comparable sales are available.

Market Extraction: A method of estimating land value in which the depreciated cost of the improvements on the improved property is estimated and deducted from the total sale price to arrive at an estimated sale price for the land; most effective when the improvements contribute little to the total sale price of the property.

Alternative Method: (Describe methodology and rationale)

Site Valuation							
ITEM	SUBJECT	COMPARISON 1		COMPARISON 2		COMPARISON 3	
Address	Von Oshen Road Ladson, SC 29456	211 Pinewood St Ladson, SC 29456		114 Vista Drive Ladson, SC 29456		122 Toucan Road Ladson, SC 29456	
Proximity to Subject		2.77 miles S		1.93 miles NE		2.51 miles S	
Data Source/ Verification		MLS#17003183 Courthouse Records		MLS#17022893 Courthouse Records		MLS#17003179 Courthouse Records	
Sales Price	\$ n/a		\$ 21,000		\$ 30,000		\$ 16,500
Price/ Sales \$	\$ n/a		\$ 21,000		\$		\$
Sale Date	N/A	3/21/2018		10/27/2017		8/23/2017	
Location	Ladson, Chs	Ladson		Ladson		Ladson	
Site Size	0.34 Acres	0.22 Acres	+6,000	0.45 Acres	-5,500	0.17 Acres	+8,500
Site View	Average	Average		Average		Average	
Site Improvements	Shell	None	-3,675	None	-3,675	None	-3,675
Zoning	R-4, SF	R-2, SF		R-2, SF		R-2, SF	
TMS#	388-00-00- 111	154-14-02- 006		233-06-00- 050		154-10-10- 016	
Net Adjustment		<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 2,325	<input type="checkbox"/> + <input checked="" type="checkbox"/> -	\$ -9,175	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 4,825
Indicated Value		Net Adj. 11 %		Net Adj. -31 %		Net Adj. 29 %	
		Gross Adj. 46 %	\$ 23,325	Gross Adj. 31 %	\$ 20,825	Gross Adj. 74 %	\$ 21,325
Prior Transfer History	04/29/1988 \$9,500	06/15/2007 \$29,000		08/01/2017 \$20,000		05/02/2007 \$5.00 Tansfer	

Site Valuation Comments: I utilized five sales and one listing of vacant lots in the Ladson area. I utilized matched paired sales and determined a size adjustment of \$5,000 for every 0.10 acre difference in size. The subject property is improved with a concrete block shell that would have to be removed for construction. According to Marshall Valuation Services, removal of a 1-story residence ranges in price from \$3,675 to \$8,600. I have estiamted the removal cost to be on the low end of this range because it is only a shell with no roof.

Site Valuation Reconciliation: After comparison, the six comparables have adjusted indications of \$23,325, \$20,825, \$21,325, \$22,825, \$22,325, & \$24,825, respectively. Naturally, the active listing is the highest indication. Typically listings are negotiated lower so this sets the upper limit of the range. The remaining five sales have a close range from \$21,325 to \$23,325 per lot. They are all vacant lots located in Ladson. These are all good comparables. Based on the sales presented, a price of \$22,500 is reasonable and well supported for the subject site.

Opinion of Site Value **\$ 22,500**

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Client:		Client File #:	
Subject Property:	Von Oshen Road, Ladson, SC 29456	Appraisal File #:	18-120w

SITE VALUATION							
ITEM	SUBJECT	COMPARISON 4		COMPARISON 5		COMPARISON 6	
Address	Von Oshen Road Ladson, SC 29456	Lot 152 Houston Drive Ladson, SC 29456		4915 Gray Goose Lane Ladson, SC 29456		244 Tall Pines Rd Ladson, SC 29456	
Proximity to Subject		2.26 miles NE		3.34 miles S		1.70 miles NE	
Data Source/ Verification		MLS#17007042 Courthouse Records		MLS#1509116 Courthouse Records		MLS#18005751	
Sales Price	\$ n/a		\$ 19,000		\$ 35,000		\$ 38,000
Price/ Sales \$	\$ n/a		\$ 19,000		\$ 35,000		\$ n/a
Sale Date	N/A	8/18/2017		6/30/2017		Listing	
Location	Ladson, Chs	Ladson		Ladson		Ladson	
Site Size	0.34 Acres	0.19 Acres	+7,500	0.52 Ac	-9,000	0.25 Ac	-4,500
Site View	Average	Average		Average		Average	
Site Improvements	Shell	None	-3,675	None	-3,675	Brick Fen	-8,675
Zoning	R-4, SF	R-1, SF		R-4, SF		R-1, SF	
TMS#	388-00-00- 111	233-11-06- 020		162-02-01- 005		233-10-01 051	
Net Adjustment		<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 3,825	<input type="checkbox"/> + <input checked="" type="checkbox"/> -	\$ -12,675	<input type="checkbox"/> + <input checked="" type="checkbox"/> -	\$ -13,175
Indicated Value		Net Adj. 20% Gross Adj. 59%	\$ 22,825	Net Adj. -36% Gross Adj. 36%	\$ 22,325	Net Adj. -35% Gross Adj. 35%	\$ 24,825
Prior Transfer History	04/29/1988 \$9,500	11/29/2012 \$5.00 Transfer		09/20/2005 \$45,000		04/08/2008 \$38,000	
Site Valuation Comments: Sale 4 is a portion of a two lot purchase. Each lot was purchased for \$19,000. The second lot was not utilized because it would have the same indication as Sale 4. Sale 5 occurred on June 30, 2017. Listing 6 has been on the market since March 3, 2018.							

Client:	Moore & Van Allen	Client File #:	
Subject Property:	Von Oshen Road	Appraisal File #:	18-120w

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is subject to the following assumptions and limiting conditions:

- This report is prepared using forms developed and copyrighted by the Appraisal Institute. However, the content, analyses, and opinions set forth in this report are the sole product of the appraiser. The Appraisal Institute is not liable for any of the content, analyses, or opinions set forth herein.
- No responsibility is assumed for matters legal in character or nature. No opinion is rendered as to title, which is assumed to be good and marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, having responsible ownership and competent management.
- I have examined the property described herein exclusively for the purposes of identification and description of the real property. The objective of our data collection is to develop an opinion of the highest and best use of the subject property and make meaningful comparisons in the valuation of the property. The appraiser's observations and reporting of the subject improvements are for the appraisal process and valuation purposes only and should not be considered as a warranty of any component of the property. This appraisal assumes (unless otherwise specifically stated) that the subject is structurally sound and all components are in working condition.
- I will not be required to give testimony or appear in court because of having made an appraisal of the property in question, unless specific arrangements to do so have been made in advance, or as otherwise required by law.
- I have noted in this appraisal report any significant adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) discovered during the data collection process in performing the appraisal. Unless otherwise stated in this appraisal report, I have no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and have assumed that there are no such conditions and make no guarantees or warranties, express or implied. I will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because I am not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable public and/or private sources that I believe to be true and correct.
- I will not disclose the contents of this appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and/or applicable federal, state or local laws.
- The Client is the party or parties who engage an appraiser (by employment contract) in a specific assignment. A party receiving a copy of this report from the client does not, as a consequence, become a party to the appraiser-client relationship. Any person who receives a copy of this appraisal report as a consequence of disclosure requirements that apply to an appraiser's client, does not become an intended user of this report unless the client specifically identified them at the time of the assignment. The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.
- If this valuation conclusion is subject to satisfactory completion, repairs, or alterations, it is assumed that the improvements will be completed competently and without significant deviation.

VALUE DEFINITION

Market Value Definition (below)

Alternate Value Definition (attached)

MARKET VALUE is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: *The Dictionary of Real Estate Appraisal*, 5th ed., Appraisal Institute

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January 2013

Client:	Moore & Van Allen	Client File #:	
Subject Property:	Von Oshen Road	Appraisal File #:	18-120w

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analysis, opinions, and conclusions are limited only by the report assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions.
- I have no present (unless specified below) or prospective interest in the property that is the subject of this report, and I have no (unless specified below) personal interest with respect to the parties involved.
- I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- Individuals who have provided significant real property appraisal assistance are named below. The specific tasks performed by those named are outlined in the Scope of Work section of this report.

None Name(s)

As previously identified in the Scope of Work section of this report, the signer(s) of this report certify to the inspection of the property that is the subject of this report as follows:

Property Inspected by Appraiser Yes No

Property Inspected by Co-Appraiser Yes No

- Services provided, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment: None Specify services provided: **No one provided significant professional assistance to the persons signing this report, except as described in the letter of transmittal. Sales data included in this report may have been verified by other appraisers in our office. When this is the case, I have relied on this data.**

ADDITIONAL CERTIFICATION FOR APPRAISAL INSTITUTE MEMBERS, CANDIDATES AND PRACTICING AFFILIATES

Appraisal Institute Designated Member, Candidate, or Practicing Affiliate Certify:

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this report, I have completed the continuing education program for Designated members of the Appraisal Institute.

APPRAISERS SIGNATURES

APPRAISER:
 Signature Andrew B. Wilkins
 Name Andrew B. Wilkins, MAI
 ReportDate March 23, 2018
 Trainee Licensed CertifiedResidential CertifiedGeneral
 License# GC 4333 State SC
 ExpirationDate 6/30/2018

CO-APPRAISER:
 Signature _____
 Name _____
 ReportDate _____
 Trainee Licensed CertifiedResidential CertifiedGeneral
 License# _____ State _____
 ExpirationDate _____

*NOTICE: The Appraisal Institute publishes this form for use by appraisers where the appraiser deems use of the form appropriate. Depending on the assignment, the appraiser may need to provide additional data, analysis and work product not called for in this form. The Appraisal Institute makes no representations, warranties or guarantees as to, and assumes no responsibility for the data, analysis or work product provided by the individual appraiser(s) in the specific contents of the AI Reports®, AI Reports® AI-900.04 Certification, Assumptions and Limiting Conditions © Appraisal Institute 2013, All Rights Reserved

PHOTOGRAPH ADDENDUM

Borrower or Owner

Property Address **Von Oshen Road**

City **Ladson**

County **Charleston**

State **SC**

Zip Code **29456**

Client **Moore & Van Allen**



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**



**STREET SCENE OF
SUBJECT PROPERTY**

R. App. 000245

PHOTOGRAPH ADDENDUM

Borrower or Owner

Property Address Von Oshen Road

City Ladson

County Charleston

State SC

Zip Code 29456

Client Moore & Van Allen



Another Front View



Shell Building



Rear of Lot

R. App. 000246

SITE PLAN

Borrower or Owner

Property Address Von Oshen Road

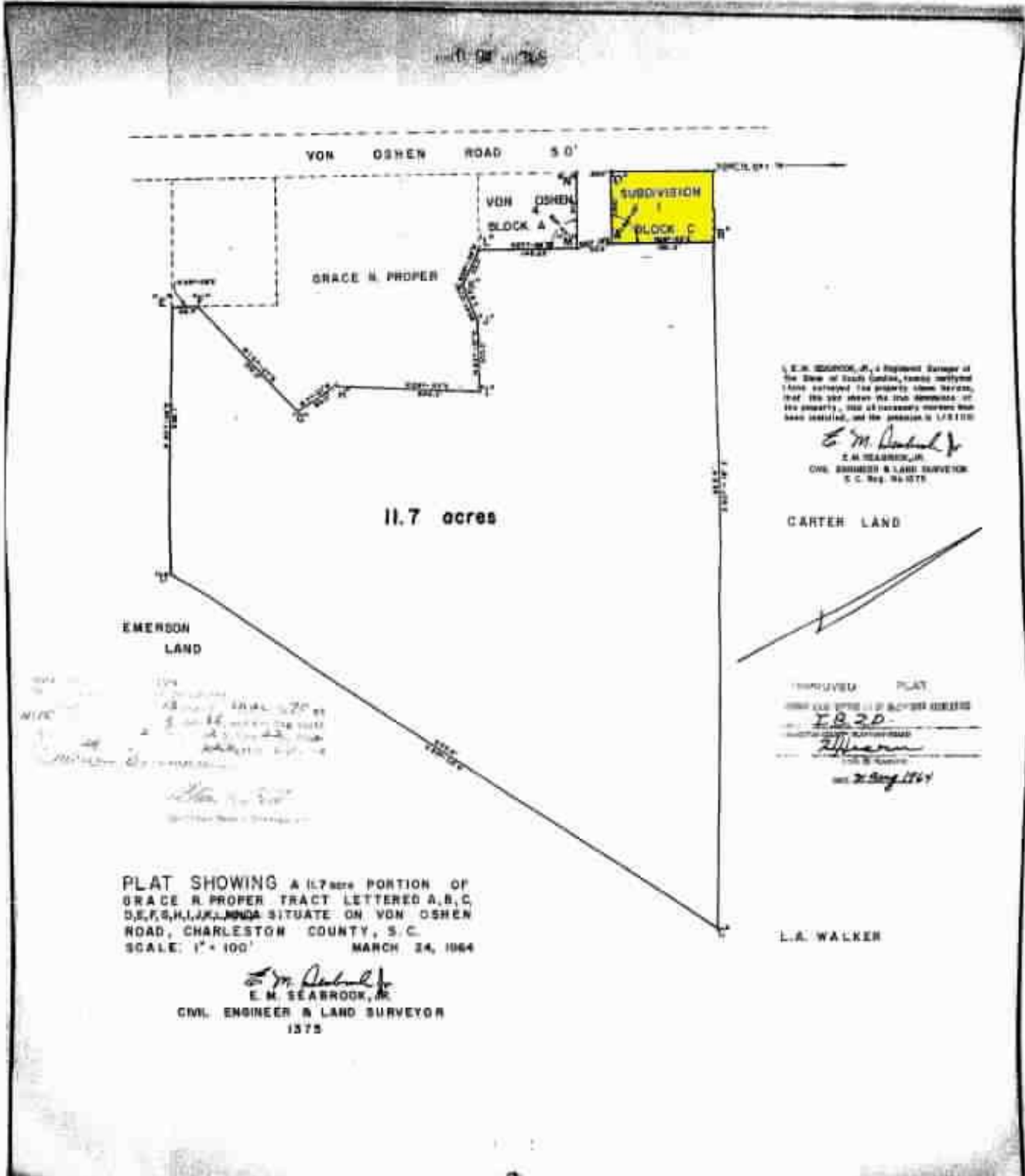
City Ladson

County Charleston

State SC

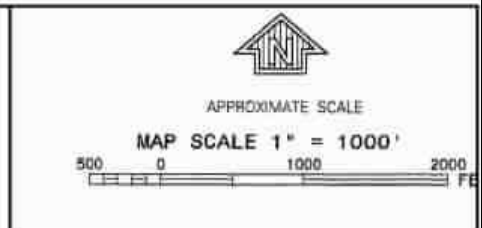
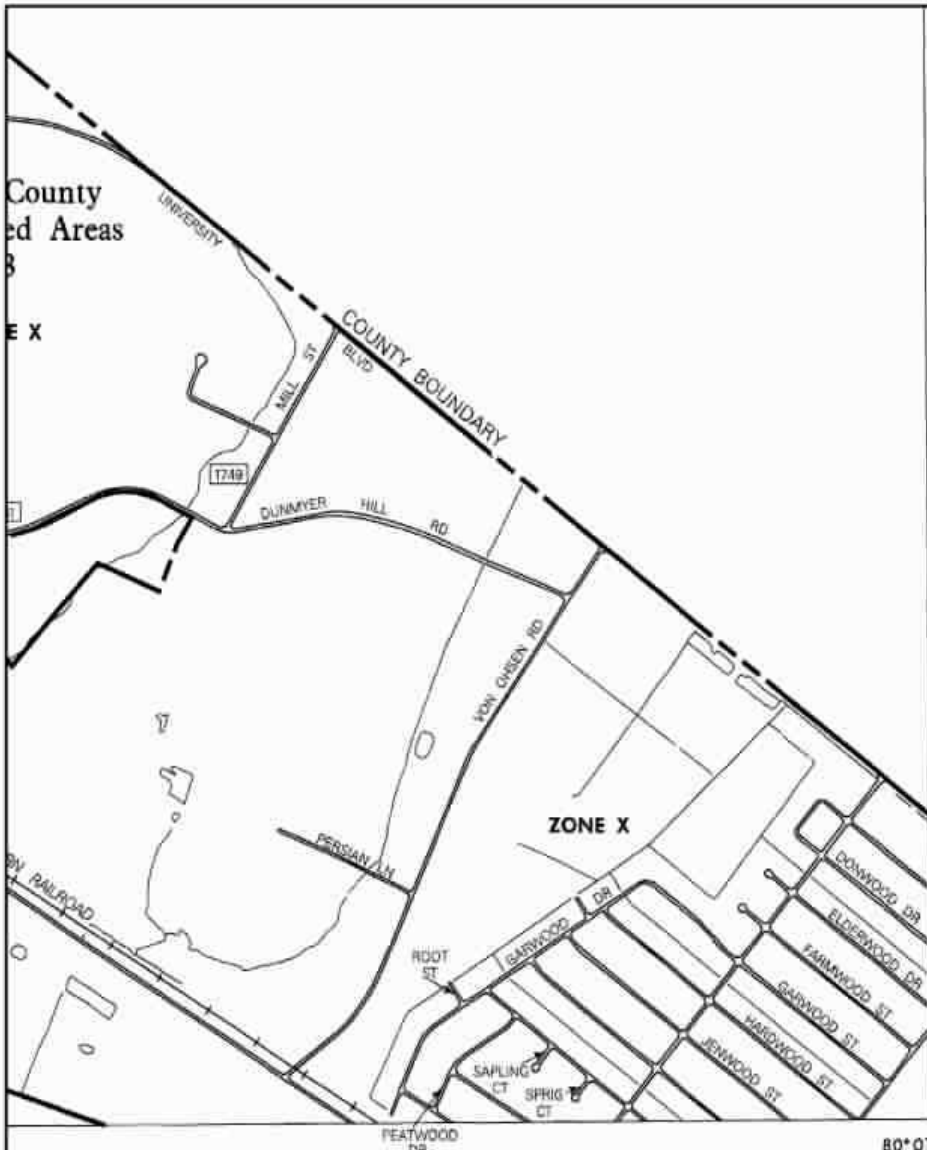
Zip Code 29456

Client Moore & Van Allen



FLOOD MAP

Borrower or Owner
 Property Address **Von Oshen Road**
 City **Ladson** County **Charleston** State **SC** Zip Code **29456**
 Client **Moore & Van Allen**



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP
CHARLESTON COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS


PANEL 129 OF 855
SEE MAP INDEX FOR PANELS NOT PRINTED

COMMUNITY: CHARLESTON COUNTY PANEL: 129 OF 855

THIS IS NOT A FLOOD HAZARD MAP. IT IS A FLOOD INSURANCE RATE MAP. IT IS USED TO DETERMINE FLOOD INSURANCE RATES. IT DOES NOT SHOW FLOOD HAZARD AREAS. FOR MORE INFORMATION, CONTACT THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

MAP NUMBER
45019C01201

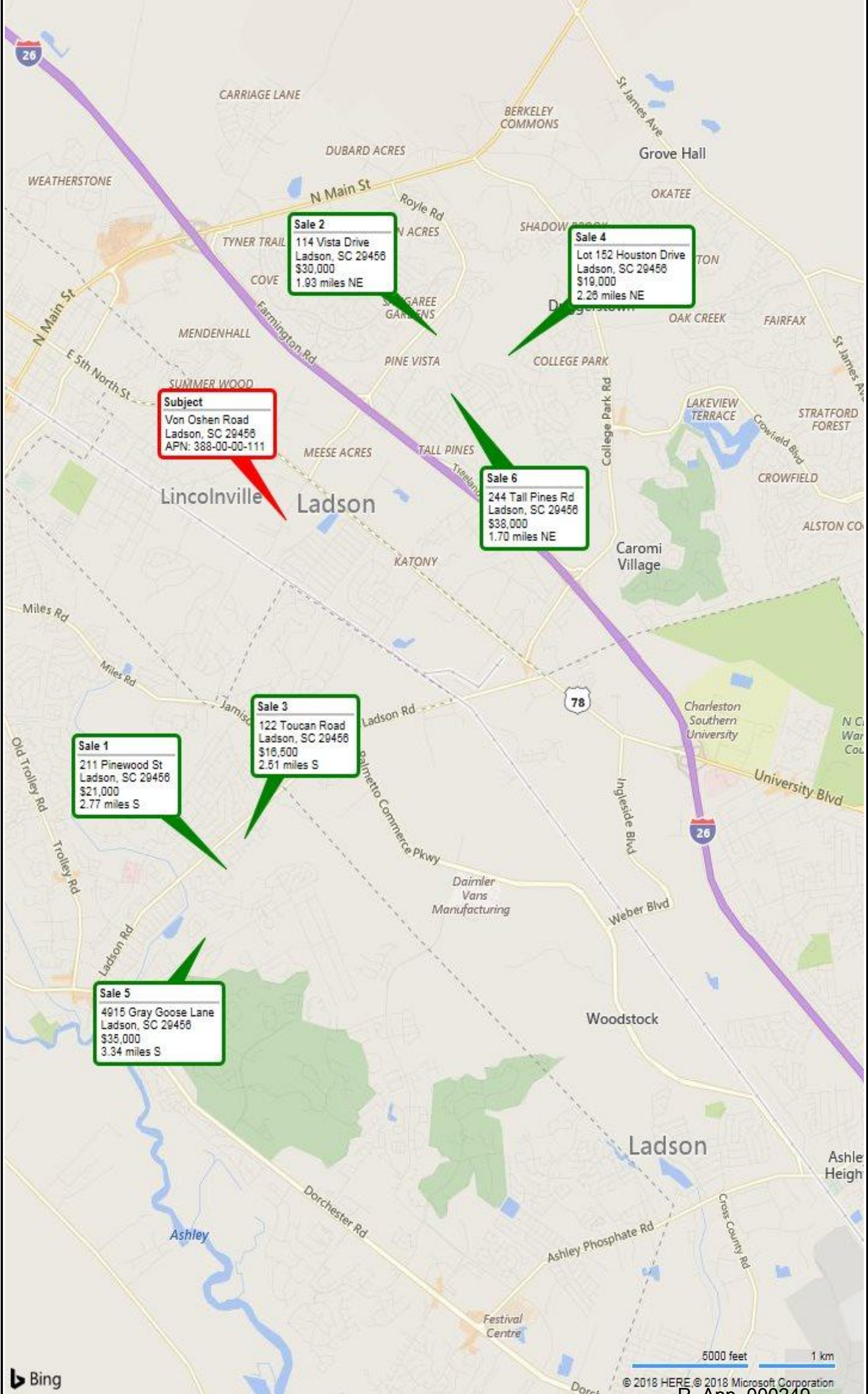
EFFECTIVE DATE:
NOVEMBER 17, 2004


 Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.fema.gov

Location Map

Borrower or Owner			
Property Address Von Oshen Road			
City Ladson	County Charleston	State SC	Zip Code 29456
Client Moore & Van Allen			



R. App. 000249

DISCLOSURE ADDENDUM

Borrower or Owner

Property Address Von Oshen RoadCity LadsonCounty CharlestonState SCZip Code 29456Lender or Client Moore & Van Allen

DEFINITION OF INSPECTION:

The term "Inspection", as used in this report, is not the same level of inspection that is required for a "Professional Home Inspection". The appraiser does not fully inspect the electrical system, plumbing system, mechanical systems, foundation system, floor structure, or subfloor. The appraiser is not an expert in construction materials and the purpose of the appraisal is to make an economic evaluation of the subject property. If the client needs a more detailed inspection of the property, a home inspection, by a Professional Home Inspector, is suggested.

DIGITAL SIGNATURES:

The signature(s) affixed to this report, and certification, were applied by the original appraiser(s) or supervisory appraiser and represent their acknowledgements of the facts, opinions and conclusions found in the report. Each appraiser(s) applied his or her signature electronically using a password encrypted method. Hence these signatures have more safeguards and carry the same validity as the individual's hand applied signature. If the report has a hand-applied signature, this comment does not apply.

APPRAISER:

Signature: Andrew B. WilkinsName: Andrew B. Wilkins, MAIDate Signed: April 2, 2018State Certification #: GC 4333

or State License #: _____

State: SCExpiration Date of Certification or License: 6/30/2018

SUPERVISORY APPRAISER (ONLY IF REQUIRED):

Signature: _____

Name: _____

Date Signed: _____

State Certification #: _____

or State License #: _____

State: _____

Expiration Date of Certification or License: _____

 Did Did Not Inspect Property

R. App. 000250

USPAP Compliance Addendum

File No. 18-120w

Borrower/Client			
Property Address Von Oshen Road			
City Ladson	County Charleston	State SC	Zip Code 29456
Lender/Client Moore & Van Allen			

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- Appraisal Report** This report was prepared in accordance with the requirements of the Appraisal Report option of USPAP Standards Rule 2-2(a).
- Restricted Appraisal Report** This report was prepared in accordance with the requirements of the Restricted Appraisal Report option of USPAP Standards Rule 2-2(b). The intended user of this report is limited to the identified client. This is a Restricted Appraisal Report and the rationale for how the appraiser arrived at the opinions and conclusions set forth in the report may not be understood properly without the additional information in the appraiser's workfile.

Scope of Work - I rely on public records to identify the subject and determine the amount of wetlands (if any) present. I am not a surveyor, nor can I detect the presence of wetlands or hazardous substances. I perform an inspection of the property, walking the site if possible. I research the local MLS, public records, and national databases for comparable sales. When possible, each is verified with a party knowledgeable of the transaction.

ADDITIONAL CERTIFICATIONS

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The report analyses, opinions, and conclusions are limited only by the reported assumptions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or specified) personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- This appraisal report was prepared in accordance with the requirements of Title XI of FIRREA and any implementing regulations.

PRIOR SERVICES

- I have **NOT** performed services, as an appraiser or in any other capacity, regarding the property that is the subject of the report within the three-year period immediately preceding acceptance of this assignment.
- I **HAVE** performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

PROPERTY INSPECTION

- I have **NOT** made a personal inspection of the property that is the subject of this report.
- I **HAVE** made a personal inspection of the property that is the subject of this report.

APPRAISAL ASSISTANCE

Unless otherwise noted, no one provided significant real property appraisal assistance to the person signing this certification. If anyone did provide significant assistance, they are hereby identified along with a summary of the extent of the assistance provided in the report.

None

ADDITIONAL COMMENTS

Additional USPAP related issues requiring disclosure and/or any state mandated requirements: **-My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.-The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.-The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.**

-As of the date of this report, I have completed the continuing education program for Designated members of the Appraisal Institute.

MARKETING TIME AND EXPOSURE TIME FOR THE SUBJECT PROPERTY

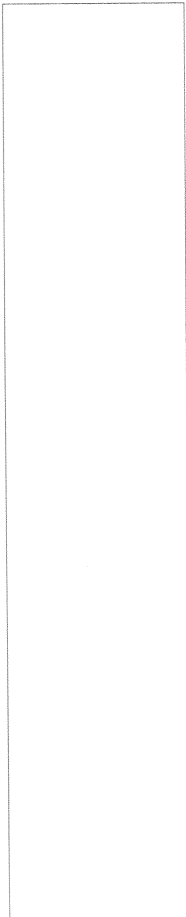
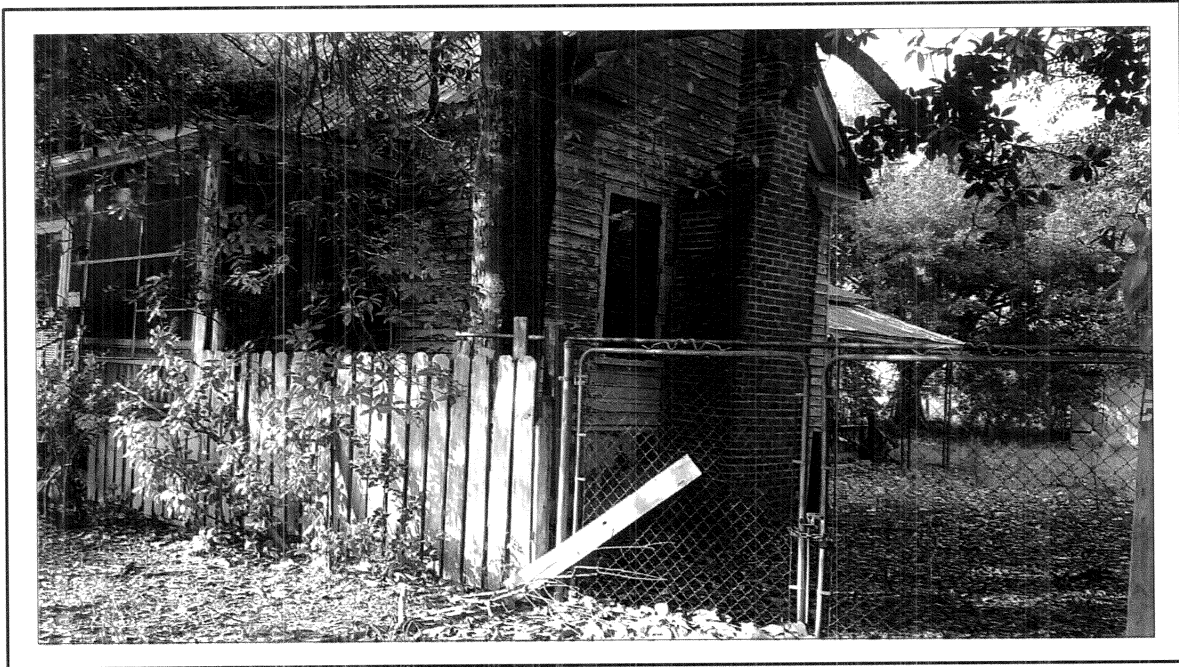
- A reasonable marketing time for the subject property is _____ day(s) utilizing market conditions pertinent to the appraisal assignment.
- A reasonable exposure time for the subject property is **6-12 Mo** day(s).

APPRAISER	SUPERVISORY APPRAISER (ONLY IF REQUIRED)
------------------	---

Signature <u><i>Andrew B. Wilkins</i></u> Name <u>Andrew B. Wilkins, MAI</u> Date of Signature <u>April 2, 2018</u> State Certification # <u>GC 4333</u> or State License # _____ State <u>SC</u> Expiration Date of Certification or License <u>6/30/2018</u> Effective Date of Appraisal <u>March 23, 2018</u>	Signature _____ Name _____ Date of Signature _____ State Certification # _____ or State License # _____ State _____ Expiration Date of Certification or License _____ Supervisory Appraiser Inspection of Subject Property: <input type="checkbox"/> Did Not <input type="checkbox"/> Exterior-only from Street <input type="checkbox"/> Interior and Exterior
---	--

Exhibit G

Appraisal of 6613 Main Street
November 29, 2016



APPRAISAL REPORT

OF THE REAL PROPERTY LOCATED AT

6613 Main Street
Bowman, SC 29018

for

Rose M. Walsh
3335 Von Ohsen Road
Summerville, SC
29485

as of

November 29, 2016

by

Paul K. Moore, MAI, SRA
528 Johnnie Dodds Blvd., Suite #102
Mt. Pleasant, SC 29464

Paul K. Moore & Associates, Inc.

R. App. 000253

Paul K. Moore & Associates, Inc.
528 Johnnie Dodds Blvd., Suite #102
Mt. Pleasant, SC 29464
843-881-0454

April 26, 2017

Rose M. Walsh
3335 Von Ohsen Road
Summerville, SC
29485

Property - 6613 Main Street
Bowman, SC 29018
Client - Rose M. Walsh, PR
File No. - 17-101R
Case No. -

Dear :

In accordance with your request, I have prepared an appraisal of the real property located at 6613 Main Street, Bowman, SC.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of November 29, 2016 is :

\$9,500

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Paul K. Moore & Associates, Inc.



Paul K. Moore, MAI, SRA
SC Certification #CG 155

IDENTIFICATION

Owner Estate of Annie Mae Crosby Census Tract _____ Map Reference 0246-15-06-002.000
 Property Address 6613 Main Street
 City Bowman County Orangeburg State SC Zip Code 29018
 Legal Description 6613 Main Street
 Sale Price \$ n/a Date of Sale n/a Property Rights Appraised Fee Leasehold De Minimis PUD
 Actual Real Estate Taxes \$ _____ (yr.)
 Client Rose M. Walsh Address 3335 Von Ohsen Road, Summerville, SC, 29485
 Occupant vacant Appraiser Paul K. Moore, MAI, SRA Instructions to Appraiser *** See Additional Comments ***
 Intended User: Rose M. Walsh, PR Intended Use: Probate Purposes

NEIGHBORHOOD

Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input checked="" type="checkbox"/> Rural	Good	Avg	Fair	Poor
Built Up	<input type="checkbox"/> Over 75%	<input checked="" type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Growth Rate	<input type="checkbox"/> Fully Dev.	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Steady	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Over Supply	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marketing Time	<input type="checkbox"/> Under 3 Mos.	<input type="checkbox"/> 4-6 Mos.	<input checked="" type="checkbox"/> Over 6 Mos.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Present Land Use	<u>25</u> % 1 Family	<u>20</u> % 2-4 Fam	% Apts. _____ % Condo <u>35</u> % Commercial	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
100.000000	% Industrial <u>20</u> % Vacant _____ %			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Change in Present Land Use	<input checked="" type="checkbox"/> Not Likely	<input type="checkbox"/> Likely (*)	<input type="checkbox"/> Taking Place (*)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Predominant Occupancy	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant	% Vacant _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single Family Price Range	\$ <u>45,000</u> to \$ <u>200,000</u>	Predominant Value \$ <u>75,000</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single Family Age	<u>25</u> yrs. to <u>75</u> yrs.	Predominant Age <u>40</u> yrs.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, noise) The property is located downtown Bowman next to a Gas station and a church. There is a minimal amount of residential and business activity in the area. The Town appears to be static in growth and population. Bowman has about 1,184 people with medium household income at \$35,059. Highest income range is \$35,000 to \$50,000 by household. 18.3% of households.

SITE

Dimensions 60Fx365Lx60Rx365RS = 21,344 +/- sq. ft. Corner Lot
 Zoning Classification General Commercial Present improvements do do not conform to zoning regulations
 Highest and best use: Present use Other (specify) _____
 Elec. Public Other (Describe) _____
 Gas _____
 Water not hooked up
 San. Sewer none
 Underground Elect. & Tel.
 OFF SITE IMPROVEMENTS
 Street Access: Public Private
 Surface Asphalt
 Maintenance: Public Private
 Storm Sewer Curb/Gutter
 Sidewalk Street Lights
 Topo level
 Size 60' x 365' 0.49 acre Estimated by using tax map.
 Shape rectangle
 View street
 Drainage average
 Is the property located in a HUD Identified Special Flood Hazard Area? No Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions) The property is located downtown in Bowman and is next to a neighborhood store and a Church. This area has an assortment of homes and businesses. There is a moderate amount of business on Main Street but primarily the area is an older community without much new growth. Flood Zone X panel 45075C0606C Jan 16, 2014 Non Hazard Area.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

For the Market Data Analysis See grid below. See narrative attachment.

ITEM	Subject Property	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	6613 Main Street Bowman, SC 29018	127 Elmwood Street Rowesville, SC	Delta Drive, Eutawville, SC	130 Bo Peep Lane Holly Hill, SC
Proximity to Subj.		8 miles west	18 miles east	10 miles east
Sales Price	\$ n/a	\$ 4,000	\$ 7,500	\$ 8,000
Price		\$ 8,163/AC	\$ 7,500	\$ 11,595
Data Source	inspection	mls deed tax service	mls deed tax service	deed tax service
Date of Sale and Time Adjustment	DESCRIPTION 11/29/2016	DESCRIPTION 5/20/2016	DESCRIPTION 07/28/2016	DESCRIPTION 10/28/2016
Location	Main Street	Rowesville, SC	Eutawville, SC	Holly Hill
Site/View	0.49 acre street view	0.49 acre	1.0 acre	0.69
Site Area	21,344 +/- sq. ft.	Road View	Street View	Street View
tms	0246-15-06-002.000	0187-05-07-002.000	0358-17-01-014.000	0332-00-01-027.000
Sales or Financing Concessions				
Net Adj. (Total)		<input checked="" type="checkbox"/> Plus <input type="checkbox"/> Minus \$ 5,000	<input checked="" type="checkbox"/> Plus <input type="checkbox"/> Minus \$ 2,500	<input checked="" type="checkbox"/> Plus <input type="checkbox"/> Minus \$ 1,000
Indicated Value of Subject		Gross 125.0% Net 125.0% \$ 9,000	Gross 126.7% Net 33.3% \$ 10,000	Gross 50.0% Net 12.5% \$ 9,000

RECONCILIATION

Comments on Market Data: Sale #1 is located in Rowesville, SC and is a similar sized lot as the subject. The subject is located in the Town of Bowman and is a superior location to sale #1. Sale #2 is located Eutawville, SC and is a larger lot than the subject property. The property is located on Delta Drive outside of Eutawville on Hwy #6. Sale #3 is located at 130 Bo Peep Lane, Holly Hill, SC. This is a nice lot in the country that formally was used for a mobile home site. The mobile home burner and the lot is being resold. The subject is located in the Town and is zoned commercial and residential use.

Comments and Conditions of Appraisal: The appraiser talked with Town Clerk, Melvin Felder, Jr. He stated the Lot had public water available but it was not hooked up to the Towns water and that there is no public sewer service available to this property. The lot is zoned General Commercial District which allows a great many uses as well as residential use. The lot suffers from being only 60 feet wide and so narrow and long. *** See Additional Comments ***

Final Reconciliation: The highest and best use of the property is for residential use. I have used residential sales as there are no Commercial land sales in the immediate area. Based on these sales I estimate the Market Value at \$9,500. I have not placed any value on the house and garage as the house is about 87 years old and is in very poor condition. The garage is in very poor condition also. The property was inspected on April 29, 2017.

This appraisal report is subject to the scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
4. The appraiser has noted in this appraisal report any adverse conditions (such as the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent deficiencies or adverse conditions of the property (such as, but not limited to, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.


APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the subject property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
9. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale of the subject property.
10. I have knowledge and experience in appraising this type of property in this market area.
11. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
12. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
13. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
14. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
15. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
16. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
17. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event.
18. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
19. I identified the client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.
20. I am aware that any disclosure or distribution of this appraisal report by me or the client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.
21. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature 
 Name Paul K. Moore, MAI, SRA
 Company Name Paul K. Moore & Associates, Inc.
 Company Address 528 Johnnie Dodds Blvd., Suite #102
Mt. Pleasant, SC 29464
 Telephone Number 843-881-0454
 Email Address paul@paulkmoore.com
 Date of Signature and Report April 26, 2017
 Effective Date of Appraisal November 29, 2016
 State Certification # CG 155
 or State License # _____
 or Other _____ State # _____
 State SC
 Expiration Date of Certification or License 6/30/2018

ADDRESS OF PROPERTY APPRAISED
6613 Main Street
Bowman, SC 29018
 APPRAISED VALUE OF SUBJECT PROPERTY \$ 9,500
 CLIENT
 Name _____
 Company Name Rose M. Walsh
 Company Address 3335 Von Ohsen Road
Summerville, SC 29485
 Email Address _____

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

SUBJECT PROPERTY
 Did not inspect subject property
 Did inspect exterior of subject property from street
 Date of Inspection _____
 Did inspect interior and exterior of subject property
 Date of Inspection _____

COMPARABLE SALES
 Did not inspect exterior of comparable sales from street
 Did inspect exterior of comparable sales from street
 Date of Inspection _____

ADDITIONAL COMMENTS

Intended User Rose M. Walsh, PR

Property Address 6613 Main Street

City Bowman County Orangeburg

State SC

Zip Code 29018

Client Rose M. Walsh

INSTRUCTIONS TO APPRAISER

appraise as of Date of Death November 29, 2016

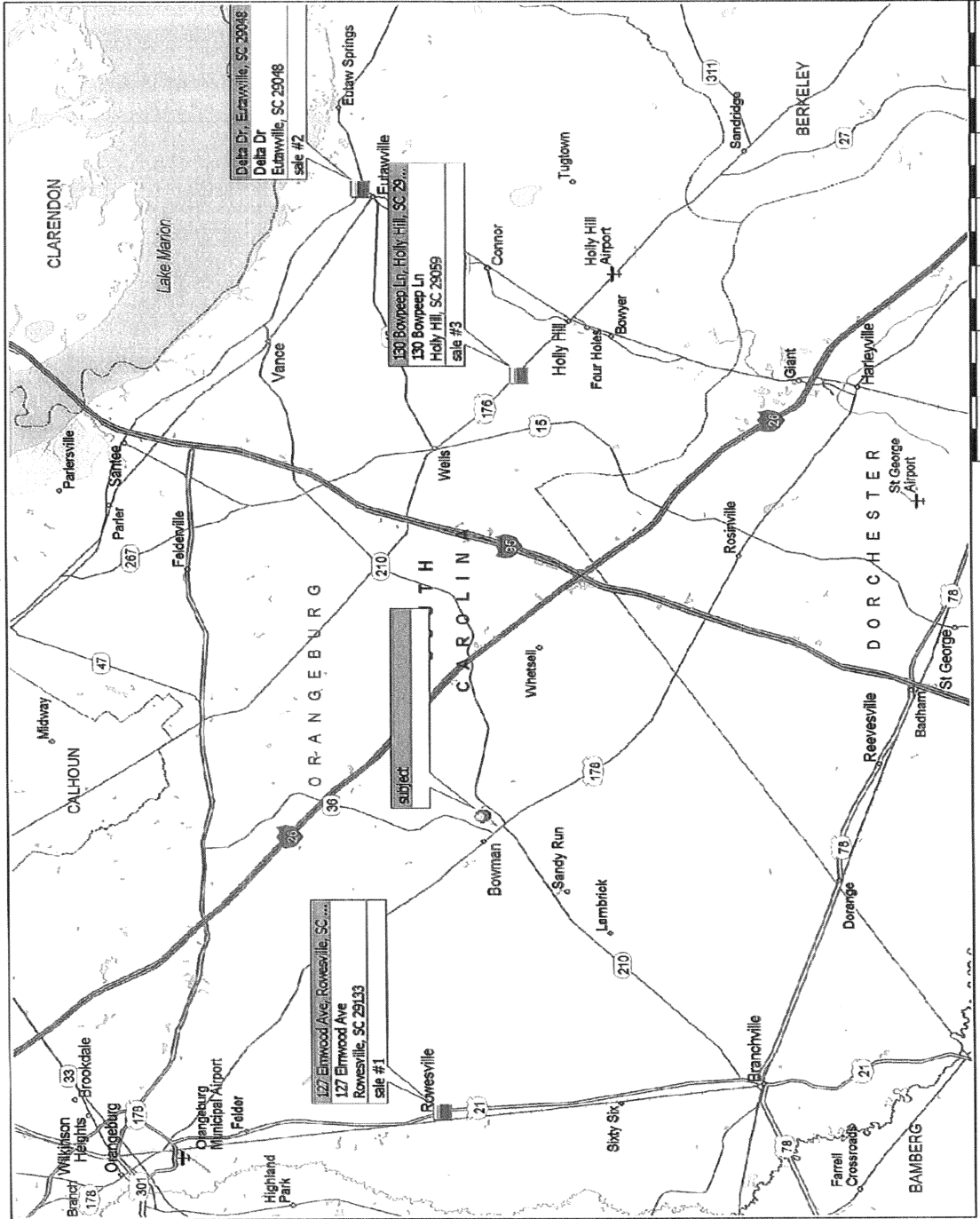
COMMENTS AND CONDITIONS OF APPRAISAL

The lot could be divided into two lots since there is a rear street.

LOCATION MAP

Intended User: Rose M. Walsh, PR
 Property Address: 6613 Main Street
 City: Bowman County: Orangeburg State: SC Zip Code: 29018
 Client: Rose M. Walsh

bowman, sc



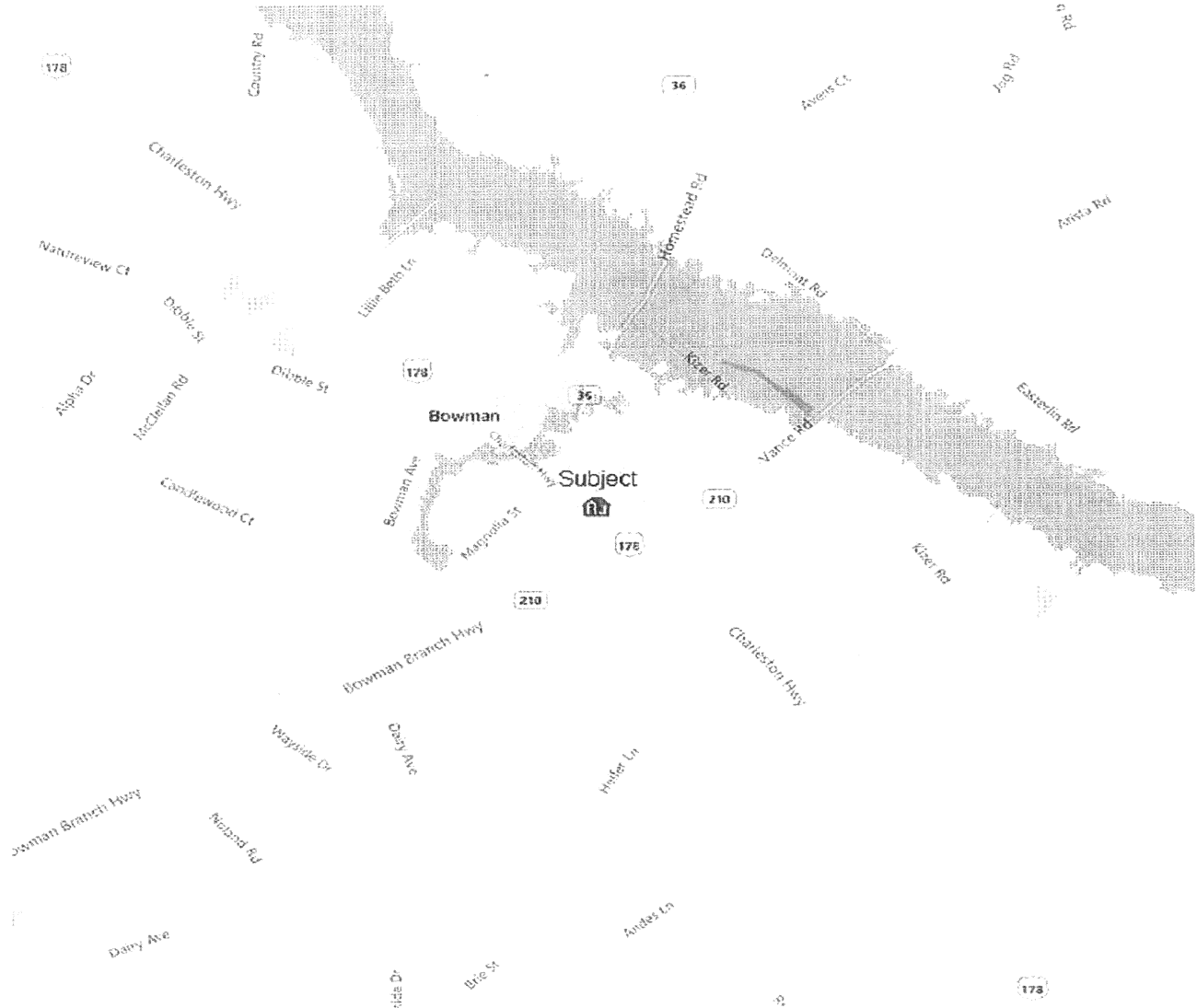
Copyright © and (P) 1988-2012 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/entre/>
 Certain mapping and direction data © 2012 NAVTEQ. All rights reserved. The data for areas of Canada includes information taken with permission from Canadian authorities, including © Her Majesty the Queen in Right of Canada. © Queen's Printer for Ontario. NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2012 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc. © 2012 by Applied Geographic Solutions, All rights reserved. Portions © Copyright 2012 by Woodrill Publications Corp. All rights reserved.

FLOOD MAP

Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Client	Rose M. Walsh				

STDB

Apr 25, 2017
 US-178, Bowman, SC, 29018
 Lat 33.36484 Long -80.700883



IAP DATA

Issue Date January 16, 2014

FIPS Code

IAP Number 45075C0606C

Census Tract

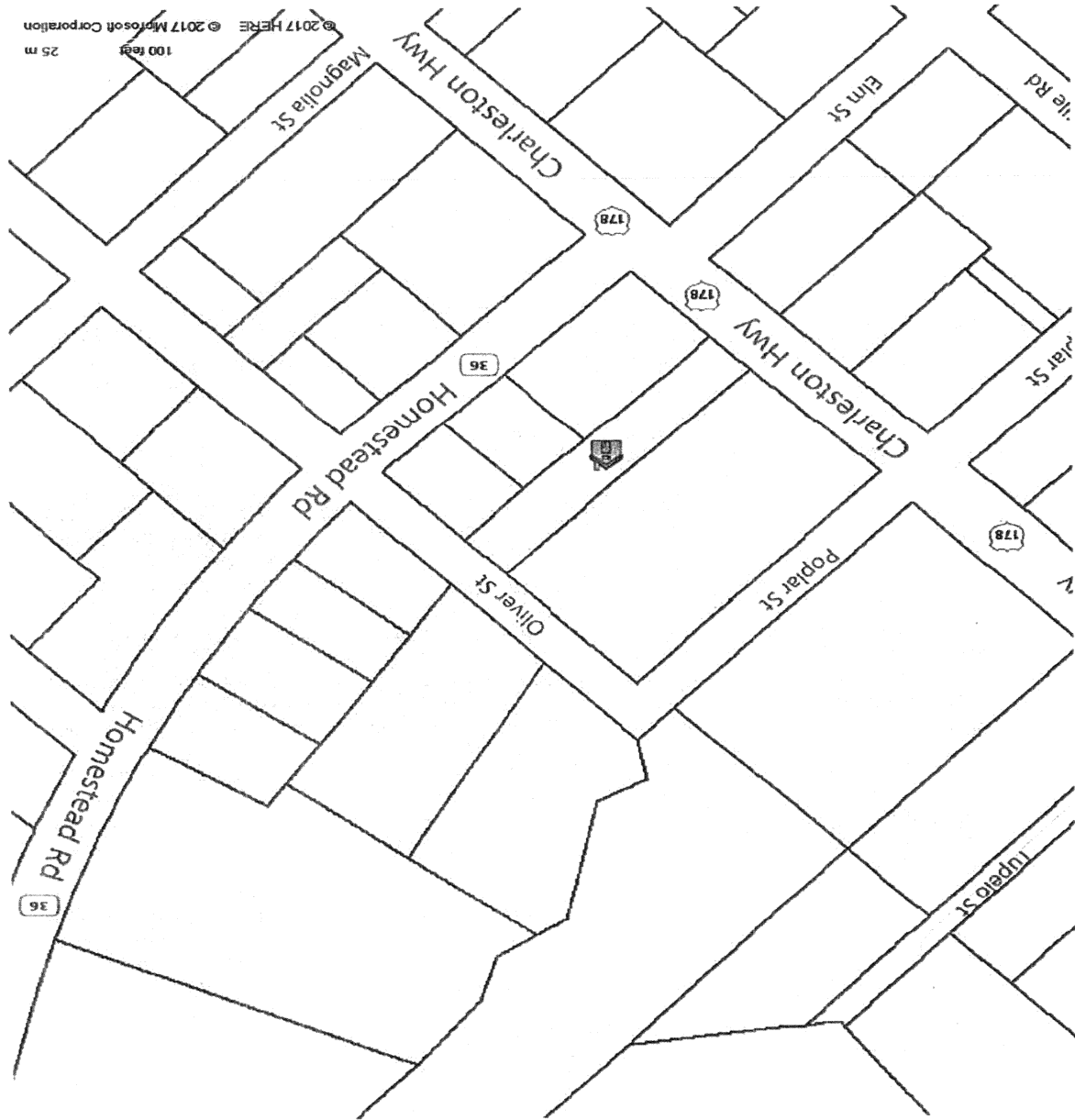
Encoding Accuracy S4 - single close match, point located at the center of shape point path

Flood	
	X or C Zone
	X500 or B Zone
	A Zone
	V Zone
	D Zone
	Area Not Mapped

Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Client	Rose M. Walsh				
				Zip Code	29018

4/19/2017 12:19 PM

1 of 2



© 2017 HERE
 © 2017 Microsoft Corporation
 25 m
 100 feet

Map for Parcel Address: 6613 Main St SC Parcel ID: 0009300

<http://scm.scrsdata.com/mis/map/iby~F19iuWeAV~HMAKUqz6N...>



CRS Data - Property Map for 6613 Main St

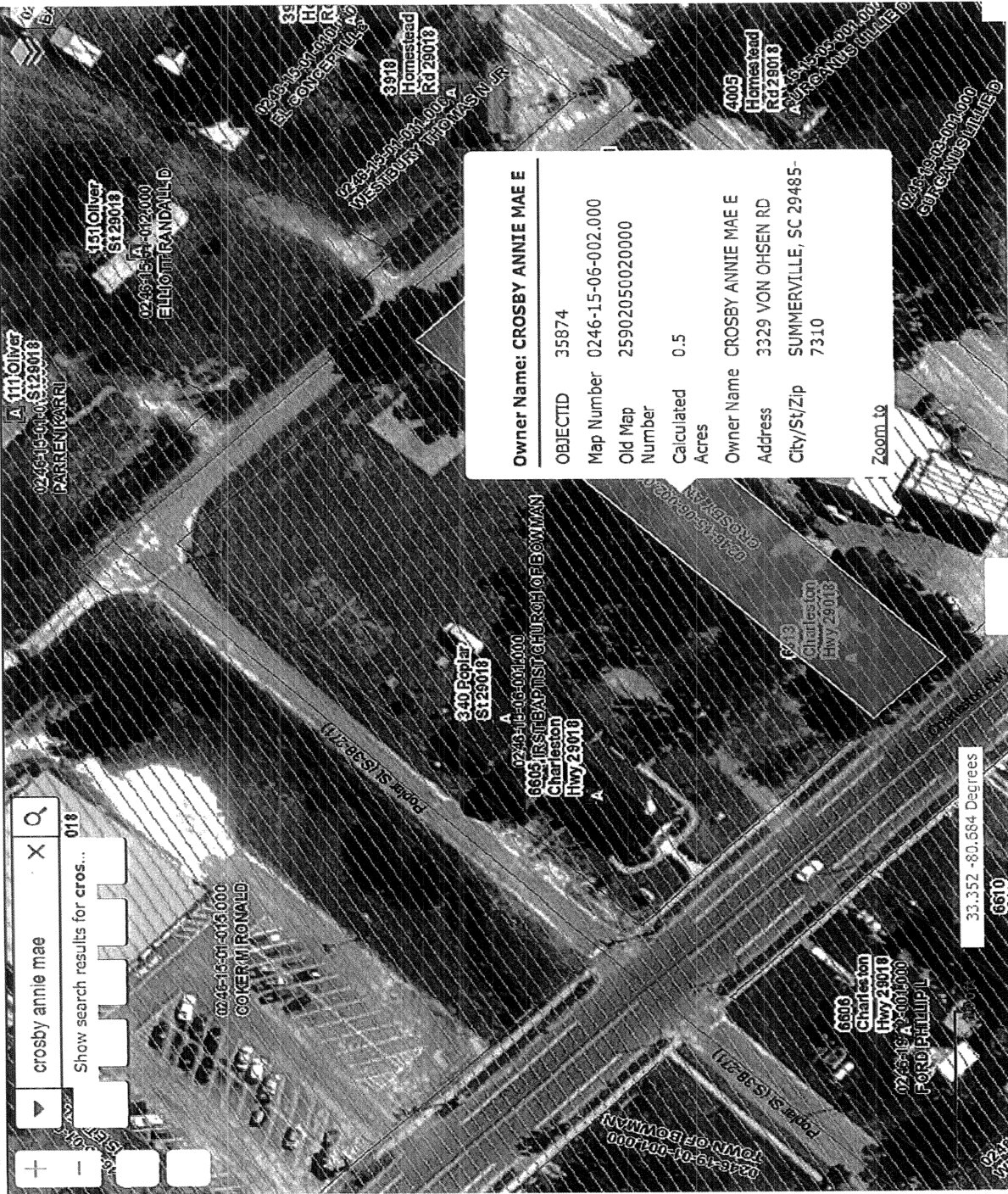
Intended User	Rose M. Walsh, PR		
Property Address	6613 Main Street		
City	Bowman	County	Orangeburg
		State	SC
Client	Rose M. Walsh		
		Zip Code	29018

Orangeburg County GIS

County Home Page Assessor Register of Deeds

Orangeburg County GIS

4/25/2017



Owner Name: CROSBY ANNIE MAE E	
OBJECTID	35874
Map Number	0246-15-06-002.000
Old Map Number	25902050020000
Calculated Acres	0.5
Owner Name	CROSBY ANNIE MAE E
Address	3329 VON OHSEN RD
City/St/Zip	SUMMERVILLE, SC 29485-7310
Zoom to	

1/1

http://gis2.orangeburgcounty.org/maps/

Intended User	Rose M. Walsh, PR		
Property Address	6613 Main Street		
City	Bowman	County	Orangeburg
		State	SC
Client	Rose M. Walsh		

<https://bao.arcgis.com/esriBAO/index.html?portal=ccim.maps.arcgis.com/#>

Business Analyst

KEY FACTS

- Population: 1,184
- Average Household Size: 2.54
- Median Age: 41.8
- Median Household Income: \$35,059
- No High School Diploma: 12%
- High School Graduate: 40%
- Some College: 25%
- Bachelor's/Graduate Degree: 23%

EDUCATION

- White Collar: 45%
- Blue Collar: 32%
- Services: 23%
- Unemployment Rate: 4.6%

BUSINESS

- Total Businesses: 27
- Total Employees: 286

Households By Income

The largest group: <\$15,000 (23.0%)
The smallest group: \$200,000+ (0.6%)

Indicator	Value	Difference
<\$15,000	23.0%	-2.5%
\$15,000 - \$24,999	17.0%	+3.2%
\$25,000 - \$34,999	9.9%	-3.5%
\$35,000 - \$49,999	18.3%	+4.2%
\$50,000 - \$74,999	16.6%	+1.2%
\$75,000 - \$99,999	8.0%	-0.4%
\$100,000 - \$149,999	5.6%	-1.1%
\$150,000 - \$199,999	1.1%	-0.6%
\$200,000+	0.6%	-0.4%

Bars show deviation from

INCOME

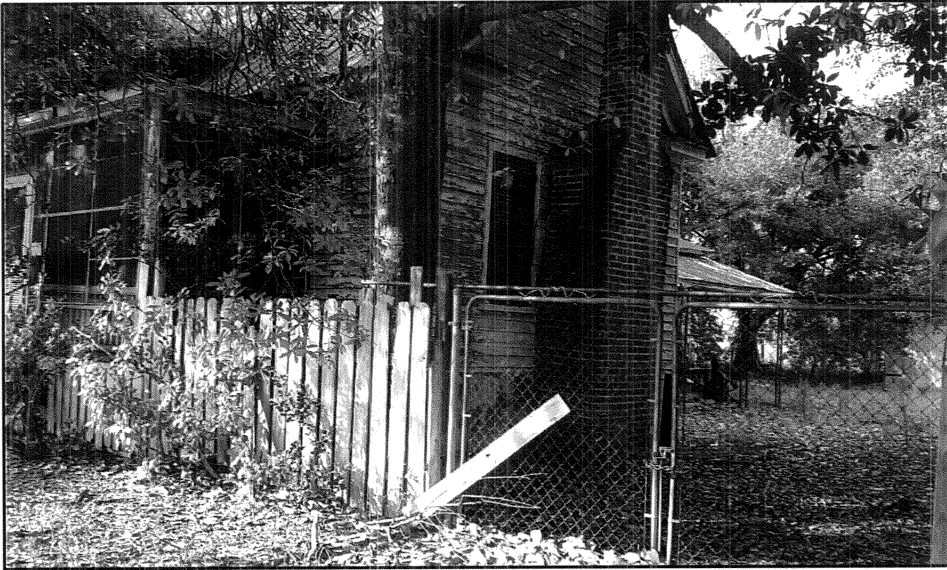
- Median Household Income: \$35,059
- Per Capita Income: \$16,974
- Median Net Worth: \$47,933

4/25/2017 9:17 PM

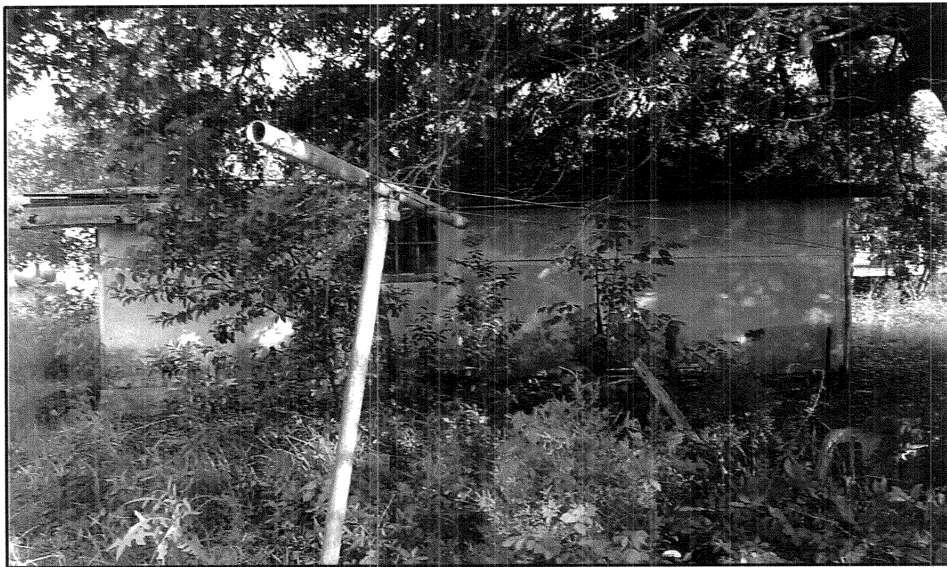
1 of 1

PHOTOGRAPH ADDENDUM

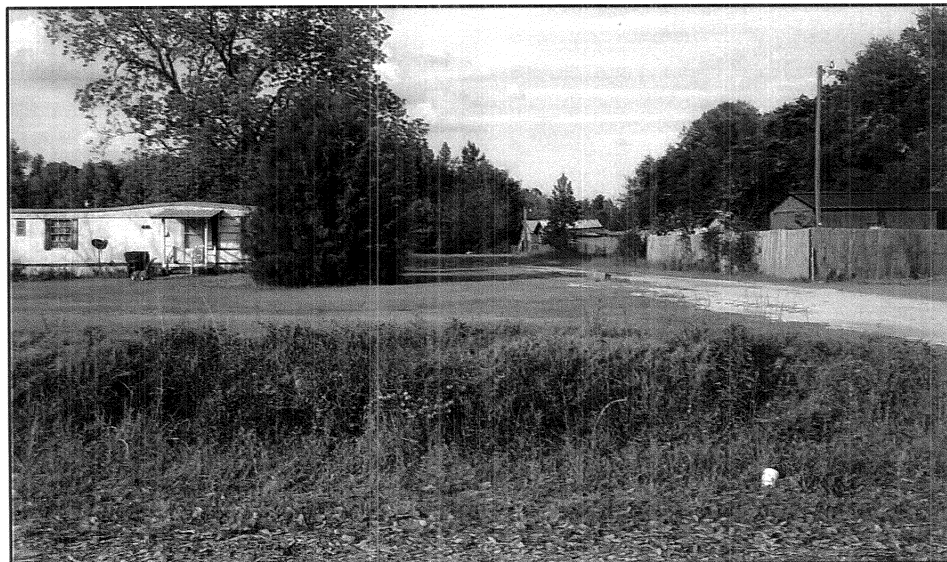
Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Client	Rose M. Walsh				
				Zip Code	29018



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**

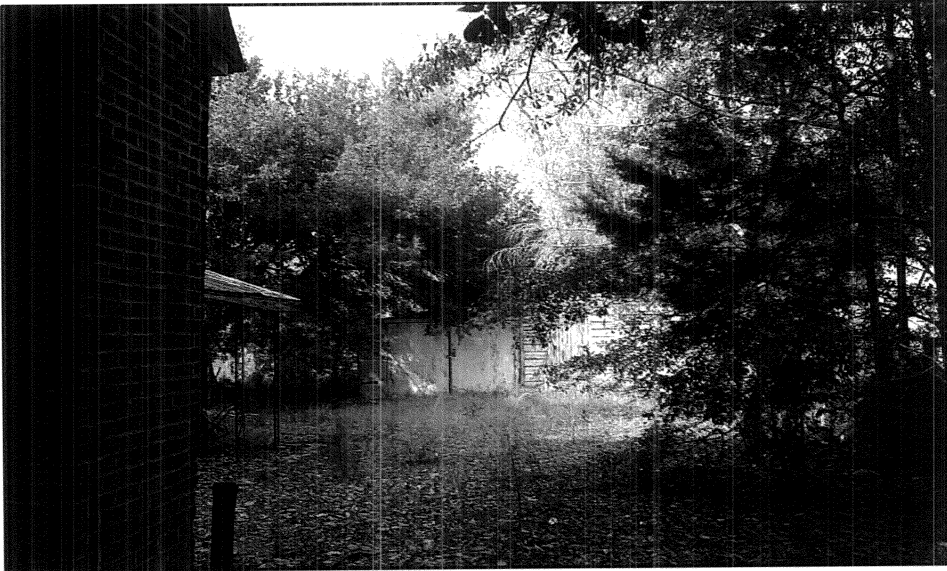


**STREET SCENE OF
SUBJECT PROPERTY**

R. App. 000265

PHOTOGRAPH ADDENDUM

Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Zip Code	29018				
Client	Rose M. Walsh				



Rear yard of subject



Church on adjoining lot



Retail Store on right side of property

PHOTOGRAPH ADDENDUM

Intended User Rose M. Walsh, PR
Property Address 6613 Main Street
City Bowman County Orangeburg State SC Zip Code 29018
Client Rose M. Walsh



Main Street view



Address marker



Rear view from Oliver Street

Intended User	Rose M. Walsh, PR		
Property Address	6613 Main Street		
City	Bowman	County	Orangeburg
		State	SC
Client	Rose M. Walsh		
		Zip Code	29018

SCOPE OF WORK

Pursuant to the client's request, I have prepared this appraisal report. The first basic step in completing this report was considering the specific requirements for this report from the intended client, Ms. Rose M. Walsh, PR. I have been instructed to provide an estimate of the Market Value of the Fee Simple Estate of the subject property, based on the Date of Death of Annie Mae Crosby as of March 29, 2016. The valuation date is the Date of the Inspection, April 19, 2017. To estimate this value, I have completed the appraisal process, which includes the collection, confirmation, analysis, and reporting of market data.

The subject property is a residential lot that has been developed with a 0.49 acre lot. The house is a one story Wood Home which has about 959 s.f. There is a low level of demand to own and/or occupy this property type in the immediate market area. The house is in poor condition and is not useable in current condition.

In performing this appraisal, I have collected sufficient market data in order to provide justification and support for the adjustments and value estimates which are utilized in this report.

The **Scope of Work** is described in the 2016-2017 edition of USPAP as including, but not limited to:

- The extent to which the property is identified;
- The extent to which tangible property is inspected;
- The type and extent of data researched, and
- The type and extent of analyses applied to arrive at opinions or conclusions.

A description of each of these factors is provided on the following pages.

Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Zip Code	29018				
Client	Rose M. Walsh				

The Extent to Which the Property is Identified

The appraiser has researched public records including deeds, plats and public records to provide for the legal description of the subject property.

The Extent to Which the Tangible Property is Inspected

The appraiser has personally inspected the subject property. I have researched zoning and have reviewed documents which provide an indication of the physical characteristics of the site.

The Type and Extent of Data Researched

In preparing this appraisal report, I have thoroughly researched the market for similar single family lots within the subject market area. I have adjusted my sales comparables based on several factors including market conditions as well as quantifiable factors such as size, quality/condition and locational factors.

The Type and Extent of Analysis Applied

I have analyzed the data collected and applied the appropriate methodology in order to provide a value of the Fee Simple Interest in the subject property. I have analyzed the subject property in the "As Is" condition and have determined the Highest and Best Use of the subject is to develop the site with a type of Residential Use. I have also concluded the residential use to be the highest and best use of the site. I have not used the Cost Approach nor the Income Approach to value since it is not applicable.

From there I have selected the most relevant comparables and adjusted these comparables based on quantifiable market evidence.

I have reconciled our findings to provide a supportable value of the subject property in the Fee Simple Estate. I have performed a appraisal report which is intended to comply with the Uniform Standards of Professional Appraisal Practice, 2016-2017 edition.

Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Client	Rose M. Walsh				
				Zip Code	29018

Certification Statement:

I certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.

I **have** made a personal inspection of the property that is the subject of this report

- No one provided significant real property appraisal assistance to the person signing this certification
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives

As of the date of this report, I **have** completed the continuing education program for Designated Members of the Appraisal Institute.

Paul K Moore, MAI __SC Cert #155____April 26 ,2017



Intended User	Rose M. Walsh, PR		
Property Address	6613 Main Street		
City	Bowman	County	Orangeburg
		State	SC
Zip Code	29018		
Client	Rose M. Walsh		

DEFINITION OF MARKET VALUE

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and Seller are typically motivated.
2. Both parties are well informed or well advised, and acting in what they consider their own best interests.
3. A reasonable time is allowed for exposure in the open market.
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto.
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

- Sources:
- A. Department of the Treasury, Office of Thrift Supervision 12 CFR Part 564.2, dated Thursday, August 23, 1990.
 - B. Department of the Treasury, Office of the Comptroller of the Currency, 12 CFR Part 34.42, dated Friday, August 24, 1990.
 - C. Federal Deposit Insurance Corporation, 12 CFR Part 323.2, dated Monday, August 20, 1990.

Intended User Rose M. Walsh, PR
 Property Address 6613 Main Street
 City Bowman County Orangeburg State SC Zip Code 29018
 Client Rose M. Walsh

9. Commercial recreation and entertainment structures and uses, such as theaters, bowling alleys, miniature golf courses, and the like.
10. Hotels and motels.
11. Commercial parking lots and parking garages.
12. Commercial printing and job printing establishments.
13. Radio stations, television stations, not including towers or dishes over sizes allowed in this ordinance.
14. Passenger terminals.
15. Veterinary establishments, provided that all animals are kept within suitably designed soundproof, air conditioned buildings.
16. Funeral homes.
17. Single and two-family dwellings excluding mobile homes.
18. Business and vocational schools not involving operations of an industrial nature.
19. Non-profit private clubs and lodges, civic and fraternal organizations.
20. Ambulatory and health care related facilities, clinics, laboratories.
21. Parks, playgrounds, and play fields.
22. Community service structures and uses such as community service centers, libraries, fire stations, civic, cultural or recreational uses.
23. Churches and other places of worship, including educational buildings related thereto.
24. Automobile service stations and repair garages including car washes and auto parts shops provided there is no outside storage or parking of vehicles without current license plates and inspection stickers.
25. Automobile sales and service.
26. Cemeteries.
27. Day nurseries and kindergartens are subject to the provision of section 21.31.
28. Laboratories and establishments for fitting, repair, or production of eyeglasses, hearing aids, or prosthetic devices.

21.42.3 Permitted Accessory Uses and Structures. Structures and uses which:

- (1) Are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures:
- (2) Are located wholly on the same lot as the permitted principal use structure, or on a contiguous lot in the same ownership.
- (3) Do not involve operations not in keeping with the character of the area, or a nature prohibited under "Prohibited Uses and Structures" for this district.

21.42.4 Permitted Special Exceptions. After public notice and hearing, and subject to appropriate conditions and safeguards, the Board of Adjustment may permit, as special exceptions:

1. Hospitals, sanitariums, nursing homes, rest homes, convalescent homes, homes for orphans, homes for the aged provided that no such facility shall have a lot area of less than one (1) acre, and that no buildings in connection with such facility shall be closer than twenty-five (25) feet to any lot residentially zoned.
2. Temporary borrow pits for fill dirt and topsoil.
3. Mini-warehouses with or without an accessory apartment (one apartment only) for security purposes and parking and storing of retail rental vehicles.
4. Package stores selling alcoholic beverages (i.e. ABC store.)
5. Nightclubs providing food and entertainment.
6. Planned industrial and office parks which have deed restrictions and architectural review requirements which in the opinion of the zoning board of adjustment are sufficient to ensure a quality of development which will be compatible with permitted uses and intent of this district.

21.42.5 Prohibited Uses and Structures.

1. Any use other than as provided under "Permitted Principal Uses and Structures," or "Permitted Accessory Uses and Structures," or as permitted in connection with "Special Exceptions."
2. Yards for storage of used building materials, or for any scrap or salvage operations, or for storage or display or any scrap, salvaged or recyclable materials, auto and scrap junkyards.
3. Truck terminals, warehouses containing over 8,000 square feet of space for storage of wares in connection with wholesale or distribution operations; storage or distribution centers for bulk petroleum products.

Draft, March, 1999

21-11

R. App. 000272

Intended User	Rose M. Walsh, PR		
Property Address	6613 Main Street		
City	Bowman	County	Orangeburg
		State	SC
		Zip Code	29018
Client	Rose M. Walsh		

Sec. 21.41 OC Office Commercial District.

21.41.1 Intent: This district is intended to accommodate office, institutional, and certain types of residential uses in areas whose characteristic is neither general commercial nor exclusively residential in nature. Certain related structures and uses required to serve the needs of such areas are permitted outright or are permissible as special exceptions subject to restrictions and requirements to best fulfill the intent of this ordinance.

21.41.2 Permitted Principal Uses and Structures.

1. Offices (Business, Professional, Governmental)
2. Photography studios, art studios, art galleries, art sales, interior design studios, craft studios, craft sales, antique shops, establishments for teaching of music, dancing or other performing arts.
3. Nursing homes, rest homes, convalescent homes, homes for orphans, homes for the aged.
4. Auditoriums, libraries, museums, legitimate theaters.
5. Funeral homes.
6. Elementary schools, high schools, business, and vocational schools not involving operations of an industrial or retail nature.
7. Colleges and universities.
8. Churches and other places of worship, including educational buildings related thereto.
9. Private non profit clubs and lodges, fraternities, sororities, denominational student centers.
10. Single family dwellings and two family dwellings, excluding mobile or manufactured homes.
11. Rooming and boarding houses; and bed and breakfast inns.
12. Centeteries.
13. Day nurseries and kindergartens, subject to the provisions of Section 21.31.
14. Community service structures and uses such as community service centers, libraries, fire stations, civic, cultural or recreational uses.

21.41.3 Permitted Accessory Uses and Structures.

1. Dwelling units in connection with permitted principal uses or structures, located on the same premises therewith, provided that such dwelling units shall be occupied only by the owners or employees or such use.
2. Structures and uses which are:
 - (a) customarily accessory and clearly incidental and subordinate to permitted principal uses and structures; and
 - (b) located wholly on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.

Sec. 21.42 GC General Commercial District.

21.42.1 Intent: This district is intended to accommodate a variety of general commercial and residential uses characterized primarily by retail, office and service establishments and oriented primarily to major traffic arteries or extensive areas of predominately commercial usage and characteristics. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this Ordinance.

21.42.2 Permitted Principal Uses and Structures.

1. Retail establishments.
2. Service and repair establishments.
3. Personal service establishments including such uses as beauty shops, barber shops, shoe repair shop, dry cleaning and laundry dressmaking and tailoring.
4. Offices (business, professional, governmental).
5. Photography studios, art studios, art galleries, art sales, interior design studios, craft studios, craft sales, antique shops.
6. Financial institutions.
7. Eating and drinking establishment, including drive-in eating and drinking establishments, provided the sale of alcoholic beverages account for less than 50% of gross revenues.
8. Wholesaling and distribution establishments not involving over 8,000 square feet of area for storage of wares to be wholesaled or distributed.

Draft, March, 1999

21-10

Intended User	Rose M. Walsh, PR				
Property Address	6613 Main Street				
City	Bowman	County	Orangeburg	State	SC
Client	Rose M. Walsh				
				Zip Code	29018

Print

<https://mg.mail.yahoo.com/neo/launch?.rand=dtss1knq3irfg#49786650>

Subject: Re: 6613 Main Street
From: paul moore (moorepaul58@yahoo.com)
To: melvindfelder@yahoo.com;
Date: Tuesday, April 25, 2017 5:24 PM

Thank you very much, exactly what I needed.

On Tuesday, April 25, 2017 5:12 PM, Melvin Felder <melvindfelder@yahoo.com> wrote:

Hello, attached the information you requested. Also, water access is available at that property, however, it would have to be tapped into the system. Sewer is not available on that property.

Town of Bowman
 Melvin Felder, Jr., MSA
 Town Clerk
 131 Poplar Street
 P.O. Box 37 Bowman, SC 29018
 Phone: (803) 829-2666
 Fax: (803) 829-3159

This e-mail and any files transmitted with it are confidential and may contain information which is legally privileged or otherwise exempt from disclosure. They are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipients or otherwise have reason to believe that you have received this message in error, please immediately notify the sender and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

On Tuesday, April 25, 2017 3:16 PM, paul moore <moorepaul58@yahoo.com> wrote:

Melvin, Please send the zoning regulation on this property and any information on the water and sewer availability.
 Thank you, PKMOORE

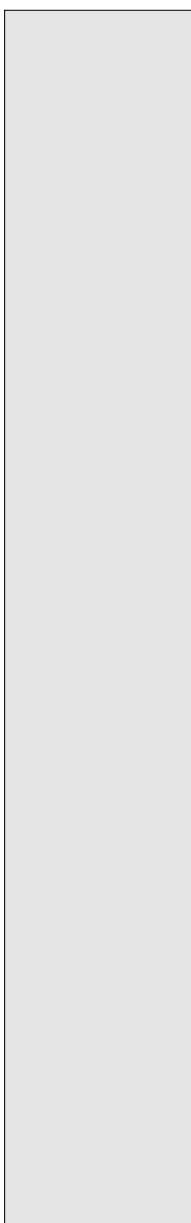
1 of 1

4/26/17, 10:17 AM

R. App. 000274

Exhibit H

Appraisal of 6613 Main Street
March 15, 2018



APPRAISAL REPORT

OF THE REAL PROPERTY LOCATED AT

6613 Main Street
Bowman, SC 29018

for

Moore & Van Allen
78 Wentworth Street
Charleston, SC
29401

as of

March 15, 2018

by

Andrew B. Wilkins, MAI
21 GAMECOCK AVENUE, SUITE C
CHARLESTON, SC 29407

SASS, HERRIN & ASSOCIATES, INC.

SASS, HERRIN & ASSOCIATES, INC.
21 GAMECOCK AVENUE, SUITE C
CHARLESTON, SC 29407
843-766-7500

April 2, 2018

Moore & Van Allen
78 Wentworth Street
Charleston, SC
29401

Property - 6613 Main Street
Bowman, SC 29018
Borrower -
File No. - 18-122w
Case No. -

Dear Ms. Russell:

In accordance with your request, I have prepared an appraisal of the real property located at 6613 Main Street, Bowman, SC.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of March 15, 2018 is :

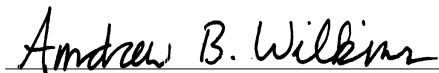
\$5,000

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

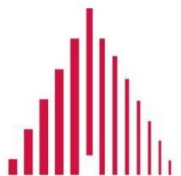
Respectfully submitted,

SASS, HERRIN & ASSOCIATES, INC.



Andrew B. Wilkins, MAI
SC Certification #GC 4333

R. App. 000277

 AI Reports™ Form 120.04*	Client File #:		Appraisal File #:	18-122w
	Summary Appraisal Report • Land			
	Appraisal Company: SASS, HERRIN & ASSOCIATES, INC.			
	Address: 21 GAMECOCK AVENUE, SUITE C, CHARLESTON, SC 29407			
Phone: 843-766-7500		Fax: 843-571-6170		Website: www.sassherrin.com
Appraiser: Andrew B. Wilkins, MAI		Co-Appraiser:		
AI Membership (if any): <input type="checkbox"/> SRA <input checked="" type="checkbox"/> MAI <input type="checkbox"/> SRPA		AI Membership (if any): <input type="checkbox"/> SRA <input type="checkbox"/> MAI <input type="checkbox"/> SRPA		
AI Status (if any): <input type="checkbox"/> Candidate for Designation <input type="checkbox"/> Practicing Affiliate		AI Status (if any): <input type="checkbox"/> Candidate for Designation <input type="checkbox"/> Practicing Affiliate		
Other Professional Affiliation:		Other Professional Affiliation:		
E-mail: AWilkins@sassherrin.com		E-mail:		
Client: Moore & Van Allen		Contact: Ms. Anne Kelley Russell		
Address: 78 Wentworth Street, Charleston, SC 29401				
Phone: 843-579-7095		Fax: 843-579-8737		E-mail: akrussell@mvalaw.com
SUBJECT PROPERTY IDENTIFICATION				
Address: 6613 Main Street				
City: Bowman	County: Orangeburg	State: SC	ZIP: 29018	
Legal Description: 2100014203				
Tax Parcel #: 0246-15-06-002.000		RE Taxes: 448.35	Tax Year: 2016	
Use of the Real Estate As of the Date of Value: The property is vacant.				
Use of the Real Estate Reflected in the Appraisal: Vacant Land				
Opinion of highest and best use (if required): Future Residential or Commercial Use				
SUBJECT PROPERTY HISTORY				
Owner of Record: Annie Mae Crosby				
Description and analysis of sales within 3 years (minimum) prior to effective date of value: There have been no sales of the subject in the three-year period preceding this report.				
Description and analysis of agreements of sale (contracts), listings, and options: We are unaware of any listings, contracts, or options in the year prior to this report.				
RECONCILIATIONS AND CONCLUSIONS				
Indication of Value by Sales Comparison Approach		\$ 5,000		
Indication of Value by Cost Approach		\$ N/A		
Indication of Value by Income Approach		\$ N/A		
Final Reconciliation of the Methods and Approaches to Value: Because the subject of this appraisal is appraised as vacant land, only the sales comparison approach to value was utilized. Vacant land in this area is not typically leased, so the income capitalization approach is not necessary. The improvements do not contribute to the overall value, so the cost approach is not applicable. This has not resulted in a misleading indication of value.				
Opinion of Value as of: March 15, 2018		\$ 5,000		
Exposure Time: 6 to 18 months				
The above opinion is subject to: <input type="checkbox"/> Hypothetical Conditions and/or <input type="checkbox"/> Extraordinary Assumptions cited on the following page.				

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Client:	Moore & Van Allen	Client File #:	
Subject Property:	6613 Main Street	Appraisal File #:	18-122w

ASSIGNMENT PARAMETERS

Intended User(s): **The Estate of Annie May Crosby**

Intended Use: **Estimate Market Value for Estate Settlement Purposes**

This report is not intended by the appraiser for any other use or by any other user.

Type of Value: **Market** Effective Date of Value: **March 15, 2018**

Interest Appraised: Fee Simple Leasehold Other

Hypothetical Conditions: (A hypothetical condition is that which is contrary to what exists, but is asserted by the appraiser for the purpose of analysis. Any hypothetical condition may affect the assignment results.)

No hypothetical conditions were utilized in this report.

Extraordinary Assumptions: (An extraordinary assumption is directly related to a specific assignment and presumes uncertain information to be factual. If found to be false this assumption could alter the appraiser's opinions or conclusions. Any extraordinary assumption may affect the assignment results.)

No extraordinary assumptions were utilized in this report.

In accordance with Standard Rule 2-2(b) of the Uniform Standard of Professional Appraisal Practice (USPAP), this is a summary appraisal report.

SCOPE OF WORK

Definition: The scope of work is the type and extent of research and analysis in an assignment. Scope of work includes the extent to which the property is identified, the extent to which tangible property is inspected, the type and extent of data research, and the type and extent of analysis applied to arrive at credible opinions or conclusions. The specific scope of work for this assignment is identified below and throughout this report.

Scope of Subject Property Inspection/Data Sources Utilized	Approaches to Value Developed
<p>Appraiser</p> <p>Property Inspection: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Date of Inspection: 03/15/2018</p> <p>Describe Scope of Property Inspection, Source of Area Calculations and Data Sources Consulted: I walked the site, but relied on public records and available plats, to determine the size.</p> <p>Co-Appraiser</p> <p>Property Inspection: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Date of Inspection:</p> <p>Describe Scope of Property Inspection, Source of Area Calculations and Data Sources Consulted:</p>	<p>Cost Approach:</p> <p><input type="checkbox"/> Is necessary for credible results and is developed in this analysis</p> <p><input checked="" type="checkbox"/> Is not necessary for credible results; not developed in this analysis</p> <p><input type="checkbox"/> Is not necessary for credible results but is developed in this analysis</p> <p>Sales Comparison Approach:</p> <p><input checked="" type="checkbox"/> Is necessary for credible results and is developed in this analysis</p> <p><input type="checkbox"/> Is not necessary for credible results; not developed in this analysis</p> <p><input type="checkbox"/> Is not necessary for credible results but is developed in this analysis</p> <p>Income Approach:</p> <p><input type="checkbox"/> Is necessary for credible results and is developed in this analysis</p> <p><input checked="" type="checkbox"/> Is not necessary for credible results; not developed in this analysis</p> <p><input type="checkbox"/> Is not necessary for credible results but is developed in this analysis</p>

Additional Scope of Work Comments: **I identified the subject property through public records, discussions with the property owner, and verification with public servants. I am not a surveyor; therefore, I have relied on a number of plats, recorded deeds, and tax information to identify the subject, many of which are included or referenced in this report. I researched public records, the local multiple listing service (MLS), national listing services, and spoke with a number of realtors and property owners in the subject market. When possible, each sale comparable was verified with a party immediately involved with the transaction and supported by public records. I also performed an exterior inspection of each land sale, when possible. The subject's land value was determined by comparing the subject site as if vacant to vacant land sales in the subject market. Search parameters included sites with a similar highest and best use, as near the subject as possible.**

Significant Real Property Appraisal Assistance: None Disclose Name(s) and contribution:

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Client:	Moore & Van Allen	Client File #:	
Subject Property:	6613 Main Street	Appraisal File #:	18-122w

MARKET AREA ANALYSIS

Location <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Rural	Built Up <input type="checkbox"/> Under 25% <input type="checkbox"/> 25%-75% <input checked="" type="checkbox"/> Over 75%	Growth <input type="checkbox"/> Rapid <input type="checkbox"/> Stable <input checked="" type="checkbox"/> Slow	Supply & Demand <input type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input checked="" type="checkbox"/> Over Supply	Value Trend <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Decreasing	Typical Marketing Time <input type="checkbox"/> Under 3 Months <input type="checkbox"/> 3-6 Months <input checked="" type="checkbox"/> Over 6 Months
Neighborhood Single Family Profile Price: <u>28,154</u> Low Age: <u>9</u> <u>792,000</u> High <u>128</u> <u>126,700</u> Predominant <u>18</u>		Neighborhood Land Use 1 Family: <u>95</u> % Commercial: <u>1</u> % Condo: _____ % Vacant: <u>3</u> % Multifamily: <u>1</u> % _____ %		Neighborhood Name: Town of Bowman PUD <input type="checkbox"/> Condo <input type="checkbox"/> HOA: \$ _____ / Amenities: N/A	

Market area description and characteristics: The Town of Bowman is a small town in Orangeburg County. It is located east of Interstate 26 and north of Interstate 95. It is known as the Dairy Capital of South Carolina. This is because at one time there were 27 working dairies in Bowman. According to the website, "the dairy income is the lifeblood of the economic community of Bowman." According to the census, the population of the Town of Bowman was 968 in 2010 and was estimated to be 809 in 2016. The median household income was \$29,028. There are a few commercial businesses in Bowman including: Dollar General, Citgo Quick Pantry, a Pharmacy, Auto Parts Warehouse, and a lumber company. The IGA grocery store and a Family Dollar that was constructed in 2006 have closed.

SITE ANALYSIS

Dimensions: <u>58' x 365' x 60' x 364'</u> (Estimated)	Area: <u>Approximately 0.50 Acres</u>
View: <u>Main Street</u>	Shape: <u>Rectangular</u>
Drainage: <u>Appears adequate</u>	Utility: <u>Good Residential/Commercial Lot</u>
Site Similarity/Conformity To Neighborhood	Zoning/Deed Restriction
Size: <input type="checkbox"/> Smaller than Typical <input checked="" type="checkbox"/> Typical <input type="checkbox"/> Larger than Typical	Zoning: GC, General Commercial <input checked="" type="checkbox"/> Legal <input type="checkbox"/> No zoning <input type="checkbox"/> Legal, non-conforming <input type="checkbox"/> Illegal
View: <input type="checkbox"/> Favorable <input checked="" type="checkbox"/> Typical <input type="checkbox"/> Less than Favorable	Covenants, Condition, & Restrictions <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown Documents Reviewed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Ground Rent \$ _____ /
Utilities	Off Site Improvements
Electric: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other Gas: <input type="checkbox"/> Public <input type="checkbox"/> Other Water: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other Sewer: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other	Street: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private Alley: <input type="checkbox"/> Public <input type="checkbox"/> Private Sidewalk: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private Street Lights: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private

Site description and characteristics: I was unable to find a plat recorded in the Orangeburg Register of Deeds. According to the property record card, the subject property is 0.50 Acres. I utilized a measuring tool on the Orangeburg County GIS and estimated the dimensions shown above. These dimensions calculate to a size of 21,506 square feet or 0.494 acres. I have utilized the size of 0.50 acres as shown on the property record card. If a subsequent survey indicates a different size, our land value estimate may need adjusting. According to the latest FEMA flood map 45075C0606C, dated January 16, 2014, the subject property is located in an AE flood zone. Properties in an AE zone typically are required to have flood insurance by lenders. A copy of the flood map is included in this report. The subject property is improved with a small house and a shed. The home is in poor condition. According to a representative with the estate, Ms. Rose Walsh, the home has been vacant for over 15 years. I did not enter the home because it was pad locked; however, the exterior condition was too far gone to have any value for the structure. It is the opinion of the appraiser that the structures do not contribute to the overall value.

HIGHEST AND BEST USE ANALYSIS

<input type="checkbox"/> Present Use <input type="checkbox"/> Proposed Use <input checked="" type="checkbox"/> Other:
Summary of highest and best use analysis: The subject property is zoned GC, General Commercial by the Town of Bowman. This zoning category allows both commercial and residential uses. There is not a huge demand for commercial uses as obvious by the two vacant stores, IGA and Family Dollar. Conversely, there are not many residential sales either. The highest and best use of the subject site is to hold until either a residential or commercial user can be identified.

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Client:	Moore & Van Allen	Client File #:	
Subject Property:	6613 Main Street	Appraisal File #:	18-122w

SITE VALUATION

Site Valuation Methodology

Sales Comparison Approach: A set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have been sold recently, then applying appropriate units of comparison and making adjustments to the sale prices of the comparables based on the elements of comparison. The sales comparison approach may be used to value improved properties, vacant land, or land being considered as though vacant; it is the most common and preferred method of land valuation when an adequate supply of comparable sales are available.

Market Extraction: A method of estimating land value in which the depreciated cost of the improvements on the improved property is estimated and deducted from the total sale price to arrive at an estimated sale price for the land; most effective when the improvements contribute little to the total sale price of the property.

Alternative Method: (Describe methodology and rationale)

Site Valuation

ITEM	SUBJECT	COMPARISON 1		COMPARISON 2		COMPARISON 3	
Address	6613 Main Street Bowman, SC 29018	7106 Main St Bowman, SC 29018		940 Jamaal Lane Bowman, SC 29018		Highway 210 Bowman, SC 29018	
Proximity to Subject		0.32 miles SE		1.96 miles W		2.63 miles SW	
Data Source/ Verification		Deed Reference 1737-215		MLS#16030288 Brandon Ray 499-1928		MLS#17022016 Hector Santiago 725-9327	
Sales Price	\$ Price/Acre		\$ 9,309		\$ 10,286		\$ 4,348
Price/ Overall	\$ Price Overall		\$ 6,330		\$ 18,000		\$ 4,000
Sale Date	N/A	3/28/2017		3/02/2018		2/09/2018	
Location	Bowman	Bowman		Bowman		Bowman	
Site Size	0.50 Acres	0.68 Ac	+651	1.75 Acres	+3,497	0.92 Acres	+696
Site View	Main St	Main St		Jamaal Ln		Hwy 210	
Site Improvements	Delapidated	None		Delapidated		None	
	Home	None		Home		None	
Zoning	GC	GC		FA		FA	
TMS#	0246-15-06- 002.000	0246-19-23 -003.000		0232-00-05 -044.000		0231-00-01 -008.000	
Net Adjustment		<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 651	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 3,497	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 696
Indicated Value		Net Adj. 7%		Net Adj. 34% 21		Net Adj. 16%	
		Gross Adj. 7%	\$ 9,960	Gross Adj. 34%	\$ 13,783	Gross Adj. 16%	\$ 5,044
Prior Transfer History	07/01/1985 \$5 Transfer	12/14/2015 \$540 - Tax Sale		01/24/2012 \$5 - Transfer		04/01/1985 \$5.00 Transfer	

Site Valuation Comments: I utilized five sales in this appraisal report. Sale 1 is a vacant site located on Main Street. It is zoned GC like the subject and is considered to be most comparable. Sale 2 is located just outside of Bowman town limits. It is improved with a 1,700 square foot home that is dilapidated like the subject. According to the agent, the improvements did not contribute to the overall value. Sale 4 is a vacant site also located just outside of the town limits.

Site Valuation Reconciliation: After adjustments, the five comparables have adjusted indications of \$9,960, \$13,783, \$5,044, \$8,133, and \$3,851 per acre. Sale 1 is the most comparable to the subject and is receiving most emphasis. The other four sales are utilized as support. Based on this data I can conclude that the value of the subject is \$10,000 per acre. **Consequently:**
0.50 Acres @ \$10,000/ACRE = \$5,000

Opinion of Site Value **\$ 5,000**

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Client:		Client File #:	
Subject Property:	6613 Main Street, Bowman, SC 29018	Appraisal File #:	18-122w

SITE VALUATION							
ITEM	SUBJECT	COMPARISON 4		COMPARISON 5		COMPARISON 6	
Address	6613 Main Street Bowman, SC 29018	Highway 178 Bowman, SC 29018		Vance Road Bowman, SC 29018			
Proximity to Subject		4.80 miles SE		1.88 miles E			
Data Source/ Verification		Deed Reference 1791-278		Deed Reference 1754-111			
Sales Price	\$ Price/Acre		\$ 6,612		\$ 2,985		\$
Price/ Overall	\$ Price Overall		\$ 8,000		\$ 6,000		\$
Sale Date	N/A	2/23/2018		7/24/2017			
Location	Bowman	Bowman		Bowman			
Site Size	0.50 Acres	1.21 Acres	+1,521	2.01 Acres	+866		
Site View	Main St	Hwy 178		Vance Rd			
Site Improvements	Delapidated	None		None			
	Home	None		None			
Zoning	GC	FA		FA			
TMS#	0246-15-06- 002.000	0270-00-07 -038.000		0256-00-05 -037.000			
Net Adjustment		<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 1,521	<input checked="" type="checkbox"/> + <input type="checkbox"/> -	\$ 866	<input type="checkbox"/> + <input type="checkbox"/> -	\$
Indicated Value		Net Adj. 23%		Net Adj. 29%		Net Adj. %	
		Gross Adj. 23%	\$ 8,133	Gross Adj. 29%	\$ 3,851	Gross Adj. %	\$
Prior Transfer History	07/01/1985 \$5 Transfer	10/10/2013 \$5 - Transfer		04/30/2009 \$1 - Transfer			
Site Valuation Comments: I was unable to speak with anyone regarding Sales 4 and 5. I verified the sales via public record and deed transfers. Sale 5 was purchased by the adjoining property owner.							

Client:	Moore & Van Allen	Client File #:	
Subject Property:	6613 Main Street	Appraisal File #:	18-122w

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is subject to the following assumptions and limiting conditions:

- This report is prepared using forms developed and copyrighted by the Appraisal Institute. However, the content, analyses, and opinions set forth in this report are the sole product of the appraiser. The Appraisal Institute is not liable for any of the content, analyses, or opinions set forth herein.
- No responsibility is assumed for matters legal in character or nature. No opinion is rendered as to title, which is assumed to be good and marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, having responsible ownership and competent management.
- I have examined the property described herein exclusively for the purposes of identification and description of the real property. The objective of our data collection is to develop an opinion of the highest and best use of the subject property and make meaningful comparisons in the valuation of the property. The appraiser's observations and reporting of the subject improvements are for the appraisal process and valuation purposes only and should not be considered as a warranty of any component of the property. This appraisal assumes (unless otherwise specifically stated) that the subject is structurally sound and all components are in working condition.
- I will not be required to give testimony or appear in court because of having made an appraisal of the property in question, unless specific arrangements to do so have been made in advance, or as otherwise required by law.
- I have noted in this appraisal report any significant adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) discovered during the data collection process in performing the appraisal. Unless otherwise stated in this appraisal report, I have no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and have assumed that there are no such conditions and make no guarantees or warranties, express or implied. I will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because I am not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable public and/or private sources that I believe to be true and correct.
- I will not disclose the contents of this appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and/or applicable federal, state or local laws.
- The Client is the party or parties who engage an appraiser (by employment contract) in a specific assignment. A party receiving a copy of this report from the client does not, as a consequence, become a party to the appraiser-client relationship. Any person who receives a copy of this appraisal report as a consequence of disclosure requirements that apply to an appraiser's client, does not become an intended user of this report unless the client specifically identified them at the time of the assignment. The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.
- If this valuation conclusion is subject to satisfactory completion, repairs, or alterations, it is assumed that the improvements will be completed competently and without significant deviation.

VALUE DEFINITION

Market Value Definition (below)

Alternate Value Definition (attached)

MARKET VALUE is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: *The Dictionary of Real Estate Appraisal*, 5th ed., Appraisal Institute

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January 2013

Client:	Moore & Van Allen	Client File #:	
Subject Property:	6613 Main Street	Appraisal File #:	18-122w

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analysis, opinions, and conclusions are limited only by the report assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions.
- I have no present (unless specified below) or prospective interest in the property that is the subject of this report, and I have no (unless specified below) personal interest with respect to the parties involved.
- I have no bias with respect to any property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- Individuals who have provided significant real property appraisal assistance are named below. The specific tasks performed by those named are outlined in the Scope of Work section of this report.

None Name(s)

As previously identified in the Scope of Work section of this report, the signer(s) of this report certify to the inspection of the property that is the subject of this report as follows:

Property Inspected by Appraiser Yes No

Property Inspected by Co-Appraiser Yes No

- Services provided, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment: None Specify services provided:

ADDITIONAL CERTIFICATION FOR APPRAISAL INSTITUTE MEMBERS, CANDIDATES AND PRACTICING AFFILIATES

Appraisal Institute Designated Member, Candidate, or Practicing Affiliate Certify:

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this report, I have completed the continuing education program for Designated members of the Appraisal Institute.

APPRAISERS SIGNATURES

APPRAISER:

Signature Andrew B. Wilkins

Name Andrew B. Wilkins, MAI

ReportDate March 15, 2018

Trainee Licensed CertifiedResidential CertifiedGeneral

License# GC 4333 State SC

ExpirationDate 6/30/2018

CO-APPRAISER:

Signature _____

Name _____

ReportDate _____

Trainee Licensed CertifiedResidential CertifiedGeneral

License# _____ State _____

ExpirationDate _____

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January 2013

PHOTOGRAPH ADDENDUM

Borrower or Owner

Property Address 6613 Main Street

City Bowman

County Orangeburg

State SC

Zip Code 29018

Client Moore & Van Allen



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**



**STREET SCENE OF
SUBJECT PROPERTY**

R. App. 000285

PHOTOGRAPH ADDENDUM

Borrower or Owner

Property Address 6613 Main Street

City Bowman

County Orangeburg

State SC

Zip Code 29018

Client Moore & Van Allen



Main Street



Another Front View



Side View

R. App. 000286

PHOTOGRAPH ADDENDUM

Borrower or Owner

Property Address 6613 Main Street

City Bowman

County Orangeburg

State SC

Zip Code 29018

Client Moore & Van Allen



Porch



Building



Rear Yard

R. App. 000287

GIS MAP

Borrower or Owner

Property Address 6613 Main Street

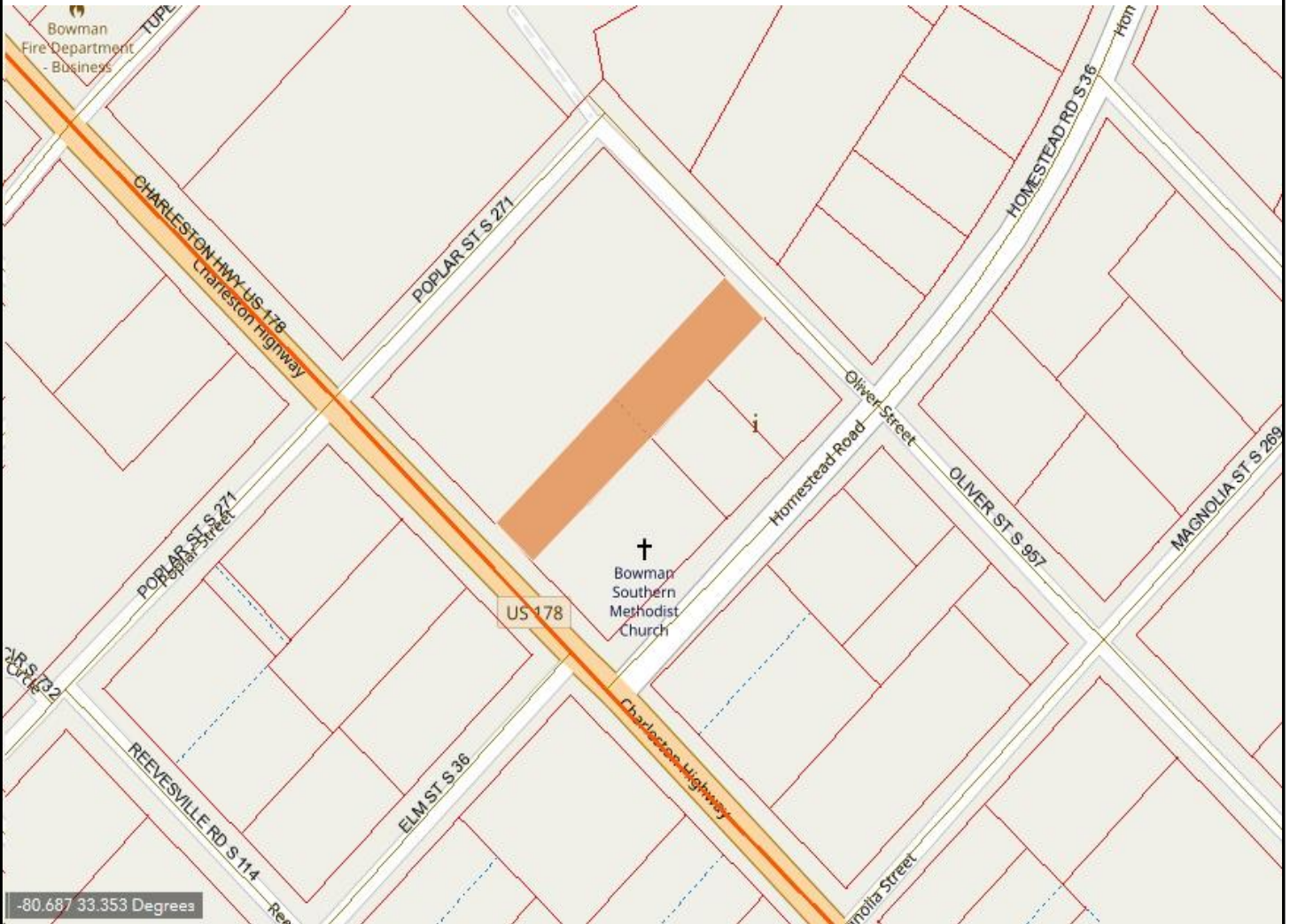
City Bowman

County Orangeburg

State SC

Zip Code 29018

Client Moore & Van Allen



FLOOD MAP

Borrower or Owner			
Property Address 6613 Main Street			
City	Bowman	County	Orangeburg
State	SC	Zip Code	29018
Client Moore & Van Allen			

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, X, AE</i>
		With BFE or Depth
		Regulatory Floodway <i>Zone VE, AH, AO, VE, AH</i>
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone I</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone II</i>
		Area with Reduced Flood Risk due to Levees. See Notes. <i>Zone L</i>
		Area with Flood Risk due to Levees <i>Zone M</i>
OTHER AREAS		Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
		Area of Undetermined Flood Hazard <i>Zone U</i>
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline Profile Baseline Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



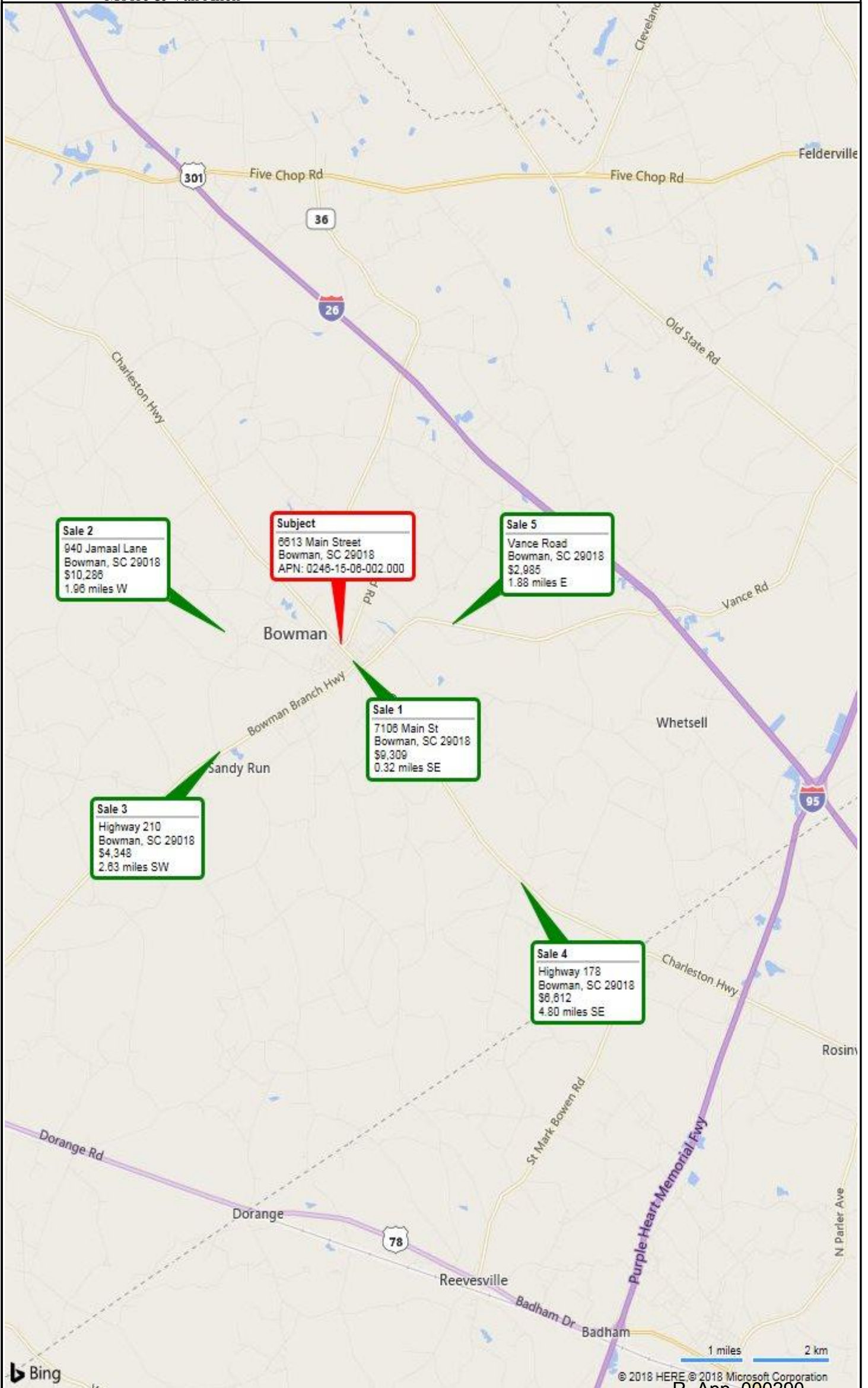
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/27/2018 at 11:04:01 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Location Map

Borrower or Owner
 Property Address **6613 Main Street**
 City **Bowman** County **Orangeburg** State **SC** Zip Code **29018**
 Client **Moore & Van Allen**



DISCLOSURE ADDENDUM

Borrower or Owner

Property Address 6613 Main Street

City Bowman

County Orangeburg

State SC

Zip Code 29018

Lender or Client Moore & Van Allen

DEFINITION OF INSPECTION:

The term "Inspection", as used in this report, is not the same level of inspection that is required for a "Professional Home Inspection". The appraiser does not fully inspect the electrical system, plumbing system, mechanical systems, foundation system, floor structure, or subfloor. The appraiser is not an expert in construction materials and the purpose of the appraisal is to make an economic evaluation of the subject property. If the client needs a more detailed inspection of the property, a home inspection, by a Professional Home Inspector, is suggested.

DIGITAL SIGNATURES:

The signature(s) affixed to this report, and certification, were applied by the original appraiser(s) or supervisory appraiser and represent their acknowledgements of the facts, opinions and conclusions found in the report. Each appraiser(s) applied his or her signature electronically using a password encrypted method. Hence these signatures have more safeguards and carry the same validity as the individual's hand applied signature. If the report has a hand-applied signature, this comment does not apply.

APPRAISER:

Signature: Andrew B. WilkinsName: Andrew B. Wilkins, MAIDate Signed: April 2, 2018State Certification #: GC 4333

or State License #: _____

State: SCExpiration Date of Certification or License: 6/30/2018

SUPERVISORY APPRAISER (ONLY IF REQUIRED):

Signature: _____

Name: _____

Date Signed: _____

State Certification #: _____

or State License #: _____

State: _____

Expiration Date of Certification or License: _____

 Did Did Not Inspect Property

R. App. 000291

USPAP Compliance Addendum

File No. 18-122w

Borrower/Client			
Property Address 6613 Main Street			
City Bowman	County Orangeburg	State SC	Zip Code 29018
Lender/Client Moore & Van Allen			

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- Appraisal Report** This report was prepared in accordance with the requirements of the Appraisal Report option of USPAP Standards Rule 2-2(a).
- Restricted Appraisal Report** This report was prepared in accordance with the requirements of the Restricted Appraisal Report option of USPAP Standards Rule 2-2(b). The intended user of this report is limited to the identified client. This is a Restricted Appraisal Report and the rationale for how the appraiser arrived at the opinions and conclusions set forth in the report may not be understood properly without the additional information in the appraiser's workfile.

ADDITIONAL CERTIFICATIONS

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The report analyses, opinions, and conclusions are limited only by the reported assumptions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or specified) personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- This appraisal report was prepared in accordance with the requirements of Title XI of FIRREA and any implementing regulations.

PRIOR SERVICES

- I have **NOT** performed services, as an appraiser or in any other capacity, regarding the property that is the subject of the report within the three-year period immediately preceding acceptance of this assignment.
- I **HAVE** performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

PROPERTY INSPECTION

- I have **NOT** made a personal inspection of the property that is the subject of this report.
- I **HAVE** made a personal inspection of the property that is the subject of this report.

APPRAISAL ASSISTANCE

Unless otherwise noted, no one provided significant real property appraisal assistance to the person signing this certification. If anyone did provide significant assistance, they are hereby identified along with a summary of the extent of the assistance provided in the report.

None

ADDITIONAL COMMENTS

Additional USPAP related issues requiring disclosure and/or any state mandated requirements: **-My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.-The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.-The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.**

-As of the date of this report, I have completed the continuing education program for Designated members of the Appraisal Institute.

MARKETING TIME AND EXPOSURE TIME FOR THE SUBJECT PROPERTY

- A reasonable marketing time for the subject property is _____ day(s) utilizing market conditions pertinent to the appraisal assignment.
- A reasonable exposure time for the subject property is **6-18 Mo.** day(s).

APPRAISER	SUPERVISORY APPRAISER (ONLY IF REQUIRED)
------------------	---

Signature <u>Andrew B. Wilkins</u> Name <u>Andrew B. Wilkins, MAI</u> Date of Signature <u>April 2, 2018</u> State Certification # <u>GC 4333</u> or State License # _____ State <u>SC</u> Expiration Date of Certification or License <u>6/30/2018</u> Effective Date of Appraisal <u>March 15, 2018</u>	Signature _____ Name _____ Date of Signature _____ State Certification # _____ or State License # _____ State _____ Expiration Date of Certification or License _____ Supervisory Appraiser Inspection of Subject Property: <input type="checkbox"/> Did Not <input type="checkbox"/> Exterior-only from Street <input type="checkbox"/> Interior and Exterior
--	--

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
IN THE MATTER OF: THE ESTATE OF
ANNIE MAE CROSBY

JESSIE FRED CROSBY,
PETITIONER,

vs.

ROSE CROSBY WALSH,
INDIVIDUALLY, AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ANNIE MAE CROSBY,

RESPONDENT.

IN THE PROBATE COURT
CASE NO. 2016-ES-10-2054

18 MAY 23 AM 9:48
COURT OF PROBATE

Petitioner's
Motion To Compel and For Removal of
the Personal Representative

TO: Respondent and her attorney:

YOU WILL PLEASE TAKE NOTICE that the Petitioner, by and through his undersigned attorney, will move before the Presiding Judge for the Probate Court, Charleston County, Charleston County Court House, 100 Broad Street, Charleston, South Carolina, on the tenth (10th) day after service thereof, or as soon as this matter may be heard, for an Order of this Honorable Court requiring the Respondent deed the vacant land on Mill Street bearing tax map number 385-10-00-018 to Petitioner Jessie Fred Crosby and for an Order of this Court Removing Rose Walsh as Personal Representative. That Counsel for the Petitioner has consulted with the Respondent's Counsel, and he is informed that this matter could not be resolved.

The grounds for this Motion To Compel are as follows:

1. That on or about April 15, 2009, the Decedent, Annie Mae Crosby executed a Last Will and Testament (Exhibit A).
2. That on page two, ITEM II, of the Decedent's Last Will and Testament, the Decedent bequests the vacant land on Mill Street bearing tax map number 385-10-00-018 to Petitioner Jessie Fred Crosby.
3. That on or about November 29, 2016, Annie Mae Crosby died.

4. That on January 26, 2017, the Court appointed Rose Crosby Walsh as Personal Representative of the Decedent's Estate.
5. That on April 25, 2018, counsel for Petitioner requested that Respondent immediately deed the Mills Street to Jessie Crosby. (Exhibit B).
6. That on May 15, 2018, counsel for Petitioner again requested that Respondent immediately deed the Mills Street property to Jessie Crosby. (Exhibit C).
7. That on May 18, 2018, counsel for Respondent denied Petitioner's request (Exhibit D).
8. That on May 18, 2018, counsel for Respondent forwarded an email to all attorneys of record with this Court's Order of May 16, 2018 in which Respondent's counsel requested that the bidding for 3283 Von Oshen Road begin immediately (Exhibit E).
9. That on May 21, 2018, at approximately 9:18 am, counsel for Petitioner again requested that the Mill Street Property be deed immediately to Jessie Crosby per the Decedent's Last Will and Testament so that Petitioner could use this property as collateral in the bidding process for 3283 Von Oshen (Exhibit F).
10. That at the dates of these requests by Petitioner, the Creditor's Claim period had run and there are approximately \$300,000.00 in cash remaining in the estate.
11. That on May 21, 2018 at approximately 1:12 pm, individual counsel for Respondent began the bidding process for 3283 Von Oshen (Exhibit G).
12. That on May 21, 2018 at approximately 2:55 pm, counsel for Respondent again denied Petitioner's request to immediately deed the Mill Street property without any legal explanation (Exhibit H).

The grounds for this Motion For Removal of the Personal Representative are as follows:

13. That Petitioner would restate paragraphs 1-12 verbatim.
14. That counsel for Petitioner sent numerous emails to Respondent's counsel about establishing a start date for the bidding process and received no response.
15. That Respondent began the bidding process for 3238 Von Oshen knowing that Petitioner would be at a financial disadvantage.

16. That pursuant to section 62-3-713 of the South Carolina Probate Code, the Respondent has breached her fiduciary duty by failing to deed the Mill Street property to Petitioner Jessie Crosby for her own personal gain.

WHEREFORE, Petitioner would respectfully request an Order from this Honorable Court that ordering:

1. Requiring Respondent to deed the vacant land on Mill Street bearing tax map number 385-10-00-018 to Petitioner Jessie Fred Crosby immediately;
2. Removing Petitioner as Personal Representative immediately;
3. And for attorney fees and costs to Petitioner's counsel regarding this action.

Respectfully submitted,



David L. Michel, Esquire
Attorney for Jessie Fred Crosby
192 East Bay Street, Suite 202
Charleston, SC 29401
(843) 722-0020
David@Michellawoffice.com

Charleston, South Carolina

5/23, 2018

18 MAY 23 AM 9:48

CHARGE OF COURT

Case #: 2016 ES10-02054

File #: 12-15-16

LAST WILL AND TESTAMENT
OF
ANNIE MAE CROSBY

Exhibit A

LAST WILL AND TESTAMENT
OF
ANNIE MAE CROSBY

Introductory Clause. I, ANNIE MAE CROSBY, a resident of and domiciled in the State of South Carolina, County of Charleston, being of sound and disposing mind and memory and over the age of twenty-one (21) do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils at any time heretofore made by me. At the time of the execution of this will I am widowed and have four (4) children; namely Rose Mae Crosby Walsh, Jessie Fred Crosby, Robert Edward Crosby, Jr. and Kelvin Wayne Crosby

ITEM I

General Bequest of Personal and Household Effects With a Mandatory Memorandum. I give and bequeath all my personal and household effects of every kind including but not limited to furniture, appliances, furnishings, pictures, silverware, china, glass, books, jewelry, wearing apparel, automobiles, and other vehicles, and all policies of fire, burglary, property damage, and other insurance on or in connection with the use of this property, as follows:

- I may leave written memoranda disposing of certain items of my tangible personal property. Any such item of tangible personal property shall pass according to the terms of such memoranda in existence at the time of my death. If no such written memoranda is found or identified by my Personal Representative within ninety (90) days after my Personal Representative's qualification, it shall be conclusively presumed that there is no such memorandum and any subsequently discovered memoranda shall be ineffective. Any property given and devised to a beneficiary who is not living at the time of my death and for whom no effective alternate provision has been made shall pass according to the provisions of the following paragraph, and not pursuant to any anti-lapse statute.
- In default of such memoranda, I give and bequeath all of my personal property to be distributed as follows:

1. My 1993 Pontiac to my daughter, Rose Mae Crosby Walsh.
2. All other personal property to be divided equally amongst my four children, share and share alike.

ITEM II

General Bequest of Real Property. I give and bequeath any real property I may own at the time of my death as follows:

1. The rental property at 3329 Von Oshen Road bearing tax map numbers 388-00-00-107, to my daughter, Rose Mae Crosby Walsh.
2. The vacant land on Mill Street bearing tax map number 385-10-00-018 to my son, Jessie Fred Crosby.
3. All other property I currently or may hereinafter acquire shall be shared equally by my four children. This includes but is not limited to the following:

ITEM III

Outright Gift of Rest of Property. I give, devise and bequeath all the rest, residue and remainder of my property of every kind and description (including lapsed legacies and devises) wherever situate and whether acquired before or after the execution of this Will, to my four children to be divided equally. Should any of my children predecease me, their children shall take their respective share.

ITEM IV

Naming the Personal Representative, Personal Representative Succession, Personal Representative's Fees and Other Matters. The provisions for naming the Personal Representative, Personal Representative succession, Personal Representative's fees and other matters are set forth below:

Naming an Individual Personal Representative. I hereby nominate, constitute and appoint as Personal Representative of this my Last Will and Testament Rose Mae Crosby Walsh and direct that she shall serve without bond.

Naming Individual Successor or Substitute Personal Representative. If Rose Mae Crosby Walsh shall fail to qualify as Personal Representative hereunder, or for any reason should cease to act in such capacity, the successor or substitute Personal Representative who shall also serve without bond shall be Tiffany N. Provence of Provence Messervy, LLC.

Fee Schedule for Individual Personal Representative. For its services as Personal Representative, the individual Personal Representative shall receive compensation as allowed by South Carolina law for the services rendered and reimbursement for reasonable expenses.

ITEM V

Powers for Personal Representative. By way of illustration and not of limitation and in addition to any inherent, implied or statutory powers granted to Personal Representatives generally, my Personal Representative is specifically authorized and empowered with respect to any property, real or personal, at any time held under any provision of this my Will: to allot, allocate between principal and income, assign, borrow, buy, care for, collect, compromise claims, contract with respect to, continue any business of mine, convey, convert, deal with, dispose of, enter into, exchange, hold, improve, incorporate any business of mine, invest, lease, manage, mortgage, grant and exercise options with respect to, take possession of, pledge, receive, release, repair, sell, sue for, to make distributions or divisions in cash or in kind or partly in each without regard to the income tax basis of such asset, and in general, to exercise all the powers in the management of my Estate which any individual could exercise in the management of similar property owned in his or her own right, upon such terms and conditions as to my Personal Representative may seem best, and to execute and deliver any and all instruments and to do all acts which my Personal Representative may deem proper or necessary to carry out the purposes of this my Will, without being limited in any way by the specific grants of power made, and without the necessity of a court order.

ITEM VI

Testimonium, Attestation and Self-Proving Affidavit. I, Annie Mae Crosby, the Testator, sign my name to this instrument this 15th day of April, 2009 and being first duly sworn, do hereby

declare to the undersigned authority that I sign and execute this instrument as my last will and that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Annie Mae Crosby
Annie Mae Crosby

We, Tabatha R. Hodge and Carol A. Robertson, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as her last will and that she signs it willingly (or willingly directs another to sign for her), and that each of us, in the presence and hearing of the Testator, and in the presence of each other, hereby signs this will as witness to the Testator's signing, and that to the best of our knowledge the Testator is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Tabatha R. Hodge
Witness

109 Greenbay St. Waterboro, SC
Address

Carol A. Robertson
Witness

109 Steeple Point Ct. Summerville, SC.
Address

The State of South Carolina

County of Charleston

Subscribed, sworn to, and acknowledged before me by the Testator, and subscribed and sworn to before me by Tabatha R. Hodge, witness, this 15th day of April, 2009.

J. Provence (Seal)
Notary Public for South Carolina
My Commission Expires: 9-22-2018

Subject: Estate of Crosby - settlement discussions
From: david michel (david@michellawoffice.com)
To: akrussell@mvalaw.com;
Cc: dennis@oneilllawfirm.com;
Date: Wednesday, April 25, 2018 2:06 PM

18 MAY 23 AM 9:48

PROPERTY

Redacted Email

At this time, I would request that your client deed the property given to Jessie via the Will within the next 15 days. This property is not in dispute.

Thanks.

David L. Michel
192 East Bay Street, Suite 202
Charleston, SC 29401
(843) 722-0020
David@Michellawoffice.com

This communication may be attorney-client privileged or otherwise confidential. If you are not the intended recipient, please delete this message and notify the sender of this error.

Exhibit B

From: david michel [mailto:david@michellawoffice.com]
Sent: 05/15/2018 9:44 AM
To: Anne Kelley Russell
Subject: Estate of Crosby - Mill Street Property

FILED
18 MAY 23 AM 9:48
CLERK OF COURT
CHARLESTON COUNTY

Anne Kelley,
Good morning. I hope you are feeling better.

Can you please provide me an update on having the Mill Street property deeded to my client Jessie Crosby per the Last Will and Testament. Again, I would request that this be done prior to the bidding process regarding 3283 V/O. If you believe this will not be done prior to the bidding, please let me know so I can file a Motion with the Court.

Thanks,
David
David L. Michel
192 East Bay Street, Suite 202
Charleston, SC 29401
(843) 722-0020
David@Michellawoffice.com

This communication may be attorney-client privileged or otherwise confidential. If you are not the intended recipient, please delete this message and notify the sender of this error.

Exhibit C

From: Anne Kelley Russell <akrussell@mvalaw.com>
To: david michel <david@michellawoffice.com>
Cc: "shelly@scelderlaw.com" <shelly@scelderlaw.com>
Sent: Friday, May 18, 2018 3:19 PM
Subject: RE: Estate of Crosby - Mill Street Property

18 MAY 23 AM 9:49

CHARLESTON COUNTY

David,

Thank you for your request. Shelly and I have discussed this request with Rose. We have both advised, and Rose agrees, that she cannot make a distribution to only Jessie at this time. We would prefer that the remaining outstanding issues of the estate be resolved before further distributions are made from the estate.

We trust you understand this.

Have a great weekend,

Anne Kelley Russell
Attorney at Law
T 843.579.7095
F 843.579.8737
annekrussell@mvalaw.com

Exhibit D

Subject: Crosby order

From: Anne Kelley Russell (akrussell@mvalaw.com)

To: david@michellawoffice.com; dennis@oneilllawfirm.com; greggmeyers@piercesloan.com;

Cc: shelly@scelderlaw.com;

Date: Friday, May 18, 2018 3:17 PM

FILED
 18 MAY 23 AM 9:49
 CHARLESTON COUNTY

All,

Attached please find the signed order that we just picked up from the court. It is my understanding that they mailed this to each of the attorneys earlier this week but I have not yet received it.

I suggest that bidding begin on 3283 V.O. as soon as possible.

My best regards,

Anne Kelley

Anne Kelley Russell

Attorney at Law
 T 843.579.7095
 F 843.579.8737
annekrussell@mvalaw.com

Moore&VanAllen

78 Wentworth Street
 Charleston, SC 29401
 843.579.7000
www.mvalaw.com



Exhibit E

----- Forwarded Message -----

From: david michel <david@michellawoffice.com>

To: Anne Kelley Russell <akrussell@mvalaw.com>

Cc: "shelly@scelderlaw.com" <shelly@scelderlaw.com>; Dennis O'Neill <dennis@oneilllawfirm.com>; Gregg Meyers <greggmeyers@piercesloan.com>

Sent: Monday, May 21, 2018 9:18 AM

Subject: Re: Estate of Crosby - Mill Street Property

18 MAY 23 AM 9:49

SHARPE COUNTY

Anne Kelley,

Pursuant to Rule 11 of the SC Rules of Civil Procedure, I will file a Motion to Compel with the Probate Court if your client does not agree to deed the Mill Street Property to Jessie Crosby immediately. If I do not have a reply from you by 4 pm today, I have been instructed by my client to proceed with filing a Motion this week.

Per Rule 11, there are good grounds to support the Motion to Compel and it is not interposed for delay. This email meets the requirement that I have communicated with you prior to filing such Motion and I have attempted in good faith to resolve the issue. I made this request on behalf of my client on April 25, 2018.

The Motion to Compel will request that the Mill Street Property be deeded to Jessie Crosby immediately, that the Court stay any bidding process on the real property until such property is deed to Jessie, and that Rose Crosby Walsh be removed as PR immediately for obstructing Mr. Crosby's ability to fully participate in the bidding process. The Motion will show that Mrs. Walsh has a personal gain by refusing to deed said property to Mr. Crosby and that there are no impediments to this transfer (creditor's period has run, there is over \$300,000 in cash remaining in the estate, there is approximately \$300,000 plus in real property, and this was a specific devise).

Thank you and I look forward to hearing from you by 4 pm today.

David L. Michel
192 East Bay Street, Suite 202
Charleston, SC 29401
(843) 722-0020

David@Michellawoffice.com

This communication may be attorney-client privileged or otherwise confidential. If you are not the intended recipient, please delete this message and notify the sender of this error.

Exhibit F

On Monday, May 21, 2018, 1:12 PM, Gregg Meyers
<greggmeyers@piercesloan.com> wrote:

FILED
18 MAY 23 AM 9:49
SUPERIOR COURT
CHARLESTON COUNTY

Counsel:

Pursuant to last week's order, my client has opened the bidding process on 3283 Von Ohlsen Road and hereby submits a bid of \$250,000.

It is 12:12 pm on Monday, May 21.

Gregg

Exhibit G

Subject: RE: Estate of Crosby - Mill Street Property
From: Anne Kelley Russell (akrussell@mvalaw.com)
To: david@michellawoffice.com;
Cc: shelly@scelderlaw.com; dennis@oneilllawfirm.com; greggmeyers@piercesloan.com; kristywatts@mvalaw.com;
Date: Monday, May 21, 2018 2:55 PM

18 MAY 23 AM 9:49

Dear David,

Shelly and I have received and reviewed your email in full. At this time, Rose in her capacity as Personal Representative is pressing forward with accomplishing the tasks that she is authorized to perform under the Court Order dated May 16, 2018, as follows:

1. Selling 3283 Von Ohsen Road. It appears that the bidding process has begun.
2. Selling the Cottageville Acreage. The closing for this property is set for on or around June 4, 2018.
3. Selling 3303 Von Ohsen Road. The closing for this property is scheduled for on or around June 1, 2018.
4. Selling 6613 Main Street to Jessie. Our goal is to make this distribution happen by May 31, 2018.
5. Making duplicates of all family pictures and providing them to each beneficiary. Our goal is to get CDs to all beneficiaries by May 31, 2018.
6. Distributing the remaining personal property at the Decedent's residence. It appears that beneficiaries' counsel has begun an initial conversation as to how to distribute the personal property.

Once these items have been handled, Rose will be in a better position to determine outstanding issues and begin making final distribution of the estate assets to the beneficiaries in accordance with the Will.

My best,

Anne Kelley

Exhibit H

Anne Kelley Russell

Attorney at Law
t 843.579.7095
f 843.579.8737
annekrussell@mvalaw.com

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

FILED
18 JUN 20 PM 6:15
CLERK OF COURT
CHARLESTON COUNTY

IN THE PROBATE COURT
CASE NO. 2016-ES-10-2054

IN THE MATTER OF: THE ESTATE OF
ANNIE MAE CROSBY

JESSIE FRED CROSBY AND ROBERT
EDWARD CROSBY,

PETITIONERS,

vs.

ROSE CROSBY WALSH,
INDIVIDUALLY, AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ANNIE MAE CROSBY, AND KELVIN
WAYNE CROSBY,

RESPONDENTS.

Petition To Enforce Sale and
Petition To Remove the Personal
Representative

THE Petitioner ABOVE NAMED, through their undersigned counsel, complaining of the Respondent Walsh herein, alleges and would show unto this Honorable Court as follows:

1. This case involves a conversion, secretion and misappropriation of funds and real property by the Respondent Walsh for amounts in excess of \$100,000 in value, plus special damages, consequential damages, lost profits, prejudgment interest, punitive damages, attorneys' fees, additional taxes, and all other assessments and damages allowed by law.

2. This Honorable Court has jurisdiction over the estates of decedents and trusts, and therefore, venue and jurisdiction is proper in the Probate Court of Charleston County.

3. This Complaint is brought pursuant, *inter alia*, to the provisions of South Carolina Probate Code Sections 62-3-608, 62-3-611, 62-3-619, 62-3-620, 62-8-103, 62-8-104, 62-8-107, 62-8-114, 62-8-116, 62-8-117, 62-8-123, 62-8-201, 62-8-2014 and any other applicable law of South Carolina.

4. That Annie Mae Crosby (the Decedent), a resident of Charleston County, South Carolina, died on November 29, 2016.

5. That Petitioners Jessie Fred Crosby and Robert Edward Crosby are sons of the Decedent, beneficiaries of the estate, and residents South Carolina.

6. That Respondent Walsh is a resident South Carolina, the daughter of the Decedent, a beneficiary of the estate, and was appointed on January 26, 2017 to serve as Personal Representative.

7. That Respondent Kelvin Crosby is a son of the Decedent, a beneficiary of the estate and resident of North Carolina.

Petition To Enforce Sale

8. That on April 12, 2018, Respondent Walsh filed an Amended Petition to Approve Sale of Real Estate.

9. That on April 23, 2018 this matter was before the Court for a Hearing.

10. That on May 16, 2018, this Honorable Court issued an Order approving the Sale of Real Estate.

11. That on May 30, 2018, Petitioner Jessie Crosby was the highest bidder at \$312,000 for the 3283 Von Oshen Road property.

12. That on Monday, June 11, 2018 Petitioner Jessie Crosby delivered to attorney Shelly All a hand written note that he was using his \$75,000.00 credit and would be buying the property with his brother Robert Crosby (Exhibit 1). Petitioner also delivered a check in the amount of \$3,000.00 (Exhibit 1).

13. That on Monday, June 11, 2018, Petitioner Robert Crosby had delivered to

attorney Shell All a hand written note that he was buying the property with his brother Jessie Crosby (Exhibit 1). Petitioner Robert Crosby also delivered two separate checks totaling \$78,000.00 (Exhibit 1).

14. That Petitioners did deliver \$81,000.00 in cash to attorney All within the 10 day period required by the May 16, 2018 Order along with \$75,000.00 in credit to Jessie Crosby.

15. That Respondent Kelvin Crosby, through his attorney, agreed to accept the \$78,000.00 from Jessie and Bobby Crosby.

16. That on June 11, 2018, while attorney Michel is out of town on a family vacation, attorney for Respondent Walsh sends an email that her client “finds” that Petitioner Jessie Crosby has not complied with the May 16, 2018 Order (Exhibit 2) .

17. That on June 15, 2018, attorney for Respondent Walsh sends an email that Respondent Walsh initiated the process of deeding said property in her name even though Petitioners had previously filed a Motion To Compel and Motion To Remove the Personal Representative on May 23, 2018. (Exhibit 3).

18. That on June 20, 2018, attorney for Respondent Walsh sends distribution checks to attorney Michel regarding said property even though the Motion to Compel and Motion To Remove the Personal Representative has not been heard (set for July 11, 2018).

Petition To Remove

19. That Petitioners would re-allege and reiterate each and every prior allegation in paragraphs 1-18.

20. That Respondent Walsh continued to act in a method of self-dealing even after Petitioners filed a Motion To Compel and Motion To Remove on May 23, 2018.

21. That Respondent Walsh began the bidding process for 3238 Von Oshen Road knowing that Petitioner Jessie Crosby would be at a financial disadvantage because of her failure to deed the Mill Street Property to Petitioner Jessie Crosby.

22. That Respondent Walsh denied Respondent Robert Crosby's request to pledge his \$75,000.00 in credit towards Jessie Crosby's purchase of said property (Exhibit 4).

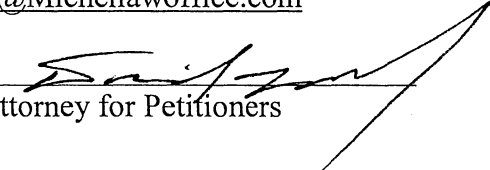
23. That Respondent Walsh is now trying to purchase the property for \$171,000 which is \$141,000 less to the estate and the beneficiaries (Exhibit 5).

24. That Respondent Walsh is in direct violation of Sections 62-3-713, 62-3-607, and 62-3-611 of the South Carolina Probate Code as amended.

WHEREFORE, Petitioners pray that a judgement be rendered against the Respondent Walsh for:

- (1) All actual, special, consequential, punitive and all other damages allowed by law;
- (2) A declaration of constructive trust and restitution as allowed in equity and an Order placing the property at 3283 Von Oshen Road in a constructive trust until all pending matters have been resolved;
- (3) An Order of this Court restraining Respondent Walsh in accordance with sections 62-3-607 and 62-3-611 of the South Carolina Probate Code; and
- (4) All other relief as determined by this Honorable Court.

David L. Michel, Esquire
192 E. Bay Street, Ste. 202
Charleston, SC 29401
Phone: 843-722-0020
Fax: 843-278-9177
SC Bar No. 13578
David@Michellawoffice.com

BY: 
Attorney for Petitioners

6/20, 2018

FILED
18 JUN 20 PM 4:15
CLERK OF COURT
CHARLESTON COUNTY

Exhibit 1

3 pages

Jessie and I are paying to the estate of Annie Mae Crosby a cashiers check in the amount of \$3,000.00 plus using my credit in the estate of \$75,000.00 which totals 78,000.00 to pay 1 of the heirs of the estate.

Jessie L. Crosby
6-11-2018

0443276 Office All #	11.04 11/08/18	CASHIER'S CHECK	6837602693
Receiver: JESSIE F CROSBY Company I.D.: 0421366			
PAY TO THE ORDER OF	***ESTATE ANNIE MAE CROSBY***		June 11, 2018
	Three thousand dollars and no cents		**\$3,000.00**
Payee Address Memo: PURCHASE OF 2225 FOR ORDER			
WELLS FARGO BANK, N.A. 400 N MAIN ST SILVER SPRING, MD 20910 FOR WELLS FARGO CALL (800) 291-3700			VOID IF OVER L.S. 3.30016 Richard Levy CONTROLLER
⑈6837602693⑈ ⑈112100024804881009088⑈			

I Robert E Crosby Jr. am paying
\$10,000 to the estate of Anne Mae
Crosby to pay off one of the heirs
of the estate because Jessie Fred
Crosby and I am purchasing 3283
Van Buren Rd. Summerville, S.C.
together

signed Robert E Crosby Jr 6/11/20
being delivered by Jessie Fred Crosby

RECEIPT

No. 782849

DATE 6/11/18

FROM JESSE F. CROSBY

\$ 3,000.⁰⁰

Cashier's check # 6837602693 to the _____ DOLLARS

FOR RENT ESTATE OF ANNIE MAE CROSBY.

FOR _____

ACCT.	
PAID	<u>3,000.⁰⁰</u>
DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM Cynthia P. Youngman
TO
Christensen & All, P.A.
BY

RECEIPT

No. 782850

DATE 6/11/18

FROM ROBERT E. CROSBY, JR.

\$ 75,000.⁰⁰

Cashier's check # 6837602875 to the _____ DOLLARS

FOR RENT ESTATE OF ANNIE MAE CROSBY.

FOR _____

ACCT.	
PAID	<u>75,000.⁰⁰</u>
DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM Cynthia P. Youngman
TO
Christensen & All, P.A.
BY

RECEIPT

No. 782851

DATE 6/11/18

FROM ROBERT E. CROSBY, JR.

\$ 3,000.⁰⁰

Cashier's check # 6837602694 to the _____ DOLLARS

FOR RENT ESTATE OF ANNIE MAE CROSBY.

FOR _____

ACCT.	
PAID	<u>3,000.⁰⁰</u>
DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM Cynthia P. Youngman
TO
Christensen & All, P.A.
BY

FILED

18 JUN 20 PM 4:16

CLERK OF DISTRICT COURT
CHESAPEAKE COUNTY

Exhibit 2

2 pages

Subject: RE: Estate of Annie Mae Crosby
From: Anne Kelley Russell (akrussell@mvalaw.com)
To: greggmeyers@piercesloan.com; shelly@scelderlaw.com; david@michellawoffice.com;
dennis@oneilllawfirm.com;
Date: Monday, June 11, 2018 2:49 PM

As all parties are aware, Paragraph A(f) of the Consent Order dated May 16, 2018 (the "Order") is clear that "[t]he person submitting the highest bid to purchase 3283 Von Ohlsen Road must pay to the Personal Representative of the Decedent's Estate a sum equal to seventy-five percent (75%) of the highest bid within ten (10) days of making the final bid" and that "[t]he highest bidder may only assign up to \$75,000 of his or her expected share of the estate to the purchase".

On Monday, June 11, 2018 prior to 2:04 p.m., the Personal Representative received the following from Jessie Fred Crosby ("Jessie"):

1. Note from Robert E. Crosby, Jr. ("Bobby") stating that he is paying \$78,000 to the Estate of Annie Mae Crosby "to pay off one of the heirs of the estate because Jessie Fred Crosby and I am purchasing 3283 Von Ohlsen Road, Summerville, S.C. together";
2. Cashier's Check in the amount of \$75,000.00 remitted by Bobby;
3. Note from Bobby stating that he is paying \$3,000 to the Estate of Annie Mae Crosby and "I am using my \$75,000.00 in credit to pay off one of the heirs, because Jessie Fred Crosby and I am purchasing 3283 Von Ohlsen Rd. together";
4. Cashier's Check in the amount of \$3,000.00 remitted by Bobby;
5. Note from Jessie stating that he is paying \$3,000 to the Estate of Annie Mae Crosby plus "using my credit in the estate of \$75,000.00 which totals \$78,000.00 to pay 1 of the heirs of the estate; and
6. Cashier's Check in the amount of \$3,000.00 remitted by Jessie F. Crosby.

The Personal Representative finds that Jessie has not complied with the terms of the Consent Order for the following reasons:

- (1) The Personal Representative is not authorized to accept Bobby's purported assignment of \$75,000 of his expected share of the estate as it is not in compliance with the Order; and
- (2) Even if the Personal Representative were authorized to accept Bobby's purported assignment of \$75,000 of his expected share of the estate, the Personal Representative has only received a total of \$156,000, consisting of \$81,000 cash and Bobby's purported \$75,000 credit. In order to comply with the Order, Jessie was to pay to the Personal Representative \$159,000.

R. App. 000318

As such, the Personal Representative recognizes Rose's bid of \$171,000 to acquire 3283 Von Ohsen Road in accordance with Paragraph A(f) of the Order. In order to perfect the bid, Rose must pay to the Personal Representative a sum equal to 75% of such bid within 10 days of today (6/21/2018) no later than 2:27 p.m. Rose may only assign up to \$75,000 of her expected share of the estate to the purchase.

Please let Shelly know what she should do with the cashier's checks that she received today from Jessie. For now I believe she is holding them in a secure location.

All my best,

Anne Kelley

Anne Kelley Russell

Attorney at Law
T 843.579.7095
F 843.579.8737
annekrussell@mvalaw.com

Moore&VanAllen

78 Wentworth Street
Charleston, SC 29401
843.579.7000
www.mvalaw.com



From: Gregg Meyers [mailto:greggmeyers@piercesloan.com]
Sent: 06/11/2018 2:27 PM
To: Shelly K. All; Anne Kelley Russell; 'david michel'; dennis@oneilllawfirm.com
Subject: Re: Estate of Annie Mae Crosby

R. App. 000319

FILED
18 JUN 20 PM 4:17
CLERK OF COURT
CHARLESTON COUNTY

Exhibit 3

3 pages

Subject: RE: Crosby Estate
From: Anne Kelley Russell (akrussell@mvalaw.com)
To: dennis@oneilllawfirm.com; david@michellawoffice.com; greggmeyers@piercesloan.com;
Cc: kinloch@oneilllawfirm.com; shelly@scelderlaw.com;
Date: Friday, June 15, 2018 2:03 PM

Dennis,

Thank you for your email, and your patience while I gathered the requested information. Your client's questions are valid and he seeks information that we would like all of the beneficiaries to have. Thus, please find the answers to your client's questions below in red. Please let me know if any of you have questions.

I hope each of you have a great weekend,

Anne Kelley

Anne Kelley Russell

Attorney at Law
T 843.579.7095
F 843.579.8737
annekrussell@mvalaw.com

Moore&VanAllen

78 Wentworth Street
Charleston, SC 29401
843.579.7000
www.mvalaw.com

 DigitalAd

R. App. 000321

From: Dennis O'Neill [mailto:dennis@oneilllawfirm.com]
Sent: 06/14/2018 10:45 AM
To: Anne Kelley Russell
Cc: Kinloch Smith
Subject: Crosby Estate

Good morning Anne Kelly,

My compliments to you for your steady patience and professionalism in dealing with this most difficult situation.

In light of the rather chaotic activities of the last few weeks, my client has asked me to provide him with some very specific information. Perhaps you can help me out.

At your earliest convenience, would you let me know where the estate is as to the following matters:

1. Collegetown-has it sold? If so, for how much? If so, what was the date of the closing? If so, when will a disbursement be made to Kelvin for his 25%?

Answer: We will inform you when the sale of Collegetown closes. The sales price is \$85,000. Once sold, Rose will add the proceeds to the estate account and plans to disburse upon the closing of the estate.

2. The cinderblock house-same questions.

Answer: 3303 Von Ohlen has sold for \$22,500. The closing costs were \$2,012.33. Rose has deposited the proceeds to the estate account and plans to disburse upon the closing of the estate.

3. The Bowman property-same questions.

Answer: Jessie's check to purchase the property has just cleared. We are in the process of recording the deed of distribution transferring the property to him. Pursuant to a recent email exchange, Rose will pay next week to each of Rose, Bobby and Jessie the sum of \$1,125 representing their one-fourth interest in the property. This check will come to them with a Release that we anticipate each beneficiary signing prior to receipt of their respective check.

4. Has Rose delivered payment to the estate for the purchase of the family residence? If so, when will a disbursement be made to Kelvin for his 25%? Rose has purchased 3283 Von Ohlen from the Estate for \$171,000. We have sent the deed to be recorded. Thus, upon recording, next week she will promptly

R. App. 000322

distribute the sum of \$42,750 to each of Jessie, Bobby and Kelvin representing their one-fourth interest in the property. This check will come to them with a Release that we anticipate each beneficiary signing prior to receipt of their respective check.

Prior to couriering the disbursement checks to your respective offices, I would like your acknowledgment that receipts will be signed by your respective clients.

Thanks in advance.

With best regards,

Dennis

Dennis E. O'Neill

O'Neill Law Firm.LLC

1473 Stuart Engals Blvd.

Mt Pleasant SC 29464

843-884-9494

Dennis@ONeillLawFirm.com

www.ONeillLawFirm.com

O'Neill Law Firm, LLC

1473 Stuart Engals Blvd

Mount Pleasant SC 29464

Phone: 843-884-9494

Fax : 843-971-9292

www.ONeillLawFirm.com

18 JUN 20 PM 4:17

CLERK OF COURT
CHARLESTON COUNTY

Exhibit 4

2 pages

Subject: Estate of Crosby - \$75,000 credit towards bidding
From: david michel (david@michellawoffice.com)
To: akrussell@mvalaw.com; dennis@oneilllawfirm.com; greggmeyers@piercesloan.com; kinloch@oneilllawfirm.com; shelly@scelderlaw.com;
Date: Tuesday, May 22, 2018 4:50 PM

Anne Kelley and Shelly,

Because you have denied Jessie's Crosby's request to issue a deed of distribution to him regarding the Mill Street Property which was a specific devise in Annie Mae Crosby's Last Will and Testament, Robert (Bobby) Crosby is officially assigning his \$75,000.00 credit to Jessie Crosby per page 5, section (e) of the May 16th Order regarding Jessie's purchase of 3283 Von Ohsen Road. I have authority on Bobby's behalf to assign his \$75,000.00 credit since he will be a co-owner (Jessie will continue to be the bidder). This will not affect Kelvin getting his immediate distribution.

Please confirm.

Thank you.

David L. Michel
192 East Bay Street, Suite 202
Charleston, SC 29401
(843) 722-0020
David@Michellawoffice.com

This communication may be attorney-client privileged or otherwise confidential. If you are not the intended recipient, please delete this message and notify the sender of this error.

Subject: Re: 3283 Von Ohsen Road bidding
From: Gregg Meyers (greggmeyers@piercesloan.com)
To: david@michellawoffice.com;
Cc: akrussell@mvalaw.com;
Date: Wednesday, May 23, 2018 12:32 PM

David:

Thanks for your email bidding 260. I am authorized to communicate that my client bids \$262,000.

We can take this issue up only if we need to once the bidding is over, but it seems to me that the order states the bidding is between Rose and Jessie, and, from page 5, that either of them can assign "up to \$75,000 of his or her expected share of the estate to the purchase." So I am not sure that Judge Condon would agree that it complies with the order for Jessie to try to make payment by assigning Bobby's expected share rather than his own, or in addition to his own. Should Jessie purchase it, he is of course free to arrange the ownership interest any way he chooses between he and Bobby or anyone else. I think the issue I am talking about comes into play only if Jessie wins the bid and attempts to achieve the payment by that method of assignment.

This is just to let you know that we read the order differently in that regard. But we don't need to join that issue until it becomes ripe for adjudication, if and when it does. This is merely notice of the different read.

I am receptive to entertaining ideas about personal property distribution, but don't yet have an opinion about it. As of the moment I have no feel for the scope of that issue.

The motion to compel seems to me to be more properly directed to Anne's capacity for response, so I will let her take the lead on that score.

18 JUN 20 PM 4:17

CHARLESTON COUNTY

Exhibit 5

3 pages

June 20, 2018

Moore & Van Allen

VIA HAND DELIVERY

David L. Michel, Esq.
Michel Law Firm, LLC
192 East Bay Street, Suite 202
Charleston, SC 29401

**Re: Estate of Annie Mae Crosby
Case No. 2016ES10-02054
Our File No. 044205.1**

Anne Kelley Russell
Attorney at Law

T 843 579 7095
F 843 579 8737
annekrussell@mvalaw.com

Moore & Van Allen PLLC

78 Wentworth St.
Charleston, SC 29401-1428

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

Dear David:

Enclosed please find the following checks from Rose M. Walsh, Personal Representative for the above-referenced estate:

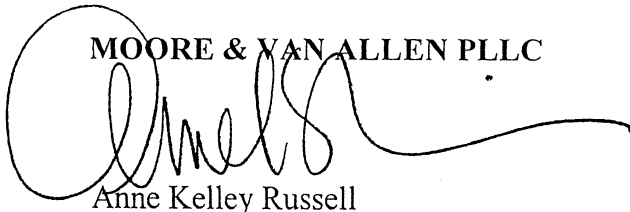
1. Check #1044 payable to Jessie Crosby in the amount of \$42,750.00;
2. Check #1043 payable to Robert Crosby in the amount of \$42,750.00; and
3. Check #1039 payable to Robert Crosby in the amount of \$1,125.00.

As we have previously discussed, please hold the above-referenced checks until the enclosed Partial Receipts are executed and mailed to me in the enclosed self-addressed envelope.

If you have any questions or require any additional information, please feel free to contact me..

Very truly yours,

MOORE & VAN ALLEN PLLC



Anne Kelley Russell

AKR/kaw
Enclosures

cc: Ms. Rose Mae Crosby Walsh
Shelly K. All, Esquire

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
IN THE MATTER OF:)
ANNIE MAE CROSBY)
(Decedent))
_____)

IN THE PROBATE COURT
CASE NUMBER: 2016ES10-02054-2
PARTIAL RECEIPT

The undersigned hereby acknowledges receipt from the Personal Representative of the Estate of Annie Mae Crosby of the following property:

Forty two thousand seven hundred fifty dollars (\$42,750.00), a partial distribution which represents the undersigned's one-fourth (1/4) interest in the real property located at 3283 Von Ohsen Road, Summerville, SC 29485, in accordance with the Last Will and Testament of Annie Mae Crosby dated April 15, 2009.

I hereby agree, in consideration of the distribution of the property described herein, that if any claims, charges or expenses (including but not limited to taxes, court costs, attorneys' fees and fiduciary's commissions) are payable by the Personal Representative out of the property hereby delivered, I will, immediately upon demand, pay over the amount thereof to the Personal Representative or retransfer and redeliver to the Personal Representative for sale and liquidation such part of the assets delivered herewith as the Personal Representative may demand.

Executed this ___ day of _____, 2018.

Witnesses:

Jessie Fred Crosby

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
IN THE MATTER OF:)
ANNIE MAE CROSBY)
(Decedent))
_____)

IN THE PROBATE COURT
CASE NUMBER: 2016ES10-02054-2
PARTIAL RECEIPT

The undersigned hereby acknowledges receipt from the Personal Representative of the Estate of Annie Mae Crosby of the following property:

Forty two thousand seven hundred fifty dollars (\$42,750.00), a partial distribution which represents the undersigned's one-fourth (1/4) interest in the real property located at 3283 Von Ohsen Road, Summerville, SC 29485, in accordance with the Last Will and Testament of Annie Mae Crosby dated April 15, 2009; and

One thousand one hundred twenty five dollars (\$1,125.00), a partial distribution which represents the undersigned's one-fourth (1/4) interest in the real property located at 6613 Main Street, Bowman, SC 29018, in accordance with the Last Will and Testament of Annie Mae Crosby dated April 15, 2009.

I hereby agree, in consideration of the distribution of the property described herein, that if any claims, charges or expenses (including but not limited to taxes, court costs, attorneys' fees and fiduciary's commissions) are payable by the Personal Representative out of the property hereby delivered, I will, immediately upon demand, pay over the amount thereof to the Personal Representative or retransfer and redeliver to the Personal Representative for sale and liquidation such part of the assets delivered herewith as the Personal Representative may demand.

Executed this ___ day of _____, 2018.

Witnesses:

Robert Edward Crosby, Jr.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 IN RE: ESTATE OF ANNIE MAE CROSBY)
)
 JESSIE FRED CROSBY and ROBERT EDWARD)
 CROSBY,)
)
)
 PETITIONERS,)
)
 vs.)
)
 ROSE WALSH CROSBY, individually, and)
 As personal representative of the estate of)
 ANNIE MAE CROSBY, and KELVIN WAYNE)
 CROSBY,)
)
)
 RESPONDENTS.)
)
 _____)

In the Probate Court
 CASE 2016-ES-10-02054
 FILED
 18 JUN 25 PM 2:43
 PROBATE COURT
 CHARLESTON COUNTY

Return to Petition to Enforce Sale and
 Petition to Remove Personal Representative, Counterclaim,
 and Motions for Judgment on the Pleadings and Summary Judgment

This is the response, counterclaims and motions by beneficiary Rose Mae Crosby Walsh, individually, to the June 20 Petition in this action. Unless specifically admitted, the allegations of the Petition are denied.

1. The court’s jurisdiction, alleged in paragraph 2 of the Petition, is admitted. Correspondingly, the court has personal jurisdiction as to the parties and subject matter jurisdiction as to the counterclaim and motions which accompany this response.
2. The allegations in the petition in paragraph 1 are denied.
3. The allegations in paragraph 3 allege matters of law rather than fact, and no response is required. To the extent required, the allegations are denied.
4. Allegations of paragraphs 4 – 7 are admitted.

5. Responding to the allegations of paragraphs 8-10, it is admitted that a petition was filed to approve real estate and that the matter was before the court for a hearing. However, it is alleged that at the hearing all parties *consented* to a method for sale for property. That consent was placed on the record at the hearing and the order which embodied that consent was approved of by and signed by the court. The Petitioners failed to comply with the consent order, and now challenge the procedure to which they previously consented. This is in keeping with Petitioners' explicitly stated intention to drain the estate of as much value as possible. Complaining of even things to which they have consented is one method of fulfilling that explicitly stated intention, by driving up the costs of the estate so as to diminish distribution to beneficiaries Kelvin Crosby and Rose Walsh.

6. Allegations of paragraph 11 are denied, as Jessie Crosby was, it turned out, not able to submit a bid as authorized by the consent order, which at page 4 authorized the personal representative to:

sell 3283 Von Ohsen Road to the highest bidder *between [Rose Walsh] and Jessie Fred Crosby*.

Emphasis added. All parties consented to that restriction, which helped focus the parties in organizing a method of selling property in which those two beneficiaries were interested. The restriction was important to Rose Walsh, as her brothers, the petitioners, have historically opposed her for the sake of opposing her. Jessie Fred Crosby was unable to assemble his own bid. Instead, bidding was done by Jessie Fred Crosby with others, despite the plain language of the order.

7. Allegations of paragraph 12 are admitted to the extent of recounting the deliveries made, by which (a) it first was disclosed that petitioner Jessie Crosby was "bidding" through means not authorized by the order and with parties not authorized in the order to submit bids, and

(b) that the deliveries failed to comply with the terms of the order which governed the property bidding, as petitioners submitted payment of \$3,000 less than the \$159,000 that all parties agreed was required by the order to be paid within ten days of the bid. Attached to this Return and incorporated into this pleading pursuant to SCRCP 10(c) are a sampling of emails among counsel reflecting the requirement to pay within ten days \$159,000, a requirement that Petitioners failed to satisfy.

8. Allegations of paragraphs 13 and 14 are denied, although it is admitted that the delivery as alleged was made to Shelly All.

9. Allegations of paragraph 15 are denied for lack of information sufficient to admit or deny them.

10. Allegations of paragraph 16 are denied for lack of information sufficient to admit or deny them. The timing of payment was dictated by the consent order, and it is admitted that the payment failed to comply with the requirements set forth in the consent order.

11. Allegations of paragraph 17 to 19 are denied, other than it is admitted that pursuant to the consent order, Rose Walsh submitted her own bid, then effectuated that bid, after Petitioner Jessie Crosby failed in two ways to comply with the terms of the consent order by making proper payment within ten days. Nor did the motion to compel and to remove the personal representative seek a stay of the consent order, and in fact all parties continued the bidding process even after the motion to compel was filed, thereby waiving any objection to the order for property sale being effectuated in the manner to which all parties had consented.

12. Allegations of paragraph 20 are denied. At all times Rose Walsh acted consistently with the consent order as to bidding on the estate's real property. Nor does the May 23 motion seek to stop the process in the consent orders, and even after their May 23 motion was

filed, Petitioners continued bidding, and continued their failed effort to effectuate the terms of the consent order.

13. Allegations of paragraph 21 are denied. The property bidding was done pursuant to terms of a consent order, which had no pre-conditions such as are implied by the allegations of paragraph 21. Petitioner Jessie Crosby had every opportunity to include pre-conditions as part of the consent order, failed to do so, and has waived any claim that pre-conditions applied to the consent order. Rose Walsh reasonably relied on the consent order to effectuate the terms of the property sale.

14. The allegations of paragraph 22 are denied. The consent order permits either of the two bidders recognized in the order to apply a \$75,000 credit “of his or her expected share of the estate to the purchase.” The consent order does not permit accumulations of expected credits, or the credits of bidders other than Rose Walsh and Jessie Crosby, the two bidders recognized in the consent order. At all times the consent order was complied with by Rose Walsh.

15. Allegations of paragraph 23 are denied, as the terms of the consent order provide for the relief available to one of the two bidders after the other failed to make payment as required after a bid. In that respect, all beneficiaries consented to the relief explicitly provided in the order upon a bid that failed to comply with the requirements of the consent order.

16. Allegations of paragraph 24 are denied. Specifically,

- a. no restraining order was issued as authorized by S.C. Code § 63-2-607.

Nor could one have been issued since the parties proceeded under a consent order which constitutes the opposite of a restraining order: a consent order for proceeding. Petitioners continued the bidding process even after having filed their May 23 motion, and the standard applicable to

Rose Walsh in the statute, “action which would jeopardize unreasonably” anyone’s property interest, cannot be met given that all of her actions were taken pursuant to a consent order,

- b. the provisions of S.C. Code § 62-3-611 do not apply when “otherwise ordered,” and all actions taken and complained of were pursuant to a consent order approved by the court, which constitutes actions “otherwise ordered;”
- c. the provisions of S.C. Code § 62-3-713 do not apply to anyone who has (1) “consented after fair disclosure,” and all actions taken were pursuant to a consent order approved by the court; nor does the statute apply (2) to any transaction “approved by the court after notice to interested persons,” which the court-approved consent order constituted. All actions were taken pursuant to a consent order, and are not alleged otherwise.

17. All claims for relief are denied. The court should dismiss the petition and award costs and attorneys’ fees to respondent Rose Walsh, as all actions complained of were pursuant to a consent order, and there is no allegation that the consent order was not fully complied with.

For an Affirmative Defense: Res Judicata, Law of the Case

18. The property sale proceeded using the mechanisms and procedure contained in a consent order, and that order is res judicata as to matters involving the property sale as the law of the case.

Motion for Judgment on the Pleadings

19. Respondent Rose Walsh seeks a hearing on this motion on July 11 at the hearing already scheduled for that date.

20. Pursuant to SCRCP 12(c), Rose Walsh seeks judgment on the pleadings as to the petition.

21. Petitioners make no allegation that the consent order approved by the court was not fully complied with in the sale of 3283 Von Ohlsen Road, and the petition should be denied so as to have the effect of approving the sale to Rose Walsh. The consent order which established the bidding process contains no conditions precedent, none are alleged to exist or to have not been complied with, and the real property bidding and sale was done pursuant to the consent order, using the mechanism to which all parties consented. When Jessie Crosby filed his May 23 motion he continued to participate in the bidding process for that property, but then he failed to comply with the payment provisions.

22. Rose Walsh at all times proceeded in good faith, relying on the terms of the consent order, which she faithfully executed. There is no allegation that in the course of the property bidding she failed to execute the terms of the consent order.

23. Rose Walsh seeks judgment on the pleadings, costs and attorneys' fees as provided for in S.C. Code § 62-3-720.

Motion for Summary Judgment

24. Respondent Rose Walsh seeks a hearing on this motion on July 11 at the hearing already scheduled for that date.

25. Pursuant to SCRCP 56, Rose Walsh seeks summary judgment as to the petition, on three grounds.

- a. First, as shown in the emails at attachment A, Jessie Crosby participated in the bid process before and after filing the motion to compel and to remove the personal representative. He made no request to stay the bid process. Hi

conduct has waived his right to object to the bid process being effectuated as provided in the consent order, and summary judgment should be granted dismissing the petition on grounds of his waiver.

- b. Second, as shown by the emails at Attachment B, Jessie Crosby agreed that under the terms of the consent order, within ten days of his bid of \$312,000 for 3283 Von Ohlsen Road he was required to deliver payment of \$159,000. He failed to do so, delivering only \$156,000, and even the payment he made was assembled using a credit mechanism not provided for in the consent order. This ground concerns solely his failure to have satisfied the \$159,000 payment requirement, which rendered his bid non-compliant with the order and activated the order's provision for relief in the event of a bidder failing to make the required payment.
- c. Third, as alleged in the petition, Jessie Crosby purported to make payment ten days after his bid using a method not provided in the consent order. As set forth above, the consent order provided for a bidding process as to 3283 Von Ohlsen Road, which was to be between Rose Walsh and Jessie Crosby. The order also permitted either of them to "assign up to \$75,000 of his or her expected share of the estate to the purchase." Following his bid of \$312,000, it was undisputed that payment of \$159,000 was called for in the order, as reflected in the various emails of counsel at attachment B. As alleged in the petition, and as alleged above, Jessie Crosby failed to make payment as required by the order, delivering only \$156,000 not \$159,000, and using a method not authorized by the consent order. The

unauthorized method is this ground for the motion. Instead of assigning “up to \$75,000 of his . . . expected share,” he and another beneficiary each assigned \$75,000 of their expected share. Neither dual bidders, nor dual assignments is provided for in the consent order, and the court should enter grant summary judgment dismissing the petition, and award to Rose Walsh her costs and fees as provided in S.C. Code § 62-3-720.

For a Counterclaim: Frivolous Proceeding

26. The petitioners are independently liable for costs and attorneys’ fees under S.C. Code § 15-36-10 because the petition challenges the property sale which took place pursuant to the provisions of a consent order; Petitioners are objecting to a process to which they consented. Petitioners cannot now complain about terms to which they themselves consented. The petition lacks a good faith basis, is frivolous, and should be dismissed with costs and attorneys’ fees as provided by statute.

For a Counterclaim: Fees and Costs pursuant to S.C. Code § 62-3-720

27. As alleged above, Rose Walsh at all times proceeded in good faith and relied on a consent order to effectuate the property sale at issue. The court should award costs and fees for her having to respond to this petition, pursuant to the probate code, § 62-3-720.

For a Counterclaim: Violation of the Consent order

28. By the consent order signed May 16, 2018, the probate court approved a procedure for bidding on 3283 Von Ohsen Road. That procedure was followed as provided in the consent order.

29. At page 5, in provision F, the parties to the consent order, which include all beneficiaries of the estate, also consented that none of them would “impede any sale of the real properties.”

30. The petition alleges no violation of the consent order, and impedes the sale of the real properties, and violates the provision of the consent order.

31. Rose Walsh complied with the consent order, and proceeded in good faith in doing so. She is entitled to costs and attorneys’ fees for having to defend the petition as to the sale of real property.

Respectfully submitted,



WITH PERMISSION FOR

Gregg Meyers, S.C. bar No. 9908

Of Counsel, Pierce Sloan, LLC

321 East Bay Street

Charleston SC 29401

843-725-7750, 722-7732 facsimile

greggmeyers@piercesloan.com