

STATE OF SOUTH CAROLINA )  
 COUNTY OF GREENVILLE )

COURT OF COMMON PLEAS

79-40-23-154

Calvin E. Weeks, )

Plaintiff, )

vs. )

Howard G. Whitley, )

Defendant. )

COMPLAINT

FEB 6 3 22 PM '79  
 CLERK OF COURT  
 HONORABLE JUDGE S. C.  
 GREENVILLE COUNTY

The Plaintiff, complaining of the Defendant, alleges:

I.

That the Plaintiff is a resident of Greenville County, South Carolina, and the real property more fully described hereinafter is located in Greenville County, South Carolina; that the Plaintiff is informed and believes the Defendant is now a resident of the Town of Baconton, State of Georgia.

II.

That on or about November 24, 1978, the Plaintiff did enter into a Contract of Sale with the Defendant for the purchase of a house and lot located at 5 West Golden Strip Drive, Mauldin, South Carolina for the consideration of \$46,000.00; that upon signing the Contract, the Plaintiff made a cash down payment to the Defendant of \$3,000.00, and thereafter took possession of said property on or about December 1, 1978.

III.

That after occupying the house and lot located at 5 West Golden Strip Drive, Mauldin, S. C., the Plaintiff discovered that the land was subject to severe and repeated flooding, and excessive sub-surface water; that since occupying the residence at said address, the house and lot have been repeatedly flooded to the extent that water has been at least a foot deep underneath the house, the oil tank has been filled with at least fifty gallons of water, the shower and sink have been unable to drain for two days after a rain, and the toilet stools