ORDINANCE NUMBER 6-2016

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY MARK III PROPERTIES, INC. LOCATED ON ALEXANDER ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-12 (CLUSTER, RESIDENTIAL – SINGLE FAMILY) FOR SAID PROPERTY

WHEREAS, Mark III Properties, Inc. are the owners of property located on Alexander 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 T035000101203 containing approximately 18.0 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0342E attached hereto marked as Exhibit D; and

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

WHEREAS, Mark III Properties, Inc. 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 R-12 (Cluster, Residential - Single Family); 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 18.0 +/- acres property shown in red on the attached map owned by Mark III Properties, Inc. located on Alexander Road more particularly described on the attached map as Greenville County Parcel Number T035000101203 is hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced property shall be zoned R-12 (Cluster, Residential – Single Family) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. **FUTURE LAND USE MAP:** The above reference property shall be designated as Residential Land Use 2 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 45045C0342E.

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**

Richard W. Danner, Mayor

**ATTEST:**

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Lee Dumas

First Reading: March 8, 2016
Second and
Final Reading: April 12, 2016

Approved as to Form:

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

KNOW ALL MEN BY THESE PRESENTS, that Grace Christian Church ("Grantor") for and in consideration of Four Hundred Thousand and 00/100 ($400,000.00) Dollars, the receipt of which is hereby acknowledged, and subject to the limiting language contained herein, if any, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto Mark III Properties, Inc. ("Grantee"):

All that certain piece, parcel or tract of land lying, situate and being in the State of South Carolina, County of Greenville, located on the westerly side of Alexander Road, being shown and designated as a tract containing 18.00 acres, more or less, on a survey prepared for Mark III Properties by 3D Land Surveying, Inc., dated December 5, 2015 and recorded in Plat Book 1229 at Page 38 in the Office of the Register of Deeds for Greenville County. For a more complete and particular description, reference is hereby made to the aforesaid plat.

This being a portion of the property conveyed to Grace Christian Church by the following deeds: (1) Deed from Malcolm D. Holtzclaw dated April 10, 1997 and recorded in Deed Book 1682 at Page 880 in the Office of the Register of Deeds for Greenville County; (2) Deed from Ruth A. Holtzclaw dated April 10, 1997 and recorded in Deed Book 1682 at Page 882 in the Office of the Register of Deeds for Greenville County; and (3) Deed from Marie D. Wood a/k/a Marie E. Wood dated May 28, 2003 and recorded in Deed Book 2040 at Page 664 in the Office of the Register of Deeds for Greenville County.

Portion of Tax Map Number T035000101200

In addition to the reservations, conditions and/or easements contained herein if any, this conveyance is made subject to all covenants, restrictions, easements, rights of way, and other matters of record and such matters as would be shown by a current plat and inspection affecting the within described property.

TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining thereto; TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said Grantee(s) and the Grantee(s)' heirs (or successors) and assigns forever. The Grantor(s) do(es) hereby bind the Grantor(s) and the Grantor's(s') heirs (or successors) and assigns, to warrant and forever defend all and singular the premises unto the Grantee(s), and the Grantee(s)' heirs (or successors) and assigns against the Grantor(s) and the Grantor's(s') heirs (or successors) and against any person whomsoever lawfully claiming or to claim the same, or any part thereof, except as to conditions, covenants, right of ways, easements and restrictions of record.
WITNESS the Grantor's(s') hand(s) and seal(s) this 15th day of January, 2016.

SIGNED, sealed and delivered in the presence of:

signature of witness #1

signature of witness #2

Grace Christian Church
By: (SEAL)
Name: Wyatt A. Brown
Title: Pastor and President

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

I, Malinda L. Price-Utter, undersigned Notary Public, do hereby certify that Wyatt A. Brown as Pastor and President of Grace Christian Church, being duly authorized, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of Grace Christian Church.

Witness my hand and official seal this the 15th day of January, 2016.

(SEAL)
Notary Public for South Carolina
My commission expires:

Malinda L. Price-Utter
Notary Public, South Carolina
My Commission Expires
August 12, 2025
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 Brushy Creek Rd 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 T035000101200 attached hereto marked as Exhibit C containing approximately 16 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 28th day of January, 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: Mark Ill Properties Inc. - John Beeson
Signature: __________________________
Address: 150-C Camelot Drive, Spartanburg, SC 29301
Witness: __________________________
Date: 1-28-16
Parcel Address: 2941 Brushy Creek Road
Tax Map Number: T035000101200

(See Attached Exhibits A, D & C)