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Wigfall v. Mobley et al.: Heirs Property Rights in Family and in Law

Brian Grabbatin
University of Kentucky

Jennie L. Stephens
Center for Heirs' Property Preservation

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Brian Grabbatin
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Wigfall v. Mobley et al.:
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1. INTRODUCTION

On September 27, 2001, twenty-five people were evicted from their family land in Cainhoy, South Carolina. Most of them were born there and had never planned to leave, but a Berkeley County judge ordered a sale of the land and the removal of six homes. So, Gloria Asby watched as Berkeley County Deputies placed her mobile home on a trailer, removed the cinder blocks, and hauled it away. She was born on that property in 1943, and after her husband passed away in 1991, she returned home to live near her brother and his children and grandchildren. Asby was clearly distressed about the eviction, telling reporters, "What hurts the most is that family is making us move, and they're the ones who have a place to stay. I don't have any money. I might as well get a blanket and go under a tree" (Bartelme 2001c, 1-B).

For her brother Johnny Rivers, the 17 acres of marshland and Spanish moss-draped oaks along the Wando River was home for over 69 years. Since he had lived on the property his entire life and paid taxes on it for over 30 years the court granted him a 30-day grace period to vacate the premises. On the day of the

eviction, however, he shared the pain of watching his family members lose their homes, knowing that his time on the land was also coming to a close. When asked about the impending eviction he told reporters, "I feel the loss in my bones...I feel like part of my body is gone, but I'm still living" (Bartelme 2000, 1-A).

The displacement described above exposes the powerlessness and vulnerability of African American *heirs' property* owners. This phrase is a legal designation given to land where the title is in the name of an individual who died without leaving a written will. Laws vary from state to state, but when someone dies without a will in South Carolina, intestacy law ascribes ownership to descendants as tenants in common. With this arrangement, descendants hold an undivided interest in the property and are expected to make collective decisions about how to use and manage it. However, disagreements among family members can lead to the displacement of some residents against their will (Rivers 2007).

All residents of the property on Pinefield Drive were descendants of Hector Rivers, a former slave who acquired the land through a legal deed in 1883. Many of his descendants died without wills, making the land heirs' property. Although family members hold an undivided interest in heirs' land, a single heir who wishes to sell can request their interest be divided from the collective. If the family cannot agree on how to divide the land, then a judge can order a sale of the property, displacing residents who are often land rich, but cash poor (Rivers and Stephens 2009). In Cainhoy, a disagreement between family members led to a 6-year legal battle, which ended in a court-ordered sale and eviction described above.

Reports about the theft of African American land, through legal and extralegal means, are common throughout the South (Patterson 2007; Dewan 2010; Persky 2009), but the issue of heirs' property is particularly widespread in Gullah communities (Carawan and Carawan 1989 [1967]; Jones-Jackson 1987; Rivers 2006). According to anthropologists, historians, and community leaders, Gullah is a cultural distinction attributed to unique craft, culinary, agricultural, and speech patterns unique to the Lowcountry of the southeastern United States (see Figure 1 at end).¹ The prevalence of heirs' property in the region is the result of the informal nature of land transfers occurring after the Civil War, educational inequalities and the violence of Jim Crow, and a general mistrust of a legal system controlled by whites, which led many Gullah families to pass landownership to their descendants without legally recognized documentation (Rivers 2007; Demerson 1991; Twining and Baird 1991). Legal scholars working across the South have raised concerns over the vulnerability of heirs' property ownership, calling for more detailed case studies to fully understand this issue (Deaton 2007; Mitchell 2005; Rivers and Stephens 2009).

In this article I present the case of *Wigfall v. Mobley et al.* to illustrate how law privileges the economic value of land over its social and cultural value. I argue that while legal rulings are designed to put property to its 'best use,' court ordered partition sales like this one beg the question

"best use for whom?" I demonstrate how partition sales privilege the rights of individuals willing to actualize the market value of their property over the rights of those who wish to retain family land, emphasizing economic value and ignoring the cultural value of these properties.

My work is based on archival research, including a thorough examination of case documents on file at the Berkeley County Clerk of Court Office, and interviews with staff members at the Center for Heirs' Property Preservation (CHPP). Currently, there is not enough data on heirs' property to determine whether this case is typical, but partition sales do occur and have a long life in the memory of communities where they happen. This case was well documented in the Post and Courier newspaper by staff writer Tony Bartelme and is widely known by those working with heirs' property issues.

2. CASE BACKGROUND

The property involved in the case of *Wigfall v. Mobley et al* is located on the Cainhoy peninsula in Berkeley County, South Carolina (see Figure 2 at end). Around 1740, Cainhoy became Charleston's primary brick supplier, utilizing the rich clay deposits along the Wando River. After the Civil War, the vibrant river economy was destroyed and Cainhoy become an isolated rural area (Bartelme 2001a; Frazier 2011).

At the end of the Civil War, freedmen and women began to acquire property throughout the South, using a variety of cash and labor agreements with former plantation owners and the federal government. In these post-emancipation African American communities, land was often owned collectively. Families bought land together, worked together, and lived together (Rose 1964; Penningroth 2003; Flynn 1983; Saville 1994; Penningroth 1997). These freedmen and women built *family compounds*, residential groupings that consisted of households assembled on the basis of kinship, typically with a common area in between individual homes (Twining and Baird 1991; Rivers 2007). During the difficult years between Reconstruction and the Great Depression, families held on to their land by transferring it through generations both as inheritance and as dowry, using it to create an effective subsistence economy (Bethel 1981; Jones-Jackson 1987; Pollitzer 1999; National Park Service 2005).

While the first generation of free African Americans was acquiring land, northern industrialists with names like Vanderbilt and Pulitzer also began buying portions of the southeastern coastline for vacationing and recreational hunting (Harris 2001). In 1938, the Cainhoy peninsula became the playground of Harry Guggenheim, who purchased large tracts of marsh and forest to use as a hunting preserve (Bartelme 2001a). Rural African Americans remained relatively unaffected by these developments. They engaged in the market economy by working seasonally on resorts, serving as guides for sport hunters, tonging for oysters, packing shrimp, and cutting timber. However, these activities were engaged in tenuously,

as their purpose was to supplement the living they could earn from their own land (Harris 2001; National Park Service 2005).

Until the mid 20th century, land prices were low and African Americans were a majority in the Lowcountry, but in 1957 the construction of Sea Pines resort began on Hilton Head Island (Joyner 1999; Odinga 2006; Smith 1991). The economic and cultural transformation of the Lowcountry that followed is referred to as development, or from the perspective of Gullah leader Marquette Goodwine, "destructionment" (Goodwine 1998). Exclusive resort style development has displaced the land-based livelihoods of African Americans in the Lowcountry, interrupting access to natural resources (Halfacre, Hurley, and Grabbatin 2010; Hurley and Halfacre 2009; Hurley et al. 2008). Meanwhile, road and utility construction has literally paved the way for residential and commercial development, raising property values and taxes, and precipitating a decline in African American landownership (Goodwine 1998; National Park Service 2005; Tibbetts 2001).

In the 1980s, the Cainhoy peninsula was largely made up of African American family compounds held as heirs' property and large agricultural and timber tracts owned by whites. In 1992, the multi-million dollar Mark Clark Expressway connected North Charleston and West Ashley to Mount Pleasant and the State Ports Authority. Road improvements and previously unavailable water-sewer services extended to Cainhoy, property taxes soared, and the city of Charleston annexed thousands of acres, zoning them for industrial and commercial uses (Sinkler 2005; Bartelme 2001a).

Many families in Cainhoy either chose to move or were forced to relocate, but the Rivers family was able to hold on to their land throughout all of this change. The 17 acres of waterfront property on Clouter Creek were always culturally and economically valuable to Johnny Rivers and his family. However, in the early 90s, with the completion of the Mark Clark Expressway, the market value of their land increased and family conflicts over this shared asset began to emerge.

3. CASE STUDY: WIGFALL V. MOBLEY ET AL.

3.1. COMPLAINT AND ANSWER

In 1994, Blondell Rivers Wigfall filed a complaint in the Berkeley County Courthouse against 25 of her family members, as well as unknown heirs and distributees.² The complaint requests that the court equitably partition property that had been in her family for generations, distributing the land or proceeds according to each family members' share, and issuing separate titles for each tract.³ The land in question is 17 acres of waterfront property on Pinefield Drive deeded to Alex Rivers who died intestate in 1971.

In South Carolina, family members have 10 years to probate the will of a deceased person. This process resolves all claims and divides property

amongst heirs according to the wishes of the deceased. However, when someone dies without a will and 10 years pass, then the only person who can legally transfer the property into someone else's name is a judge. This process is called *quieting title*. In order to do so, all of the heirs must be identified and the history of ownership documented (Walden 2010; Center for Heirs' Property Preservation 2007).

The ownership of the Pinefield tract was traced back to March 8, 1883, when Susan B. Hay deeded Hector Rivers, the great grandfather of the plaintiff, 54.54 acres of highland and 57 acres of marshland. This deed was recorded in Charleston and Berkeley Counties in 1888 and 1889 respectively. When Hector died, he left a will, legally transferring 5/6 interest to his son Hector Rivers Jr. and 1/6 interest to his grandchild Samuel Rivers. By 1927, when Hector Sr.'s will was probated in a Berkeley County court, Hector Jr., had already died intestate, making his 5/6 portion of the land heirs' property, which then passed to his widow and his eight children.⁴

As these details illustrate, the ownership of the Pinefield property was already complicated in 1927. Nine heirs shared ownership as tenants in common and one of these heirs, Samuel Rivers, also held a clear title to 1/6 interest conveyed through Hector Sr.'s will. However, by the time these nine heirs died, the ownership claims became even more complex, because all nine of them died without wills.⁵ At this time, wills were rarely made in Gullah communities. Instead, they relied on an oral tradition of inheritance because educational inequalities and a history of legal theft had led them to distrust white dominated legal systems. However, over several generations, the transmission of property became complicated by expansive family trees, and some individuals ended up with claims to many tracts of land from many different ancestors (Demerson 1991; Twining and Baird 1991). For lawyers and judges today, determining who the living heirs are and what interest they have in a piece of property is the first and often most difficult step in an heirs' property case. By bringing the question of inheritance into the courtroom, heirs give the court the right to determine who owns an interest and how much, instead of relying on traditional family negotiations.

In the complaint, Plaintiff Blondell Wigfall's attorney documents the intestate passage of property ownership through several generations, listing the living heirs, and calculating their percentage of interest in the property.⁶ Determined by the complaint and accepted by the court, the heirs of Alex Rivers own 9.2592% of the original property deeded in 1883, with the interest divided equally among eight children: Blondell Wigfall, Gloria Rivers Asby, and Johnny, Alex Jr., William, Jonathan Jr., and Jonathan Rivers.⁷

Of those heirs, defendant Johnny Rivers is the only one who filed an Answer and Counterclaim, agreeing with the Complaint's account of his family tree and the determination of heirs.⁸ However, in his response, Rivers states that he disagrees with his sister's request to partition the property and her request to remove the homes of his children from the

property.⁹ Instead, Rivers states that an equitable partition would include "two acres surrounding his residence" and "other and further relief as this Court may deem just and equitable."¹⁰ To clarify, Johnny Rivers is requesting that his own interest in the property should be reconsidered and that the family members living on the property should be allowed to remain.

Just before he died in 1971, Johnny Rivers' father told him, "Always pay your taxes, and you'll keep your land," (Bartelme 2002, 5-B). For the next 23 years, Johnny took his father's advice. He took care of the property, built a house and a dock, and always paid the property taxes on time. He allowed his children to place mobile homes on the property and his sister Gloria to move home when her husband died in 1991. Together they built a seven house family compound, paid the taxes, and took care of the grounds without assistance or interference from the other heirs until the complaint was filed in 1994 (Bartelme 2001c). Ruth W. Cupp, Rivers' lawyer, claimed that Johnny's labor, funds, and commitment to the property should entitle him to "a greater interest in the land than the other heirs."¹¹

While this claim may be in line with traditional forms of ownership practiced in Gullah communities, the legal interpretation of heirs' rights does not allow for any heir to receive special treatment merely because they live on the land or pay the taxes. Under South Carolina intestacy law, land is owned as tenants in common, each with an undivided interest in the property. Improvements to the property belong to all heirs and taxes paid give no one heir any greater interest than another (Center for Heirs' Property Preservation 2007; Rivers 2007).

3.2. NEGOTIATIONS

Despite attempts at family negotiation, both with and without lawyers present, the case was left open without trial for the next 3 years while the Plaintiff's lawyer, William W. Peagler III, contacted everyone with an interest in the property (Bartelme 2001b, 9-A). In these cases it is common to find heirs living in other parts of the country, since many African Americans left the South to avoid the worst of the Jim Crow laws and to seek employment in Northern cities (Falk 2004). These relatives typically do not pay taxes on the land and may have no intention of asserting their claims of use. However, a cash settlement is often too tempting for relatives to pass over, especially when they have no physical or emotional ties to the land (Demerson 1991; Carawan and Carawan 1989 [1967]; Jones-Jackson 1987).

Peagler contacted relatives living in South Carolina, Georgia, Illinois, and New York, and in 1997 wrote a letter to Judge McKellar stating that "[w]e are currently trying to buy out the minor interests in the property in order to consent to partition the property in this matter...I would like to request this matter be continued and it should be resolved by next month."¹²

In the original complaint, Wigfall stated her desire to divide the land amongst the heirs, with individual deeds assigned to parcels sized according to their interest. By 1998, the Plaintiff and her lawyer had decided that there was insufficient acreage for a partition, and instead stated the desire of "various defendants" for a public sale of the land or payment by the heirs wishing to retain it.¹³ Defense attorney Mark Lund said he was unable to negotiate with other family members. The change from equitable partition to public sale meant his clients were "being told they can't live on the property unless they buy it for a price they can't afford" (Bartelme 2001b, 9-A).

Johnny Mae Rambert, one of Rivers' daughters living on the property, was concerned about the cost of clearing land, setting up a trailer, installing septic tanks, and drilling a well on new property. "Those things are going to cost me thousands of dollars. That's money I don't have" (Bartelme 2001b, 9-A). Tensions flared within the family. Johnny told reporters that the other heirs, including two brothers, "jumped on the legal bandwagon...they know what they're doing to me, but they don't care. They figure they can get some money" (Bartelme 2001b, 9-A). At a November 1999 hearing, defense attorney Ruth Cupp testified that her client, Johnny Rivers, was unwilling to consent to a sale because he was not in a position to purchase the property himself and would not be able to find suitable housing if the property was sold to someone else.¹⁴ Despite the protest from Cupp, the judge ordered the family to sell the property and divide the proceeds among the heirs according to their interest.

3.3. ORDERS

The Consent Order documenting the November hearing states that the majority of parties agreed to sell the property. It also ordered the families to accept a \$910,000 bid from developer Woody Smith.¹⁵ But Smith backed out of the deal because of "too much controversy," and the property was shown to other potential buyers (Bartelme 2001b, 9-A). However, the family members living on the property decided to resist the order.

A letter from real estate agent Caroline Hall to Mike Szews of Agent Owned Premiere Real Estate described how gentlemen living on the land were "staring," "coming at us very quickly," and "yelling" when she took clients to see the land. Apparently this disruption did not deter her client. Hall stated that her client was "very interested in the property and would like to make an offer." However, she did "not feel safe to walk the property... [And] would hate to have [her] client miss out on the possibility of presenting an offer."¹⁶ In order to avoid losing an offer to buy, Wigfall filed a restraining order on September 13, 2000 to keep "these certain defendants and/or invitees from thwarting the Court's attempts to sell the property."¹⁷

After a second hearing on November 16, 2000, Master-in-Equity John B. Williams wrote an Order Granting Authority to Consummate Sale

reinforcing the 1999 order. He found Smith's original offer of \$910,000 "fair and reasonable" and ordered that the family members sign a contract to sell the property to him.¹⁸ However, Williams also added a concession for Johnny Rivers in this order, declaring that it was unfair to require he vacate and find new housing without receiving his proceeds of the sale. This Order gave Johnny Rivers 30 days after closing to vacate the premises, with all other tenants ordered to vacate 60 days after the Order was issued.¹⁹ More resistance, or perhaps just disregard, to the order came from the Berkeley County Sheriff, who was reluctant to execute the eviction until Peagler filed a motion to hold the Sheriff in contempt of court. A third order was issued, requiring Deputies to immediately eject all residents except Johnny from the property (Bartelme 2001b, 9-A).

3.4. FINAL WORDS

Johnny Rivers tried one last time to save his property, filing a Motion for Rehearing that claimed he was misrepresented by his attorney in 1999 and restated the importance of his economic and emotional attachment to the land.²⁰ Peagler responded on behalf of the Plaintiff, using legal precedent and quotations from previous orders to strike down Johnny's motion point by point. In the final paragraph of this response, he describes Johnny Rivers' arguments as "directly contrary to established legal principles" and "nothing more than a dilatory tactic designed to prevent the fair and just resolution of this case (which is already more than six years old)."²¹

On November 8, 2001, a fourth and final Consent Order consummated the sale to Woodie Smith for \$910,000, created a new deed to the land, and guaranteed that the attorney's fees would be deducted before proceeds were disbursed to the heirs.²² The Plaintiff's attorney received \$13,115.70 and 10% of the gross sale price. The three Defense attorneys received 5% of the gross sale price.²³ By comparison, Johnny Rivers, an heir, who took care of the property and paid taxes on it for over 30 years, was reimbursed for property taxes paid after 1999, and received 3.126% of the sale price, after attorney's fees.²⁴

4. DISCUSSION: HEIRS' PROPERTY RIGHTS IN FAMILY AND IN LAW

This article presents a detailed case study from the South Carolina Lowcountry that illustrates two main concerns about heirs' property cases. First, the outcome of this case highlights the economic injustice that can result from court-ordered partition sales. Second, this case illustrates the failure of the courts to weigh the cultural value of land.

In some ways, economic injustice is difficult to measure. The goals of families and individual family members can vary widely. Oftentimes there is a tension between the strong desire to retain family land and the desire to sell. For example, Johnny Rivers was upset about losing his land

regardless of how much money he would receive. However, apart from their willingness to sell, heirs' owners have legitimate concerns about getting a fair price for their property (Pridemore 2009; Rivers and Stephens 2009).

First, it is shocking that Johnny Rivers receiving only 3.126% of the sale price after attorney's fees, while the Plaintiff's attorney, himself not an heir, received 10% of the gross sale price.²⁵ Further, the amount Johnny received from the sale was insufficient to purchase housing in the Cainhoy area. Both he and his sister Gloria had to rely on neighbors and family members who took them in. Cainhoy community leader Fred Lincoln offered Gloria Rivers Asby and her family a place to stay. Johnny Rivers went to live with his son (Bartelme 2001b).

Aside from the unequal distribution of funds, there are also questions about the monetary value of the land itself. Cainhoy community leader Fred Lincoln said that the judge in the *Wigfall* case failed to look out for the best interest of the heirs because he ordered the property be sold to a specific person instead of sold on the market by the family. The judge considered Woodie Smith's \$910,000 offer to be fair market value, but eight months after the evictions from Pinefield Drive, he divided the land into eight "Unbelievably Beautiful High Wooded Lots," asking three million dollars for all eight lots (Bartelme 2002). Agent Owned Realty who brokered the sale contends that the land was only appraised at \$910,000 because at that time it was heirs' property, and there was too much risk involved in buying it (Bartelme 2002). However, after the title was cleared in court and a partition ordered, that risk was removed, increasing its value. In short, the court-ordered sale removed the legal complications that posed risk for buyers, while simultaneously locking in a risk-affected sale price for Smith.

Aside from the economic inequalities illustrated by this case, we can also see how legal and economic interpretations of landownership ignore the social and cultural value of heirs' property (Persky 2009, 4). Although all heirs shared the Pinefield Drive property as tenants in common, the rights of heirs willing to actualize its market value were privileged over the rights of those who wished to retain the land as a link to family and heritage. Developer Woodie Smith exemplified this emphasis on economic value when he told reporters, "I'm just like you, if there's an opportunity to make a dollar, I'm going to do it" (quoted in Bartelme 2002, 5-B).

For a period of time, Smith withdrew his offer to purchase the property because of the controversy between family members. In the end, however, he justified his decision to buy in purely economic terms. Clearly, when Johnny Rivers said, "I feel the loss in my bones...I feel like part of my body is gone" he was talking about something other than money (Bartelme 2000, 1-A).

Emory Campbell, a Gullah leader from Hilton Head, says that the conflicts over heirs' property are the result of a clash between the Euro-American ideals of an individual owning a specific piece of property versus a West African concept of communal property ownership where "the land

belonged to everyone," (Bartelme 2000, 9-A). For landowners, particularly in Gullah communities, heirs' property is the anchor for the family community, where kin always have the right to live, especially when times get tough (Falk 2004; Persky 2009; Demerson 1991; Twining and Baird 1991). Many Gullah landowners attribute their homeplaces to "the old people...the generation who came through slavery, acquired land, and set about the arduous task of clearing land on which they established their homes, their farms, and their communities" (Day 1982, 12). For some of these landowners the land is heritage and a legacy they will leave for the next generation; they are not looking for *any* opportunity to 'make a dollar.'

5. CONCLUSION: REVALUING THE LAND

The problems with heirs' property extend well beyond the community of Cainhoy or South Carolina. No one knows exactly how much heirs' property there is in the United States, but in Berkeley County alone more than 1,300 properties, around 17,000 acres, are listed in tax rolls as belonging to "heirs of..." (Bartelme 2000, 9-A). A study conducted in the 1970s concluded that 1/3 of black-owned property in the Southern United States was held as heirs' property (Graber 1978) and research in Appalachia has uncovered its prevalence in white communities (Deaton 2007).

David Dietrich of the American Bar Association's Property Preservation Task Force has called it "the worst problem you never heard of," prompting a response from the legal community (Persky 2009, 1). In 2010, a group of lawyers and legal scholars drafted the *Uniform Partition of Heirs' Property Act*, which is an attempt to incorporate cultural value into court decisions on heirs' property (National Conference of Commissioners on Uniform State Laws 2010). Josh Walden, attorney for the Center for Heirs' Property Preservation, said that right now discretion can be given to landowners by sympathetic judges, but if the Act were to become law it would give judges a legislative precedent for such discretion (Walden 2010).

During the legal proceedings, Johnny Rivers hoped that being an heir to the property, living on the land for 69 years, and paying the taxes would matter to the court. However, the judge was not legally bound to treat him any differently than the other heirs, and in the end he was granted only a few small concessions: reimbursement for property taxes from 1999 to 2001 and an extra 30-day grace period to vacate the property. Despite these concessions, the residents at Pinefield Drive were forced to leave their family homes, and forced to sell the property that had been in their family for generations. For Johnny Rivers, this was a wound that would never heal. Six years after the evictions, and three years before his death, Johnny Rivers and his wife still felt like "Trees ripped from their roots...We have never really been completely happy since we left" (Bartelme 2007).

6. ACKNOWLEDGEMENTS

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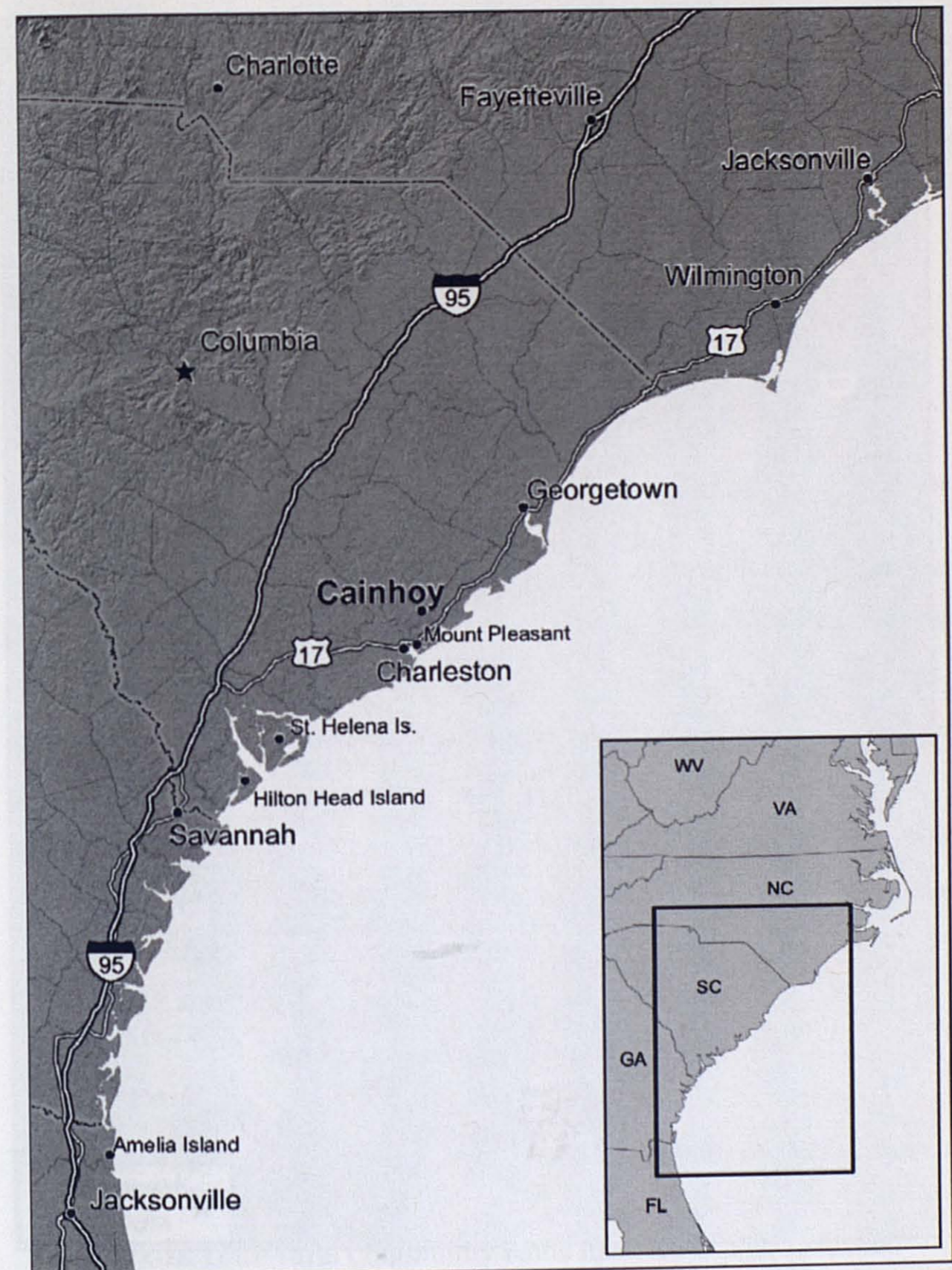


Figure 1: A regional map showing the Lowcountry region of the United States, where some coastal African American communities self-identify as Gullah.
Map made by Jeffrey E. Levy.

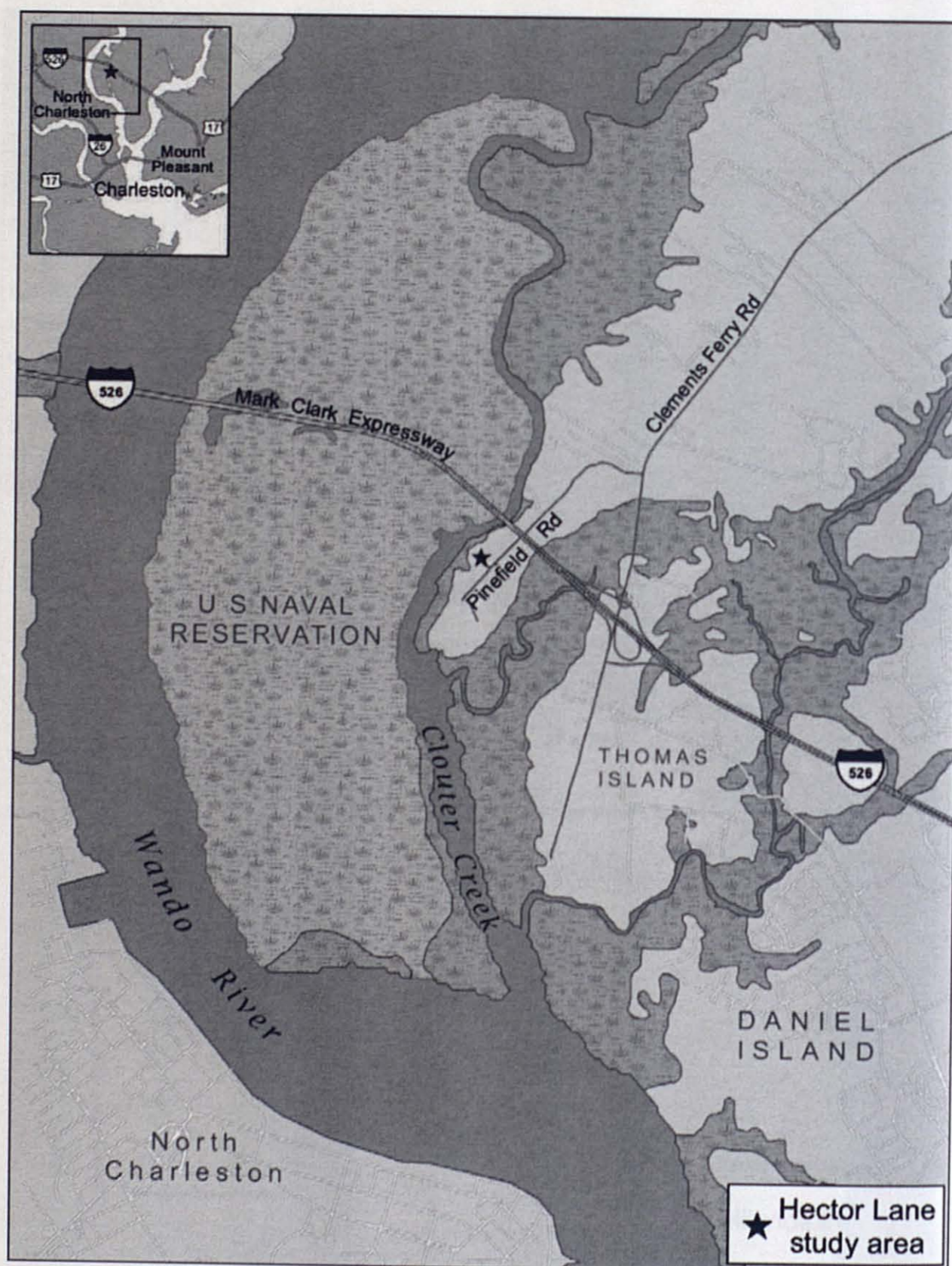


Figure 2: A map showing the Cainhoy peninsula in Berkeley County South Carolina. The property involved in *Wigfall v. Mobley et al.* is along Pinefield Drive and Hector Lane. Map by Jeffrey E. Levy.

Notes

- ¹ These traditions are attributed to cultural exchange between diverse groups of Africans, Europeans, and Caribbean immigrants during the 18th and 19th centuries, as well as the social and physical isolation of these coastal communities. See the following references for more about Gullah culture and history (Campbell 2002; Goodwine 1998; Montgomery 2008 [1994]; National Park Service 2005; Pollitzer 1999).
- ² Complaint at Page 1, *Wigfall* (No. 94-CP-08-1497).
- ³ Complaint at ¶ 43, *Wigfall* (No. 94-CP-08-1497).
- ⁴ Complaint at ¶ 3-5, *Wigfall* (No. 94-CP-08-1497).
- ⁵ Complaint at ¶ 6-20, *Wigfall* (No. 94-CP-08-1497).
- ⁶ Complaint at ¶ 25, *Wigfall* (No. 94-CP-08-1497).
- ⁷ Complaint at ¶ 14, *Wigfall* (No. 94-CP-08-1497).
- ⁸ Answer and Counterclaim at ¶ 2, *Wigfall* (No. 94-CP-08-1497).
- ⁹ Answer and Counterclaim at ¶ 5, *Wigfall* (No. 94-CP-08-1497).
- ¹⁰ Answer and Counterclaim at ¶ 11, *Wigfall* (No. 94-CP-08-1497).
- ¹¹ Answer and Counterclaim at ¶ 10, *Wigfall* (No. 94-CP-08-1497).
- ¹² Letter from William W. Peagler III to Judge McKellar dated 9 January 1997, *Wigfall* (No. 94-CP-08-1497).
- ¹³ Pretrial Brief of Defendants and Plaintiff, *Wigfall* (No. 94-CP-08-1497).
- ¹⁴ Order Granting Authority To Consummate Sale at Findings and Considerations at ¶ 4, *Wigfall* (No. 94-CP-08-1497).
- ¹⁵ Order Granting Authority To Consummate Sale at Findings and Considerations ¶ 2-3, *Wigfall* (No. 94-CP-08-1497).
- ¹⁶ Letter from Carolina Hall to Mike Szews dated 11 September 2000, *Wigfall* (No. 94-CP-08-1497).
- ¹⁷ Order Granting Authority To Consummate Sale at Findings and Considerations ¶ 5, *Wigfall* (No. 94-CP-08-1497).
- ¹⁸ Order Granting Authority To Consummate Sale at ¶ 4, *Wigfall* (No. 94-CP-08-1497).
- ¹⁹ Order Granting Authority To Consummate Sale at ¶ 6-7, *Wigfall* (No. 94-CP-08-1497).
- ²⁰ Plaintiff's Return To Defendant Rivers' Motion For Rehearing And To Alter And Amend Order Granting Authority To Consummate Sale at Section I, *Wigfall* (No. 94-CP-08-1497).
- ²¹ Plaintiff's Return To Defendant Rivers' Motion For Rehearing And To Alter And Amend Order Granting Authority To Consummate Sale at Section VII, *Wigfall* (No. 94-CP-08-1497).
- ²² Consent Order at ¶ 1-2, *Wigfall* (No. 94-CP-08-1497).
- ²³ Consent Order at ¶ 5-7, *Wigfall* (No. 94-CP-08-1497).
- ²⁴ Consent Order at ¶ 2-3, *Wigfall* (No. 94-CP-08-1497).
- ²⁵ Consent Order at ¶ 2-7, *Wigfall* (No. 94-CP-08-1497).

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