

**RECEIVED**

**Oct 18 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable Benjamin H. Culbertson, Circuit Court Judge

---

Civil Action No.: 2018-CP-26-6424  
Appellate Case No. 2021-000393

---

South Carolina Electric & Gas Company, Respondent,

v.

Barbara Todd, Landowner,

and

Public Service Authority; Pitch Landing, LLC; and David O. Heniford, Jr., Other Condemnees,  
of which Pitch Landing, LLC is the Appellant.

AND

South Carolina Electric & Gas Company, Respondent,

v.

Pitch Landing, LLC, Appellant,

and

South Carolina Public Authority; Horry Telephone Cooperative; Grand Strand Water and Sewer  
Authority; Coastal Carolina National Bank; Billy J. McDowell & Sally R. McDowell; Bobby D.  
McDowell, Other Condemnees.

---

**APPELLANT'S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

---

Appellant proposes the following be included in the Record on Appeal:

1. Pleadings in *South Carolina Electric & Gas Company vs. Pitch Landing, LLC*, Civil Action No.: 2018-CP-26-06424
  - a. Summons and Complaint dated November 14, 2018 and Exhibits
  - b. Lis Pendens dated November 14, 2018
  - c. Notice of Filing dated November 14, 2018
  - d. Notice Pursuant to S.C. Ann. § 28-2-90 (Supp. 2010) dated November 16, 2018
  - e. Affidavit of Service dated December 6, 2018
  - f. Answer of Pitch Landing, LLC dated December 24, 2018
  - g. Notice of ADR dated June 11, 2019
  - h. Motion to Consolidate Cases dated September 4, 2020
  - i. Form 4 Order Denying Motion to Consolidate Cases dated March 3, 2021
  - j. Motion to Reconsider, Alter and/or Amend and dated March 15, 2021 and Exhibits
  - k. Form 4 Order Denying Motion to Reconsider, Alter and/or Amend dated March 17, 2021.
  
2. Pleadings in *South Carolina Electric & Gas Company vs. Barbara A. Todd*, Civil Action No.: 2018-CP-26-06064
  - a. Summons and Complaint dated October 29, 2018
  - b. Lis Pendens dated October 29, 2018
  - c. Notice of Filing dated October 29, 2018
  - d. Notice Pursuant to S.C. Ann. § 28-2-90 (Supp. 2010) dated October 30, 2018
  - e. Answer of Pitch Landing, LLC dated December 24, 2018
  - f. Consent Order of Dismissal as to Barbara Todd dated May 29, 2019
  - g. Return of Tender dated June 10, 2019
  - h. Notice of Dismissal dated July 25, 2019
  - i. Release of Lis Pendens dated July 25, 2019
  - j. Motion to Restore Case to Docket dated September 3, 2020
  - k. Condemnor's Memorandum in Response to Pitch Landing's Motion to Restore dated February 26, 2021
  - l. Form 4 Order Granting Motion to Restore dated March 3, 2021
  - m. Motion to Reconsider, Alter and/or Amend dated March 15, 2021 and Exhibits
  - n. Form 4 Order Denying Motion to Reconsider, Alter and/or Amend dated
  
3. Transcript of Record dated March 1, 2021

**BELLAMY, RUTENBERG, COPELAND,  
EPPS, GRAVELY & BOWERS, P.A.**

s/Robert S. Shelton  
Robert S. Shelton, SCB# 68543  
Post Office Box 357  
Myrtle Beach, SC 29578-0357  
(843) 448-2400

rshelton@bellamylaw.com  
*Attorney for Appellant Pitch Landing, LLC*

**NEILL LAW FIRM, PA**

s/Mark D. Neill  
Mark D. Neill, Esq., SCB# 14273  
P.O. Box 2810  
Murrells Inlet, SC 29576  
(843) 651-8580  
mneill@neilllawfirm.com  
*Attorney for Appellant Pitch Landing, LLC*

October 18, 2021

Other Counsel of Record:

Gregory M. Alford, Esq.  
Alford Law Firm, LLC  
Post Office Drawer 8008  
Hilton Head Island, SC 29938  
gregg@alfordlawsc.com  
843-842-5500