

RE: 18-1770

FILED
GREENVILLE CO. S.C.

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STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

3 1 00 PM '83
DONNIE S. TANKERSLEY
R.H.C.

In Re:)
Mechanic's Lien of Rainbow)
Painters, Inc. filed against)
South Carolina National Bank)
and Stanley K. Sinclair, d/b/a)
Landmark Construction Company)

ORDER
83 CP 23 - 99

On July 16, 1982 by sworn notice and certificate of Mechanic's Lien, Rainbow Painters, Inc. alleged that it was due the sum of One Thousand, Five Hundred, Forty-Six and 70/100 (\$1,546.70) Dollars from Stanley K. Sinclair, d/b/a Landmark Construction Company for work done on a building owned by South Carolina National Bank located on Woodruff Road near intersection with I-85, Greenville, South Carolina. In August, 1982, Landmark Construction Company, Inc. posted a cash bond in the amount of Two Thousand, Seventy-Two and 58/100 (\$2072.58) Dollars with the Greenville County Register Of Mesne Conveyance.

The Mechanic's Lien of Rainbow Painters, Inc. affects the following property:

All of South Carolina National Bank's rights and interest in and to the building located on Woodruff Road near the intersection with I-85 in Greenville, South Carolina, which contains a new mini-bank.

JPM

Section 29-5-120 of the South Carolina Code of Laws (1976) requires that suit must be begun within six (6) months after the person who avails himself of a Mechanic's Lien ceases to labor on or furnish labor or material for a building or structure. Otherwise, the lien shall be dissolved. The law is clear that suit must be brought to foreclose a Mechanic's Lien within the statutory time.

It appears from the notice and certificate of Mechanic's Lien that labor or materials was last furnished by Rainbow Painters, Inc. on May 14, 1982. It further appears from the attached sworn Affidavit of Stanley K. Sinclair, President of Landmark Construction Company, Inc., that suit has neither been filed nor served to foreclose the lien of Rainbow Painters, Inc., therefore

IT IS ORDERED, ADJUDGED AND DECREED that the Mechanic's Lien of Rainbow Painters, Inc. which has been filed against South Carolina National Bank and Stanley K. Sinclair, d/b/a Landmark Construction Company is dissolved.