ORDINANCE NUMBER 10-2012

AN ORDINANCE ADOPTED TO PROVIDE FOR THE CLOSURE OF A PORTION OF HUBERT STREET AND CONVEYANCE OF THE INTEREST OF THE CITY OF GREER IN SAID STREET TO PETITIONERS (i) LARRY W. MCGRIFF AND CAROL R. MCGRIFF, (ii) CHAD H. NISKANEN AND CAMI L. NISKANEN AND (iii) PALADIN INVESTMENTS, LLC BY QUIT CLAIM DEED

WHEREAS, the City Council for the City of Greer has determined that the portion of Hubert Street which Petitioners seek to have abandon was never opened or maintained by the City and is no longer necessary or required for the convenience, public use or improvement of the City; and

WHEREAS, closing the area under petition will enhance the possible opportunity for development and potential additional tax revenues for the citizens of the City of Greer; and

WHEREAS, there are other nearby routes available to emergency vehicles and the public which travel this area of the City; and

WHEREAS, the City Council has further determined that the property abutting and/or underlying the portion of Hubert Street to be closed is currently owned by (i)Larry W. McGriff & Carol R. McGriff, (ii) Chad H. Niskanen & Cami L. Niskanen, and (iii) Paladin Investments, LLC (the “Property Owners”); and

WHEREAS, the Property Owners, for a consideration of One Dollar ($1.00), have requested that the City quit claim to the Property Owners all of the City’s interest in that portion of Hubert Street to be closed; and

WHEREAS, the City Council for the City of Greer has determined that it is in the best interest of the general public to formerly close that portion of Hubert Street designated as that area containing 0.112 acres, more or less, as shown on plat entitled “Final R/W Abandonment Plat for a portion of Hubert Street”, prepared by EAS Professionals, Inc., dated November 29, 2011,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Greer, South Carolina, that the following ordinance be adopted:

1. The City of Greer hereby declares that the portion of Hubert Street containing 0.112 acres, more or less, and designated on plat entitled “Final R/W Abandonment Plat for a portion of Hubert Street”, prepared by EAS Professionals, Inc., dated November 29, 2011, is hereby closed and abandoned.
2. The City of Greer, by mutual agreement with the Property Owners, shall convey the aforementioned area to the Property Owners as designated, described and noted on the plats attached hereto as “Exhibit A” and as described in “Exhibit A-1” which exhibits are incorporated herein by reference.

3. The Quit Claim Deeds shall be in form and substance approved by the City Attorney and shall be signed by the Mayor.

4. The consideration for said Quit Claim Deeds shall be the sum of One Dollar ($1.00) each.

5. The City shall pay all expenses incurred in the drafting of the Quit Claim Deeds and in transferring and filing the Quit Claim Deeds in the Office of the Register of Deeds for Greenville County, South Carolina.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

By: Tammela Duncan, Municipal Clerk

Introduced by: Councilman Lee Dumas

First Reading: April 10, 2012

Second Reading and Adoption: April 24, 2012

Approved as to Form

John B. Duggan
City Attorney
EXHIBIT A-1

PROPERTY TO BE DEEDED TO LARRY W. MCGRIFF AND CAROL R. MCGRIFF

All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Greenville, City of Greer, being known as a portion of Hubert Street and being shown and designated on plat of Larry W. & Carol R. McGriff, prepared by EAS Professionals, Inc., dated November 29, 2011, reference to said plat (on file with the Greer Municipal Clerk and to be filed with the Greenville County Register of Deeds) being made for a complete metes and bounds description thereof.

PROPERTY TO BE DEEDED TO CHAD H. NISKANEN AND CAMI L. NISKANEN

All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Greenville, City of Greer, being known as a portion of Hubert Street and being shown and designated on plat of Chad H. & Cami L. Niskanen, prepared by EAS Professionals, Inc., dated September 1, 2011, reference to said plat (on file with the Greer Municipal Clerk and to be filed with the Greenville County Register of Deeds) being made for a complete metes and bounds description thereof.

PROPERTY TO BE DEEDED TO PALADIN INVESTMENTS, LLC

All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Greenville, City of Greer, being known as a portion of Hubert Street and being shown and designated on plat of Paladin Investments, LLC, prepared by EAS Professionals, Inc., dated November 29, 2011, reference to said plat (on file with the Greer Municipal Clerk and to be filed with the Greenville County Register of Deeds) being made for a complete metes and bounds description thereof.
Lot 7, Property of J F & E G Bollinger
TMS G0090000204000
Area=13,155 S.F.
or 0.302 Acres

Chad H. & Cami L. Niskanen
101 S. Howell Street  Greer, SC

"THIS IS TO CERTIFY THAT WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT; AND THAT THE PROPERTY LINES, WALLS AND BUILDINGS ARE AS SHOWN HEREON; THAT THE BUILDINGS ON SAID LOT DOES NOT ENCROACH OR PROJECT ON ADJACENT STREETS OR PROPERTY; AND THAT NO ADJACENT BUILDINGS OR WALLS ENCROACH OR PROJECT ON SAID PREMISES; AND THIS STRUCTURE IS NOT LOCATED IN A DESIGNATED FLOOD AREA; AND TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SHOWN THEREIN"
West Poinsett Street

809 West Poinsett Street
Greer, SC

This is to certify that we surveyed the property shown on this plat, and that the property lines, walls and buildings are as shown hereon; that the buildings on said lot do not encroach on project on adjacent streets or property; and that no adjacent buildings or walls encroach on project on said premises; and this structure is not located in a designated flood area; and to the best of my knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the minimum standards manual for the practice of land surveying in South Carolina, and meets or exceeds the requirements for a Class II survey as shown therein.

Exhibit A