ORDINANCE NUMBER 25-2016

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY BCB AND PRB 2, LLC LOCATED AT 327 HAMMETT BRIDGE ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY

WHEREAS, BCB and PRB 2, LLC are the owners of property located at 327 Hammett Bridge Road 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 0535010200500 containing approximately 2.71 +/- 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 four (4) occupants; and

WHEREAS, BCB and PRB 2, 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 following property owned by BCB and PRB 2, LLC located at 327 Hammet Bridge Road more particularly described on the attached map as Greenville County Parcel Number 0535010200500 containing approximately 2.71 +/- acres are hereby annexed into the corporate city limits of the City of Greer.

2. **ANNEXATION OF A PORTION OF HAMMETT BRIDGE ROAD ROADWAY:** All of that portion of Hammett Bridge Road (S-23-94) 322 feet along the edge of the annexed property owned by BCB and PRB 2, LLC defined in Exhibit A and Exhibit B which adjoins said annexed property is also hereby annexed into the corporate limits of the City of Greer effective immediately upon second reading of this ordinance.

3. **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.

4. **FUTURE LAND USE MAP:** The above reference property shall be designated as Residential Land Use 3 Community on the 2010 Future Land Use Map contained within the 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 45045C0361E.

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**

[Signature]

Richard W. Danner, Mayor

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Annexation 327 Hammett Bridge Rd
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ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Jay Arrowood

First Reading: July 26, 2016

Second and Final Reading: September 13, 2016

Approved as to Form:

John B. Duggan, City Attorney
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that We, Dale A. Smith, H. Brent Smith, and Robert A. Smith in the State aforesaid, for and in consideration of the sum of EIGHTY THOUSAND DOLLARS 00/100 ($80,000.00), paid by Robert A. Smith and Teresa Smith, in the State aforesaid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell, and release unto the said Robert A. Smith and Teresa Smith, as joint tenants with rights of survivorship, and not as tenants in common, their successors and assigns forever, All My/Our Entire Interest in and to the following described property, to wit:

All that certain piece, parcel or lots of land, with all improvements thereon or hereinafter constructed thereon, situate, lying and being in the State of South Carolina, County of Greenville, Chick Springs Township, on the Southeast side of Hammett Bridge Road, about two miles from Greer, and having the following metes and bounds, to wit:

BEGINNING at the B.M. Dillard corner and runs thence S. 55.30 E. 272 feet to an iron pin; thence S.43.05 W. 449 feet to a stone corner of tract No. 16; thence N. 31.00 W. 362.5 feet to center of road; thence with said road No. 59-10 E. 99 feet to bend and intersection of another road, being corner of tracts Nos. 8 and 9; thence 57.20 E. 222 feet to the beginning corner, being tract No. 17, and containing Two and Seventy-One One-Hundredths (2.71) acres, more or less.

This is a part of the John G. Greer property as per blueprint by H.S. Brockman, surveyor, under date of September 7, 1937, and being the same land conveyed to us by deed of Mrs. Corrie Greer, Executrix for the John G. Greer Estate under date of February 2, 1938, recorded in the RMC Office for Greenville County in Volume 203 at Page 388.
This being the same property conveyed to the Grantors herein by deed from Dale A. Smith as Trustee under the Will of Evelyn Gladys Hudson Brezeale fbo Herman K. Brezeale, and Dale A. Smith individually, and H. Brent Smith individually, and Robert A. Smith individually by deed dated July 24th, 2003 and recorded in Book 2048 at Page 351 in the Official Records for Greenville County.

This conveyance is made subject to any restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plats or premises.

Tax Map #: 535.1-2-5
Grantee Address: 327 Hammond Bridge Rd, Green, SC 29650

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 Robert A. Smith and Teresa Smith, their successors and assigns, forever, in fee simple, together with every contingent remainder and right of reversion.

AND Grantor does hereby bind its successors and assigns, to warrant and forever defend all and singular the said premises unto the said Robert A. Smith and Teresa Smith, their successors and assigns, forever, in fee simple, together with every contingent remainder and right of reversion against its successors and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

IN WITNESS WHEREOF the undersigned Hand and Seal this 30th day of January, 2006.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Leigh Wyly
1st Witness

H. Brent Smith
2nd Witness

Dale A. Smith, Individually and as Trustee
Under the will of Evelyn Gladys Hudson Brezeale fbo Herman K. Brezeale

By:
H. Brent Smith

Robert A. Smith

STATE 208.00
FEB - 1 2006
COUNTY 88.00
PERSONALLY appeared before me the undersigned witness and made oath that he was present and saw the within Dale A. Smith, H. Brent Smith and Robert A. Smith, sign, seal, and as act and deed, deliver the within Warranty Deed; that deponent with the other witness whose name is subscribed above, witnessed the execution thereof.

SWORN to before me this 30th day of January, 2006.

Notary Public for South Carolina

My Commission Expires 4/19/06

(SEAL)
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 327 Hammett Bridge Road 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 0535010200500 attached hereto marked as Exhibit C containing approximately 2.7 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 16 day of July, 2016 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.

Print Name: Matt Battaglia
Signature: 
Address: 3435 E. Thomas Dr 607
Witness: 
Date: 7-10-16
Parcel Address: 327 Hammett Bridge Road
Tax Map Number: 0535010200500

(See attached Map & Property Description)