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1 R2020-6: RESOLUTION TO ACCEPT THE DEDICATION OF A PORTION OF A  
2 CERTAIN ROADWAY KNOWN AS GOLDEN CHESTNUT WAY (50' PUBLIC  
3 R/W) WITHIN THE BELLE HARBOR PHASE 2A-1 SECTION OF THE BELLE  
4 HARBOR SUBDIVISION.

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5 **Applicant/Purpose:** Lennar Carolinas LLC (owners) / to accept public dedication of a  
6 portion of Golden Chestnut Way in the Belle Harbor Phase 2A-1 Section of the Belle  
7 Harbor Subdivision.

8 **Brief:**

- 9       • The owner has constructed a portion of a 50' wide right-of-way known as  
10 Golden Chestnut Way in the Belle Harbor Phase 2A-1 Section of the Belle  
11 Harbor Subdivision.  
12       • Public utilities have been located w/in, along, & above the ROWs.  
13       • Streets comply w/ current standards & construction requirements.  
14       • Owner has provided executed dedication deed for the transfer of the  
15 roadways.  
16

17 **Issues:**

- 18       • None identified.  
19       • Proposed resolution is consistent w/long-standing City policy & practice  
20

21 **Public Notification:** Normal meeting notifications.  
22

23 **Alternatives:** None considered.  
24

25 **Financial Impact:**

- 26       • Typical costs associated w/ roadway maintenance.  
27       • As the roads age these costs will increase.  
28

29 **Manager's Recommendation:** I recommend approval.  
30

31 **Attachment(s):**

- 32       ▪ Proposed Resolution.  
33       ▪ Copy of Subdivision Plat.  
34       ▪ Copy of executed Deed of Dedication.  
35

RESOLUTION R2020-6

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2		
3	CITY OF MYRTLE BEACH	)
4	COUNTY OF HORRY	)
5	STATE OF SOUTH CAROLINA	)
6		
7		
8		
9		
10		TO ACCEPT THE DEDICATION OF A
11		PORTION OF A CERTAIN ROADWAY
12		KNOWN AS GOLDEN CHESTNUT WAY (50'
13		PUBLIC R/W) WITHIN THE BELLE HARBOR
14		PHASE 2A-1 SECTION OF THE BELLE
15		HARBOR SUBDIVISION

10 WHEREAS, Lennar Carolinas LLC, has dedicated a portion of a certain roadway known as  
11 Golden Chestnut Way within the Belle Harbor Phase 2A-1 Section of the Belle Harbor  
12 Subdivision to the public.

14 WHEREAS, a portion of that certain roadway is shown on the following final plat:  
15 "SUBDIVISION PLAT OF BELLE HARBOR PHASE 2A-1", prepared by Thomas & Hutton dated  
16 October 24, 2017 and recorded on November 13, 2017 in Plat Book 278 at Page 146 in the  
17 Register of Deeds Office for Horry County, South Carolina, which said roadways being more  
18 particularly identified as "(50' PUBLIC R/W)", and shown on the above mentioned final plat;  
19 and,

21 WHEREAS, the City Council finds that it will benefit the public to accept the dedication of the  
22 above described roadways.

24 NOW THERFORE, it is resolved that the City of Myrtle Beach hereby accepts dedication and  
25 responsibility of certain roadways as described above.

27 SIGNED, SEALED and DATED, this 28<sup>TH</sup> day of January, 2020.

33 \_\_\_\_\_  
34 BRENDA BETHUNE, MAYOR

35 ATTEST:

39 \_\_\_\_\_  
40 JENNIFER STANFORD, CITY CLERK



Prepared by:  
J. Scott Efir  
St. Amand & Efir PLLC  
3315 Springbank Lane, Suite 308  
Charlotte, North Carolina 28226

STATE OF SOUTH CAROLINA

LIMITED WARRANTY DEED

COUNTY OF Horry

KNOW ALL MEN BY THESE PRESENTS, that LENNAR CAROLINAS, LLC, a Delaware limited liability company, having an address of 1904 Savage Road, Suite 100C, Charleston, South Carolina 29407 ("**Grantor**"), in consideration of the premises and also in consideration of the sum of Five and 00/100 (\$5.00) dollars to the Grantor in hand paid at and before the sealing of these presents by the Grantee, hereinafter named, the receipt of which is hereby acknowledged; have granted, bargained, sold and released; and by these presents do grant, bargain, sell and release unto the said CITY OF MYRTLE BEACH, P.O. Drawer 2468 Myrtle Beach, South Carolina 29578 ("**Grantee**") the following described property owned by Grantor, to wit:

P/O PIN / TMS #: 447-00-00-004 (now or formerly)

BEING all of that certain parcel or tract of land containing approximately 0.51 +/- AC. labeled, depicted and described as "GOLDEN CHESTNUT WAY (50' PUBLIC R/W)" on that certain map or plat entitled "SUBDIVISION PLAT OF BELLE HARBOR PHASE 2A-1" dated October 24, 2017, prepared by Matthew D. Svejksky (PLS 21233) of Thomas & Hutton Engineering Co. and recorded on November 13, 2017 in the Record of Deeds Office for Horry County in Plat Book 278, at Page 146, reference to said plat being made hereby for a more complete and accurate description of the property herein conveyed.

The premises herein granted are taken from that certain property conveyed to the undersigned by deed of from Garrison MB Land, LLC to Grantor, dated the 25th day of October, 2016 and recorded on October 26, 2016 in Deed Book 3675 at Page 2208 in the Record of Deeds Office for Horry County.

Together with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said premises belonging, or in anywise incident or appertaining.

AND Grantor does hereby bind itself and its successors and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee, its successors and assigns, against the Grantor and the Grantor's successors, so that neither Grantor nor those claiming under Grantor shall hereafter have any interest in or claim the same or any part thereof.

[SIGNATURE PAGE TO FOLLOW]



STATE OF SOUTH CAROLINA)  
COUNTY OF HORRY )

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 in Horry County, bearing Horry County Tax Map Number 447-00-00-004 (p/o) was transferred by Lennar Carolinas, LLC to the City of Myrtle Beach on \_\_\_\_\_, 2019.

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);  
Transfer to Government Entity.  
(If exempt, please skip items 4 – 7, and go to item 8 of this affidavit.)

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: \_\_\_\_\_  
(If no amount is listed, place zero here.)
- (c) Subtract line 6(b) from Line 6(a) and place result here: \_\_\_\_\_

7. The deed recording fee due is based on the amount listed on Line6(c) 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: GRANTOR.

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.

LENNAR CAROLINAS, LLC

SWORN to before me this  20   
day of  September  year of  2019

Carol J. Bussell   
Notary Public for  South Carolina   
My Commission Expires:  10/28/2024

By: \_\_\_\_\_  
Name: Jason Byham  
Title: Vice President

