ANNEXATION ORDINANCE NUMBER 6-2014

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY DONALD AND DENNIS DILLARD LOCATED ON GIBBS SHOALS ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY

WHEREAS, Donald and Dennis Dillard are the owners of property located on Gibbs Shoals 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 No. 0534010102201 containing approximately 8.1 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0363D attached hereto marked as Exhibit D; and

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

WHEREAS, Donald and Dennis Dillard have 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 owner has 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 property owned by Donald and Dennis Dillard located on Gibbs Shoals Road more particularly described on the attached map as Greenville County Parcel No. 0534010102201 containing approximately 8.1 +/- acres are hereby annexed into the corporate city limits of the City of Greer.

2. **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.

3. **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.

4. **FLOOD INSURANCE RATE MAP:** This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0363D.

5. **DISTRICT ASSIGNMENT:** The above referenced property shall be assigned to City Council District #6.

This ordinance shall be effective upon second reading approval thereof.

**CITY OF GREER, SOUTH CAROLINA**

[Signature]

Richard W. Danner, Mayor

**ATTEST:**

[Signature]

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Wayne Griffin

Ordinance Number 6-2014
Annexation Gibbs Shoals Rd
Page 2 of 3
First Reading: April 8, 2014

Second and Final Reading: May 13, 2014

Approved as to Form:

John B. Duggan, City Attorney
STATE OF SOUTH CAROLINA) ) ) TITLE TO REAL ESTATE
COUNTY OF GREENVILLE) )

KNOW ALL MEN BY THESE PRESENTS, that I, Donald B. Dillard and Dennis T. Dillard, as Successor Trustees of Trust B under the Iris H. Dillard Revocable Trust Agreement dated November 18, 2004, in consideration of One Dollar and xx/100 ($1.00) Dollar, and distribution of Trust, the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell and release unto Donald B. Dillard, his heirs and assigns, forever:

See attached Exhibit A

THIS conveyance is subject to all restrictions, set-back lines, roadways, zoning ordinances, easements and rights-of-way, if any, affecting the above-described property.

Grantee’s Address: 34 Churchill Downs
Greenville, SC 29615

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(s), and the grantee’s(s’) heirs or successors and assigns, forever. And, the grantor(s) do(es) hereby bind the grantor(s) and the grantor’s(s’) heirs or successors, assigns, executors and administrators to warrant and forever defend all and singular said premises unto the grantee(s) and the grantee’s(s’) heirs or successors and assigns and against every person whomsoever lawfully claiming or to claim the same or any part thereof.
WITNESS the grantors' hand and seal this 9th day of July, 2009.

SIGNED, sealed and delivered
in the presence of:

[Signatures]

D. Dillard
Donald B. Dillard, as Successor
Trustee of Trust B under the Iris H.
Dillard Revocable Trust Agreement
dated November 18, 2004

Dennis T. Dillard
Dennis T. Dillard, as Successor
Trustee of Trust B under the Iris H.
Dillard Revocable Trust Agreement
dated November 18, 2004

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Personally appeared the undersigned witness and made oath that (s)he saw the
within named grantor, sign, seal and as the grantors' act and deed, deliver the within written deed
and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

(WITNESS)

SWORN to before me this
9th day of July, 2009.

[Signature]

(SEAL)
NOTARY PUBLIC for South Carolina
My Commission Expires: 4/15/11
Exhibit A

An undivided one-fourth (1/4) interest in:

Parcel 1: An eleven and 93/100 (11.93) acre tract fronting on Gibbs Shoals Road and Dillard Road near the City of Greer, South Carolina, and for a metes and bounds description see Deed from Moise D. Smith, et al to Ben H. Dillard dated September 14, 1988, designated as Parcel 2 in said deed recorded on September 15, 1988 in the Office of the Register of Deeds for Greenville County in Deed Book 1338 at Page 123.

Parcel 2: A fourteen (14) acre tract of land located on the northerly side of Dillard Road near the City of Greer, South Carolina, and being the same property conveyed to Ben H. Dillard by deed of Moise D. Smith, et al to Ben H. Dillard dated September 14, 1988, recorded on September 15, 1988 in the Office of the Register of Deeds for Greenville County in Deed Book 1338 at Page 123, less, however, a five and 18/100 (5.18) acre tract of land previously conveyed by Ben H. Dillard to Kenneth A. Baker, et ux.

TMS# 534.1-1-22.1 and 534.1-1-22.2

This being the same property conveyed to the Grantor herein by deed of Ben H. Dillard, as Successor Trustee under the Iris H. Dillard Revocable Trust Agreement dated November 18, 2004, dated March 30, 2007 and recorded April 25, 2007 in Deed Book 2263 at Page 1543.
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

AFFIDAVIT FOR EXEMPT TAXES

PERSONALLY APPEARED before me the undersigned, who being duly sworn,
deposes and states as follows:

1. I have read the information on this affidavit and I understand such information.

2. An undivided one-fourth (1/4) interest in the property bearing Tax Map No. 534.1-22.1 and 534.1-1-22.2 was transferred by Donald B. Dillard and Dennis T. Dillard, as Successor Trustees of Trust B under the Iris H. Dillard Revocable Trust Agreement dated November 18, 2004 to Donald B. Dillard on the 9th day of July, 2009.

3. The deed is exempt from the deed recording fee because: #9—transferring realty from a Trust to a Trust Beneficiary for no consideration other than a reduction in Grantee's interest in the Trust

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes or No

4. As required by S.C. Code Section 12-24-70, I state I am a responsible person who was connected with this transaction as: Attorney for Grantor

5. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

E. Scott Sanders

SWORN TO before me this 16th day of July, 2009.

Notary Public for South Carolina
My Commission Expires: 9/15/18
STATE OF SOUTH CAROLINA
GREENVILLE COUNTY

SURVEY FOR
MARK McCALL

(CONTINUED ON NEXT PAGE)