

**Law Office
of
Bruce B. (Bo) Campbell, LLC**

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*Admitted in South Carolina
**Certified Mediator

February 13, 2025

South Carolina State Housing Finance and
Development Authority Housing
300-C Outlet Pointe Blvd.
Columbia, South Carolina 29210

Housing Authority of the City of Columbia, SC
1917 Harden Street
Columbia, South Carolina 29204

Re: Harmony at Horizon Village 9% LIHTC Application
Opinion as to Ownership of Allen Benedict Court Property
1810 Allen Benedict Court, Columbia, South Carolina
Tax Parcel Number: R11408-03-01 (the "Property")

Dear Sir or Madam:

The Housing Authority of the City of Columbia, SC ("CHA") and title abstractors hired by my firm have spent the better part of a week searching internal files, archives, and the records of the Richland County Register of Deeds but, to date, have not been able to locate a copy of the vesting deed(s) for the above-referenced Property. That search continues but, considering the current unavailability of the original vesting deed(s), I have been asked to provide an opinion regarding the ownership status of the Property.

Based on my review of available records and relevant facts, it is my professional opinion that CHA holds fee simple title to Property. This conclusion is supported by the following factors:

1. **Continuous Operation as Public Housing:** CHA was created by a Columbia City Council resolution dated April 10, 1934. CHA constructed Allen Benedict Court on the Property in or about 1939 and operated public housing on the Property until January 2019 (when the site was condemned by the City of Columbia).¹ This demonstrates long-term control, possession, and use consistent with CHA's fee simple ownership of the Property.
2. **Declarations of Trust in Favor of HUD:** CHA has executed at least two Declarations of Trust, one which was recorded on June 15, 1956, and recorded in the Richland County Clerk of Common Pleas and General Sessions in Book 162 at Page 178, and the second which was recorded in the Richland County Register of Deeds Office on January 19, 1991, in Deed Book 1016 Page 741 (copy attached), in favor of the U.S. Department of Housing and Urban Development ("HUD"), pledging the Property as security for federal

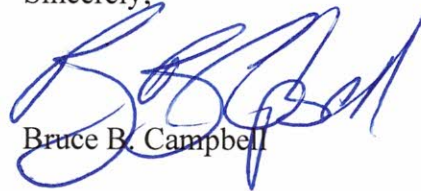
¹ Allen Benedict Court was one of the oldest public housing communities in the United States.

public housing funds. HUD's acceptance of these declarations (and the fact that they remain of record today) demonstrates CHA's ownership of the Property.

3. **Conveyance to the City:** CHA conveyed a 7-foot-wide by 207-foot-long parcel along Laurel Street to the City of Columbia by deed executed on August 18, 1967 (copy attached). The deed recites CHA ownership of the Property, ownership which was satisfactory to the City of Columbia for the conveyance along Laurel Street.

If you have any questions or require further information, please do not hesitate to contact me.

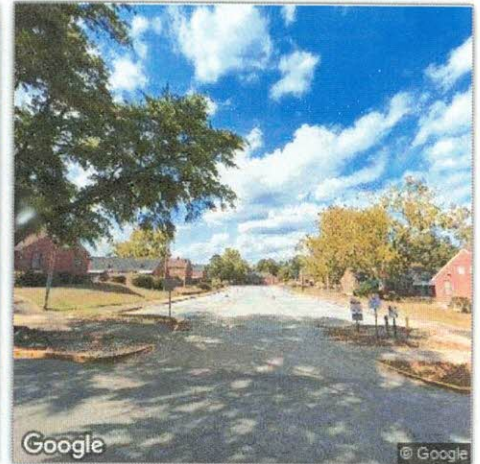
Sincerely,



Bruce B. Campbell

1810 ALLEN BENEDICT CT | R11408-03-01

Print



Address

Address	1810 ALLEN BENEDICT CT
Municipality	Columbia
School District	Richland School District 1
Garbage Coll. Day	No Pickup
Recycling Coll. Day	No Pickup
Yard Trash Coll. Day	No Pickup
Latitude	34.01542
Longitude	-81.02187
Elevation	254 ft

Census

Year	2010	2000	1990
Avg Hshld Income	\$13,955	\$6,731	\$4,999
Avg Home Value	\$0	\$150,000	\$36,300
Pop. Density (/sqmi)	6,975	16,570	20,580

Property

TMS	R11408-03-01
Owner	HOUSING AUTHORITY OF
Beds	0.0
Baths	0.0
Heated Sqft	0
Year Built	
Tax District	1CC
Land Value	\$17,120,000
Building Value	\$0
Taxable Value	\$0
Market Value	\$17,120,000
Last Sale	\$0 ()
Zoning	MU-2
Secondary Zoning	
Owner Occupied	

Political

Voting Precinct	Ward 8
Voting Location	David Swinton Campus Ctr
County Council Dist.	3
County Council Rep.	Tyra Little
SC Senate Dist.	21
SC Senate Rep.	Darrell Jackson
SC House Dist.	74
SC House Rep.	J. Todd Rutherford
County Magistrate Dist.	COLUMBIA
County Magistrate	JUDGE STEPHANIE BESS
Congressional Dist.	6
Congressional Rep.	James Clyburn
Sheriff Region	2

Disclaimer: This application is a product of the Richland County GIS Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of this map. However, the information presented should be used for general reference only. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of the information presented herein.

Whereas, (1, see instructions) the HOUSING AUTHORITY OF THE CITY OF COLUMBIA (herein called the Public Housing Agency (PHA), a public body corporate and politic, duly created and organized pursuant to and in accordance with the provisions of the laws of the (2) State of South Carolina and the United States of America, Secretary of Housing and Urban Development (herein called HUD) pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437, et seq.) and the Department of Housing and Urban Development Act (5 U.S.C. 624) entered into a certain contract with the effective date as of (3) December 8, 1983 (herein called the Annual Contributions Contract) and a certain Modernization Project Grant Amendment to the Annual Contributions Contract with the effective date as of (4) November 1, 1990 (herein called the Modernization Grant Amendment) providing for a grant to be made by HUD to assist the PHA in modernizing lower income housing project(s); and

Whereas, as of the date of the execution of this Declaration of Trust, the Modernization Grant Amendment and the Annual Contributions Contract cover certain individual lower income housing projects located in: (5) the City of Columbia, County of Richland and the State of South Carolina which will provide approximately (6) 244 dwelling units; and which lower income housing projects are known as Modernization Project No. (7) SC16P002915-Z and individual projects as follows:
Project No. (8) SC002002 with approximately 244 dwelling units,
Project No. (8) with approximately dwelling units, and
Project No. (8) with approximately dwelling units; and

Whereas, the modernization of each Project will have been financed with grant assistance provided by HUD.

Now Therefore, to assure HUD of the performance by the PHA of the covenants contained in the Modernization Grant Amendment and the Annual Contributions Contract, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes herein stated, the following described real property situated in: (9) the City of Columbia, County of Richland and the State of South Carolina To Wit:
(Insert legal description for each individual project. X(10))

Property description is attached hereto as Exhibit A and incorporated herein as fully set forth hereinafter

and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

The PHA hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the above described Project property. To Wit:

The right to require the PHA to remain seized of the title to said property and to refrain from transferring, conveying, assigning, leasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of said property or any part thereof, appurtenances thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any of the benefits or contributions granted to it by or pursuant to the Modernization Grant Amendment and the Annual Contributions Contract, or any interest in any of the same except that the PHA may (1) to the extent and in the manner provided in the Annual Contributions Contract, (a) lease dwellings and other spaces and facilities in any Project, or (b) convey or otherwise dispose of any real or personal property which is determined to be excess to the needs of any Project, or (c) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; or (d) enter into and perform contracts for the sale of dwelling units to members of tenant families, as authorized by the United States Housing Act of 1937, or (2) with the approval of HUD, release any Project from the trust hereby created; Provided, That nothing herein contained shall be construed as prohibiting the conveyance of title to or the delivery of possession of any Project to HUD pursuant to the Annual Contributions Contract.

The endorsement by a duly authorized officer of HUD (1) upon any conveyance or transfer made by the PHA of any real or personal property which is determined to be excess to the needs of any Project, or (2) upon any instrument of conveyance or dedication of property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities, or (3) upon any instrument transferring or conveying a dwelling unit, or an interest therein, to a member of a tenant family, or (4) upon any instrument of release made by the PHA of any Project shall be effective to release such property from the trust hereby created.

The individual projects covered by the Modernization Grant Amendment shall be subject to this Declaration of Trust for a period of twenty years beginning on the date of the Modernization Grant Amendment. Each individual project shall also be subject to this Declaration of Trust for a period of twenty years after the date of the most recent Modernization Grant Amendment applicable to that project. Upon expiration of the period during which the PHA is obligated to operate the individual projects in accordance with the Annual Contributions Contract, the trust hereby created shall terminate and no longer be effective.

In Witness Whereof, the PHA by its officers thereunto duly authorized has caused these presents to be signed in its name and its corporate seal to be hereunto affixed and attested this 17th day of January, 1991.

(Seal)

(1) HOUSING AUTHORITY OF THE CITY OF COLUMBIA

WITNESSES:

By:

David G. Ellison, Jr.

Chairperson

Attest:

form HUD-52190-B (3-90)
ref Handbook 7485.1

D1016/741

EXHIBIT A

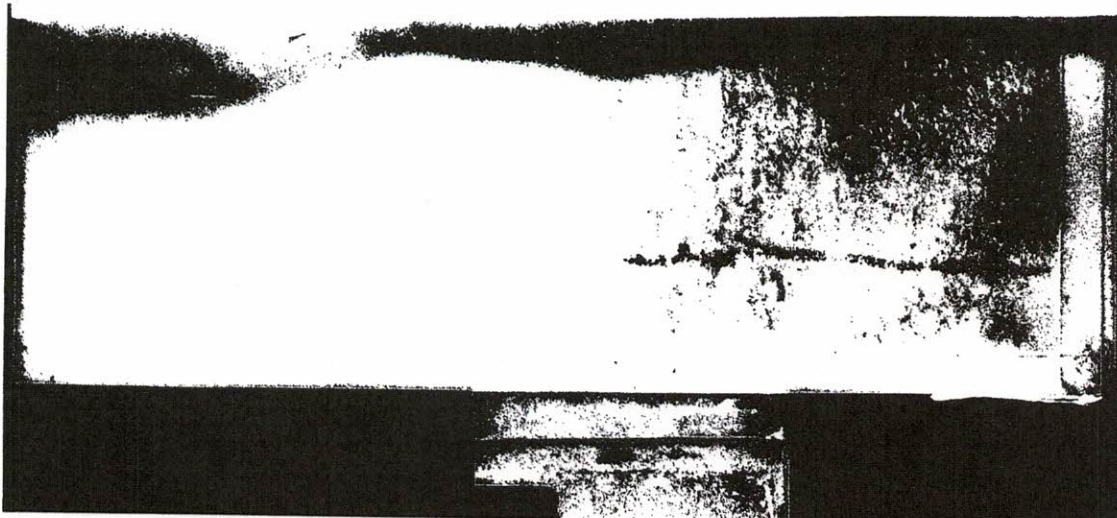
LEGAL DESCRIPTION

Project SC 2-2

All that piece, parcel or lot of land situated, lying and being in the City of Columbia, County of Richland, State of South Carolina, being bounded on the North by Calhoun Street, on the east by Oak Street, on the south by Laurel Street and on the west by Harden Street.

Together with all vacated streets and alleys within such area, and all buildings and fixtures erected or to be erected thereon or appurtenant thereto.

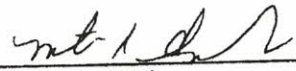
this is for 1810 Allen Benedict Ct. per GIS
TMS 11408-03-01
do not terminate



STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

DBK. 1016 PAGE 0743

Personally appeared before me Milton K. Smith,
who being duly sworn, deposes and says that he saw
David G. Ellison, Jr. and Rodney H. Fauser as
Chairman and Secretary respectively, of the HOUSING AUTHORITY OF
THE CITY OF COLUMBIA, SC, sign the foregoing Declaration of Trust
for and on behalf of the HOUSING AUTHORITY OF THE CITY OF COLUMBIA,
affix the official seal of said Housing Authority thereto and as
the act and deed of said Housing Authority, deliver the foregoing
written Declaration of Trust for the uses and purposes therein
mentioned and that he with Frances Martin witnessed the
due execution thereof.


Milton K. Smith

(SEAL)

Sworn to and subscribed before me
this 18th day of January, 1991


Notary Public

My Commission Expires: My Commission Expires November 23, 1993

DBK. 1016 PAGE 0743

Beginning at the northeast corner of the intersection of Laurel Street with Harden Street and extending in a northerly direction along the east boundary line of Harden Street for a distance of seven (7) feet, more or less; thence, turning and running in an easterly direction parallel to the north boundary line of Laurel Street for a distance of two hundred seven (207) feet, more or less; thence, turning and running in a southerly direction for a distance of seven (7) feet, more or less; thence, turning and running in a westerly direction along the north boundary line of Laurel Street for a distance of two hundred seven (207) feet, more or less, to the point of beginning.

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The State of South Carolina,

COUNTY OF RICHLAND

PERSONALLY appeared before me James R. Taylor

(Insert name of Witness)

who, in oath, says that he saw the within-named THE HOUSING AUTHORITY OF THE CITY OF COLUMBIA, S.C.
(Insert name of Corporation)

by S. L. Latimer, Jr.
(Insert name of President or Vice-President)

its Chairman

~~President~~ and

John A. Chase

its

Secretary

(Insert name of Secretary or Treasurer)

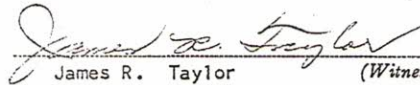
sign the within Deed, and the said Corporation, by said officers, seal said Deed, and, as its act and deed, deliver the

same, and that he with

Grace L. McBratney
(Insert name of other Witness)

witnessed the

execution thereof.

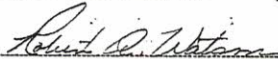

James R. Taylor (Witness)

SWORN to before me, this

18th

day of August 1967

, A.D. 19 67.


Robert A. Watson Notary Public, S.C. (Seal)

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Alachua *County.*

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