

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

The Protestant Episcopal Church In The)
Diocese Of South Carolina;)
All Saints Protestant Episcopal Church, Inc.;)
Christ St. Paul's Episcopal Church;)
Church Of The Cross, Inc. and Church)
Of The Cross Declaration Of)
Trust; Church Of The Holy Comforter;)
Church of the Redeemer;)
Holy Trinity Episcopal Church;)
St. Bartholomews Episcopal Church;)
St. Davids Church; St. James' Church,)
James Island, S.C.; St. Paul's Episcopal)
Church of Bennettsville, Inc.;)
The Church Of St. Luke and St.)
Paul, Radcliffeboro; The Church Of Our)
Saviour Of The Diocese of South Carolina;)
The Church Of The Epiphany (Episcopal);)
The Church Of The Good Shepherd,)
Charleston, SC; The Church Of The Holy)
Cross; The Church Of The Resurrection,)
Surfside; The Protestant Episcopal Church,)
Of The Parish Of Saint Philip, In Charleston,)
In The State Of South Carolina; The)
Protestant Episcopal Church, The Parish Of)
Saint Michael, In Charleston, In The State)
Of South Carolina and St. Michael's Church)
Declaration Of Trust; The Vestry and)
Church Wardens Of St. Jude's Church Of)
Walterboro; The Vestry And Church)
Wardens Of The Episcopal Church Of)
The Parish Of St. Helena and The Parish)
Church of St. Helena Trust; The Vestry and)
Church Wardens Of The Episcopal Church)
Of The Parish Of St. Matthew; The Vestry)
and Wardens Of St. Paul's Church,)
Summerville; Trinity Church)
of Myrtle Beach; Trinity Episcopal Church;)
Trinity Episcopal Church, Pinopolis; Vestry)
and Church-Wardens Of The Episcopal)
Church Of The Parish Of Christ Church;)
Vestry and Church Wardens Of The)
Episcopal Church Of The Parish Of St.)

Case No. 2017-CP-18-1909

SUMMONS

CHERYL SHAW
CLERK OF COURT
DORCHESTER COUNTY

2017 NOV 19 PM 3:01

FILED - RECORDS

John's, Charleston County)
)
 PLAINTIFFS,)
)
 v.)
)
 The Episcopal Church (a/k/a, The)
 Protestant Episcopal Church in the)
 United States of America); The Episcopal)
 Church in South Carolina)
 DEFENDANT.)
 _____)

TO THE ABOVE-NAMED DEFENDANT AND YOUR ATTORNEY(S):

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action of which a copy is herewith served upon you, and to serve a copy of your Answer on the subscriber at his office and the other counsel at their offices, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiffs will apply to the Court for the relief demanded in the Complaint.

Dated: November 19, 2017

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STATE OF SOUTH CAROLINA)
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 COUNTY OF DORCHESTER)
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IN THE COURT OF COMMON PLEAS
 FOR THE FIRST JUDICIAL CIRCUIT

Case No. 2017-CP-18-1909

COMPLAINT
 (Jury Trial Demanded)

GHERYL GRANHAM
 CLERK OF COURT
 DORCHESTER COUNTY

2017 NOV 19 PM 3:01

FILED - RECORD

Episcopal Church Of The Parish Of St.)
 John's, Charleston County)
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 PLAINTIFFS,)
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 v.)
)
 The Episcopal Church (a/k/a, The)
 Protestant Episcopal Church in the)
 United States of America); The Episcopal)
 Church in South Carolina)
 DEFENDANT.)
 _____)

The Plaintiffs, complaining of the Defendants, would respectfully show and allege unto this Honorable Court as follows:

1. The Plaintiffs are South Carolina non-profit religious corporations each of which owns in fee simple improved real property and leasehold interests located in South Carolina.
2. The Defendant, The Episcopal Church (hereinafter "TEC") is an unincorporated association with a business address of 815 2nd Avenue, New York, New York. TEC transacts business in the State of South Carolina and there are members of TEC that are citizens of the State of South Carolina.
3. The Defendant TEC is a voluntary association of corporately independent dioceses.
4. The Defendant, The Episcopal Church in South Carolina (hereinafter "ECSC"), is an unincorporated association with a business address of 98 Wentworth Street, Charleston, South Carolina. At least one of its members is a citizen of South Carolina. It transacts business in the State of South Carolina.
5. The Defendant ECSC is a voluntary association of parish churches.

6. In 2013, the plaintiffs brought a civil action against the Defendants; said civil action bearing Civil Action No.: 2013-CP-18-00013 which was filed in the Court of Common Pleas, for the County of Dorchester (hereinafter the “Legal Action”). In the Legal Action, the Defendants asserted counterclaims against Plaintiffs seeking declaratory and injunctive relief. In its counterclaims, the Defendants requested that the court enjoin the Plaintiffs from possessing their real properties, including the improvements thereon, and to determine the persons who should have possession of such. Further, the Defendants sought a declaration that the Plaintiffs had no interest in their real properties, that their real properties must be held and used solely for the mission and ministry of the Defendants.

7. The acquisition of each Plaintiffs’ real properties, the improvements constructed thereon, together with the maintenance, repair, and renovations of their properties all have been done in good faith by the Plaintiffs upon the belief that the Plaintiffs were the title owners of their real properties with the exclusive right to possess and control their properties.

8. On February 3, 2015, the Honorable Diane Goodstein issued a Final Order in the Legal Action. The Final Order dismissed the counterclaims of the Defendants asserted in the Legal Action. Thereafter, the Defendants appealed the Final Order and on August 2, 2017, the South Carolina Supreme Court, in a divided decision, reversed in part, the Final Order. On November 17, 2017, the South Carolina Supreme Court denied the Petitions for Rehearing and in said Order (hereinafter “Judgment”) held that its August 2, 2017 decision is the final decision of the Court.

9. As a result of the Judgment, upon information and belief, the Defendants intend to possess, or direct the possession of the said properties of the Plaintiffs, to others.

10. As a result of the Judgment, the Plaintiffs bring this action under Section 27-27-10, et. seq., of the Code of Laws of the State of South Carolina, seeking recovery, individually, from the Defendants for the full value of all improvements on each Plaintiffs real or leasehold property to the extent it has been finally determined that they, individually, agreed to an express trust in favor of TEC. The Plaintiffs widely vary on evidence as to such agreement (“accession”) and do not by this suit or otherwise admit to such agreement. To the extent, however, that a Plaintiff is determined by the Court to have so agreed, these betterment claims are made.

PLAINTIFFS

The Protestant Episcopal Church in The Diocese of South Carolina (“Diocese of South Carolina”)

11. The Diocese of South Carolina is a South Carolina non-profit, charitable, corporation. It was incorporated on November 14, 1973 as “The Protestant Episcopal Diocese of South Carolina.” Prior to its incorporation, the Diocese of South Carolina was organized and operated as an unincorporated association holding its first convention on May 12, 1785 at The State House in Charleston, South Carolina.

12. The Diocese has never agreed to, nor has TEC sought, an express trust in Diocese property and none exists. Since its creation, the Diocese has acquired real property in fee simple and has leased certain property believing in good faith that it had good title to the real property and that the lease conveyed and secured the title and interest represented. The value of The Diocese real property improvements far exceeds the value of the unimproved real properties or leaseholds.

13. To the extent any property interest exists in favor of Defendants, The Diocese seeks from the Defendants the present value of the improvements to

the real properties it owns which have been made so much more valuable as a result of said improvements.

14. The acquisition by the Diocese real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by the Diocese upon the belief that the Diocese was the title owner of its real properties.

15. All improvements on the real properties owned by the Diocese were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

16. As a result, The Diocese is entitled to recover from the Defendants the present value of the improvements to real properties, together with interest thereon.

All Saints Protestant Episcopal Church, Inc. (“All Saints”)

17. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

18. All Saints is a South Carolina non-profit corporation. Its business address is 1425 Cherokee Road, Florence, South Carolina. It was incorporated on September 11, 1958.

19. In 1957, All Saints was planted and supported by St. John’s Episcopal Church of Florence, SC. in 1958, voluntarily associating with the Diocese of South Carolina as a mission and in 1960, as a parish. Originally meeting in Royall School, All Saints built its current sanctuary in 1960 and has worshipped there and expanded its campus since then.

20. All Saint’s acquisition by real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

21. The value of All Saints real property improvements far exceeds the value of the unimproved real properties.

22. All Saints seeks from the Defendants the sum of the present value of the improvements to its real properties made more valuable as the result of said improvements.

23. As a result, All Saints is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

Church Of The Cross, Inc. and Church Of The Cross Declaration Of Trust

24. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

25. The Plaintiff Church of the Cross has existed as a religious South Carolina nonprofit and eleemosynary corporation since July 3, 1979. Prior to its incorporation, it existed as a religious unincorporated association since May 23, 1767.

26. The value of The Cross real property improvements far exceeds the value of the unimproved real properties.

27. The Cross seeks from the Defendants the present value of the improvements to the real properties it owns which have been made so much more valuable as a result of said improvements.

28. The acquisition by the Cross real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by the Diocese upon the belief that the Diocese was the title owner of its real properties.

29. As a result, The Cross is entitled to recover from the Defendants the present value of the improvements to real properties, together with interest thereon.

The Church of Our Saviour of the Diocese of South Carolina

30. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

31. The Church of Our Saviour of the Diocese of South Carolina (hereinafter "Our Saviour") is a South Carolina non-profit corporation. Its business address is 4416 Betsy Kerrigan Parkway, Johns Island, South Carolina. It was incorporated on March 10, 1981. Prior to its incorporation, Our Saviour conducted worship services on Johns Island, South Carolina beginning in the early 1970's. Our Saviour was established as a mission on November 20, 1980. Our Saviour acquired real properties for the purpose of on which have been constructed a church building and other buildings.

32. Our Saviour's acquisition by real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

33. The acquisition by Our Saviour real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by Our Saviour upon the belief that Our Saviour was the title owner of its real properties.

34. The value of Our Saviour real property improvements far exceeds the value of the unimproved real properties.

35. Our Saviour seeks from the Defendants the present value of improvements to its real properties which have been made so much more valuable as a result of said improvements.

36. As a result, Our Saviour is entitled to recover from the Defendants the value of all

improvements to its real properties, together with interest thereon.

The Church of the Epiphany (Epsicopal)

37. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

38. The Church of the Epiphany (Episcopal) (hereinafter "Epiphany") is a South Carolina non-profit corporation. Its business address is Palmer Street at Porcher Avenue, Eutawville, South Carolina. It was incorporated on July 10, 1972.

39. Since Epiphany's creation, it has acquired real properties on which have been constructed a church building and other buildings.

40. Epiphany's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

41. The acquisition of Epiphany's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by Epiphany's upon the belief that Epiphany's was the title owner of its real properties.

42. Our Saviour seeks from the Defendants the present value of improvements to its real properties which have been made so much more valuable as a result of said improvements.

43. As a result, Our Saviour is entitled to recover from the Defendants the value of all improvements to its real properties, together with interest thereon.

St. Davids Church

44. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically

restated herein.

45. St. Davids Church (hereinafter "St. Davids") is a South Carolina non-profit corporation. Its business address is 420 Market Street, Cheraw, South Carolina. St. Davids Parish (named after the patron saint of Wales) was established by an Act of the Colonial Assembly on April 12, 1768. The Act directed that a church, chapel and a parsonage be built. The church was completed in 1773. It was first incorporated on May 7, 1885 and then again on October 1, 1915.

46. Since St. Davids creation, it has acquired real properties for the purpose of constructing a church building and other buildings.

47. St. Davids acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

48. The acquisition of St. Davids real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by St. Davids upon the belief that St. Davids was the title owner of its real properties.

49. St. David's seeks from the Defendants the present value of improvements to its real properties which have been made so much more valuable as a result of said improvements.

50. As a result, St. David's is entitled to recover from the Defendants the value of all improvements to its real properties, together with interest thereon.

**The Vestry And Church Wardens Of The Episcopal Church Of The Parish Of St. Helena
and The Parish Church of St. Helena Trust**

51. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

52. St. Helena Parish was created in 1712 by an Act of the Colonial Assembly under the authority of the Church Act of 1706. St. Helena is a South Carolina non-profit corporation legislatively incorporated on March 22, 1786. Its business address is 507 Newcastle Street, Beaufort South Carolina.

53. Since St. Helena's creation, it has acquired real properties on which have been constructed a church buildings and other buildings.

54. St. Helena's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

55. The value of St. Helena's real property improvements far exceeds the value of the unimproved real properties.

56. St. Helena's seeks from the Defendants the present value of the improvements since its real properties have been made so much more valuable as a result of said improvements.

57. All improvements made to its real properties owned by St. Helena's were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

58. As a result, St. Helena is entitled to recover from the Defendants the value of all

improvements made to its real properties, together with interest thereon.

**Vestry and Church-Wardens Of The Episcopal Church Of The Parish of St. John's,
Charleston County**

59. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

60. St. John's Parish was created by an act of Assembly on April 9, 1734. St. John's was legislatively incorporated in 1786.

61. Since St. John's creation, it has acquired real properties on which is constructed a church building and other buildings.

62. St. John's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

63. The acquisition of St. John's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by St. John's upon the belief that St. John's was the title owner of its real properties.

64. The value of St. John's real property improvements far exceeds the value of the unimproved real properties.

65. St. John's seeks from the Defendants the present value of the improvements since its real properties have been made more valuable as a result of said improvements.

66. All improvements made to the real properties owned by St. John's were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

67. As a result, St. John's is entitled to recover from the Defendants the value of all improvements it made upon its real properties, together with interest thereon.

The Vestry and Church Wardens Of St. Jude's Church of Walterboro

68. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

69. The Vestry and Church Wardens Of St. Jude's Church of Walterboro (hereinafter "St. Jude's") is a South Carolina non-profit corporation. Its business address is 907 Wichman Street, Walterboro, South Carolina. It was incorporated on July 19, 1905.

70. Since St. Jude's incorporation, it has acquired real properties on which a church building and other buildings have been constructed.

71. St. Jude's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

72. The acquisition of St. Jude's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by upon the belief that St. Jude's was the title owner of its real properties.

73. The value of St. Jude's real property improvements far exceeds the value of the unimproved real properties.

74. St. Jude's seeks from the Defendants the sum of the present value the improvements since its real properties have been made more valuable as a result of said improvements.

75. As a result, St. Jude's is entitled to recover from the Defendants the value of all improvements made to its real properties.

The Protestant Episcopal Church, The Parish Of Saint Michael, In Charleston, In The State Of South Carolina and St. Michael's Church Declaration Of Trust

76. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

77. The Protestant Episcopal Church, The Parish Of Saint Michael, In Charleston, In The State Of South Carolina and St. Michael's Church Declaration Of Trust (hereinafter "St. Michael's") is a South Carolina non-profit corporation. Its business address is 71 Broad Street, Charleston, South Carolina.

78. By Act of the General Assembly of South Carolina, Act No. 795 entitled "**An Act for Dividing the Parish of St. Philip's, Charlestown, and for Establishing Another Parish in the said Town, by the Name of the Parish of St. Michael...**" adopted June 14, 1751, certain commissioners were empowered to acquire property for the construction of a St. Michael's Church building and parsonage house on or near the place where the old church of the parish of St. Philip, Charlestown, formerly stood, and to be known as Saint Michael.

79. The Protestant Episcopal Church of the Parish of Saint Michael, in Charleston, in the State of South Carolina (hereinafter "St. Michael's") is a Legislatively chartered South Carolina non-profit corporation, originally incorporated as the "Vestries and Church-wardens of the Episcopal Churches of the Parishes of St. Philip and St. Michael, Charleston," by Act of the General Assembly of the State of South Carolina on March 24, 1785, Act No. 1278 entitled "**An Act to Incorporate the Vestries and Church-wardens of the Episcopal Churches in the Parishes of St. Philip and Saint Michael, in Charleston; and for other Purposes,**".

80. Since St. Michael's creation, it has acquired real properties on which church buildings and other buildings has been constructed.

81. St. Michael's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

82. The acquisition of St. Michael's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by St. Michael's upon the belief that St. Michael's was the title owner of its real properties.

83. The value of St. Michael's real property improvements far exceeds the value of the unimproved real properties.

84. St. Michael's seeks from the Defendants the present value of the improvements since its real properties have been made so much more valuable as a result of said improvements.

85. All improvements made to the real properties owned by St. Michael's were made in good faith on the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

86. As a result, St. Michael's is entitled to recover from the Defendants the present value of all improvements upon its real properties, together with interest thereon.

Trinity Episcopal Church, Edisto Island

87. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

88. Trinity Episcopal Church, Edisto Island (hereinafter "Trinity Edisto") began as a Chapel of Ease in St. John's parish. On April 7, 1770 the Colonial Assembly authorized the building of the chapel. The parishioners built a church in 1774. In 1793, it was incorporated by

the General Assembly as “The Episcopal Church on Edisto Island.” Since Trinity Edisto’s creation, it has acquired real properties on which a church building and other buildings were constructed.

89. Trinity Edisto’s acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

90. The acquisition of Trinity Edisto’s real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by Trinity Edisto upon the belief that Trinity Edisto was the title owner of its real properties.

91. The value of Trinity Edisto’s real property improvements far exceeds the value of the unimproved real properties.

92. Trinity Edisto seeks from the Defendants the present value for the improvements since its real properties have been made more valuable as a result of said improvements.

93. As a result, Trinity Edisto is entitled to recover from the Defendants the present value of the improvements it to its real properties, together with interest thereon.

The Vestries and Churchwardens of the Parish of Old St. Andrew’s Parish Church
(hereinafter “Old St. Andrew’s”),

94. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

95. On November 30, 1706 the General Assembly Old St. Andrew’s was created by the General Assembly. It was legislatively chartered on March 24, 1785.

96. Old St. Andrew’s acquisition of real properties and the maintenance, repair and

renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

97. The acquisition of Old St. Andrew's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by Old St. Andrew's upon the belief that Old St. Andrew's was the title owner of its real properties.

98. The value of Old St. Andrew's real property improvements far exceeds the value of the unimproved real properties.

99. Old St. Andrew's seeks from the Defendants the present value of the improvements to its real properties.

100. As a result, Old St. Andrew's is entitled to recover from the Defendants the value of all improvements to its real properties. together with interest thereon.

Trinity Episcopal Church, Pinopolis

101. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

102. Trinity Episcopal Church, Pinopolis ("Trinity, Pinopolis") is a South Carolina non Profit corporation. Its business address is 1915 Pinopolis Road, Pinopolis Island, South Carolina. It has existed as an unincorporated association since 1808. It was incorporated on February 24, 1971.

103. Since Trinity Pinopolis's incorporation, it has acquired real properties on which a church building and other buildings have been constructed.

104. Trinity Pinopolis's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its

parishioners.

105. The acquisition of Trinity Pinopolis's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by Trinity Pinopolis upon the belief that Trinity Pinopolis was the title owner of its real properties.

106. The value of Trinity Pinopolis's real property improvements far exceeds the value of the unimproved real properties.

107. Trinity Pinopolis seeks from the Defendants the sum of the present value for the Improvements to its real properties.

108. All improvements to real properties owned by Trinity Pinopolis were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

109. As a result, Trinity Pinopolis is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

Christ St. Paul's Episcopal Church ("Christ St. Paul's")

110. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

111. Christ St. Paul's is a South Carolina non-profit corporation. Its business address is Chapel Road, Yorges Island, South Carolina. It was incorporated on December 3, 1997.

112. In 1706 the Church Act passed by the Colonial Assembly created the nine original parishes in South Carolina. In 1708 the Act defined St. Paul's Parish as one of the Parishes making up Colleton County, (now Charleston County).

113. St. Paul's acquisition by real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

114. The acquisition by St. Paul's real properties, the improvements constructed on, together with the maintenance, repair and renovations of its properties all have been done in good faith by the Diocese upon the belief that the Diocese was the title owner of its real properties.

115. The value of St. Paul's real property improvements far exceeds the value of the unimproved real properties.

116. St. Paul's seeks from the Defendants the sum of the present value of the improvements to its real properties.

117. All improvements on the real properties owned by St. Paul's were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

118. As a result, St. Paul's is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

Church Of The Holy Comforter ("Holy Comforter")

119. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

120. Holy Comforter is a South Carolina non-profit corporation incorporated by an Act of the General Assembly on December 21, 1857. Its business address is 213 N. Main Street, Sumter, South Carolina.

121. Holy Comforter began worship services in Sumter, South Carolina in 1844 and constructed its first church building in 1859. Thereafter, Holy Comforter acquired its current location and constructed the present church building in 1909 where the parish has continually conducted services to the present.

122. The value of Holy Comforter's real property improvements far exceeds the value of the unimproved real properties.

123. Holy Comforter's seeks from the Defendants the sum of the present value of the improvements to its real properties.

124. All improvements on the real properties owned by Holy Comforter's were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

125. As a result, Holy Comforter's is entitled to recover from the Defendants the value Of all improvements it made upon its real properties.

Church Of The Redeemer ("Redeemer")

126. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

127. Redeemer is a South Carolina non-profit corporation. Its business address is 1606 Russell Street, Orangeburg, South Carolina. It was incorporated on May 27, 1922.

128. Redeemer is a part of St. Matthews Parish, which was established, by an Act of The Colonial Assembly on August 12, 1768. This Act provided that a chapel was to be built in "Orangeburgh Territory."

129. Prior to its incorporation, Redeemer began worship services in Orangeburg,

South Carolina in 1851. Its church building was occupied in 1857. It was moved and renovated at its current location in 1895.

130. The value of Redeemer's real property improvements far exceeds the value of the unimproved real properties.

131. Redeemer's seeks from the Defendants the sum of the present value of the improvements to its real properties.

132. All improvements on the real properties owned by Redeemer's were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

133. As a result, Redeemer's is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

Holy Trinity Episcopal Church ("Holy Trinity")

134. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

135. Holy Trinity is a South Carolina non-profit corporation. Its business address is 95 Folly Road, Charleston, South Carolina. It was incorporated on February 11, 1957.

136. Holy Trinity held its first services in a theater on October 21, 1956.

137. The value of Holy Trinity's real property improvements far exceeds the value of The unimproved real properties.

138. Holy Trinity's seeks from the Defendants the sum of the present value of the improvements to its real properties.

139. All improvements on the real properties owned by Holy Trinity's were made in

good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

140. As a result, Holy Trinity's is entitled to recover from the Defendants the value of All improvements it made upon its real properties.

St. Bartholomews Episcopal Church ("St. Bartholomews")

141. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

142. St. Bartholomews is a South Carolina non-profit corporation. Its business address Is Campus Drive, Hartsville, South Carolina. It was incorporated on February 8, 1922.

143. St. Bartholomews began holding worship services on June 27, 1902 in a building loaned for that purpose. A church building was constructed in 1909-1910 and St. Bartholomews voluntarily associated with the Diocese of South Carolina as a mission and then as a parish on May 13, 1914.

144. A rectory was constructed in 1922 and a church school building was constructed In 1923. In 1987, a fire destroyed the church buildings and the present building was built on the site thereafter.

145. The value of St. Bartholomews real property improvements far exceeds the Value of The unimproved real properties.

146. St. Bartholomews seeks from the Defendants the sum of the present value of the improvements to its real properties.

147. All improvements on the real properties owned by St. Bartholomews were made

In Good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

148. As a result, St. Bartholomews is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

St. James' Church, James Island, S.C. ("St. James")

149. Plaintiff repeats and reiterates every allegation in this Complaint as if Specifically restated herein.

150. St. James is a South Carolina non-profit corporation. Its business address is 1872 Camp Road, James Island, South Carolina. It was incorporated on February 15, 1832.

151. Under the 1706 Church Act, James Island was a part of St. Andrews Parish.

152. The first Anglican church on Island was built at an early but undetermined date. This Chapel of Ease for St. Andrews, was destroyed by a hurricane in 1730 but was rebuilt by 1733. An Act was passed March 19, 1756 officially establishing the church as a Chapel of Ease for St. Andrews church.

153. The chapel was destroyed during the Revolutionary War. A third chapel was built after the war.

154. The chapel went out of use from 1800 to 1831 when it was reorganized as the parish church of St. James, James Island. In 1853 a new and larger church was erected, which burned in 1864. The church was replaced with a new structure in 1898-99. The current church was erected in 1959-60.

155. The value of St. James, James Island's real property improvements far exceeds The value of the unimproved real properties.

156. St. James, James Island seeks from the Defendants the sum of the present value

of the improvements to its real properties.

157. All improvements on the real properties owned by St. James, James Island were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

158. As a result, St. James, James Island is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

St. Paul's Episcopal Church Of Bennettsville, Inc.
("St. Paul's, Bennettsville")

159. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

160. St. Paul's, Bennettsville is a South Carolina non-profit corporation. Its business address is 306 Fayetteville Avenue, Bennettsville, South Carolina. It was incorporated on March 4, 2002.

161. St. Paul's, Bennettsville held its first worship services on May 29-30, 1894 as "The Bennettsville Mission." In 1896, St. Paul's was called "St. Paul's Mission." In 1897, the lot where the present church is located was acquired and the church was built, the first services being held on Christmas Day, 1897. A parish house was completed in 1948.

162. The value of St. Paul's Bennettsville real property improvements far exceeds the value of the unimproved real properties.

163. St. Paul's, Bennettsville seeks from the Defendants the sum of the present value of the improvements to its real properties.

164. As a result, St. Paul's Bennettsville is entitled to recover from the Defendants the

value of all improvements it made upon its real properties.

The Church Of St. Luke and St. Paul, Radcliffeboro (“The Cathedral”)

165. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

166. The Cathedral is a South Carolina non-profit corporation. Its business address is 126 Coming Street, Charleston, South Carolina. It was incorporated on April 7, 1951.

167. The Cathedral is the successor by merger to St. Luke’s, Charleston and The Protestant Episcopal Church of St. Paul, Radcliffeboro (“St. Paul’s”).

168. St. Luke’s, Charleston was incorporated by an act of General Assembly on December 21, 1858.

169. St. Luke’s began its services in 1858. It voluntarily associated with the Diocese of South Carolina in 1858. Its first church building was occupied in 1862 and it was regularly used and until October 7 1864 when struck by a shell. Services resumed in October 1865. In 1899 it ceased to be used but was revived as a mission in 1904 and as a parish later that year. It again voluntarily associated with the Diocese of South Carolina in 1905.

170. St. Paul’s was incorporated by the General Assembly on December 21, 1814 as The Protestant Episcopal Church of St. Paul in Radcliffeboro. As the church primarily served the outlying plantation families, it was known as the “planters’ Church”. It voluntarily associated with the Diocese of South Carolina upon its becoming a Parish.

171. On May 11, 1950, St. Luke’s Church, Charleston and The Protestant Episcopal Church of St. Paul in Radcliffeboro were merged into The Church of St. Luke and St. Paul, Radcliffeboro, using the church building of St. Paul’s for their worship services.

172. The value of The Cathedral real property improvements far exceeds the value of the unimproved real properties.

173. The Cathedral seeks from the Defendants the sum of the present value of The improvements to its real properties.

174. All improvements on the real properties owned by The Cathedral were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

175. As a result, The Cathedral is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

The Church Of The Good Shepherd, Charleston, S.C. (“Good Shepherd”)

176. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

177. Good Shepherd is a South Carolina non-profit corporation. Its business address is 1393 Miles Drive, Charleston, South Carolina. It’s predecessor was incorporated on December 19, 1833, as The St. Peter’s Church of Charleston.

178. In 1927, St. Peter’s Church of Charleston was reorganized by an Act of the General Assembly.

179. Good Shepherd, as the successor to St. Peter’s Church, held its first service in an army tent in February of 1922. The lot on which the tent stood was bought and the first chapel was opened for services on May 14, 1922.

180. In 1933, the Church building was improved. At this time a lot north of the Church was acquired. In 1948, the congregation built a rectory adjoining the Church. In 1951 Good Shepherd voluntarily associated with the Diocese of South Carolina when it became a parish.

181. The value of Good Shepherd real property improvements far exceeds the value of the unimproved real properties.

182. Good Shepherd seeks from the Defendants the sum of the present value of The improvements to its real properties.

183. All improvements on the real properties owned by Good Shepherd were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

184. As a result, Good Shepherd is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

The Church Of The Holy Cross (“Holy Cross”)

187, Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

185. Holy Cross is a South Carolina non-profit corporation. Its business address is 335 N. Kings Highway, Statesburg, South Carolina.

186. Holy Cross was incorporated by an act of the General Assembly in 1788 as “The Vestry and Church Wardens of the Episcopal Church of Claremont.”

187. The first church was built in 1788 on land donated by General Thomas Sumter. A new church was built between 1850 and 1852 on the same site. The name was changed to “Church of the Holy Cross.”

188. The value of Holy Cross real property improvements far exceeds the value of the unimproved real properties.

189. Holy Cross seeks from the Defendants the sum of the present value of

The improvements to its real properties.

190. All improvements on the real properties owned by Holy Cross were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

191. As a result, Holy Cross is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

The Church Of The Resurrection, Surfside (“Resurrection”)

192. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

193. Resurrection is a South Carolina non-profit corporation. Its business address is 8901 Hwy. 17 Bypass, Surfside Beach, South Carolina. It was incorporated on July 12, 1971.

194. The value of Resurrection real property improvements far exceeds the value of the unimproved real properties.

195. Resurrection seeks from the Defendants the sum of the present value of The improvements to its real properties.

196. All improvements on the real properties owned by Resurrection were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

197. As a result, Resurrection is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. Matthew (“St Matthew’s Parish Fort Motte”)

198. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

199. St. Matthew's Parish Fort Motte is a South Carolina non-profit corporation. Its business address is 1164 Fort Motte Road, Fort Motte, South Carolina.

200. St. Matthew's Parish Fort Motte was established by an act of the Colonial Assembly on August 12, 1768. On February 29, 1788, St. Matthew's Parish Fort Motte was incorporated by the General Assembly as "The Vestry and Church Wardens of the Episcopal Church of the Parish of St. Matthew", and granted full title to the property of the parish and full rights to acquire or dispose of property "as they shall think convenient."

201. The original Parish Church was located near Halfway Swamp in Orangeburgh

202. Township. The church building was subsequently rebuilt in several locations within St. Matthew's Parish. The present church building was erected in the community of Fort Motte in 1852.

203. The value of St. Matthew real property improvements far exceeds the value of the unimproved real properties.

204. St. Matthew seeks from the Defendants the sum of the present value of The improvements to its real properties.

205. All improvements on the real properties owned by St. Matthew were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

206. As a result, St. Matthew is entitled to recover from the Defendants the value of all improvements to its real properties.

The Vestry and Wardens Of St. Paul's Church, Summerville ("St. Paul's")

207. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

208. St. Paul's is a South Carolina non-profit corporation incorporated on December 19, 1855. Its business address is 316 W Carolina Avenue, Summerville, South Carolina.

209. St. Paul's traces history back to colonial Dorchester. For 11 years after the Passage of the Church Act of 1706 the area of Dorchester encompassing what is now Summerville was part of St. Andrews Parish. In 1717 Episcopalians within Dorchester petitioned the Colonial Assembly for their own parish. The new parish, formed by an Act passed on Dec. 11, 1717 was named St. George. "The Church and Parsonage-House were directed to be built where the Commissioners should direct, with the consent of a majority of the Parishioners, professing the religion of the Church of England, who should contribute to the expense."

210. By 1720 construction of the outer portion of a church was complete. The construction was paid for by local subscriptions and by a contribution from the Colonial Assembly.

211. In 1734 the Church was renovated and enlarged and in 1751 a bell tower was added. The British occupied the area during the Revolutionary War. In 1782 the British set fire to the church, with only the bell tower surviving.

212. As of 1829 the rector of St. Paul's Stono was holding regular summer services in parishioners homes. St. Paul's Summerville remained a chapel-of-ease under the vestry of St. Paul's Stono until after 1865. In 1830 parishioners built a church in Summerville near the present site.

213. In 1855 the General Assembly of South Carolina incorporated "The Vestry and

Wardens of St. Paul's Church, Summerville" and granted ownership of certain property including the property on which the church is located to St. Paul's Summerville.

214. Since 1857 the church has undergone repairs caused by the 1886 earthquake, has seen the addition of Ambler Hall in 1924, the construction of the parish house in 1974 and a new addition in 1986. The church added an additional 33,000 sq. ft. of space in 2002 and 2003, Doar Hall and the C/4 ("Children/Youth) Building. All work was at the impetus of, under the direction of and at the expense of the rector and parishioners of St. Paul's Summerville.

215. The value of St. Paul's real property improvements far exceeds the value of the unimproved real properties.

216. St. Paul's seeks from the Defendants the sum of the present value of the improvements to its real properties.

217. All improvements on the real properties owned by St. Paul's were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

218. As a result, St. Paul's is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

Trinity Church Of Myrtle Beach ("Trinity")

219. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

220. Trinity is a South Carolina non-profit corporation. Its business address is 3000 N Kings Highway, Myrtle Beach, South Carolina. Trinity was incorporated on May 27, 1949.

221. It has continually existed and acted as a duly formed corporation with its Vestry And Wardens serving as its Board of Directors pursuant to its governance documents since its

incorporation in 1949.

222. Trinity was organized in June 1939 as the “Church of the Messiah.” It became a mission of the Diocese of South Carolina in October 1939. In 1949, it voluntarily associated with the Diocese of South Carolina as a parish. In 1951, its name was changed to “Trinity Episcopal Church.” In November 2009, its name was changed to “Trinity Church of Myrtle Beach.”

223. The value of Trinity’s real property improvements far exceeds the value of the unimproved real properties.

224. Trinity’s seeks from the Defendants the sum of the present value of The improvements to its real properties.

225. All improvements on the real properties owned by Trinity’s were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

226. As a result, Trinity is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

Vestry and Church-Wardens Of The Episcopal Church Of The Parish Of Christ Church (“Christ Church”)

227. Plaintiff repeats and reiterates every allegation in this Complaint as if specifically restated herein.

228. Christ Church is a South Carolina non-profit corporation. Its business address is 2304 Highway 17 North, Mount Pleasant, South Carolina. It was incorporated on March 27, 1787.

229. Christ Church Parish was created by the Church Act of 1706.

230. The first building's foundation was laid in 1707. It was destroyed by fire in 1724, rebuilt with brick in 1727 and destroyed again by the British in 1782, but rebuilt again in 1794.

231. Christ Church was incorporated by the General Assembly on March 27, 1787 as "The Vestry and Church-Wardens Of The Episcopal Church Of The Parish Of Christ Church."

232. The value of Christ Church real property improvements far exceeds the value of the unimproved real properties.

233. Christ Church seeks from the Defendants the sum of the present value of The improvements to its real properties.

234. All improvements on the real properties owned by Christ Church were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

235. As a result, Christ Church is entitled to recover from the Defendants the value of all improvements it made upon its real properties.

St. Luke's Church, Hilton Head

236. St. Luke's Church, Hilton Head (hereinafter "St. Luke's") is a South Carolina non-profit corporation, incorporated on March 4, 1969 with the South Carolina Secretary of State. St. Luke's history extends back to May 23, 1767 when St. Luke's Parish was established by an Act of the Colonial Assembly. In 1788, parishioners built a wooden chapel known as Zion Chapel of Ease on Hilton Head Island. The Chapel was abandoned in 1862 due to the Island's occupation by Union Troops.

237. On December 21, 1964, worship services resumed as a mission under the name "St. Luke's" and then expanded in 1970 by becoming a parish, voluntarily associating with the Diocese of South Carolina.

238. Since St. Luke's incorporation, it has acquired real properties for the purpose of constructing a church building and other buildings.

239. St. Luke's acquisition of real properties and the maintenance, repair and renovation of its properties has been accomplished from funds donated or obtained from its parishioners.

240. The acquisition of St. Luke's real properties, the improvements constructed thereon, together with the maintenance, repair and renovations of its properties all have been done in good faith by St. Luke's upon the belief that St. Luke's was the title owner of its real properties.

241. The value of St. Luke's real property improvements far exceeds the value of the unimproved real properties.

242. St. Luke's seeks from the Defendants the sum of at least Seven Million Dollars for the improvements since its real properties have been made so much more valuable as a result of said improvements.

243. All improvements made by St. Luke's to its real properties were made in good faith with the belief that it solely owned, and would continue to possess and own, said real properties upon which improvements existed.

244. As a result, St. Luke's is entitled to recover from the Defendants the value of all improvements it made upon its real properties, with the value thereof being in excess of Seven Million Dollars, together with interest thereon.

WHEREFORE, The Plaintiffs pray for the following:

- (a) For each Plaintiff that is held in this action to have acceded to the Denis Canon, a judgement against the Defendants for the value of the improvements on the real properties owned by each such Plaintiff, together with interest from the date of such judgement.
- (b) That this action be stayed pending the final disposition of Plaintiffs Petition for a Writ of Certiorari to the United States Supreme Court and any further action by the United States Supreme Court in Civ. No. 2013-CP-18-0013, Appellate Case No. 2015-0013.
- (c) For such other relief as the Court deems just and proper.

Dated: November 19, 2017

Respectfully submitted,

*The Protestant Episcopal Church In The Diocese of South
Carolina; and The Trustees of the Protestant Episcopal
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STATE OF SOUTH CAROLINA)

COUNTY OF DORCHESTER)

The Protestant Episcopal Church
In The Diocese Of South Carolina, et al.

Plaintiff(s))

vs.)

The Episcopal Church and The Episcopal
Church in South Carolina)

Defendant(s))

Submitted By: ANDREW S. PLATTE, ESQ.
Address:
2015 BOUNDARY STREET, SUITE 239
BEAUFORT, SC 29902

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2017 -CP- 18 - 0709

CLERK OF COURT
DORCHESTER COUNTY

2017 NOV 19 PM 3:01

FILED - RECORD

SC Bar #: 77801
Telephone #: 803-943-4444
Fax #:
Other:
E-mail: aplatte@runyanplatte.com

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint. NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | |
|--|--|---|--|
| <p>Contracts</p> <ul style="list-style-type: none"> <input type="checkbox"/> Constructions (100) <input type="checkbox"/> Debt Collection (110) <input type="checkbox"/> Employment (120) <input type="checkbox"/> General (130) <input type="checkbox"/> Breach of Contract (140) <input type="checkbox"/> Other (199) | <p>Torts - Professional Malpractice</p> <ul style="list-style-type: none"> <input type="checkbox"/> Dental Malpractice (200) <input type="checkbox"/> Legal Malpractice (210) <input type="checkbox"/> Medical Malpractice (220) Previous Notice of Intent Case #
20____-CP-_____- <input type="checkbox"/> Notice/ File Med Mal (230) <input type="checkbox"/> Other (299) | <p>Torts - Personal Injury</p> <ul style="list-style-type: none"> <input type="checkbox"/> Assault/Slander/Libel (300) <input type="checkbox"/> Conversion (310) <input type="checkbox"/> Motor Vehicle Accident (320) <input type="checkbox"/> Premises Liability (330) <input type="checkbox"/> Products Liability (340) <input type="checkbox"/> Personal Injury (350) <input type="checkbox"/> Wrongful Death (360) <input type="checkbox"/> Other (399) | <p>Real Property</p> <ul style="list-style-type: none"> <input type="checkbox"/> Claim & Delivery (400) <input type="checkbox"/> Condemnation (410) <input type="checkbox"/> Foreclosure (420) <input type="checkbox"/> Mechanic's Lien (430) <input type="checkbox"/> Partition (440) <input type="checkbox"/> Possession (450) <input type="checkbox"/> Building Code Violation (460) <input checked="" type="checkbox"/> Other (499) Betterments |
| <p>Inmate Petitions</p> <ul style="list-style-type: none"> <input type="checkbox"/> PCR (500) <input type="checkbox"/> Mandamus (520) <input type="checkbox"/> Habeas Corpus (530) <input type="checkbox"/> Other (599) | <p>Administrative Law/Relief</p> <ul style="list-style-type: none"> <input type="checkbox"/> Reinstate Drv. License (800) <input type="checkbox"/> Judicial Review (810) <input type="checkbox"/> Relief (820) <input type="checkbox"/> Permanent Injunction (830) <input type="checkbox"/> Forfeiture-Petition (840) <input type="checkbox"/> Forfeiture—Consent Order (850) <input type="checkbox"/> Other (899) | <p>Judgments/Settlements</p> <ul style="list-style-type: none"> <input type="checkbox"/> Death Settlement (700) <input type="checkbox"/> Foreign Judgment (710) <input type="checkbox"/> Magistrate's Judgment (720) <input type="checkbox"/> Minor Settlement (730) <input type="checkbox"/> Transcript Judgment (740) <input type="checkbox"/> Lis Pendens (750) <input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760) <input type="checkbox"/> Confession of Judgment (770) <input type="checkbox"/> Petition for Workers Compensation Settlement Approval (780) <input type="checkbox"/> Other (799) | <p>Appeals</p> <ul style="list-style-type: none"> <input type="checkbox"/> Arbitration (900) <input type="checkbox"/> Magistrate-Civil (910) <input type="checkbox"/> Magistrate-Criminal (920) <input type="checkbox"/> Municipal (930) <input type="checkbox"/> Probate Court (940) <input type="checkbox"/> SCDOT (950) <input type="checkbox"/> Worker's Comp (960) <input type="checkbox"/> Zoning Board (970) <input type="checkbox"/> Public Service Comm. (990) <input type="checkbox"/> Employment Security Comm (991) <input type="checkbox"/> Other (999) |
| <p>Special/Complex /Other</p> <ul style="list-style-type: none"> <input type="checkbox"/> Environmental (600) <input type="checkbox"/> Automobile Arb. (610) <input type="checkbox"/> Medical (620) <input type="checkbox"/> Other (699) | | <ul style="list-style-type: none"> <input type="checkbox"/> Pharmaceuticals (630) <input type="checkbox"/> Unfair Trade Practices (640) <input type="checkbox"/> Out-of State Depositions (650) <input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660) <input type="checkbox"/> Sexual Predator (510) | |

Submitting Party Signature: Andrew S. Platte

Date: Novmeber 19, 2017

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

FOR MANDATED ADR COUNTIES ONLY

Allendale, Anderson, Beaufort, Clarendon, Colleton, Florence, Greenville, Hampton, Horry, Jasper, Lee, Lexington, Pickens (Family Court Only), Richland, Sumter, Union, Williamsburg, and York

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

You are required to take the following action(s):

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs. (Medical malpractice mediation is mandatory statewide.)
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.