



Claim 1005

FILED

2019 AUG -8 A 10: 24

U.S. BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

Fill in this information to identify the case:

Debtor 1 Sand Castle South Timeshare Owners Association, Inc.
Debtor 2 _____
(Spouse, if filing) _____
United States Bankruptcy Court for the _____ District of South Carolina
Case number: 19-02764-jw

Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 306) that you received.

Part 1: Identify the Claim

1. Who is the current creditor? Shelly Mercer-Jamison
Name of the current creditor (the person or entity to be paid for this claim)
Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else? No
 Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)
Where should notices to the creditor be sent?
Shelly Mercer-Jamison
Name
30 Plains Road
Number Street
Hamden CT 06514
City State ZIP Code
Contact phone (203) 676-4262
Contact email ladysjamison@gmail.com
Where should payments to the creditor be sent? (if different)
Name _____
Number Street _____
City State ZIP Code _____
Contact phone _____
Contact email _____

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed? No
 Yes. Claim number on court claims registry (if known) _____ Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim? No
 Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ 11,900.00. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.

Paid in full ownership in one vacation timeshare week.

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature of property:
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____

Basis for perfection: Warranty Deed
 Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- No
- Yes. *Check one:*
- | | |
|---|-----------------------------|
| <input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). | Amount entitled to priority |
| | \$ _____ |
| <input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. | \$ _____ |
| <input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). | \$ _____ |
| <input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). | \$ _____ |
| <input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). | \$ _____ |
| <input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. | \$ _____ |

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBTP 9011 (b).

If you file this claim electronically, FRBP 5005(a)(2) authorized courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:


- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 08/05/2019
MM / DD / YYYY



Signature

Print the name of the person who is completing and signing this claim:

Name Shelly Mercer-Jamison
First name Middle name Last name

Title Timeshare owner

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 30 Plains Road
Number Street

Hamden CT 06514
City State ZIP Code

Contact phone (203) 676-4262 Email ladysjamison@gmail.com

THIS INSTRUMENT PREPARED ON
 BEHALF OF GRANTOR BY:
 BELLAMY, RUTENBERG, COPELAND,
 EPPS, GRAVELY & BOWERS, P.A.
 P.O. Box 357
 Myrtle Beach, SC 29578

STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY) **WARRANTY DEED**
)
) **ANNUAL TIMESHARE INTEREST**

KNOW ALL MEN BY THESE PRESENTS, THAT in the State aforesaid for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, SAND CASTLE SOUTH CONDO, LLC, a limited liability company organized and existing under the laws of the State of South Carolina, the address of which is 406 North Kings Highway, Myrtle Beach, South Carolina 29577 ("Grantor") has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto Shelly Mercer-Jamison and Michael Jamison whose address is 30 Plains Road, Hamden, CT 06514 ("Grantee") as Joint Tenants with rights of survivorship and not as tenants in common., in fee simple, the following described property:

Timeshare Interest(s) consisting of an undivided 1/52nd interest(s) in fee simple as tenant in common in each of the below-described Timeshare Unit(s) of Sand Castle South Horizontal Property Regime (the "Condominium"), together with the corresponding undivided interest in the Common Elements which are appurtenant to such Timeshare Interest, as well as the recurring (i) exclusive right of Grantee in every calendar year, commencing with the calendar year identified as the date of this instrument, to reserve, use and occupy an Assigned Unit within the Sand Castle South Timeshare Ownership Plan of the Condominium; (ii) exclusive right to use and enjoy the Common Furnishings located within or otherwise appurtenant to such Assigned Unit; and (iii) the non-exclusive rights to use and enjoy the Common Elements of the Condominium, for their intended purposes, all during the Vacation Week(s) as shall properly have been reserved in accordance with the provisions of the then-current Rules and Regulations of Sand Castle South Timeshare Owners Association, Inc., and all pursuant to the Supplemental Declaration for Sand Castle South Timeshare Ownership Plan recorded at Deed Book 3255, Page 567, *et seq.*, of the records of the R.O.D. Office for Horry County, South Carolina, as amended or supplemented (the "Supplemental Declaration"), and the Master Deed for Sand Castle South Horizontal Property Regime recorded at Deed Book 3114, Page 478, *et seq.*, of the records of the R.O.D. Office for Horry County, South Carolina, as amended or supplemented, to which such Supplemental Declaration and Master Deed the Timeshare Interest(s) is subject. Unless the context otherwise requires, the terms used herein shall have the same meanings as those set forth in the Supplemental Declaration. Said Property being a portion of the property conveyed to Sand Castle South Condo, LLC by Cherokee Motels, Inc., by deed recorded on June 16, 2006 in the R.O.D. Office for Horry County in Deed Book 3114, Page 462.

TIMESHARE UNIT NUMBER: <u>918/919</u>	UNIT TYPE: <u>1 BEDROOM /1BEDROOM</u>	DESIGNATED SEASON: <u>CHOICE GOLD</u>
INITIAL USE YEAR: <u>2009</u>		
VACATION WEEK NUMBER: <u>6 A/6A</u> [together with "A" (Annual Timeshare Interest)]		

The aforesaid Vacation Week is designated an Annual Vacation Week. An Annual Vacation Week allows occupancy and use of a Timeshare Unit each and every year. An Annual Vacation Week is designated with an "A," indicating a full Timeshare Interest.


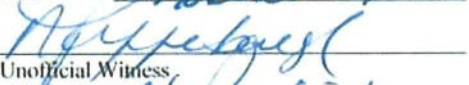
TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Timeshare Interests belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Timeshare Interests before mentioned unto the said Grantee subject, however, to the rights, conditions and restrictions that constitute covenants running with the land, all as set forth herein.

AND Grantor does hereby bind itself and its Successors and Assigns to warrant and forever defend, all and singular, the said Timeshare Interests unto the said Grantee, and its successors and assigns, against all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

INSTRUMENT 201000109051 DEED BY
 1488 PG 496 DOCTYPE 001 10 25 11
 11 13 53 PM 11 11 COUNTY STAMPS
 \$10.00 STATE STAMPS \$31.20 BALLEW
 \$ 24.00 PER HORRY COUNTY SC
 REGISTRAR OF DEEDS

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and sealed this 22nd day of October, 2008.

Signed, sealed and delivered
in the presence of:

Unofficial Witness
Print Name: ROBERT BOYETTE

Unofficial Witness
Print Name: N. R. L. K. H.

GRANTOR:

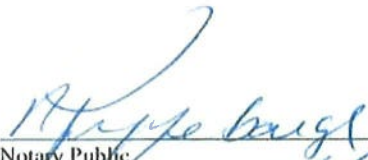
SAND CASTLE SOUTH CONDO, LLC,
a South Carolina limited liability company,

By: 
Print Name: Jason Shroff Jason Shroff
Print Title: Authorized Agent

STATE OF SOUTH CAROLINA
COUNTY OF HORRY

I, the undersigned Notary Public for South Carolina, do hereby certify that Sand Castle South Condo, LLC, a South Carolina limited liability company, by Jason Shroff, its Authorized Agent, personally appeared before me this day, and in the presence of the two witnesses above named, acknowledged the execution of the foregoing instrument on behalf of Sand Castle South Condo, LLC.

Witness my hand and seal this 22nd day of October, 2008.


Notary Public
My Commission Expires: 5/8/2012

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property being transferred is located at 2007 South Ocean Blvd, Myrtle Beach, S.C. 29577 bearing County Tax Map Number 187-01-02-194, was transferred by Sand Castle South Condo, LLC. To Shelly Mercer-Jamison and Michael Jamison on October 22, 2008.

3. Check one of the following: The deed is

- (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b) _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c) _____ exempt from the deed recording fee because (See information section of affidavit):
_____ (If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit.):

- (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$11,900.00
- (b) _____ The fee is computed on the fair market value of the realty which is _____.
- (c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is _____

5. Check Yes _____ or No to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes," the amount of the outstanding balance of this lien or encumbrance is:

6. The deed recording fee is computed as follows:

- (a) _____ Place the amount listed in item 4 above here: \$11,900.00
- (b) _____ Place the amount listed in item 5 above here: -0- (If no amount is listed, place zero here.)
- (c) _____ Subtract Line 6(b) from Line 6(a) and place result here: \$11,900.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: _____.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Kersi Shroff (grantor)

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Kersi S. Shroff
Responsible Person Connected with the Transaction

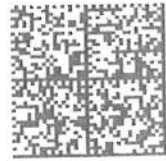
Jason Shroff Kersi Shroff, Agent
Print or Type Name Here

SWORN to before me this 22 day of October, 2008

[Signature]
Notary Public for SC
My Commission Expires: 9/22/12

Shelly Mercer-Jamison
30 Plains Road
Hamden, CT 06514

WESTCHESTER
NY NY
08-21-19
11:44 AM



U.S. POSTAGE >>> PITNEY BOWES



ZIP 06604 \$ 000.65⁰
02 4W
0000350731 AUG. 05. 2019

J. Bratton Davis United States
Bankruptcy Courthouse
1100 Laurel Street
Columbia, SC 29201-2423

29201-242399



OFFICE OF THE CLERK
UNITED STATES BANKRUPTCY COURT
District of South Carolina
J. Bratton Davis U.S. Bankruptcy Courthouse
1100 Laurel Street
Columbia, SC 29201-2423

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300



American Legal Claim
Services, LLC
8021 Philips Hwy, Suite
Jacksonville, FL
32256-7460

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American Legal Claims

19-02399

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