

The court makes the following findings of fact from the testimony and evidence offered by the plaintiff:

(1) That the mechanics lien filed on April 24, 1979, by the defendant, William A. Jones, d/b/a Carolina Construction Company, against the property more particularly described in paragraph II of the first cause of action of the complaint in the amount of Four Thousand Six Hundred Fifty-Two (\$4,652.00) Dollars.

(2) That more than four years have expired since the filing of such lien and the defendant has not commenced an action for the foreclosure of such lien.

(3) That the last work and materials were furnished on the job on April 24, 1979.

(4) That said mechanics lien was paid in full by the C & S Bank of Simpsonville, South Carolina, banker for the plaintiff, from the proceeds of a loan made to her on or about May 2, 1979.

(5) That notwithstanding the fact that said mechanics lien has been paid in full, and no action has been commenced for the foreclosure of same, the defendant refuses to satisfy the same of record notwithstanding repeated requests to do so.

(6) That the recordation of the aforementioned mechanics lien constitutes a cloud against the title of the plaintiff although the same is no longer viable.

From the foregoing facts and circumstances, the court concludes

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