

STATE OF SOUTH CAROLINA

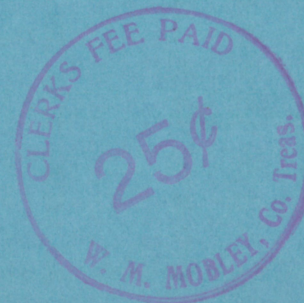
COUNTY OF RICHLAND

Ex Parte:
The Housing Authority of
the City of Columbia, S.C.

In re:
Condemnation of lands of
estate of Mary C. G. Popwell
et al.

ORDER

ROBINSON & ROBINSON
907 CENTRAL UNION BUILDING
COLUMBIA, S. C.



-2-

STATE OF SOUTH CAROLINA, }
COUNTY OF RICHLAND } IN THE COURT OF COMMON PLEAS.

was Two Hundred and Seventy (\$270.00) Dollars, notice of

Ex Parte: given to The Housing Authority of the City of
The Housing Authority of }
the City of Columbia, S.C. }

In re: On the 11th day of September, 1939, The Housing
Condemnation of lands of } ORDER
estate of Mary C.G. Popwell, } S.C., as will appear
W.S. Popwell and Jas. H. }
Popwell. } Clerk of this

Court, deposited with this Court the sum of Two Hundred and
Seventy (\$270.00) Dollars, representing the condemnation

#1
CCH
228

On June 30, 1939 The Housing Authority of the City
of Columbia, S.C. petitioned this Court for the appointment
of a Condemnation Board, reciting that it was preparing to
erect in the City of Columbia, S.C. a housing project pur-
suant to the provisions of Act No. 783 of South Carolina, of that
Statutes of 1934, and that property belonging to the estate
of Mary C. G. Popwell, W. S. Popwell and Jas. H. Popwell, of the
fully described in that petition, was necessary for carrying
out this public purpose. Whereupon this Court, by its order
of July 7, 1939, appointed R. E. Carwile, W. L. Bennett and
John H. Bollin as a Board of Condemnation, pursuant to that
Statute. Notice of the resolution and of this order and
of a proposed meeting of the Condemnation Board was given to
the Forfeited Land Commission, the Sheriff of the City of
Columbia and the Tax Collector for Richland County, as shown
by affidavit of service endorsed on the back of the original
petition, order and notice. AND ADJUDGES:

Thereafter, on August 4, 1939, a hearing was had
before the Condemnation Board, pursuant to notice, ~~on the~~
~~14th~~ at which time testimony was taken as to the value,
after which the Board, by its finding of August 4, 1939,

all that piece, parcel and lot of land, situate, lying and being in the City of Columbia, South Carolina, containing and bounding as follows, to-wit: found that the fair value of the property to be taken was Two Hundred and Seventy (\$270.00) Dollars, notice of which was given to The Housing Authority of the City of Columbia, S.C.

On the 11th day of September, 1939, The Housing Authority of the City of Columbia, S.C., as will appear from the receipt of the Honl C. E. Hinnant, Clerk of this Court, deposited with this Court the sum of Two Hundred and Seventy (\$270.00) Dollars, representing the condemnation award in this matter, and on the same day gave notice to the Forfeited Land Commission of the said deposit and of the fact that pursuant to the statute title to the property at the time of the deposit passed to The Housing Authority of the City of Columbia, S.C., with the right on the part of that Authority to immediate possession.

In the same instrument The Housing Authority of the City of Columbia, S.C. gave notice that it would apply to this Court at the time set out in the notice for an order confirming its title to this property, and directing the Clerk of this Court to execute a proper deed to The Housing Authority of the City of Columbia, S.C. as evidence of its title, vesting in it all of the rights of the estate of Mary C. G. Popwell, W. S. Popwell and Jas. H. Popwell, and all other persons having any interest in the said property.

Now, therefore, after hearing, it is

ORDERED AND ADJUDGED:

1. That the title to The Housing Authority of the City of Columbia, S.C. in and to the following described property:

A. I. Hinnant
C. E. Hinnant
C. E. Hinnant

All that piece, parcel and lot of land, situate, lying and being in the County of Richland, State of South Carolina, butting and bounding as follows, to-wit: On the North by lands of Portee, whereon it measures 104', more or less; on the East by an alley called House Street, whereon it measures 36'; on the South by lands of Shirley Bennett and others, whereon it measures 104 feet, more or less, and on the West by lands of Campbell, together with all the right and interest in the alley bounding this property on the East.

be and hereby is confirmed.

2. That the rights of the estate of Mary C. G. Popwell, W. S. Popwell and Jas. H. Popwell, and all other parties having any interest in the property hereinabove described have attached to the money deposited in the hands of the Clerk of this Court in accordance with their respective interests as of the date of said deposit.

3. That the Clerk of this Court do forthwith execute to The Housing Authority of the City of Columbia, S.C. his deed transferring the property hereinabove described to The Housing Authority of the City of Columbia, S.C. in fee simple, and that the rights of the estate of Mary C.G. Popwell, W. S. Popwell and Jas. H. Popwell, and of any and all other persons claiming any interest, lien or right in this property, be and hereby are forever barred.

#3
CGH
G. Duncan Bellinger
Resident Judge, 5th Judicial Circuit

September 16th 1939.

A True Copy
Attest:

C. E. Humant
C. C. O. G. S.

STATE OF SOUTH CAROLINA,)
COUNTY OF RICHLAND)

Jas. F. Dreher being first duly sworn, says: That he served the within Notice and Receipt of the Forfeited Land Commission by leaving a copy thereof with Ellen I. Butler, Tax Collector for Richland County, statutory agent for the Forfeited Land Commission, at her office in the Richland County Court House in Columbia, S.C. on the 11th day of September, 1939, and that deponent is not a party to this action.

Jas. F. Dreher

Sworn to before me this the)
12th day of September, 1939.)

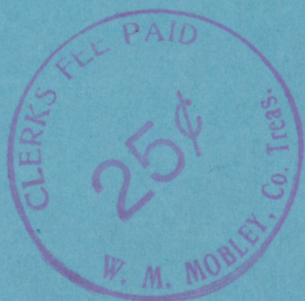
Charles E. Billie (L.S.)
Notary Public for S.C.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
COURT OF COMMON PLEAS.

Ex Parte:
The Housing Authority of
the City of Columbia, S.C.

In re:
Condemnation of lands of
Estate of Mary C.G. Popwell,
W.S. Popwell and Jas. H.
Popwell.

NOTICE AND RECEIPT



ROBINSON & ROBINSON
907 CENTRAL UNION BUILDING
COLUMBIA, S. C.

Office copy

STATE OF SOUTH CAROLINA, }
COUNTY OF RICHLAND } IN THE COURT OF COMMON PLEAS.
Judge of the Court of Common Pleas for Richland County, on
the 16 day of July 1939, at 10:00 o'clock
Ex Parte: The Housing Authority of the City of Columbia, S.C. }
In re: The Housing Authority of the City of Columbia, S.C. and }
Condemnation of lands of } NOTICE
Estate of Mary C.G. Popwell, } of this Court to execute to
W. S. Popwell and Jas. H. } of Columbia, S.C. a deed
Popwell. }
to this property as evidence of title.

Robinson A Robinson,
To the Forfeited Land Commission: for The Housing Authority
of the City of Columbia, S.C.
September 11, 1939
You will please take notice that The Housing Authority of the City of Columbia, S.C. has this day deposited with the Hon. C. E. Hinnant, Clerk of the Court of Common Pleas for Richland County, South Carolina, the sum of Two Hundred and Seventy (\$270.00) Dollars, which is the total award of the Condemnation Board in the above matter.

This deposit is made pursuant to authority of law, Particularly Section 9 of Act No. 783 of the Acts of 1934, XXXVIII Stat. 1374-1376.

You will further take notice that pursuant to this deposit under the provisions of this statute title to the property described in the Condemnation Petition dated June 30, 1939, has passed to The Housing Authority of the City of Columbia, S.C. with the right on the part of the Authority to enter immediately upon the property and to appropriate and demolish any structures thereon and proceed with the construction of the project.

You will further take notice that The Housing Authority of the City of Columbia, S.C. will apply to the

#1
CRH

Honorable S. Duncan Bellinger, Resident (Presiding)
Judge of the Court of Common Pleas for Richland County, on
the 16 day of Sept. 1939, at 10:00 o'clock
A. M., for an order confirming the title to this property
in the Housing Authority of the City of Columbia, S.C. and
for an order directing the Clerk of this Court to execute to
The Housing Authority of the City of Columbia, S.C. a deed
to this property as evidence of title.

Robinson & Robinson,
Attorneys for The Housing Authority
of the City of Columbia, S.C.
September 11 1939.

hereby acknowledge receipt from The Housing Authority of
the City of Columbia, S.C. of the sum of Two Hundred and
Seventy (\$270.00) dollars, deposited by The Housing
Authority of the City of Columbia, S.C. pursuant to the
provisions of the Act approved the 19th day of March, 1936,
XXXVIII Stat. 2363, 1935-6, in the above entitled matter,
the said amount being the award of the Condemnation Board
in this matter, dated August 4, 1939.

C. E. Hixson,
Clerk of Court of Common Pleas
for Richland County, S.C.

September 11 1939.

#2
CEH
A. J. G. G. G.
Attest:
C. E. Hixson
C. E. Hixson

STATE OF SOUTH CAROLINA }
COUNTY OF RICHLAND } IN THE COURT OF COMMON PLEAS.

Ex Parte:
The Housing Authority of the
City of Columbia, S.C.

RECEIPT

In re:
Condemnation of Lands of
Estate of Mary C. G. Popwell,
W. S. Popwell and Jas. H.
Popwell.

#3
CEH

I, Clarence E. Hinnant, Clerk of the Court
of Common Pleas for Richland County, South Carolina, do
hereby acknowledge receipt from The Housing Authority of
the City of Columbia, S.C. of the sum of Two Hundred and
Seventy (\$270.00) Dollars, deposited by The Housing
Authority of the City of Columbia, S.C. pursuant to the
provisions of the Act approved the 19th day of March, 1934,
XXXVIII Stat. 1368, 1375-6, in the above entitled matter,
the said amount being the award of the Condemnation Board
in this matter, dated August 4, 1939.

C. E. Hinnant,
Clerk of Court of Common Pleas
for Richland County, S.C.

September 11 1939.

A. L. May
Attest:

C. E. Hinnant
C. E. Hinnant

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
COURT OF COMMON PLEAS.

Ex Parte:

The Housing Authority of
the City of Columbia, S.C.

In re:

Condemnation of lands of
estate of Mary C.G. Pop-
well, W. S. Popwell and
Jas. H. Popwell.

FINDINGS OF CONDEMNATION
BOARD



STATE OF SOUTH CAROLINA }
COUNTY OF RICHLAND }

IN THE COURT OF COMMON PLEAS.

Ex Parte:

The Housing Authority of
the City of Columbia, S.C.

In re:

Condemnation of lands of
estate of Mary C.G. Popwell,
W. S. Popwell and Jas. H.
Popwell.

FINDINGS OF CONDEMNATION
BOARD.

We, the undersigned, having been appointed a Board of Condemnation by order of Honorable G. Duncan Bellinger dated July 7, 1939, have heard testimony in the above entitled matter and find that the true value of the property described in the petition is Two Hundred Seventy (\$ 270⁰⁰) Dollars.

The interest which is to be acquired by the Housing Authority of the City of Columbia in this property is a fee simple title and the price to be paid therefor shall be Two Hundred Seventy (\$ 270⁰⁰) Dollars.

A. Inne C. Fry
Adm. Sec.
C. E. Hummel
ECCO P. S.

R. E. Carwile
W. L. Bennett
John H. Bollin
Condemnation Board.

August 4th 1939.

Served on City Sheriff, ~~or~~
Forfeited Land Comm. and
County Tax Collector on July
10-1939.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
COURT OF COMMON PLEAS

Ex Parte:

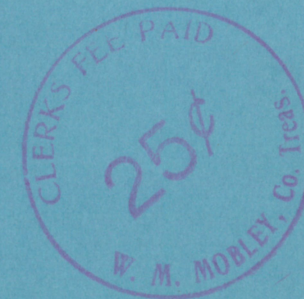
The Housing Authority of
the City of Columbia, S.C.

In re:

Condemnation of lands of
estate of Mary C.G. Pop-
well, W.S. Popwell and
Jas. H. Popwell.

NOTICE, ORDER AND PETITION

ROBINSON & ROBINSON
907 CENTRAL UNION BUILDING
COLUMBIA, S. C.



Office Copy

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS.

Ex Parte:

The Housing Authority of
the City of Columbia, S.C.

In re:

Condemnation of lands of
estate of Mary C. G. Popwell,
W. S. Popwell and Jas. H.
Popwell.

NOTICE

It appearing to this Court from the attached
To John Doe, representing the heirs of Mary C. G. Popwell,
W. S. Popwell and Jas. H. Popwell, the Forfeited Land Com-
mission, the Sheriff of the City of Columbia and the Tax
Collector for Richland County:

therein by direct negotiations, it is hereby

You will please take notice that the Housing
Authority of the City of Columbia, S.C. has passed a resolution
setting forth its intention to appropriate the following des-
cribed property:

Board of Condemnation pursuant to Act 785 of the Statutes of 1934

All that piece, parcel or lot of land, situate, lying
and being in the County of Richland, State of South
Carolina, butting and bounding as follows, to-wit: On
the North by lands of Portee, whereon it measures 104',
more or less; on the East by an alley called House Street,
whereon it measures 36'; on the South by lands of Shirley
Bennett and others, whereon it measures 104 feet, more or
less, and on the West by lands of Campbell, together with
all the rights and interest in the alley bounding this
property on the East.

Pursuant to said resolution a Board of Condemnation has
been appointed by order of Honorable G. Duncan Bellinger, dated
July 7th 1939, a copy of which order is hereto attached.

You will further take notice that this Condemnation
Board will meet Friday, Aug. 4-1939 at 11:30 o'clock
a M., in the Circuit Court Room in the Richland County Court
House for the purpose of hearing testimony as to the value of
this property.

July 7 1939

Robinson & Robinson,
Attys. for Housing Authority of the
City of Columbia, S.C.

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

IN THE COURT OF COMMON PLEAS

Ex Parte:

The Housing Authority of
the City of Columbia, S.C.

In re:

Condemnation of lands of
Estate of Mary C.G. Popwell, W.S.
Popwell and Jas. H. Popwell.

ORDER

PETITION FOR APPOINT-
MENT OF CONDEMNATION
BOARD.

It appearing to this Court from the attached
petition that The Housing Authority of the City of Columbia
S.C. has been unable to purchase the property described
therein by direct negotiations, it is hereby

ORDERED, ADJUDGED AND DECREED:

That R. E. Carwile, W. L. Bennett and John H.
Bollin be and they hereby are designated and appointed as a
Board of Condemnation pursuant to Act 783 of the Statutes of 1934
and subsequent amendments thereto.

That a copy of the notice setting forth the time
and place of the hearing before the Board of Condemnation be
published in The ^{State} Columbia Record, a newspaper published in
Columbia, S.C., once a week for three successive weeks, in
order to bring before the Court all parties, names unknown,
having or claiming an interest in the property described in
the petition herein.

G. Duncan Bellinger
Presiding Judge Fifth Judicial
Circuit.

July 7 1939.

A. I. ...
Attest:
C. E. ...

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS.

Ex Parte:

The Housing Authority of the City of Columbia, S.C.

County in the name of Mary C.G. Popwell, W. S. Popwell and Jas. H. Popwell.

In re:

PETITION FOR APPOINTMENT OF CONDEMNATION BOARD.

Your petitioner has been Condemnation of Lands of Estate of Mary C.G. Popwell, W. S. Popwell and Jas. H. Popwell. After diligent search your petitioner is unable

to ascertain who are their heirs and therefore asks that an order of publication do issue from this Court that they may advertise for such heirs.

The Housing Authority of the City of Columbia, S.C. would respectfully show to this Court:

(1) That this Court do issue its order designating and appointing three persons to serve as a Board of Columbia, S.C. two low cost housing projects pursuant to Condemnation pursuant to Act 783 of the Statutes of 1934 and the provisions of Act 783 of the South Carolina Statutes of 1934 and subsequent amendments, and the authority granted thereunder, and in co-operation with the United States Housing Authority. That your petitioner has attempted to purchase the land directly but has failed to agree upon a price with the owner or owners of the piece of property hereinbelow described and desires to exercise its power of eminent domain.

Robinson & Robinson,
Attorneys for Petitioner.

2. That a resolution has been passed by your petitioner setting forth its intention to appropriate the property described as follows:

All that piece, parcel and lot of land, situate, lying and being in the County of Richland, State of South Carolina, butting and bounding as follows, to-wit: On the North by lands of Portee, whereon it measures 104', more or less; on the East by an alley called House Street, whereon it measures 36'; on the South by lands of Shirley Bennett and others, whereon it measures 104 feet, more or less, and on the West by lands of

Campbell, together with all the right and interest in the alley bounding this property on the East.

This property appears on the records of Richland County in the name of Mary C.G. Popwell, W. S. Popwell and Jas. H. Popwell. Your petitioner has been informed and believes that Mary C.G. Popwell, W. S. Popwell and Jas. H. Popwell are now dead, and after diligent search your petitioner is unable to ascertain who are their heirs and therefore asks that an order of publication do issue from this Court that they may advertise for such heirs.

WHEREFORE your petitioner prays:

(1) That you this Court do issue its order designating and appointing three persons to serve as a Board of Condemnation pursuant to Act 783 of the Statutes of 1934 and subsequent amendments thereto.

(2) That this Court order publication of notice of the hearing to be held by the Board of Condemnation, such publication to issue against all of the heirs of Mary C.G. Popwell, W. S. Popwell and Jas. H. Popwell.

Robinson & Robinson,
Attorneys for Petitioner.

June 30 1939.

A. Linn Coby
Attest:
C. E. Humant
ccc W. J. S.

#5-
CEH

Columbia, S. C., August 4, 1939

Re: Condemnation of Lands of Mary C. G. Popwell, et al
Parcel #41

No appearance by the landowners.

Mr. Dreher filed original Notice, Petition and Order in this case.

MR. W. H. GREEVER, JR., being first duly sworn, testified as follows:

BY MR. DREHER:

Q. Mr. Greever, will you tell the Board what your appraisal of No. 41 is, and how you arrived at it?

A. We appraised that property on January 30, 1939 for the Housing Authority and found the property measured 36 by 104. We ascribed a value of \$270.00 for the land and found no improvements on the property. The valuation was arrived at by comparing values of similar type properties in the area and we expressed that valuation on USHA Form #424.

Q. Is this your original appraisal?

A. Yes, sir.

Appraisal Sheet offered and received in evidence and marked Exhibit No. 1.

BY MR. Bollins: That is approximately \$7.50 a front foot. Did you value the corresponding property that had the same depth at that?

A. Yes, sir, relatively the same.

