ORDINANCE NUMBER 16-2018

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY BEATE BANNON LOCATED AT 9 MILLER ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF DRD (DESIGN REVIEW DISTRICT) FOR SAID PROPERTY

WHEREAS, Beate Bannon is the owner of property located at 9 Miller 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 Greenville County Parcel Number T009040102200 containing approximately .635 +/- acre attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0342E attached hereto marked as Exhibit D; and

WHEREAS, the property currently has zero (0) occupants; and

WHEREAS, Beate Bannon has petitioned the City of Greer to annex his/her 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 DRD, Design Review 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 .635 +/- acre property shown in red on the attached map owned by Beate Bannon located at 9 Miller Road as described on the attached map as Greenville County Parcel Number T009040102200 is hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced property shall be zoned DRD Design Review District pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

3. **LAND USE MAP:** The above reference property shall be designated as Transit Oriented District 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 Number 45045C0342E.

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

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: Councilman Wryley Bettis

Ordinance Number 16-2018
Annexation 9 Miller Rd
Page 2 of 3
First Reading:  May 8, 2018
Second and Final Reading:  June 12, 2018

Approved as to Form:

Daniel R. Hughes, Esquire
City Attorney
STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

KNOW ALL MEN BY THESE PRESENTS, that ESTATE OF HOLLAND J. MCAbee AND RICHARD L. MCAbee AND MARY ALICE SCRUGGS AND BARRY DALE MCAbee AND DONALD PERRY MCAbee (hereinafter called "Grantor"), for and in consideration of the sum of Twenty Thousand Three Hundred Fifty and 00/100 Dollars ($20,350.00) to the Grantor in hand paid at and before the sealing of these presents by BEATE BANNON, (hereinafter called "Grantee") in the State aforesaid, (the receipt and sufficiency of which is hereby acknowledged), and subject to all easements and restrictions of record and otherwise affecting the property, has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the Grantee, his heirs, successors and assigns:

All that certain piece, parcel or lot of land, together with improvements thereon, situate, lying and being in the County of Greenville, State of South Carolina, being shown and delineated as a tract containing 0.635 acres, more or less, located within the right of way for Miller Road west of its intersection with the right of way for Payne Road, as shown on a Boundary Survey prepared for Beate Bannon by Joseph E. Crowe, Land Surveyor, dated December 10, 2012, and recorded in the office of the Register of Deeds for Greenville County in Plat Book 1148 at page 57. Reference to said plat is made for a more complete and accurate description.

This being a portion of the same property conveyed to Holland J. McAbee and Betty W. McAbee by deed of Ralph R. Ellison, Jr. and Nancy S. Ellison dated 12/20/75 and recorded 12/23/75 in the Office of the ROD for Greenville County in Deed Book 1029 at Page 272. See also Deed of Distribution from the Estate of Betty Lucille Waters McAbee dated 3/16/2009 and recorded 3/16/2009 in Deed Book 2354 at Page 3347.

Grantee's address: 119 Sunset Drive Greenville SC 29605
TMS# T009-04-01-022-00

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the premises before mentioned unto the Grantee, his Heirs and Assigns forever.

And the Grantor does hereby bind himself and his heirs to warrant and forever defend all and singular the premises unto the Grantee, His Heirs and Assigns against himself and his heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Any reference in this instrument to the singular shall include the plural, and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal.
Date: December 14, 2012

Signed, Sealed and Delivered in the presence of:

Witness #1

Joanne Sagnow

Witness #2/Notary

Mary Alice Scruggs

STATE OF SC
COUNTY OF Greenville

ACKNOWLEDGMENT
S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for SC, do hereby certify that Mary Alice Scruggs personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14th, 2012.

Notary Public
My Commission Expires: 7-8-2015
Date: December 13, 2012

Signed, Sealed and Delivered in the presence of:

Witness #1

[Signature]

Witness #2/Notary

[Signature]

Donald Perry McAbee

STATE OF OHIO

ACKNOWLEDGMENT

S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for OHIO, do hereby certify that Donald Perry McAbee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 13, 2012.

[Signature]

Notary Public
My Commission Expires: 09/03/16
Date: December 14th, 2012

Signed, Sealed and Delivered
in the presence of:

Jeanne Segnow

Richard L. McAbee

Witness #1

Witness #2/Notary

STATE OF
COUNTY OF Greenville

ACKNOWLEDGMENT
S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for , do hereby certify that Richard L. McAbee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14th, 2012.

Notary Public
My Commission Expires: 7/8/2015
Date: December 14th, 2012

Signed, Sealed and Delivered
in the presence of:

[Signature]
Witness #1

[Signature]
Witness #2/Notary

Estate of Holland J. McAbee
BY: Michael E. McAbee, PR

STATE OF SC
COUNTY OF Greenville

ACKNOWLEDGMENT
S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for SC, do hereby certify that Michael E. McAbee, PR of the Estate of Holland J. McAbee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14th, 2012.

[Signature]
Notary Public
My Commission Expires: 7/8/2015
Date: December 14, 2012

Signed, Sealed and Delivered in the presence of:

Joanne Staggs
Witness #1

Dale McAbee
Witness #2/Notary

STATE OF

COUNTY OF Greenville

ACKNOWLEDGMENT
S.C. §30-5-30
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for South Carolina, do hereby certify that Barry Dale McAbee personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this December 14, 2012.

Notary Public
My Commission Expires: 7-8-2015
Subject Property
T009040102200
Acres: 0.635
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 9 Miller Rd. 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 TCS9640102200 attached hereto marked as Exhibit C containing approximately 4.0 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), 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 27th day of April, 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: BEATE BANJOU
Signature: 
Address: 119 Scenel Dr. Greenville, SC 29605
Witness: R. Karr
Date: 4-21-18
Parcel Address: 9 Miller Rd., Taylors
Tax Map Number: TCS9640102200

(See attached Map & Property Description)
Seaport Homes LLC.
(Letter of Intent, May 1st, 2018)

City of Greer
Planning & Zoning dept.
301 E. Poinsett st. Greer, SC 29651
Office: 864.848.2150

Letter of Intent: 9 Miller rd. Taylors, SC 29687

To Whom it may concern:

Tysen Sarkela owner of Seaport Homes is submitting this letter of intent to the city of Greer South Carolina.

9 Miller Rd. Taylors, SC 29687 is currently Zoned R-20 with a single family residence. It is currently vacant/abandoned property. We are proposing to annex this property into the city of Greer with the intent to rezone the property to RDR. Seaport Homes is a small Custom home Builder currently in Greer SC. This will allow Seaport homes to resurvey the property into 5 different tax map numbers (zero lot line) to build 5 single family residents. The Homes we plan to build will take advantage of some great views of Wade Hampton Blvd. and far off Mountain ranges. Each single family home will have 3 livable floors with a 4th floor roof top terrace and bonus room. Each property will have its own underground utilities, Power, sewer, water, and gas, All being run in a designed utility easement. Also, each home will have a 2 car garage with driveway space for 2 more vehicles for guest parking.

If there are any questions about this project please call Tysen at 843.754.0400 or Office 864.991.5008

Sincerely,

Tysen Sarkela