

MOTION FOR RULE TO SHOW CAUSE WHY MORTGAGE SHOULD NOT BE SATISFIED

Plaintiff alleges the following:

1. That on or about _____ he executed a note and mortgage in favor of Defendant in the original principal amount of \$_____.
2. The said mortgage was thereafter recorded in the Office of the RMC for Charleston County in Book ____ at Page _____.
3. That Plaintiff has paid the said note in full and is entitled to have the said mortgage of recorded satisfied of record.
4. That the Defendant either unjustly refuses to satisfy same or cannot be found in order to obtain his satisfaction of same and that the said mortgage unjustly encumbrances the real property of the Plaintiff.
5. That pursuant to S.C. Code section 29-3-360, Plaintiff is informed and believes that he is entitled to have this Honorable Court issue a Rule to Show Cause why satisfaction should not be entered upon the public records against the aforesaid mortgage.

Wherefore, Plaintiff prays as follows:

1. For a Order requiring Defendant to appear before the Honorable Circuit Court Judge or his Appointee or Referee, at some time and place to be designated in said Order to answer why satisfaction should not be entered upon the public records against that certain mortgage given by _____ in favor of _____ dated _____ in the original principal amount of \$_____ and which is recorded in the Office of the RMC for Charleston County in Book __ at Page _____.

Attorney for Plaintiff