ANNEXATION ORDINANCE NUMBER 12-2015

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES OWNED BY MCGEE PROPERTIES OF GREENVILLE LOCATED ON PLEASANT DRIVE AND WAYMAN DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-12 (RESIDENTIAL SINGLE FAMILY) FOR SAID PROPERTIES

WHEREAS, McGee Properties of Greenville is the owner of properties located on Pleasant Drive and Wayman Drive 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 Numbers 0528020111100 and 0528020111301 containing approximately 10.24 +/- 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 properties currently have zero (0) occupants; and

WHEREAS, McGee Properties of Greenville 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 properties be zoned R-12 (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 following properties owned by McGee Properties of Greenville located on Pleasant Drive and Wayman Drive more particularly described on the attached map as Greenville County Parcel Numbers 0528020111100 and 0528020111301 containing approximately 10.24 +/- acres are hereby annexed into the corporate city limits of the City of Greer.

2. **ANNEXATION OF A PORTION OF WAYMAN DRIVE ROADWAY:** All of that portion of Wayman Drive (J0380) 174 ftct along the edge of the annexed property owned by McGee Properties of Greenville defined in Exhibit A and Exhibit B which adjoins said annexed properties 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 properties shall be zoned R-12 (Residential Single Family) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

4. **FUTURE LAND USE MAP:** The above reference properties 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.

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

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by:

First Reading: March 10, 2015

Second and
Final Reading: April 14, 2015

Approved as to Form:

John B. Duggan, City Attorney
STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS:

That FRED E. MULLINAX AND BRENDA G. MULLINAX, hereinafter referred to as Grantor, in consideration of the sum of TWO HUNDRED TEN THOUSAND AND 00/100 ($210,000.00), paid to Grantor by MCGEE PROPERTIES OF GREENVILLE, LLC, hereinafter referred to as Grantee, at and before the sealing of these presents, 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 Grantee, their heirs and assigns, forever.

SEE ATTACHED EXHIBIT A

GREENVILLE COUNTY
TMS# 0528.02-01-111.00

Purchaser shall be responsible for payment of roll back taxes.

The above-described property is conveyed subject to all easements, rights of way, and restrictions appearing of record and actually existing on the ground affecting such property.

TOGETHER, with all and Singular the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the Grantee and Grantee's Heirs/Successors and Assigns forever.

AND Grantor does hereby bind Grantor and Grantor's Heirs, Executors and Administrators to warrant and forever defend all and singular the said premises unto Grantee and Grantee’s Heirs/Successors and Assigns against Grantor and Grantor's Heirs and against every person whomsoever lawfully claiming or to claim the same or any part thereof.
Witness the hand and seal of Grantor this 16th day of January, 2015.

Signed, sealed and delivered in the presence of:

Fred E. Mullinax
Brenda G. Mullinax

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 16th day of January, 2015 by Fred E. Mullinax and Brenda G. Mullinax.

Notary Public for
My Commission Expires: 5/28/19
EXHIBIT A

ALL that certain piece, parcel or lot of land situate, lying and being in the County of Greenville, State of South Carolina being shown and designated as containing 5.844 acres, more or less, on a Boundary Survey For McGee Brothers of Greenville, LLC, on a plat prepared by Pearce Land Surveys, dated December 9, 2014 and recorded in Plat Book 1195 at Page 52 in the ROD Office for Greenville, South Carolina. Reference is hereby made to said plat of record for a more complete and accurate description as to the metes and bounds, courses and distances as appear thereon.

This being the same property conveyed unto Fred E. Mullinax and Wayne D. Mullinax by Deed of Jessie Mae H. Mullinax dated June 24, 1994 and recorded December 12, 1994 in Deed Book 1593 at Page 519 in the Office of the Register of Deeds for Greenville County, South Carolina; subsequently, Wayne D. Mullinax conveyed his interest in subject property unto Fred E. Mullinax by Deed dated July 27, 2005 and recorded July 29, 2005 in Deed Book 2157 at Page 1561, aforesaid records; and subsequently, see Deed of Fred E. Mullinax unto Fred E. Mullinax and Brenda G. Mullinax dated April 18, 2011 and recorded April 21, 2011 in Deed Book 2387 at Page 2649, aforesaid records; also see Deed of Fred E. Mullinax and Wayne D. Mullinax unto Fred E. Mullinax and Brenda G. Mullinax dated December 8, 2014 and recorded December 8, 2014 in Deed Book 2456 at Page 1433, aforesaid records for Greenville County, South Carolina.

GREENVILLE COUNTY
TMS # 0528.02-01-111.00
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS:

That JONES KIDS INVESTMENTS, LP, AND DURHAM KIDS INVESTMENTS, LP, hereinafter referred to as Grantor, in consideration of the sum of ONE HUNDRED FIFTEEN THOUSAND AND 00/100 ($115,000.00), paid to Grantor by MCGEE PROPERTIES OF GREENVILLE, LLC, hereinafter referred to as Grantee, at and before the sealing of these presents, 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 Grantee, their heirs and assigns, forever.

SEE ATTACHED EXHIBIT A

GREENVILLE COUNTY
TMS# 0528.02-01-113.00 (PART)

The above-described property is conveyed subject to all easements, rights of way, and restrictions appearing of record and actually existing on the ground affecting such property.

TOGETHER, with all and Singular the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the Grantee and Grantee's Heirs/Successors and Assigns forever.

AND Grantor does hereby bind Grantor and Grantor's Heirs, Executors and Administrators to warrant and forever defend all and singular the said premises unto Grantee and Grantee's Heirs/Successors and Assigns against Grantor and Grantor's Heirs and against every person whomsoever lawfully claiming or to claim the same or any part thereof.
Witness the hand and seal of Grantor this 16th day of January, 2015.

Signed, sealed and delivered in the presence of:

Jones Kids Investments, LP
By: Jones Kids Management Company, LLC
Its: General Partner

By: [Signature]
L. Brent Jones, Manager

Durham Kids Investments, LP
By: Durham Kids Management Company, LLC
Its: General Partner

By: [Signature]
Philip R. Durham, Manager

STATE OF SOUTH CAROLINA  )
COUNTY OF GREENVILLE  )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 16th day of January, 2015 by Jones Kids Investments, LP and Durham Kids Investments, LP.

Notary Public for SC
My Commission Expires: 5/28/19
EXHIBIT A

ALL that certain piece, parcel or lot of land situate, lying and being in the County of Greenville, State of South Carolina being shown and designated as 4.406 acres, more or less, on Survey For McGee Brothers of Greenville, LLC, prepared by Pearce Land Surveys, dated December 9, 2014 and recorded in Plat Book 1195 at Page 52 in the ROD Office for Greenville, South Carolina. Reference is hereby made to said plat of record for a more complete and accurate description as to the metes and bounds, courses and distances as appear thereon.

This being a portion of the property conveyed unto Jones Kids Investments, LP and Durham Kids Investments, LP by Deed of Phillip R. Durham and L. Brent Jones dated 12/31/12 and recorded 12/31/12 in Deed Book 2417, Page 2044, in the ROD Office for Greenville County, South Carolina.

GREENVILLE COUNTY
TMS # 0528.02-01-113.00
Subject Right of Way
174' of County Road J0380

Subject Properties
0528020111100
0528020100301
Acres: 10.26

Ord 12-2015