

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
Fannie M. Clifton.

ORDER

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



STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND.) IN THE COURT OF COMMON PLEAS.
Day of September, 1939, The Housing

Ex Parte:

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

In re:

Condemnation of lands of
Fannie Clifton.

ORDER

Board, and on the same day gave notice to Fannie M. Clifton
of the said deposit and of the fact that pursuant to the statute

On June 29, 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,
Statutes of 1934, and that property belonging to Fannie Clifton,
fully described in that petition, was necessary for carrying
out this public purpose. Whereupon this Court, by its order
of June 30, 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
Fannie M. Clifton as will be shown by the affidavit of service
signed by H. E. Watts endorsed on the back of the petition,
order and notice.

Thereafter a hearing was had before the Condemna-
tion Board, pursuant to notice, on the 14th day of July 1939,
at which time Fannie M. Clifton appeared and testimony was
taken, ~~with~~ as to the value, after which the Board, by
its finding of July 18, 1939, found that the fair value of the
property to be taken was One Thousand (\$1000.00) Dollars,
notice of which was given to the Housing Authority of the City
of Columbia, S.C., and to Fannie M. Clifton.

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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 Hon. Clarence E. Hinmant, Clerk of this Court, deposited with this Court the sum of One Thousand (\$1000.00) Dollars, representing the award by the Condemnation Board, and on the same day gave notice to Fannie M. Clifton 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 Fannie M. Clifton 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:

All that lot or parcel of land with the improvements thereon, situate in the County of Richland, State of South Carolina, in the Eastern part of the City of Columbia, containing one-fourth of an acre, more or less, on the Western side of an alleyway known as Dial Street, which extends South from Forest Drive, this lot being the Eastern portion of Lot No. 3 on a plat of a larger tract made by S. G. Henry, Surveyor, dated May 1896, recorded in the office of the Clerk of Court for

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Att
C.E.
ccc

5th Jud. Circuit

Richland County in Plat Book "A", page 77; being bounded on the North by property of Sumter; on the West by the remaining portion of lot No. 3, recently conveyed to Krause; South by property of Wright, and on the East by Dial Street.

be and hereby is confirmed.

2. That the rights of Fannie M. Clifton and any other parties who may have an 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 Fannie M. Clifton and of any and all other persons claiming any interest, lien or right in this property be and hereby are forever barred.

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CEH

G. Duncan Bellinger
Resident Judge, 5th Jud. Circuit

September 16 1939.

A True Copy
Attest:
C. E. Humant
Clerk of Court

Served on Fannie Clifton
on Sept. 11-1939

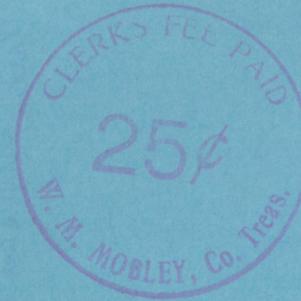
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
COURT OF COMMON PLEAS.

Ex Parte:
The Housing Authority
of the City of Colum-
bia, S.C.

In re:
Condemnation of lands
of Fannie Clifton.

NOTICE AND RECEIPT

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



WATERVILLE
SEP 12 1939

Office Copy.

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS.

Ex Parte: left } 1939, at 10:00 o'clock
The Housing Authority of }
the City of Columbia, S.C. }
In re: Housing Authority of the City of Columbia, S.C. and } **NOTICE**
Condemnation of lands of }
for Fannie M. Clifton. } 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.

To Fannie M. Clifton:

You will please take notice that The Housing Authority of the City of Columbia, S.C. has this day deposited with the Hon. Clarence E. Hinnant, Clerk of the Court of Common Pleas for Richland County, South Carolina, the sum of One Thousand (\$1000.00) Dollars, which is the total of the award of the Condemnation Board in the above matter.

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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 29, 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 Honorable G. Duncan Bellinger, Resident (Presiding)

COUNTY OF RICHLAND.

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.

I, Clarence E. Hinnant, Clerk of the Court of Common Pleas for Richland County, South Carolina, do hereby acknowledge receipt from Robinson & Robinson, Attorneys for The Housing Authority of the City of Columbia, S.C. of Columbia, S.C. of the sum of One Thousand (\$1000.00)

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, XXVIII Stat. 1369, 1373-6, in the above entitled matter, the said amount being the award of the Condemnation Board, dated July 18th, 1939, in this matter.

#2
CEH

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

September 11 1939.

A True Copy
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
Fannie M. Clifton. }

RECEIPT

#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 One Thousand (\$1000.00)
Dollars deposited by The Housing Authority of the City of
Columbia, S.C., pursuant to the provisions of the Act ap-
proved 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, dated July 18th, 1939,
in this matter.

C. E. Hinnant

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

September 11 1939.

A True Copy
attest:

C. E. Hinnant
C E C O Y S

Served July 18, 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
Fannie M. Clifton.

FINDINGS OF CONDEMNATION
BOARD



[Handwritten initials]

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
Fannie M. Clifton.

FINDINGS OF CONDEMNATION
BOARD.

We, the undersigned, having been appointed
a Board of Condemnation by order of Honorable G. Duncan
Bellinger, dated June 30, 1939, have heard testimony in the
above entitled matter and find that the true value of
the property described in the petition is One Thousand

(\$ 1000.00)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

One Thousand (\$ 1000.00)Dollars.

R. E. Currie

John H. Bollin

W. L. Bennett

Condemnation Board.

July 18 1939.

A. June Erby
attest:

C. S. Hummel
CCCPYS

Served on Fannie M.
Clifton June 30-1939

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

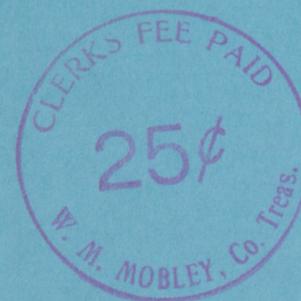
Ex Parte:

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

In re:

Condemnation of lands of
Fannie M. Clifton.

NOTICE, ORDER AND PETITION



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

Office Copy.

STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Ex Parte:

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

In re: The Housing Authority of the City of Columbia, S.C.

In re: Condemnation of Lands of Fannie M. Clifton.

Condemnation of Lands of Fannie M. Clifton.

IN THE COURT OF COMMON PLEAS

IN THE COURT OF COMMON PLEAS

ORDER: PRO INTERIM NOTICE

#6
CEH
CEH

It appearing to this Court from the attached petition that The Housing Authority of the City of Columbia, S.C. to Fannie M. Clifton, Owner: the property described 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 property described in the attached petition and pursuant to this resolution a Board of Condemnation has been appointed by order of Honorable G. Duncan Bellinger, dated June 30, 1939, a copy of which order is hereto attached.

You will further take notice that this Condemnation Board will meet Friday, July 14th, at 10:00 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.

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

June 30 1939.
June 30, 1939.

A. A. ...
Attest: C. E. Humant
C. C. P. ...

STATE OF SOUTH CAROLINA)
STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
COURT OF RICHLAND)

IN THE COURT OF COMMON PLEAS

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

In re:
In re:
Condemnation of Lands of
Fannie M. Clifton.

ORDER.

OFFICE OF THE CLERK OF THE COURT OF COMMON PLEAS,
COLUMBIA, S. C.

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CEH
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CEH

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. Curwile, 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.

IT IS FURTHER ORDERED that a copy of this Order, together with a notice of the time and place of the sitting of the Board be served upon all persons having an interest in the property described in the petition as shown by the records of Richland County, at least ten days prior to the date of the meeting of the Board.

G. Mucun Bellinger
Presiding Judge Fifth Judicial
Circuit
June 30 1939.

A. A. me Copy
Attest. C. E. Humant
C.C.C. P. H. S.

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
Fannie M. Clifton.

PETITION FOR APPOINTMENT
OF CONDEMNATION BOARD.

WHEREFORE your petitioner prays that this Court do
issue an order appointing three persons to
serve as a Board of Condemnation pursuant to Act of 783 of the
Statutes of 1934, and subsequent amendments thereto.

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

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1. That it is preparing to erect in the City of
Columbia, S.C. two low cost housing projects pursuant to 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 Hous-
ing Authority. That your petitioner has attempted to
purchase the land directly but has failed to agree upon a
price with the owner of the piece of property hereinbelow
described and desires to exercise its power of eminent domain.

2. That a resolution has been passed by your
petitioner setting forth its intention to appropriate the
property appearing on the records of Richland County as the
property of Fannie M. Clifton, described as follows:

All that lot or parcel of land with the improvements
thereon, situate in the County of Richland, State of South
Carolina in the Eastern part of the City of Columbia,
containing one-fourth of an acre, more or less, on the
western side of an alleyway known as Dial Street which
extends South from Forest Drive, this lot being the
Eastern portion of Lot No. 3 on a plat of a larger

tract made by S. G. Henry, Surveyor, dated May 1896, recorded in the office of the Clerk of Court for Richland County in Plat Book "A", page 77; being bounded on the North by property of Sumter; on the West by the remaining portion of Lot No. 3, recently conveyed to Krause; South by property of Wright, and on the East by Dial Street.

WHEREFORE your petitioner prays that this Court do issue its order designating and appointing three persons to serve as a Board of Condemnation pursuant to Act of 783 of the Statutes of 1934, and subsequent amendments thereto.

Robinson & Robinson,
Attorneys for Petitioner.

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2012

June 29 1939.

A True Copy
attest.
C. E. Hummer
C. C. W. H. S.

Re: Fannie Clifton Property

Mr. W. H. Greever, Jr., being first duly sworn, says:

EXAMINATION BY MISS ROBINSON:

Q. Mr. Greever, what is your business?

A. Real estate.

Q. How long have you been in that business?

A. Fifteen years.

Q. Were you asked by the Columbia Housing Authority to appraise this whole area they wished to acquire?

A. Yes.

Q. What were your instructions regarding that?

A. We were to ascertain and recommend a fair value for the property, taking into consideration the valuation from ownership standpoint.

Q. Were there any limits set on your appraisal?

A. No limits and no suggestions were made. Perfectly free in exercising our valuation discretion.

Q. You have seen the property belonging to Fannie Clifton?

A. I would like to testify as to certification on the report. The certificate provides that the appraiser shall to the best of his knowledge and belief certify the information contained in the report to be correct; that we have no personal interest, present and prospective, in the property referred to; and that the within ~~exampt~~ appraisal represents the fair value of the property, according to accepted standards of appraisal practice.

Q. This is a copy of what you have been reading?

A. Yes, mam.

Q. You and Mr. Smith signed this? A. Yes.

Offered in evidence as appraisal of Mr. Joh C. B. Smith and
Mr. W. H. Greever, Jr., Marked Exhibit 1.

Q. You have seen the property of Fannie Clifton and been over it?

A. Yes.

Q. Will you tell us what the appraisal was and how you arrived at it.

A. Our appraisal was \$900.00 on that, allowing \$500.00 for the building and \$400.00 for the land. It is now rented for \$10.00 monthly. The building contains I would say 4 principal rooms with toilet off the porch and a yard sink attached to the toilet room. It is substandard in condition, and the roll roofing, we are advised, is leaking in several places, and apparently ~~the~~ will continue to leak until some substantial repair work is done. The construction is plain and inexpensive. The replacement cost on the house should not exceed \$1000.00, at least, and it was my opinion that 50% depreciation from ~~physical~~ physical viewpoint was the minimum amount applicable. The land value was based on general market conditions on similar type of land, and I think our valuation by the acquisition of other properties around, which was valued in the same neighborhood, indicates that the value we ~~ascribed~~ ascribed to the land in this particular parcel was reasonably correct.

Q. Is there only one building on that property?

A. The principal building described, and one shed and dog house, to which I ascribed no value, because it is not the type of improvement that is a permanent improvement to real estate.

Q. This appraisal, as originally made, Mr. Greever, covers the entire tract known as Nos. 25 and 26 - one-fourth of an acre?

A. We appraised the property to include appraisal shown as No. 26, the approximate depth being 265'. We appraised it at being 48, however.

Q. That question is merely for the purpose of ~~clearing up~~ clearing up this which has pencil changes on it - on the back?

A. Yes.

Q. The figures given are just on No. 25? A. Yes, that is correct.

BY MR. CARWILE:

Q. This property known as 1407 Dial Alley?

A. Yes, sir, Dial Alley.

Q. And shown as lot No. 25 on Property Line Map Low-rent Housing Project SC-2-1?

June 7, 1939? A. Yes, sir.

#2
CCK

Q. Made by Tomlinson Engineering Company June 7, 1939?

A. Yes, sir.

BY MISS ROBINSON:

Q. What do you think the property is worth?

Mr. JOHN C. B. SMITH, being duly sworn, testified as follows:

A. I really think I should get enough to buy another house, \$1200.00. I have

BY MISS ROBINSON:

had to put in water, sewerage and lights. I really think I ought to get

Q. Mr. Smith, what is your business?

A. Real estate.

Q. You have been engaged in the real estate business how long?

A. Thirteen years.

Q. You heard the testimony of Mr. Greever?

A. I did.

Q. Did you with Mr. Greever go over this property and make an independent

appraisal of it?

A. We did, and on January 18, 1939 and also yesterday, I believe the 13th of this

month. \$10.00 and the tenant pays the \$1.00 water bill?

Q. Do you agree with the testimony as given by Mr. Greever?

A. I do.

Miss Robinson offers in evidence Deed recorded in "B", at page 386,

Q. If there anything you would like to add?

A. I would like to say we appraised that lot at \$400.00. that was including

lot Max 48 by 265, and that \$400.00 includes both the front and back end

off the lot, of the entire piece of the lot.

Q. Do you want her to testify?

Q. What is your appraisal of just the front piece, 50' by 180', which Fannie

A. I don't think it necessary.

now owns?

A. We changed that when the back end was cut off to \$325.00 for the lot. We

feel that is very ample value for that land.

A. About four years ago, but I did not get all the pay until April 10th, but I had really sold it four years ago, but kept it until I got the money.

Q. How much you get for that?

A. They really wanted to buy it all - I got \$1000.00 - that I took in payments.

I did not set any time for interest and charged \$45.00 in all for the interest, which gave me \$1045.00. I got the first in 1936.

Q. Who did you sell it to?

A. Krause.

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\$3K
CCK

Q. What is your last name?

A. I have been married twice - Fannie Clifton Caldwell - both men are dead - either is all right.

Q. Why did you charge \$1000.00 for the back piece and are willing to take \$1100.00?

A. I was glad to get it, and I thought if they wanted to pay it I would take it. I really think I should get \$1100.00 for the front. I can't build a house for that.

Q. The contract was entered into about four years ago?

A. Yes, mam, that is right. I kept up the taxes, etc. Did not turn it over until they paid for it.

Q. That back piece does not have any way to get in and out, except through your land?

A. That is right. I don't understand about it all but he intended to get the whole thing and when this came up he could not get it. He wanted to arrange to put a clinic there, but Mr. Pressley had just been out to see me the day before or the day after this and said they wanted the property.

Q. How much did Mr. Pressley offer you for the property?

A. \$1250.00 that includes the back lot. He did not realize the back lot was off. He did not realize that when he first went in January - he did not have the papers for it and it was not until April he found out about it.

Q. What did Krause tell you he was going to do with it?

A. Have a clinic for sick people and wanted to put a house back there to take care of sick people and he wanted the whole business - a kind of hospital.

Q. Does Krause own any other adjoining property?

A. Not that I know of. He wanted it but I told him after I heard about this that Mr. Pressley wanted it all, and I would not do anything about it.

>
CEH

THE HOUSING AUTHORITY OF THE CITY OF COLUMBIA, S.C.,
ITS SUCCESSORS AND ASSIGNS,

All that lot or parcel of land with the improvements thereon, situate in the County of Richland, State of South Carolina, in the Eastern part of the City of Columbia, containing one-fourth of an acre, more or less, on the Western side of an alleyway known as Dial Street which extends South from Forest Drive, this lot being the Eastern portion of Lot No. 3 on a plat of a larger tract made by S. G. Henry, Surveyor, dated May 1896, recorded in the office of the Clerk of Court for Richland County in Plat Book "A", page 77; being bounded on the North by property of Sumter; on the West by the remaining portion of Lot No. 3, recently conveyed to Krause; South by property of Wright, and on the East by Dial Street. Being the same property conveyed to Fannie M. Clifton by Anderson Thompson by his deed dated May 5, 1925, recorded in the office of the Clerk of Court for Richland County in Deed Book "CR", page 386.

TOGETHER with all and singular the hereditaments, rights, members and appurtenances whatsoever to the said lot of land belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof: And also the estate, right, title, interest, dower, possession, property, benefit, claim, and demand whatsoever, of the said Fannie M. Clifton, and of all the parties to the said suit, and all other persons rightfully claiming, or to claim the same, or any part thereof, by, from, or under them, or either of them.

TO HAVE AND TO HOLD the said lot of land, with its hereditaments, privileges, and appurtenances, unto the said The Housing Authority of the City of Columbia, S.C., its successors and assigns, forever.

IN WITNESS WHEREOF, I, the said Clarence E. Hinnant, Clerk for the said County, under and by virtue of the said Decree, have hereunto set my Hand and Seal, at Columbia, S.C. the _____ day of September, in the year of our Lord one thou-

