ORDINANCE NUMBER 9-2017

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY KEENAN AND WITT PROPERTIES, LLC LOCATED AT 201 NORTH BUNCOMBE ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF C-3 (HIGHWAY COMMERCIAL DISTRICT) FOR SAID PROPERTY

WHEREAS, Keenan and Witt Properties, LLC are the owners of property located at 201 North Buncombe 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 T016000204612 containing approximately 4.408 +/- acres attached hereto marked as Exhibit C and the National Flood Insurance Program Flood Insurance Rate Map No. 45045C0334E attached hereto marked as Exhibit D; and

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

WHEREAS, Keenan and Witt Properties, LLC have 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 owners have requested that the subject property be zoned C-3 (Highway Commercial 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 4.408 +/- acres of property shown in red on the attached map owned by Keenan and Witt Properties, LLC located at 201 North Buncombe Road more particularly described on the attached map as Greenville County Parcel Number T016000204612 is hereby annexed into the corporate city limits of the City of Greer.

2. **ANNEXATION OF 207 FEET OF NORTH BUNCOMBE ROAD ROADWAY:** 207 feet of North Buncombe Road along the edge of the annexed property owned by Keenan and Witt Properties, LLC as shown in Exhibit C are hereby annexed into the corporate limits of the City of Greer.

3. **ZONING ASSIGNMENT:** The above referenced property shall be zoned C-3 (Highway Commercial District) pending confirmation or rezoning pursuant to the applicable City of Greer Zoning Ordinance.

4. **FUTURE LAND USE MAP:** The above reference property shall be designated as Transit Oriented District Community, Regional Corridor on the 2010 Future Land Use Map contained within the Comprehensive Plan for the City of Greer.

5. **FLOOD INSURANCE RATE MAP:** This ordinance shall adopt The National Flood Insurance Program Flood Insurance Rate Map Number 45045C0334E.

6. **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

Ordinance Number 9-2017
Annexation 201 North Buncombe Rd
Page 2 of 3
ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Lee Dumas
First Reading: March 14, 2017
Second and Final Reading: April 11, 2017

Approved as to Form:

John B. Duggan, City Attorney
STATE OF SOUTH CAROLINA
COUNTY OF GREER

KNOW ALL MEN BY THESE PRESENTS THAT, KEENAN & WITT PROPERTIES, INC., herein referred to as Grantors for and in consideration of the sum of TEN AND 00/100 ($10.00) Dollars, to us paid by KEENAN WITT PROPERTIES, LLC., hereinafter referred to as Grantees in the State aforesaid, the receipt of which is hereby acknowledged, have granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantees, its successors, and assigns forever, as follows:

ALL that certain pieces, parcels or tracts of land, with all improvements thereon or hereafter constructed thereon, situate, lying and being in the State of South Carolina, County of Greenville, in or near the City of Greer, designated as Tract 1 containing 4.653 Acres and Tract 2 containing 1.096 Acres as shown on plat entitled "Boundary Survey for A. Randal Keenan and W. Hisel Witt" by Robert A. Foster, Surveyor, dated January 30, 2004 and recorded in the Register of Deeds Office for Greenville County, S.C., in Plat Book 48-A at Page 75, reference being made hereto to said plat for the exact metes and bounds thereof.

This being a portion of the same property conveyed unto the Grantors herein by Jack L. Jones and Doris W. Jones dated February 10, 2004 and recorded February 27, 2004 in the Office of the Register of Deeds for Greenville County in Deed Book 2076 at Page 1876.

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

Grantee Address: 115-119 N. Buncombe Road
Greenville, SC

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 premises before mentioned unto the said Grantees, their heirs, and assigns forever.

AND THE GRANTOR does hereby bind Grantors, and the Grantor's heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said Grantees, their heirs, and assigns, against Grantors and Grantor's heirs and against every person whomsoever lawfully claiming or to claim the same or any part thereof.
WITNESS our Hand and Seal this 8 day of February, in the year of our Lord 2007

Signed, Sealed and Delivered
in the Presence of:

[Signature]
Witness

KEENAN & WITT PROPERTIES, INC.
By: [Signature]
President

[Signature]
Witness

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

I, a Notary Public, within and for the State and County aforesaid, do hereby certify that the foregoing instrument of writing was this day produced to me in the above State and County by the Principals and was executed and acknowledged to be the free act and voluntary deed of the Principals.

WITNESS my signature this 8 day of February, 2007.

[Signature]
Notary Public for South Carolina
My Commission expires: 12-13-14

Prepared by R. O'Neil Rabon, Jr., Attorney at Law, 601 E. McBee Avenue, Suite 200, Greenville, SC 29601
STATE OF SOUTH CAROLINA )
COUNTY OF GREENVILLE )

AFFIDAVIT

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

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

2. The property being transferred is located at 115-119 N. Buncombe Road, Greenville, SC, bearing GREENVILLE County Tax Map Number ________________________, was transferred by Keenan & Witt Properties, LLC to Keenan Witt Properties, LLC on February ______________, 2007.

3. Check one of the following: The deed is
   (a) ________ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth
   (b) ________ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
   (c) X ______ exempt from the deed recording fee because (see Information section of affidavit): #1

   (If exempt, please skip items 4 - 7, and go to item 8 of this affidavit)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit):
   (a) ________ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of ____________________________
   (b) ________ The fee is computed on the fair market value of the realty which is ____________________________
   (c) ________ The fee is computed on the fair market value of the realty as established for property tax purposes which is ____________________________

5. Check Yes _____ or No _____ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES" the amount of the outstanding balance of this lien or encumbrance is ________________

6. The deed recording fee is computed as follows:
   (a) Place the amount listed in item 4 above here: ____________________________
   (b) Place the amount listed in item 5 above here: ____________________________
   (c) Subtract Line 6(b) from Line 6(a) and place results here: ____________________________

7. The deed recording fee due is based on the amount listed on Line 6© above and the deed recording fee due is: ____________________________

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: ____________________________
9. 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.

[Signature]

Responsible Person Connected with the Transaction

SWORN to before me this 10 day of February, 2007

[Signature]

Notary Public for South Carolina
My Commission Expires: 3/8/2010

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 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 realty being