ELECTRONICALLY FILED - 2026 May 19 4:36 PM - GREENVILLE - COMMON PLEAS - CASE#2025CP2308260

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

U.S. Bank National Association, as Trustee, for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 1999-4,

PLAINTIFF,

VS.

Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans, as Legal Heir or Devisee of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased; their heirs or devisees, successors and assigns, any other Heirs-at-Law or Devisees of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; any unknown minors or persons under a disability being a class designated as Richard Roe; Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles, as Legal Heir or Devisee of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased; their heirs or devisees, successors and assigns, any other Heirs-at-Law or Devisees of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/ Fred June Arthur Miles, Deceased; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as Jane Doe; any unknown minors or persons under a disability being a class designated as Rachel Roe; and South Carolina Department of Revenue,

DEFENDANT(S).

IN THE COURT OF COMMON PLEAS

CASE NO. 2025-CP-23-08260

MASTER IN EQUITY'S ORDER AND JUDGMENT OF FORECLOSURE AND SALE

DEFICIENCY WAIVED

(251136.00268)

TO: Scott and Corley, P.A.
Attorneys for Plaintiff
1800 St. Julian Place, Suite 407
Columbia, SC 29204
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Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans, as Legal Heir or Devisee of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased
2326 Treescape Drive, Apt 6
Charleston, SC 29414

Ian C. Gohean, Esq.
325 Rocky Slope Road, Suite 201
Greenville, SC 29607
Guardian Ad Litem for John Doe and Richard Roe

Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles, as Legal Heir or Devisee of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased
4009 Dixon Road
Anderson, SC 29625

Ian C. Gohean, Esq.
325 Rocky Slope Road, Suite 201
Greenville, SC 29607
Guardian Ad Litem for Jane Doe and Rachel Roe

Robert J. Thomas, Jr., Esq.
300A Outlet Pointe Boulevard
Columbia, SC 29210
Attorney for South Carolina Department of Revenue

Pursuant to Circuit Court Rule 53(b) of the South Carolina Rules of Civil Procedure, the above-entitled matter was referred to the undersigned to make appropriate findings of facts and conclusions of law with authority to enter a final judgment in the cause.

Pursuant to the said Order of Reference an in-person hearing was held by this Court on May 18, 2026 at 11:00 AM. At the hearing, evidence was presented and from the documents and records received into evidence by this Court, I find, conclude and order as follows:

FINDINGS

1. This Court has jurisdiction over the subject matter of this action and the parties hereto and it is the proper forum for the adjudication of this matter.

2. The Court has determined that Plaintiff has complied with the Administrative Order of the South Carolina Supreme Court dated May 17, 2023 (2023-05-17-01).

3. The Lis Pendens, Summons, and Complaint (and any amendments thereto or joinders thereto) as well as service affidavits for all defendants have been filed with the Clerk of

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Court for this county.

4. Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans, as Legal Heir or Devisee of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased; Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles, as Legal Heir or Devisee of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased are in default as shown by the Certificate filed herein.

5. All of the above-named Defendants and/or all attorneys of record were notified of the time, date, and place of the hearing of this matter. In order to comply with the Lis Pendens statute (S.C. Code Section 15-11-10, et. seq.) and case law, and to also clear or adjudicate any claims or interests in the real estate and improvements thereon, Defendant(s) named herein are also made a necessary party due to similarity in names of parties of public record, or pursuant to the laws and statutes of Descent and Distribution or other statutory or regulatory requirements.

6. According to the affidavit(s) and certifications filed herein, any Defendant who is in default has been reviewed for his/her eligibility under The Servicemembers' Civil Relief Act of 2003 (“SCRA”) and any amendments thereto and this review does not indicate any Defendant is eligible for protections.

7. The Court appointed Ian C. Gohean as Guardian ad Litem for the Defendant(s) Richard Roe and Rachel Roe (“GAL”) which includes the class of unknown minors, persons who are incapacitated or under disability, as well as any and all other unknown persons with any right, title, or interest in and to the real estate that is the subject of this foreclosure. The Court also appointed Ian C. Gohean as the attorney for the Defendant(s) John Doe and Jane Doe (“SCRA Attorney”) which includes the class of persons who are in the Military Service of the United States of America and who may be entitled to the benefits of the Servicemembers Civil Relief Act of 2003 as amended. The GAL/SCRA Attorney fully and properly investigated the matter with respect to the interests, if any, of John Doe, Jane Doe, Rachel Roe and Richard Roe, and ensured their interests were protected. Pursuant to the information gained by the GAL/SCRA Attorney in his/her investigation, the GAL/SCRA Attorney filed an Answer to the Complaint on behalf of John Doe and Richard Roe. Where applicable, the GAL/SCRA Attorney also properly filed a Report/Affidavit regarding his/her investigation. I expressly find that the GAL/SCRA Attorney and Counsel for the Plaintiff have both fully satisfied the Court’s requirements as well as complied with the South Carolina Code of Laws and Rules of Civil Procedure.

8. No Defendant raised any credible issues related to Plaintiff's standing to prosecute this action, and Plaintiff is the real party in interest as contemplated by Rule 17(a), SCRCP. The

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Court finds that any issues related to Plaintiff's standing or ability to prosecute this action are waived. Unless specifically denied by an answering Defendant, all allegations in the Complaint of Plaintiff are deemed admitted in full.

9. For value received, Dalphney A. Miles and Fred A. Miles made, executed and delivered a Note dated April 1, 1999, promising thereby to pay to the order of Green Tree Financial Servicing Corporation the sum of $95,126.87 with interest at the rate of 8.50% per annum. Other terms and conditions are stated in the Note, which is of record herein.

10. To better secure the payment of the Note described above, the said Dalphney A. Miles and Fred A. Miles, made, executed and delivered to Green Tree Financial Servicing Corporation a Mortgage in writing, dated April 1, 1999, covering real property in Greenville County, which is the same as that described in the Complaint or Amended Complaint. The Mortgage was filed on April 7, 1999, and is of record in the Office of the Clerk of Court/Register of Deeds for Greenville County in Book 3236, at Page 735. The Mortgage evidences and secures the repayment of money advanced by the mortgagee to, or on behalf of, the mortgagor(s).

11. Thereafter, said Mortgage was assigned to U.S. Bank National Association, as Trustee, for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 1999-4 by assignment instrument dated August 22, 2025 and recorded August 22, 2025 in Book 5834 at Page 4097.

12. Subsequently, Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles died on March 7, 2021, leaving the subject property to her heirs, namely Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans and no probate case was opened in the Probate Court records for Greenville County as of the filing of the Lis Pendens, Summons, and Complaint that is the subject of this foreclosure action. This Court therefore finds that Plaintiff and its Counsel have complied with all applicable federal laws, state laws, and court rules as to the prosecution of this mortgage foreclosure proceeding involving this Decedent and his/her heirs or devisees.

13. Subsequently, Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles died on or about April 6, 2025, leaving the subject property to his heirs, namely Christopher Miles a/k/a Christopher O`Bryan Miles and no probate case was opened in the Probate Court records for Greenville County as of the filing of the Lis Pendens, Summons, and Complaint that is the subject of this foreclosure action. This Court therefore finds that Plaintiff and its Counsel have complied with all applicable federal laws, state laws, and court rules as to the prosecution of this mortgage foreclosure proceeding involving this Decedent and his/her heirs or devisees.

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14. Pursuant to the South Carolina Lis Pendens Statute (S.C. Code Section 15-11-10, et. seq.) Counsel for Plaintiff has accomplished a Report on Title whereby Counsel for Plaintiff has, upon information and belief, named all parties who claim or may claim an interest in the subject property. *See*, Rule 71(a), SCRCP; S.C. Code Section 15-11-20; *South Carolina National Bank v. Cook*, 291 S.C. 530, 354 S.E.2d 562 (1987); *Horry County v. Ray*, 382 S.C. 76, 674 S.E.2d 519 (Ct. App. 2009). This Court further finds that this Report on Title is a recoverable charge, expense, or cost as provided for in the Mortgage and/or Note contracts and the amount is found to be reasonable.

15. Per a search of the real estate and other public records for Greenville County, the titleholder of record at the time of the filing of the Lis Pendens in this matter was Fred A. Miles and Dalphney A. Miles.

16. This Court therefore finds that this Mortgage constitutes a purchase money first lien on the mortgaged premises.

17. The Court finds that Plaintiff and its counsel have fully complied with all of their obligation(s) as required under the specific terms of the Note and Mortgage being foreclosed as well as all applicable Federal or State statutes or regulations, including, but not limited to, the furnishing of any notices, where applicable (e.g. post referral loss mitigation solicitation letter and/or acceleration warning letter, if or where applicable);and moreover the Court further finds said full compliance by Plaintiff and its counsel additionally includes all their statutory, common law and regulatory duties and obligations under the laws and rules of the Dodd-Frank Act, the Federal Trade Commission, and the Consumer Financial Protection Bureau. Moreover and prior to the filing of this judicial proceeding, the Defendant(s) had not raised any compliance defenses or objections as to the servicing of any applicable banking or consumer laws by Plaintiff and/or its counsel.

18. According to the records of Plaintiff and its counsel, neither Plaintiff nor its counsel is aware of any party to this action currently being under the protection of the United States Bankruptcy Court. Any demand for a deficiency is not applicable if a party has received a discharge in bankruptcy during the life of the mortgage, or is currently under the active protection of the bankruptcy courts. Moreover, any party to this action who is a discharged borrower to the debt of the Plaintiff shall not be subject to and is specifically excluded from both the calculation and collection of any amounts due and owing to the Plaintiff, as required by Rule 71(a) of the South Carolina Rules of Civil Procedure. The Court finds that Counsel for Plaintiff shall be entitled to recover its charges from Plaintiff for this Certification/Report to the Court as part of its

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professional duties in prosecuting this action and the Court finds such charges to be reasonable.

19. Payment due on the Note has not been made as provided for in the Note and Plaintiff has elected to require immediate payment of the entire amount due thereon and has placed the Note and Mortgage in the hands of the attorney herein for collection.

20. With respect to attorney fees and in view of the potential financial liabilities and likely continuing professional obligations inherent in judicially prosecuting a real property mortgage credit matter, the attendant professional duties and responsibilities, and the size of the mortgage debt and consistent with similar case proceedings before this Honorable Court, I find that a reasonable attorney's fee in this matter would be $5,250.00. This award is consistent with the laws of this state in the awarding of attorney fees. I have considered the six (6) factors (none of these factors is controlling in the singular) as follows: (1) the nature, extent and difficulty of the legal service rendered; (2) the time and labor necessarily devoted to the case; (3) the professional standing of counsel; (4) the contingency of compensation; (5) the fee customarily charged in the locality for similar legal services; and (6) the beneficial results obtained. *Taylor v. Medenica*, 331 S.C. 575, 503 S.E.2d 458 (1998); *Baron Data Systems v. Loter*, 297 S.C. 382, 377 S.E.2d 296 (S.C. 1989), *Jackson v. Speed*, 326 S.C. 289, 486 S.E.2d 750 (1997). Pursuant to the language in the Note and Mortgage, this Court has specifically reviewed and satisfied itself with all six (6) factors, as well as the disclosed client billing by Plaintiff's counsel considered in awarding reasonable attorneys' fees and costs/expenses/charges in this matter as set forth herein in this paragraph as well as Paragraph 22. As itemized below, I find all of the itemized fees and costs/expenses/charges to be reasonable.

21. Although I have heretofore given consideration to all six (6) factors in the awarding of attorney fees and costs herein, jurisdiction over the fee award shall be reserved as granted in the Order of Reference with the right to re-visit the question of attorney fees should the action proceed in an unexpected way and/or to facilitate the assessment and payment of any such current or additional professional compensation.

22. The amount due and owing on the Note, with interest at the rate provided in the Note, including attorney's fee and allowable costs and charges allowable under and secured by the Note and Mortgage, is as follows:

(a)	Principal due	$46,010.22
(b)	Interest Due from 06/25/2025 to 05/18/2026	$2,741.76

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(c)	Pre-Acceleration Late Charges	$106.80
(d)	Escrow Adjustments	$220.89
(e)	Broker's Price Opinion/Appraisals	$100.00
(f)	Property Preservation	$440.00
(g)	Property Inspections	$360.44
(h)	Deferred Principal	$6,518.35
(i)	Costs, charges, or expenses of collection prior to hearing	$3,987.19
(j)	Attorney's fees and charges (Foreclosure & applicable Bankruptcy)	$5,250.00
TOTAL DEBT secured by Note and Mortgage including interest to date shown		$65,735.65

Interest shall continue to accrue on the unpaid principal balance shown in (a) above, at the rate of 8.50% from the date of hearing until entry of judgment, and such interest shall be added to the above stated "Total Debt": to comprise the amount of the judgment debt entered herein. Interest after the date of entry of judgment at the rate of 8.50% per annum (pursuant to the terms of the Note and Mortgage) shall accrue on the judgment debt and shall be added to such judgment debt to comprise the amount of Plaintiff's debt secured by the Mortgage through the date of compliance with the terms of judicial sale. (Items (d) through (j) are subject to supplemental revision by Plaintiff's counsel and/or modification by the Court, with such items including but not limited to post-judgment escrow and corporate advances, and costs related to the publication and sale of the subject property.)

23. Based upon a search of the public records of the aforesaid county pursuant to the South Carolina Lis Pendens statute, all persons or entities having an interest or lien or possible claim in or upon the mortgaged premises subordinate to the lien of Plaintiff as of the date and time of the filing of the Lis Pendens herein have been made defendants.

24. Plaintiff is seeking the usual foreclosure of mortgage and has in the Complaint, or by amendment thereto, or by motion at the reference, expressly waived the right to a personal or deficiency judgment.

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25. Plaintiff has alleged it is entitled to a declaratory judgment that the 1999 REDM 1490 manufactured housing unit, Serial No. 14902971AB on the subject property is subject to its mortgage lien as an improvement to the secured real property. Despite being served with process in this case, Defendant(s) Dalphney A. Miles and Fred A. Miles have failed to answer or otherwise plead; therefore, Plaintiff's allegations are deemed admitted.

26. Plaintiff's allegations are supported by the evidence presented on its behalf, including a Certificate of Title with Plaintiff's lien annotated thereon; and Plaintiff's mortgage itself, containing language in the legal description including the mobile/manufactured home as security for Plaintiff's Mortgage. Based upon this evidence, I find that the intent of the parties at the closing of Plaintiff's mortgage was for the mobile/manufactured home to be subject to the lien of Plaintiff's mortgage, in addition to the raw land, as an improvement to the real property and I conclude therefore that Plaintiff is entitled to a declaratory judgment that the mobile/manufactured home is subject to the first lien of Plaintiff's mortgage.

27. The Court herein expressly authorizes and directs the South Carolina Department of Motor Vehicles to issue a certificate of title to the mobile/manufactured home herein identified to the bidder at the foreclosure sale held by this Court without the request of any other legal instrument or power of attorney document.

28. The Defendants below-named claim or may claim a subordinate lien or junior interest upon or interest in the subject property, including but not limited to the subordinate lien or junior interests specifically described below, and in the event there is a surplus from the sale of the subject property, the validity, priority and amount of any such lien claim will be determined at a hearing subsequent to the sale, in accordance with the Circuit Court Rules 53 and/or 71. The subject Defendant(s) is/are further made a party due to the similarity in name(s) to the primary defendants against whom they claim or may claim a lien and in order to clear title to this property as follows:

(a) The Defendant, South Carolina Department of Revenue, by virtue of a tax lien against Christophe Miles, in the amount of $235.28, filed on August 1, 2024, as Lien Number 1199805.

(b) The Defendant, Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans, individually, and as Legal Heir or Devisee of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased, and any other Heirs-at-Law or Devisees of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased, their heirs or devisees, successors and assigns, and all other persons

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entitled to claim through them; all unknown persons with any right, title, or interest in the real estate described herein; also, any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe, by virtue of any interest claimed under the law of succession (S.C. Code Ann. Section 62-2-101, et. seq.) or under decedent's will.

(c) The Defendant, Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles, individually, and as Legal Heir or Devisee of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased, and any other Heirs-at-Law or Devisees of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased, their heirs or devisees, successors and assigns, and all other persons entitled to claim through them; all unknown persons with any right, title, or interest in the real estate described herein; also, any persons who may be in the military service of the United States of America, being a class designated as Jane Doe; and any unknown minors or persons under a disability being a class designated as Rachel Roe, by virtue of any interest claimed under the law of succession (S.C. Code Ann. Section 62-2-101, et. seq.) or under decedent's will.

29. None of the named Defendant(s) has/have established any claims or defenses, legal or equitable, for relief against Plaintiff, and therefore, no relief, be it legal or equitable, shall be granted to any of the named Defendant(s). In addition, all persons and/or entities who may be or may have been entitled to claim through or under the title or interest of the named Defendant(s) in the subject property shall likewise be absolutely barred and forever foreclosed of any rights, titles, or interests.

CONCLUSIONS OF LAW

I, therefore, conclude as follows:

1. Plaintiff is entitled to an Order declaring that the mobile/manufactured is an improvement to the property which is the subject of this action and is therefore subject to the lien of the Plaintiff's mortgage.

2. Plaintiff is entitled to an Order Plaintiff authorizing the South Carolina Department of Motor Vehicles to issue a mobile home certificate of title on the mobile home listed in the legal description to the successful bidder or its legal representative at the foreclosure sale.

3. Plaintiff has met the requirements of the Administrative Order of the South Carolina Supreme Court (2023-05-17-01) dated May 17, 2023.

4. Plaintiff should have judgment of foreclosure of the Mortgage and the mortgaged

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property should be ordered sold at public auction after due advertisement.

5. All of the named Defendant(s) has/have not established any claims or defenses, legal or equitable, for relief against Plaintiff, and therefore, no relief, be it legal or equitable, shall be granted to any of the named Defendant(s). In addition, all persons who may be entitled to claim through or under the title or interest of the named Defendant(s) in the subject property shall likewise be absolutely barred and forever foreclosed. In order to comply with the Lis Pendens statute (S.C. Code Section 15-11-10, et. seq.) and case law, and to also clear or adjudicate any claims or interests in the real estate and improvements thereon, Defendant(s) named herein are also made a necessary party due to similarity in names of parties of public record, or pursuant to the laws and statutes of Descent and Distribution or other statutory or regulatory requirements.

Now, on motion or notice of Plaintiff's attorney,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. Plaintiff has met the requirements of the Administrative Order of the South Carolina Supreme Court dated May 17, 2023.

2. That there is due to Plaintiff on the obligation and mortgage as set forth in the Complaint or Amended Complaint the sum of $65,735.65, representing the total debt due Plaintiff as set forth supra, together with interest at the rate provided therein on the balance of principal from the date aforesaid to the date hereof.

3. The amount due in the preceding paragraph (the "total debt" as set forth in Paragraph hereinabove, and later accrued interest on the principal) shall constitute the total judgment debt due the Plaintiff (may be supplemented as permitted by the Court) and shall bear interest hereafter at the rate of 8.50 percent per annum.

4. That on default of payment at or before the time herein indicated, the mortgaged premises described in the Complaint or Amended Complaint, as hereinafter set forth, be sold by this Court at public auction, after giving Notice of the time and place of such sale by advertisement according to law. Any sales date is tentative and may be rescheduled at any time prior to the sale without further order of this Court, provided notice of the new sales date is duly advertised as required by law. The sale shall be according to the following terms, that is to say:

(a) CERTIFIED FUNDS: The Master in Equity will require a deposit of 5% on the amount of the bid (in certified funds or equivalent, said 5% deposit being due and payable immediately upon the closing of the bidding, same to be applied to the purchase price only upon compliance with the bid, but in case of non-compliance within 20 days same to be forfeited and applied to the costs and Plaintiff's debt.

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(b) Interest on the balance of the bid shall be paid through the day of compliance at the rate of 8.50 percent.

(c) The sale shall be subject to taxes and assessments, existing easements and restrictions of record and prior liens of record.

(d) This Mortgage constitutes a purchase money first lien covering the real estate and improvements therein described including, that certain 1999 REDM 1490 manufactured housing unit, Serial No. 14902971AB, permanently located thereon.

(e) Purchaser to pay for deed stamps/transfer taxes and costs of recording the satisfaction of mortgage by foreclosure and the deed, with Plaintiff to pay the Statutory allowed fee to the preparer of said deed (be it this Court or Counsel for Plaintiff).

5. If Plaintiff be the successful bidder at said sale, for a sum not exceeding the amount of costs, expenses and the indebtedness of Plaintiff in full, Plaintiff may pay to the Court only the amount of the outstanding costs and expenses crediting the balance of the bid on Plaintiff's indebtedness.

6. No personal or deficiency judgment being demanded, the bidding will not remain open after the date of sale, but compliance with the bid may be made immediately.

7. This Court will by advertisement according to law, give notice of the time and place of such sale, and the terms thereof. Any sales date is tentative and may be rescheduled at any time prior to the sale without further order of this court, provided notice of the new sales date is duly advertised as required by law. This Court will execute to the purchaser, or purchasers, a deed to the premises sold. Plaintiff, or any other party to this action may become a purchaser at such sale, and that if, upon such sale being made, the purchaser, or purchasers, should fail to comply with the terms thereof within 20 days after the date of sale, then this Court may advertise the said premises for sale on the next, or some other subsequent sales day, at the risk of the highest bidder, and so from time to time thereafter until a full compliance shall be secured. In the event Plaintiff is the successful bidder, at its option, or the option of its assignee, the deed may be taken subject to payment by grantee of any taxes or assessments constituting a lien against the property sold under this order and hereinafter more fully described. All bidders are hereby and herein noticed that in the event the successful bidder is a third party, neither Plaintiff nor Plaintiff's counsel make any warranties or representations of any kind as to the subject property, including but not limited to its title or habitability on behalf of the third party bidder or any subsequent purchasers.

8. That, in addition to all notices to the property owner(s) which are required by the South Carolina Rules of Civil Procedure or other law, in a case involving property owner's Rule

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55, SCRCP, default, or in any other case or circumstance where property owner(s) would not ordinarily receive a copy of the Order of Foreclosure and/or the Notice of Sale, the party seeking foreclosure (Foreclosing Party) shall, within five (5) days of the execution of this Order cause this Order and/or the Notice of Sale (if available) to be served by US Mail upon said property owner(s). A Certificate of Service, pursuant to Rule 5, SCRCP, shall be with the Clerk of Court expeditiously. In cases where the Notice of Sale is published later in time than the Order, service shall be accomplished separately, and shall be sent no later than five (5) days from receipt by the Foreclosing Party.

9. The sale will not be held unless either Plaintiff's attorney or Plaintiff's bidding agent is present at the sale and either Plaintiff's attorney or Plaintiff's bidding agent enters the authorized bid of Plaintiff for this individually captioned matter. In the alternative, Plaintiff's counsel, if permitted by the Court, may advise this Court directly of its authorized bidding instructions. In the event a sale is inadvertently held without Plaintiff's Counsel or Counsel's bidding agent entering the authorized bid of Plaintiff for this specifically captioned matter, the sale shall be null and void and the property shall be re-advertised for sale on the next available sale date.

10. In the event of a third party bidder wherein the successful third party bidder fails to deliver the required deposit in certified (immediately collectible) funds to this Court by close of bidding on the day of the sale, this Court will re-sell the subject property at the most convenient time thereafter (including the day of sale) upon notification to counsel for Plaintiff.

11. That this Court shall apply the proceeds of the sale as follows:

FIRST: To the payment of the amount of the permitted costs, charges, and expenses of this action, including any Guardian ad Litem or SCRA Attorney Fee or fees of any attorneys appointed by motion of Plaintiff’s Counsel and under Order of the Court;

NEXT: To the payment to Plaintiff or Plaintiff's attorney, of the amount of Plaintiff's debt and interest or so much thereof as the purchase money will pay on the same; and Plaintiff's attorney shall receive and disburse such funds only in total and absolute compliance with the debt, interest, escrow, and related calculations of this Court including the Court's award for attorney fees, court permitted charges and taxable costs pursuant to Rules 54 and 71, South Carolina Rules of Civil Procedure;

NEXT: Any surplus will be held pending further order of the Court as provided for in the South Carolina Rules of Civil Procedure and particularly Rule 71(c) of the South Carolina Rules of Civil Procedure.

12. It is further ORDERED, that if the successful bidder is other than the person(s) or

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entity in possession herein, the Sheriff of this County is ordered and directed to evict and remove from the premises the occupants of the property sold, together with all personal property located thereon, and put the successful bidder or his assigns in full, quiet and peaceable possession of said premises without delay, and to keep said successful bidder or his assigns in such peaceable possession.

13. Pursuant to S.C. Code Ann. § 15-53-20, et. Seq., Plaintiff is entitled to a Declaratory Judgment that the mobile/manufactured home of Defendant(s) is an improvement to the property which is the subject of this action and is therefore subject to the lien of Plaintiff's mortgage. As such, any judicial sale of the subject property in this case shall include the mobile/manufactured home as an improvement to the real property. Furthermore, following sale, the South Carolina Department of Motor Vehicles shall issue a Certificate of Title to the mobile/manufactured home to the successful purchaser, or its successor or assigns, as the foreclosure sale. The South Carolina Department of Motor Vehicles is authorized and expressly directed to provide a new Certificate of Title on the mobile/manufactured home herein identified without the request of any other legal instruments or power of attorney.

14. And it is further ORDERED, ADJUDGED AND DECREED that none of the named Defendant(s) has/have established any claims or defenses, legal or equitable, for relief against Plaintiff, and therefore, no relief, be it legal or equitable, shall be granted to any of the named Defendant(s). In addition, all persons and/or entities who may be or may have been entitled to claim through or under the title or interest of the named Defendant(s) in the subject property shall likewise be absolutely barred and forever foreclosed of any rights, titles, or interests.

15. IT IS FURTHER ORDERED that the deed of conveyance made pursuant to said sale shall contain the names of only the first-named Plaintiff and the first-named Defendant, and the Defendant who was the titleholder of the mortgaged property at the time of the filing of the notice of pendency of the within action, and the name of the grantee, and the applicable recorder of deeds is authorized to omit from the indices pertaining to such conveyance the names of all parties not contained in said deed.

16. This Court will retain exclusive jurisdiction to do all necessary acts incident to this foreclosure, including, but not limited to, all matters post-sale which may affect the transfer of the title to the subject real property and all improvements thereon, as well, the issuance of a Writ of Assistance.

17. Upon issuance of this Court’s Order on Sale of Real Estate, the Clerk of Court/Register of Deeds is directed to release of record the mortgage lien being foreclosed, which

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mortgage lien is described as follows:

> Mortgage from Dalphney A. Miles and Fred A. Miles to Green Tree Financial Servicing Corporation, dated April 1, 1999, covering real property in Greenville County, filed on April 7, 1999, and is of record in the Office of the Clerk of Court/Register of Deeds for Greenville County in 3236, at Page 735.

18. This sale is specifically subject to all title matters of record, including but not limited to any other senior lien or encumbrance, and any interested party should consider performing an independent title examination of the subject property as no warranty is given at all by the Court, Plaintiff or its Counsel.

19. The following is a description of the premises herein ordered to be sold:

> ALL that certain piece, parcel, or lot of land situate, lying and being in the County of Greenville, State of South Carolina, being known and designated as Lot No. 12 of Rebecca Acres Subdivision as shown on plat of said subdivision prepared by H. C. Clarkson, Jr., R.L.S., dated January 12, 1971, and recorded in the RMC Office for Greenville County in Plat Book 4-G at Page 171, reference is hereby craved to said plat for a more detailed metes and bounds description thereof.
>
> This being the same property conveyed to Fred A. Miles and Dalphney A. Miles by deed of Cynthia Ann Hitt dated March 19, 1999 and recorded April 7, 1999 in Book 1830 at Page 305 in the Office of the Clerk of Court/Register of Deeds for Greenville County.
>
> Thereafter, Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles died on March 7, 2021, and no probate case has been opened in the Probate Court records for Greenville County. If any party has any information as to the existence and/or opening of a probate court file of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, it is requested that you contact counsel for Plaintiff immediately with that information. Upon information and belief, Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles was survived by her heir, namely Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans (based upon her published obituary).
>
> Thereafter, Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles died on or about April 6, 2025, and no probate case has been opened in the Probate Court records for Greenville County. If any party has any information as to the existence and/or opening of a probate court file of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/ Fred June Arthur Miles, it is requested that you contact counsel for Plaintiff immediately with that information. Upon information and belief, Fred Miles, Jr. a/k/a Fred A. Miles a/k/ Fred June Arthur Miles was survived by his heir, namely Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles (based upon his published obituary).
>
> TMS No. 0554.03-01-012.00
>
> Property address: 100 Bridwell Court, Simpsonville, SC 29681

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That this mortgage was intended to and specifically secures and collateralizes that certain mobile/manufactured home permanently affixed to the above described real estate in the mortgage being foreclosed and as is further provided under the laws of the State of South Carolina, the same being more particularly described as follows:

1999 REDM 1490 mobile/manufactured home, Serial No. 14902971AB, including any fixtures.

20. IT IS FURTHER ORDERED that if Plaintiff or Plaintiff's representative does not appear at the scheduled sale of the above-described property, then the sale of the property will be null, void and of no force and effect. In such event, the sale will be rescheduled for the next available sales day as ordered by this court.

21. IT IS FURTHER ORDERED that no Defendant raised any credible issues related to Plaintiff's standing to prosecute this action. Therefore, any issues related to Plaintiff's standing or ability to prosecute this action are waived.

22. All of the named Defendant(s) has/have not established any claims or defenses, legal or equitable, for relief against Plaintiff, and therefore, no relief, be it legal or equitable, shall be granted to any of the named Defendant(s). In addition, all persons who may be entitled to claim through or under the title or interest of the named Defendant(s) in the subject property shall likewise be absolutely barred and forever foreclosed.

JUDGE'S ELECTRONIC SIGNATURE PAGE TO FOLLOW

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FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2025-CP-23-08260

U.S. Bank National Association, as Trustee, for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 1999-4

PLAINTIFF(S)

Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans, as Legal Heir or Devisee of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased; their heirs or devisees, successors and assigns, any other Heirs-at-Law or Devisees of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; any unknown minors or persons under a disability being a class designated as Richard Roe; Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles, as Legal Heir or Devisee of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased; their heirs or devisees, successors and assigns, any other Heirs-at-Law or Devisees of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/ Fred June Arthur Miles, Deceased; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as Jane Doe; any unknown minors or persons under a disability being a class designated as Rachel Roe; and South Carolina Department of Revenue

DEFENDANT(S)

Submitted by: Scott and Corley, P.A.	**Attorney for :** ☑ Plaintiff ☐ Defendant or ☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

☐ **JURY VERDICT**. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.

☑ **DECISION BY THE COURT**. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered ☐ See Page 2 for additional information.

☐ **ACTION DISMISSED** (*CHECK REASON*): ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other

☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other

☐ **STAYED FOR BANKRUPTCY**

☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** *(CHECK APPLICABLE BOX)*: ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☑ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☑ ends ☐ does not end the case.
Additional Information for the Clerk :

The property which is the subject of this action shall be sold at public sale pursuant to the Master in Equity's Report and Judgment of Foreclosure and Sale.

INFORMATION FOR THE JUDGMENT INDEX **Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.**		
Judgment in Favor of (List name(s) below)	**Judgment Against (List name(s) below)**	**Judgment Amount To be Enrolled (List amount(s) below)**
N/A		
If applicable, describe the property, including tax map information and address, referenced in the order: TMS No. 0554.03-01-012.00 Property address: 100 Bridwell Court, Simpsonville, SC 29681		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.
E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Charles B. Simmons, Jr., Master in Equity | **Judge Code** | **Date**

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For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20_____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20_____ to attorneys of record or to parties (when appearing pro se) as follows:

Scott and Corley, P.A.
P.O. Box 2065
Columbia, SC 29202

Attorney for Plaintiff

Nicole Evans a/k/a Natisha Evans a/k/a Natisha Nicole Evans, as Legal Heir or Devisee of the Estate of Dalphney A. Miles a/k/a Dalphney Annette Miles a/k/a Dalphney Annette Evans Miles, Deceased
2326 Treescape Drive, Apt 6
Charleston, SC 29414

Ian C. Gohean, Esq.
325 Rocky Slope Road, Suite 201
Greenville, SC 29607
Guardian Ad Litem for John Doe and Richard Roe

Christopher Miles a/k/a Christopher O`Bryan Miles a/k/a Christophe Miles, as Legal Heir or Devisee of the Estate of Fred Miles, Jr. a/k/a Fred A. Miles a/k/a Fred June Arthur Miles, Deceased
4009 Dixon Road
Anderson, SC 29625

Ian C. Gohean, Esq.
325 Rocky Slope Road, Suite 201
Greenville, SC 29607
Guardian Ad Litem for Jane Doe and Rachel Roe

Robert J. Thomas, Jr., Esq.
300A Outlet Pointe Boulevard
Columbia, SC 29210
Attorney for South Carolina Department of Revenue

Attorney for Defendant(s)

_____
Clerk of Court

Court Reporter: _____

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or hear and a decision rendered.

_____

_____

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Greenville Common Pleas

Case Caption: US Bank National Association , plaintiff, et al vs. Nicole Evans , defendant, et al

Case Number: 2025CP2308260

Type: Master/Order/Foreclosure & Sale and Form 4

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)