

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

NANCY RUTH MACE,

Plaintiff,

vs.

BRENDAN PATRICK BRYANT,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO: 2024-CP-

**SUMMONS
(NON-JURY)**

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you herewith, and to serve a copy of your Answer to said Complaint on the subscribers at their offices, The Phipps Law Firm, LLC, 571 Savannah Highway, Charleston, South Carolina 29407 or to otherwise appear and defend, within thirty (30) days after the service hereof, exclusive of the day of such service. If you fail to answer the Complaint, or otherwise to appear and defend, within the time aforesaid, the Plaintiff in this action will apply to the Court for judgment by default to be rendered against you for the relief demanded in the Complaint.

By: **THE PHIPPS LAW FIRM**

/s/Edward L. Phipps

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April 2, 2024

Charleston, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

NANCY RUTH MACE,

Plaintiff,

vs.

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**COMPLAINT
ACTION FOR PARTITION
(NON-JURY)**

NOW COMES the Plaintiff, Nancy Ruth Mace (hereinafter Mace), by and through her undersigned attorney, would respectfully allege and show this Honorable Court as follows:

ONE: The Plaintiff, Mace, is a citizen and resident of the County of Charleston, State of South Carolina.

TWO: On information and belief, the Defendant, Brendan Patrick Bryant (hereinafter Bryant), is a resident and citizen of Charleston, State of South Carolina.

THREE: The real property hereinafter referred to, which is the subject of this action, is situated in the County of Charleston, State of South Carolina, and described as follows: 3301 Palm Blvd, Isle of Palms, SC 29451; with a more detailed description attached hereto as Exhibit "A".

FOUR: The Plaintiff, Mace, is the owner of an undivided one half (1/2) interest in the above-described premises. The remaining undivided interest is owned by Defendant Bryant.

FIVE: The property was to be rented as a vacation rental to help sustain and pay the property's mortgage, insurance, and tax payments.

SIX: The property is not being rented regularly and neither party is willing to continue to contribute to maintain said real estate.

SEVEN: Upon information and belief, the real property is capable of partition or division; and should be readily sold for its fair market value.

EIGHT: Upon partition, the undivided interest *or* money value of the Defendants share can be apportioned to them, as their pro rata interests and costs are ascertained.

NINE: The costs and expenses and remuneration of such referees or commissions as the court may appoint, should be charged equitably against the interests of Plaintiff and Defendant.

WHEREFORE, having fully set forth its Complaint against the Defendant, the Plaintiff prays for the following relief:

- (a) For Judgment establishing that the Plaintiff is entitled to an immediate PARTITION or SALE of said property to avoid waste,
- (b) For the Order of this Court directing PARTITION or SALE of said property,
- (c) For the Order of this Court holding Plaintiff, Mace, harmless from any and all liability associated with the PARTITION or SALE of said property,
- (d) For such other and further relief as may be just and proper.

RESPECTFULLY SUBMITTED,

PHIPPS LAW FIRM, LLC.

s/ Edward L. Phipps, Esq.
Edward L. Phipps, Esq.
Mark R. H. Huber, Esq.
571 Savannah Hwy.
Charleston, SC 29407
(843)216-9797
Attorneys for the Plaintiff

Charleston, South Carolina
April 2, 2020

Exhibit "A"

All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being in the County of Charleston, State of South Carolina, being shown and designated as Lot 60, Section BC-2, as shown on a plat of lots situate on the Isle of Palms, made by Wade A. Sanders, Civil Engineer in June, 1945, which plat is duly recorded in the ROD Office for Charleston County in Book F at Page 214. More recently shown on a survey titled "Plat showing 15' utility easement 3301 Palm Boulevard Isle of Palms, Charleston, SC" prepared by Anderson and Associates Land Surveying and Planning, Inc., dated 2-6-2008 and recorded 2-22-2008 in Book V651 at Page 665. Reference to said plat is hereby craved for a more complete and accurate description of said property.

Being the same property conveyed to Patrick Bryant and Nancy Mace by deed of Pajasa, LLC, dated May 17, 2022 and recorded simultaneously herewith in Charleston County Register of Deeds.

TMS: 571-10-00-154

Property Address: 3301 Palm Blvd., Isle of Palms, SC 29451