ORDINANCE NUMBER 31-2014

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF ANY AND ALL INTEREST IN CERTAIN REAL PROPERTY IN THE CITY OF GREER

WHEREAS, the City of Greer received an interest in certain real property by deed dated March 15, 1993, and recorded July 30, 1993, in Deed Book 1524 at Page 628, and located on Forest Street within the city limits of Greer, County of Greenville, for the purpose of constructing a sidewalk.

WHEREAS, the above-referenced property conveyed to the City of Greer is described as a strip of land 4 feet wide and approximately 160 feet long (hereinafter “Greer property”).

WHEREAS, the Greer property is adjacent to certain real property owned by James H. Benson and Evelyn C. Benson and known as Tax Map Number G014000502900 (hereinafter “Benson property”).

WHEREAS, the legal description contained in the above-referenced deed into the City of Greer may be interpreted to mean that the City owns an interest in the Benson property.

WHEREAS, to resolve the ambiguity created by the above-referenced deed, it is necessary for the City to convey and release any and all interest in the Benson property by quitclaim deed.

WHEREAS, pursuant to S.C. Code § 5-7-40, municipality may convey or dispose of property it owns by Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Greer, that the Mayor of the City is hereby authorized, empowered, and directed to execute,
acknowledge and deliver a quit-claim deed to convey any and all interest the City may have in the Benson property identified by Tax Map Number G014000502900.

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

CITY OF GREER, SOUTH CAROLINA

[Signature]
Richard W. Danner, Mayor

ATTEST:

[Signature]
Tammela Duncan, Municipal Clerk

Introduced by: Councilman Lee Dumas
First Reading: November 25, 2014
Second and Final Reading: December 9, 2014

Approved as to form: [Signature]
John B. Duggan, Esquire
City Attorney
KNOW ALL MEN BY THESE PRESENTS, that

CITY OF GREER, Grantor, in consideration of Ten and 00/100 ($10.00) and no other consideration, the receipt of which is hereby acknowledged, has granted, bargained, sold, quit-claimed and released, and by these presents does grant, bargain, sell, quit-claim and release unto;

JAMES H. BENSON and EVELYN C. BENSON as Joint Tenants with Rights of Survivorship and not as Tenants in Common, Grantees;

All of Grantor's right, title, and interest if any, in and to that certain real property more particularly described as follows:

Any and all interest potentially received by the Grantor by deed of Charles E. Everett, Jr., recorded July 30, 1993 in Deed Book 1524 at Page 628 purporting to convey the following property: All that lot of land in the State of South Carolina, County of Greenville, in the City of Greer, consisting of a 4-foot wide strip of land adjacent to the westerly right-of-way (concrete curb) of Forest Street measuring approximately 160 feet in length. Such strip of land constitutes the most westerly four (4) feet of the property designated as follows on the Greenville County Tax Maps: 11-285-G14-05-029.

This being the same property potentially conveyed unto the grantor by deed of Charles E. Everett, Jr., recorded on July 30, 1993, in Deed Book 1524, Page 628, Greenville County ROD.

Tax Map #: Portion of G014000502900

The specific and limited purpose of this deed being to confirm ownership in the Grantees of the entire parcel of land described by Greenville County Tax Map # G014000502900 as of July 30, 1993 and received by Grantees from deed of Ameris Bank to James H. Benson and Evelyn C. Benson as Joint Tenants with Rights of Survivorship and not as Tenants in Common recorded October 4, 2011 in Deed Book 2394 at Page 4858, Greenville County records.
To have and to hold, all and singular, the premises, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues, and profits thereof, unto Grantees, their heirs and assigns, forever.

WITNESS the grantor’s (s’) hand (s) and seal (s) this the 9th day of December, 2014.

SIGNED, sealed and delivered
in the presence of:

[Signature]
Notary
[Date]
Witness

CITY OF GREER

By: Rick Danner
Its: Mayor

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

ACKNOWLEDGEMENT

I, Elizabeth Adams, a Notary Public of the County and State aforesaid, certify that the Grantor, by and through its authorized agent, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp this 9th day of December, 2014.

[Signature]
Notary Public for South Carolina
My commission expires: ____________
STATE OF SOUTH CAROLINA )
COUNTY OF GREENVILLE )

DEED FOR SIDEWALK AND RELATED EASEMENTS

GRANTOR'S ADDRESS: The City of Greer, 106 South Main Street,
Greer, SC 29652

PREAMBLE

1. THE CITY OF GREER, Grantor herein, proposes to construct a 4-foot wide pedestrian sidewalk along the westerly side of Forest Street extending southerly from Wade Hampton Boulevard to Tremont Avenue;

2. Grantor requires fee simple title to such 4-foot wide strip, an adjacent "slope easement", and a temporary construction easement measuring 15 feet in width, adjacent to the proposed sidewalks;

3. The proposed improvements will add value to the Grantor's property, such that no monetary compensation is being paid for this conveyance;

NOW, THEREFORE, KNOW ALL MEN by these presents, that the undersigned Grantor(s), in consideration of the foregoing premises, has granted, bargained, sold and released unto THE CITY OF GREER, a South Carolina Municipal Corporation, its successors and assigns forever:

ALL that lot of land in the State of South Carolina, County of Greenville, in the City of Greer, consisting of a 4-foot wide strip of land adjacent to the westerly right-of-way (concrete curb) of Forest Street measuring approximately 160 feet in length. Such strip of land constitutes the northerly four (4) feet of the property designated as follows on the Greenville County Tax Map:

Derivation: See Deed of Robert G. Jewell recorded in Deed Book 1093 at Page 795 in the R.H.C. Office for Greenville County.

ALSO, Grantor(s) further grants and conveys such "slope easement" as may be necessary or desirable adjacent to the subject sidewalk for purposes of filling and/or regrading sloping areas, based upon existing topography, in such a way as to provide lateral support for the subject sidewalk.

ALSO, a temporary easement for purposes of construction of a sidewalk on the subject 4-foot wide strip and adjacent grading and clearing. The construction easement shall be 15 feet in width adjacent to such 4-foot wide "sidewalk strip". This easement shall entitled Grantor, its contractors, agents, and/or employees, to enter the 15-foot wide strip with construction equipment and make such alteration as are deemed desirable by Grantor, its
contractors, agents, and/or employees to accomplish the intended result. This construction easement shall terminate upon completion of the project.

WITNESS the Grantor's hand(s) and seal(s) this 15th day of March, 1993.

Signed, sealed and delivered

[Signature]

[Seal]

CHARLES E. EVERETT, JR.

(Seal)

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

PERSONALLY appeared before me the undersigned witness and made with the within named GRANTOR(s) sign, seal and as his act and deed, deliver the within written DEED FOR SIDEWALK AND RELATED EASEMENTS; and that the undersigned witness, with the other witness subscribed above, witnessed the execution hereof.

[Signature]

[Seal]

Notary Public for South Carolina

My Commission Expires: 7-25-2000

[Signature]

[Filing Information]

FILED FOR RECORD IN GREENVILLE
COUNTY SC RICH OFFICE AT 11:18 AM
07/30/93 RECEIVED IN DEED
FOUR 12/29 PAGE 12A
DOC 99010110
Disclaimer: This Map is not a LAND SURVEY and is for reference purposes only. Data contained in this map are prepared for the inventory of Real Property found within this jurisdiction, and are compiled from recorded deeds, plats, and other public records. Users of this map are hereby notified aforementioned public primary information sources should be consulted for verification of the information contained in this map. Greenville County assumes no legal responsibility for the information contained in this map.

Map Scale
1 inch = 80 feet
11/18/2014