ORDINANCE NUMBER 39-2018

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES OWNED BY PLASTIC OMNIUM EXTERIOR, LLC LOCATED AT 871 AND 875 VICTOR HILL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL DISTRICT) FOR SAID PROPERTY.

WHEREAS, Plastic Omnium Exterior, LLC. is the owner of properties located at 871 and 875 Victor Hill 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 Spartanburg County Parcel Numbers 5-24-00-043.10 and 5-24-00-043.02 containing approximately 10.00 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Numbers 45083C0216D attached hereto marked as Exhibit D; and

WHEREAS, the properties currently have zero (0) occupants; and

WHEREAS, Plastic Omnium Exterior, LLC. has petitioned the City of Greer to annex their properties by one-hundred percent (100%) method provided for by South Carolina Code Section 5-3-150 (3); and

WHEREAS, the properties are now outside the city limits of Greer but adjoins the city limits; and

WHEREAS, the property owner has requested that the subject properties be zoned I-1 (Industrial 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 10.00 acres +/- properties shown in red on the attached map owned by Plastic Omnium Exterior, LLC. located at 871 and 875 Victor Hill Road as described on the attached map as Spartanburg County Parcel Numbers 5-24-00-043.10 and 5-24-00-043.02 are hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced properties shall be zoned I-1 (Industrial District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. **LAND USE MAP:** The above reference properties shall be designated as Employment Center Community on the Land Use Map contained within the 2010 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 Numbers 45083C0216D.

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

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: Councilmember Wryley Bettis
First Reading: November 13, 2018
Second and Final Reading: December 11, 2018

Approved as to Form:

John B. Duggan, Esquire
City Attorney
Grantee's Address: 5100 Old Pearman Dairy Rd.
Anderson, SC 29625

DEE-2017-7510
DEE BK 114-V PG 879-990
Recorded 2 Pages on 02/21/2017 03:44:17 PM
Recording Fee: $10.00 County Taxes: $507.63 State Taxes: $1,199.00
Office of REGISTER OF DEEDS, SPARTANBURG, S.C.
Dorothy Earls, Register Of Deeds

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that, Virginia Sue Sudduth, for and in consideration of Four hundred sixty-one thousand five hundred and no/100 ($461,500.00) Dollars, the receipt of which is hereby acknowledged, and subject to the limiting language contained herein, if any, has granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto Plastic Omnium Exterior LLC:

All that lot, piece or parcel of land, located in the State of South Carolina, County of Spartanburg, approximately 5 miles southeast from the City of Greer on the north side of Woods Chapel Road S-93, containing 10.00 acres, more or less, as shown on plat of survey made for John H. Sudduth by John A. Simmons, RLS dated November 3, 1987 and recorded in Plat Book 102, page 847 in the office of the Register of Deeds for Spartanburg County, to which plat reference is made for a more complete and perfect description.

LESS and EXCEPT: All that lot, piece or parcel of land, located in the State of South Carolina, County of Spartanburg, containing 2.9 acres, more or less as shown on plat of survey made for John H. Sudduth by Chapman Surveying Co., Inc. dated February 5, 2007 and recorded in Plat Book 161, page 170 in the office of the Register of Deeds for Spartanburg County, to which plat reference is made for a more complete and perfect description.

This being the same property conveyed to Grantor by deed of John H. Sudduth recorded in Deed Book 69-R, page 809 on September 28, 2007 in said Register's Office.

TMS# 5-24-00-043.10

ADDITIONALLY AND ALSO, Grantor conveys to Grantee without warranty of any kind all of the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and in equity, of the Grantors in, and to the aforesaid described property, any strips or gores of land and any streets, roads or alleyways abutting the aforesaid described property.
In addition to the reservations, conditions and/or easements contained herein, this conveyance is made subject to all covenants, restrictions, easements and rights of way of record.

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 said premises before mentioned unto the said Grantee(s) and the Grantee's(s') heirs (or successors) and Assigns forever.

SUBJECT to the limiting language contained herein, if any, the Grantor(s) do(es) hereby bind the Grantor(s) and the Grantor's(s') heirs (or successors) and assigns, to warrant and forever defend all and singular the premises unto the Grantee(s), and the Grantee's(s') heirs (or successors) and assigns against the Grantor(s) and the Grantor's(s') heirs (or successors) and against any person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS the grantor's(s') hand(s) and seal(s) this _21_ day of February, 2017.

SIGNED, sealed and delivered in the presence of:

[Signatures]

Virginia Sue Sudduth

STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG  

ACKNOWLEDGMENT

I, Donald B. Wilkerson, the undersigned Notary Public, do hereby certify that Virginia Sue Sudduth personally appeared before me this day and acknowledged the due execution of the foregoing instrument on the _21_ day of Feb., 2017.
Grantee's Address:  5100 Old Pearman Dairy Rd.  
Anderson, SC 29625

STATE OF SOUTH CAROLINA  )
COUNTY OF SPARTANBURG )

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, that, Ramon Lozano, Jr. for and in consideration of One hundred ninety thousand and no/100 ($190,000.00) Dollars, the receipt of which is hereby acknowledged, and subject to the limiting language contained herein, if any, has granted, bargained, sold and released; and by these presents do grant, bargain, sell and release unto Plastic Omnium Exterior LLC:

All that lot, piece or parcel of land, located in the State of South Carolina, County of Spartanburg, containing 2.9 acres, more or less as shown on plat of survey made for John H. Sudduth by Chapman Surveying Co., Inc. dated February 5, 2007 and recorded in Plat Book 161, page 170 in the office of the Register of Deeds for Spartanburg County, to which plat reference is made for a more complete and perfect description.

This being the same property conveyed to Ramon Lozano, Jr. by deed of Greer State Bank recorded in Deed Book 96-B, page 74B on April 27, 2010 in the office of the Register of Deeds for Spartanburg County.

TMS# 5-24-00-043.06

ADDITIONALLY AND ALSO, Grantors convey to Grantee without warranty of any kind all of the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and in equity, of the Grantors of, in, and to the aforesaid property, any strips or gores of land and any streets, roads or alleyways abutting the aforesaid property.

In addition to the reservations, conditions and/or easements contained herein, this conveyance is made subject to all covenants, restrictions, easements and rights of way of record.

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 said premises before mentioned unto the said Grantee(s) and the Grantee's(s') heirs (or successors) and assigns forever.

SUBJECT to the limiting language contained herein, if any, the Grantor(s) do(oe) hereby bind the Grantor(s) and the Grantor's(s') heirs (or successors) and assigns, to warrant and forever defend all
and singular the premises unto the Grantee(s), and the Grantee's heirs (or successors) and assigns against the Grantor(s) and the Grantor's heirs (or successors) and against any person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS the grantor's hand(s) and seal(s) this 30 day of December, 2016.

SIGNED, sealed and delivered
in the presence of:

[Signature]

(SEAL)

Ramon Lozano, Jr.

[Signature]

STATE OF SOUTH CAROLINA  }  ACKNOWLEDGMENT
COUNTY OF SPARTANBURG  }

I, Donald B. Wildman, the undersigned Notary Public, do hereby certify that Ramon Lozano, Jr. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

(SEAL)

Donald B. Wildman
Notary Public for South Carolina
Print Name:
My commission expires:
EXHIBIT B

THE 851 GROUP
DEED BOOK 02 Z, PAGE 704
PIN 5-24-00-043.02

PLASTIC CUMMINGS AUTO EX
DEED BOOK 105 X, PAGE
PIN 5-24-00-043.12

7.10 Acres

VIRGINIA SUE BUCHER
DEED BOOK 89 R, PAGE 800
PIN 5-24-00-043.10

MOBILE HOME

781'312.57" E

STOP PAGE BLDG

980.84

MOBILE HOME

MOBILE HOME

5.81'629.5" E

MOBILE HOME

300.11

CURRIN ROAD

BRICK 901.1

CUMULUS DSP 081 LP
DEED BOOK 82 R, PAGE 869
PIN 5-24-00-043.00

EXHIBIT B

VICTOR HILL ROAD
COUNTY MAINTAINED 18" PAVED

2.50 Acres

RAMON LOZANO, JR
DEED BOOK 98 B, PAGE 748
PIN 5-24-00-043.02

HARDER ROAD

N 82°17'52" W
183.74

N 82°17'52" W
201.14

2 STORY FRAME REHAB

NOTE: This plot represents a survey of two existing parcels of land currently shown on the tax map for Spartanburg County. No new parcels or roads have been created by this survey.

SURVEY FOR

LOCATED SOUTH OF GREER
SPARTANBURG COUNTY, SC
NOVEMBER 28, 2016
SCALE 1" = 100'

S.C. Professional Land Surveyor No. 7256

REFERENCE

Suddeth Parcel
Deed Book 29 R, Page 809
Pll Book 102, Page 947
Tax PIN 5-24-00-043.10

Locano Parcel
Deed Book 98 B, Page 748
Pll Book 102, Page 120
Tax PIN 5-24-00-043.02

LAVENDER, SMITH & ASSOCIATES, INC.
LAND SURVEYORS & MAPPERS
Petition For Annexation

The persons whose signatures appear below are freeholders owning real property in an area, which is contiguous to the City of Greer and which, is proposed to be annexed into the City. The freeholder(s) of property located on or at 875 Victor Hill Road, more particularly described on the deed (or legal description) attached hereto marked as Exhibit A; the plat attached hereto marked as Exhibit B; Tax Parcel Map with Number 5-24-00-043.10 attached hereto marked as Exhibit C containing approximately 10 acres; identify that area more particularly. That highlighted or marked portion is incorporated by reference as a description of the area. By their signatures, the freeholders petition the City Council to annex the entire area.

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorising the City Council to annex an area when presented with a petition signed by one hundred (100%) percent of the freeholders owning one hundred (100%) percent of the assessed value of real property in an area proposed to be annexed. This petition and all signatures thereto shall be open for public inspection on demand at the City Hall, located at the address set forth above. If the petition is still in circulation for signatures, or otherwise not available, at the time demand is made, then it shall be made available as soon thereafter as reasonably practical. Any person who seeks to challenge the annexation, and who has standing to do so, should act in accord with the requirements of Chapter 3 of Title 5 of the South Carolina Code.

DATE OF PETITION: This petition is dated the 25th day of October, 2018, before the first signature below is attached. By law, all necessary signatures must be completed within six (6) months of the identified date; but this petition shall be deemed complete if the requisite number of signatures is acquired sooner.

Print Name: Brian B. Tally
Signature:  
Address: 310 Genest Rd, Greer, SC 29651
Witness: Elizabeth A. Tally
Date: 10/25/2018
Parcel Address: 875 Victor Hill Road
Tax Map Number: 5-24-00-043.10

(See attached Map & Property Description)
ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 10/25/18

(Fees for this application are based on a sliding scale - See Fee Schedule)

Tax Map Number(s) 5-24-00-043.10 + 5-24-00-043.02

Property Address(s) 871 Victor Hill Road + 875 Victor Hill Road

Acreage of Properties (7.10)+(2.9) = 10Ac County Spartanburg

Applicant Information
Name Plastic Omnium Exterior, LLC
Address 310 Genoble Road
          Greer, South Carolina 29651
Contact Number (864) 760-7051
Email brian.tally@plasticomnium.com

Property Owner Information
(If multiple owners, see back of sheet)
Name
Address
Contact Number (SAME)
Email

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described? Yes ___ No ___

The applicant hereby requests that the property described be zoned (in the case of Annexation) or rezoned from OTHER UNDEVELOPED LAND to I-1 INDUSTRIAL.

Existing Use: OTHER UNDEVELOPED Proposed Use: I-1 INDUSTRIAL

Signature(s) ____________________________ If not the property owner, an Acting Agent Authorization from will be required at the time of submittal.

All zoning classifications, permitted uses and fees are available at www.cityofgreer.org

OFFICE USE ONLY

Date Filed 10-25-18 Case No. AV 2018-17
Meeting Date 11-19-18

See Reverse