ORDINANCE NUMBER 7-2018

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY DOBBIE LIMITED PARTNERSHIP LOCATED AT VICTOR HILL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL), FOR SAID PROPERTY

WHEREAS, Dobbie Limited Partnership is the owner of property located at 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 Number 5-24-00-031.00 containing approximately 71.04 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45083C0216D attached hereto marked as Exhibit D; and

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

WHEREAS, Dobbie Limited Partnership 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 I-1, Industrial; 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 71.04 +/- acres property shown in red on the attached map owned by Dobbie Limited Partnership located at Victor Hill Road more particularly described on the attached map as Spartanburg County Parcel Number 5-24-00-031.00 is hereby annexed into the corporate city limits of the City of Greer.

2. **ZONING ASSIGNMENT:** The above referenced property shall be zoned I-1, Industrial, 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 Employment Center 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 45083C0216D.

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

This ordinance shall be effective upon second reading approval thereof.

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**CITY OF GREER, SOUTH CAROLINA**

![Signature]

Richard W. Danner, Mayor

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**ATTEST:**

![Signature]

Elizabeth Adams, Executive Administrative Assistant

Introduced by:
First Reading: February 27, 2018

Second and Final Reading: March 13, 2018

Approved as to Form:

[Signature]

Daniel R. Hughes, Esquire
City Attorney
KNOW ALL MEN BY THESE PRESENTS, that, Eunice C. Dobson
in consideration of Ten ($10.00) Dollars and other considerations the receipt of which
is hereby acknowledged, has granted, bargained, sold and released, and by these
premises does grant, bargain, sell and release unto Dobble Limited Partnership:

All that certain tract of land located near Woods Chapel Methodist Church on
the south side of Victor-Woods Chapel Road, Spartanburg County, South
Carolina containing 73.26 acres, more or less, and being more particularly
shown on survey prepared for Dobson Brothers by Wolfe & Huskey, Inc,
engineers and surveyors, dated May 10, 1982 and recorded in Plat Book 83 at
page 119 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 a portion of the property conveyed to Leonard A. Dobson by deed of
Lawrence M. Dobson et al recorded in Deed Book 51A at page 596 on February

Also: All that piece, parcel or lot of land in Spartanburg County, State of South
Carolina, located near Green, S.C., and being shown on plat made for Dobson
Brothers by Wolfe & Huskey, Inc., dated November 15, 1991 and having the
following courses and distances, to wit:

BEGINNING at iron pin on the northern side of S.C. Highway No. 280, corner
of Minnie Mathis and running thence with Mathis N. 10°49'-27 W., 247.63 feet
to right of way of Piedmont & Northern Railway; thence with said right of way
N. 78°19'-02 E., 1018.90 feet to old iron pin, corner of L.A. Dobson; thence
with L.A. Dobson S. 06°28'-00 F., 279.02 feet to old pin on the northern side
of S.C. Highway No. 280; thence with said highway S. 00°33'32 W., 995.71
feet to the beginning corner and containing 5.07 acres, more or less. This was
conveyed to R.A. and I.B. Dobson by Trustees of Wofford College by deed
recorded in deed book 9A page 11, on 3-31-1937.

This being the same property conveyed to Leonard A. Dobson by deed of
12, 1993 in said Register's Office.

TMS# 9-04-00-001.01

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 Grantor(s) and the Grantee(s)' heirs (or successors) and assigns forever. And
the Grantor(s) do(s) hereby bind the Grantor(s) and the Grantee(s)' heirs (or
successors) and assigns, to warrant and forever defend all and singular the premises
unto the Grantor(s), and the Grantee(s)' heirs (or successors) and assigns against the
Grantor(s) and the Grantee(s)' heirs (or successors) and against any person
whomsoever lawfully claiming or to claim the same, or any part thereof, except as to
conditions, covenants, right of ways, easements and restrictions of record.
WITNESS the grantor's hand(s) and seal(s) this 20 day of December, 99.

SIGNED, sealed and delivered in the presence of:

[Signature]

Eunice C. Dobson (Seal)

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

ACKNOWLEDGMENT

I, the undersigned notary public, do hereby certify that Eunice C. Dobson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN TO this 20 day of December, 99.

[Signature]

(Seal)

Notary Public for South Carolina
My commission expires: [12/31/2026]
STATE OF SOUTH CAROLINA  )  AFFIDAVIT FOR EXEMPT TRANSFERS  
COUNTY OF SPARTANBURG  )

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 Victor Woods Chapel Road bearing Spartanburg County Tax Map Number 5-24-00-031 and on SC Hwy 290 bearing Spartanburg County Tax Map Number 5-04-00-001.01 was transferred by Eunice C. Dobson to Dobie Limited Partnership on December 22, 1999.

3. The deed is exempt from the deed recording fee because (See Information section of affidavit):
   Deed is a transfer of realty to a corporation, a partnership, or a trust in order to become, or as a stockholder, partner, or trust beneficiary entity provided no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in such stock or interest held by the grantor.

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 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.

Print or Type Name Here

SNORK to appear before me this 20th day of December, 1999.

Notary Public for South Carolina
My Commission Expires: 9-22-2009
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 reality." Consideration paid or to be paid in money's worth includes, but is not limited to, either reality, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. 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 reality being transferred in determining fair market value of the consideration. In the case of reality transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of reality transferred to a trust or as a distribution to a trust beneficiary, "value" means the reality's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or reality before the transfer and remaining on the land, tenement, or reality after the transfer. Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempt from the fee are deeds:

(1) transferring reality in which the value of the reality, as defined in Code Section 13-34-35, is equal to or less than one hundred dollars;

(2) transferring reality 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 law and Constitution of this State or of the United States;

(4) transferring reality in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 42-6-40(A);

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

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

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

However, the transfer of reality from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee even if the reality is transferred to another corporation, a partnership, or trust;

(9) transferring reality 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 grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are 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 such may make deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);

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

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

(12) that constitutes a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed.
**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 **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 5-24-00-031.00 attached hereto marked as Exhibit C containing approximately 4.1 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 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 24th day of January, 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.

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Print Name: **Allen E. Cullum**

Signature: __________________

Address: 3989 Maple Ave. 410, Dallas, TX 75219-3254

Witness: __________________

Date: 1/24/18

Parcel Address: **Victor Hill Road**

Tax Map Number: 5-24-00-031.00

(See attached Map & Property Description)
Acting Agent Authorization Form

If you are the acting agent for the property owner, we need written documentation granting you the authority to do so. Please have the Property Owner complete and sign the following form.

Date: 3/24/2018

I, Dobbie Limited Partnership, am the owner of property located at Victor Hill Road, Greer, SC 5-24-00-081.00, located in Spartanburg County.

I hereby authorize:

Allen Cullum Potential Purchaser

(Relationship)

(Relationship)

(Relationship)

to act as my agent for the above mentioned property in regard to annexation and industrial zoning matters.

Dan A. Dobson Partner

(Property Owner Signature)

864-361-0499

Dan A. Dobson

(Printed Name and Contact Number)

Witness 1

Witness 2
ZONING MAP AMENDMENT APPLICATION
(ZONING & REZONING)

Date 1/24/18

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

Tax Map Number(s) 5-24-00-031.00
Property Address(s) Victor Hill Road
Acreage of Properties 41.04 County Spartanburg

Applicant Information
Name Cullum GSP 081, LP
Address 3949 Maple Av. #410
Dallas, TX 75219-3254
Contact Number 214-265-9161
Email acullum@culluminterests.com

Property Owner Information
Name Dobbie Limited Partnership
Address 7 Chipping Court
Greenville, SC 29607
Contact Number 404-991-2241
Email landersson@atlee.com

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 X

The applicant hereby requests that the property described be zoned (In the case of Annexation) or rezoned from None to Industrial

Existing Use: Agricultural Proposed Use: Industrial

Signature(s) Allen E. Cullum

If not the property owner, an Acting Agent Authorization form 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 1-24-18 Case No. AN 2018-04
Meeting Date 2-19-18

See Reverse
City of Greer
Planning Commission Minutes February 19, 2018

Ordinance Number 7-2018

Mr. Hopper read a brief statement about conducting the business meeting and opened the business meeting for AN 2018-04.

The applicant, Allen Cullum, was not present. Reno Deaton, Executive Director of Greer Development Corporation, was there to represent Mr. Cullum. He gave a brief description of his request.

Ms. McCormick read the staff analysis and recommendation for AN 2018-04 as follows:

**AN 2018-04** is a zoning/annexation for a portion of a parcel located on [Victor Hill Road](#). It is currently unzoned in Spartanburg County. The request is for I-1, Industrial, for future development of this property. This area contains a combination of land uses in the unincorporated area of Spartanburg County, as well as property in the City of Greer.

Surrounding land uses and zoning include:

- **North**: Unzoned (Spartanburg County): Single-Family Residences
- **East**: Unzoned (Spartanburg County): Vacant/Industrial
- **South**: Unzoned (Spartanburg County): BMW Test Track (annexed strip along property)
- **West**: Unzoned (Spartanburg County): Vacant

The land use map for the City of Greer defines the area adjacent to these parcels as an Employment Center Community. Therefore, the request for I-1, Industrial, is appropriate in this area in accordance with the development pattern preceding it and the continued industrial growth. As such, Staff recommends approval.

**STAFF RECOMMENDATION: APPROVAL**

There being no other discussion, Mr. Foster made a motion to approve AN 2018-04. Mr. Montgomery seconded the motion. The motion carried with a vote of 7 to 0.