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Liens filed against developers

By Jenny Hartley-Senior Reporter

INDIAN LAND – Edenmoor is apparently not paying its bills.

According to information from the Lancaster County register of deeds office, three liens, totaling about \$2.2 million, have been filed by contractors against Edenmoor.

Edenmoor is an 800-acre development planned to have about 2,000 homes when complete. It is owned by Lawson's Bend LLC.

GS Carolina handles development activity for Lawson's Bend, but does not have any ownership in Edenmoor, said GS Carolina development manager Sean Calloway.

The liens have been filed by Crowder Construction Co. for \$81,185, R. Joe Harris and Associates for \$74,017 and Rosewood Construction Co. for \$2,012,034.

Lancaster County Administrator Steve Willis said the companies did surveying and water and sewer work at Edenmoor.

Lancaster County authorized \$30 million in bonds for Edenmoor and a special tax district to collect money to pay back the bonds, but is not liable for the money, Willis said. The bonds paid for infrastructure work there.

State law allows bonds to be sold with the proceeds from a special tax district to be used to pay the bonds back. The county collects the funds through tax bills and passes the proceeds along to the bond holder, Willis said. If there isn't enough tax money to fund the bonds, the bond holders may move to foreclose on the property with no recourse against the county.

"The county's not backing the bonds," Willis said.

Willis said the lien situation could delay the transfer of the Lancaster County Emergency Medical Services station on the Edenmoor property, along with a 68-acre, \$4.2 million public park. Both were expected to open this fall.

"It's disappointing, certainly," said County Councilman Bryan Vaughn, who represents the area. "We as a county were certainly looking forward to using that park. And the EMS station – it's muddied the water with that as well."

Lawson's Bend officials could not be reached for comment for this story.

This isn't the first time Edenmoor officials have found themselves in some legal trouble. The development accrued a \$237,000 late fee on paying about \$2.2 million in property taxes to the county earlier this year. The taxes are paid up now, Willis said.

In February, the development was fined \$15,000 by the S.C. Department of Health and Environmental Control. The fine was the result of sagging silt fences, which contributed to run-off at the site. Calloway said the fine would be paid by the contractor, BRS.

Another area of contention between the developers and the state in 2007 was the construction of the Twelve Mile Creek bridge within Edenmoor, which was built last year at the cost of \$1 million, without a state permit. GS Carolina received a belated DHEC permit after being informed by DHEC that it would

be required since the creek is considered "navigable" waters, a point the company has always disputed.

Vaughn said he's worried about the bigger picture and wonders how other developments are faring in the deteriorating economy.

"I think it will make the county take a very, very long look at how it does business with developers," Vaughn said. "The future of Lancaster County depends on these developers, with the tax dollars it could collect from them. I think everyone should be pretty concerned right now."

Contact senior reporter Jenny Hartley at jhartley@thelancasternews.com or at (803) 283-1151

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