ORDINANCE NUMBER 24-2017

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY MARSCO, LLC LOCATED ON INGLESBY STREET BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY

WHEREAS, Marsco, LLC is the owner of property located on Inglesby Street more particularly described on the legal description attached hereto marked as Exhibit A, the plat attached hereto marked as Exhibit B, the map attached hereto marked as Greenville County Parcel Number G008002100101 containing approximately 0.24 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0361E attached hereto marked as Exhibit D; and

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

WHEREAS, Marsco, LLC has petitioned the City of Greer to annex their property by one-hundred percent (100%) petition; 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 DRD (Design Review 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 0.24 +/- acres of property shown in red on the attached map owned by Marsco, LLC located on Inglesby Street more particularly described on the attached map as Greenville County Parcel Number G008002100101 is hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced property shall be zoned DRD (Design Review 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 3 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 45045C0361E.

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

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

[Signature]

Richard W. Danner, Mayor

**ATTEST:**

[Signature]

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Wryley Bettis
First Reading: July 11, 2017
Second and Final Reading: August 8, 2017

Approved as to Form:

John B. Duggan, City Attorney
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  

KNOW ALL MEN BY THESE PRESENTS, that W. SCOTT VAN STEENBURGH AND MARSHA F. VAN STEENBURGH in consideration of One Dollar ($1.00) the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto, MARSCO, LLC, its successors and assigns forever:

THE PROPERTY DESCRIBED ON EXHIBIT ‘A’  
ATTACHED HERETO AND MADE A PART HEREOF.

Grantee’s Address: 9 Mauldin Circle, Greenville, SC 29609

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 to 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, 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 against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantor’s(s’) hand(s) and seal(s) this 5th day of February, 2016.

SIGNED, sealed and delivered in the presence of:

W. Scott Van Steenburgh

Marsha F. Van Steenburgh

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  

ACKNOWLEDGEMENT

Personally appeared before me, W. Scott Van Steenburgh and Marsha F. Van Steenburgh who acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 5th day of February, 2016.

Notary Public for South Carolina
My commission expires: 1/20/2026
EXHIBIT A

The conveyance of the following parcels is subject to all restrictions, setback lines, roadways, zoning ordinances, easements and rights-of-way, if any, affecting the above-described property.

**PARCEL A:** Greenville County Tax Map No.: 0148.00-02-005.05

ALL that certain piece, parcel, or lot of land, with any and all improvements thereon, being known and designated as Lot 3 on plat of Cone Heights as prepared by W. R. Williams, Jr., RLS, dated March 25, 1991, recorded in Plat Book 19-T, Page 49, and having the metes and bounds as shown thereon.

DERIVATION: This being the same property conveyed to Grantor herein by deed of Cone Heights, Inc. as recorded in the ROD Office for Greenville County, South Carolina, in Deed Book 2481, Page 471 on February 23, 2016.

**PARCEL B:** Greenville County Tax Map No.: G008.00-21-011.00 and G008.00-21-001.01

ALL those pieces, parcels, or lots of land, situate, lying and being in Greenville County, Stat of South Carolina, being known and designated as Lot 84 and 0.24 acres, more or less, as shown on plat entitled “Property of Victor Monaghan Co. Greer Plant” recorded in the ROD Office for Greenville County, South Carolina, in Plat Book HH, Page 93-A, reference being made to said plat for a metes and bounds description thereof.

DERIVATION: This being the same property conveyed to Grantor herein by deed of Joshua David Johnston as recorded in the ROD Office for Greenville County, South Carolina, in Deed Book 2481, Page 4571, on February 5, 2016.

**PARCEL C:** Greenville County Tax Map No.: P039.01-01-025.00

ALL that certain piece, parcel or lot of land with all improvements thereon, situate, lying and being located in the County of Greenville, State of South Carolina, being shown and designated as Lot 25, Townes at Cherrydale, as shown on plat prepared by Freeland & Associates, Inc., dated November 3, 2004, and recorded in the ROD Office for Greenville County, South Carolina, in Plat Book 49-D, Page 26, reference being made to said plat for a metes and bounds

DERIVATION: This being the same property conveyed to Grantor herein by deed of Morgan Brantley McCall, n/k/a Morgan M. Rains, as recorded in the ROD Office for Greenville County, South Carolina, in Deed Book 2481, Page 4575, on February 5, 2016.
STATE OF SOUTH CAROLINA
COUNTY OF Greenville

Affidavit - Parcel A

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 2001 Old Buncombe Road, Greenville bearing Greenville County Tax Map Number 0148.00-02-005.05, was transferred by W. Scott Van Steenburgh and Marsha F. Van Steenburgh to MARSCO LLC on February 5, 2016

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) _______ exempt from the deed recording fee because (see information section of affidavit): (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 item 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
   (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 one thousand dollars or imprisoned not more than one year, or both.

   ____________________________
   Responsible Person Connected with the Transaction
    Timothy H. Farr

   Print or Type Name Here

   2016012263 DE BK 2482 PG 4077
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 be 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 grantor'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, brothers, sisters, 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 deed in lieu of foreclosure executed by the mortgagor or deed executed 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.
STATE OF SOUTH CAROLINA
COUNTY OF Greenville

Affidavit - Parcel B

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 11 Inglesby Street, Greer, Greenville County Tax Map Number 0008.00-21-001,001,4.000,000.00,7.000,000.00,1.000,000.00. It was transferred by W. Scott Van Steenburgh & Marsha F. Van Steenburgh to MARS CO LLC, on February 5, 2016.

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) #8 exempt from the deed recording fee because (see information section of affidavit): (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 item 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 ____________________.
   (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: ____________________.

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 one thousand dollars or imprisoned not more than one year, or both.

__________________________
Responsible Person Connected with the Transaction
Timothy H. Farr

__________________________
Notary Public
Barbara B. Carpenter
My Commission Expires: June 10, 2023

2016012253 DE BK 2482 PG 4079
STATE OF SOUTH CAROLINA  
COUNTY OF Greenville

Affidavit - Parcel C

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 112 Bankside Lane, Greenville, bearing Greenville County Tax Map Number P039-01-01-02500, was transferred by W. Scott Van Steenburgh & Marsha F. Van Steenburgh to MARSOC LLC on February 5, 2016.

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):

   (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 item 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

   (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 one thousand dollars or imprisoned not more than one year, or both.

   ________________________________
   Timothy H. Farr
   Responsible Person Connected with the Transaction

   ________________________________
   Print or Type Name Here

   SWORN to before me this 23rd day of February, 2016.

   ________________________________
   Barbara C. Glisson
   Notary Public
   Expires: JUNE 10, 2023

   2016012253 DE BK 2482 PG 4080 (LAST PAGE) - AUDITOR'S ENDORSEMENT