

STATE OF NORTH CAROLINA

File No.

20-CVS-

67

BRUNSWICK

County

In The General Court Of Justice
District Superior Court Division

FILED

2020 JAN 10 P 3:24

BRUNSWICK COUNTY, NC CIVIL ACTION COVER SHEET

Name And Address Of Plaintiff 1

TOWN OF SUNSET BEACH, a North Carolina Municipal Corporation and Body Politic
c/o 1908 EASTWOOD ROAD, SUITE 224
Wilmington, NC 28403

Name And Address Of Plaintiff 2

BY

INITIAL FILING SUBSEQUENT FILING

GENERAL

Rule 5(b) of the General Rules of Practice for the Superior and District Courts

VERSUS

Name And Address Of Defendant 1

ANNE MORALES
712 Triple Oak Drive
Murrells Inlet, SC 29576

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

G. GRADY RICHARDSON, JR.
LAW OFFICES OF G. GRADY RICHARDSON, JR., P.C.
1908 EASTWOOD ROAD, SUITE 224
WILMINGTON NC 28403

Summons Submitted

Yes No

Telephone No.

910.509.7166

Cellular Telephone No.

910.471.3377

Name And Address Of Defendant 2

NC Attorney Bar No.

25508

Attorney Email Address

GRADY@GGRLAWOFFICE.COM

Initial Appearance in Case Change of Address

Name Of Firm

Law Offices of G. Grady Richardson, Jr., P.C.

Fax No.

910.509.7167

Summons Submitted

Yes No

Counsel For

All Plaintiffs All Defendants Only: (list party(ies) represented)

Jury Demanded In Pleading Complex Litigation Stipulate to Arbitration

TYPE OF PLEADING

(check all that apply)

- Amend (AMND)
Amended Answer/Reply (AMND-Response)
Amended Complaint (AMND)
Assess Costs (COST)
Answer/Reply (ANSW-Response) (see Note)
Change Venue (CHVN)
Complaint (COMP)
Confession Of Judgment (CNFJ)
Consent Order (CONS)
Consolidate (CNSL)
Contempt (CNTP)
Continue (CNTN)
Compel (CMPL)
Counterclaim (CTCL) Assess Court Costs
Crossclaim (list on back) (CRSS) Assess Court Costs
Dismiss (DISM) Assess Court Costs
Exempt/Waive Mediation (EXMD)
Extend Statute Of Limitations, Rule 9 (ESOL)
Extend Time For Complaint (EXCO)
Failure To Join Necessary Party (FJNP)

- Failure To State A Claim (FASC)
Implementation Of Wage Withholding In Non-IV-D Cases (OTHR)
Improper Venue/Division (IMVN)
Including Attorney's Fees (ATTY)
Intervene (INTR)
Interplead (OTHR)
Lack Of Jurisdiction (Person) (LJPN)
Lack Of Jurisdiction (Subject Matter) (LJSM)
Modification Of Child Support In IV-D Actions (MSUP)
Notice Of Dismissal With Or Without Prejudice (VOLD)
Petition To Sue As Indigent (OTHR)
Rule 12 Motion In Lieu Of Answer (MDLA)
Sanctions (SANC)
Set Aside (OTHR)
Show Cause (SHOW)
Transfer (TRFR)
Third Party Complaint (list Third Party Defendants on back) (TPCL)
Vacate/Modify Judgment (VCMD)
Withdraw As Counsel (WDCN)
Other (specify and list each separately)

NOTICE OF LIS PENDENS

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include either a General Civil (AOC-CV-751), Motion (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

(Over)

CLAIMS FOR RELIEF

- | | | |
|--|--|--|
| <input type="checkbox"/> Administrative Appeal (ADMA) | <input type="checkbox"/> Limited Driving Privilege - Out-Of-State Convictions (PLDP) | <input type="checkbox"/> Product Liability (PROD) |
| <input type="checkbox"/> Appointment Of Receiver (APRC) | <input type="checkbox"/> Medical Malpractice (MDML) | <input checked="" type="checkbox"/> Real Property (RLPR) |
| <input type="checkbox"/> Attachment/Garnishment (ATTC) | <input type="checkbox"/> Minor Settlement (MSTL) | <input checked="" type="checkbox"/> Specific Performance (SPPR) |
| <input type="checkbox"/> Claim And Delivery (CLMD) | <input type="checkbox"/> Money Owed (MNYO) | <input checked="" type="checkbox"/> Other (specify and list each separately) |
| <input type="checkbox"/> Collection On Account (ACCT) | <input type="checkbox"/> Negligence - Motor Vehicle (MVNG) | |
| <input type="checkbox"/> Condemnation (CNDM) | <input type="checkbox"/> Negligence - Other (NEGO) | |
| <input checked="" type="checkbox"/> Contract (CNTR) | <input type="checkbox"/> Motor Vehicle Lien G.S. Chapter 44A (MVLN) | |
| <input type="checkbox"/> Discovery Scheduling Order (DSCH) | <input checked="" type="checkbox"/> Possession Of Personal Property (POPP) | |
| <input checked="" type="checkbox"/> Injunction (INJU) | | |

Date

01/10/2020

Signature Of Attorney/Party

FEES IN G.S. 7A-308 APPLY

Assert Right Of Access (ARAS)
 Substitution Of Trustee (Judicial Foreclosure) (RSOT)
 Supplemental Procedures (SUPR)

PRO HAC VICE FEES APPLY

Motion For Out-Of-State Attorney To Appear In NC Courts In A Civil Or Criminal Matter (Out-Of-State Attorney/Pro Hac Vice Fee)

| No. | <input type="checkbox"/> Additional Plaintiff(s) |
|-----|--|
| | |
| | |
| | |
| | |
| | |
| | |

| No. | <input type="checkbox"/> Additional Defendant(s) | <input type="checkbox"/> Third Party Defendant(s) | Summons Submitted |
|-----|--|---|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Plaintiff(s) Against Whom Counterclaim Asserted

Defendant(s) Against Whom Crossclaim Asserted

STATE OF NORTH CAROLINA

File No.

20-CVS-

67

BRUNSWICK County

FILED

In The General Court Of Justice
 District Superior Court Division

Name Of Plaintiff

TOWN OF SUNSET BEACH

2020 JAN 10 P 3:24

APPLICATION AND ORDER
EXTENDING TIME TO
FILE COMPLAINT

VERSUS

Name Of Defendant

ANNE MORALES

BRUNSWICK COUNTY, N.C.

G.S. 1A-1, Rule 3

APPLICATION

The undersigned requests permission to file a complaint in this action within twenty (20) days of any order granting this Application, as provided in Rule 3 of the Rules of Civil Procedure. The nature and purpose of the action are:

Name And Purpose Of The Action

PLAINTIFF'S ACTION WILL BE ONE FOR, INTER ALIA, INJUNCTION, BREACH OF CONTRACT, AND INTERFERENCE WITH EASEMENT RIGHTS AND, ACCORDINGLY, IS AN ACTION INVOLVING RIGHTS AND TITLE TO REAL PROPERTY, AMONG OTHER THINGS, PURSUANT TO N.C.G.S. 1-116, ET AL.

Date

01-10-2020

Signature

Applicant

Attorney For Applicant

ORDER

The Court states that the nature and purpose of this action are as set forth above.

Therefore, it is ORDERED that permission is granted to the applicant to file a complaint in this action up to and including the date shown below.

File Complaint On Or Before

1/30/2020

(Date must be within 20 days of date of Order.)

Date Of Order

1/10/2020

Signature

Assistant Clerk Of Superior Court

Clerk Of Superior Court

NOTE: Under Rule 3 of the Rules of Civil Procedure, upon entry of this Order, a summons shall be issued and the summons and a copy of this Order must be served in accordance with the provisions of Rule 4. A complaint must be filed in this action within the period provided above and that complaint must be served in accordance with the provisions of Rule 4 or by registered mail if the plaintiff so elects. If a complaint is not filed within the above period, the action shall abate.

STATE OF NORTH CAROLINA

BRUNSWICK County

File No

20-CVS-

67

Scan No.

FILED

In The General Court Of Justice
District Superior Court Division

Name Of Plaintiff

TOWN OF SUNSET BEACH, a North Carolina Municipal Corp.

2020 JAN 10 P 3:24

CIVIL SUMMONS
TO BE SERVED WITH
ORDER EXTENDING
TIME TO FILE COMPLAINT

VERSUS

Name Of Defendant(s)

ANNE MORALES

G.S. 1A-1, Rule 4

To:

Name And Address Of Defendant 1

ANNE MORALES
712 Triple Oak Drive
Murrells Inlet, SC 29576

To:

Name And Address Of Defendant 2



IMPORTANT! You have been sued! These papers are legal documents, DO NOT throw these papers out!
You have to respond within 30 days. You may want to talk with a lawyer about your case as soon as possible, and, if needed, speak with someone who reads English and can translate these papers!
¡IMPORTANTE! ¡Se ha entablado un proceso civil en su contra! Estos papeles son documentos legales. ¡NO TIRE estos papeles!
Tiene que contestar a más tardar en 30 días. ¡Puede querer consultar con un abogado lo antes posible acerca de su caso y, de ser necesario, hablar con alguien que lea inglés y que pueda traducir estos documentos!

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

- 1. Serve a copy of your written answer to the complaint upon the plaintiff or the plaintiff's attorney within thirty (30) days after you have been served with the complaint as authorized in the attached order. You may serve your answer by delivering a copy to the plaintiff or the plaintiff's attorney or by mailing a copy to one of them at his/her last known address.
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

G. GRADY RICHARDSON, JR.
LAW OFFICES OF G. GRADY RICHARDSON, JR., P.C.
1908 Eastwood Rd., Suite 224
Wilmington, NC 28403

Date

1-10-20

Time

3:24

AM

PM

Signature

[Handwritten Signature]

Deputy CSC

Assistant CSC

Clerk Of Superior Court

(Over)

RETURN OF SERVICE

I certify that this Summons and a copy of the Order were received and served as follows:

DEFENDANT 1

| | | |
|--------------------|---|--------------------------|
| <i>Date Served</i> | <i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM | <i>Name Of Defendant</i> |
|--------------------|---|--------------------------|

- By delivering to the defendant named above a copy of this Summons and Order.
- By leaving a copy of this Summons and Order at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein, who is named below.
- As the defendant is a corporation, service was effected by delivering a copy of this Summons and Order to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

Service accepted by defendant

| | | |
|----------------------|---|------------------|
| <i>Date Accepted</i> | <i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM | <i>Signature</i> |
|----------------------|---|------------------|

Other manner of service (*specify*)

Defendant WAS NOT served for the following reason:

DEFENDANT 2

| | | |
|--------------------|---|--------------------------|
| <i>Date Served</i> | <i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM | <i>Name Of Defendant</i> |
|--------------------|---|--------------------------|

- By delivering to the defendant named above a copy of this Summons and Order.
- By leaving a copy of this Summons and Order at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein, who is named below.
- As the defendant is a corporation, service was effected by delivering a copy of this Summons and Order to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

Service accepted by defendant

| | | |
|----------------------|---|------------------|
| <i>Date Accepted</i> | <i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM | <i>Signature</i> |
|----------------------|---|------------------|

Other manner of service (*specify*)

Defendant WAS NOT served for the following reason:

| | | |
|-------------------------------|-----------------------|---|
| <i>Service Fee Paid</i> \$ | <i>Date Received</i> | <i>Signature Of Deputy Sheriff Making Return</i> |
| <i>Paid By</i> | <i>Date Of Return</i> | <i>Name Of Deputy Sheriff Making Return (type or print)</i> |
| | | <i>County Of Sheriff</i> |



3 return to Grady Richardson, Atty. #5
Total 26 Rev Int. MK
Ck \$ 26 Ck # 1005 Cash \$
Refund Cash \$ Finance
 Portions of document are illegible due to condition of original.
 Document contains seals verified by original instrument that cannot be reproduced or copied.

Prepared By and Return To:

G. Grady Richardson, Jr.
LAW OFFICES OF G. GRADY RICHARDSON, JR., P.C.
Attorney and Counselor at Law
1908 Eastwood Rd., Suite #224
LUMINA STATION
Wilmington, North Carolina 28403

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 20 CVS 67

TOWN OF SUNSET BEACH, a North Carolina)
Municipal Corporation and Body Politic,)
)
Plaintiff,)
)
vs.)
)
ANNE MORALES,)
)
Defendant.)

PLAINTIFF'S NOTICE
OF LIS PENDENS

FILED
2020 JAN 10 PM 5
BRUNSWICK COUNTY
N.C.

A TRUE COPY
CLERK OF SUPERIOR COURT
BRUNSWICK COUNTY
BY [Signature]
Deputy Clerk Superior Court

PLAINTIFF'S NOTICE OF LIS PENDENS

NOW COMES the above-captioned Plaintiff, Town of Sunset Beach, a North Carolina Municipal Corporation and Body Politic ("Plaintiff"), by and through its undersigned counsel, pursuant to N.C.G.S. §1-116, *et seq.*, and hereby gives this notice of pending litigation with respect to the property herein described, and in support thereof shows the following:



1. On 10 January 2020, Plaintiff commenced an action in the Superior Court Division of Brunswick County against the above-captioned Defendant in file number 20-CVS-67.

2. The nature and purpose of Plaintiff's said action is one affecting title to the herein described real property for, *inter alia*, a Court order and injunctive relief requiring Defendant to remove impediments blocking Plaintiff's access easement and use and access to and from Plaintiff's access improvements within said access easement and to restrain Defendant from future action in violation of Plaintiff's easement rights, breach of contract, and damages.

REAL PROPERTY THAT IS SUBJECT TO THIS NOTICE OF LIS PENDENS:

The following described real property is subject to this Notice of *Lis Pendens*:

A twelve foot (12') wide strip of land for Plaintiff's emergency access and easement lying immediately east of and running parallel to the western line of Lot 1 of the Palm Cove Subdivision, as more particularly described and depicted on the copy of the survey attached hereto as Exhibit A and containing approximately 8,640 square feet or approximately 0.19834631405 acres, and all of the Plaintiff's improvements constructed thereon.

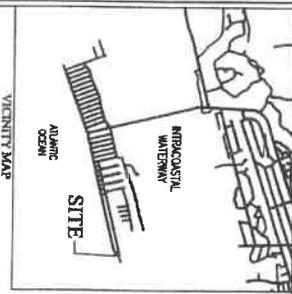
The above described parcel of land is also known and identified as a portion of Brunswick County Tax Parcel No. 256MB001.

***** ALL INTERESTED PERSONS, INCLUDING SUBSEQUENT PURCHASERS, TENANTS, AND/OR OTHERWISE PLEASE TAKE NOTICE. *****

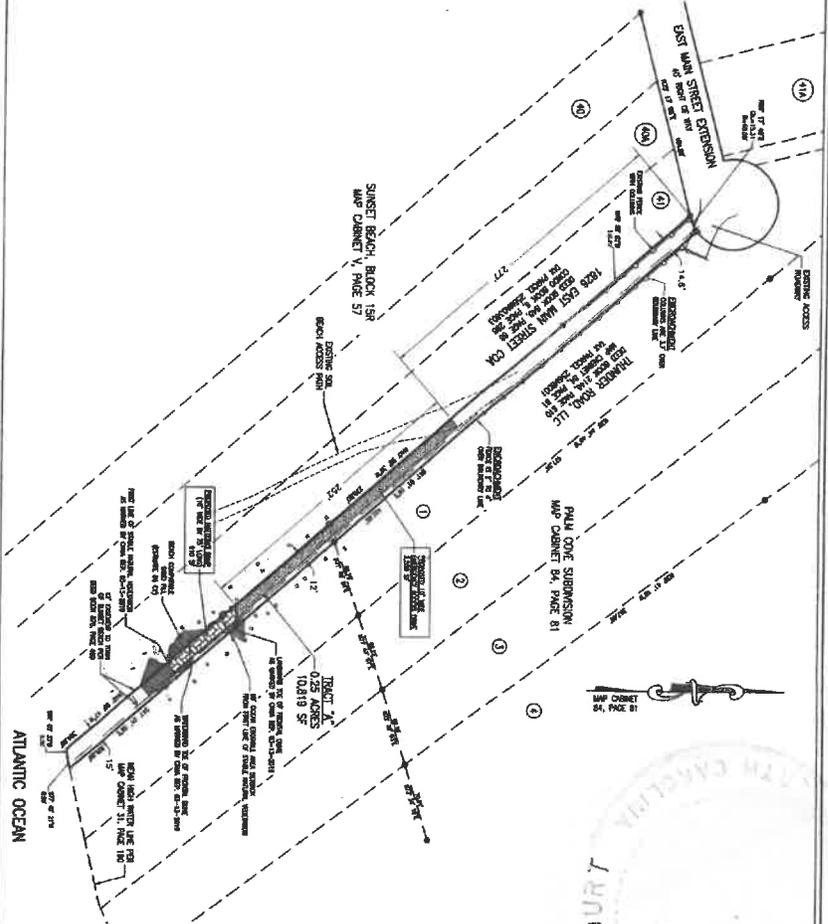
This the 10th day of January 2020.

LAW OFFICES OF G. GRADY RICHARDSON, JR., P.C.

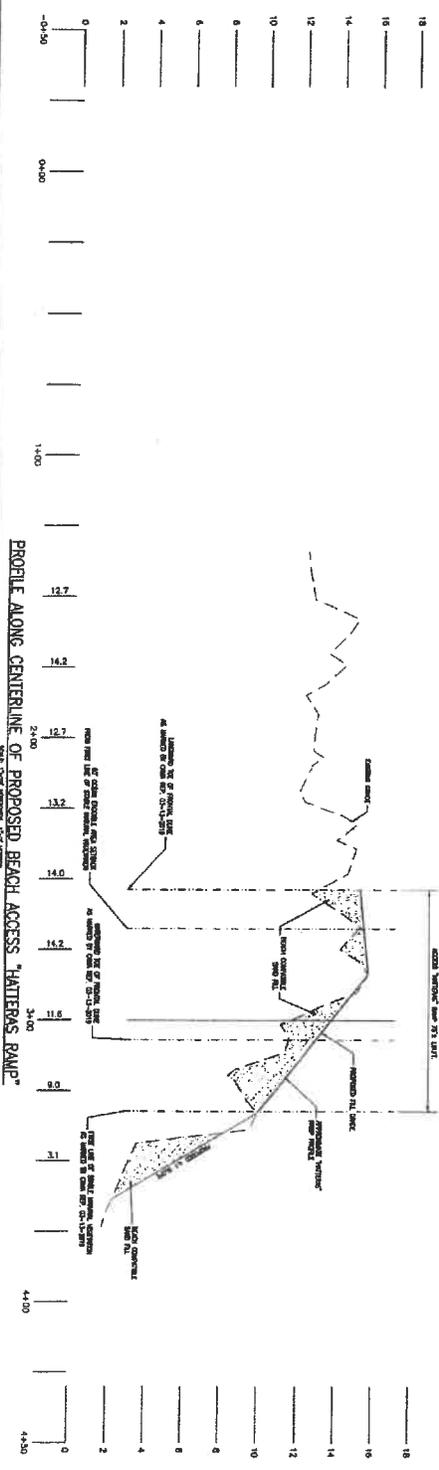
G. GRADY RICHARDSON, JR. (NCSB #25508)
1908 Eastwood Rd., Suite #224
Lumina Station
Wilmington, North Carolina 28403
Telephone: 910-509-7166
Facsimile: 910-509-7167
Email: grady@ggrolawoffice.com



- GENERAL NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, N.C. DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, AND THE STANDARD SPECIFICATIONS FOR PORTLAND CEMENT CONCRETE, N.C. DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.
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 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.
 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.



- HATTERAS RAMP & LOT IMPROVEMENT ACCESS DRIVE NOTES:**
1. HATTERAS RAMP AND IMPROVEMENT ACCESS DRIVE TO BE CONSTRUCTED WITH 12" ASPHALT SURFACE TO 12" DEPTH.
 2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE APPROVED BY DIVISION OF HIGHWAYS, N.C. DEPARTMENT OF TRANSPORTATION.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, N.C. DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.
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 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES BEFORE COMMENCING WORK.



TOWN OF SUNSET BEACH, NC
 A PORTION OF THE LANDS CLAIMED IN DEED BOOK 2144, PAGE 410
 REPUTED OWNER: THUNDER ROAD, LLC

East Coast Engineering & Surveying, P.C.
 ENGINEERS • PLANNERS • SURVEYORS
 4910 Mohr Street
 Raleigh, North Carolina 27609
 Phone: 919.754.8029
 Fax: 919.754.8048
 Pm License Number: C-2014