

clearing the same. It further appears to this Court that no person as a remote grantee of J. M. Fortner who could claim any interest in said street has commenced a cause of action against the Plaintiff, John W. Fortner, for the use of said strip of land as a street within a period of the Statute of Limitations prescribed under the laws of the State of South Carolina. While a private easement in favor of the grantees of a subdivider survives the vacation, abandonment or closing of a roadway shown on a recorded plat, Blue Ridge Realty Co. v. Williamson, Supra, such a private easement may be barred by adverse possession or the Statutes of Limitation. Outlaw v. Moise, 222 S.C. 24, 71 S. E. 2d, 509 (1952). This Court finds that said law is applicable to the facts in this situation and finds and concludes that the rights of the remote grantees of J. M. Fortner in and to said street have been barred by the Statute of Limitations and adverse possession.

*JWP #5*

This Court further finds that the rights of J. D. Woodall and Dorothy F. Garrett as the owners of property adjoining Lot No. 8, Oak Drive, could not be affected by the closing and abandonment of said 30-foot street in that their properties face other streets not a part of Fortner Park Subdivision and are separated from the street, the subject hereof, by a stream and ravine, so that they could have never had the use of said street. This Court therefore finds in accordance with South Carolina Code of Laws of 1962, Sec. 33-522, that it is in the best interests of all concerned that the subject street be abandoned and closed and that title thereto be vested in the Plaintiff, John W. Fortner.

NOW, THEREFORE, on motion of John M. Dillard, Attorney for the Plaintiffs, the Defendants being in default,

IT IS ORDERED, ADJUDGED AND DECREED that the 30-foot

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