ANNEXATION ORDINANCE NUMBER 5-2013

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY WESTMINSTER PROPERTIES, LLC LOCATED AT 214 JAMES ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF R-12 (RESIDENTIAL, SINGLE FAMILY) FOR SAID PROPERTY

WHEREAS, Westminster Properties, LLC is the owner of property located at 214 James 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 identified as Greenville County Parcel No. G00400102103 containing approximately .41+/- acres marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C361D attached hereto marked as Exhibit D; and

WHEREAS, the property is currently occupied by two (2) individuals; and

WHEREAS, Westminster Properties, LLC 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 owner has requested that the subject property 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 property owned by Westminster Properties, LLC located at 214
James Road, more particularly described on the attached Map as Greer County Parcel No. G004000102103 containing approximately .41+/- Acres, is hereby annexed into the corporate city limits of the City of Greer. Also, included herein is the adjoining right-of-way of James Road as shown on the attached map of the property to be annexed.

2. 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.

3. FUTURE LAND USE MAP: The above reference properties shall be designated as Residential Land Use 2 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 45045C361D.

5. DISTRICT ASSIGNMENT: The above referenced properties shall be assigned to City Council District #1.

6. PRECLEARANCE: This ordinance shall be subject to pre-clearance approval by the United States Department of Justice in accordance with standard procedures for such approval, and the Municipal Clerk is herewith instructed to submit the ordinance and any necessary documentation for approval.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

[Signature]
Richard W. Danner, Mayor

Ordinance Number 5-2013
Annexation 214 James Road
Page 2 of 3
ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Jay Arrowood

First Reading: February 12, 2013

Second and Final Reading: February 26, 2013

Approved as to Form:

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

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS THAT, DAVID C. GOSSETT, hereinafore referred to as Grantor for and in consideration of the sum of ONE HUNDRED TWENTY FOUR THOUSAND AND 00/100 ($124,000.00) Dollars, to me paid by WESTMINSTER PROPERTIES, LLC, hereinafter referred to as Grantee in the State aforesaid, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantee, its successors, and assigns forever:

ALL THAT certain piece, parcel or lot of land situate, lying and being in Chick Springs Township, in the State of South Carolina, County of Greenville, near the City of Greer, being shown as a tract on plat entitled "Survey for Ashmore Homes, Inc.", dated December 28, 1999, and recorded in Plat Book 41-K at Page 36; and being further shown on a more recent survey entitled "Survey for Ashmore Homes, Inc." dated January 4, 1999, as recorded in Plat Book 41-K at Page 04, reference being made hereeto said recent plat for the exact metes and bounds thereof.

This being the same property conveyed unto the Grantor herein by Ashmore Homes, Inc., dated January 5, 2000 and recorded January 7, 2000 in the Office of the Register of Deeds for Greenville County in Deed Book 1090 at Page 604. Also, by deed from Ginger T. Gossett dated June 24, 2003 and recorded July 23, 2003 in the Office of the Register of Deeds for Greenville County in Deed Book 2047 at Page 1106.

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises. of record, including matters shown on recorded plats.

Grantee Address
101 DeYoung Road
Lyman, SC 29365

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee, his heirs, and assigns forever.

AND THE GRANTOR does hereby bind Grantor and the Grantor's heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said Grantee, his heirs, 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 my Hand and Seal this 14th day of November, in the year of our Lord 2007

Signed, Sealed and Delivered
in the Presence of:

[Signatures]

Witness

[Signatures]

Witness

STATE OF SOUTH CAROLINA   )
COUNTY OF GREENVILLE      )

ACKNOWLEDGMENT

I, a Notary Public, within and for the State and County aforesaid, do hereby certify that the foregoing instrument of writing was this day produced to me in the above State and County by the Principals and was executed and acknowledged to be the free act and voluntary deed of the Principals

WITNESS my signature this 14th day of November, 2007.

[Signature]
Notary Public for South Carolina
My Commission expires: 12-13-14
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS, that ASHMORE HOMES, INC, herein referred to as Grantor, for and in consideration of the sum of NINETY FIVE THOUSAND EIGHT HUNDRED AND 00/100 ($95,800.00) Dollars to me paid by DAVID C. GOSSETT and GINGER F. GOSSETT, hereinafter referred to as Grantee, the receipt of which 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:

All that certain piece, parcel or lot of land situate, lying and being in Chick Springs Township, State of South Carolina, County of Greenville, near the City of Greer, being shown as a tract on plat entitled SURVEY FOR ASHMORE HOMES, INC, dated December 28, 1999 and recorded in plat Book 41 K at page 38, and being further shown on a more recent survey entitled SURVEY FOR ASHMORE HOMES, INC, dated January 4, 1999 to be recorded of even date herewith in Plat Book 41 K at page 44. Reference to said plat is hereby made for the mates and bounds thereof.

This is a portion of the property conveyed to Ashmore Homes, Inc., by Deed of Gwendolyn H. Noldine recorded December 13, 1999 in Deed Book 1685 at page 8.

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

Grantee's Address: 214 James Rd, Greer, SC 29650

Grantee's Address: 214 James Rd, Greer, SC 29650

JAN 07 2000

COUNTY 105(0)

2383
TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee, his heirs and assigns forever.

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

WITNESS my Hand and Seal this 5th day of January, in the year of our Lord Two Thousand.

Signed, Sealed and Delivered
In the Presence of:

\[Signature\]

Ashmore Homes, Inc.
By: [Signature]
Its: Vice President

\[Signature\]

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 his act and deed, deliver the within written Deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 5th day of January, 2000.

\[Signature\]

Notary Public for State of South Carolina
My Commission Expires: 03/03/03
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE  

KNOW ALL MEN BY THESE PRESENTS, that GWENDOLYN E. HOWARD AKA GWENDOLYN H. NODINE, herein referred to as Grantor, for and in consideration of the sum of ONE HUNDRED EIGHTY TWO THOUSAND AND 00/100 ($182,000.00) Dollars to me paid by ASHMORE HOMES, INC, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantee, his heirs and assigns forever:

All that certain piece, parcel or lot of land situate, lying and being in Chicora Springs Township, State of South Carolina, County of Greenville, near the City of Greer, being shown as a 6.21 acre tract on a plat prepared by Plumblee Surveying, dated , to be recorded of even date herewith in Plat Book 140 at page 112. Reference to said plat is hereby made for the metes and bounds thereof.

This is a portion of the property conveyed to Vernor Howard by deed of George Ely Howard et al recorded 6/9/53 in Deed Book 470 at page 520; Vernor Howard conveyed a one-half interest in the subject property to Gwendolyn E. Howard aka Gwendolyn H. Nodine by Deed recorded November 11, 1990 in Deed Book 1417 at page 497; Vernor Howard died testate conveying his remaining interest in the subject property to Gwendolyn E. Howard aka Gwendolyn H. Nodine as will appear by reference to the Estate of Vernor Howard Greenville County Probate Estate Number 91ES2301603. Reference is also made to Deed of Distribution recorded August 31, 1992 in Deed Book 1498 at page 484. 

-287- 64- 1-21

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

Grantee's Address: 26A W. CELESTIAL DR.  
GREEN, SC 29611

STATE 4/73.20  
COUNTY 520.20  
REC. 9 1999  
103716
TOGETHER with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee, his heirs and assigns forever.

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

WITNESS my Hand and Seal this 3rd day of December, in the year of our Lord One Thousand Nine Hundred and Ninety-nine.

Signed, Sealed and Delivered
in the Presence of:

[Signature]

[Signature]

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 his act and deed, deliver the within written Deed and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this
3rd day of December, 1999.

[Signature]
Notary Public for State of South Carolina
My Commission Expires: 03/03/20
STATE OF SOUTH CAROLINA
COUNTY OF	PROBATE COURT
IN THE MATTER OF	Vernell Howard
CASE NUMBER	91 C 5430/609

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 30th day of November, 1992, and,
WHEREAS, the estate of the decedent is being administered in the Probate Court for Greenville County, South Carolina in File No. 91EB201603; and,
WHEREAS, the grantor herein is either a beneficiary or heir at law, as appropriate, of the decedent; and,
WHEREAS, the undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter; and,
NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has granted, conveyed, sold and released, and by these presents does grant, convey, sell and release to:

Name: Orenda Lyn Howard
Address: 215 James Road
Greer, South Carolina 29650

the following described property: 1/2 Interest
Appr. 6.5 Acres and 1 house Identified on SC Tax Map O-7-1-21
Book 1417 Page 477

(Continued on next page)
TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises/Property belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises/Property unto the said Guenda Lynn R. Howard

their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned, as Personal Representative of the estate of the decedent, has executed this Deed, this 17th day of July, 1992.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Executed by: Vernay T. Howard

by Signature: [Signature]

Witness: Betty C. Crole

Witness: Barbara H. Crair

STATE OF SOUTH CAROLINA
COUNTY OF }

PROBATE

PERSONALLY appeared before me, Betty C. Crole, and made oath that he/she knew the within named

Personal Representative(s) sign, seal, and as their act and deed, deliver the within written Deed, and that he/she with

Barbara H. Crair

witnessed the execution thereof.

SIGNED to before me this 12th day of July, 1992.

Witness Signature:

Barbara H. Crair

Notary Public for South Carolina
My Commission Expires: 12/18/91

Filed for record in Greenville County SC Notary Office at 0:11:15 PM
08/31/92 Recorded in Deed Book 1486 Page 0496
Doc #: 92093954

[Signature]
NO TITLE EXAM - DEED ONLY
STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS, that Verner Howard

in consideration of One Dollar ($1.00) Love and Affection,

the receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell
and release unto

GWENDOLYN E. HOWARD, her heirs and assigns forever;

One half (1/2) undivided interest in and to the following property:

All that place, parcel or lot of land in Chick Springs Township, Greenville County, State of South Carolina, near the City of Greer and southwest thereof, designated as Lot No. 52, 53 and 54 of the J.H. James Estate, according to survey and plat thereof by S.C. Moon, Surveyor, dated October, 1919. Lot No. 52 contains 2.4 acres; Lot No. 53 contains 2.3 acres, and Lot No. 54 contains 3.55 acres, for a total of 8.25 acres, more or less.

LESS HOWEVER: Any conveyances made out of the above described property by the grantor.

This conveyance is the identical property conveyed to Verner Howard by deed of George Eney Howard, W. Claud Howard, E. Haskell Howard, and Ruby Dall H. Taylor, heirs of H.C. Howard, dated April 10, 1953, and recorded June 9, 1953 in Deed Book 979 at page 520, in the RMC Office for Greenville County.

ALSO: All that certain place, parcel or lot of land situate, lying and being in the State and

County aforesaid, Chick Springs Township, about one mile southwest from Greer, S.C., being the rear or northern portion of Lot No. 51, as shown on plat of property of J.H. James Estate, said plat made by S.C. Moon, and said plat being in error as shown by the description below, being on the north by property of the City of Greer, S.C.; on the east by lands of Lee Smith, on the south by the remaining portion of lot No. 51 and on the west by lot 52, which is owned by the grantee herein, and having the following courses and distances, to wit:

BEGINNING on an iron pin 170 feet from another iron pin on the north side of James Street, and on the common line of Lots 51 and 52, and runs thence with the said common line, N.91°05' E. 625 feet to an old pin on the City of Greer line; thence with said line, S.05°36' E. 195.5 feet to an old pin in a small branch, joint corner of the City of Greer property and of lands of Lee Smith; thence with the Smith line, S.15°18' W. 590 feet to an iron pin on the said line; thence a new line, N.55°50' W. 106 feet to the beginning corner, containing Two and Thirty Two One hundredths (2.32) acres, more or less.

LESS HOWEVER: Any conveyances made out of the above described property by the grantor.

This conveyance is the same property conveyed to Verner Howard by deed of G.G. Harvey, Dec. 8, 1953, and recorded Dec. 19, 1953 in Deed Book 980, page 508, in the RMC Office for Greenville County, together with all and singular the rights, member, heritances and appurtenances to said premises belonging or in any wise touching or appurtenant to have and to hold all and singular the premises before mentioned unto the grantee(s), and the grantee(s) heirs or successors, forever.

WITNESS the grantor(s) hand(s) and seal(s) this 9th day of October, 1950.

Verner Howard

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

PROBATE

Recently appeared the undersigned witnesses and made oath that (she saw the within named grantor(s) sign, and that the grantor(s) act and deed, delivered the within written deed and that (she, with the other witnesses subscribed thereto, attested the premises thereof.

SWORN to before me this 11 day of October 1950.


STATE OF SOUTH CAROLINA
COUNTY OF

DENONCATION OF DOWER

I, the undersigned Notary Public, do hereby certify unto all whom it may concern, that the undersigned wife (within) of the above named grantor(s) respectively, did this day appear before me, and said, upon being duly sworn, stated that she does hereby, voluntarily, and without any coercion, dated or by fear of any person, acknowledge, release and forever relinquish unto the grantor(s) and the grantor(s) heirs or successors and assigns, all her interest and estate, and all her right and title of dower of, in and to all premises within mentioned and released.

Given under my hand and seal this day of 10

Notary Public for South Carolina.

My commission expires 11-02-4803

RECORDED this day of Nov. 1950, at 2:57 P.M., No. 54115.
KNOW ALL MEN BY THESE PRESENTS. That Mr. George Bailey Howard,
W. Cloud Howard, E. Haskell Howard and Ruby Dell H. Taylor,
in the State aforesaid, in consideration of the sum of...Eleven Hundred and Twenty-Five...
($1,250.00)......................................................Dollars
to...48..............................................................in hand paid at and before the sealing of these presents
by...Vernor Howard...........................................
(the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these
preseents do grant, bargain, sell and release unto the said...Vernor Howard and his heirs...
and assigns forever:

all that piece, parcel or lot of land in Chick Springs Township, Greenville
County, State of South Carolina, near the City of Greer and southwest
therefrom, designated as Lots Nos. 52, 53 and 54 of the J.H.
James Estate according to survey and plat thereof by S.C. Moon,
Surveyor, dated October, 1940. Lot No. 52 contains 2.4 acres,
Lot No. 53 contains 2.3 acres and Lot No. 54 contains 3.55 acres,
a total of 8.25 acres, more or less.

This is the same property conveyed to Henry C. Howard by
deed of J.H. Wilson and S.A. McGaha, recorded in Deed Book
283, page 239, N.C. Office for Greenville County, and the same
devised to the parties hereto by H.C. Howard by his last will and
testament, recorded in the office of the Probate Court of said
county.

G4-1-20, 21, f 22
ASHMORE HOMES
NEAR GREENE GREENVILLE COUNTY
SOUTH CAROLINA
DECEMBER 14, 1999
REVISED DECEMBER 28, 1999
REVISED JANUARY 5, 2000

41-K-64
FIRM
FLOOD INSURANCE RATE MAP
GREENVILLE COUNTY,
SOUTH CAROLINA
AND INCORPORATED AREAS

ZONE X
ZONE AE
ZONE X
ZONE AE
Maple Creek

PANEL 03510
PANEL 381 OF 625
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

NATIONAL FLOOD INSURANCE PROGRAM
FEMA
3850 Glenn Highway
Columbus, OH 43235

This is an official copy of a portion of the above referenced flood map. It was created using F-NFDOSField. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about the National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov.

EFFECTIVE DATE
DECEMBER 2, 2004

Federal Emergency Management Agency