ORDINANCE NUMBER 2-2019

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTIES OWNED BY MICHAEL G. (MIKE) FROST LOCATED ON LISTER ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL DISTRICT) FOR SAID PROPERTIES.

WHEREAS, Michael G. (Mike) Frost is the sole owner of properties located on Lister 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 (1) 5-14-00-039.01, (2) 5-14-00-039.02 and (3) 5-14-00-039.03 containing approximately 10.17 +/- acres attached hereto marked as Exhibit C, the National Flood Insurance Program Flood Insurance Rate Map Numbers 45045C0358E attached hereto marked as Exhibit D; and

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

WHEREAS, Michael G. (Mike) Frost has petitioned the City of Greer to annex his 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 10.17 acres +/- properties shown in red on the attached map owned by Michael G. (Mike) Frost located on Lister Road as described on the attached map as Spartanburg County Parcel Numbers (1) 5-14-00-039.01, (2) 5-14-00-039.02 and (3) 5-14-00-039.03 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 Residential Land Use 2 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 45045C0358E.

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

This ordinance shall be effective contingent upon closing of the sale of said property by the owner to Clarius Partners, LLC or its designated or affiliated company on or before October 31, 2019.

CITY OF GREER, SOUTH CAROLINA

[Signature]
Richard W. Danner, Mayor

ATTEST:

[Signature]
Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Kimberly Bookert

Ordinance Number 2-2019
Annexation Lister Rd
Page 2 of 3
First Reading: January 8, 2019
Second and Final Reading: January 22, 2019

APPROVED AS TO FORM:

[Signature]
Michael E. Kozlarek, Esq.
Kozlarek Law LLC
Block Map No. 5-14-00-039.01

Address of Grantee:
228 Lister Rd
Greer, SC 29651

DEED ONLY – NO TITLE EXAMINATION

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

KNOW ALL MEN BY THESE PRESENTS, that Terry L. Frost in consideration of Ten Dollars, the receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto Michael G. Frost, his heirs and assigns:

All of my interest in and to:

ALL that certain piece, parcel or tract lot of land, situate, lying and being in the State of South Carolina, County of Spartanburg, on the east side of Lister Road (SC Rd. S-42-220), Greer, being show and designated as 2.6 acres, more or less, on a boundary survey entitled "BOUNDARY SURVEY FOR MIKE FROST" dated May 11, 2001, prepared by Sinclair & Associates, Inc., recorded in the ROD Office for Spartanburg County on August 31, 2001 in Plat Book 150 at page 954. Reference being made to said plat for a more complete description.

This being the same property conveyed to Michael G. Frost and Terry L. Frost by deed of Mike Frost recorded on December 19, 2005 in the Register of Deeds Office for Spartanburg County, South Carolina in Deed Book 84-R at page 71.

All referenced recordings are located in the Register of Deeds Office for Spartanburg County, South Carolina unless otherwise noted herein.

together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in anywise 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), 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 against the grantor(s) and the grantor's(s') heirs (or successors) and against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to conditions, reservations, restrictions and easements of record, if any.
WITNESS the Grantor(s') hand(s) and seal(s) this 31st day of July, 2018.

SIGNED, sealed and delivered
in the presence of:

[Signatures]

Witness

Witness

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

ACKNOWLEDGMENT

I, the undersigned Notary Public of the County and State aforesaid, certify that the within-named Grantor(s) personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this 31st day of July, 2018.

[Notary Signature]
Notary Public for South Carolina
My Commission Expires: 08-05-2025

[Printed Name]
Printed Name of Notary
STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG  

AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information regarding the use of this affidavit and I understand such information.

2. The property being transferred is located at 228 Lister Road, Greer, SC, bearing Spartanburg County Tax Map No. 5-14-00-039.01, and was transferred by Terry L. Frost to Michael G. Frost on July 31, 2018.

3. The deed is exempt from the deed recording fee because property is conveyed to a family member and no consideration is being paid.

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as 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.

[Terry L. Frost]
Responsible Person Connected with the transaction

SWORN to before me this 31st day of July, 2018.

[Daniel A. Craig]
Notary Public for South Carolina
My commission expires: 08-25-2018

Printed Name of Notary
KNOW ALL MEN BY THESE PRESENTS, that we, WILLIAM SEAY and BRENDA S. FROST

In consideration of Ten and 00/100 ($10.00) 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 MIKE FROST, his heirs and assigns forever:

All that piece, parcel or tract of land lying, being and situate in the State of South Carolina, County of Spartanburg, on the east side of Lister Road, containing 1.98 acres, more or less, and being shown on plat of survey prepared for Mike Frost, dated January 18, 2000, by Sinclair & Associates, Inc., Engineers, Surveyors & Managers, to be recorded. For a more particular description, reference is herein specifically made to said plat.


Block Map Reference: p/o 5-14-00-039.01.

Together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in anywise incident or appertaining to have and to hold all singular the premises before mentioned unto the grantee(s), and the grantee(s)’ heirs (or successors) and assigns forever. And the grantor(s) do(es) hereby bind the grantor(s) and the grantee(s)’ heirs (or successors), executors and administrators to warrant and forever defend all and singular said premises the grantee(s) and the grantee(s)’ heirs (or successors) and assigns against the grantor(s) and the grantee(s)’ heirs (or successors) and against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to restrictions and easements of record, if any.

WITNESS the grantor(s)’ hand(s) and seal(s) this 15th day of February, 2000.

SIGNED, sealed and delivered in the presence of:

\[Signature\]
\[Seal\]

\[Signature\]
\[Seal\]

STATE OF South Carolina
COUNTY OF Spartanburg

Personally appeared the undersigned witness and made oath that (s)he saw the within named grantor(s) sign, seal and as the grantor(s)’ 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 15th day of February 2000

\[Signature\]
\[Seal\]
STATE OF SOUTH CAROLINA)
COUNTY OF Spartanburg )

AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

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

2. The property being transferred is located at Lister Road, Spartanburg

    bearing Spartanburg County Tax Map Number: R/O 5-14-00-039.01

    was transferred by William Brey and Brenda S. Frost

    to Mike Frost on February 2000.

3. The deed is exempt from the deed recording fee because (See Information section of affidavit):

   Item #1 - consideration less than $100
   Item #2 - Transfer from grandfather and mother

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

5. I understand that a person required to furnish this affidavit who wilfully 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.

   Mike Frost
   Responsible Person Connected with the Transaction

affirmed to before me this 28th day of February 2000


Mike Frost
Print or Type Name Here

Notary Public for South Carolina
My Commission Expires 01-01-2000
INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty."

Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other transferrable property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of anything. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration.

Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of consideration in the case of realty transferred between a corporation, a partnership, or other entity and a shareholder, partner, or owner of the entity, and in the case of realty transferred in trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value.

A deduction from value is allowed for the amount of any lien or encumbrance existing on the realty, taxes, interest, or credit before the transfer and remaining on the realty, or credit after the transfer.

Exempted from the tax are deeds:

(1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;

(2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;

(3) that are otherwise exempted under the laws and Constitution of this State or of the United States;

(4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);

(5) transferring realty in order to partition a realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;

(6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;

(7) the contract a contract for the sale of timber to be cut;

(8) transferring realty to a corporation, a partnership, or a trust in order to become, or as, a stockholder, partner, or trust beneficiary of the entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, or trust beneficial interest in the trust, or the instrument in value of stock or interest held by the grantor. However, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the tax even if the realty is transferred to another corporation, a partnership, or trust;

(9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantor's interest in the partnership or trust. A "family partnership" is a partnership whose parent is all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);

(10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;

(11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership, and;

(12) the conveyance of a corporate deed or a quitclaim deed used to confirm title already vested in the grantor, provided that no consideration of any kind is paid or is to be paid under the corporate or quitclaim deed.
STATE OF SOUTH CAROLINA

COUNTY OF: SPARTANBURG

IN THE MATTER OF:
BRENDA S. FROST
(Decedent)

IN THE PROBATE COURT
DEED OF DISTRIBUTION
(Real Property Only)
NOT A WARRANTY DEED
CASE NUMBER: 2017ES4200254

County where property is located if not above County: ____________________________

The undersigned states as follows:

Decedent died on January 21, 2017; and probate of the estate is being administered in the Probate Court for Spartanburg County, South Carolina in File # 2017ES4200254.

I/We was/were appointed Personal Representative(s) on February 17, 2017. Decedent owned real property described as follows:

Tax Map Number: 5-14-00 - 039.03
Street Address: 0 Lister Rd Greer SC 29651
Legal Description: SEE ATTACHMENT

This transfer is made pursuant to:

☐ Decedent's Will
☐ Intestacy Statute: SCPC 62-2-103
☑ Private Family Agreement: SCPC 62-3-912
☐ Disclaimer by:
☐ Probate Court Order:
☐ Other:
In accordance with the laws of the State of South Carolina, the Personal Representative(s) does/do have the Personal Representative's(s') right, title, and interest, including statutory and/or testamentary power over property described to the following beneficiaries named below:

Name: Mike Frost
Address: 228 Lister Rd Creek SC 29657

Name: 
Address: 

Name: 
Address: 

Name: 
Address: 

Name: 
Address: 

Name: 
Address: 

☐ An additional sheet is attached for names of additional Beneficiaries (check, if applicable)

IN WITNESS WHEREOF the undersigned, as Personal Representative(s) of the above estate, has executed this Deed of Distribution, on this 29th day of Nov, 2017.

Estate of: Brenda S. Frost

SIGNED, SEALED, AND DELIVERED IN THE PRESENCE OF:

Witness: 
Print Name: 

Witness: 
Print Name: 

Signature of Personal Representative: 
Print Name: 

If applicable, Signature of Co-Personal Representative: 
Print Name: 

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

ACKNOWLEDGMENT

I, Melody M. Hillwood, Notary Public, a notary for the State of South Carolina do hereby certify that BARRY FROST, MICHAEL FROST, as Personal Representative(s) of the Estate of Brenda S. Frost, personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Distribution.

Witness my hand and seal this the 29th day of Nov, 2017.

Melody M. Hillwood
(Signature of Notary Public)

Melody M. Hillwood
(Print name of Notary Public)
Notary Public for State of South Carolina
My Commission Expires: 11-2-2020

Note: It is recommended that an attorney prepare this document and determine if a title examination is necessary.
All that certain piece, parcel or lot of land lying and being in the State of South Carolina, County of Spartanburg, shown on plat entitled “Survey for: Michael G. Frost”, dated January 4, 2018, prepared by Langford Land Surveying, LLC, and having the following metes and bounds to-wit:

BEGINNING at a 1/2" rebar set located on the right of way of Lister Road (S-220) at the common corner with M. Frost and being the POINT OF BEGINNING; thence leaving said right of way and with M. Frost N 53°19'48" E for a distance of 425.68' to a 1/2" rebar set at the common corner with P. Brannon; thence turning and with P. Brannon S 54°39'49" E for a distance of 521.45' to a 3/4" pipe found at the edge of a gravel road at the common corner with W. Mason; thence turning and with W. Mason (the centerline of the gravel road is the line) S 26°32'40" E for a distance of 250.27' to a point in the gravel road at the common corner with M. Frost; thence turning and with M. Frost S 55°51'31" W for a distance of 180.37' (passing a 1/2" rebar found at 12.77") to a 1/2" rebar found at the common corner with E. Staton; thence turning and with E. Staton N 29°56'18" W for a distance of 214.97' to a 3/4" pipe found; thence turning and continuing with E. Staton S 44°59'48" W for a distance of 323.04' to a 1/2" rebar found on the right of way of Lister Road (S-220); thence turning and with said right of way N 44°52'21" W for a distance of 421.41' to a 1/2" rebar set on the right of way of Lister Road (S-220); thence turning and with said right of way N 39°42'58" W for a distance of 150.81' to a 1/2" rebar set and being the POINT OF BEGINNING and containing 6.90 Acres.
THIS IS TO CERTIFY THAT WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE PROPERTY LINES, WALLS AND BUILDINGS ARE AS SHOWN HERETON. THAT THE BUILDINGS ON SAID LOT DO 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 HERETON 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 HERETON.

SPARTANBURG COUNTY, S.C.  PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD

DATE: 12-07-18  S.C. REG. NO. 17933

SOUTH CAROLINA CERTIFICATE OF AUTHORITY

EAS PROFESSIONALS, INC.
No. 3363

BEOTECHNICAL AND ENVIRONMENTAL ENGINEERING CONSTRUCTION MATERIALS TESTING LAND SURVEYING SPECIALTY SERVICES

9 Pilgrim Road, Greer, South Carolina 29650

EAS-18-8463
BEGINNING AT THE INTERSECTION OF J. VERNE SMITH PARKWAY AND LISTER ROAD RUNNING ALONG THE NORTHERN RIGHT-OF-WAY OF LISTER ROAD S 37°08'08" E - 30.65 FEET TO AN IRON PIN SET 1/2" REBAR; THENENCE S 35°15'27" E - 102.32 FEET TO AN IRON PIN SET 1/2" REBAR; THENENCE S 42°59'43" E - 470.27 FEET TO AN IRON PIN FOUND 3/4" REBAR; THENENCE S 42°50'11" W - 156.08 FEET TO AN IRON PIN FOUND 1" OPEN TOP BENT. BEING THE P.O.B. (POINT OF BEGINNING); THENENCE RUNNING ALONG THE ADJOINING PROPERTY LINE OF ELIZABETH GLENN STATON N 57°47'01" E - 272.53 FEET TO AN IRON PIN FOUND 3/4" SOLID ROD; THENENCE N 57°45'10" E (PASSING THROUGH AN IRON PIN FOUND 1/2" REBAR AT 167.7 FEET) - 180.37 FEET TO AN IRON PIN FOUND 1/2" REBAR BENT; THENENCE TURNING AND RUNNING ALONG THE ADJOINING PROPERTY LINE OF WILENE B. MASON ALONG A CURVE TO THE RIGHT S 03°10'02" W - 200.04 FEET (WITH A RADIUS OF 703.56 FEET) TO A POINT; THENENCE S 10°18'17" W - 119.99 FEET TO A POINT; THENENCE TURNING AND RUNNING S 77°51'01" W (PASSING THROUGH AN IRON PIN FOUND 1/2" OPEN TOP AT 13.8 FEET) - 213.46 FEET AN IRON PIN FOUND 1" OPEN TOP. THENENCE RUNNING ALONG THE NORTHERN RIGHT-OF-WAY OF LISTER ROAD N 39°06'23" W - 289.16 FEET TO THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 2.66 ACRES (115,870 SQUARE FEET), MORE OR LESS.
TMS #5-14-00-039.02 Exhibit "B"

THIS IS TO CERTIFY THAT WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE PROPERTY LINES, WALLS AND BUILDINGS ARE AS SHOWN HEREBY THAT THE BUILDINGS ON SAID LOT DOES NOT ENCROACH OR PROJECT ON ADJACENT STREET 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 HEREBY WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRATICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEDES THE REQUIREMENTS FOR A CLASS II SURVEY AS SHOWN THEREIN.

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION

EAS PROFESSIONALS, INC.
No. 3363

SPARTANBURG COUNTY, S.C. PLAT BK. PG.
PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD

DATE: 12-07-18 S.C. REG. NO.
SCALE: 1" = 200'

EAS-18-8463 17933
BEGINNING AT AN IRON PIN SET 1/2' REBAR, AT THE INTERSECTION OF J. VERNE SMITH PARKWAY AND LISTER ROAD, BEING LABELED AS P.O.B (POINT OF BEGINNING); THENCE RUNNING ALONG J. VERNE SMITH PARKWAY ALONG A CURVE TO THE LEFT N 42°14'34" E - A DISTANCE OF 399.53 FEET (WITH A RADIUS OF 2,057.06 FEET) TO AN IRON PIN SET 1/2' REBAR; THENCE WITH PROPERTY NOW OR FORMERLY OWNED BY PAUL BRANNON AND LINDA H. LISTER S 52°45'10" E - 113.76 FEET TO AN IRON PIN SET 1/2' REBAR; THENCE WITH PROPERTY NOW OR FORMERLY OWNED BY BRENDA S. FROST S 55°14'13" W - 425.83 FEET TO AN IRON PIN SET 1/2' REBAR; THENCE ALONG THE NORTHERN RIGHT-OF-WAY LINE OF LISTER ROAD N 37° 08'08" W - 30.65 FEET TO THE POINT AND PLACE OF BEGINNING, SAID PROPERTY CONTAINS 0.61 ACRES (26,496 SQUARE FEET), MORE OR LESS.

TMS #5-14-00-039.02
Exhibit "A"

S.C. REG. NO. 17933
TMS #5-14-00-039.03 Exhibit "B"

THIS IS TO CERTIFY THAT WE SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE PROPERTY LINES, WALLS AND BUILDINGS ARE AS SHOWN HEREOF. 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 HEREOF 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 H SURVEY AS SHOWN THEREIN.

SPARTANBURG COUNTY, S.C. PLAT BK. __________ PG. __________
PROPERTY SUBJECT TO ALL R/W AND EASEMENTS OF RECORD

DATE: 12-07-18 SCALE: 1" = 200'
S.C. REG. NO. 17933

EAS-18-8463

EAS PROFESSIONALS
Geotechnical and Environmental Engineering
Construction Materials Testing
Land Surveying
Specialty Services
9 Pilgrim Road, Greenville, South Carolina 29607
(864) 234-7368 | www.eas-prof.com
BEGINNING AT THE INTERSECTION OF J. VERNE SMITH PARKWAY AND LISTER ROAD RUNNING ALONG THE
NORTHERN RIGHT-OF-WAY OF LISTER ROAD S 37°08'08" E - 30.65 FEET TO AN IRON PIN SET 1/2" REBAR, BEING
THE POINT OF BEGINNING; THENCE ALONG ADJOINING PROPERTY OF NOW OR FORMERLY MIKE FROST N
55°14'13" E - 425.83 FEET TO AN IRON PIN SET 1/2" REBAR, THENCE ALONG THE PROPERTY OF NOW OR
FORMERLY PAUL BRANNON AND LINDA H. LISTER S 52°44'35" E - 521.35 FEET TO AN IRON PIN FOUND 1 1/4"
REBAR; THENCE ALONG THE PROPERTY OF NOW OR FORMERLY WILENE B. MASON S 24°38'09" E - 250.28 FEET
TO AN IRON PIN FOUND 1/2" OPEN TOP; THENCE ALONG PROPERTY OF NOW OR FORMERLY MICHAEL G. AND
TERRY L. FROST S 57°45'10" W (PASSING THROUGH AND IRON PIN FOUND 1/2" OPEN TOP AT 12.8 FEET) - 180.37
FEET TO AN IRON PIN FOUND 3/4" OPEN TOP; THENCE ALONG THE PROPERTY OF NOW OR FORMERLY
ELIZABETH GLENN STATON S 46°53'27" W - 322.91 FEET TO AN IRON PIN FOUND 3/4" OPEN TOP; THENCE ALONG
THE NORTHERN RIGHT-OF-WAY LINE OF LISTER ROAD N 42°59'43" W - 470.27 FEET TO AN IRON PIN SET 1/2"
REBAR, THENCE N 35°15'27" W - 102.32 FEET TO THE POINT OF BEGINNING, SAID PROPERTY CONTAINING 6.90
ACRES (300,584 SQUARE FEET), MORE OR LESS.
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 228 Lister 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 5-14-00-039.01 attached hereto marked as Exhibit C containing approximately 2.66 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. Such annexation to be expressly contingent upon the closing of the sale of the said property (cont. below)*

This petition is submitted under the provisions of S.C. Code §5-3-150(B), authorizing 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 practicable. 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 this 14th day of December, 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: MIKE FROST  Print Name: 
Signature: ______________________  Signature: 
Address: 228 LISTER RD GREER  Address: 
Witness: BILLY GORE  Witness: 
Date: 12-14-18  Date: 
Parcel Address:  
Tax Map Number: 5-14-00-039.01  Tax Map Number: 

*by the freeholder(s) herein to Clarius Partners, LLC or its designated or affiliated company so long as the closing occurs on or before October 31, 2019.
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 Lister 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 5-14-00-039.02 attached hereto marked as Exhibit C containing approximately 0.64 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, such annexation to be expressly contingent upon the closing of the sale of the said property (cont. below)*

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing 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 this 14th day of December, 20__ 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: Michael Frost
Signature: Michael Frost
Address: 228 Lister Rd Greer
Witness: Billy Coggins
Date: 12-14-18
Parcel Address:
Tax Map Number: 5-14-00-039.02

(See attached Map & Property Description)

*by the freeholder(s) herein to Clarius Partners, LLC or its designated or affiliated company so long as the closing occurs on or before October 31, 2019.
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 Lister 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 5-14-00-039.03 attached hereto marked as Exhibit C containing approximately 6.9 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. such annexation to be expressly contingent upon the closing of the sale of the said property (cont. below)*

This petition is submitted under the provisions of S.C. Code §5-3-150(3), authorizing 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 this 14th day of December, 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: Mike Frost
Signature: Mike [Signature]
Address: 228 Lister Rd Greer
Witness: Bill [Signature]
Date: 12-14-19
Parcel Address:
Tax Map Number: 5-14-00-039.03

Print Name: ______________________
Signature: ______________________
Address: ______________________
Witness: ______________________
Date: ______________________
Parcel Address: ______________________
Tax Map Number: ______________________

(See attached Map & Property Description)

*by the freeholder(s) herein to Clarius Partners, LLC or its designated or affiliated company so long as the closing occurs on or before October 31, 2019.
STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED is made this 24th day of April, 2019 by Michael G. Frost a/k/a Mike Frost ("Grantor") to W/C GSP JV VIII, L.L.C., a Delaware limited liability company ("Grantee"). The designation Grantor and Grantee as used herein shall include said parties, their successors and assigns, and shall include singular, plural, masculine, feminine or neuter as require by context.

Grantor, for and in consideration of the sum of One Million Four Hundred Thousand and No/100 Dollars ($1,400,000.00) paid by Grantee to Grantor, the receipt of which is hereby acknowledged, subject to the Exceptions (as hereinafter defined), hereby grants, sells, conveys, bargains and releases to Grantee all that certain piece, parcel or lot of land in lying and being in the State of South Carolina, County of Spartanburg described on Exhibit A attached hereto and made a part hereof, together with all the improvements located thereon, and all easements, hereditaments and appurtenances thereto belonging or in anywise appertaining or rights of way relating thereto (the "Property").

This Limited Warranty Deed is made and accepted expressly subject only to (i) real estate taxes and assessments for the year 2019 and subsequent years, both general and special, not yet due and payable and (ii) easements, covenants, restrictions, and other matters set forth on Exhibit B attached hereto and made a part hereof (collectively, the "Exceptions").

TO HAVE AND TO HOLD, subject only to the Exceptions, the Property unto Grantee, forever in fee simple.

Grantor will warrant and forever defend title to the Property, subject to the Exceptions, to Grantee against the lawful claims of all persons claiming by, through or under Grantor but no others.

[Remainder of this page intentionally left blank; signature page immediately follows]
IN WITNESS WHEREOF, Grantor has executed and delivered this Limited Warranty Deed under seal as of day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Daniel A. Craig  
Signature of Witness

Print Name: Daniel A. Craig

Michael G. Frost a/k/a Mike Frost  
(SEAL)

Signature of Witness

Print Name: Shelly E. Craig

Mike Frost  
(SEAL)

ACKNOWLEDGEMENT
(Pursuant to Sections 20-5-30(B) & (C) of the Code of Laws of South Carolina, 1976 as amended)

I, Daniel A. Craig, a notary public of the State of South Carolina, do hereby certify that Michael G. Frost a/k/a Mike Frost personally appeared before this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and (where an official seal is required by law) official seal the 24th day of April, 2019.

Daniel A. Craig  
(Seal)

Notary Public for South Carolina
Print Name: Daniel A. Craig
My Commission Expires: 08/25/2025

DANIEL A. CRAIG
NOTARY PUBLIC
STATE OF SOUTH CAROLINA
MY COMM. EXP. 08-25-2025
EXHIBIT A

Parcel 1:

ALL that certain piece, parcel or tract of land, situate, lying and being in the State of South Carolina, County of Spartanburg, on the east side of Lister Road (SC Rd. S-42-220), Greer, being shown and designated as 2.6 acres, more or less, on a boundary survey entitled "BOUNDARY SURVEY FOR MIKE FROST" dated May 11, 2001, prepared by Sinclair & Associates, Inc., recorded in the Office of the Register of Deeds for Spartanburg County in Plat Book 150 at Page 954, reference being made to said plat for a more complete metes and bounds description hereof.

LESS AND EXCEPT, HOWEVER, that portion of the property conveyed to the South Carolina Department of Transportation by deed dated May 24, 2000 and recorded in the Office of the Register of Deeds for Spartanburg County on August 4, 2000 in Deed Book 72-L at page 417.

This being the same property conveyed to Grantor by deed of Terry L. Frost dated July 31, 2018, recorded on August 1, 2108 in Deed Book 120-Q, Page 298, in the Office of the Register of Deeds for Spartanburg County, South Carolina. See also deed from Mike Frost to Michael G. Frost and Terry L. Frost dated December 14, 2005, recorded on December 19, 2005 in Deed Book 84-R, Page 71, in the Office of the Register of Deeds for Spartanburg County, South Carolina. See also deed from Brenda S. Frost to Mike Frost dated August 16, 2001, recorded on August 24, 2001 in Deed Book 74-J, Page 791, in the Office of the Register of Deeds for Spartanburg County, South Carolina.

Tax Map No. 5-14-00-039.01

Parcel 2:

ALL that certain piece, parcel or tract of land lying and being situate in the State of South Carolina, County of Spartanburg, on the east side of Lister Road, containing 1.98 acres, more or less, and being shown on plat of survey prepared for Mike Frost dated January 18, 2000 by Sinclair & Associates, Inc., recorded in the Office of the Register of Deeds for Spartanburg County in Plat Book 147 at Page 23, reference being made to said plat for a more complete metes and bounds description hereof.

LESS AND EXCEPT, HOWEVER, that portion of the property conveyed to the South Carolina Department of Transportation by deed dated May 24, 2000 and recorded in the Office of the Register of Deeds for Spartanburg County on August 4, 2000 in Deed Book 72-L at page 414.

This being the same property conveyed to Grantor by deed of William Seay and Brenda S. Frost dated February 7, 2000, recorded on February 15, 2000 in Deed Book 71-M, Page 551, in the Office of the Register of Deeds for Spartanburg County, South Carolina.

Tax Map. 5-14-00-039.02
Parcel 3:

ALL that certain piece, parcel or tract of land, lying and being in the State of South Carolina, County of Spartanburg, being shown and described as 6.90 acres, more or less, on plat prepared for Michael G. Frost by Langford Land Surveying, LLC, dated January 4, 2018, recorded in the Office of the Register of Deeds in Plat Book 173 at Page 664, reference being made to said plat for a more complete metes and bounds description hereof.

Tax Map 5-14-00-039.03

This being the same property conveyed to Grantor by deed of distribution in the Estate of Brenda S. Frost, recorded on January 1, 2018 in Deed Book 118-G, Page 50 in the Office of the Register of Deeds for Spartanburg County, South Carolina.
EXHIBIT B

1. Taxes and assessments for the year 2019 and subsequent years, which are a lien but are not yet due and payable.


5. The following matters disclosed by ALTA Survey dated September 25, 2018, last revised April 9, 2019, prepared by EAS Professionals as Job No. EAS-18-8353:
   a. Overhead power lines and power poles;
   b. Barns;
   c. House; and
   d. Hog wire fence.