



**AGENDA
GREER CITY COUNCIL**

August 11, 2020

MEETING LOCATION: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

6:30 PM

COUNCIL REGULAR MEETING

I. CALL TO ORDER OF REGULAR MEETING

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

A. Councilmember Lee Dumas

IV. PUBLIC FORUM

V. MINUTES OF COUNCIL MEETING

**A. July 28, 2020
(Action Required)**

VI. ADMINISTRATOR'S REPORT

A. Andy Merriman, City Administrator

VII. APPOINTMENTS TO BOARDS AND COMMISSIONS

**A. Construction Board of Adjustments and Appeals
David Greer has resigned his term expires 12/31/2024. This is a professional appointment for an Architect. (Action Required)**

VIII. OLD BUSINESS

**A. Second and Final Reading of Ordinance Number 11-2020
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF
PROPERTY OWNED BY JAMES BURNS LOCATED AT 286 NATURE
TRAIL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO
ESTABLISH A ZONING CLASSIFICATION OF R-20 (SINGLE
FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY. (Action**

Required)

B. Second and Final Reading of Ordinance Number 12-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JAMES BENJAMIN AND EVELYN BURNS LOCATED AT 282 NATURE TRAIL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-20 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY. (Action Required)

C. Second and Final Reading of Ordinance Number 31-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARY GREEN LOCATED AT 551 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

D. Second and Final Reading of Ordinance Number 32-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY BEN DILLARD LOCATED AT 531 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

E. Second and Final Reading of Ordinance Number 34-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY RED DRAGONFLY LLC LOCATED AT 1111 POPLAR DRIVE EXTENSION BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-5 (GARDEN COURT OR PATIO HOUSE DISTRICT) FOR SAID PROPERTY. (Action Required)

F. Second and Final Reading of Ordinance Number 37-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARGARITA HEWITT LOCATED AT 2920 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT). (Action Required)

G. Second and Final Reading of Ordinance Number 39-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTY OWNED BY OZF LLC LOCATED ON SOUTH BEVERLY LANE FROM R-12 (RESIDENTIAL DISTRICT) TO RM-2 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

- H. Second and Final Reading of Ordinance Number 40-2020
AN ORDINANCE APPROVING A MAJOR CHANGE TO A DESIGN
REVIEW DISTRICT (DRD) OF CERTAIN REAL PROPERTY IN THE
CITY OF GREER RELATED TO THE SOUTH MAIN TOWNES
DEVELOPMENT (Action Required)**

IX. NEW BUSINESS

- A. Bid Summary - Fire Department Extrication Equipment**

The Fire Department has worked to evaluate our current extrication equipment and what the department's needs are moving forward. Staff invited various vendors to a local salvage yard, where equipment could be evaluated against the department's needs. Based on the results staff recommends the project be awarded to Spartan Fire and Emergency Apparatus, whom is the sole source vendor for Holmatro Rescue Tools. The quoted price of \$74,994.17 is within the approved 2020/2021 budget of \$75,000.00.? Spartan Fire and Emergency Apparatus - \$74,994.17 Staff recommends the project be awarded to Spartan Fire and Emergency Apparatus in the amount of \$74,994.17. (Action Required)
Joshua Holzheimer, Deputy Fire Chief

- B. Bid Summary - Fire Department Medical Equipment**

The Fire Department has worked to continuously improve the level of medical care provided to our community. We have worked hard to increase the number of paramedics on staff over the past three years, and are now ready to move forward with providing Advanced Life Support to the citizens of Greer. Having paramedics on our apparatus with this equipment will allow our staff to provide advanced cardiac life support to our citizens in an efficient and timely manner. As well as, allow us to monitor the effects structure fires have on our firefighters, by giving us the ability to monitor carbon monoxide gases in the blood and provide advanced care that was previously available only if EMS was on scene. Based on the results staff recommends the project be awarded to Stryker Medical, whom is the sole source vendor for LifePak 15 Monitor/Defibrillators. The quoted price of \$153,039.89 is within the approved 2020/2021 budget of \$154,000.00.? Stryker Medical - \$153,039.89 Staff recommends the project be awarded to Stryker Medical in the amount of \$153,039.89 (Action Required)
Joshua Holzheimer, Deputy Fire Chief

- C. First Reading of Ordinance Number 41-2020**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF
PROPERTY OWNED BY CJN, LLC LOCATED AT 220 B STREET BY
ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A
ZONING CLASSIFICATION OF R-7.5 (SINGLE FAMILY
RESIDENTIAL) FOR SAID PROPERTY. (Action Required)**

Ordinance 41-2020 is an annexation and zoning request for a parcel located at 220 B Street in Spartanburg County. The parcel for annexation consists of 0.37 acres. The property is proposed R-7.5, Single Family Residential zoning. The property is going to be combined with the property from Ordinance 42-2020 and then subdivided into single family lots for development. The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

Brandon McMahan, Planner

D. First Reading of Ordinance Number 42-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY CROWN PROPERTIES, LLC LOCATED AT 210 AND 200 B STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-7.5 (SINGLE FAMILY RESIDENTIAL) FOR SAID PROPERTY. (Action Required)

Ordinance 42-2020 is an annexation and zoning request for two parcels located at 210 and 200 B Street in Spartanburg County. The parcel for annexation consists of 0.50 acres. The property is proposed R-7.5, Single Family Residential zoning. The property is going to be combined with the property from Ordinance 41-2020 and then subdivided into single family lots for development. The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

Brandon McMahan, Planner

E. First Reading of Ordinance Number 43-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A PORTION OF PROPERTIES OWNED BY HONEYWELL INTERNATIONAL LLC LOCATED AT 85 AND 87 BEECO ROAD AND SOUTH BUNCOMBE ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL DISTRICT) FOR SAID PROPERTIES. (Action Required)

Ordinance 43-2020 is an annexation and zoning request for a portion of two parcels along S. Buncombe Rd that will create a 10 foot strip to connect to two parcels located on Beeco Rd. The parcels for annexation consists of 16.537 acres. The property is proposed for I-1, Industrial zoning. The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

Brandon McMahan, Planner

F. First Reading of Ordinance Number 44-2020

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING REGARDING THE CONVEYANCE OF AN EASEMENT IN CERTAIN REAL PROPERTY

IN THE CITY OF GREER (Action Required)
Mike Sell, Deputy City Administrator

G. First and Final Reading of Resolution Number 24-2020

**A RESOLUTION CERTIFYING CERTAIN REAL PROPERTIES IN
THE CITY OF GREER AS AN ABANDONED BUILDING SITE (Action
Required)**

Reno Deaton, Executive Director of Greer Development Corporation

X. EXECUTIVE SESSION

Council may take action on matters discussed in executive session.

XI. ADJOURNMENT

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, activity or public meeting of the City of Greer should contact Ruthie Helms, ADA Coordinator at (864) 848-5397 as soon as possible, but no later than 48 hours prior to the scheduled event.

Category Number: III.
Item Number: A.



AGENDA
GREER CITY COUNCIL
8/11/2020

Councilmember Lee Dumas

ATTACHMENTS:

Description	Upload Date	Type
☐ Invocation Schedule	8/5/2020	Backup Material



**Greer City Council
2020 Invocation Schedule**

January 14, 2020	Councilmember Lee Dumas
January 28, 2020	Councilmember Wryley Bettis
February 11, 2020	Councilmember Judy Albert
February 25, 2020	Mayor Rick Danner
March 10, 2020	Councilmember Jay Arrowood
March 24, 2020	Councilmember Wayne Griffin
April 14, 2020	Councilmember Mark Hopper
April 28, 2020	Councilmember Lee Dumas
May 12, 2020	Councilmember Wryley Bettis
May 26, 2020	Councilmember Judy Albert
June 9, 2020	Mayor Rick Danner
June 23, 2020	Councilmember Jay Arrowood
July 14, 2020	Councilmember Wayne Griffin
July 28, 2020	Councilmember Mark Hopper
August 11, 2020	Councilmember Lee Dumas
August 25, 2020	Councilmember Wryley Bettis
September 8, 2020	Councilmember Judy Albert
September 22, 2020	Mayor Rick Danner
October 13, 2020	Councilmember Jay Arrowood
October 27, 2020	Councilmember Wayne Griffin
November 10, 2020	Councilmember Mark Hopper
November 24, 2020	Councilmember Lee Dumas
December 8, 2020	Councilmember Wryley Bettis

Category Number: V.
Item Number: A.



AGENDA
GREER CITY COUNCIL
8/11/2020

July 28, 2020

Summary:

(Action Required)

ATTACHMENTS:

Description	Upload Date	Type
☐ July 28, 2020 Council Meeting Minutes	8/5/2020	Backup Material

CITY OF GREER, SOUTH CAROLINA

MINUTES of the FORMAL MEETING of GREER CITY COUNCIL July 28, 2020

MEETING LOCATION: Greer City Hall, 301 East Poinsett Street, Greer, SC 29651

I. CALL TO ORDER OF THE REGULAR MEETING

Mayor Rick Danner – 6:36 P.M.

The following members of Council were in attendance:
Jay Arrowood, Wayne Griffin, Mark Hopper, Lee Dumas, Wryley Bettis and Judy Albert.

Others present: Mike Sell, Deputy City Administrator, Tammela Duncan, Municipal Clerk, Steve Owens, Communications Manager and various other staff and media.

II. PLEDGE OF ALLEGIANCE

Councilmember Mark Hopper

III. INVOCATION

Councilmember Mark Hopper

IV. PUBLIC FORUM

No one signed up to speak

V. MINUTES OF THE COUNCIL MEETING

July 14, 2020

ACTION – Councilmember Wryley Bettis made a motion that the minutes of July 14, 2020 be received as written. Councilmember Judy Albert seconded the motion.

VOTE - Motion carried unanimously.

VI. DEPARTMENTAL REPORTS

- A.** Building and Development Standards, Finance, Fire Department, Municipal Court, Parks & Recreation, Police Department, Public Services and the Website Activity Reports for **June 2020** were included in the packet for informational purposes.

Finance

Susan Howell, Budget and Audit Manager presented the Financial Report for the period ending June 30, 2020. (Attached)

General Fund Cash Balance: \$14,452,562.

General Fund Revenue: \$29,904,426.

General Fund Expenditures: \$26,579,572.

Revenue Benchmark Variance: \$905,787.
Expenditure Benchmark Variance: \$2,419,066.
Overall Benchmark Variance: \$3,324,853.

The City is 7% under budget during this time period.

Hospitality Fund Cash Balance: \$244,585.
Storm Water Fund Cash Balance: \$898,486.

VII. PETITIONER

- A.** Justin Hughes – Did not appear.

VIII. PRESENTATION

- A.** Steve Owens, Communications Manager presented Council with the 2020 Municipal Association of South Carolina Achievement Award in Communications for the downtown CenterG Project.

IX. ADMINISTRATOR'S REPORT

Mike Sell, Deputy City Administrator presented the following:

MASC (Municipal Association of South Carolina) Achievement Award – thanked everyone involved for their efforts in preparing for and presenting to MASC and winning the MASC Achievement Award.

Cares Act – through the CARES Act Greenville County was the only county in South Carolina that received direct funding by meeting the population standard. It was around Ninety-one Million dollars (\$91,000,000.00). Part of that funding was allotted to the cities within Greenville County, approximately One million dollars (\$1,000,000.00) for reimbursement for qualifying expenses. We were able to provide a submission to the county to address expenses related to COVID response. Materials, Personal Protective Equipment, supplies, refunds that were related to cancellation of sports and programming activities that the City experienced because of cancellation of those events and programming. We submitted reimbursement of One hundred sixty-one thousand eight hundred dollars (\$161,800.00) and we received the check from the county last week. Our finance team worked diligently to put together that information. We've been tracking that information in anticipation of the likelihood we would have the opportunity to seek reimbursement for those expenses. We continue to track those expenses and submit them until we are told there is no more money available. The good news is there is there also some additional opportunities through the CARES ACT State Funds that will address payroll funds through the COVID response that we have yet to submit. We are in the process of gathering that information to provide to them as soon as that information becomes available. Again our Finance Staff is working on that. This would include overtime response or leave we've provided.

Mr. Andrew Merriman – Staff has been working over the past few weeks for Mr. Merriman to join us starting this coming Monday. Staff will have an opportunity to drop in and meet Mr. Merriman this Thursday evening. Some staff will meet with him prior to that our Human Resources Department, and our Internet Technology Department has reached out to him to take care of some of the new employee logistics ahead of time so his first day he doesn't have to spend a lot of time going through the new employee things. We want to make sure when he arrives Monday he can hit the ground running. Some administrative staff will spend time with him Wednesday to get an idea of what he sees his first week looking like. We will leave it flexible.

2020-2021 Budget Books – were placed in Council mailboxes.

Center for the Arts – has started their project through the funding that was provided through the "Make Greer Great" Partnership for Tomorrow to do a sculpture of a tree that its time had come and instead of cutting it down completely they have moved forward with creating a sculpture out of it. That work began on the 23rd of July and will take about two to three weeks. The progress can be tracked through social media.

X. OLD BUSINESS

A. Second and Final Reading of Ordinance Number 29-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY S. MICHAEL BRUCE LOCATED ON NORTH HOWELL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY.

Ashley Kaade, Planner asked Council to amend the name of the owner to S. Michael Bruce. A representative was present but did not speak.

Discussion held.

ACTION – Councilmember Wayne Griffin made a motion to approve Second and Final Reading of Ordinance Number 29-2020. Councilmember Jay Arrowood seconded the motion.

VOTE – Motion carried with Councilmember Albert voting in opposition.

B. Second and Final Reading of Ordinance Number 30-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTIES OWNED BY MICHAEL BRUCE AND A PORTION OF PROPERTY OWNED BY GAP CREEK LLC LOCATED ON NORTH HOWELL ROAD AND GAP CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) AND C-2 (COMMERCIAL DISTRICT) TO DRD (DESIGN REVIEW DISTRICT).

Ashley Kaade, Planner stated there was no new information. A representative was present but did not speak.

ACTION – Councilmember Jay Arrowood made a motion to approve Second and Final Reading of Ordinance Number 30-2020. Councilmember Wayne Griffin seconded the motion.

Discussion.

VOTE – Motion carried with Councilmember Albert voting in opposition.

C. Second and Final Reading of Ordinance Number 33-2020
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY DEANNA ROGERS LOCATED AT 2924 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT).

Ashley Kaade, Planner stated there was no new information. Neither the owner nor a representative was present.

ACTION – Councilmember Wryley Bettis made a motion to approve Second and Final Reading of Ordinance Number 33-2020. Councilmember Jay Arrowood seconded the motion.

Discussion.

VOTE – Motion carried unanimously.

D. Second and Final Reading of Ordinance Number 35-2020
AUTHORIZING A LEASE-PURCHASE AGREEMENT, SERIES 2020, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,057,103 RELATING TO THE FINANCING OF EQUIPMENT FOR MUNICIPAL PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS INCLUDING THE LEASE AGREEMENT; AND OTHER RELATED MATTERS

Susan Howell, Budget and Audit Manager presented the request.

ACTION – Councilmember Wayne Griffin made a motion to approve Second and Final Reading of Ordinance Number 35-2020. Councilmember Mark Hopper seconded the motion.

Discussion.

VOTE – Motion carried unanimously.

XI. NEW BUSINESS

A. First Reading of Ordinance Number 37-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARGARITA HEWITT LOCATED AT 2920 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT).

Ashley Kaade, Planner presented the request. Neither the owner nor a representative was present.

ACTION – Councilmember Jay Arrowood made a motion to approve First Reading of Ordinance Number 37-2020. Councilmember Judy Albert seconded the motion.

Discussion.

VOTE – Motion carried unanimously.

B. First Reading of Ordinance Number 38-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTY OWNED BY BONITA TAYLOR MCCALL LOCATED AT 1040 POPLAR DRIVE FROM C-2 (COMMERCIAL DISTRICT) TO C-3 (HIGHWAY COMMERCIAL DISTRICT).

Ashley Kaade, Planner presented the request. A representative John Chisholm spoke.

ACTION – Councilmember Jay Arrowood made a motion to table First Reading of Ordinance Number 38-2020. Councilmember Wayne Griffin seconded the motion.

Lengthy discussion.

VOTE – Motion carried unanimously.

C. First Reading of Ordinance Number 39-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTY OWNED BY OZF LLC LOCATED ON SOUTH BEVERLY LANE FROM R-12 (RESIDENTIAL DISTRICT) TO RM-2 (MULTI-FAMILY RESIDENTIAL DISTRICT).

Ashley Kaade, Planner presented the request. The Planning Commission held a Public Hearing July 20, 2020 and recommended approval. A representative was present but did not speak.

Discussion.

ACTION – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 39-2020. Councilmember Judy Albert seconded the motion.

VOTE – Motion carried unanimously.

D. First Reading of Ordinance Number 40-2020

AN ORDINANCE APPROVING A MAJOR CHANGE TO A DESIGN REVIEW DISTRICT (DRD) OF CERTAIN REAL PROPERTY IN THE CITY OF GREER RELATED TO THE SOUTH MAIN TOWNES DEVELOPMENT

Ashley Kaade, Planner presented the request. The Planning Commission held a Public Hearing July 20, 2020 and recommended approval.

ACTION – Councilmember Wryley Bettis made a motion to approve First Reading of Ordinance Number 40-2020. Councilmember Judy Albert seconded the motion.

Ron Johnson, Developer and Bill Kane - Ryan Homes (builder) spoke.

Lengthy discussion.

VOTE – Motion carried 5-2 with Councilmembers Arrowood and Griffin voting in opposition.

E. First and Final Reading of Resolution Number 21-2020

TO RENAME THE CITY OF GREER CENTER FOR THE ARTS BUILDING “THE EDWARD R. DRIGGERS CITY OF GREER CENTER FOR THE ARTS BUILDING”

Mayor Rick Danner presented the request.

ACTION – Councilmember Judy Albert made a motion to approve First and Final Reading of Resolution Number 21-2020. Councilmember Mark Hopper seconded the motion.

VOTE – Motion carried unanimously.

F. First and Final Reading of Resolution Number 22-2020

A RESOLUTION CERTIFYING CERTAIN REAL PROPERTY IN THE CITY OF GREER AS A TEXTILE MILL SITE

Reno Deaton, Executive Director of Greer Development Corporation presented the request. Lawrence Black, the developer was present but did not speak.

ACTION – Councilmember Judy Albert made a motion to approve First and Final Reading of Resolution Number 22-2020. Councilmember Wayne Griffin seconded the motion.

VOTE – Motion carried unanimously.

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

8:14 P.M.

Richard W. Danner, Mayor

Tammela Duncan, Municipal Clerk

Notifications: Agenda posted in City Hall and email notifications sent to The Greenville News, The Greer Citizen, GreerToday.com and the Spartanburg Herald Journal Friday, July 24, 2020.

DRAFT



AGENDA
GREER CITY COUNCIL
8/11/2020

Construction Board of Adjustments and Appeals

Summary:

David Greer has resigned his term expires 12/31/2024. This is a professional appointment for an Architect.
(Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Construction Board of Adjustments and Appeals members	8/5/2020	Backup Material
▣ Greer Resignation	8/5/2020	Backup Material



CITY OF GREER CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS

Five Year Terms

	Date of Appointment	Term Expiration
David Greer, AIA 913 Wembley Road Greenville, SC 29607 Phone 286-9734	November 12, 2019 November 25, 2014 November 10, 2009 January 8, 2008	December 31, 2024 December 31, 2019 December 31, 2014 December 31, 2009
Bill Rettew 3616 Brushy Creek Road Greer, SC 29650 Phone 877-9435	November 22, 2016 November 28, 2011 August 8, 2006	December 31, 2021 December 31, 2016 December 31, 2011
Greg Crusco, PE PMB 218 8595 Pelham Suite 400 Greenville, SC 29615 Phone 380-4375	November 24, 2015 November 23, 2010 August 23, 2005	December 31, 2020 December 31, 2015 December 31, 2010
George H. McCall, PE., F.NSPE, FSFPE Nine Stratton Place Greenville, SC 29615 Phone (864)908-9999	November 28, 2017 November 13, 2012 November 13, 2007 May 11, 2004	December 31, 2022 December 31, 2017 December 31, 2012
Ralph Johnson 4222 Ridge Road Greer, SC 29651 Phone 877-5101	November 12, 2019 November 25, 2014 November 10, 2009 May 11, 2004	December 31, 2024 December 31, 2019 December 31, 2014 December 31, 2009
Buddy Waters PO Box 447 Greer, SC 29652 Phone 877-3326	November 22, 2016 November 22, 2011 August 8, 2006	December 31, 2021 December 31, 2016 December 31, 2011
Keith Smith 316 C Trade Street Greer, SC 29651 Home Phone – 864-292-0466 Work Phone – 864-801-8701 Email: keith@keithsmithbuilders.com	November 22, 2016 January 24, 2012	December 31, 2021 December 31, 2016

August 3, 2020

Ms. Ruthie Helms
Director of Building & Development Standards - City of Greer, SC
301 E Poinsett Street
Greer, SC 29651

RE: City of Greer Construction Board of Appeals

Ms. Helms,

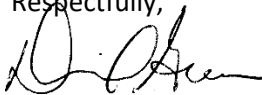
After more than 20 years as project architect at Langley & Associates, I have decided to move in a different direction at this stage in my career. I have accepted a full-time faculty position at Anderson University effective August 10, 2020.

Since I will no longer be employed as an Architect with a firm within the city limits of Greer, SC and my new job will not afford me flexibility to attend hearings in Greer, SC during daytime weekday hours, I must submit my resignation from the City of Greer Construction Board of Appeals, effective August 7, 2020.

A large majority of my students at Anderson University are female, and I am always looking for good role models to be guest lecturers in my classes. I teach a class on Building Systems, Materials, Details and Codes, and would like to keep you in mind as a resource on codes for that class. Please let me know if you would be available to talk to my class in person or if you would be available for a ZOOM presentation to discuss codes with my class of 3rd year students. If you are interested, I can give you more detailed information to help you narrow the scope of potential topics.

I have enjoyed working with you over the years, both as an architect and as one of your board members. I wish you the best in the years to come.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Greer', written over a horizontal line.

David K. Greer



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 11-2020

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JAMES BURNS LOCATED AT 286 NATURE TRAIL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-20 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY. (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 11-2020	8/5/2020	Ordinance
▣ Ord 11-2020 Exhibit A Title	8/5/2020	Exhibit
▣ Ord 11-2020 Exhibit B Plat	8/5/2020	Exhibit
▣ Ord 11-2020 Exhibit C Map	8/5/2020	Exhibit
▣ Ord 11-2020 Exhibit D Flood Map	8/5/2020	Exhibit
▣ Ord 11-2020 Petition for Annexation	8/5/2020	Backup Material
▣ Ord 11-2020 Planning Commission Minutes	8/5/2020	Backup Material

ORDINANCE NUMBER 11-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JAMES BURNS LOCATED AT 286 NATURE TRAIL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-20 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY.

WHEREAS, James Burns is the sole owner of property located at 286 Nature Trail Road more particularly described on the legal description attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Number 9-08-00-003.00 containing approximately 37.95 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0327D attached hereto marked as Exhibit D; and,

WHEREAS, the property currently has two (2) occupants; and,

WHEREAS, the James Burns has petitioned the City of Greer to annex his property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the property is now outside the city limits of Greer but adjoins the city limits; and,

WHEREAS, the property owner has requested that the subject property be zoned R-20 (Single Family Residential District); and,

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer,

South Carolina, as follows:

1. ANNEXATION: The 37.95 acres +/- property shown in red on the attached map owned by the James Burns located at 286 Nature Trail Road as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-08-00-003.00 is hereby annexed into the corporate city limits of the City of Greer.
2. ZONING ASSIGNMENT: The above referenced property shall be zoned R-20 (Single Family Residential District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.
3. LAND USE MAP: The above reference property shall be designated as Residential Land Use 2 on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.
4. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45083C0327D.
5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #3.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: April 14, 2020

Second and
Final Reading: August 11, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney

DEE-2019-47719



DEE BK 125-P PG 471-473

Recorded 3 Pages on 10/08/2019 11:31:10 AM

Recording Fee: \$15.00

Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

Space above this line for recording information

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG) TITLE TO REAL ESTATE
) (No Title Examination)

KNOW ALL MEN BY THESE PRESENTS, that **James Benjamin Burns**, (hereinafter called Grantor) in consideration of the sum of One and No/100ths (\$1.00) Dollar, love and affection, the receipt of which is hereby acknowledged by Grantor, paid by Grantees **James Benjamin Burns and Evelyn B. Burns**, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantees as **joint tenants with right of survivorship, and not as tenants in common, for and during their joint lives and upon death of either of them, then to the survivor of them, his or her heirs and assigns forever in fee simple**, (hereafter "Grantees"):

SEE EXHIBIT "A" ATTACHED

TMS#: 9-08-00-002.01

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

Grantees' Address: 282 Nature Trail Drive, Greer, SC 29651

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantees, their heirs and assigns forever.

AND THE GRANTOR does hereby bind the Grantor, and the Grantor's Heirs, or Successors, and Personal Representatives, to warrant and forever defend all and singular the said premises unto the said Grantees, and Grantees' Heirs, Successors, and Assigns, against Grantor and Grantor's Heirs, Successors, Personal Representatives and Assigns and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS our Hand and Seal this 21st day of August, 2019.

Signed, Sealed and Delivered
in the Presence of:

[Signature]

[Signature]
James Benjamin Burns

[Signature]

STATE OF SOUTH CAROLINA)

)

ACKNOWLEDGMENT

COUNTY OF GREENVILLE)

)

I, a Notary Public, within and for the State and County aforesaid, do hereby certify that the foregoing instrument of writing was this day produced to me in the above State and County by the Grantor(s) and was executed and acknowledged to be the free act and voluntary deed of the Grantor(s).

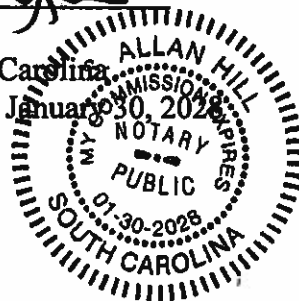
WITNESS my signature this 21st day of August, 2019.

[Signature]

S. Allan Hill

Notary Public for: South Carolina

My Commission expires: January 30, 2028



SCHEDULE "A"

ALL that certain piece, parcel or lot of land situate in the County of Spartanburg, State of South Carolina, being shown and designated as 0.528 acres and shown as Parcel A on Plat prepared by BENCHMARK SURVEYING, INC. entitled COMBINATION SURVEY FOR JAMES BENJAMIN BURNS recorded in the ROD for Spartnburg County in Plat Book 175 at Page 734 on April 26, 2019, and having according to said Plat, metes and bounds as shown thereon.

This being the same property conveyed to the Grantor herein by James H. Burns, recorded in the Spartanburg County ROD Office on February 4, 1977 in Deed Book 44-J at Page 73. James Benjamin Burns conveyed his 1/2 interest in the property to Teresa F. Burns by deed recorded in the Spartanburg County ROD Office on January 11, 1999 in Deed Book 57-H at Page 775. Teresa F. Burns conveyed her 1/2 interest in the property to James Benjamin Burns by deed recorded in the Spartanburg County ROD Office on August 26, 2003 in Deed Book 78-N at Page 867.

AND ALSO:

ALL that certain piece, parcel or lot of land situate in the County of Spartanburg, State of South Carolina, being shown and designated as 0.295 acres and shown as Parcel B on Plat prepared by BENCHMARK SURVEYING, INC. entitled COMBINATION SURVEY FOR JAMES BENJAMIN BURNS recorded in the ROD for Spartanburg County in Plat Book 175 at Page 734 on April 26, 2019, and having according to said Plat, metes and bounds as shown thereon.

This being the same property conveyed to the Grantor herein by James H. Burns, recorded in the Spartanburg County ROD office on May 1, 2019 in Deed Book 123-R at Page 769.

TMS#: 9-08-00-002.01

Grantor Name: **James Benjamin Burns**

B

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	DIRECTION
C1	44.85'	137.38'	18°42'30"	22.63'
C2	81.40'	130.37'	36°47'17"	43.03'
C3	57.61'	200.33'	18°28'35"	29.10'
C4	102.28'	284.85'	24°28'43"	34.80'

FOUND
3/4" OF
7A
5B

N/F
POLARIS FIELDS CORP
DB 33-142
PB 82-760
TWS 89-04-00-000 01

WILLIAM P NAMAFSEY
PB 46-46,47
TWS 89-07-00-039 000



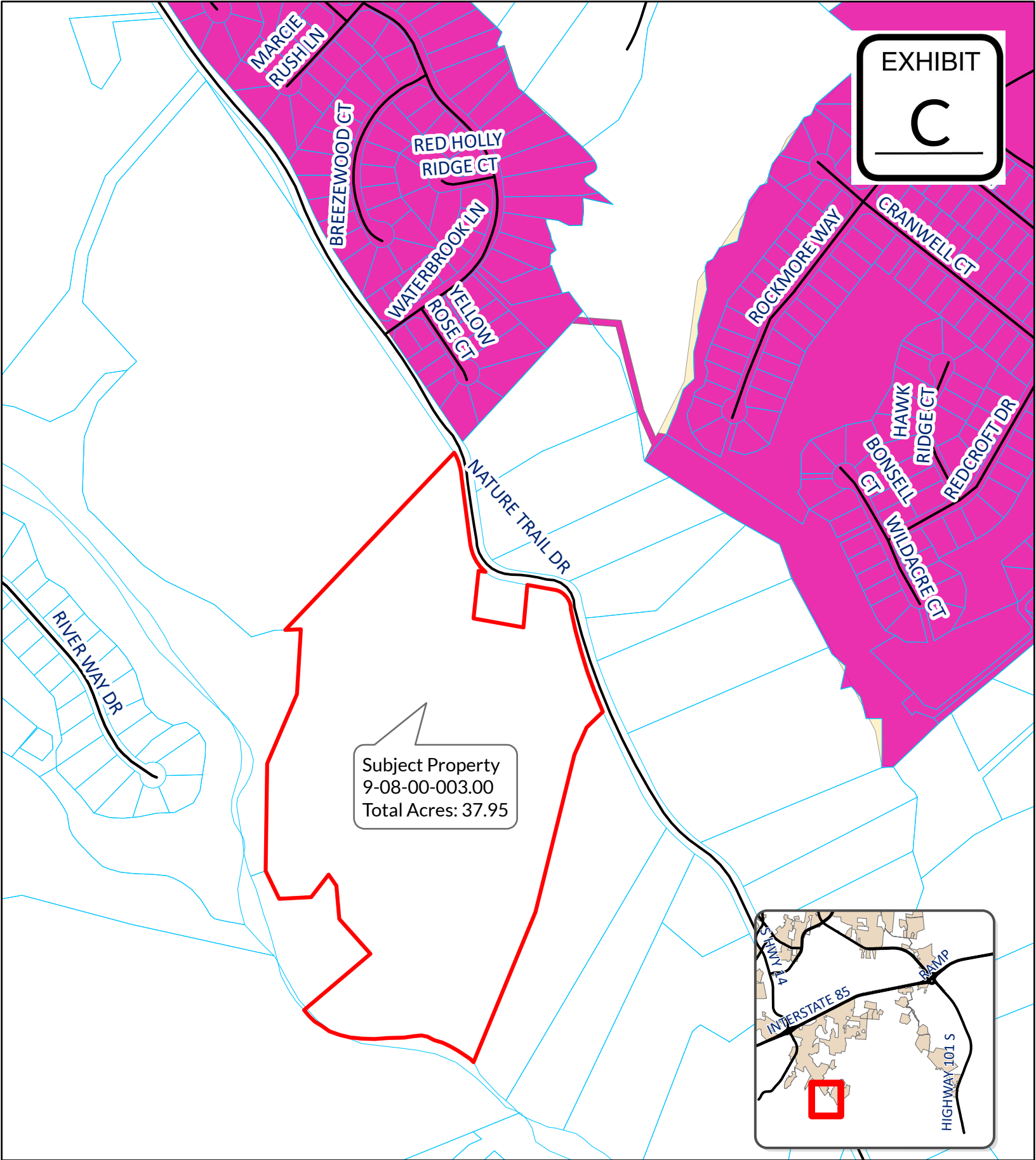
PROPERTY REFERENCES:

PARCEL A
JAMES BENJAMIN BLUMS
DEED BOOK 78-N, PAGE 867
PLAT BOOK 173, PAGE 354
TUS-9-00-00-002.01
ADDRESS: 263 NATURE TRAIL DRIVE, GREENTOWN, IN 46032

PARCEL B
JAMES BLUMS
DEED BOOK 71-Z, PAGE 408
PLAT BOOK 173, PAGE 601
TUS-9-00-00-003.00
ADDRESS: 266 NATURE TRAIL DRIVE, GREENTOWN, IN 46032

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

[illegible][illegible]



Ordinance 11-2020

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Council Districts

1	4
2	5
3	6

Streets

Parcels

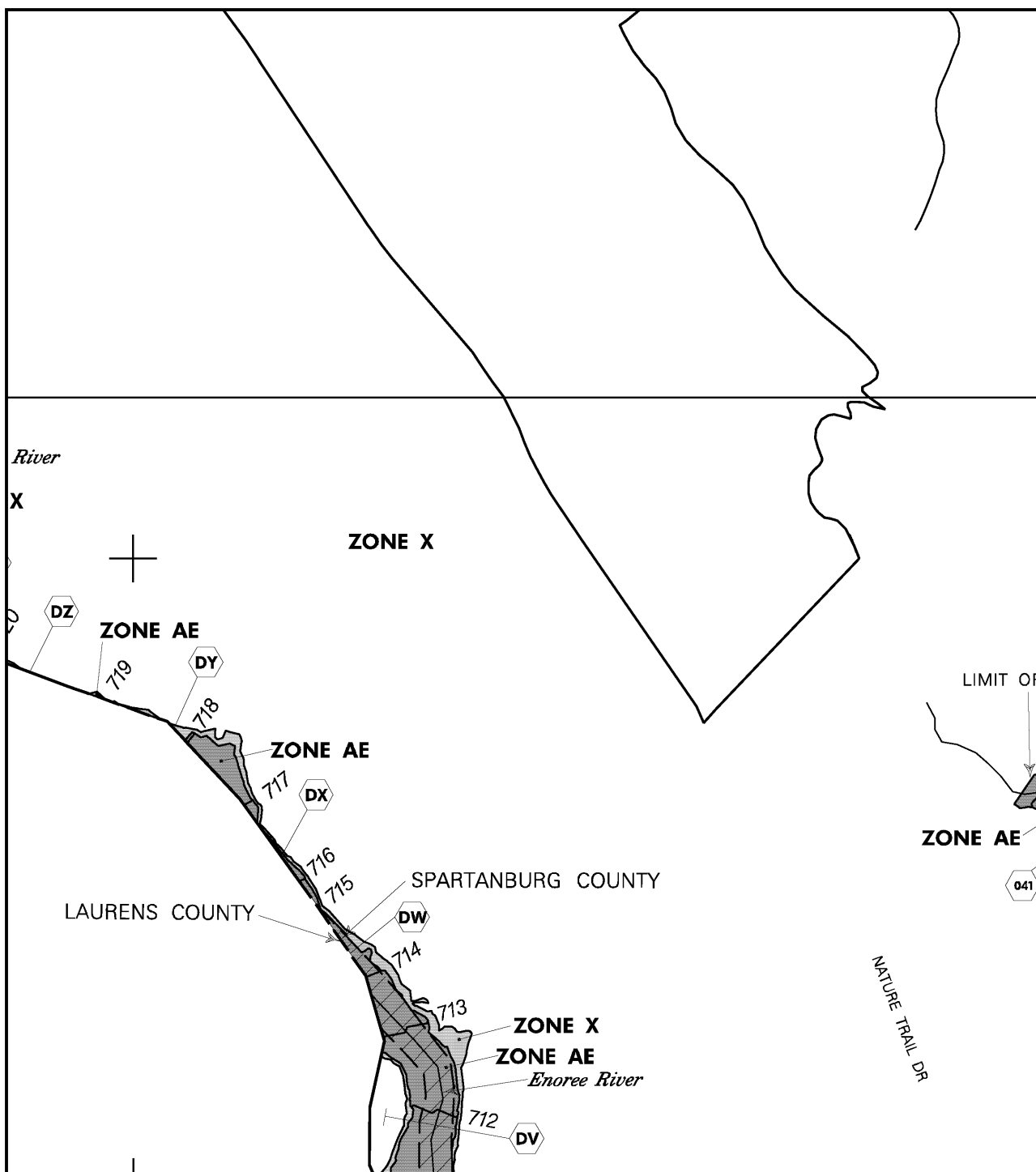
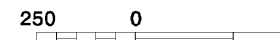
Right of Way

EXHIBIT D

If flood insurance is available
the National Flood Insurance Pro



MAP SCALE



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0327D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

PANEL 327 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SPARTANBURG COUNTY	450176	0327	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
45083C0327D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Petition for Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at Nature Trail Drive more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 9-08-00-003.00 attached hereto marked as Exhibit C containing approximately +/- 30.005 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by one hundred (100%) percent of the freeholders owning one hundred (100%) percent of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 9 day of March, 20 20 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

The applicant hereby requests that the property described be zoned to R-20, cluster option 1.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Print Name: James H. Burns

Signature: James H. Burns by Sandra B. Wall

Address: 286 Nature Trail Drive, Greer, SC

Witness: [Signature]

Date: 3-9-2020

Parcel Address: 286 Nature Trail Drive, Greer, SC

Tax Map Number: 9-08-00-003.00

Print Name: _____

Signature: _____

Address: _____

Witness: _____

Date: _____

Parcel Address: _____

Tax Map Number: _____

ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, APRIL 20, 2020

DOCKET: AN 20-80

APPLICANT: James Burns

PROPERTY LOCATION: 286 Nature Trail Dr

TAX MAP NUMBER: 9-08-00-003.00

EXISTING ZONING: Unzoned (Spartanburg County)

REQUEST: Zone to R-20, Single-family Residential

SIZE: 37.95 Acres

COMPREHENSIVE PLAN: Adjacent to Residential Land Use 2

ANALYSIS: AN 20-80

AN 20-80 is a request to zone one parcel located along Nature Trail Dr south of the Bent Creek subdivision. The request is to zone the property from Unzoned (Spartanburg County), to R-20, Single-family Residential. The intent is to combine with adjacent parcel for future residential development.

Surrounding land uses and zoning include:

North: Unzoned, Spartanburg County – Vacant and PD-R, Planned Development Residential, City of Greer – Bent Creek

East: Unzoned, Spartanburg County – Vacant and single-family residential use

South: Unzoned, Spartanburg County – Single-family residential use

West: Greenville County – Single-family residential use and Pelham Falls subdivision

The land use map in the Comprehensive Plan defines the area within the City near the property as Residential Land Use 2. This Community category is generally where most residential subdivisions located across the city may be found. A large majority of the Community residential areas will have this category designation. The density range of these areas is between 2.6 to 4.5 units per acre. There may also be some of the lower density developments who were at one time considered the more rural parts of the community, included in this category.

In accordance with the guidelines set forth in the Comprehensive Plan and after a detailed study of the area, staff supports the proposed zoning request.

STAFF RECOMMENDATION: Approval

ACTION – Mr. Martin made a motion to approve AN 20-80. Mr. Wright seconded the motion. The motion carried with a vote of 5 to 1, with Mr. Lavender voting no. The motion passed.



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 12-2020

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JAMES BENJAMIN AND EVELYN BURNS LOCATED AT 282 NATURE TRAIL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-20 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY. (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 12-2020	8/5/2020	Ordinance
▣ Ord 12-2020 Exhibit A Title	8/5/2020	Exhibit
▣ Ord 12-2020 Exhibit B Plat	8/5/2020	Exhibit
▣ Ord 12-2020 Exhibit C Map	8/5/2020	Exhibit
▣ Ord 12-2020 Exhibit D Flood Map	8/5/2020	Exhibit
▣ Ord 12-2020 Petition for Annexation	8/5/2020	Backup Material
▣ Ord 12-2020 Planning Commission Minutes	8/5/2020	Backup Material

ORDINANCE NUMBER 12-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY JAMES BENJAMIN AND EVELYN BURNS LOCATED AT 282 NATURE TRAIL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-20 (SINGLE FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY.

WHEREAS, James Benjamin and Evelyn Burns are the sole owners of property located at 282 Nature Trail Road more particularly described on the legal description attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Number 9-08-00-002.01 containing approximately .76 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0327D attached hereto marked as Exhibit D; and,

WHEREAS, the property currently has two (2) occupants; and,

WHEREAS, James Benjamin and Evelyn Burns have petitioned the City of Greer to annex their property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the property is now outside the city limits of Greer but adjoins the city limits; and,

WHEREAS, the property owners have requested that the subject property be zoned R-20 (Single Family Residential District); and,

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The .76 acres +/- property shown in red on the attached map owned by the James Benjamin and Evelyn Burns located at 282 Nature Trail Road as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-08-00-002.01 is hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced property shall be zoned R-20 (Single Family Residential District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. LAND USE MAP: The above reference property shall be designated as Residential Land Use 2 on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

4. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45083C0327D.

5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #3.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: April 14, 2020

Second and
Final Reading: August 11, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney

EXHIBIT

A

DEE-2019-47719

DEE BK 125-P PG 471-473

Recorded 3 Pages on 10/08/2019 1

Recording Fee: \$15.00

Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earle, Register Of Deeds

Space above this line for recording information

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

TITLE TO REAL ESTATE

(No Title Examination)

KNOW ALL MEN BY THESE PRESENTS, that **James Benjamin Burns**, (hereinafter called Grantor) in consideration of the sum of One and No/100ths (\$1.00) Dollar, love and affection, the receipt of which is hereby acknowledged by Grantor, paid by Grantees **James Benjamin Burns and Evelyn B. Burns**, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantees as **joint tenants with right of survivorship, and not as tenants in common, for and during their joint lives and upon death of either of them, then to the survivor of them, his or her heirs and assigns forever in fee simple**, (hereafter "Grantees"):

SEE EXHIBIT "A" ATTACHED

TMS#: 9-08-00-002.01

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

Grantees' Address: 282 Nature Trail Drive, Greer, SC 29651

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantees, their heirs and assigns forever.

AND THE GRANTOR does hereby bind the Grantor, and the Grantor's Heirs, or Successors, and Personal Representatives, to warrant and forever defend all and singular the said premises unto the said Grantees, and Grantees' Heirs, Successors, and Assigns, against Grantor and Grantor's Heirs, Successors, Personal Representatives and Assigns and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

SCHEDULE "A"

ALL that certain piece, parcel or lot of land situate in the County of Spartanburg, State of South Carolina, being shown and designated as 0.528 acres and shown as Parcel A on Plat prepared by BENCHMARK SURVEYING, INC. entitled COMBINATION SURVEY FOR JAMES BENJAMIN BURNS recorded in the ROD for Spartnburg County in Plat Book 175 at Page 734 on April 26, 2019, and having according to said Plat, metes and bounds as shown thereon.

This being the same property conveyed to the Grantor herein by James H. Burns, recorded in the Spartanburg County ROD Office on February 4, 1977 in Deed Book 44-J at Page 73. James Benjamin Burns conveyed his 1/2 interest in the property to Teresa F. Burns by deed recorded in the Spartanburg County ROD Office on January 11, 1999 in Deed Book 57-H at Page 775. Teresa F. Burns conveyed her 1/2 interest in the property to James Benjamin Burns by deed recorded in the Spartanburg County ROD Office on August 26, 2003 in Deed Book 78-N at Page 867.

AND ALSO:

ALL that certain piece, parcel or lot of land situate in the County of Spartanburg, State of South Carolina, being shown and designated as 0.295 acres and shown as Parcel B on Plat prepared by BENCHMARK SURVEYING, INC. entitled COMBINATION SURVEY FOR JAMES BENJAMIN BURNS recorded in the ROD for Spartanburg County in Plat Book 175 at Page 734 on April 26, 2019, and having according to said Plat, metes and bounds as shown thereon.

This being the same property conveyed to the Grantor herein by James H. Burns, recorded in the Spartanburg County ROD office on May 1, 2019 in Deed Book 123-R at Page 769.

TMS#: 9-08-00-002.01

Grantor Name: **James Benjamin Burns**

B

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	DIRECTION
C1	44.85'	137.38'	18°42'30"	22.63'
C2	61.40'	130.37'	36°47'17"	43.03'
C3	57.61'	200.33'	18°28'35"	29.10'
C4	102.28'	284.85'	74°28'43"	39.80'

N/F
P HEADLINE
48-46,47
07-00-059.00



PROPERTY REFERENCES:

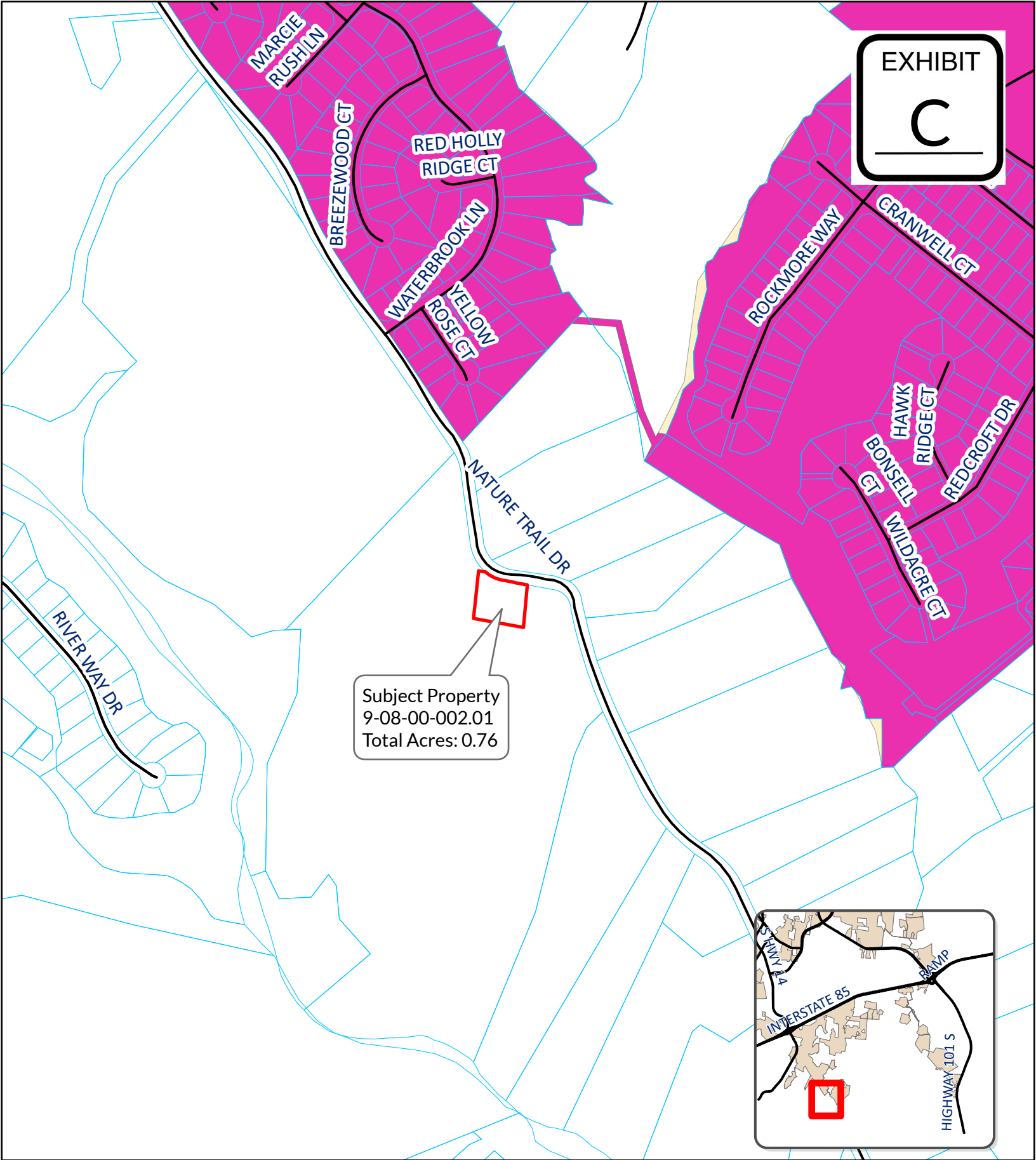
PARCEL A
JAMES BENJAMIN BURNS
DEED BOOK 78-N, PAGE 887
PLAY BOOK 173, PAGE 734
TUS-08-00-002.01
ADDRESS: 202 NATURE TRAIL DRIVE, GREENE

PARCEL B
JAMES BURNS
DEED BOOK 71-2, PAGE 408
PLAY BOOK 173, PAGE 801
TUS-08-00-003.00
ADDRESS: 206 NATURE TRAIL DRIVE, GREENE

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

[illegible]

HIGHER STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. THE GENERAL STRADDLES MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND NOTES ON EXCESSIVE MEASUREMENTS FOR A CLASS B SURVEY AS SPECIFIED HEREIN, LAYS THERE ARE NO ROOM VISIBLE DISCREPANCIES OR INCONSISTENCIES BETWEEN THE TWO MANUALS. THE STRUCTURE IS NOT LOCATED IN A DISCREPANT FILE# 11000 110000 110000 110000.



Ordinance 12-2020

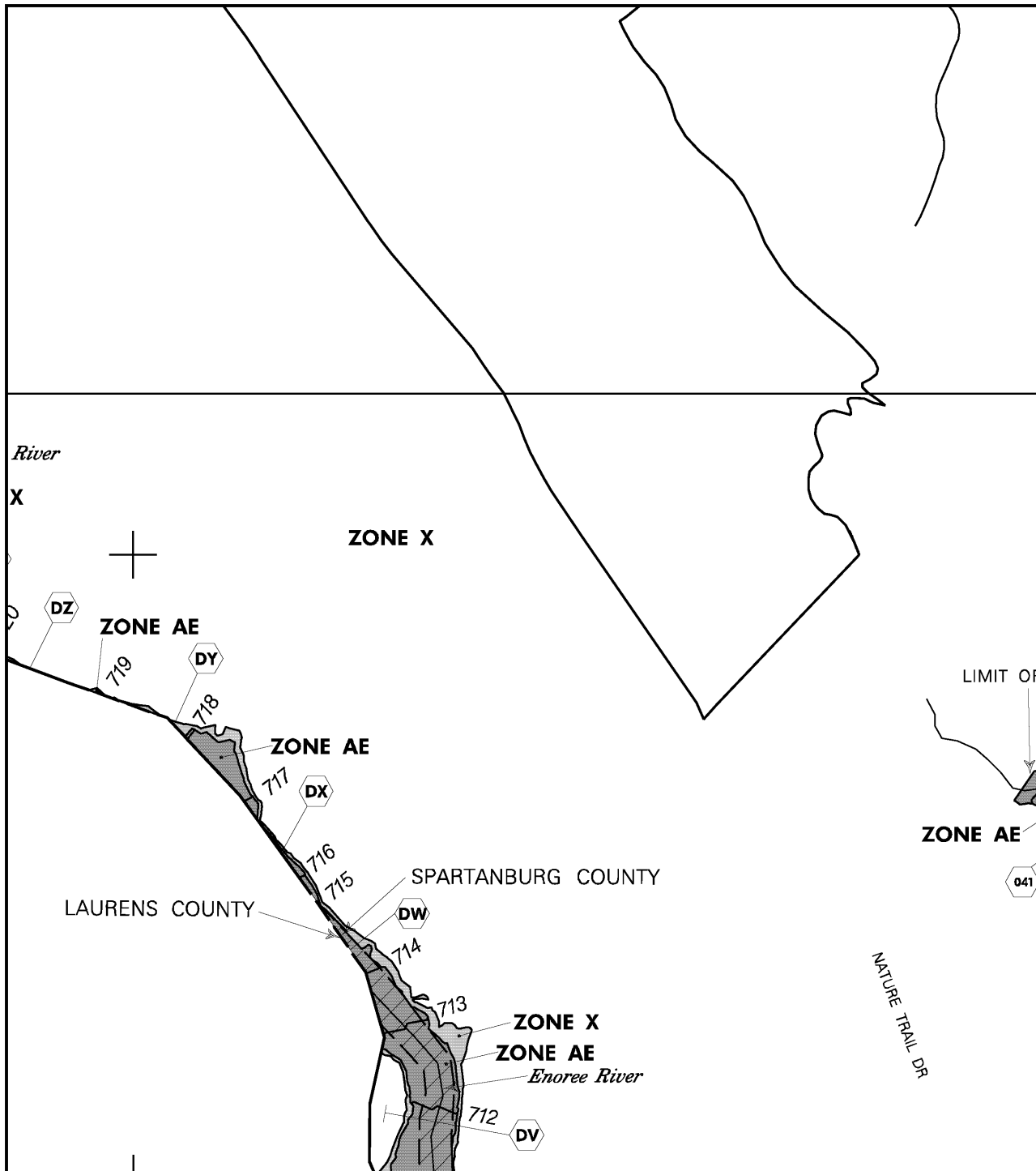
The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

- Council Districts
- | | |
|---|---|
| 1 | 4 |
| 2 | 5 |
| 3 | 6 |

- Streets

Parcels

Right of Way



If flood insurance is available
the National Flood Insurance

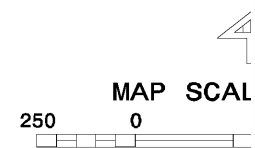


EXHIBIT D

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0327D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

PANEL 327 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SPARTANBURG COUNTY	450176	0327	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
45083C0327D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Petition for Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at Nature Trail Drive more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 9-08-00-002.01 attached hereto marked as Exhibit C containing approximately +/- 0.823 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by one hundred (100%) percent of the freeholders owning one hundred (100%) percent of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 9th day of March, 2020 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

The applicant hereby requests that the property described be zoned to R-20, cluster option 1.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Print Name: James Benjamin Burns
Signature: [Signature]
Address: 282 Nature Trail Drive, Greer, SC
Witness: [Signature]
Date: 3-9-2020
Parcel Address: 282 Nature Trail Drive, Greer, SC
Tax Map Number: 9-08-00-002.01

Print Name: Evelyn Burns
Signature: [Signature]
Address: 282 Nature Trail Drive, Greer, SC
Witness: [Signature]
Date: 3-9-2020
Parcel Address: 282 Nature Trail Drive, Greer, SC
Tax Map Number: 9-08-00-002.01

**ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, APRIL 20, 2020**

DOCKET: AN 20-81

APPLICANT: James Benjamin and Evelyn Burns

PROPERTY LOCATION: 282 Nature Trail Dr

TAX MAP NUMBER: 9-08-00-002.01

EXISTING ZONING: Unzoned (Spartanburg County)

REQUEST: Zone to R-20, Single-family Residential

SIZE: .76 Acres

COMPREHENSIVE PLAN: Adjacent to Residential Land Use 2

ANALYSIS: AN 20-81

AN 20-81 is a request to zone one parcel located along Nature Trail Dr south of the Bent Creek subdivision. The request is to zone the property from Unzoned (Spartanburg County), to R-20, Single-family Residential. The intent is to combine with adjacent parcel for future residential development.

Surrounding land uses and zoning include:

North: Unzoned, Spartanburg County – Vacant and PD-R, Planned Development Residential, City of Greer – Bent Creek

East: Unzoned, Spartanburg County – Vacant and single-family residential use

South: Unzoned, Spartanburg County – Single-family residential use

West: Greenville County – Single-family residential use and Pelham Falls subdivision

The land use map in the Comprehensive Plan defines the area within the City near the property as Residential Land Use 2. This Community category is generally where most residential subdivisions located across the city may be found. A large majority of the Community residential areas will have this category designation. The density range of these areas is between 2.6 to 4.5 units per acre. There may also be some of the lower density developments who were at one time considered the more rural parts of the community, included in this category.

In accordance with the guidelines set forth in the Comprehensive Plan and after a detailed study of the area, staff supports the proposed zoning request.

STAFF RECOMMENDATION: Approval

ACTION – Mr. Martin made a motion to approve AN 20-81. Mr. Wright seconded the motion. The motion carried with a vote of 5 to 1, with Mr. Lavender voting no. The motion passed.



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 31-2020

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARY GREEN LOCATED AT 551 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 31-2020	8/5/2020	Ordinance
▣ Ord 31-2020 Exhibit A Map	8/5/2020	Exhibit
▣ Ord 31-2020 Rezoning Application	8/5/2020	Backup Material

ORDINANCE NUMBER 31-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARY GREEN LOCATED AT 551 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT).

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Mary Green located at 551 Abner Creek Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.01 containing approximately 18.00 +/- acres marked as Exhibit A, the Statement of Intent marked at Exhibit B, and the Site Plan marked at Exhibit C.

1. The owner has requested that the zoning classification of (his, her, their, its) property be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to RM-1 (Residential Multi-Family District).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of property located at 551 Abner Creek Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.01 containing approximately 18.0 +/- acres attached hereto marked as Exhibit A shall be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

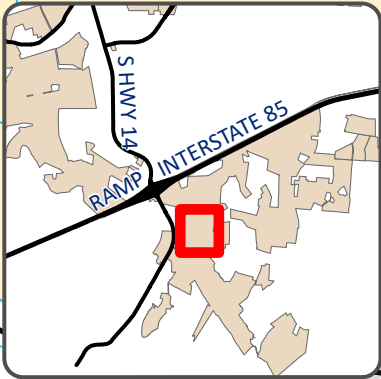
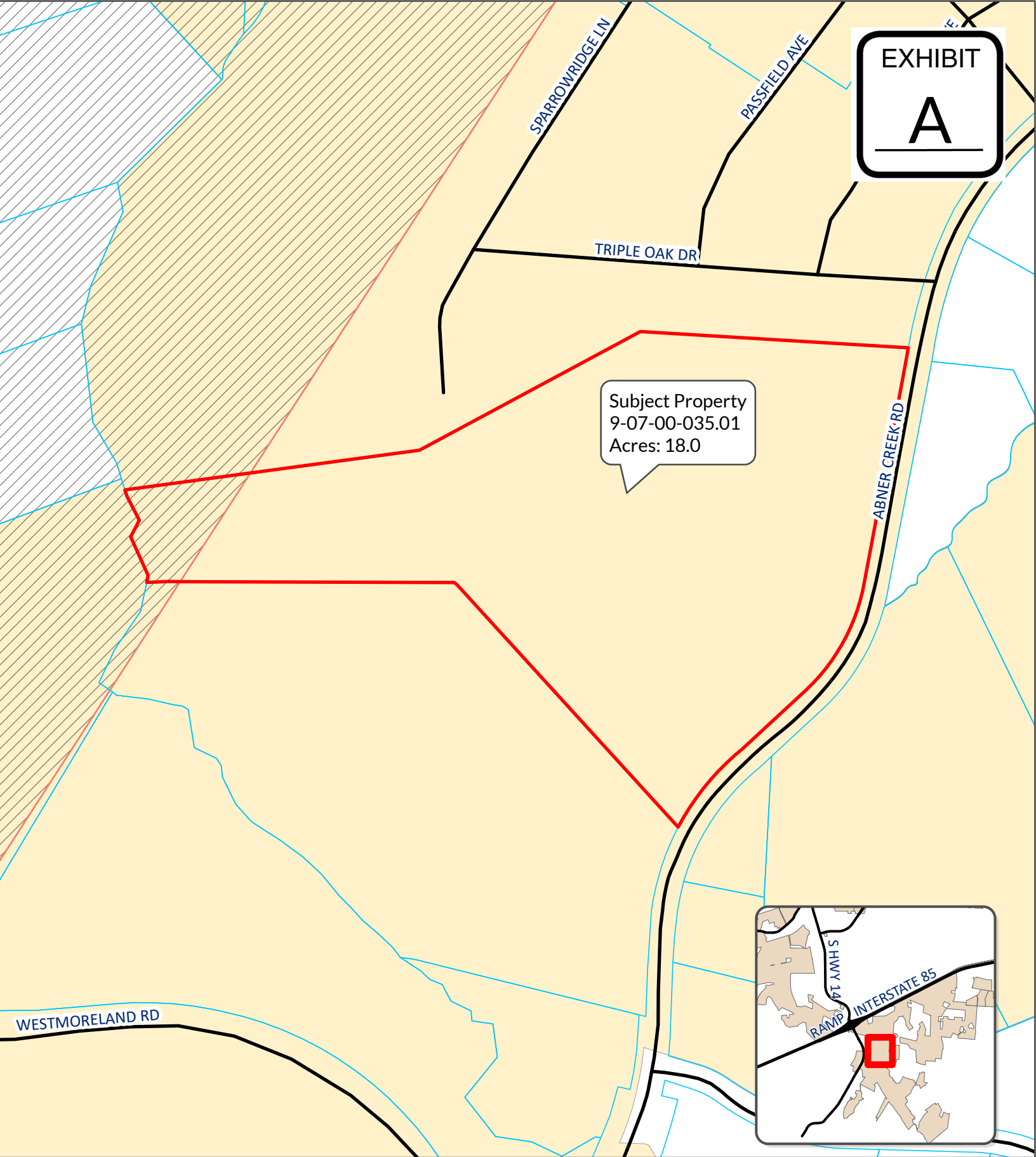
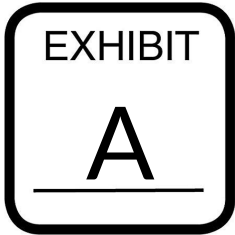
Introduced by: Councilmember Wryley Bettis

First Reading: July 14, 2020

Second and
Final Reading: August 11, 2020

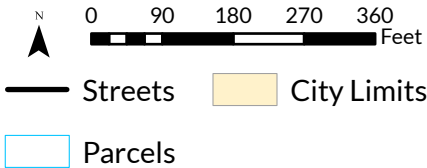
Approved as to Form:

John B. Duggan, Esquire
City Attorney



Ordinance 31-2020

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ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 5/11/2020

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 9-07-00-035.01

Property Address(s) 551 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 17.34 acres County Spartanburg County

Applicant Information

Name Hunter Gibson
Address 10 S. Academy Street, Ste 360
Greenville, SC 29601
Contact Number 864-915-2622
Email hgibson@standcap.com

Property Owner Information

(If multiple owners, see back of sheet)

Name Mary D. Green
Address 551 Abner Creek Road
Greer, SC 29651
Contact Number 864-877-2828
Email marydgreen3@aol.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes No X

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from R12 to R-M1.

Existing Use: Single-family residential Proposed Use: Multi-family residential

Signature(s) Mary D. Green

If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed

Case No.

Meeting Date

See Reverse



ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 05/11/2020

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 9-07-00-035.02

Property Address(s) 531 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 14.31 County Spartanburg County

Applicant Information

Name Hunter Gibson
Address 10 S. Academy Street, Ste 360
Greenville, SC 29601
Contact Number 864-915-2622
Email hgibson@standcap.com

Property Owner Information

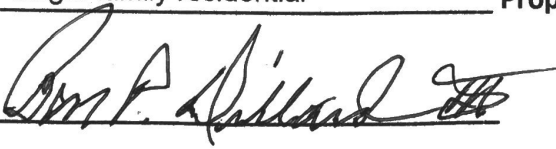
(If multiple owners, see back of sheet)

Name Ben P. Dillard, III
Address 531 Abner Creek Road
Greer, SC 29651
Contact Number 864-325-8597
Email BENDILLARD@BYPARTER.COM

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes No X

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from R12 to R-M1.

Existing Use: Single-family residential Proposed Use: Multi-family residential

Signature(s) 

If not the property owner, an
Acting Agent Authorization from
will be required at the time of
submittal.

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed

Case No.

Meeting Date

See Reverse



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 32-2020

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY BEN DILLARD LOCATED AT 531 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 32-2020	8/5/2020	Ordinance
▣ Ord 32-2020 Exhibit A Map	8/5/2020	Exhibit
▣ Ord 32-2020 Rezoning Application	8/5/2020	Backup Material

ORDINANCE NUMBER 32-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY BEN DILLARD LOCATED AT 531 ABNER CREEK ROAD FROM R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM-1 (MULTI-FAMILY RESIDENTIAL DISTRICT).

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Ben Dillard located at 531 Abner Creek Road and more clearly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.02 containing approximately 14.73 +/- acres marked as Exhibit A, the Statement of Intent marked at Exhibit B, and the Site Plan marked at Exhibit C.

1. The owner has requested that the zoning classification of (his, her, their, its) property be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to RM-1 (Residential Multi-Family District).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of property located at 531 Abner Creek Road more particularly identified by the attached City of Greer Map specifying Spartanburg County Parcel Number 9-07-00-035.02 containing approximately 14.73 +/- acres attached hereto marked as Exhibit A shall be changed from R-12 (Single Family Residential District) to RM-1 (Multi-Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

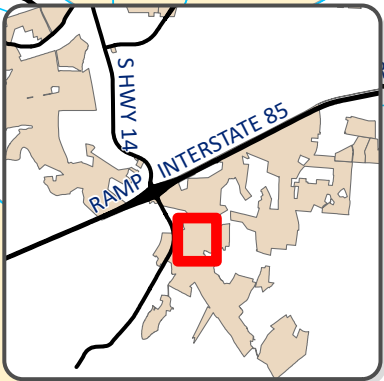
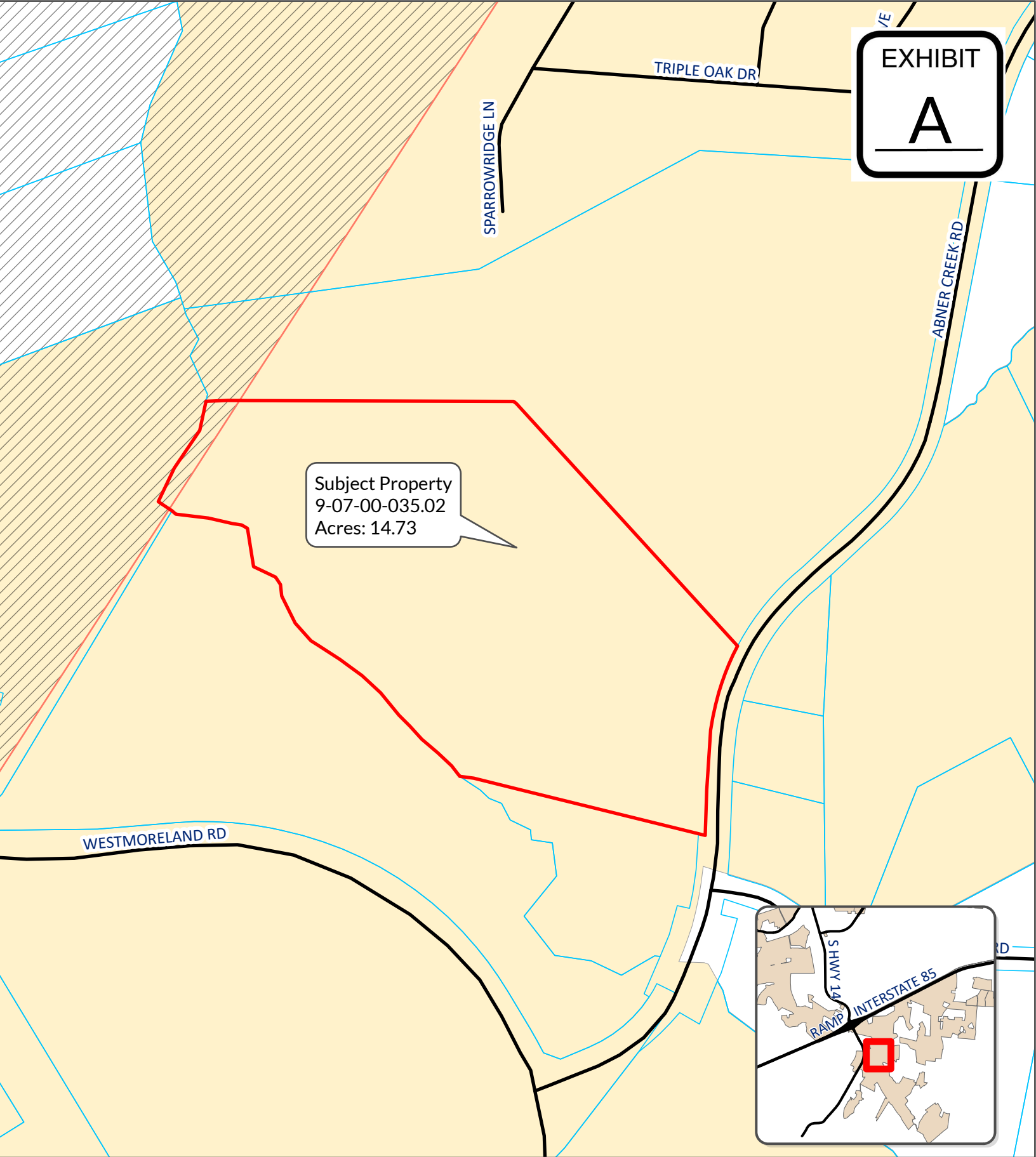
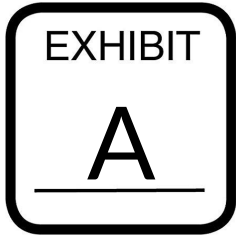
Introduced by: Councilmember Wryley Bettis

First Reading: July 14, 2020

Second and
Final Reading: August 11, 2020

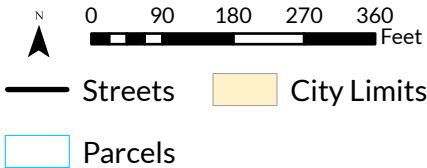
Approved as to Form:

John B. Duggan, Esquire
City Attorney



Ordinance 32-2020

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.





ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 5/11/2020

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 9-07-00-035.01

Property Address(s) 551 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 17.34 acres County Spartanburg County

Applicant Information

Name Hunter Gibson
Address 10 S. Academy Street, Ste 360
Greenville, SC 29601
Contact Number 864-915-2622
Email hgibson@standcap.com

Property Owner Information

(If multiple owners, see back of sheet)

Name Mary D. Green
Address 551 Abner Creek Road
Greer, SC 29651
Contact Number 864-877-2828
Email marydgreen3@aol.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes No X

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from R12 to R-M1.

Existing Use: Single-family residential Proposed Use: Multi-family residential

Signature(s) Mary D. Green

*If not the property owner, an
Acting Agent Authorization from
will be required at the time of
submittal.*

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed

Case No.

Meeting Date

See Reverse



ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 05/11/2020

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 9-07-00-035.02

Property Address(s) 531 Abner Creek Road, Greer, SC 29651

Acreage of Properties +/- 14.31 County Spartanburg County

Applicant Information

Name Hunter Gibson
Address 10 S. Academy Street, Ste 360
Greenville, SC 29601
Contact Number 864-915-2622
Email hgibson@standcap.com

Property Owner Information

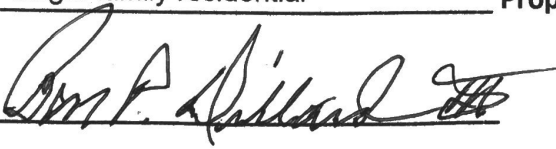
(If multiple owners, see back of sheet)

Name Ben P. Dillard, III
Address 531 Abner Creek Road
Greer, SC 29651
Contact Number 864-325-8597
Email BENDILLARD@BYPARTER.COM

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes No X

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned from R12 to R-M1.

Existing Use: Single-family residential Proposed Use: Multi-family residential

Signature(s) 

If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed

Case No.

Meeting Date

See Reverse



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 34-2020

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY RED DRAGONFLY LLC LOCATED AT 1111 POPLAR DRIVE EXTENSION BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-5 (GARDEN COURT OR PATIO HOUSE DISTRICT) FOR SAID PROPERTY. (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 34-2020	8/5/2020	Ordinance
▣ Ord 34-2020 Exhibit A Deed	8/5/2020	Exhibit
▣ Ord 34-2020 Exhibit B Plat	8/5/2020	Exhibit
▣ Ord 34-2020 Exhibit C Map	8/5/2020	Exhibit
▣ Ord 34-2020 Exhibit D Flood Map	8/5/2020	Exhibit
▣ Ord 34-2020 Petition for Annexation	8/5/2020	Backup Material
▣ Ord 34-2020 Planning Commission Minutes	8/5/2020	Backup Material

ORDINANCE NUMBER 34-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY RED DRAGONFLY LLC LOCATED AT 1111 POPLAR DRIVE EXTENSION BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-5 (GARDEN COURT OR PATIO HOUSE DISTRICT) FOR SAID PROPERTY.

WHEREAS, Red Dragonfly LLC is the sole owner of property located at 1111 Poplar Drive Extension more particularly described on the legal description attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Number 9-05-01-004.02 containing approximately 5. +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0211D attached hereto marked as Exhibit D; and,

WHEREAS, the property currently has zero (0) occupants; and,

WHEREAS, Red Dragonfly LLC has petitioned the City of Greer to annex its property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the property is now outside the city limits of Greer but adjoins the city limits; and,

WHEREAS, the property owners have requested that the subject property be zoned R-5 (Garden Court or Patio Home District); and,

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The 5.0 acres +/- property shown in red on the attached map owned by the Red Dragonfly LLC located at 1111 Poplar Drive Extension as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-05-01-004.02 is hereby annexed into the corporate city limits of the City of Greer.

2. ANNEXATION OF 524.73 FEET OF POPLAR DRIVE EXTENSION: 524.73 feet of Poplar Drive Extension roadway along the edge of the annexed property owned by Red Dragonfly LLC as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. ZONING ASSIGNMENT: The above referenced property shall be zoned R-5 (Garden Court or Patio Home District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

4. LAND USE MAP: The above reference property shall be designated as Residential Land Use 2 on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

5. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45083C0211D.

6. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #1.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Wayne Griffin

First Reading: July 14, 2020

Second and
Final Reading: August 11, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney

EXHIBIT

A

YOUNTS, ALFORD, BROWN & GOODSON
P.O. BOX 549
FOUNTAIN INN, SC 29644

95-N PG

DEE-2010-4084
Recorded 5 Pages on 2/4/2010 12:03:47 PM
Recording Fee \$10.00 Documentary Stamps: \$0.00
Office of Register of Deeds, Spartanburg, S.C.
Stephen Ford, Register



GRANTEES ADDRESS:

213 High Valley Blvd.
Greenville, SC 29605

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that JANNA SEGREST aka JANNA L. SEGREST

in consideration of --ONE DOLLARS AND NO/100---(\$1.00) AND PROPERTY TRANSFER
TO LLC.

the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by
these presents to grant, bargain, sell and release unto:

RED DRAGONFLY, LLC, its successors and assigns, forever:

**** See attached Exhibit "A" ****

Tax Map #: 9-05-01-004.02

WE HAVE NOT EXAMINED THE
COURTHOUSE RECORDS NOR IS
THIS TITLE CERTIFIED.
YOUNTS, ALFORD, BROWN, & GOODSON

THIS CONVEYANCE IS SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS,
RESTRICTIONS, RESERVATIONS, OR ZONING ORDINANCES THAT MAY APPEAR OF
RECORD, ON THE RECORDED PLAT(S), OR ON THE PREMISES.

together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s), heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the Grantor's(s) heirs or successor, executor and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and grantee's(s) heirs or successors and against every person owning, holding or claiming by, through or under Grantor.

WITNESS the grantor's(s) hand(s) and seal(s) this 26 day of January, 2010.

SIGNED, sealed and delivered in the presence of:

[Signature]
witness # 1

[Signature]
JANNA L. SEGREST
aka JANNA SEGREST

Shirley A. Caulder
witness # 2

STATE OF SOUTH CAROLINA) PROBATE
COUNTY OF GREENVILLE)

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named grantor(s) sign, seal and as the grantor(s) act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 26 day of January, 2010.

Shirley A. Caulder
NOTARY PUBLIC FOR S. C.

[Signature]
witness #1

MY COMMISSION EXPIRES: May 23, 2016

WE HAVE NOT EXAMINED THE
COURTHOUSE RECORDS NOR IS
THIS TITLE CERTIFIED.
YOUNTS, ALFORD, BROWN, & GOODSON

****Exhibit – "A" ****

ALL that certain piece, parcel or lot of land situated, lying and being in the County of Spartanburg and the County of Greenville, State of South Carolina, on the eastern side of Poplar Drive, and being known and designated as 5.00 acres, more or less, as shown on a survey made for "JANNA SEGREST", prepared by Langford Land Surveying, dated June 16, 2003, and recorded in the Register of Deeds Office for Spartanburg County, SC in Plat Book 154, at Page 495, and having the metes and bounds, courses and distances, as will appear by reference to the aforementioned plat. Also see plat recorded in ROD for Greenville County, SC in Plat Book , Page 66.

47-0

This property is located partly in Spartanburg County and located partly in Greenville County. Duplicate Deeds are being executed and simultaneously recorded in both counties.

THIS being the same property conveyed to JANNA SEGREST by Deed from Anna Lee Casey Thompson dated July 15, 2003 and recorded in the Register of Deeds Office for Spartanburg County, SC in Deed Book 78-H, at Page 402 on July 21, 2003. Also, see Deed recorded in ROD for Greenville County in Book 2058, Page 606 on 10/3/03.

YOUNTS, ALFORD, BROWN & GOODSON
P.O. BOX 549
FOUNTAIN INN, SC 29644
STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

95-N PG021

AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is located at 5.0 acres Poplar Drive, bearing Spartanburg County Tax Map Number 9-05-01-004.02, was transferred by Janna Segrest aka Janna L. Segrest to Red Dragonfly, LLC on 1/26/10.

3. The deed is exempt from the deed recording fee because (See Information section of affidavit):

Item 4: No gain or loss, transfer to LLC OR

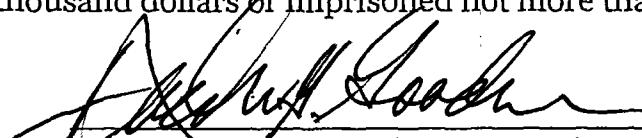
Item 8: Transfer to LLC, no gain or loss.

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes or No

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Attorney

5. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.



Responsible Person Connected with the Transaction

ANDREW G. GOODSON
Print or Type Name Here

SWORN to before me this 26
day of January, 2010

Shirley B. Caulder

Notary Public for S.C.

My Commission Expires: May 23, 2016

YOUNTS, ALFORD, BROWN & GOODSON
P.O. BOX 549
FOUNTAIN INN, SC 29644

INFORMATION

Except as provided in this paragraph, the term "value" means the consideration paid or to be paid in money or money's worth for the realty. Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary. Value means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

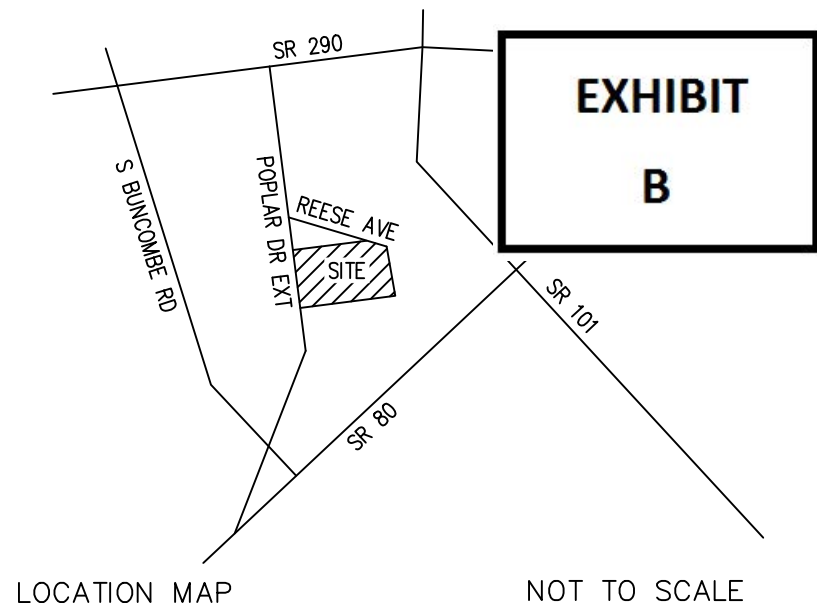
Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A family partnership is a partnership whose partners are all members of the same family. A family trust is a trust in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. Family means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A charitable entity means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

**Office of Register of Deeds
Spartanburg, South Carolina**

Recorded in DEED
Book 95-N Page 18
Dorothy Earle
**Register of Deeds,
Spartanburg, South Carolina**

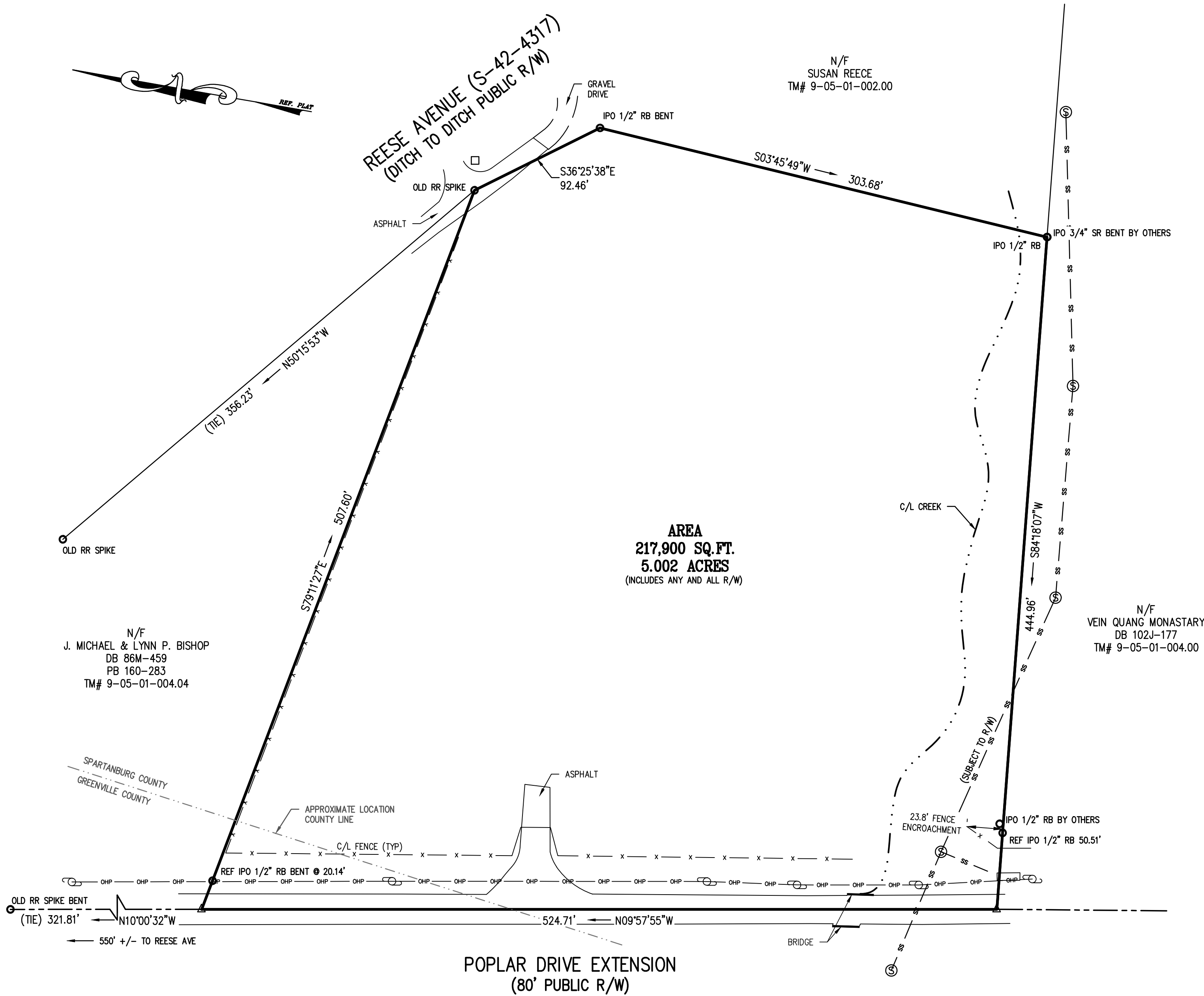
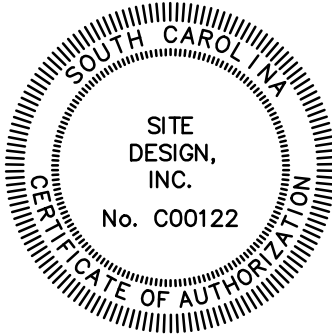
NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: RIGHTS-OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. - ANY FLOOD PLAIN DATA SHOWN HEREON IS AN APPROXIMATE LOCATION GRAPHICALLY PLOTTED FROM THE REFERENCED FEMA MAP UNLESS OTHERWISE NOTED. - THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

REF. DEED: DB 95-N, PG 18
REF. PLAT: PB 154, PG 495; PB 47-O, PG 66

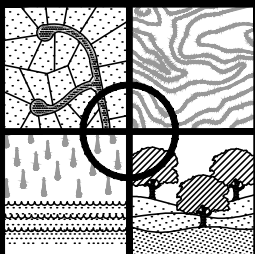
MACK L. CHAPMAN, JR., P.L.S.
S.C. REG. NO. 10034



LEGEND			
BL	BUILDING LINE	CATV	CABLE TV PEDESTAL
CL	CENTERLINE	TEL	TELEPHONE PEDESTAL
CMP	CORRUGATED METAL PIPE	EM	ELECTRIC METER
CT	CRIMP TOP	CB	CATCH BASIN
DE	DRAINAGE EASEMENT	DI	DROP INLET
EP	EDGE OF PAVEMENT	ET	ELEC TRANS
IPO	IRON PIN OLD	EH	ELEVATION
IPS	IRON PIN SET	FX	FIRE HYDRANT
N&C	NAIL & CAP	GM	GAS METER
OT	OPEN TOP	GV	GAS VALVE
RB	REBAR	LP	LIGHT POLE
RCP	REINFORCED CONC PIPE	PP	POWER POLE
R/W	RIGHT OF WAY	GP	GUY ANCHOR
SD	STORM DRAIN	SDMH	SD MANHOLE
SS	SANITARY SEWER	SSMH	SS MANHOLE
SSE	SS EASEMENT	TMH	TELEPHONE MANHOLE
		CO	CLEAN OUT
		TC/BC	TOP/BOTTOM CURB
		TW/BW	TOP/BOTTOM WALL
		VCP	VITRIFIED CLAY PIPE
		WM	WATER METER
		WV	WATER VALVE
		CTV	CABLE TV
		X	FENCE LINE
		FOC	FIBER OPTIC CABLE
		GAS	GAS LINE
		OHP	OVERHEAD POWER
		OHT	OVERHEAD TELEPHONE
		SD	STORM DRAIN
		SS	SANITARY SEWER
		UGP	UNDERGROUND POWER
		UGT	UNDERGROUND TEL
		W	WATER LINE

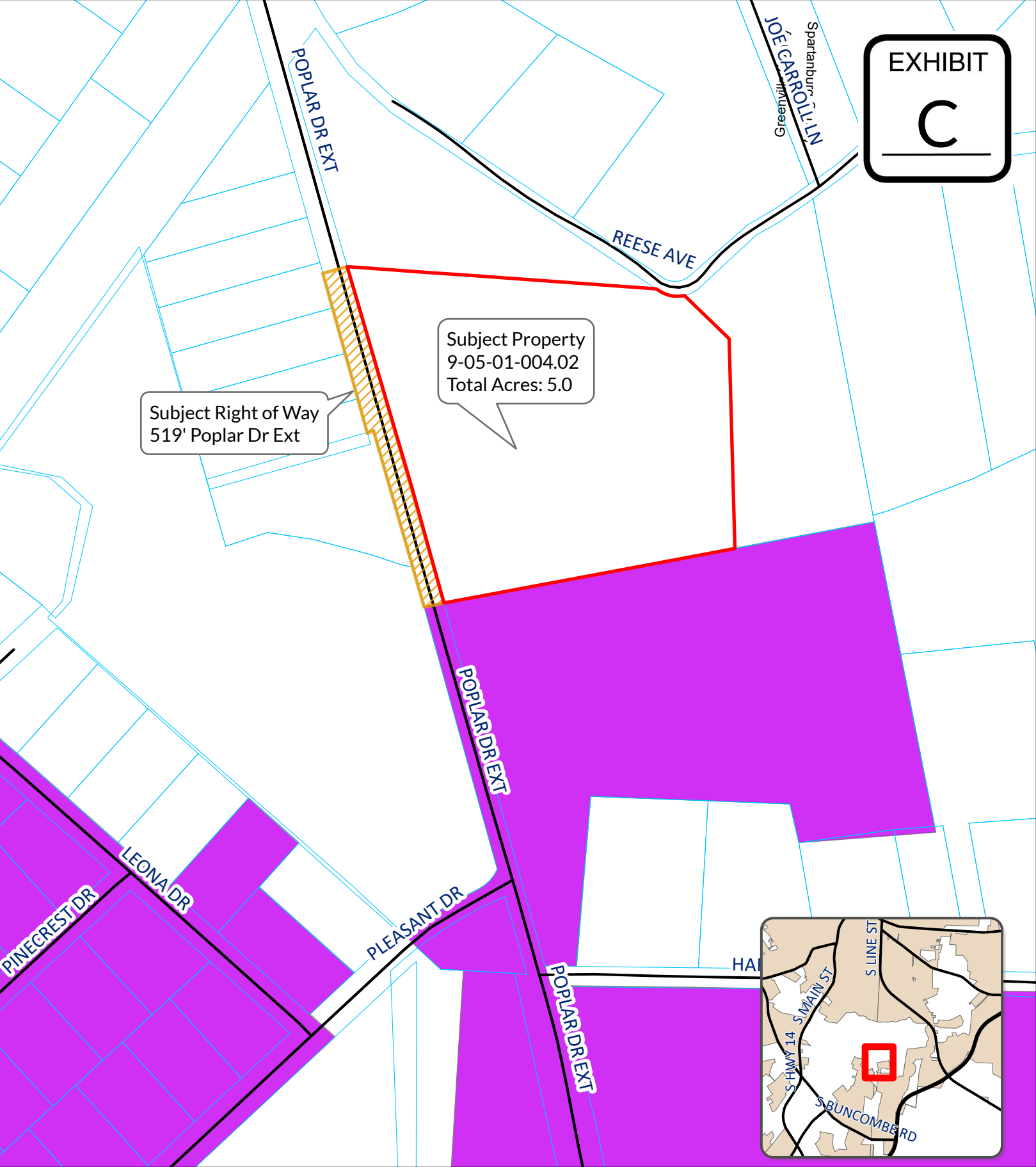
BOUNDARY SURVEY FOR
IMG - POPLAR DRIVE EXTENSION
SPARTANBURG COUNTY, SOUTH CAROLINA

SCALE 1" = 50'	PROPERTY ADDRESS 1111 POPLAR DRIVE EXTENSION	TAX PIN 9-05-01-004.02
DATE 6/24/20	50 0 50 100	FIELD CREW NJ/HF
		DRAWN BY GCC



SITE DESIGN, INC.
CIVIL ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS

225 ROCKY CREEK ROAD, GREENVILLE, SC 29615
PH: (864)271-0496
www.sitedesign-inc.com



Ordinance 34-2020

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Council Districts

1

2

3

4

5

6

Streets

Right of Way

Parcels

EXHIBIT

D

Flood insurance is available in the National Flood Insurance Program

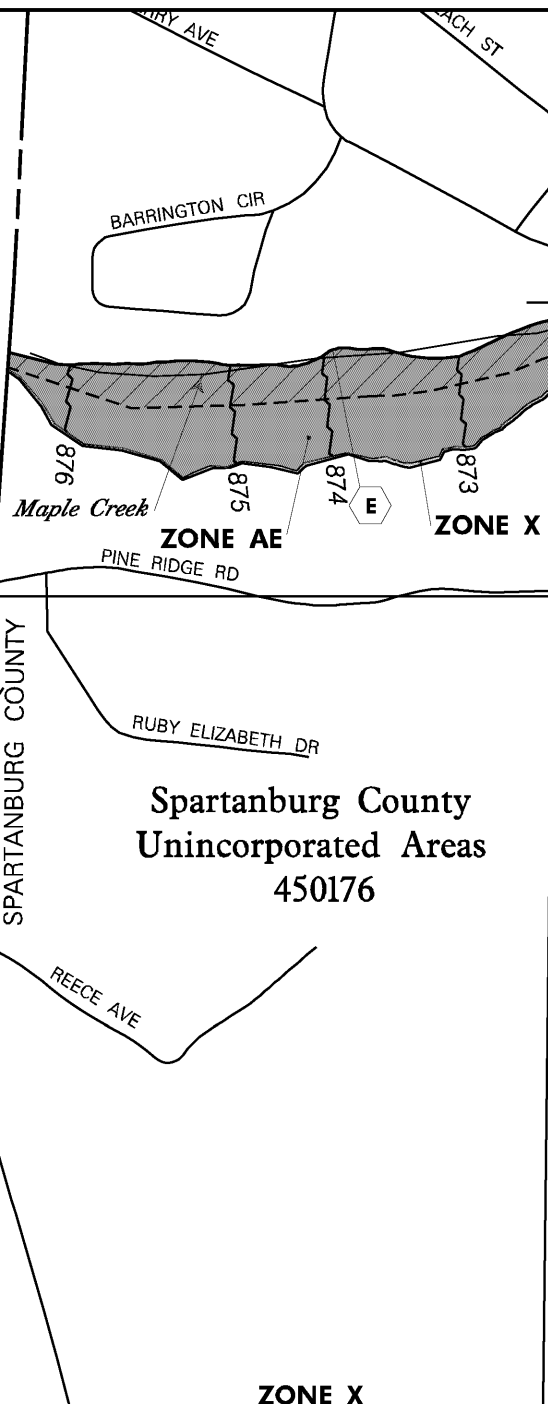


MAP SCALE 1" = 500'



GREENEVILLE COUNTY

SPARTANBURG COUNTY



11250

Spartanburg County
Unincorporated Areas
450176

ZONE X

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0211D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

PANEL 211 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SPARTANBURG COUNTY	450176	0211	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
45083C0211D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Petition for Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 1111 Poplar Dr Ext Greer SC 29651 more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 9-05-01-004.02 attached hereto marked as Exhibit C containing approximately 5 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 15 day of June, 2020 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

The applicant hereby requests that the property described be zoned to R-5, Garden Court / Patio House

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Print Name: Janna Segrest - Manager
Signature: [Signature]
Address: 4612 Moore Field Memorial Hwy, Pickens, SC
Witness: _____
Date: 6/17/2020
Parcel Address: _____
Tax Map Number: _____

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Parcel Address: _____
Tax Map Number: _____

**ZONING REPORT
STAFF REPORT TO THE GREER PLANNING COMMISSION
MONDAY, JULY 20, 2020**

DOCKET: AN 20-85

APPLICANT: Max Geesey

PROPERTY LOCATION: 1111 Poplar Dr Ext

TAX MAP NUMBER: 9-05-01-004.02

EXISTING ZONING: Unzoned (Spartanburg County)

REQUEST: Zone to R-5, Garden Court or Patio Homes

SIZE: 5 Acres

COMPREHENSIVE PLAN: Adjacent to Residential Land Use 2

ANALYSIS: AN 20-85

AN 20-85 is a request to zone one parcel located along Poplar Dr Ext. The request is to zone the property from Unzoned (Spartanburg County), to R-5, Garden Court or Patio Homes for future residential development.

Surrounding land uses and zoning include:

North: Unzoned, Spartanburg County – Vacant
East: Unzoned, Spartanburg County – Single-family residential use
South: R-15, Residential District, City of Greer – Single-family residential use
West: Unzoned, Greenville County – Vacant and single-family residential use

The land use map in the Comprehensive Plan defines the adjacent property as Residential Land Use 2. This Community category is generally where most residential subdivisions located across the city may be found. A large majority of the Community residential areas will have this category designation. The density range of these areas is between 2.6 to 4.5 units per acre. There may also be some of the lower density developments who were at one time considered the more rural parts of the community, included in this category. The property is also close to the edge of an Employment Center, so a smaller lot, higher density single-family product is appropriate.

In accordance with the guidelines set forth in the Comprehensive Plan and after a detailed study of the area, staff supports the proposed zoning request.

STAFF RECOMMENDATION: Approval

ACTION – Mr. Wright made a motion to approve AN 20-85. Mr. Kriese seconded the motion. The motion carried with a vote of 5 to 0. The motion passed.



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 37-2020

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARGARITA HEWITT LOCATED AT 2920 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT). (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 37-2020	8/5/2020	Ordinance
▣ Ord 37-2020 Exhibit A Map	8/5/2020	Exhibit
▣ Ord 37-2020 Rezoning Application	8/5/2020	Backup Material

ORDINANCE NUMBER 37-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY MARGARITA HEWITT LOCATED AT 2920 BRUSHY CREEK ROAD FROM DRD (DESIGN REVIEW DISTRICT) TO R-12 (SINGLE FAMILY RESIDENTIAL DISTRICT).

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by Margarita Hewitt located at 2920 Brushy Creek Road and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number T035000101315 containing approximately 2.01 +/- acres marked as Exhibit A.

1. The owner has requested that the zoning classification of (his, her, their, its) property be changed from DRD (Design Review District) to R-12 (Single Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on June 22, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to R-12 (Single Family Residential District).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of property located at 2920 Brushy Creek Road more particularly identified by the attached City of Greer Map specifying Greenville County

Parcel Number T035000101315 containing approximately 2.01 +/- acres attached hereto marked as Exhibit A shall be changed from DRD (Design Review District) to R-12 (Single Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

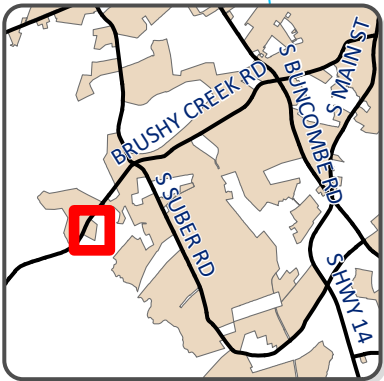
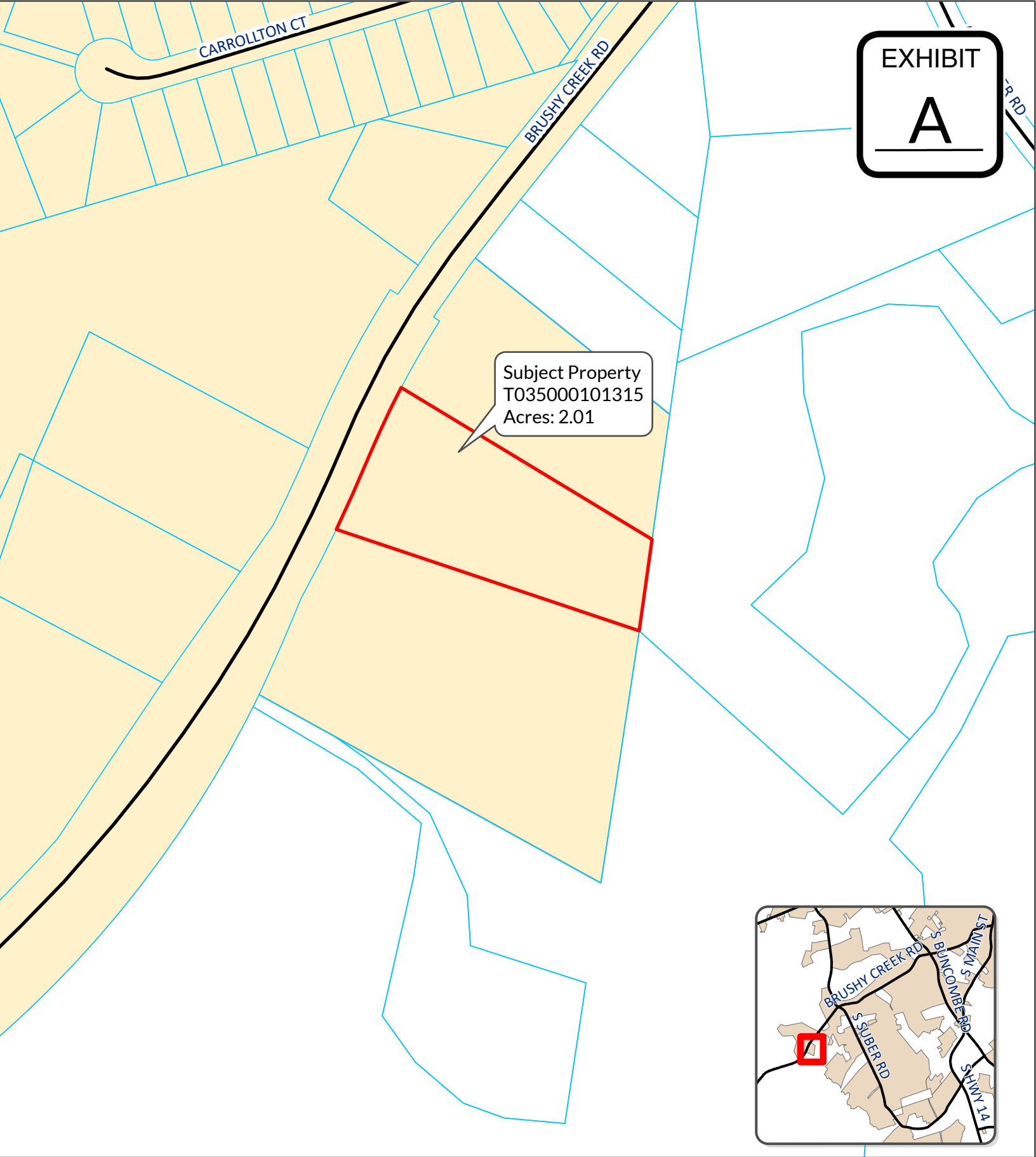
Introduced by: Councilmember Jay Arrowood

First Reading: July 28, 2020

Second and
Final Reading: August 11, 2020

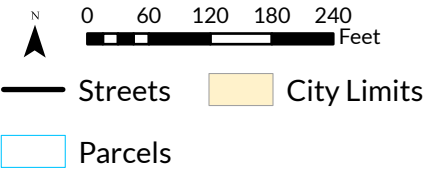
Approved as to Form:

John B. Duggan, Esquire
City Attorney



Ordinance 37-2020

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ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 5/20/20

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) T0350001013, 15

Property Address(s) 2920 Brushy Creek Rd, Greer SC 29650

Acreage of Properties 2.01 County Greenville

Applicant Information

Name Margarita Hewitt
Address 105 Wilder Ct
Greer SC 29650
Contact Number 864-344-6883
Email upstatecustombuilders@gmail.com

Property Owner Information

(If multiple owners, see back of sheet)

Name Upstate Custom Builders, Inc.
Address 105 Wilder Ct
Greer SC 29650
Contact Number 864-344-6883
Email upstatecustombuilders@gmail.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes No X

The applicant hereby requests that the property described be zoned *(in the case of Annexation)* or rezoned from DRD to R-12.

Existing Use: Vacant Land Proposed Use: Residential Home

Signature(s) Margarita Hewitt

If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed _____

Case No. _____

Meeting Date _____

See Reverse



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 39-2020

Summary:

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTY OWNED BY OZF LLC LOCATED ON SOUTH BEVERLY LANE FROM R-12 (RESIDENTIAL DISTRICT) TO RM-2 (MULTI-FAMILY RESIDENTIAL DISTRICT). (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
▣ Ordinance Number 39-2020	8/5/2020	Ordinance
▣ Ord 39-2020 Exhibit A Map	8/5/2020	Exhibit
▣ Ord 39-2020 Rezoning Application	8/5/2020	Backup Material

ORDINANCE NUMBER 39-2020

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF A PORTION OF PROPERTY OWNED BY OZF LLC LOCATED ON SOUTH BEVERLY LANE FROM R-12 (RESIDENTIAL DISTRICT) TO RM-2 (MULTI-FAMILY RESIDENTIAL DISTRICT).

The City Council of Greer makes the following findings:

This ordinance pertains to a certain property owned by OZF LLC located on South Beverly Lane and more clearly identified by the attached City of Greer Map specifying Greenville County Parcel Number G009000101901 containing approximately .73 +/- acres marked as Exhibit A.

1. The owner has requested that the zoning classification of a portion of (his, her, their, its) property be changed from R-12 (Residential District) to RM-2 (Multi-Family Residential District) and has shown the need for such change in use to the Greer Planning Commission at a public hearing held on July 20, 2020 which has recommended to Council that the zoning change be approved;

2. To accomplish the desired change in use in the most effective manner, the zoning classifications should be changed to RM-2 (Multi-Family Residential District).

3. The proposed use is in keeping with the general character of the surrounding property.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

The zoning classification of a portion of the property located on South Beverly Lane more particularly identified by the attached City of Greer Map specifying

Greenville County Parcel Number G009000101901 containing approximately .73 +/- acres attached hereto marked as Exhibit A shall be changed from R-12 (Residential District) to RM-2 (Multi-Family Residential District).

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

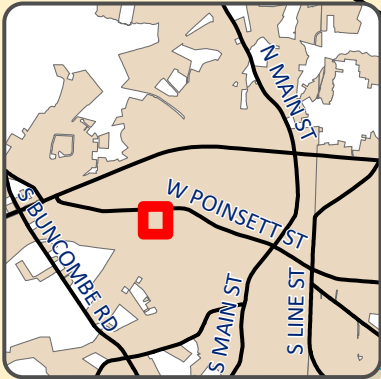
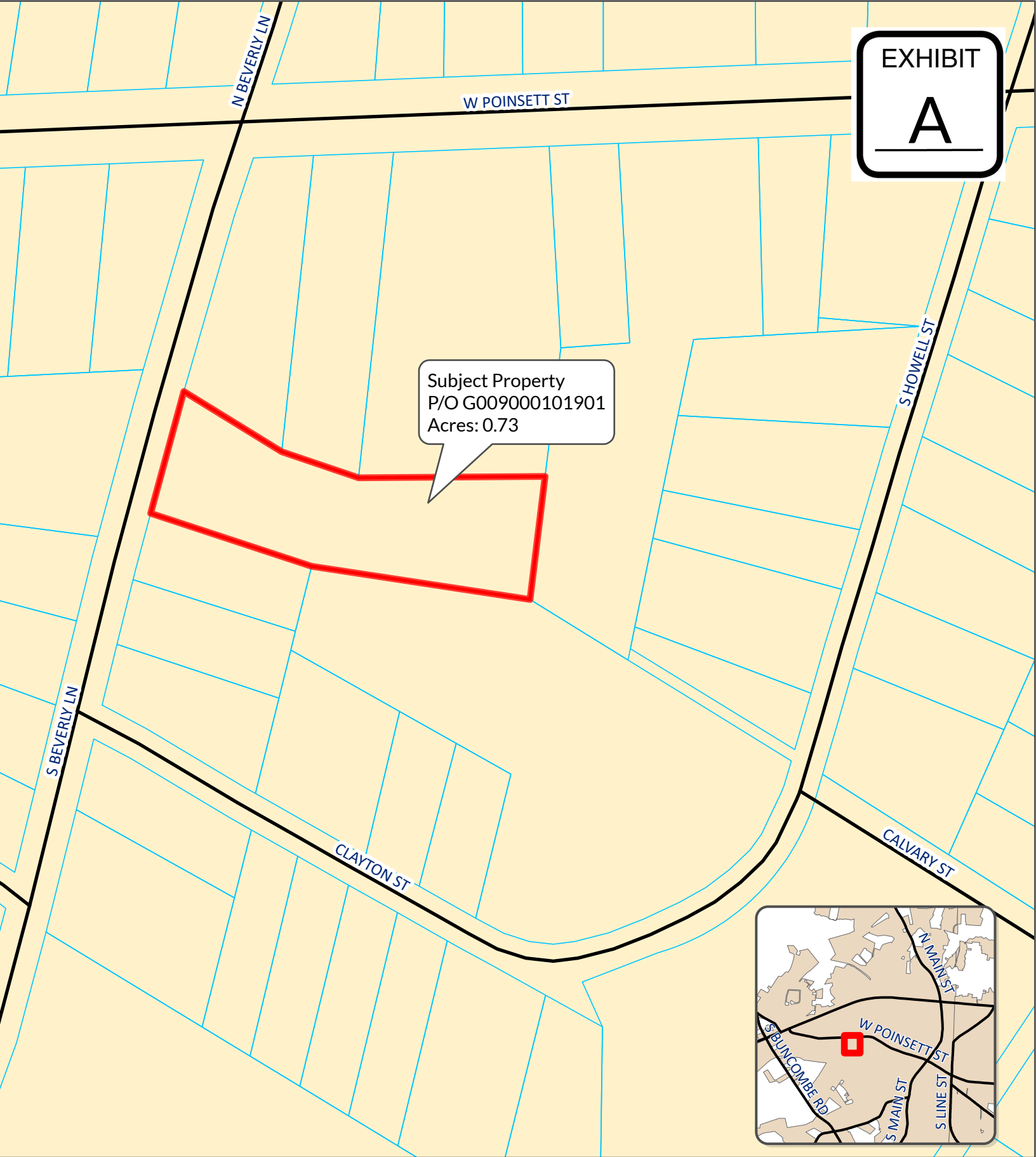
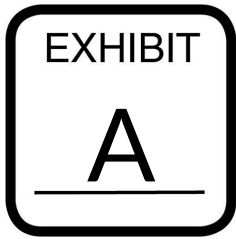
Introduced by: Councilmember Wryley Bettis

First Reading: July 28, 2020

Second and
Final Reading: August 11, 2020

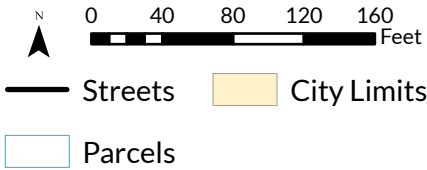
Approved as to Form:

John B. Duggan, Esquire
City Attorney



Ordinance 39-2020

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R220.0004

ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 6-23-2020

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) Portion of G009000101901

Property Address(s) S. Beverly Lane

Acreage of Properties 0.73 acres County Greenville

Applicant Information

Name Zach Roberts
Address 4113 E. North Street
Greenville, SC 29615
Contact Number (864) 905-6026
Email zroberts@accessrealtysc.com

Property Owner Information

(If multiple owners, see back of sheet)

Name OZF LLC
Address 4113 E. North Street
Greenville, SC 29615
Contact Number (864) 630-0557
Email nickfranchina@yahoo.com

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes ☐ No ☒

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned from R-12 to R-M2.

Existing Use: Vacant / Raw Land Proposed Use: Duplex

Signature(s) 
Zach Roberts

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed _____

Case No. _____

Meeting Date _____

See Reverse



AGENDA
GREER CITY COUNCIL
8/11/2020

Second and Final Reading of Ordinance Number 40-2020

Summary:

AN ORDINANCE APPROVING A MAJOR CHANGE TO A DESIGN REVIEW DISTRICT (DRD) OF CERTAIN REAL PROPERTY IN THE CITY OF GREER RELATED TO THE SOUTH MAIN TOWNES DEVELOPMENT (Action Required)

ATTACHMENTS:

Description	Upload Date	Type
❑ Ordinance Number 40-2020	8/5/2020	Ordinance
❑ Ord 40-2020 Exhibit E Statement of Intent	8/5/2020	Exhibit
❑ Ord 40-2020 Exhibit G Elevation	8/5/2020	Exhibit

ORDINANCE NUMBER 40-2020

AN ORDINANCE APPROVING A MAJOR CHANGE TO A DESIGN REVIEW DISTRICT (DRD) OF CERTAIN REAL PROPERTY IN THE CITY OF GREER RELATED TO THE SOUTH MAIN TOWNES DEVELOPMENT

WHEREAS, TCC Ventures are the owners of properties located on N Highway 14, including Greenville County Parcel Numbers G004000108100 and G004000100500 containing approximately 9.08 acres; and

WHEREAS, the properties are within a Design Review District and governed by Article 5:19 of the City of Greer's Zoning Ordinance; and

WHEREAS, the City of Greer previously approved the rezoning of the parcels along N Highway 14, which was for the development of approximately eighty single-family attached townhomes. The Owners now desire to add a new building type with a smaller footprint and no garage, more particularly described in the Statement of Intent hereto marked as Exhibit E and the building elevations hereto marked as Exhibit G; and

WHEREAS, pursuant to Article 5:19.9(5), any change which the Zoning Administrator determines would significantly alter the basic concept and general characteristics of the DRD district is a "Major Change" that must be approved according to the procedures set forth in Article 5:19.9; and

WHEREAS, on July 20, 2020, the Greer Planning Commission held a public hearing and made a recommendation to Greer City Council to approve the major change request as sought by the Owners; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City of Greer to approve the requested changes to the DRD zoning.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Greer, South Carolina that the Design Review District Zoning Plan of the property is amended to amend the Statement of Intent and Elevations from the original submitted DRD rezonings.

This ordinance shall be effective immediately upon second reading approval.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Wryley Bettis

First Reading: July 28, 2020

Second and
Final Reading: August 11, 2020

Approved as to form:

John B. Duggan, Esquire
City Attorney

Statement of Intent for the Design Review District (DRD)

South Main Townes

Hwy. 14, Greer, SC

April 5, 2017

Updated July 2020

This Statement of Intent describes the characteristics of South Main Townes, a proposed residential community consisting of approximately eighty (80) single-family attached residential townhomes constructed on approximately 7.85 acres bounded by Hwy. 14, Mitchell Dr. and James Rd. The site consists of two tracts: 7.19 acres (G004000108100) currently zoned R-12 in Greenville County and .66 acres (G004000100500) currently zoned C-2 in the City of Greer. We are requesting that these two tracts be rezoned to a Design Review District (DRD).

Development

Development will begin as soon as the proposed rezoning is finalized and when all required construction permits have been obtained. The exact configuration of the lots and common areas will be determined as the engineering of the site progresses.

The residences that are planned for this site will have two or three bedrooms and will have approximately 1,300 to 1,600 square feet of heated interior space. There will be a mixture of units with one-car garages and without garages. All units will provided space for a minimum of two vehicles. They will be two stories with separate rooflines and will incorporate a combination of brick, stone and vinyl exteriors. There will be a maximum of six buildings/30 units with no garages. There may not be two sets of townhome units without garages next to each other. All lawn areas will be landscaped in accordance with the City of Greer's Landscape Ordinance, and all lawn areas and all common area improvements will be maintained by a homeowner's association that will be incorporated prior to the first sale.

Public Improvements

There will be a single access point into the development off of Hwy. 14, and a secondary "emergency access" will be installed if required. All streets within the project will be private streets, and the homeowner's association will be required to maintain them.

Impact on Public Facilities

Sanitary sewer service, water service, natural gas service & electricity will be provided to the site by Greer CPW unless it is determined that these services are not available from Greer CPW. This community should have no adverse impact on public facilities. All construction

shall be in accordance with all applicable building codes and all other local or state laws and ordinances.

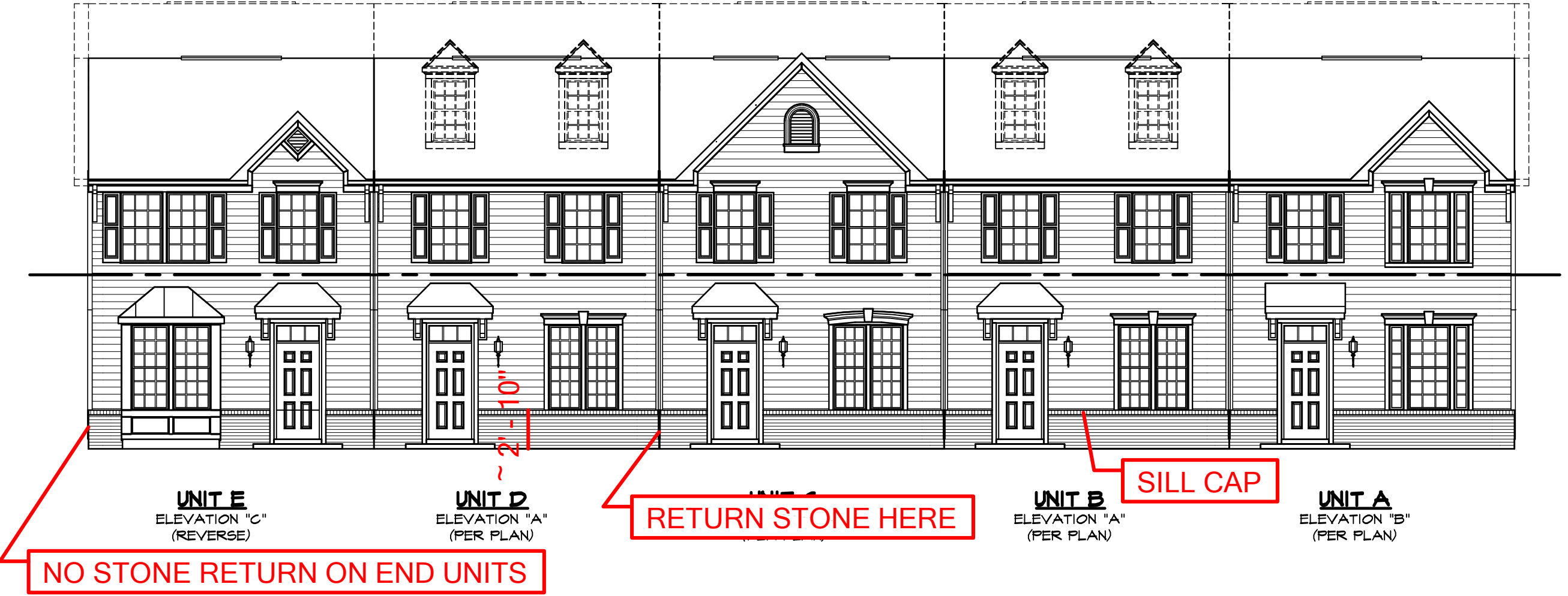
Storm Drainage

Storm water will be managed by a system designed to meet all City of Greer, state and federal regulations involving storm water flows as well as silt and erosion control. The storm water system including the detention pond(s) will be maintained by the homeowner's association through dues paid by all residents within the development.

Homeowner's Association

Prior to any sales, a homeowner's association will be established to own and maintain all signage, landscaping, lawn areas, common areas, sidewalks, private roadways, and storm water management facilities within the project. Funding for maintenance and other association activities will be provided by pro-rata contributions from all property owners in the form of homeowner's association dues assessments pursuant to a recorded Declaration of Covenants, Conditions and Restrictions. The Declaration will also contain other provisions appropriate to provide proper control of the design, construction, use, governance, and maintenance of residences and related improvements thereto, and to ensure the safety of all residents of the development.

BEETHOVEN - PARTIAL STONE VENEER





AGENDA
GREER CITY COUNCIL
8/11/2020

Bid Summary - Fire Department Extrication Equipment

Summary:

The Fire Department has worked to evaluate our current extrication equipment and what the department's needs are moving forward. Staff invited various vendors to a local salvage yard, where equipment could be evaluated against the department's needs. Based on the results staff recommends the project be awarded to Spartan Fire and Emergency Apparatus, whom is the sole source vendor for Holmatro Rescue Tools. The quoted price of \$74,994.17 is within the approved 2020/2021 budget of \$75,000.00.? Spartan Fire and Emergency Apparatus - \$74,994.17 Staff recommends the project be awarded to Spartan Fire and Emergency Apparatus in the amount of \$74,994.17. (Action Required)

Joshua Holzheimer, Deputy Fire Chief

ATTACHMENTS:

Description	Upload Date	Type
▣ Cover Memo - Bid Summary	8/5/2020	Cover Memo

Memo



To: Andy Merriman, City Administrator

From: Joshua Holzheimer, Deputy Fire Chief

CC: Dorian Flowers, Fire Chief

Tammy Duncan, Municipal Clerk

Date: August 5, 2020

Subject: Fire Department – Extrication Equipment

The Fire Department has worked to evaluate our current extrication equipment and what the department's needs are moving forward. Staff invited various vendors to a local salvage yard, where equipment could be evaluated against the department's needs. Based on the results staff recommends the project be awarded to Spartan Fire and Emergency Apparatus, whom is the sole source vendor for Holmatro Rescue Tools. The quoted price of \$74,994.17 is within the approved 2020/2021 budget of \$75,000.00.

- Spartan Fire and Emergency Apparatus - \$74,994.17

Staff recommends the project be awarded to Spartan Fire and Emergency Apparatus in the amount of \$74,994.17

BID SUMMARY

Below, please find the summary of bid for Extrication Equipment for the fire department.

<u>Company</u>	<u>Location of Company</u>	<u>Price</u>
Spartan Fire and Emergency Apparatus	319 Southport Road Roebuck, SC 29376	\$74,994.17

Holmatro USA
505 McCormick Drive
Glen Burnie, MD, 21061
USA
T 410-768-9662
F 410-768-4878
E info-usa@holmatro.com
www.holmatro.com

July 30, 2020

To whom it may concern:

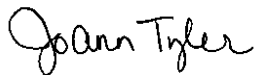
The purpose for this letter is to certify that as of this date, the sole factory authorized source of sales and service for Holmatro Rescue Equipment in the states of North Carolina And South Carolina is :

Spartan Fire And Emergency Apparatus
319 Southport Road
Roebuck, SC 29376
Contact: Robert Joyner
803 309 3823
rjoyner@spartanfire.com

For your sales and service solutions, please feel free to contact Spartan Fire And Emergency Apparatus directly.

If you need any further information, or if I can be of assistance in any other way, please feel free to contact me as well.

Kind regards,



JoAnn Tyler
National Sales Manager
443-758-5495



AGENDA
GREER CITY COUNCIL
8/11/2020

Bid Summary - Fire Department Medical Equipment

Summary:

The Fire Department has worked to continuously improve the level of medical care provided to our community. We have worked hard to increase the number of paramedics on staff over the past three years, and are now ready to move forward with providing Advanced Life Support to the citizens of Greer. Having paramedics on our apparatus with this equipment will allow our staff to provide advanced cardiac life support to our citizens in an efficient and timely manner. As well as, allow us to monitor the effects structure fires have on our firefighters, by giving us the ability to monitor carbon monoxide gases in the blood and provide advanced care that was previously available only if EMS was on scene. Based on the results staff recommends the project be awarded to Stryker Medical, whom is the sole source vendor for LifePak 15 Monitor/Defibrillators. The quoted price of \$153,039.89 is within the approved 2020/2021 budget of \$154,000.00. Stryker Medical - \$153,039.89 Staff recommends the project be awarded to Stryker Medical in the amount of \$153,039.89 (Action Required)
Joshua Holzheimer, Deputy Fire Chief

ATTACHMENTS:

Description	Upload Date	Type
□ Cover Memo - Bid Summary	8/5/2020	Cover Memo

Memo



To: Andy Merriman, City Administrator

From: Joshua Holzheimer, Deputy Fire Chief

CC: Dorian Flowers, Fire Chief

Tammy Duncan, Municipal Clerk

Date: August 5, 2020

Subject: Fire Department – Medical Equipment (LIFEPAK 15 Monitor/Defibrillators)

The Fire Department has worked to continuously improve the level of medical care provided to our community. We have worked hard to increase the number of paramedics on staff over the past three years, and are now ready to move forward with providing Advanced Life Support to the citizens of Greer. Having paramedics on our apparatus with this equipment will allow our staff to provide advanced cardiac life support to our citizens in an efficient and timely manner. As well as, allow us to monitor the effects structure fires have on our firefighters, by giving us the ability to monitor carbon monoxide gases in the blood and provide advanced care that was previously available only if EMS was on scene.

Based on the results staff recommends the project be awarded to Stryker Medical, whom is the sole source vendor for LifePak 15 Monitor/Defibrillators. The quoted price of \$153,039.89 is within the approved 2020/2021 budget of \$154,000.00.

- Stryker Medical - \$153,039.89

Staff recommends the project be awarded to Stryker Medical in the amount of \$153,039.89

BID SUMMARY

Below, please find the summary of bid for medical equipment for the fire department.

<u>Company</u>	<u>Location of Company</u>	<u>Price</u>
Stryker Medical	P.O. Box 93308 Chicago, IL 60673-3308	\$153,039.89

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. and Canada for the following products:

- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® chest compression system
- TrueCPR™ coaching devices
- CODE-STAT™ data review software and service

Stryker is the sole-source provider in all markets for the following products and services:

- RELISM (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® system and related software
- Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs
- HealthEMS® Software
- HomeSolutions.NET® Software
- ACLS (non-clinical) LIFEPAK defibrillator/monitors
- Heart Safe SolutionSM Government Campus Solution
- MultiTech 4G and Titan III gateways

Stryker is also the sole-source distributor of the following products for EMS customers in the U.S. and Canadian markets:

- McGRATH™ MAC EMS video laryngoscope
- McGRATH MAC disposable laryngoscope blades
- McGRATH X Blade™

Stryker does not authorize any third-parties to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products or services. If you have questions, please feel free to contact your local Stryker customer service representative at 800.442.1142.

Sincerely,



Matt Van Der Wende, Senior Director, Americas Sales

Copyright © 2019 Stryker
GDR 3321967_L

Emergency Care

11811 Willows Road NE, Redmond, WA 98052 USA | P +1 425 867 4000 | Toll-free +1 800 442 1142 | stryker.com



AGENDA
GREER CITY COUNCIL
8/11/2020

First Reading of Ordinance Number 41-2020

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY CJN, LLC LOCATED AT 220 B STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-7.5 (SINGLE FAMILY RESIDENTIAL) FOR SAID PROPERTY. (Action Required)

Executive Summary:

Ordinance 41-2020 is an annexation and zoning request for a parcel located at 220 B Street in Spartanburg County. The parcel for annexation consists of 0.37 acres. The property is proposed R-7.5, Single Family Residential zoning. The property is going to be combined with the property from Ordinance 42-2020 and then subdivided into single family lots for development. The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

Brandon McMahan, Planner

ATTACHMENTS:

Description	Upload Date	Type
❑ Cover Memo	8/5/2020	Cover Memo
❑ Ordinance Number 41-2020	8/5/2020	Ordinance
❑ Ord 41-2020 Exhibit A Title	8/5/2020	Exhibit
❑ Ord 41-2020 Exhibit B Plat	8/5/2020	Exhibit
❑ Ord 41-2020 Exhibit C Map	8/5/2020	Exhibit
❑ Ord 41-2020 Exhibit D Flood Map	8/5/2020	Exhibit
❑ Ord 41-2020 Petition for Annexation	8/5/2020	Backup Material

Memorandum

To: Mr. Andy Merriman, City Administrator

From: Brandon McMahan, Planner

Subject: Ordinance #41-2020

Date: August 3, 2020

CC: Tammy Duncan, Clerk to City Council

Ordinance 41-2020 is an annexation and zoning request for a parcel located at 220 B Street in Spartanburg County. The parcel for annexation consists of 0.37 acres. The property is proposed R-7.5, Single Family Residential zoning. The property is going to be combined with the property from Ordinance 42-2020 and then subdivided into single family lots for development.

The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

ORDINANCE NUMBER 41-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY CJN, LLC LOCATED AT 220 B STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-7.5 (SINGLE FAMILY RESIDENTIAL) FOR SAID PROPERTY.

WHEREAS, CJN, LLC is the sole owner of property located at 220 B Street more particularly described on the legal description attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Number 9-07-09-092.00 containing approximately 0.37 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0326D attached hereto marked as Exhibit D; and,

WHEREAS, the property currently has zero (0) occupants; and,

WHEREAS, CJN, LLC has petitioned the City of Greer to annex its property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the property is now outside the city limits of Greer but adjoins the city limits; and,

WHEREAS, the property owners have requested that the subject property be zoned R-7.5 (Single Family Residential District); and,

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The 0.37 acres +/- property shown in red on the attached map owned by the CJN, LLC located at 220 B Street as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-07-09-092.00 is hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced property shall be zoned R-7.5 (Single Family Residential District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. LAND USE MAP: The above reference property shall be designated as Residential Land Use 2 on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

4. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45083C0326D.

5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #3.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: August 11, 2020

Second and
Final Reading: August 25, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney

EXHIBIT A**EXHIBIT****A**

Mail to: **C.J.N., LLC**
4113 E. North Street
Greenville, SC 29615

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

COURT OF COMMON PLEAS
TITLE TO REAL ESTATE

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Gordon G. Cooper, Master in Equity for the County of Spartanburg, SEND GREETINGS:

WHEREAS THE OWNER OF RECORD: **Stephen Thomas Smith and Sara Frances Smith**

THIS IS A FORECLOSURE.

WHEREAS,

Vanderbilt Mortgage and Finance, Inc...... **Plaintiff (s)**

on or about the **13th** day of **June** in the year of our Lord Two Thousand **Seventeen** exhibited its complaint in the Court of Common Pleas for the county aforesaid, against

The Personal Representative, if any, whose name is unknown, of the Estate of Sara Frances Smith a/k/a Sara F. Smith, Stephen Thomas Smith a/k/a Stephen T. Smith, and any other Heirs-at-Law or Devisees of Sara Frances Smith a/k/a Sara F. Smith, Deceased, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them; all unknown persons with any right, title or interest in the real estate described herein; also any persons who may be in the military service of the United States of America, being a class designated as John Doe; and any unknown minors or persons under a disability being a class designated as Richard Roe..... **Defendant(s)**

demanding judgment in relation to the premises hereinafter mentioned and described: and the cause being at issue, came on to be heard on the **16th** day of **October, 2017** and such proceedings were had therein as resulted in a decree of said Court, whereby it was adjudged and decreed that in default of payment prior to the date and time of the sale, the said premises hereinafter mentioned and described be sold by the Master in Equity in and for the County aforesaid on the terms and for the purposes mentioned in the said decree as by reference hereto on file in said Court will appear; and the said Master, after having duly advertised the said premises for sale by public outcry on sale day, the **4th** day of **December** in the year of our Lord Two Thousand Seventeen and did openly and publicly, and according to the custom of auctions, sell and dispose of the same unto the **C.J.N., LLC, Its Successors and Assigns,**

for the sum of **Forty Nine Thousand Five Hundred and no/100 (\$49,500.00)**..... **Dollars**

It being at that price the highest bidder, NOW THEREFORE, Know All Men by these Presents that I, Gordon G. Cooper, Master in Equity for the County of Spartanburg, in consideration of the sum of **Forty Nine Thousand Five Hundred and no/100 Dollars**, to me paid by the said **C.J.N., LLC**, the receipt whereof is hereby acknowledged, HAVE GRANTED, bargained, sold and released, and by these Presents, DO GRANT, bargain, sell and release unto the said **C.J.N., LLC, Its Successors and Assigns, forever,**

DEE-2017-57124



DEE BK 117-X PG 699-700

Recorded 2 Pages on 12/08/2017 01:48:14 PM

Recording Fee: \$10.00 County Taxes: \$54.45 State Taxes: \$128.70

Office of REGISTER OF DEEDS, SPARTANBURG, S.C.

Dorothy Earle, Register Of Deeds

All that parcel of lot of land with improvements thereon, in Reidville Township of Spartanburg County, South Carolina, shown as Lot No. 18 on a plat of Pelham Mills Village as prepared by Dalton & Neves, Engineers, October, 1939 and recorded November 11, 1942 in Book M at Pages 58 and 59 having the following courses and distances:

Beginning on an iron pin on the west side of "J" Street at the corner of "J" and "B" Streets and running thence N. 62-00 W. 95 feet to an iron pin at the corner of Lot No. 19; thence S 28-00 W. 152.4 feet to an iron pin on line of Lot No. 22; thence with line of Lot No. 22, S. 62-00 E. 122.2 feet to an iron pin on the west side of "J" Street; thence N. 17-35 E. 154.4 feet to the beginning corner.

Also includes a mobile/manufactured home, a 2000 Clayton Mobile Home Vin # CAP009672TNAB.

This being the same property conveyed to Stephen Thomas Smith and Sara Frances Smith by deed of Jason Derrick Smith and Sonya Pauline Smith dated March 21, 2000 and filed March 23, 2000 in Deed Book 71-S at Page 457, in the RMC Office for Spartanburg County, SC. Thereafter, Sara Frances Smith died on or about November 20, 2002 leaving the subject property to her heirs at law or devisees.

TMS: 9-07-09-092.00

Property Address: 220 B Street, Greer, SC 29651

Together with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining, and all the estate, right, title, claim and interest whatsoever, of the parties to the cause aforesaid, and of each of them, in and to the same; and of all other persons rightfully claiming, from, under or by these or any of them.

TO HAVE AND TO HOLD, all and singular, the premises before mentioned, unto the said **C.J.N., LLC, Its Successors and Assigns**, forever.

IN WITNESS WHEREOF, I, the said Master in Equity for the County of Spartanburg, under and by virtue of the aforesaid Decree, have set my hand and seal this **7th day of December, 2017**.

Signed, Sealed and Delivered
In the Presence of

Sharon H. Winstead

Jennifer H. Gibson

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

GORDON G. COOPER
Master In Equity for Spartanburg County

ACKNOWLEDGMENT

S.C. Code §30-5-30

(Effective January 1, 1995)

I, Jennifer H. Gibson, a Notary Public for the State of South Carolina, do hereby certify that Gordon G. Cooper, Master In Equity for Spartanburg County, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS our hands and seal on this **7th day of December, 2017**.

Jennifer H. Gibson

Notary Public for South Carolina

My Commission expires: January 2, 2025

[Handwritten signature]

AUG 29 2008
DATE
CERTIFIED TO BE A TRUE AND CORRECT COPY
OF DOCUMENT ON FILE IN THIS OFFICE
Tennely J. Hammett
REGISTER OF DEEDS, GREENVILLE COUNTY

EXHIBIT

B

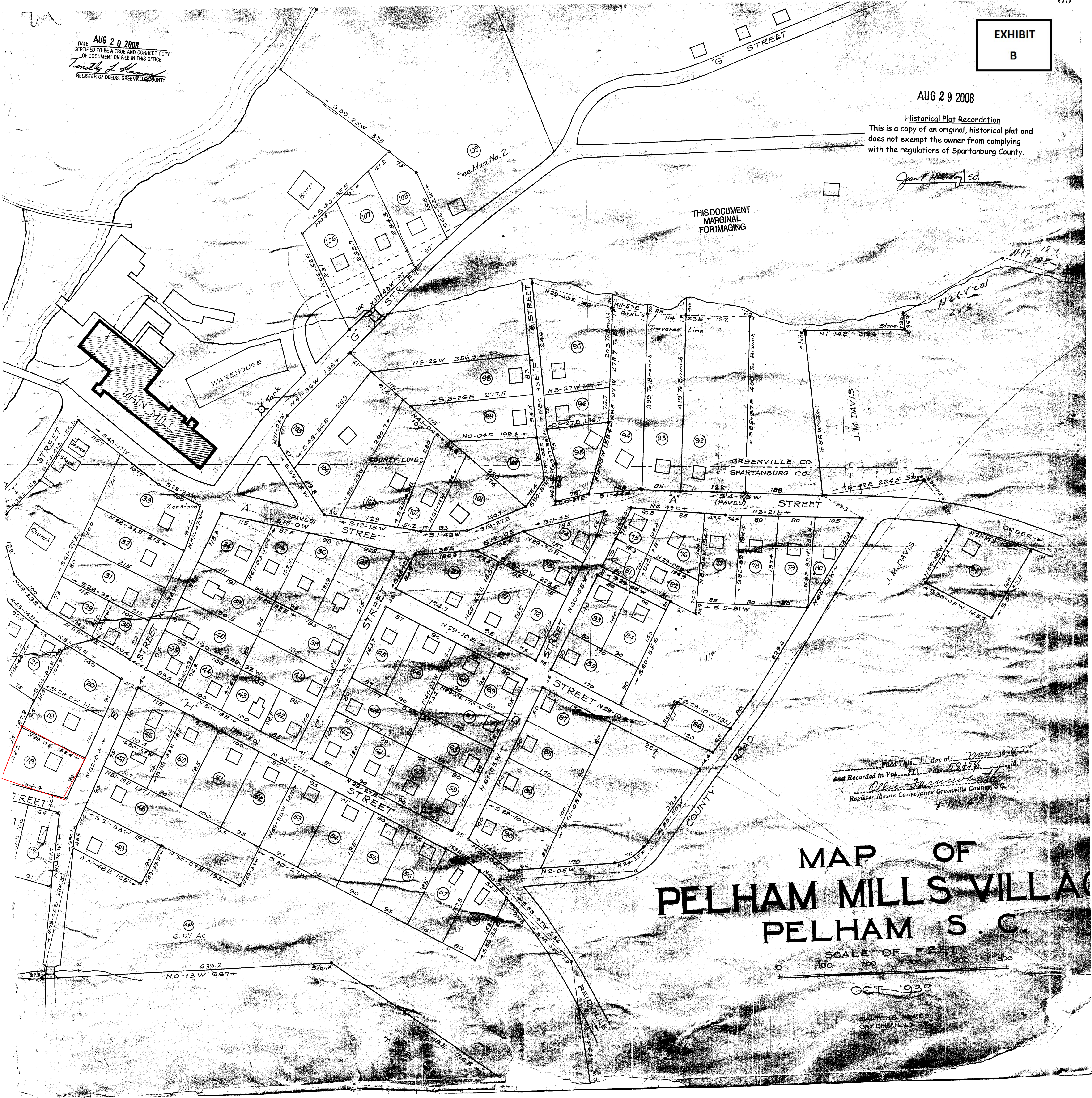
AUG 29 2008

Historical Plat Recordation

This is a copy of an original, historical plat and does not exempt the owner from complying with the regulations of Spartanburg County.

John E. Hammett sd

THIS DOCUMENT
MARGINAL
FORIMAGING



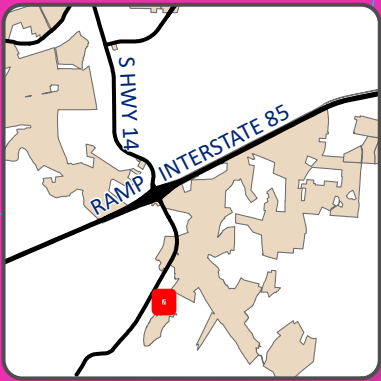
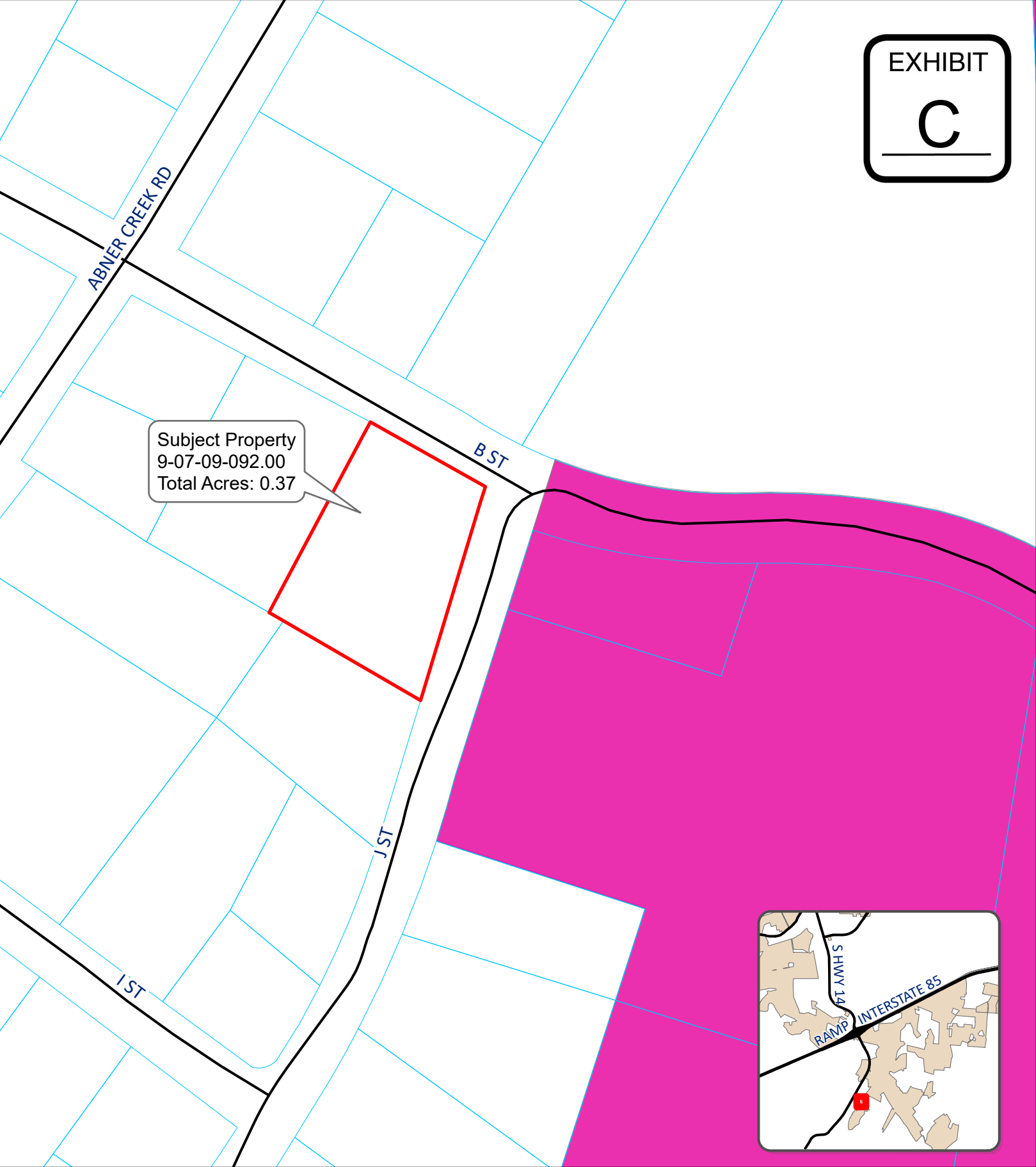
MAP OF PELHAM MILLS VILLAGE PELHAM S.C.

SCALE OF FEET
0 100 200 300 400 500

OCT 1939

DALTON & NEWES
GREENVILLE S.C.

Filed This 11 day of Nov 1942
And Recorded in Vol. 58 p. 58
Oliver J. Hammett
Register Meane Conveyance Greenville County, S.C.
#11541



Ordinance 41-2020

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Council Districts

1	4
2	5
3	6

0 125 250 375 500 Feet

Streets

Parcels

Right of Way

D

250 0 500 1000

FEE

City of Greer
Area Not Included

ZONE A

ZONE X

SPARTANBURG COUNTY

ZONE X

ZONE AE

LAURENS COUNTY

NFIA

PANEL 0326D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

PANEL 326 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
SPARTANBURG COUNTY	450176	0326	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
45083C0326D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Petition for Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 220 B Street more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 9-07-09-092.00 attached hereto marked as Exhibit C containing approximately 0.37 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 24TH day of JULY, 2020 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

The applicant hereby requests that the property described be zoned to R7.5.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☒ No

Print Name: Nicholas Franchina - CJN LLC
Signature: [Signature]
Address: 4113 E. North Street
Witness: [Signature]
Date: 7-24-2020
Parcel Address: 220 B Street
Tax Map Number: 9-07-09-092.00

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Parcel Address: _____
Tax Map Number: _____



AGENDA
GREER CITY COUNCIL
8/11/2020

First Reading of Ordinance Number 42-2020

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY CROWN PROPERTIES, LLC LOCATED AT 210 AND 200 B STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-7.5 (SINGLE FAMILY RESIDENTIAL) FOR SAID PROPERTY. (Action Required)

Executive Summary:

Ordinance 42-2020 is an annexation and zoning request for two parcels located at 210 and 200 B Street in Spartanburg County. The parcel for annexation consists of 0.50 acres. The property is proposed R-7.5, Single Family Residential zoning. The property is going to be combined with the property from Ordinance 41-2020 and then subdivided into single family lots for development. The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

Brandon McMahan, Planner

ATTACHMENTS:

Description	Upload Date	Type
❑ Cover Memo	8/5/2020	Cover Memo
❑ Ordinance Number 42-2020	8/5/2020	Ordinance
❑ Ord 42-2020 Exhibit A Title	8/5/2020	Exhibit
❑ Ord 42-2020 Exhibit B Plat	8/5/2020	Exhibit
❑ Ord 42-2020 Exhibit C Map	8/5/2020	Exhibit
❑ Ord 42-2020 Exhibit D Flood Map	8/5/2020	Exhibit
❑ Ord 42-2020 Petition for Annexation	8/5/2020	Backup Material

Memorandum

To: Mr. Andy Merriman, City Administrator

From: Brandon McMahan, Planner

Subject: Ordinance #42-2020

Date: August 3, 2020

CC: Tammy Duncan, Clerk to City Council

Ordinance 42-2020 is an annexation and zoning request for two parcels located at 210 and 200 B Street in Spartanburg County. The parcel for annexation consists of 0.50 acres. The property is proposed R-7.5, Single Family Residential zoning. The property is going to be combined with the property from Ordinance 41-2020 and then subdivided into single family lots for development.

The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

ORDINANCE NUMBER 42-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY CROWN PROPERTIES, LLC LOCATED AT 210 AND 200 B STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-7.5 (SINGLE FAMILY RESIDENTIAL) FOR SAID PROPERTY.

WHEREAS, Crown Properties, LLC is the sole owner of property located at 210 and 200 B Street more particularly described on the legal description attached hereto marked as Exhibit A, the property description attached hereto marked as Exhibit B, the City of Greer Map attached hereto marked as Spartanburg County Parcel Numbers 9-07-09-091.00 and 9-07-09-090.00 containing approximately 0.5 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45083C0326D attached hereto marked as Exhibit D; and,

WHEREAS, the property currently has zero (0) occupants; and,

WHEREAS, Crown Properties, LLC has petitioned the City of Greer to annex its property by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the property is now outside the city limits of Greer but adjoins the city limits; and,

WHEREAS, the property owners have requested that the subject property be zoned R-7.5 (Single Family Residential District); and,

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The 0.5 acres +/- property shown in red on the attached map owned by the Crown Properties, LLC located at 210 and 200 B Street as described on the attached City of Greer Map as Spartanburg County Parcel Number 9-07-09-091.00 and 9-07-09-090.00 is hereby annexed into the corporate city limits of the City of Greer.
2. ZONING ASSIGNMENT: The above referenced property shall be zoned R-7.5 (Single Family Residential District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.
3. LAND USE MAP: The above reference property shall be designated as Residential Land Use 2 on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.
4. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45083C0326D.
5. DISTRICT ASSIGNMENT: The above referenced property shall be assigned to City Council District #3.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: August 11, 2020

Second and
Final Reading: August 25, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney

EXHIBIT A**EXHIBIT****A**

Prepared by:
Keable & Brown, PA
109 Laurens Road, Bld. 2, Suite A
Greenville, SC 29607

2018004539
Recorded 2 on 02/01/2018 02:22:28 PM
Recording Fee: \$10.00 County Taxes: \$49.50 State Taxes: \$117.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
DOROTHY EARLE REGISTER OF DEEDS
BK:DEE 118-M PG:366-367

GRANTEE ADDRESS: 4113 E. North Street, Greenville, SC 29615

STATE OF SOUTH CAROLINA)	
)	TITLE TO REAL ESTATE
COUNTY OF SPARTANBURG)	

KNOW ALL MEN BY THESE PRESENTS, that **GREENVILLE OFFICE PARK, LLC**, in consideration of Forty Five Thousand and 00/100 Dollars (\$45,000.00), the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto **CROWN PROPERTIES, LLC**, its successors and assigns, forever, Grantor's Entire Right, Title and Interest in and to the following described property:

All that certain piece, parcel or tract of land, situate, lying and being in the County of Spartanburg, State of South Carolina, being shown and designated as Lot 19, containing 0.35 acres, more or less, and a portion of Lot 20, containing 0.16 acres, more or less, on "B" Street of Pelham Mill Village Subdivision on a plat entitled "Retracement Plat for Rick A. Setzer and Sue Lynn Setzer," dated August 6, 2012 and recorded in Plat Book 166 at Page 951 in the Office of the Register of Deeds for Spartanburg County, SC. Reference to said plat is hereby made for a more complete metes and bounds description.

This being a portion of the same property conveyed to Greenville Office Park, LLC by deed from Rick A. Setzer and Sue Lynn Setzer dated November 21, 2016, and recorded November 22, 2016, in Book 113-Z at Page 976 in the Office of the Register of Deeds for Spartanburg County, South Carolina.

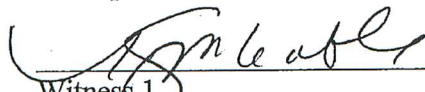
For informational purposes only: TMS# 9-07-09-091.00 & TMS# 9-07-09-090.00

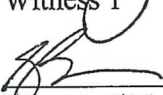
This conveyance is subject to all restrictions, set-back lines, roadways, zoning ordinances, easements, and rights-of way, if any, affecting the above-described property.

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee, and the grantee's heirs or successors and assigns, forever. And, the grantor does hereby bind the grantor and the grantor's heirs or successors, assigns, executors and administrators to warrant and forever defend all and singular said premises unto the grantees and the grantee's heirs or successors and assigns and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the grantor's hand and seal this 31st day of January, 2018.


SIGNED, sealed and delivered
in the presence of:



Witness 1


Witness 2/Notary

Greenville Office Park, LLC

BY: 

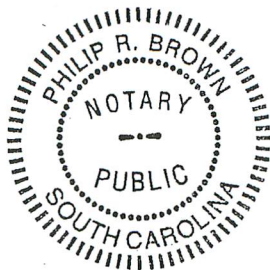
Nicholas M. Franchina, Manager


STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

ACKNOWLEDGMENT

I, the undersigned notary public, hereby certify that Greenville Office Park, LLC by and through Nicholas M. Franchina as its Manager personally came before me this day and acknowledged the execution of the foregoing instrument as Grantor's act and deed.

WITNESS my hand and notarial stamp or seal, this 31st day of January, 2018.

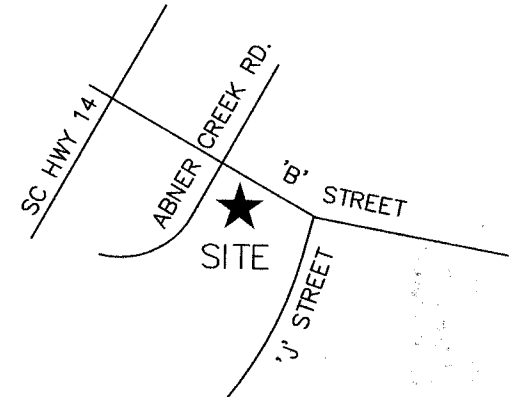




NOTARY PUBLIC for South Carolina
My Commission Expires: 11.21.21

PLAT-166PG951

PLT-2012-37044
Recorded 1 Pages on 8/23/2012 12:36:21 PM
Recording Fee: \$10.00 Documentary Stamps: \$0.00
Office of Register of Deeds, Spartanburg, S.C.
Dorothy Earle, Register



LOCATION MAP (NOT-TO-SCALE)

Abner Creek Road
(46' R/W)

'B' Street
(41.5' R/W)

TMS 9-07-09-090.00

PORTION

(20)

REMAINDER

(20)

TMS # 9-07-09-099.00
N/F
HAROLD M. JACKSON
DONNA L. JACKSON
DB 69Y-347
PB M-58 & 59

TMS 9-07-09-091.00

(19)

TMS # 9-07-09-092.00
N/F
STEPHEN T. SMITH
SARA FRANCES SMITH
DB 71S-457
PB M-58 & 59

LOT 21 &
PT. LOT 22

TMS # 9-07-09-098.00
N/F
TALMADGE COX
DB 50T-582
DB 67W-328
PB M-58 & 59

NOTES:

1. ALL IPS ARE 5/8" REBAR WITH CAP
UNLESS OTHERWISE NOTED.

LEGEND
IPF = Iron pin Found, IPS = Iron Pin Set, RR = Railroad Spike,
N/C = Nail & Cap, P/K = P/K or Mag. Nail, OT = Open Top Pipe,
Crimp = Crimped Top Pipe, UP = Utility Pole, LP = Light Pole, WM
= Water Meter, MH = Manhole, SD = Storm Drain, RCP = Reinforced
Concrete Pipe, CMP = Corrugated Metal Pipe, GV = Gas Valve, WV =
Water Valve, CO = Sanitary Sewer Cleanout

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE,
INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN
ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS
MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH
CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A
CLASS "B" SURVEY AS SPECIFIED THEREIN. THIS PROPERTY DOES
NOT ENCRDACH ON ADJOINING PROPERTY AND ADJOINING PROPERTY
DOES NOT ENCRDACH ON THIS PROPERTY (EXCEPT AS SHOWN) AND
THIS PARCEL IS NOT LOCATED IN A CURRENT DESIGNATED FLOOD
HAZARD AREA. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS &
RESTRICTIONS ON RECORD.

THOMAS P. DOWLING

S.C. PLS # 14808

PELHAM MILLS VILLAGE SUBD.

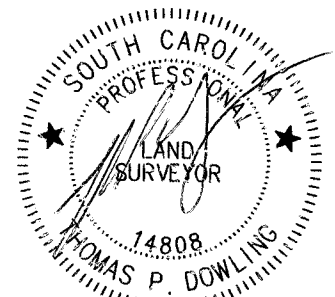
LOT 19
0.35 AC. (GROSS INCL. ALL R/W's)

PORTION LOT 20
0.16 AC. (GROSS INCL. ALL R/W's)

RETRACEMENT SURVEY FOR

RICK A. SETZER
SUE LYNN SETZER

NEAR PELHAM
SPARTANBURG COUNTY, SOUTH CAROLINA



THOMAS P. DOWLING
210 E. PARK AVENUE
GREENVILLE, SC 29601
(864) 370-1556

PB REF M-58 & 59
(G'VILLE COUNTY)

DB REF 95X-498

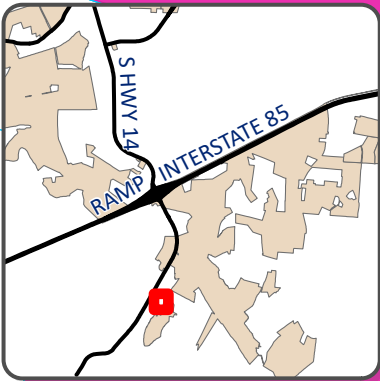
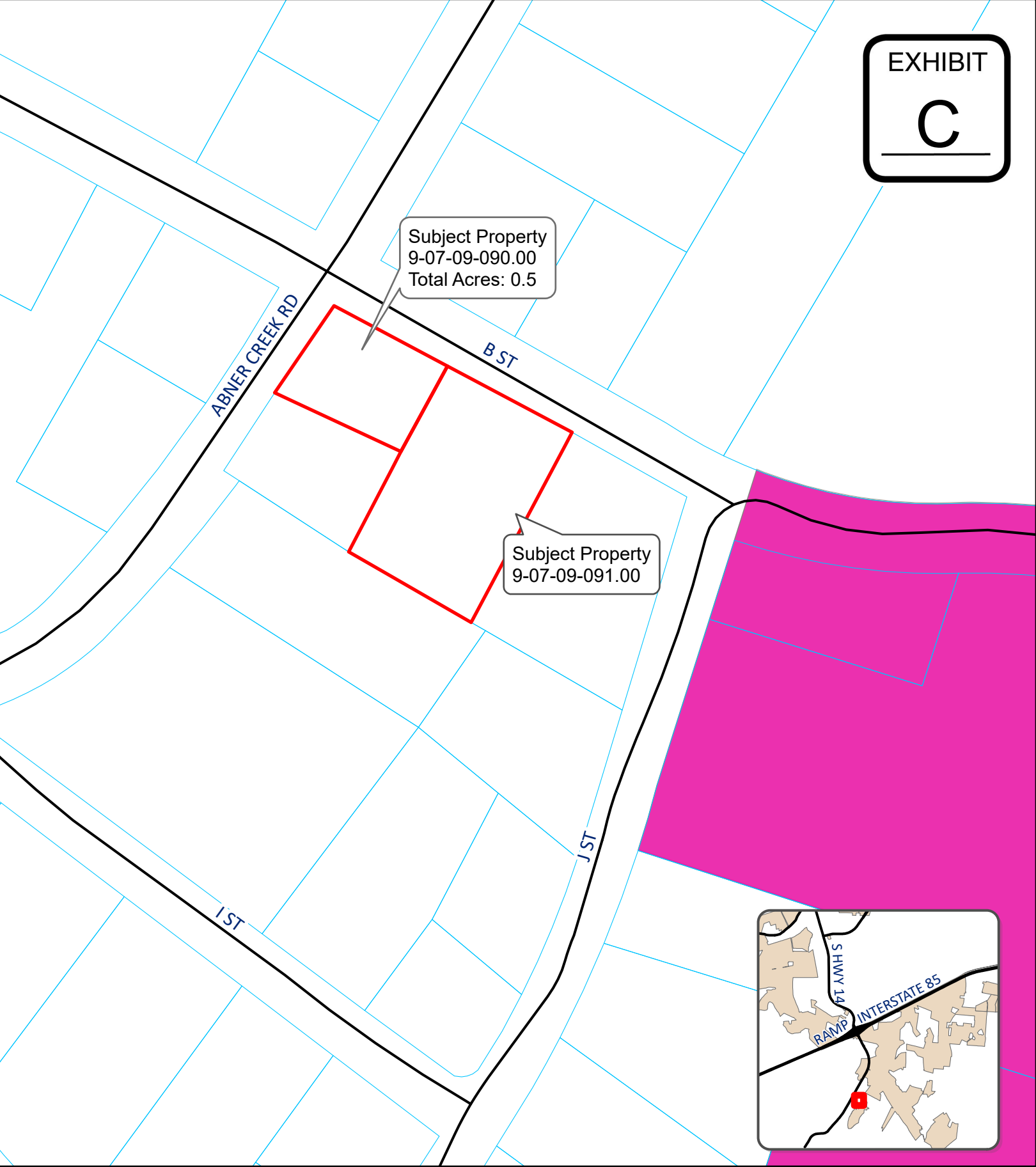
TMS # 9-07-09-090.00
9-07-09-091.00

DATED 8-6-2012

DRAWN BY SDK

DWG. # 118-T9921

1 inch = 20 ft.



Ordinance 42-2020

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Council Districts

1

2

3

4

5

6

Streets

Right of Way

Parcels

N

0 125 250 375 500 Feet

EXHIBIT

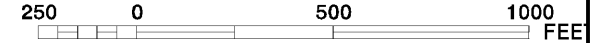
D

City of Greer
Area Not Included

JOINS PANEL 0327



MAP SCALE 1" = 500'



NFIP

PANEL 0326D

FIRM FLOOD INSURANCE RATE MAP

SPARTANBURG COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

PANEL 326 OF 555

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
SPARTANBURG COUNTY	450176	0326	D

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
45083C0326D

EFFECTIVE DATE
JANUARY 6, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

ABNER CREEK RD

OLD HIGHWAY 14

ROBINSON ST
S HIGHWAY 14
C ST

E GREER ST

D ST

B ST

PHILLIPS RD

EO

ZONE X

ZONE AE

747

746

EN

Enoree River

745

EM

744

EL

ZONE X

EG

735

736

SPARTANBURG COUNTY

ZONE X

EF

731

730

ZONE AE

729

728

EE

Enoree River

ED

LAURENS COUNTY



Petition for Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 200 S 210 B Street more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 9-07-09-090.00 & 9-07-09-091.00 attached hereto marked as Exhibit C containing approximately 0.5 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 24TH day of JULY, 2020 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

The applicant hereby requests that the property described be zoned to R.7.5.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

☐ Yes ☐ No

Print Name: Nicholas Franchina Crown Properties
Signature: [Signature]
Address: 4113 E. North St. Greenville, SC 29615
Witness: [Signature]
Date: 7-24-2020
Parcel Address: 200 S 210 B Street
Tax Map Number: 9-07-09-090 & 9-07-09-091

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Parcel Address: _____
Tax Map Number: _____

EXHIBIT B





AGENDA
GREER CITY COUNCIL
8/11/2020

First Reading of Ordinance Number 43-2020

Summary:

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A PORTION OF PROPERTIES OWNED BY HONEYWELL INTERNATIONAL LLC LOCATED AT 85 AND 87 BEECO ROAD AND SOUTH BUNCOMBE ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL DISTRICT) FOR SAID PROPERTIES. (Action Required)

Executive Summary:

Ordinance 43-2020 is an annexation and zoning request for a portion of two parcels along S. Buncombe Rd that will create a 10 foot strip to connect to two parcels located on Beeco Rd. The parcels for annexation consists of 16.537 acres. The property is proposed for I-1, Industrial zoning. The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.
Brandon McMahan, Planner

ATTACHMENTS:

Description	Upload Date	Type
☐ Ord 43-2020 Cover Memo	8/5/2020	Cover Memo
☐ Ordinance Number 43-2020	8/5/2020	Ordinance
☐ Ord 43-2020 Exhibit A Title	8/5/2020	Exhibit
☐ Ord 43-2020 Exhibit B Certificate of Ownership	8/5/2020	Exhibit
☐ Ord 43-2020 Exhibit C Plat and Map	8/5/2020	Exhibit
☐ Ord 43-2020 Petition for Annexation	8/5/2020	Backup Material

Memorandum

To: Mr. Andy Merriman, City Administrator

From: Brandon McMahan, Planner

Subject: Ordinance #43-2020

Date: August 3, 2020

CC: Tammy Duncan, Clerk to City Council

Ordinance 43-2020 is an annexation and zoning request for a portion of two parcels along S. Buncombe Rd that will create a 10 foot strip to connect to two parcels located on Beeco Rd. The parcels for annexation consists of 16.537 acres. The property is proposed for I-1, Industrial zoning.

The Planning Commission will conduct a public hearing on August 17, 2020 for the zoning of this parcel.

ORDINANCE NUMBER 43-2020

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF A PORTION OF PROPERTIES OWNED BY HONEYWELL INTERNATIONAL LLC LOCATED AT 85 AND 87 BEECO ROAD AND SOUTH BUNCOMBE ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL DISTRICT) FOR SAID PROPERTIES.

WHEREAS, Honeywell International, LLC is the sole owner of properties located at 85 and 87 Beeco Road and South Buncombe Road more particularly described on the legal description attached hereto marked as Exhibit A, the certificate of ownership attached hereto marked as Exhibit B, the plat and City of Greer Map attached hereto marked as Greenville County Parcel Numbers G006000300610 (10 feet wide strip), G006000300200 (10 feet wide strip), G006000300604, and G006000300608 containing approximately 16.537 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Number 45045C0342E attached hereto marked as Exhibit D; and,

WHEREAS, the properties currently have zero (0) occupants; and,

WHEREAS, Honeywell International LLC has petitioned the City of Greer to annex a portion of its properties by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150(3); and,

WHEREAS, the properties are now outside the city limits of Greer but adjoins the city limits; and,

WHEREAS, the property owner has requested that the subject properties be zoned I-1 (Industrial District); and,

WHEREAS, the requested zoning is consistent with the land uses in the general area and the land planning of the city.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Greer, South Carolina, as follows:

1. ANNEXATION: The 16.537 acres +/- properties shown in red on the attached map owned by the Honeywell International LLC located at 85 and 87 Beeco Road and South Buncombe Road as described on the attached City of Greer Map as Greenville County Parcel Numbers G006000300610 (10 feet wide strip), G006000300200 (10 feet wide strip), G006000300604, and G006000300608 are hereby annexed into the corporate city limits of the City of Greer.

2. ANNEXATION OF 234.38 FEET OF SOUTH BUNCOMBE ROAD: 234.38 feet of South Buncombe Road roadway along the edge of the annexed property owned by Honeywell International LLC as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. ZONING ASSIGNMENT: The above referenced properties shall be zoned I-1 (Industrial District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

4. LAND USE MAP: The above reference properties shall be designated as Employment Center on the Land Use Map contained within the 2010 Comprehensive Plan for the City of Greer.

5. FLOOD INSURANCE RATE MAP: This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0342E.

6. DISTRICT ASSIGNMENT: The above referenced properties shall be assigned to City Council District #5.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: August 11, 2020

Second and
Final Reading: August 25, 2020

APPROVED AS TO FORM:

John B. Duggan, Esquire
City Attorney

EXHIBIT A

GRANTEES ADDRESS: Attn: Philip E. Hammel, Allied Signal
2950 Red Hill Costa Mesa, CA 92626

STATE OF SOUTH CAROLINA)

TITLE TO REAL ESTATE

COUNTY OF GREENVILLE)

KNOW ALL MEN BY THESE PRESENTS, that **AVCO CORPORATION**, in consideration of Ten and no/100 (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto **ALLIEDSIGNAL INC.**, its successors and assigns, forever:

All that certain piece, parcel or tract of land situate, lying and being in the County of Greenville, State of South Carolina, bounded now or formerly as follows: Northwest by lands of Nall, T.O.W. Partnership, Cunningham and Brockman; Northeast by lands of Greenville County, LWT Realty Co., and Old Buncombe Road; Southwest by lands of W. P. Dillard; and Northwest by Beaco Road; said land being shown and designated as Tract 2 containing 37.596 acres according to plat of survey entitled "Avco Corporation" by Dalton and Neves Co., Engineers, dated June 1981 and having, according to said survey, the following metes and bounds, to-wit:

STATE 14730.20
MAY 18 1998
COUNTY 6235.70

BEGINNING at an iron pin on the southwestern side of Old Buncombe Road at the corner of lands now or formerly of W. P. Dillard and running thence with the line of said lands S. 34-53 W. 390.47 feet to an iron pin; thence S. 70-10 W. 672.15 feet to an iron pin; thence S. 69-20 W. 499.05 feet to an iron pin; thence S. 85-58 W. 1,080.21 feet to an iron pin on the northeastern side of Beaco Road; thence with the northeastern side of Beaco Road N. 5-57 E. 678.44 feet to an iron pin; thence leaving said Road and running with the line of lands now or formerly of Nall, T.O.W. Partnership, Cunningham and Brockman, the following courses and distances: N. 60-43 E. 512.93 feet to an iron pin; N. 61-55 E. 149.99 feet to an iron pin; N. 62-00 E. 249.68 feet to an iron pin; N. 28-31 W. 25.32 feet to an iron pin and N. 61-22 E. 340.85 feet to an iron pin in the line of lands designated on said plat as Tract 1; thence with the line of said lands S. 49-59 E. 843.06 feet to an iron pin in the line of lands now or formerly of LWT Realty Co.; thence with the line of said lands, S. 34-54 W. 80 feet to an iron pin, S. 53-29 E. 325.34

39766

244-46-3-6.4

feet to an iron pin, N. 70-07 E. 120.25 feet to an iron pin, and N. 34-51 E. 396.17 feet to an iron pin on the southwestern side of Old Buncombe Road; thence with the southwestern side of said Old Buncombe Road, S. 33-24 E. 75.32 feet to an iron pin, the point of beginning.

ALSO: All right, title and interest of the Grantor, if any, in and to the property lying between the southwestern right of way and the center line of Old Buncombe Road and between the southeastern right of way and the center line of Beaco Road where the above described property fronts on said roads.

This conveyance is subject to all restrictions, set back lines, roadways, zoning ordinances, easements and rights-of-way, if any, affecting the above-described property.

This is the identical property conveyed to the grantor by Threatt Enterprises, Inc. by deed dated July 30, 1981, recorded July 31, 1981 in Deed Book 1152 at page 728 in the RMC Office for Greenville County.

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs or successors, assigns, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs or successors and assigns against the grantor and its successors and assigns.

WITNESS the grantor's hand and seal this 28th day of October, 1994.

SIGNED, sealed and delivered
in the presence of:

Bailenai K. K. K.
Nancy K. K.

AVCO CORPORATION

(SEAL)

By: R. D. S.

Its: Executive Vice President

STATE OF *Rhode Island*)
COUNTY OF *Providence*)

PROBATE

Personally appeared the undersigned witness and made oath that (s)he saw the within named grantor sign, seal and as the grantor's act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this
28 day of October, 1994.

Nancy K. Cassidy
(WITNESS)

Barbara Coughlan (SEAL)
Notary Public for

My Commission Expires: *August 17, 1995*

BOOK 1762 PAGE 874

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

I read the information on this affidavit and I understand such information.

The property was transferred by AVCO CORPORATION
ALLIED SIGNAL INC.

is one of the following: The deed is

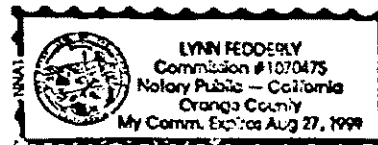
- (A) ☒ SUBJECT to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth in the amount of \$5,667,000
- (B) ☐ SUBJECT to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary. The fee is computed on the fair market value of the realty which is _____
- (C) ☐ EXEMPT from the deed recording fee because (See Exemptions on back)

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: DIRECTOR, ALLIED SIGNAL REAL ESTATE DEPT.

I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than _____ dollars or imprisoned not more than one year, or both,

Philip J. Darnell
Responsible Person Connected with the Transaction

Went to before me this 2ND
day of April 1998
Lynn Federly
Notary Public for STATE OF CALIFORNIA
My Commission Expires: 8/27/99



FILED FOR RECORD IN GREENVILLE
COUNTY SC R.O.D. OFFICE AT 02:39 PM
05/18/98 RECORDED IN DEED
BOOK 1762 PAGE 0871
DOC # 98039766

Judy A. Hiv



2020052051

6 Pgs

DEED Book: DE 2597 Page: 5371 - 5376

July 8, 2020 04:36:14 PM Cons: \$1.00

Rec: \$15.00 Cnty Tax: EXEMPT State Tax: EXEMPT

E-FILED IN GREENVILLE COUNTY, SC

Timothy J. Hanney

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

TITLE TO REAL ESTATE
(LIMITED WARRANTY DEED)

KNOW ALL MEN BY THESE PRESENTS, that Greenville County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina (hereinafter referred to as the "Grantor") in the State aforesaid, for and in consideration of One and No/100 Dollars (\$1.00) to the Grantor paid by Honeywell International Inc., a Delaware corporation, successor by merger and name change to AlliedSignal Inc., a Delaware corporation, whose mailing address is 300 South Tryon Street, Charlotte, NC 28202 (hereinafter referred to as the "Grantee") has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the Grantee, the real estate (the "Premises") described as follows:

SEE SCHEDULE A ATTACHED HERETO

AND INCORPORATED HEREIN

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Premises belonging or in any way incident or appertaining thereto, including but not limited to all improvements of any nature located on the Premises and all easements and rights-of-way appurtenant to the Premises.

TO HAVE AND TO HOLD all and singular the Premises unto the Grantee, its successors and assigns forever.

And the Grantor does hereby bind itself, its successors, executors, Administrators and

Lawful Representatives, to warrant and forever defend all and singular the Premises unto the Grantee, its successors and assigns, against the Grantor and against the Grantor's successors and assigns.

WITNESS the Grantor's hand and seal this 19th day of June, 2020.

Signed, sealed and delivered
in the presence of:

Gg McLascel
Camela S. Williams
Gg McLascel
Camela S. Williams

GREENVILLE COUNTY

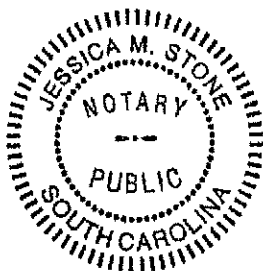
Herman G. Kirven, Jr.
Herman G. Kirven, Jr., Chairman
Greenville County Council
Joseph M. Kernell
Joseph M. Kernell
Greenville County Administrator

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

ACKNOWLEDGEMENT

I, Notary Public for South Carolina, do hereby certify that Herman G. Kirven, Jr., as Chairman of Greenville County Council and Joseph M. Kernell, as Greenville County Administrator, appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 19th day of JUNE, 2020.



Jessica M. Stone
Notary Public for South Carolina
Print Name: JESSICA M. STONE
My commission expires: 02/13/2025

My Commission Expires
February 13, 2025

Schedule A
To
Limited Warranty Deed

ALL that certain piece, parcel or lot of land situate, lying and being in the City of Greer, County of Greenville, South Carolina, and being shown on a site plan attached to the Schedule A, entitled "ALLIEDSIGNAL, 85 BEECO ROAD, GREER, SC PROPOSED NEW BUILDING/DRIVE", prepared by Roy Vaughan - Greenville SC; said property labeled on said site plan "New Building" - "New Parking" - "New Drive", and reference thereto is hereby made for a more complete and accurate description.

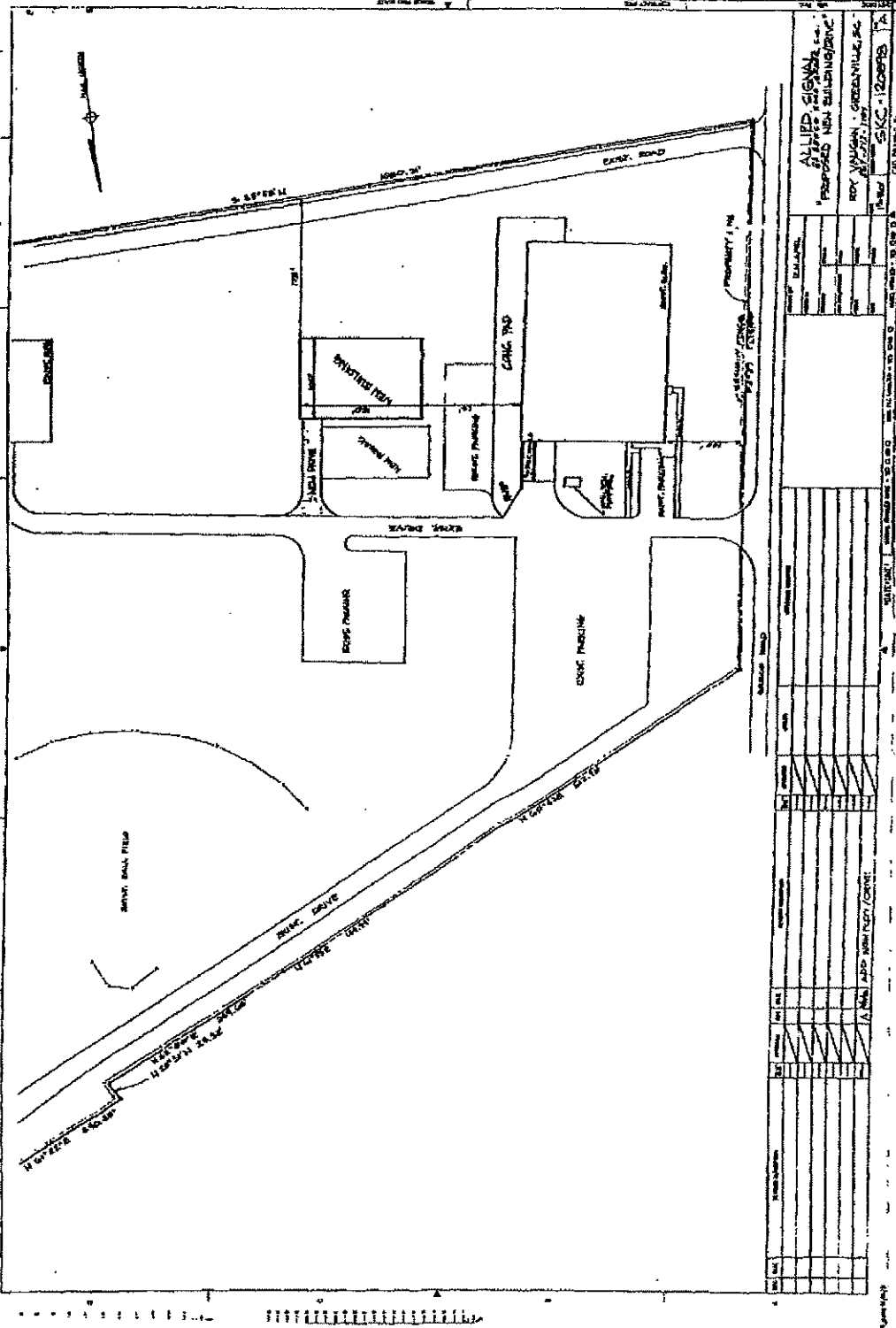
BEING the same property conveyed to Greenville County, South Carolina by Deed from AlliedSignal Inc., recorded March 2, 1999 in Book 1822, page 294, Greenville County, South Carolina Recorder's Office.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Map No. G006000300608

Grantee's Address for Tax Statements:

Honeywell International Inc.
c/o Altus Group
PO Box 71850
Phoenix, AZ 85050



ALLIED SIGNAL		PROPERTY		ROAD		DRIVE		FIELD		PARKING	
1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36
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277	278	279	280	281	282	283	284	285	286	287	288
289	290	291	292	293	294	295	296	297	298	299	300

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

AFFIDAVIT

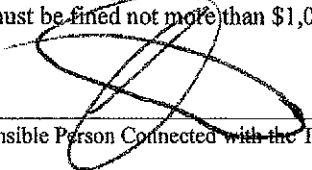
PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

- (1) I have read the information on this affidavit and I understand such information.
- (2) The property being transferred is located at 85 Beeco Rd, Greer, SC, bearing Greenville County Tax Map Number G006000300608 was transferred on July 8, 2020.
- (3) Check one of the following: The deed is
 - a. _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b. _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - c. X exempt from the deed recording fee because (see Information section of affidavit): 1 .
(If exempt, please skip Items 4-7 and go to Item 8 of this affidavit.)
- (4) Check one of the following if either Item 3.a. or 3.b. above has been checked. (See Information section of this affidavit.)
 - a. _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$0.00 .
 - b. _____ The fee is computed on the fair market value of the realty which is _____.
 - c. _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
- (5) Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes", the amount of the outstanding balance of this lien or encumbrance is: _____.
- (6) The deed recording fee is computed as follows:
 - a. Place the amount listed in Item 4 above here: \$ _____
 - b. Place the amount listed in Item 5 above here: \$ _____
(If no amount is listed, place zero here.)
 - c. Subtract Line 6.b. from Line 6.a. and place result here. \$ _____
- (7) The deed recording fee due is based on the amount listed on line 6(c) above and the deed recording fee due is: \$ _____.
- (8) As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney.
- (9) I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than \$1,000.00 or imprisoned not more than one year, or both.

SWORN before me this 8th day of
July, 2020.

Notary Public for State of S.C.
My Commission Expires: 10/12/26

Thomas F. Puggs


Responsible Person Connected with the Transaction

Print or Type Name Here John Kehl

INFORMATION

Except as provided in this paragraph, the term "value" means the consideration paid or to be paid in money or money's worth for the realty. Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than \$100.00;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.



EXHIBIT B



2020052052

MERGER Book: DE 2597 Page: 5377 - 5381

5 Pgs

July 8, 2020 04:36:15 PM

Rec: \$10.00

E-FILED IN GREENVILLE COUNTY, SC

Timothy J. Manning

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT
COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"HONEYWELL INTERNATIONAL INC.", A DELAWARE CORPORATION,
WITH AND INTO "ALLIEDSIGNAL INC." UNDER THE NAME OF
"HONEYWELL INTERNATIONAL INC.", A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED
AND FILED IN THIS OFFICE ON THE FIRST DAY OF DECEMBER, A.D.
1999, AT 4 O'CLOCK P.M.



2061772 8100M
SR# 20206051725

You may verify this certificate online at corp.delaware.gov/authver.shtml

Jeffrey W. Bullock
Jeffrey W. Bullock, Secretary of State

Authentication: 203220468
Date: 07-02-20

CERTIFICATE OF OWNERSHIP AND
MERGER OF
HONEYWELL INTERNATIONAL INC.
WITH AND INTO
ALLIEDSIGNAL INC.

Pursuant to Section 253 of the General Corporation Law of the State of Delaware (the "DGCL"), AlliedSignal Inc., a Delaware corporation (the "Company"), and Honeywell International Inc., a Delaware corporation (the "Name Change Subsidiary"), hereby certify the following with respect to a merger (the "Name Change Merger") of the Name Change Subsidiary with and into the Company:

FIRST: The Company is the record and beneficial owner of all of the outstanding shares of capital stock of the Name Change Subsidiary.

SECOND: In accordance with Section 253 of the DGCL, on June 4, 1999 the Board of Directors of the Company adopted a resolution authorizing a subsidiary of the Company to be merged with and into the Company. A copy of the Resolution (the "Resolution") is attached as Exhibit A hereto.

THIRD: Pursuant to Section 253 and the Resolution, the Name Change Subsidiary is hereby merged with and into the Company with the Company being the surviving corporation in the Name Change Merger.

FOURTH: Pursuant to the Name Change Merger, the corporate name of the Company shall be changed to:

"Honeywell International Inc."

FIFTH: This Certificate of Ownership and Merger shall be effective upon the filing thereof with the Secretary of State of the State of Delaware.

IN WITNESS WHEREOF, the undersigned has caused this Certificate of Ownership and Merger to be duly executed by its duly elected officer this 1st day of December, 1999.

ALLIEDSIGNAL INC.


By: 
Name: Peter M. Kreindler
Title: Senior Vice President,
General Counsel & Secretary

Exhibit A

Extract From Resolutions

Adopted by the Board of Directors of

AlliedSignal Inc.

June 4, 1999

After discussion, on motion duly made and seconded, the following resolutions were unanimously adopted:

WHEREAS, AlliedSignal Inc. (the "Company") proposes to enter into a business combination with Honeywell Inc., a Delaware corporation ("Honeywell"), pursuant to which a newly formed, wholly owned Delaware corporate subsidiary of the Company ("Merger Subsidiary") would be merged (the "Merger") with and into Honeywell and, among other things, each share of Honeywell's common stock, par value \$1.50 per share ("Honeywell Common Stock"), issued and outstanding at the effective time of the Merger (other than shares of Honeywell Common Stock held in treasury by Honeywell or held by the Company or any of the Company's or Honeywell's subsidiaries) would be converted into the right to receive 1.875 shares of the Company's common stock, par value \$1.00 per share ("Company Common Stock") (the "Exchange Ratio"), subject to the terms and conditions set forth in the Agreement and Plan of Merger proposed to be entered into by and among the Company, Merger Subsidiary and Honeywell (the "Merger Agreement");

WHEREAS, in connection with the Merger, the Company proposes to change its corporate name to "Honeywell International Inc." at the effective time of the Merger, by causing a newly formed, wholly owned Delaware corporate subsidiary of the Company ("Name Change Subsidiary") to be merged with and into the Company pursuant to a merger (the "Name Change Merger") the terms of which provide for such change to the Company's name (the "Name Change").

RESOLVED, that the Board of Directors has determined that the Name Change, the Name Change Merger and the transactions related thereto are advisable and in the best interests of the Company;

RESOLVED, that each of the Authorized Officers or their designees is hereby authorized and empowered, for and on behalf of the Company, to prepare and execute an agreement and plan of merger with respect to the Name Change Merger containing such terms and conditions as the Authorized Officers or their designees deem appropriate, and that the Board of Directors hereby declares such agreement to be advisable;

RESOLVED, that pursuant to the Merger Agreement and Section 253 of the DGCL, immediately prior to or as of the effective time of the Merger, the Company shall cause the Name Change Subsidiary to merge with and into the Company, with the Company being the surviving corporation (the "Surviving Corporation");

RESOLVED, that each of the Authorized Officers or their designees is hereby authorized and empowered, for and on behalf of the Company, to prepare, execute and file a Certificate of Ownership and Merger pursuant to Section 253 of the DGCL with the Secretary of State of the State of Delaware and to do all acts and things necessary or proper to effect such Name Change;

RESOLVED, that as of the effective date of the Name Change, the Certificate in effect immediately prior to such date, shall be revised to reflect the Name Change and such certificate shall be the Certificate of Incorporation of the Surviving Corporation;

RESOLVED, that each of the Authorized Officers or their designees is hereby authorized and empowered, for and on behalf of the Company, to take all such other actions (i) seeking all requisite consents and approvals, if any, and taking such actions, if any, as are necessary or advisable to comply with the requirements of federal, state, and foreign laws or regulations, (ii) retaining such advisors, consultants and agents (including, but not limited to, stock transfer agents) as any of said officers, may deem necessary or advisable, and (iii) executing and delivering all agreements, undertakings, obligations, financing arrangements, instruments and other documents and taking such action as such officers, or any of them, consider necessary or advisable, in each case in order to effectuate the foregoing resolutions and to carry out the intent and purposes thereof or otherwise to effectuate any of the transactions contemplated by the foregoing resolutions; and

RESOLVED, that any and all actions heretofore taken by any officer of the Company in connection with the Merger Agreements, Related Documents and the transactions contemplated thereby are hereby ratified and approved.

EXHIBIT A

GRANTEES ADDRESS: Attn: Philip E. Hammel, Allied Signal
2950 Red Hill Costa Mesa, CA 92626

STATE OF SOUTH CAROLINA)

TITLE TO REAL ESTATE

COUNTY OF GREENVILLE)

KNOW ALL MEN BY THESE PRESENTS, that **AVCO CORPORATION**, in consideration of Ten and no/100 (\$10.00) Dollars and other valuable consideration, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto **ALLIEDSIGNAL INC.**, its successors and assigns, forever:

All that certain piece, parcel or tract of land situate, lying and being in the County of Greenville, State of South Carolina, bounded now or formerly as follows: Northwest by lands of Nall, T.O.W. Partnership, Cunningham and Brockman; Northeast by lands of Greenville County, LWT Realty Co., and Old Buncombe Road; Southwest by lands of W. P. Dillard; and Northwest by Beaco Road; said land being shown and designated as Tract 2 containing 37.596 acres according to plat of survey entitled "Avco Corporation" by Dalton and Neves Co., Engineers, dated June 1981 and having, according to said survey, the following metes and bounds, to-wit:

STATE 14730.20
MAY 18 1998
COUNTY 6235.70

BEGINNING at an iron pin on the southwestern side of Old Buncombe Road at the corner of lands now or formerly of W. P. Dillard and running thence with the line of said lands S. 34-53 W. 390.47 feet to an iron pin; thence S. 70-10 W. 672.15 feet to an iron pin; thence S. 69-20 W. 499.05 feet to an iron pin; thence S. 85-58 W. 1,080.21 feet to an iron pin on the northeastern side of Beaco Road; thence with the northeastern side of Beaco Road N. 5-57 E. 678.44 feet to an iron pin; thence leaving said Road and running with the line of lands now or formerly of Nall, T.O.W. Partnership, Cunningham and Brockman, the following courses and distances: N. 60-43 E. 512.93 feet to an iron pin; N. 61-55 E. 149.99 feet to an iron pin; N. 62-00 E. 249.68 feet to an iron pin; N. 28-31 W. 25.32 feet to an iron pin and N. 61-22 E. 340.85 feet to an iron pin in the line of lands designated on said plat as Tract 1; thence with the line of said lands S. 49-59 E. 843.06 feet to an iron pin in the line of lands now or formerly of LWT Realty Co.; thence with the line of said lands, S. 34-54 W. 80 feet to an iron pin, S. 53-29 E. 325.34

39766

244-46-3-6.4

feet to an iron pin, N. 70-07 E. 120.25 feet to an iron pin, and N. 34-51 E. 396.17 feet to an iron pin on the southwestern side of Old Buncombe Road; thence with the southwestern side of said Old Buncombe Road, S. 33-24 E. 75.32 feet to an iron pin, the point of beginning.

ALSO: All right, title and interest of the Grantor, if any, in and to the property lying between the southwestern right of way and the center line of Old Buncombe Road and between the southeastern right of way and the center line of Beaco Road where the above described property fronts on said roads.

This conveyance is subject to all restrictions, set back lines, roadways, zoning ordinances, easements and rights-of-way, if any, affecting the above-described property.

This is the identical property conveyed to the grantor by Threatt Enterprises, Inc. by deed dated July 30, 1981, recorded July 31, 1981 in Deed Book 1152 at page 728 in the RMC Office for Greenville County.

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee's(s') heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor's(s') heirs or successors, assigns, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee's(s') heirs or successors and assigns against the grantor and its successors and assigns.

WITNESS the grantor's hand and seal this 28th day of October, 1994.

SIGNED, sealed and delivered
in the presence of:

Bilchaj K. Manicki
Nancy K. Cassidy

AVCO CORPORATION

(SEAL)

By: R. D. Smith

Its: Executive Vice President

STATE OF *Rhode Island*)
COUNTY OF *Providence*)

PROBATE

Personally appeared the undersigned witness and made oath that (s)he saw the within named grantor sign, seal and as the grantor's act and deed, deliver the within written deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this
28 day of October, 1994.

Nancy K. Cassidy
(WITNESS)

Barbara Coughlan (SEAL)
Notary Public for

My Commission Expires: *August 17, 1995*

BOOK 1762 PAGE 874

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

I read the information on this affidavit and I understand such information.

The property was transferred by AVCO CORPORATION
ALLIED SIGNAL INC.

Is one of the following: The deed is

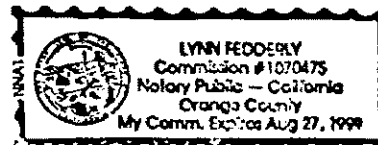
- (A) ☒ SUBJECT to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth in the amount of \$5,667,000
- (B) ☐ SUBJECT to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary. The fee is computed on the fair market value of the realty which is _____
- (C) ☐ EXEMPT from the deed recording fee because (See Exemptions on back)

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: DIRECTOR, ALLIED SIGNAL REAL ESTATE DEPT.

I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than _____ dollars or imprisoned not more than one year, or both,

[Signature]
Responsible Person Connected with the Transaction

Went to before me this 2ND
day of April 1998
[Signature]
Notary Public for STATE OF CALIFORNIA
My Commission Expires: 8/27/99



FILED FOR RECORD IN GREENVILLE
COUNTY SC R.O.D. OFFICE AT 02:39 PM
05/18/98 RECORDED IN DEED
BOOK 1762 PAGE 0871
DOC # 98039766

Judy A. Hiv



2020052051

6 Pgs

DEED Book: DE 2597 Page: 5371 - 5376

July 8, 2020 04:36:14 PM Cons: \$1.00

Rec: \$15.00 Cnty Tax: EXEMPT State Tax: EXEMPT

E-FILED IN GREENVILLE COUNTY, SC

Timothy J. Hanney

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

TITLE TO REAL ESTATE
(LIMITED WARRANTY DEED)

KNOW ALL MEN BY THESE PRESENTS, that Greenville County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina (hereinafter referred to as the "Grantor") in the State aforesaid, for and in consideration of One and No/100 Dollars (\$1.00) to the Grantor paid by Honeywell International Inc., a Delaware corporation, successor by merger and name change to AlliedSignal Inc., a Delaware corporation, whose mailing address is 300 South Tryon Street, Charlotte, NC 28202 (hereinafter referred to as the "Grantee") has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the Grantee, the real estate (the "Premises") described as follows:

SEE SCHEDULE A ATTACHED HERETO

AND INCORPORATED HEREIN

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Premises belonging or in any way incident or appertaining thereto, including but not limited to all improvements of any nature located on the Premises and all easements and rights-of-way appurtenant to the Premises.

TO HAVE AND TO HOLD all and singular the Premises unto the Grantee, its successors and assigns forever.

And the Grantor does hereby bind itself, its successors, executors, Administrators and

Lawful Representatives, to warrant and forever defend all and singular the Premises unto the Grantee, its successors and assigns, against the Grantor and against the Grantor's successors and assigns.

WITNESS the Grantor's hand and seal this 19th day of June, 2020.

Signed, sealed and delivered
in the presence of:

Gg McLascel
Camela S. Williams
Gg McLascel
Camela S. Williams

GREENVILLE COUNTY

Herman G. Kirven, Jr.
Herman G. Kirven, Jr., Chairman
Greenville County Council

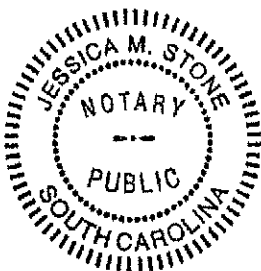
Joseph M. Kernell
Joseph M. Kernell
Greenville County Administrator

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

ACNOWLEDGEMENT

I, Notary Public for South Carolina, do hereby certify that Herman G. Kirven, Jr., as Chairman of Greenville County Council and Joseph M. Kernell, as Greenville County Administrator, appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 19th day of JUNE, 2020.



Jessica M. Stone
Notary Public for South Carolina

Print Name: JESSICA M. STONE

My commission expires: 02/13/2025

My Commission Expires
February 13, 2025

Schedule A
To
Limited Warranty Deed

ALL that certain piece, parcel or lot of land situate, lying and being in the City of Greer, County of Greenville, South Carolina, and being shown on a site plan attached to the Schedule A, entitled "ALLIEDSIGNAL, 85 BEECO ROAD, GREER, SC PROPOSED NEW BUILDING/DRIVE", prepared by Roy Vaughan - Greenville SC; said property labeled on said site plan "New Building" - "New Parking" - "New Drive", and reference thereto is hereby made for a more complete and accurate description.

BEING the same property conveyed to Greenville County, South Carolina by Deed from AlliedSignal Inc., recorded March 2, 1999 in Book 1822, page 294, Greenville County, South Carolina Recorder's Office.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Map No. G006000300608

Grantee's Address for Tax Statements:

Honeywell International Inc.
c/o Altus Group
PO Box 71850
Phoenix, AZ 85050

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

AFFIDAVIT

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

- (1) I have read the information on this affidavit and I understand such information.
- (2) The property being transferred is located at 85 Beeco Rd, Greer, SC, bearing Greenville County Tax Map Number G006000300608 was transferred on July 8, 2020.
- (3) Check one of the following: The deed is
 - a. _____ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - b. _____ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - c. X exempt from the deed recording fee because (see Information section of affidavit): 1.
(If exempt, please skip Items 4-7 and go to Item 8 of this affidavit.)
- (4) Check one of the following if either Item 3.a. or 3.b. above has been checked. (See Information section of this affidavit.)
 - a. _____ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$0.00.
 - b. _____ The fee is computed on the fair market value of the realty which is _____.
 - c. _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
- (5) Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes", the amount of the outstanding balance of this lien or encumbrance is: _____.
- (6) The deed recording fee is computed as follows:
 - a. Place the amount listed in Item 4 above here: \$ _____
 - b. Place the amount listed in Item 5 above here: \$ _____
(If no amount is listed, place zero here.)
 - c. Subtract Line 6.b. from Line 6.a. and place result here. \$ _____
- (7) The deed recording fee due is based on the amount listed on line 6(c) above and the deed recording fee due is: \$ _____.
- (8) As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Attorney.
- (9) I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than \$1,000.00 or imprisoned not more than one year, or both.

SWORN before me this 8th day of
July, 2020.

Notary Public for State of S.C.
My Commission Expires: 10/12/26

Thomas F. Puggs

Responsible Person Connected with the Transaction

Print or Type Name Here John Kehl

INFORMATION

Except as provided in this paragraph, the term "value" means the consideration paid or to be paid in money or money's worth for the realty. Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

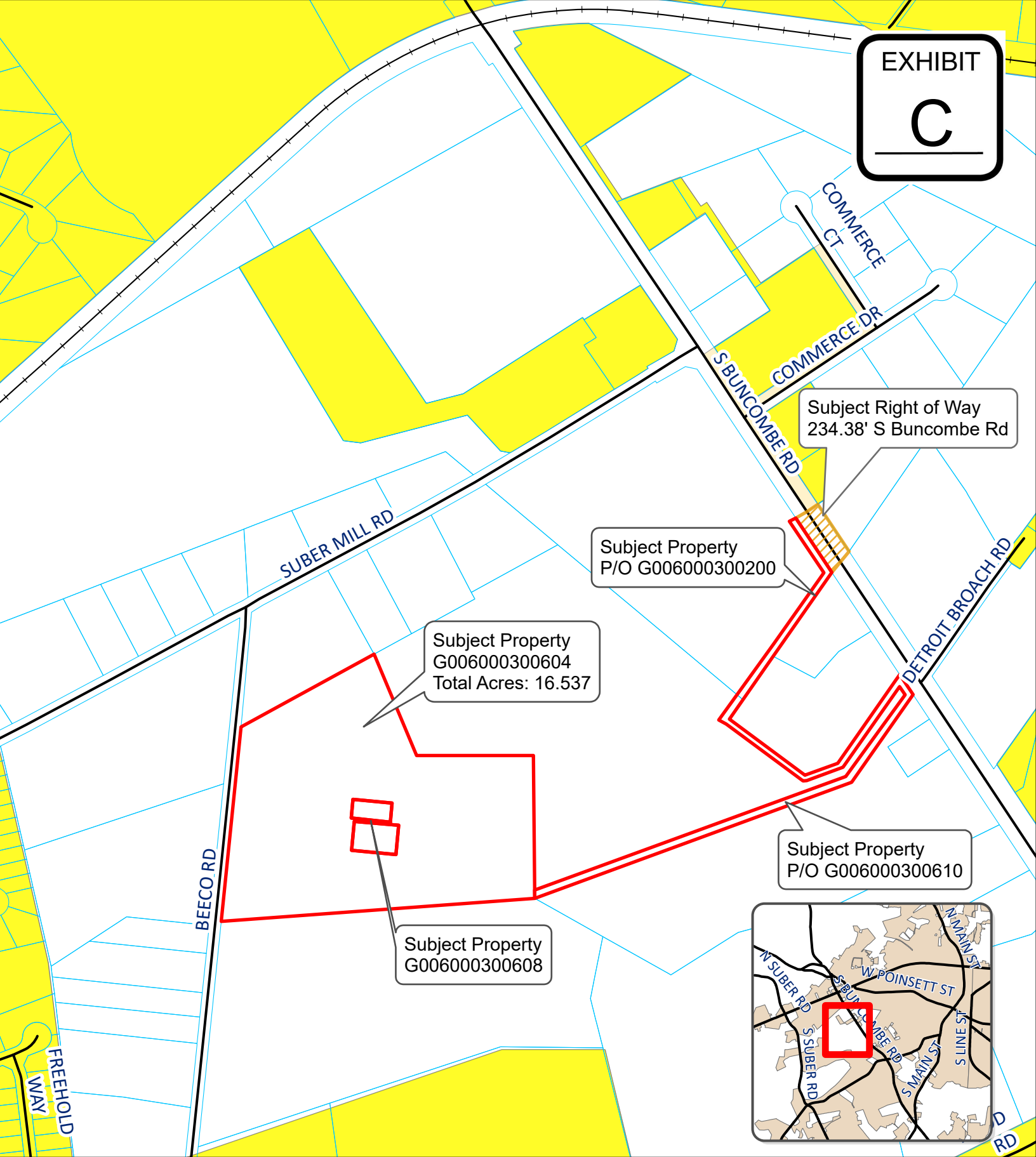
Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than \$100.00;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership; and,
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagee or deed pursuant to foreclosure proceedings.
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty.
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.



EXHIBIT

C



Ordinance 43-2020

The City of Greer Planning/Zoning Department does not guarantee the accuracy or the correctness of this map nor assumes any legal responsibility for the information contained on it. This map is not a legal document. This map is based on the SC State Plane Coordinate System using the 1983 North American Datum. All rights reserved. No part of this map may be reproduced or used in any form or by any means without the expressed written consent of the City of Greer Planning/Zoning Department.

Council Districts

1	4
2	5
3	6

N

0 125 250 375 500 Feet

Streets

Parcels

Right of Way



Petition for Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 85-87 Beeco Rd. and South Buncombe Road, tms# G006000300604; G006000300608; G006000300610, G006000300200 and described on the deeds attached hereto marked as Exhibit A; a recorded copy of the Certificate evidencing the corporate name change of Petitioner/freeholder is attached hereto marked as Exhibit B; The plats and legal description attached hereto marked as Exhibit C, showing property containing approximately 16.537 acres (including right-of-way portion) being tms# G006000300604; G006000300608; p/o G006000300610 and G006000300200; identify that area the area to be annexed more particularly, and such area is incorporated by reference as a description of the area to be annexed. By their signatures, the freeholders petition the City Council to annex the entire area described and identified in Exhibit C.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing the City Council to annex an area when presented with a petition signed by **one hundred (100%) percent** of the freeholders owning **one hundred (100%) percent** of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated this 9th day of July, 2020 before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

The applicant hereby requests that the property described be zoned to I-1.
Yes ☐ No ☒

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant or restriction that is contrary to, conflicts with, or prohibits the activity described?

Print Name: Honeywell International, Inc.
Signature: James Reilly, VP Global Real Estate
Address: 300 South Tryon Street, Charlotte, NC 28202
Witness: May Shum
Date: July 9, 2020
Parcel Address: _____
Tax Map Number: _____

Print Name: _____
Signature: _____
Address: _____
Witness: _____
Date: _____
Parcel Address: _____
Tax Map Number: _____



AGENDA
GREER CITY COUNCIL
8/11/2020

First Reading of Ordinance Number 44-2020

Summary:

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING REGARDING THE CONVEYANCE OF AN EASEMENT IN CERTAIN REAL PROPERTY IN THE CITY OF GREER (Action Required)
Mike Sell, Deputy City Administrator

ATTACHMENTS:

Description	Upload Date	Type
❑ Ordinance Number 44-2020	8/6/2020	Ordinance
❑ Ord 44-2020 Exhibit A Memorandum of Understanding	8/6/2020	Exhibit
❑ Ord 44-2020 Exhibit A Map	8/6/2020	Exhibit

ORDINANCE NUMBER 44-2020

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING REGARDING THE CONVEYANCE OF AN EASEMENT IN CERTAIN REAL PROPERTY IN THE CITY OF GREER

WHEREAS, the City of Greer owns certain real property that contains 49.5 acres, more or less, as identified by Greenville County Tax Map Nos. 0536.01.01-044.02 and 0536.01.01-060.01 located within the city limits of Greer, County of Greenville (hereinafter the "Property"); and,

WHEREAS, the Property contains an existing sewer line owned and maintained by Greer CPW; and,

WHEREAS, South Tyger River Properties, LLC intends to purchase certain real property adjacent to the Property, and upon completion of this purchase, desires to obtain from the City of Greer a sewer easement and a temporary construction easement across the Property for the construction of a new sewer line that connects to the existing sewer line on the Property; and,

WHEREAS, South Tyger River Properties, LLC desires to obtain the City of Greer's commitment to allow said easement across its Property before purchasing the adjacent tract; and,

WHEREAS, the Memorandum of Understanding ("MOU") attached hereto as Exhibit "A" provides the City of Greer's promise to allow such easement across its Property according to the terms set forth therein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Greer, that the Mayor of the City is hereby authorized to execute the MOU attached hereto

as Exhibit "A," which commits the City of Greer to provide a sewer easement and a temporary construction easement over and through its Property pursuant to the terms set forth in the MOU.

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: _____

First Reading: August 11, 2020

Second Reading: August 25, 2020

Approved as to form: _____

Daniel R. Hughes
City Attorney

Exhibit A

STATE OF SOUTH CAROLINA)

) MEMORANDUM OF UNDERSTANDING

COUNTY OF GREENVILLE)

WHEREAS, South Tyger Properties, LLC (“Developer”) or assigns, intends to purchase from Samuel Judson Tapp, Jr. approximately 33.2 acres (Greenville County Block Map # 0536.01.01-036.00 on Highway 14, Greer SC, (the “STP Tract”); and,

WHEREAS, there is an existing CPW sewer line on the lands of The City of Greer that contains approximately 49.5 acres (Greenville County Block Map # 0536.01.01-044.02 and 0536.01.01-060.01), which lands are shown on attached Exhibit A of “CPW Sanitary Sewer”; and,

WHEREAS, Developer desires to obtain from The City of Greer a sewer easement and a temporary construction easement to reach the existing sewer line on The City of Greer tract for the purpose of connecting a new sewer line that will serve the STP Tract; and,

WHEREAS, the exact location and description of the desired sewer easement cannot be known until the civil engineer working with CPW prepares the appropriate plans. Developer desires for the general location of the desired sewer easement to be on the portion of The City of Greer Tract where the existing sewer line shown on Exhibit A is already in place. The City of Greer desires to grant the Easement, but without disturbing existing Improved Areas. The sewer route and construction will be designed as direct as possible and approved by CPW and the City of Greer.

THEREFORE KNOW ALL MEN BY THESE PRESENTS that the parties have, in consideration of Ten and NO/100 (\$10.00) in hand paid to The City of Greer by Developer, agreed as follows:

1. If and when Developer purchases the STP Tract, The City of Greer shall grant to Developer and or CPW, their successors and assigns, a permanent and perpetual sewer easement in recordable form for the installation, operation, and maintenance of a sanitary sewer line, free from any competing liens and or encumbrances save for those acceptable to Developer and CPW, subject to the City's approval and in all respects conforming to CPW requirements once the precise easement location and specifications are determined by CPW (the "CPW Easement").
2. If and after Developer purchases the STP Tract, and easement documents are prepared, The City of Greer will execute the sewer easement described above in paragraph number one (1) which will be after final plans and approval by CPW

occur; is conditioned upon completion of purchase of the STP Tract by Developer in any case; and, conditioned upon the City of Greer's approval of the location of the Easement and the Developer's agreement to return the City's property to its pre-construction condition.

3. The easement contemplated herein is subject to approval by Greer City Council by ordinance.

[Signature Page Follows]

WITNESS the parties hands and seals this _____ day of _____, 2020.

WITNESS:

Witness #1 to The City of Greer

City of Greer

Witness #2 to The City of Greer

Witness #1 to STP

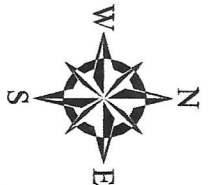
South Tyger Properties, LLC
By: David C. Richey, Sole Member

Witness #2 to STP



Greer Commission of Public Works Disclaimer

Information developed by Greer Commission of Public Works for owner use. Distribution of such data to the public is done as a service. GCPW makes no representations, warranties, expressed or implied, concerning the accuracy, completeness, or suitability of this data for purposes desired by the recipient of this information. By receipt of and acceptance of data, the recipient agrees that GCPW shall have no liability in connection with the use of this information



Category Number: IX.
Item Number: G.



AGENDA
GREER CITY COUNCIL
8/11/2020

First and Final Reading of Resolution Number 24-2020

Summary:

A RESOLUTION CERTIFYING CERTAIN REAL PROPERTIES IN THE CITY OF GREER AS AN ABANDONED BUILDING SITE (Action Required)
Reno Deaton, Executive Director of Greer Development Corporation

ATTACHMENTS:

Description	Upload Date	Type
☐ Resolution Number 24-2020 and Exhibit A Property Desc.	8/7/2020	Resolution
☐ Res 24-2020 Exhibit B Affidavits	8/7/2020	Exhibit

RESOLUTION NUMBER 24-2020

A RESOLUTION CERTIFYING CERTAIN REAL PROPERTIES IN THE CITY OF GREER AS ABANDONED BUILDING SITES

WHEREAS, the City of Greer, South Carolina (“City”), acting by and through its City Council (“Council”), is authorized and empowered to certify a piece of real property as an “abandoned building site” by binding resolution of the governing body of the City pursuant to Title 12, Chapter 67 of the Code of Laws of South Carolina 1976, as amended (“Act”); and

WHEREAS, Section 12-67-120(1) of the Act provides that an “abandoned building” means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space of which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a “Notice of Intent to Rehabilitate”;

WHEREAS, Section 12-67-120(2) of the Act provides that a “building site” means the abandoned building together with the parcel of land upon which it is located, and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building’s income producing use;

WHEREAS, Greer Partners, LLC owns property located at 204 N. Main Street and further identified as “Tract 1 and Tract 2, containing 0.70 acres, with two buildings situated thereon having an aggregate of 11,040 square feet (7,220 and 3,820 square feet, respectively) bearing Greenville County Tax Map No. G029.00-11-015.00 and being more particularly described on Exhibit “A” attached to this Resolution (“204 Main”);

WHEREAS, Greer Partners, LLC owns property located at 217 Cannon Street and further identified as “Tract 8 and Tract 10, containing 1.65 acres with two buildings containing an aggregate of 11,041 square feet bearing Greenville County Tax Map No. G029.00-11-012.00 being more particularly described on Exhibit “A” attached to this Resolution (“217 Cannon”);

WHEREAS, Greer Partners, LLC owns property located at 208 N. Main Street and further identified as “Tract 12, containing 0.00 acres with one building containing 6,625 square feet bearing Greenville County Tax Map No. G029.00-11-016.00 being more particularly described on Exhibit “A” attached to this Resolution (“208 Main”);

WHEREAS, Pamela S. Durham owns property located at 231 Cannon Street and further identified as “Tract 4 and Tract 5, containing 0.425 acres with two buildings containing an aggregate of 4,329 square feet bearing Greenville County Tax Map No. G029.00-11-018.00 and being more particularly described on Exhibit “A” attached to this Resolution (“231 Cannon”);

WHEREAS, Oscar P. Marines and Veronica C. Perez own property located at 227 Cannon Street and further identified as “Tract 6, containing 0.285 acres with one building containing 1,400 square feet bearing Greenville County Tax Map No. G029.00-11-029.00 and being more particularly described on Exhibit “A” attached to this Resolution (“227 Cannon”);

WHEREAS, Christopher G. Vandenberghe and Denise B. Vandenberghe own property located at 221 Cannon Street and further identified as “Tract 7 and Tract 9, containing 0.499 acre with two buildings containing an aggregate of 7,726 square feet bearing Greenville County Tax Map No. G029.00-11-028.00 and being more particularly described on Exhibit “A” attached to this Resolution (“221 Cannon,” and together, with 204 Main, 217 Cannon, 208 Main, 231 Cannon, and 227 Cannon, each, “Property,” collectively, “Properties”);

WHEREAS, Park View (Greer), LLC (“Applicant”) seeks to receive the tax credits afforded by the Act, and is planning to file with the South Carolina Department of Revenue 10 Notices of Intent to Rehabilitate the building sites located on the Properties within the meaning of Section 12-67-120(7) of the Act with an anticipated development budget of approximately \$34,500,000;

WHEREAS, Applicant plans to purchase the Properties from the various owners and Applicant has provided the City with an affidavit from each owner of the Properties (collectively, “Affidavits”) regarding the ownership and abandonment of each of the Properties, copies of which Affidavits are attached to this Resolution as Exhibit “B”;

WHEREAS, in accordance with Section 12-67-160 of the Act, the Applicant has requested the City determine the eligibility of each of the Properties as an “abandoned building site” and its compliance with the Act as a “building site.”

NOW, THEREFORE, BASED SOLELY ON THE INFORMATION PROVIDED BY THE APPLICANT, WITHOUT THE CITY’S HAVING MADE ANY INDEPENDENT INVESTIGATION OF THE SAME, BE IT RESOLVED by the Mayor and Members of Council of the City of Greer, in Council Assembled that:

Section 1. Each abandoned building site located on each Property is an “abandoned building” as defined pursuant to Section 12-67-120(1) of the Act.

Section 2. Each Property qualifies as a “building site” as defined pursuant to Section 12-67-120(2) of the Act.

[ONE SIGNATURE PAGE AND TWO COMPOSITE EXHIBITS FOLLOW]
[REMAINDER OF PAGE INTENTIONALLY BLANK]

Adopted: August 11, 2020.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

[SEAL]
ATTEST:

Tammela Duncan, Municipal Clerk

APPROVED AS TO FORM:

Michael E. Kozlarek, Esq.
Kozlarek Law LLC

EXHIBIT A
PROPERTY DESCRIPTIONS

204 Main

All that piece, parcel or lot of land, with any improvements thereon or to be constructed thereon, situate, lying and being in the State of South Carolina, County of Greenville, and being shown as 0.71 acre in a survey for Kinds Tires, dated March 15, 2004 by Chapman Surveying Company, Inc. recorded in the Office of the Register of Deeds for Greenville County in Plat Book 48-F at Page 41.

208 Main

All that piece, parcel or lot of land, with any improvements thereon, situated on the east side of North Main Street in the City of Greer, Chick Springs Township, Greenville County, State of South Carolina, and being a portion of the Hattie Cannon Glenn Estate as shown on the plat thereof recorded in Plat Book FF at page 267 in the Office of the Register of Deeds for Greenville County.

217 Cannon

All that piece, parcel or lot of land in Greenville County, State of South Carolina on the N.W. side of Cannon Street in the City of Greer, known as and designated as Lot No. 3 of the David Cannon Estate Property as shown on plat of same recorded in the Office of the Register of Deeds for Greenville County in Plat Book F at Page 249.

221 Cannon

All that piece, parcel or lot of land, with any improvements thereon, situate, lying and being in the State of South Carolina, County of Greenville, City of Greer, being shown and designated as a 0.499 acre parcel on a survey entitled "Survey for Denise Vandenberghe", prepared by Chapman Surveying Partners, LLC dated April 5, 2017, recorded in the Office of the Register of Deeds for Greenville County in Plat Book 1267 at Page 0057.

227 Cannon

All that piece, parcel or lot of land, with any improvements thereon, situate, lying and being in the State of South Carolina, County of Greenville, City of Greer being shown as containing 0.2852 acre, more or less, on a plat entitled "Estate of Vernon L. Duncan" dated February 20, 1991 and prepared by Kermit T. Gould, Registered Surveyor, filed December 27, 1991 in Plat Book 21-P at Page 35.

231 Cannon

All that piece, parcel or lot of land in the State of South Carolina, County of Greenville in the City of Greer in Chick Springs Township, being on the west side of Cannon Street and being shown and delineated on a plat entitled "The M.E. Clement Estate" by Lindsey & Associates dated June 29, 1983 and recorded in the Office of the Register of Deeds for Greenville County in Plat Book 9-B at Page 97.

EXHIBIT B
AFFIDAVITS


[ATTACHED]

Regarding TMS Numbers **G29.10-11-012.00**
G29.10-11-012.01, G29.10-11-013.00, G29.10-11-
015.00, and G29.10-11-016.00

APPEARED before me the undersigned, who being duly sworn, swears and states:

1. My name is Gable D. Stubbs, and I am the President of Greer Partners, LLC ("Greer Partners").
2. I am 18 years of age or older, am of sound mind and body, and personally aware of the information contained in this Affidavit.
3. I swear and affirm the following:
 - A. Greer Partners is the current owner of land and buildings located at the TMS Numbers referenced above ("Property");
 - B. The Property is under contract to be sold to Greer Partners to Park View (Greer), LLC ("Developer").
 - C. At least sixty-six percent (66%) of the space has not been used continuously for business and has been otherwise nonoperational for income producing purposes for a period of at least five (5) years.
4. I intend for the City of Greer, South Carolina, to rely on this Affidavit in making a determination as provided in South Carolina Code Annotated section 12-67-100, *et seq.*, as amended.

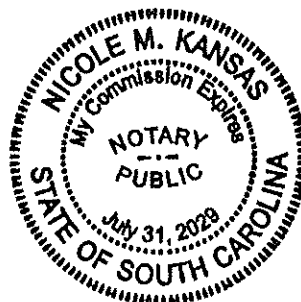
Further Affiant sayeth not.


Gable D. Stubbs, President of Greer Partners, LLC

November 21, 2019

SWORN to and subscribed before me
November 21, 2019

Notary Public for South Carolina
My Commission Expires: July 31, 2029



SOUTH CAROLINA

GREENVILLE COUNTY

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Regarding TMS Number **G29.10-11-028.00**

AFFIDAVIT REGARDING ABANDONED BUILDING STATUS

APPEARED before me the undersigned, who being duly sworn, swears and states:

1. My name is Denise B. Vandenberghe ("Seller").
2. I am 18 years of age or older, am of sound mind and body, and personally aware of the information contained in this Affidavit.
3. I swear and affirm the following:
 - A. Seller is the current owner of the land and buildings located at the TMS Number referenced above ("Property");
 - B. The Property is under contract to be sold to Park View (Greer), LLC ("Developer").
 - C. At least sixty-six percent (66%) of the space within the buildings on the Property has not been used continuously for business and has been otherwise nonoperational for income producing purposes for a period of at least five (5) years.
4. I intend for the City of Greer, South Carolina, to rely on this Affidavit in making a determination as provided in South Carolina Code Annotated section 12-67-100, *et seq.*, as amended.

Further Affiant sayeth not.

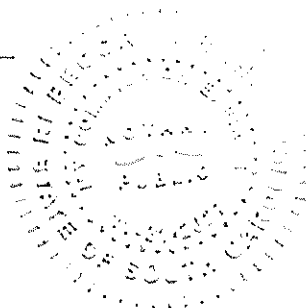
Denise B. Vandenberghe
Denise B. Vandenberghe

November 20th, 2019

SWORN to and subscribed before me

November 20, 2019

Robert H. Hadden
Notary Public for South Carolina
My Commission Expires: 11-21-27



SOUTH CAROLINA

GREENVILLE COUNTY

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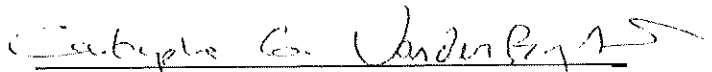
Regarding TMS Number G29.10-11-028.00

AFFIDAVIT REGARDING ABANDONED BUILDING STATUS

APPEARED before me the undersigned, who being duly sworn, swears and states:

1. My name is Christopher G. Vandenberghe ("Seller").
2. I am 18 years of age or older, am of sound mind and body, and personally aware of the information contained in this Affidavit.
3. I swear and affirm the following:
 - A. Seller is the current owner of the land and buildings located at the TMS Number referenced above ("Property");
 - B. The Property is under contract to be sold to Park View (Greer), LLC ("Developer").
 - C. At least sixty-six percent (66%) of the space within the buildings on the Property has not been used continuously for business and has been otherwise nonoperational for income producing purposes for a period of at least five (5) years.
4. I intend for the City of Greer, South Carolina, to rely on this Affidavit in making a determination as provided in South Carolina Code Annotated section 12-67-100, *et seq.*, as amended.

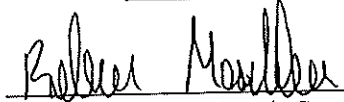
Further Affiant sayeth not.

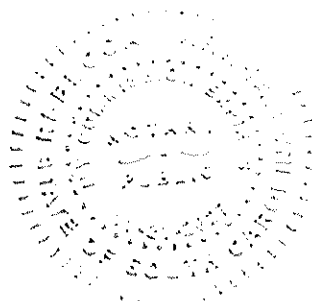

Christopher G. Vandenberghe

November 20, 2019

SWORN to and subscribed before me

November 20, 2019


Notary Public for South Carolina
My Commission Expires: 11-21-27



SOUTH CAROLINA)
GREENVILLE COUNTY)

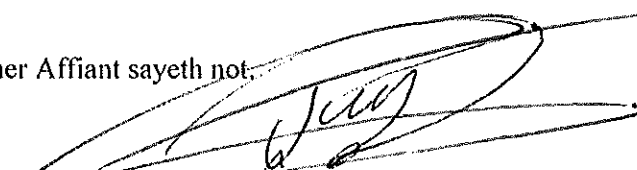
Regarding TMS Number **G29.10-11-029.00**

AFFIDAVIT REGARDING ABANDONED BUILDING STATUS

APPEARED before me the undersigned, who being duly sworn, swears and states:

1. My name is Oscar Pedro Marines ("Seller").
2. I am 18 years of age or older, am of sound mind and body, and personally aware of the information contained in this Affidavit.
3. I swear and affirm the following:
 - A. Seller is the current owner of the land and buildings located at the TMS Number referenced above ("Property");
 - B. The Property is under contract to be sold to Park View (Greer), LLC ("Developer").
 - C. At least sixty-six percent (66%) of the space within the buildings on the Property has not been used continuously for business and has been otherwise nonoperational for income producing purposes for a period of at least five (5) years.
4. I intend for the City of Greer, South Carolina, to rely on this Affidavit in making a determination as provided in South Carolina Code Annotated section 12-67-100, *et seq.*, as amended.

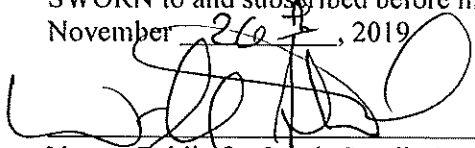
Further Affiant sayeth not.



Oscar Pedro Marines

November 26, 2019

SWORN to and subscribed before me
November 26, 2019



Notary Public for South Carolina

My Commission Expires: 1/2/23

SOUTH CAROLINA

GREENVILLE COUNTY

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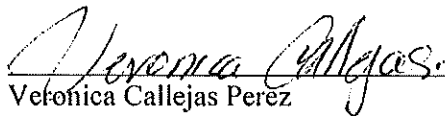
Regarding TMS Number **G29.10-11-029.00**

AFFIDAVIT REGARDING ABANDONED BUILDING STATUS

APPEARED before me the undersigned, who being duly sworn, swears and states:

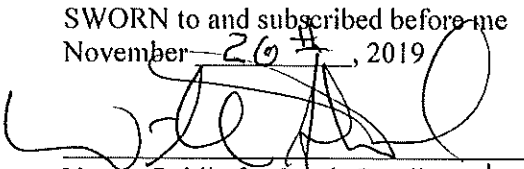
1. My name is Veronica Callejas Perez ("Seller").
2. I am 18 years of age or older, am of sound mind and body, and personally aware of the information contained in this Affidavit.
3. I swear and affirm the following:
 - A. Seller is the current owner of the land and buildings located at the TMS Number referenced above ("Property");
 - B. The Property is under contract to be sold to Park View (Greer), LLC ("Developer").
 - C. At least sixty-six percent (66%) of the space within the buildings on the Property has not been used continuously for business and has been otherwise nonoperational for income producing purposes for a period of at least five (5) years.
4. I intend for the City of Greer, South Carolina, to rely on this Affidavit in making a determination as provided in South Carolina Code Annotated section 12-67-100, *et seq.*, as amended.

Further Affiant sayeth not.


Veronica Callejas Perez

November 26, 2019

SWORN to and subscribed before me
November 26, 2019


Notary Public for South Carolina
My Commission Expires: 1/2/23