

FILED  
GREENVILLE CO. S. C.

APR 13 11 33 AM '77

DENNIS S. TANKERSLEY  
C.L.M.C.

103-810

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS

Western Carolina Regional Sewer Authority, )

Respondent, )  
(Condemnor) )

vs )

R. Heyward Ballard, H. Grady Ballard,  
Chester A. Reece and Frank Towers Rice, )

CONSENT ORDER

Appellant, )  
(Landowner). )

#1  
J.

This action is one in condemnation under the provisions of Act No. 784, Section 7 of the Acts of the General Assembly for South Carolina for 1926, page 1539, and Section 57-17-310, et seq., of the Code of Laws of South Carolina, 1976, wherein the Respondent is exercising its right of eminent domain to acquire certain parcels of land for the purpose of constructing and operating a sewage treatment plant hereon, together with a strip of land to give ingress and egress. All of this property is to be acquired in fee simple and is described and identified in the exhibit marked Exhibit "A" which is attached to this Order. The property taken is a portion of that property acquired by the Appellant shown in Deed Book 784, page 276 and further identified on the Greenville County Tax Map as Sheet 239.1, Block 1, Lot 2.

It appears to this Court that the parties have mutually consented to the taking of the property identified in the notice and that the landowners has waived a hearing before members of the Western Carolina Regional Sewer Authority as provided by statute, but does expressly reserve the right to a trial, de nova, before a jury for the purpose of determining damages, if any, due to the Appellant for this taking and further appears that the parties hereto have agreed that for all purposes, the date of the taking of the property described shall be the date of this Order,

Now, on motion of Leo H. Hill of the firm of Hill, Wyatt & Bannister, Attorneys for the Respondent, consented to by the Appellant herein,

IT IS HEREBY ORDERED that the Respondent be and hereby is awarded title in fee simple to that portion of the Appellant's land described in the attached Exhibit "A".

RTS 0

4328 RV-2