

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Finance of America Reverse LLC,
Plaintiff,

v.

Robert Luther Ellis, Jr., as Personal
Representative for the Estate of Beverly
Staton, deceased; Shirley Sue Moore Ellis;
The United States of America, acting by
and through its Agency, The Commissioner
of Housing and Urban Development;
Glenlea Homeowner's Association, Inc.,

Defendant(s)

IN THE COURT OF COMMON PLEAS

CASE NO.: 2026-CP-23-01483

**MASTER IN EQUITY'S ORDER AND JUDGMENT OF
FORECLOSURE AND SALE AND REFORMATION OF
MORTGAGE**

DEFICIENCY WAIVED

Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure (hereinafter "SCRCP"), this matter was referred to the undersigned Master in Equity to make appropriate findings of fact and conclusions of law, with authority to enter a final judgment in the case. Any appeal from this decision shall be directly to the South Carolina Court of Appeals.

Pursuant to the Order of Reference, a hearing was held via Zoom on July 20, 2026, a record was made which is reported herewith, and from the testimony and evidence I find and conclude as follows:

FINDINGS OF FACT:

1. The Lis Pendens was filed on March 10, 2026.
2. The Summons and Complaint were filed on March 10, 2026.
3. Service was made upon the Defendants as shown by the filed proofs of service.
4. The Defendants Robert Luther Ellis, Jr., as Personal Representative for the Estate of Beverly Staton, deceased; Shirley Sue Moore Ellis; The United States of America, acting by

and through its Agency, The Commissioner of Housing and Urban Development; Glenlea Homeowner's Association, Inc. are in default as shown by the filed Certificate.

5. According to a filed Affidavit, no Defendant in default is in the military service of the United States of America, as contemplated under the Servicemembers' Civil Relief Act fka Soldiers' and Sailors' Civil Relief Act of 1940, and any amendments thereto.

6. All Defendants were notified of the time, date and place of this hearing.

FOR A FIRST CAUSE OF ACTION

(Reformation of Mortgage)

7. Due to inadvertent error and mistake, the legal description of the subject mortgage does not exactly match the legal description of the vesting deed as required by the investor guidelines for this loan type. The subject mortgage references:

All that certain piece, parcel or tract of land situate, lying and being on the southeastern side of MONTAGUE ROAD and on the eastern side of White Horse Road (US Hwy #25 By Pass) in the County of Greenville, State of South Carolina and being more particularly described as Lot 386, Glenlea Subdivision, Phase II on a plat prepared for D. R. Horton, Inc. by C. O. Riddle Surveying, Inc., dated October 29, 2002 and recorded October 30, 2002 in the Office of the Register of Deeds for Greenville County, SC in Plat Book 46-C at Page 68 and having the boundaries and measurements as shown **n** the last mentioned plat, reference being craved thereto as often as is necessary for a more complete and accurate description.

Whereas the correct reference being:

All that certain piece, parcel or tract of land situate, lying and being on the southeastern side of MONTAGUE ROAD and on the eastern side of White Horse Road (US Hwy #25 By Pass) in the County of Greenville, State of South Carolina and being more particularly described as Lot 386, Glenlea Subdivision, Phase II on a plat prepared for D. R. Horton, Inc. by C. O. Riddle Surveying, Inc., dated October 29, 2002 and recorded October 30, 2002 in the Office of the Register of Deeds for Greenville County, SC in Plat Book 46-C at Page 68 and having the boundaries and measurements as shown **on** the last mentioned plat, reference being craved thereto as often as is necessary for a more complete and accurate description.

8. The Plaintiff asserts that the legal description in the subject mortgage should be reformed to exactly mirror the legal description of the vesting deed dated October 22, 2004, and recorded November 15 2004, in Book 2117 at Page 10 in the Office of the Greenville County Register of Deeds, and this reformation should relate back to the date of recording of the subject mortgage.

FOR A SECOND CAUSE OF ACTION

(Mortgage Foreclosure)

9. For value received, Beverly Staton made, executed and delivered a note, dated November 15, 2021, payable to the order of American Advisors Group in the principal amount of \$297,000.00 with interest at the rate of 2.02% per annum.

10. To secure the payment of the Note, Beverly Staton made, executed and delivered a mortgage to Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for American Advisors Group, dated November 15, 2021, encumbering real property in Greenville County, ("Mortgage"), more fully described below ("Property"). The Mortgage was recorded on November 24, 2021, in the Greenville County Registry in Book 5661 at Page 2220.

11. The Mortgage is a valid first lien on the Property.

12. Thereafter, the Mortgage was assigned to Finance of America Reverse LLC by assignment recorded on October 28, 2025 in Book 5844 at Page 3480.

13. Beverly Staton passed away on September 14, 2025 as evidenced by the information found in Estate File 2025-ES-23-02551 in the probate records for Greenville County, South Carolina indicating the heirs/devisees of the Property as Shirley Sue Moore Ellis.

14. The titleholder of record of the Property as of the filing of the Lis Pendens was Beverly Staton.

15. This Mortgage is a 'Home Equity Conversion' mortgage aka reverse mortgage. In and by the terms of said Note and the Mortgage securing the same it is provided, that upon death of a Borrower or if any of the conditions and requirements in the Mortgage securing the same not be complied with, then the whole principal sum and accrued interest shall at the option of the legal holder thereof become at once due and payable without notice and collectible by foreclosure. Upon information and belief, the Borrower is deceased and the property is not the principal residence of at least one surviving Borrower.

16. Having considered the nature, extent and difficulty of the services rendered (the field of mortgage foreclosures being a specialized area of practice); the time involved in reviewing the various loan documents, performing the title search, preparing the pleadings and preparing for and attending hearings; the professional standing of the Plaintiff's attorney; the fee customarily charged in this jurisdiction for similar services; and the beneficial results obtained for the Plaintiff, I find that the sum of \$2,695.00 is a reasonable attorney's fee for the Plaintiff's attorney for services performed up to attendance at the hearing under the terms of the Note and Mortgage. This sum shall be included in the judgment debt in this Order. The sum of \$1,155.00 is a reasonable additional sum for completing the foreclosure action, including but not being limited to serving the judgment and notice of sale, coordinating publication of the notice of sale, bidding at the foreclosure sale and preparing the foreclosure deed, mortgage satisfaction and report on sale. Therefore, the total sum of \$3,850.00 is a reasonable fee for services through completion of the foreclosure sale, not to include extraordinary services,

including but not being limited to evictions, surplus funds claims, and rules to show cause re: omitted lienholders.

17. The amount due on the Note and Mortgage, with interest under the terms provided in the Note, as modified, and other costs and expenses of collection, including attorney's fees, secured by the Note and Mortgage, is as follows:

Principal Due as of Today's Date:	07/20/2026		\$ 107,316.00
Accrued Interest From:	11/19/2021	to: 05/18/2026	\$ 32,963.34
Per diem Interest From:	05/18/2026	to: 07/20/2026	\$ 1,464.92
Accruing at:	5.375% per annum		
Real Estate Taxes:			\$ 805.24
P.M.I./M.I.P.:			\$ 6,820.53
Daily MIP:			\$ 133.56
Property Inspections:			\$ 240.00
Title Search Costs:			\$ 300.00
Costs of Collection Prior to Hearing:			\$ 1,102.51
Attorney's Fees:			\$ 2,695.00

18. Total Debt secured by Note and Mortgage, is \$153,841.10. Interest on the total debt shall accrue at the rate stated above until the judicial sale. Additional interest after the date of the judicial sale will be governed by the terms set forth below.

19. The Plaintiff is seeking foreclosure of its mortgage and has, in the Complaint or subsequently thereto in writing, expressly waived the right to a personal or deficiency judgment pursuant to Rule 71(b), SCRCPP.

20. The Defendant(s), below claim or may claim liens upon or interests in the Property; and if there is a surplus from the sale of the Property, the validity, priority, and amount of any such claims will be determined at a hearing after the sale in accordance with Rule 71(c), SCRCPP. The Defendants and claims or liens are as follows:

- A. The Defendant, Glenlea Homeowner's Association, Inc., has or may claim to have some interest in the Property by virtue of the following:

- (i) Any unrecorded homeowners' liens or assessments due or that may become due up to the time of any foreclosure sale herein.
 - (ii) Any interest arising from unpaid assessments, dues, special assessments, etc. of any kind that this Defendant presently has or may acquire up to the time of any foreclosure sale herein is or would be junior and subordinate to Plaintiff's Mortgage and should be removed from the title to the Property upon the completion of a properly held foreclosure sale.
- B. The Defendant, Shirley Sue Moore Ellis, has or may claim to have some interest in the Property by virtue of being an heir of Beverly Staton as shown in Estate File 2025-ES-23-02551 in the Greenville Probate County Records. Any interest that this Defendant would have received in the Property would have been "subject to" Plaintiff's Mortgage and this interest would be eliminated through a properly completed foreclosure sale.
- C. The Defendant, Robert Luther Ellis, Jr., as Personal Representative of the Estate of Beverly Staton, has or may claim to have some interest in the Property by virtue of being the Personal Representative as shown in Estate File 2025-ES-23-02551. Any interest that this Defendant has in the Property would be "subject to" Plaintiff's Mortgage and this interest would be eliminated through a properly completed foreclosure sale.

21. In connection with the execution of Plaintiff's Home Equity Conversion Mortgage (aka Reverse Mortgage), the Borrower(s)/Mortgagor(s) executed a Second Note and Second Mortgage payable to the Secretary of Housing and Urban Development, the Second Mortgage was recorded on November 24, 2021 in Book 5661, at Page 2236. The Second Note and second Mortgage are designed to secure payments made by the Secretary on behalf of the Borrower(s). In the event of a completed foreclosure by the First Note and First Mortgage, the Second Mortgage shall be released and/or satisfied of record.

22. The Defendant, The United States of America, acting by and through its Agency, The Commissioner of Housing and Urban Development, has not come forward to assert a right of redemption in this case.

CONCLUSIONS OF LAW: I, therefore, conclude as follows:

1. The Plaintiff is entitled to judgment as to all causes of action, including foreclosure of its Mortgage.
2. The Property shall be sold at public auction after statutory advertisement.
3. The Total Debt owed to the Plaintiff is \$153,841.10.
4. Interest shall continue to accrue on the Total Debt. Costs incurred after the entry of this Order up to the date of judicial sale may be added to the Total Debt.

IT IS ORDERED:

1. That the Defendant(s) liable for the Total Debt shall, prior to the judicial sale pay to the Plaintiff, or the Plaintiff's attorney, the Total Debt including accrued interest, costs, and disbursements.
2. That on default of payment, the Property shall be sold at public auction at the Greenville County Courthouse, City of Greenville, County and State aforesaid, on some convenient sales day on the following terms:
 - A. The selling officer shall require a deposit of 5% of the bid (in cash or its equivalent) to be applied to the purchase price upon compliance, but in case of non-compliance within thirty (30) days, the deposit shall be forfeited and applied to the Plaintiff's costs of sale and the balance then applied to the Plaintiff's debt.
 - B. Interest on the balance of the bid shall be paid through the day of compliance at the rate of 5.375%.
 - C. The sale shall be subject to taxes and assessments, easements and restrictions of record, and any senior encumbrances.
 - D. The Purchaser shall pay for the deed and the cost of recording.

3. If the Plaintiff is the successful bidder for less than the total debt at the time of sale, the Plaintiff shall pay only the amount of the Court's costs and expenses.
4. No personal or deficiency judgment being demanded, the bidding shall be final on the sale date and the successful bidder may comply immediately.
5. Notice of the time, date, and place of the sale and the terms thereof will be advertised according to law.
6. The selling officer will execute to the purchaser(s) a deed of the Property. If any successful bidder, other than the Plaintiff or its assignee, fails to comply with the terms of sale within thirty (30) days, the Property may be re-advertised for sale according to the same terms set forth herein until full compliance.
7. If an agent of the Plaintiff does not appear at the sale, the Property shall be withdrawn from sale and sold at the next available sales date upon the same terms.
8. The selling officer shall apply the proceeds of the sale as follows:

 FIRST: To the payment of the costs and expenses of this action, including any Guardian Ad Litem fee or fees of attorneys appointed under Order of the Court; and

 NEXT: To the payment of the Total Debt, interest, and costs as defined above; and

 NEXT: Any surplus will be held pending further Order pursuant to Rule 71(c), SCRCP.
9. That it is further ORDERED that each named Defendant, and all persons claiming under him, them or it, be forever barred and foreclosed of all right, title, interest, lien, and equity of redemption in the Property, or any part thereof.
10. That it is further ORDERED that the deed pursuant to this judgment and sale may contain the names of only the Plaintiff, the first-named Defendant, and the Grantee; and

that the Greenville County Register of Deeds is authorized to omit from the indices the names of any parties not named in the deed.

11. It is further ORDERED that the Sheriff of Greenville County may be directed to eject the occupants of the Property, together with all personal property located thereon, and put the purchaser or his/her/its assigns in full, quiet, and peaceable possession of the Property without delay.
12. That it is further ORDERED that after the Order on Sale of Real Estate has been filed, the undersigned Master in Equity shall direct the Register of Deeds to release the lien(s) being foreclosed.
13. That it is further ORDERED ADJUDGED AND DECREED that the Mortgage is reformed as described in the Findings of Fact herein above.
14. That it is further ORDERED that the following is a description of the Property to be sold:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING ON THE SOUTHEASTERN SIDE OF MONTAGUE ROAD AND ON THE EASTERN SIDE OF WHITE HORSE ROAD (US HWY #25 BY PASS) IN THE COUNTY OF GREENVILLE, STATE OF SOUTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS LOT 386, GLENLEA SUBDIVISION, PHASE II ON A PLAT PREPARED FOR D. R. HORTON, INC. BY C. O. RIDDLE SURVEYING, INC., DATED OCTOBER 29, 2002 AND RECORDED OCTOBER 30, 2002 IN THE OFFICE OF THE REGISTER OF DEEDS FOR GREENVILLE COUNTY, SC IN PLAT BOOK 46-C AT PAGE 68 AND HAVING THE BOUNDARIES AND MEASUREMENTS AS SHOWN ON THE LAST MENTIONED PLAT, REFERENCE BEING CRAVED THERETO AS OFTEN AS IS NECESSARY FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

THIS BEING THE SAME PROPERTY CONVEYED TO BEVERLY STATON BY DEED OF D. R. HORTON, INC. DATED OCTOBER 22,

**2004 AND RECORDED NOVEMBER 15, 2004 IN BOOK 2117 AT PAGE
10 IN THE OFFICE OF THE REGISTER OF DEEDS FRO
GREENVILLE COUNTY, SOUTH CAROLINA.**

CURRENT ADDRESS OF PROPERTY: 304 Glenlea Ln, Greenville, SC 29617

TMS: B008.07-01-069.00

AND IT IS SO ORDERED.

JUDGE'S ELECTRONIC SIGNATURE PAGE TO FOLLOW

FORM 4

STATE OF SOUTH CAROLINA COUNTY OF GREENVILLE IN THE COMMON PLEAS COURT	JUDGMENT IN A CIVIL CASE CASE NO. 2026-CP-23-01483
Finance of America Reverse LLC PLAINTIFF(S)	Robert Luther Ellis, Jr., as Personal Representative for the Estate of Beverly Staton, deceased; Shirley Sue Moore Ellis; The United States of America, acting by and through its Agency, The Commissioner of Housing and Urban Development; Glenlea Homeowner's Association, Inc. DEFENDANT(S)
Submitted by: Brock & Scott, PLLC Westpark Center 1400 Browning Road, Suite 160 Columbia, SC 29210	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.
- ☐ **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 DUE TO 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 :

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: All that certain piece, parcel or tract of land situate, lying and being on the southeastern side of MONTAGUE ROAD and on the eastern side of White Horse Road (US Hwy #25 By Pass) in the County of Greenville, State of South Carolina and being more particularly described as Lot 386, Glenlea Subdivision, Phase II on a plat prepared for D. R. Horton, Inc. by C. O. Riddle Surveying, Inc., dated October 29, 2002 and recorded October 30, 2002 in the Office of the Register of Deeds		

for Greenville County, SC in Plat Book 46-C at Page 68 and having the boundaries and measurements as shown on the last mentioned plat, reference being craved thereto as often as is necessary for a more complete and accurate description.

This being the same property conveyed to Beverly Staton by Deed of D. R. Horton, Inc. dated October 22, 2004 and recorded November 15, 2004 in Book 2117 at Page 10 in the Office of the Register of Deeds fro Greenville County, South Carolina.

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.**

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the ____ day of _____, 2026 and a copy mailed first class or placed in the appropriate attorney's box on this ____ day of _____, 2026 to attorneys of record or to parties (when appearing pro se) as follows:

Brock & Scott, PLLC
Westpark Center
1400 Browning Road, Suite 160
Columbia, SC 29210

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE 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), SCRPC.

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 heard and a decision rendered.



Greenville Common Pleas

Case Caption: Finance Of America Reverse Llc vs. Robert Luther Ellis Jr , defendant,
et al
Case Number: 2026CP2301483
Type: Master/Order/Foreclosure & Sale and Form 4

And It Is So Ordered!

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