ANNEXATION ORDINANCE NUMBER 6-2013

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY YARBOROUGH INVESTMENTS, LLC LOCATED AT 2502 SOUTH HIGHWAY 14 BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF C-3 (HIGHWAY COMMERCIAL) FOR SAID PROPERTY

WHEREAS, Yarborough Investments, LLC is the owner of property located at 25C2 South Highway 14 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 Spartanburg County Parcel No. 9-07-00-001.00 containing approximately .82 +/- acres marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45083C326D attached hereto marked as Exhibit D; and

WHEREAS, the property is currently occupied by zero (0) individuals; and

WHEREAS, Yarborough Investments, 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 C-3 (Highway Commercial); 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 Yarborough Investments, LLC located at 2502 South Highway 14, more particularly described on the attached Map as Spartanburg County Parcel No. 9-07-00-001.00 containing approximately .82+/- Acres, is hereby annexed into the corporate city limits of the City of Greer. Also, included herein are the adjoining right-of-ways of Shelter Drive, Highway 14 and Interstate I-85 as shown on the attached map of the property to be annexed.

2. **ZONING ASSIGNMENT:** The above referenced properties shall be zoned C-3 (Highway Commercial) 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 Super Regional Center & Regional Corridor 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 45083C326D.

5. **DISTRICT ASSIGNMENT:** The above referenced properties shall be assigned to City Council District #3.

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 6-2013
Annexation 2502 South Highway 14
Page 2 of 3
ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Wryley Bettis

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 SPARTANBURG  

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that STUCKEY'S DQ 129 GREER, SC, a South Carolina Partnership, in the State aforesaid, for and in consideration of the sum of TWO HUNDRED FIFTY THOUSAND DOLLARS 00/100 ($250,000.00), unto it paid by YARBOROUGH INVESTMENTS, LLC, in the State aforesaid, 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 Yarborough Investments, LLC, its successors and assigns, forever, in fee simple, together with every contingent remainder and right of reversion, the following described property, to wit:

ALL those certain pieces, parcels or lots of land, lying and being situate in the State of South Carolina, being shown and designated as Tract No. 1, containing 0.82 acres, more or less and Tract No. 2, containing 0.08 acres, more or less, on a survey entitled "Boundary Survey for Stuckey's DQ 129 Greer, SC prepared by Precision Land Surveying, Inc., dated October 24, 2003 and recorded in the RMC Office for Spartanburg County in Plat Book 163 at Page 539. For a more complete and accurate description refer to the above referenced plat.

Tax Map #: 9 07-00 001.00 & 9 07-00 001.01
Property Address: 0.82 acres and 0.08 acres Hwy, Greer, SC
Grantee(s) Address: 5 Northway Ct., Greer, S.C. 29651

THIS CONVEYANCE IS MADE SUBJECT TO easements and restrictions of record and otherwise affecting the property.

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 Yarborough Investments, LLC, its successors and assigns, forever, in fee simple, together with every contingent remainder and right of reversion.

AND Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the said premises unto the said Yarborough Investments, LLC, its successors and assigns, forever, in fee simple, together with every contingent remainder and right of reversion against the Grantor's successors and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.
IN WITNESS WHEREOF the undersigned Hand and Seal this 5th day of September, 2008.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Doris D. Dade
1st Witness

Cindy Mitchell
2nd Witness

STUCKEY'S DQ 129 GREER SC
By: William S. Stuckey, Partner
Also Known as W.S. Stuckey, Jr.

STATE OF GEORGIA
COUNTY OF Dodge

CORPORATE PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he was present and saw the within, the authorized representative of Stuckey's DQ 129 Greer SC, sign, seal, and as act and deed, deliver the within Warranty Deed; that deponent with the other witness whose name is subscribed above, witnessed the execution thereof.

SWORN to before me this 5th day of September, 2008.

Doris D. Dade
Witness

Notary Public for Georgia
My Commission Expires: 1/22/2010

(SEAL)

File # A2599

NOTARY PUBLIC
DODGE COUNTY, GA
IN WITNESS WHEREOF the undersigned Hand and Seal this 3rd day of September, 2008.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

C. Paige Sites
1st Witness

C. Paige Sites
2nd Witness

STUCKEY'S DQ 129 GREER, SC

By: Sue Gardner Flowers
Sue Gardner Flowers as Personal Representative/Executor of the Estate of E.M.
Flowers, Jr., Partner

STATE OF Georgia
COUNTY OF Tift

PERSONALLY appeared before me the undersigned witness and made oath that (a) he was
present and saw the within, the authorized representative of Stuckey's DQ 129 Greer SC, sign, seal, and
as act and deed, deliver the within Warranty Deed; that deponent with the other witness whose name is
subscribed above, witnessed the execution thereof.

SWORN to before me this 3rd day of September, 2008.

C. Paige Sites
Witness

Notary Public for Georgia
My Commission Expires: 1/15/2011
(SEAL)

File # A29999
IN WITNESS WHEREOF the undersigned Hand and Seal this ___ day of September, 2008.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

C. Paige Sikes
1st Witness

2nd Witness

STUCKEY'S DQ 129 GREER, SC

By: Theodosia Williams Flowers as Personal Representative/Executor of the Estate of Steven Flowers, Sr., Partner

STATE OF Georgia

COUNTY OF Tuscaloosa

PERSONALLY appeared before me the undersigned witness and made oath that (s)he was present and saw the within, the authorized representative of Stuckey's DQ 129 Greer SC, sign, seal, and as act and deed, deliver the within Warranty Deed; that deponent with the other witness whose name is subscribed above, witnessed the execution thereof.

SWORN to before me this ___ day of September, 2008.

C. Paige Sikes
Notary Public for Georgia
My Commission Expires

Cynthia C. Key
Witness

File # A2999