

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SUMTER )

IN THE COURT OF COMMON PLEAS  
FOR THE THIRD JUDICIAL CIRCUIT

CIVIL ACTION NO: 2008-CP-43-2112

Fannie M. Champion, Samuel Champion, )  
Evelyn C. Ludd, Sarah C. Evans, )  
Rachel C. Brown, Henry Champion, Jr. )  
Janie M. Champion, Mary Johnson and )  
John L. Champion, )

Plaintiffs, )

Vs. )

Ronald L. Hallman, Marjorie J. Hallman, )  
Elton J. Hallman, Conswalla E. Hallman, )  
Oron J. Hallman and Hazelee C. Hallman, )  
Edward G. Hamilton, Helen D. Hamilton, )  
Edward E. Hamilton, Raymond Forbes )  
Davenport, II, and Mary Ellen Davenport, )

Defendants )

**RECEIVED**

**Nov 04 2021**

**SC Court of Appeals**

**ORDER**

By motion of June 2, 2020, Defendants move for relief under Rule 70, SCRPC. This access easement dispute was called to trial on April 25, 2017, and a settlement was placed upon the record pursuant to Rule 43(k), SCRPC. On January 4, 2019, an Order was entered setting forth the terms of the settlement. As set forth below, the parties are hereby ordered to conclude the terms of the settlement as follows:

1. A plat dated May 26, 2017, entitled "SHINGLE MILL ROAD ACCESS" was prepared by Louis White Tisdale, RLS, has been recorded in the Office of the Register of Deeds for Sumter County in Plat Book 2019, at page 7 (hereinafter referred to as "LAND SWAP plat"), and sets forth the exact property descriptions for the affected properties.

2. Within 30 days of entry of this Order, Plaintiffs shall convey to Defendants a Fifty (50) foot non-exclusive easement in perpetuity of ingress and egress across certain real property described as Parcel A and shown on the LAND SWAP plat. See attached deed.

3. Within 30 days of entry of this Order, Plaintiffs shall convey in fee simple certain real property consisting of several tracts of land equaling 0.96 acres and more fully described as Parcel B in the LAND SWAP plat to Defendants; See attached deed.

NO A  
Attachment  
No. 3  
PENGAD 800-631-6688

4. Within 30 days of entry of this Order, Defendants shall convey in fee simple certain real property consisting of several tracts of land equaling 0.97 acres and more fully described as Parcel C in the LAND SWAP plat to Plaintiffs. See attached deed.

5. On the 31<sup>st</sup> day after entry of this Order, if any one or more of the three deeds described above in (2), (3) and (4) have not been executed and filed in the office of the Register of Deeds (ROD), the Sumter County Clerk of Court shall immediately execute and record the deeds with the ROD office. See attached deed for execution by Clerk of Court.

6. Upon recording of the last of the deeds described in (2) through (4), or alternatively (5), Defendants shall take all necessary action to clear and construct a private exclusive roadway for the purpose of ingress and egress to their real property over and upon Parcel B.

7. No later than six months after the recording of the last of the three deeds described in (2) through (4), or alternatively (5), Defendants shall no longer use that portion of Shingle Mill Road (Shingle Mill current situs) that transverses through the center of Plaintiffs' real property.

8. In the event any party appeals and seeks a stay of any one or more of the Orders entered in this matter, the appealing party shall be required to post with the Sumter County Clerk of Court cash surety in an amount not to exceed Fifty Thousand and no/100 (\$50,000.00) dollars, or such other amounts as may be determined to be sufficient by the Court. *South Carolina Code* § 18-9-130, and *South Carolina Code* § 18-9-170. All limitations set forth in (7) above shall be immediately stayed until further Order of the Court upon the filing of any appeal.



Sumter Common Pleas

**Case Caption:** Fannie M Champion , plaintiff, et al VS Ronald L Hallman ,  
defendant, et al  
**Case Number:** 2008CP4302112  
**Type:** Order/Other

So Ordered

s/ R. Ferrell Cothran, Jr., 2144