ORDINANCE NUMBER 30-2016

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES OWNED BY TRUCK FARM OF GREER LOCATED AT 13745 AND 13755 EAST WADE HAMPTON BLVD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF C-3 (HIGHWAY COMMERCIAL) FOR SAID PROPERTY

WHEREAS, Truck Farm of Greer are the owners of properties located at 13745 and 13755 East Wade Hampton Blvd 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 Spartanburg County Parcel Number 9-03-11-120.00 containing approximately 3.0 +/- acres and Spartanburg County Parcel Number 9-03-11-120.01 containing approximately 2.215 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0354E attached hereto marked as Exhibit D; and

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

WHEREAS, Truck Farm of Greer has petitioned the City of Greer to annex their properties by one-hundred percent (100%) petition; 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 property be zoned C-3 (Highway Commercial); 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 properties owned by Truck Farm of Greer located at 13745 and 13755 East Wade Hampton Blvd more particularly described on the attached map as Spartanburg County Parcel Number 9-03-11-120.00 containing approximately 3.0 +/- acres and Spartanburg County Parcel Number 9-03-11-120.01 containing approximately 2.215 +/- acres are hereby annexed into the corporate city limits of the City of Greer.

2. ZONING ASSIGNMENT: The above referenced properties shall be zoned C-3 (Highway Commercial) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. FUTURE LAND USE MAP: The above referenced properties shall be designated as Transit Oriented District Community on the 2010 Future Land Use Map contained within the 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 45045C0354E.

5. DISTRICT ASSIGNMENT: The above referenced properties shall be assigned to City Council District #2.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

[Signature]
Richard W. Danner, Mayor
ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilwoman Kimberly Bookert
First Reading: September 13, 2016
Second and Final Reading: October 11, 2016

Approved as to Form:

John B. Duggan, City Attorney
KNOW ALL MEN BY THESE PRESENTS, that Grantors, ERB Greenville Limited Liability Company, a South Carolina limited liability company, and MARIE EUDORA MCELRATH, TRUSTEE OF THE DAUGHTER’S TRUST CREATED UNDER PARAGRAPH (5) OF THE LAST WILL AND TESTAMENT OF CLARA E. BLACKWELL, DATED NOVEMBER 24, 1992, in consideration of $850,000.00, the receipt of which is hereby acknowledged, has granted, bargained, sold and released and by those presents does grant, bargain, sell and release unto Truck Farm of Greer, LLC, a South Carolina limited liability company, its successors and assigns, the following described property:

All that certain piece, parcel or lot of land in the state of South Carolina, Beech Springs Township, near the City of Greer, and northeastward therefrom, lying on the southern side of U.S. Highway No. 29, and being shown and designated on a plat of the property of Wm. R. Timmons, Jr., Trustee, prepared by the Carolina Engineering and Surveying Company, dated October 25, 1968, and according to said plat having the following courses and distances, to wit:

Beginning at an iron pin on the south right-of-way of U.S. Highway No. 29, joint front corner of this property and property belonging to Gwinn, and running thence with a common line of this property and property belonging to Gwinn and Lawter, S. 21-38 E. 372.2 feet to a point in the middle of the Hampton Road (iron pin back on the line at 17.5 feet); thence with the center of the Hampton Road the following courses and distances: S. 81-46 W. 168.0 feet to a point, S. 85-39 W. 229.7 feet to a point and S. 89-10 W. 61 feet to a point on the line of other property now or formerly belonging to Blackwell Bros. & Stewart, Inc.; thence with a line now or formerly of Blackwell Bros. & Stewart, Inc., N. 13-20 W. (passing an iron pin at 24 feet) 304.3 feet to an iron pin on the southern right-of-way of U.S. Highway No. 29; thence with the said right-of-way N. 76-40 E. 400 feet to the beginning corner.

Grantee’s Address: Truck Farm of Greer, LLC, 4803 Calhoun Memorial Hwy., Easley, South Carolina 29640

TMS No: 9-03-11-120.00

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 Grantee’s heirs or successors and assigns, forever. And, the Grantors do hereby bind Grantors and the Grantors’ heirs or successors and assigns to warrant and forever defend all and singular said premises unto the Grantee and the Grantee’s heirs, successors and assigns against the lawful claim of any person claiming by, through or under the Grantors and the Grantors’ heirs, successors and assigns.

WITNESS the Grantors hands and seals, this 18th day of February, 2016.

SIGNED, sealed and delivered in the presence of:

Witness #1

Witness #2 (notary)

ERB Greenville Limited Liability Company

Ellen R. Blackwell, sole member

SIGNED, sealed and delivered in the presence of:

Witness #1

Witness #2 (notary)

MARIE EUDORA MCELRATH, TRUSTEE OF THE DAUGHTER'S TRUST CREATED UNDER PARAGRAPH (5) OF THE LAST WILL AND TESTAMENT OF CLARA E. BLACKWELL, DATED NOVEMBER 24, 1992
Grantee’s Address: 4803 Calhoun Memorial Highway, Easley, SC 29640

STATE OF SOUTH CAROLINA  )
COUNTY OF SPARTANBURG  )

KNOW ALL MEN BY THESE PRESENTS, that ROBERT H. SELF (hereinafter "Grantor") in consideration of Eight Hundred Fifty Thousand and 00/100 ($850,000.00) Dollars, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto TRUCK FARM OF GREER, LLC, a South Carolina limited liability company (hereinafter "Grantee"), its successors and assigns forever:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

This conveyance is made subject to all easements, conditions, covenants, restrictions and rights-of-way which are a matter of public record and/or actually existing upon the grounds affecting the above-described property.

Spartanburg County Tax Map Nos. 9-03-11-120.01 and 9-03-11-120.02

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 successors and assigns, forever. And, the Grantor does hereby bind the Grantor and the Grantor’s heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the Grantee and the Grantor’s successors and assigns against the Grantor and the Grantor’s heirs or successors and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the Grantor’s hand(s) and seal(s) this the 25th day of November, 2015.

SIGNED, sealed and delivered
in the presence of:

[Signatures]

Robert H. Self
STATE OF SOUTH CAROLINA  )
COUNTY OF GREENVILLE  )

PROBATE

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

SWORN to before me this the 25th day of November, 2015.

D Sean Faulkner
Witness is not a party to or a beneficiary of the transaction.

Jennifer Oliver
Notary Public for South Carolina
My commission expires: 9/5/22
Exhibit A

All that certain piece, parcel or lot of land situate, lying and being in Spartanburg County, South Carolina, and consisting of 1.21 acres, fronting on Wade Hampton Boulevard, depicted on a plat of survey for Robert H. Self and Joyce Traynham Self prepared by Carolina Surveying company dated September 18, 1976 and being more fully described, according to said plat as follows:

Beginning at an iron pin at the joint corner of this property and property now or formally of William R. Timmons, Jr. as Trustee for William R. Timmons, Jr., William M. Webster, Jr. and Walter W. Goldsmith, said iron pin being located 468.5 feet, N. 76-26 E. from the intersection of Wade Hampton Boulevard and Dobson Road and running thence with Wade Hampton Boulevard N. 76-26 E. 188.7 feet to an iron pin; thence S. 13-20 E. 280.3 feet to an iron pin on the northern side of Hampton Road; thence continuing S. 13-20 E. 24 feet to a point in the center of Hampton Road; thence with the center line of Hampton Road N. 89-10 W. 194.6 feet to a point; thence N. 13-20 W. 25 feet to an iron pin on the northern side of Hampton Road; thence N. 13-20 W. 231 feet along the common line of the property described herein and property now or formally of William R. Timmons, Jr., as Trustee for William R. Timmons, Jr., William M. Webster, Jr. and Walter W. Goldsmith, to the iron pin at the beginning point.

The being the same property more recently shown and designed as 1.212 acres (52,781 sq. ft.), more or less, on a plat of survey prepared for the "Truck Farm of Greer, LLC", by Benchmark Surveying, Inc., dated October 14, 2015, and recorded on __2__ , 2015, in Plat Book 170, at Page 569, in the Office of the Register of Deeds for Spartanburg County, South Carolina, reference to said plat being made for a more complete metes and bounds description thereof.

This conveyance, includes and right, title or interest that the Grantor may have in and to any portion of the described land that might lie within the right-of-way of Wade Hampton Road and Valentine Lane or within the physical dimensions of Wade Hampton Road and Valentine Lane

TMS Number: 9-03-11-120.01

AND

All that piece, parcel or lot of land situate, lying and being in Spartanburg County, South Carolina and consisting of 1.0 acres, fronting on Wade Hampton Boulevard, depicted on a plat of survey prepared by Carolina Surveying Company dated September 18, 1976 and being more fully described, according to said plat, as follows:
Beginning at an iron pin on the Southeastern side of Wade Hampton Boulevard (U.S. Highway 29) at the joint corner of the lot herein being conveyed and property now or formerly belonging to Webster Oil Company, said iron pin being located at 279.8 feet N. 76-26 E. from the intersection of Wade Hampton Boulevard (U.S. Highway 29) and Dobson Road and running thence with the Southeastern side of Wade Hampton Boulevard (U.S. Highway 29) N. 76-26 E. 188.7 feet to an iron pin at the joint corner of the lot herein being conveyed and property now or formerly belonging to Robert H. Self and Joyce Traynham Self; thence S 13-20 E 231 feet to an iron pin on the Northwestern side of Hampton Road; thence continuing S 13-20 E 25 feet to a point in the center of Hampton Road; thence with the center line of Hampton Road N. 89-10 W. 194.1 feet to a point; thence N. 13-33 W. 25 feet to an iron pin on the Northwestern side of Hampton Road; thence continuing N. 13-33 W 182.6 feet to a point on the Southeastern side of Wade Hampton Boulevard (U.S. Highway 29) at the point of beginning.

The being the same property more recently shown and designed as 1.003 acres (43,686 sq. ft.), more or less, on a plat of survey prepared for the "Truck Farm of Greer, LLC", by Benchmark Surveying, Inc., dated October 14, 2015, and recorded on __DEC 3__, 2015, in Plat Book __110__, at Page __509__, in the Office of the Register of Deeds for Spartanburg County, South Carolina, reference to said plat being made for a more complete metes and bounds description thereof.

This conveyance, includes and right, title or interest that the Grantor may have in and to any portion of the described land that might lie within the right-of-way of Wade Hampton Road and Valentine Lane or within the physical dimensions of Wade Hampton Road and Valentine Lane.

TMS Number: 9-03-11-120.02

This being the same property conveyed unto the Grantor herein by deed of Donald Warner Self dated November 25, 2015 and recorded in the Office of the Register of Deeds for Spartanburg County on __DEC 3__ in Deed Book __110__ at Page __789__. 
QUIT-CLAIM DEED

Grantees address:
4803 Carolina Manor Hwy
Lexley SC 29640

KNOW ALL MEN BY THESE PRESENTS, that TRUCK FARM OF GREER, LLC, in consideration of One and No/100 ($1.00) Dollar and for the purpose of combining two tax parcels into a single tax parcel, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release, subject to any and all existing reservations, easements, rights of way, zoning ordinances and restrictive covenants that may appear of record or on the premises, unto TRUCK FARM OF GREER, LLC, its successors and assigns forever:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

TAX MAP NO(s): 9-03-11-120.01 and 9-03-11-120.02

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, successors and assigns, forever.

WITNESS the grantor's(s') hand and seal this 25th day of November, 2015.

SIGNED, SEALED AND DELIVERED in the presence of:

[Signatures]

TRUCK FARM OF GREER, LLC

By: Emmanuel J. Gilstrap
Member
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that (s)he saw the within-named Grantor, sign, seal, and, as their act and deed, deliver the within-written quitclaim deed, and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 25th day of November, 2015.

(Print Name: Jennifer Oliver)
Notary Public for South Carolina
My Commission Expires: 9/15/22

D. Sean Faulkner
Witness is not a party to or a beneficiary of the transaction.
“EXHIBIT A”

All that certain piece, parcel and tract of land lying and being situated on the southern right-of-way of Wade Hampton Boulevard, in Spartanburg County, South Carolina, being shown and designed as 2.215 acres (96,467 sq. ft.), more or less, on a plat of survey prepared for the "Truck Farm of Greer, LLC", by Benchmark Surveying, Inc., dated October 14, 2015, and recorded on Dec 3, 2015, in Plat Book 170, at Page 570, in the Office of the Register of Deeds for Spartanburg County, South Carolina, reference to said plat being made for a more complete metes and bounds description thereof.

This being the same property conveyed to Grantor by deed from Robert H. Self dated November 25, 2015, recorded on Dec 3, 2015, in Deed Book 110-T, at Page 794, in the Office of the Register of Deeds for Spartanburg County, South Carolina.

TMS Numbers: 9-03-11-120.01 and 9-03-11-120.02