
1 **R2021-9: TO ACCEPT THE DEDICATION OF CERTAIN ROADWAYS KNOWN**
2 **AS RICK MCDOW ALLEY (PUBLIC R/W VARIES), RUTHERFORD ALLEY (30'**
3 **PUBLIC R/W), AND JENKINS ALLEY (27' PUBLIC R/W) WITHIN THE**
4 **MARKET COMMON R3 PARCEL.**

5 **Applicant/Purpose:** LUK-MB2 LLC (owner) / to accept certain streets in the Market
6 Common R3 Parcel into the City's road network.

7 **Brief:**

- 8 • The owner has constructed a ROW w/varying widths know as Rick McDow Alley,
9 a 30' Public ROW known as Rutherford Alley, & a 27' Public ROW known as
10 Jenkins Alley in the Market Common R3 Parcel.
11 • Public utilities have been located w/in, along, and above the ROWs.
12 • Streets comply w/current standards & construction requirements.
13 • Owner has provided executed dedication deed for the transfer of the
14 roadways.

15
16 **Issues:**

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

19
20 **Public Notification:** Normal meeting notifications.

21
22 **Alternatives:** Reject approval.

23
24 **Financial Impact:**

- 25 • Typical cost associated w/roadway maintenance.
26 • As the roads age these cost will increase.

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28 **Manager's Recommendation:** I recommend approval.

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30 **Attachment(s):**

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

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RESOLUTION R2021-9

**CITY OF MYRTLE BEACH) TO ACCEPT THE DEDICATION OF CERTAIN
COUNTY OF HORRY) ROADWAYS KNOWN AS RICK McDOW ALLEY
STATE OF SOUTH CAROLINA) (PUBLIC R/W VARIES), RUTHERFORD ALLEY (30'
PUBLIC R/W), AND JENKINS ALLEY (27' PUBLIC
R/W) WITHIN THE MARKET COMMON R3
PARCEL.**

WHEREAS, LUK-MB2, LLC, has dedicated certain roadways known as Rick McDow Alley, Rutherford Alley, and Jenkins Alley within the Market Common R3 Parcel to the public.

WHEREAS, those certain roadways are shown on the following REVISED FINAL PLAT OF MARKET COMMON PARCEL R3 (PARCELS 214 THROUGH 219) MYRTLE BEACH, HORRY COUNTY. SOUTH CAROLINA PREPARED FOR LUK-MB2, prepared by Robert A. Warner and Associates, Inc. dated November 10, 2017 and recorded on November 30, 2017 in Plat Book 278 at Page 204 in the Register of Deeds Office for Horry County, South Carolina, which said roadways being more particularly identified as "30' Public R/W (Two Way)" & "27' Public R/W (One Way)", and shown on the above mentioned final plat; and,

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

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

SIGNED, SEALED and DATED, this 23rd day of February, 2021.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

STATE OF SOUTH CAROLINA)
CITY OF MYRTLE BEACH)
COUNTY OF HORRY)

DEED
(Limited Warranty)

KNOW ALL MEN BY THESE PRESENTS, that **LUK-MB2, LLC**, hereinafter called the 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; has granted, bargained, sold and released; and by these presents does grant, bargain, sell and release unto the said **CITY OF MYRTLE BEACH**, P.O. Drawer 2468, Myrtle Beach, South Carolina 29578, hereinafter called Grantee, to wit:

Portion of TMS#: 186-27-01-197 through 186-27-01-202
and PIN# 446-02-03-00128 through 446-02-00133

All those certain parcels of land with improvements thereon, if any, situate in Myrtle Beach, Horry County, South Carolina, designated and shown as "Rick McDow Alley (30' Public R/W [Two Way] and 27' Public R/W [One Way])", "Rutherford Alley (30' Public R/W [Two Way])" and "Jenkins Alley (27' Public R/W [One Way])" containing 0.55 acre, more or less, as shown on "Revised Final Plat of Market Common Parcel R3 (Parcels 214 through 219), Myrtle Beach, Horry County, South Carolina" prepared for LUK-MB2, LLC by Robert A. Warner and Associates, Inc., dated November 10, 2017, recorded in the Office of the Register of Deeds for Horry County in Plat Book 278, page 204, said plat being incorporated herein by reference.

The premises herein granted are taken from that certain property conveyed to the undersigned by deed of LUK-MB1, LLC, dated September 25, 2006, and recorded on October 11, 2006, in Deed Book 3171 at page 1181, in the office of the Register of Deeds 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.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said City of Myrtle Beach, its Heirs, Successors and Assigns forever.

And the Grantor herein hereby binds itself, themselves, its or their successors, or his, her, and their Heirs, Executors or Administrators, (as the case may be), to warrant and forever defend all and singular the said premises unto the said Grantee, its and their successors and assigns, or his, her and their Heirs and assigns, (as the case may be), against itself, themselves, and its or their

successors, or his, her and their heirs, (as the case may be), lawfully claiming, or to claim the same, or any part thereof, and no others.

This conveyance is made expressly subject to all rights-of-way, easements, restrictions, zoning ordinances, limitations and other matters of record (or not of record), including those shown on any recorded plats or maps, and no others.

WITNESS the execution hereof by Grantor this 22nd day of October, 2020.

Signed, Sealed and Delivered
in the presence of

Witnesses:

Grantor:

LUK-MB2, LLC, a Delaware limited liability
company (SEAL)

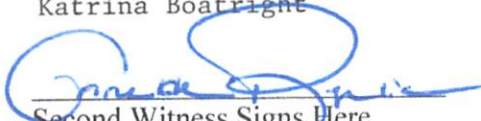


First Witness Signs Here
Katrina Boatright

By: 

Name: Erin N. Ruhe

Title: Vice President



Second Witness Signs Here
Annette Regalia

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)

ACKNOWLEDGMENT

I, _____, a Notary Public in and for said County in the State aforesaid, do hereby certify that _____, as _____ of LUK-MB2, LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said corporation and each said limited liability company, for the uses and purposes set forth therein.

Given under my hand and notarial seal this _____ day of _____, 2020.

My Commission Expires: _____

Notary Public
** attached*

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego)

On October 22, 2020 before me, Tristan Manoff, Notary Public
(insert name and title of the officer)

personally appeared Erin N. Ruhe,
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~
subscribed to the within instrument and acknowledged to me that ~~he~~/~~she~~/~~they~~ executed the same in
~~his~~/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/~~her~~/~~their~~ signature(~~s~~) on the instrument the
person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Tristan Manoff* (Seal)

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 are roads located at Market Common in Parcel R3, bearing Horry County parent Tax Map Numbers 186-27-01-197 through 202, was transferred by LUK-MB2, LLC to The City of Myrtle Beach on 10/22/2020 2020.
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) xx exempt from the deed recording fee because (See Information section of affidavit):
#2 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 X 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: -0-.
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.

LUK-MB2, LLC, a Delaware limited liability company

SWORN to before me this _____
day of _____, 2020.

By: Erin N. Ruhe
Its: Via President Erin N. Ruhe

Notary Public for California

My Commission Expires: _____

** attached*

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

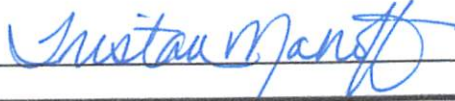
State of California
County of San Diego

On October 22, 2020 before me, Tristan Manoff, Notary Public
(insert name and title of the officer)

personally appeared Erin N. Ruhe,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)





LOCATION MAP N.T.S.

REVISIONS FOR THIS PLAN AND ITS SUCCESSORS AND ASSONS. RESERVES THE RIGHT AND PRIVILEGE TO RELOCATE THE VARIOUS PARCELS SHOWN HEREIN IN ITS SOLE DISCRETION.

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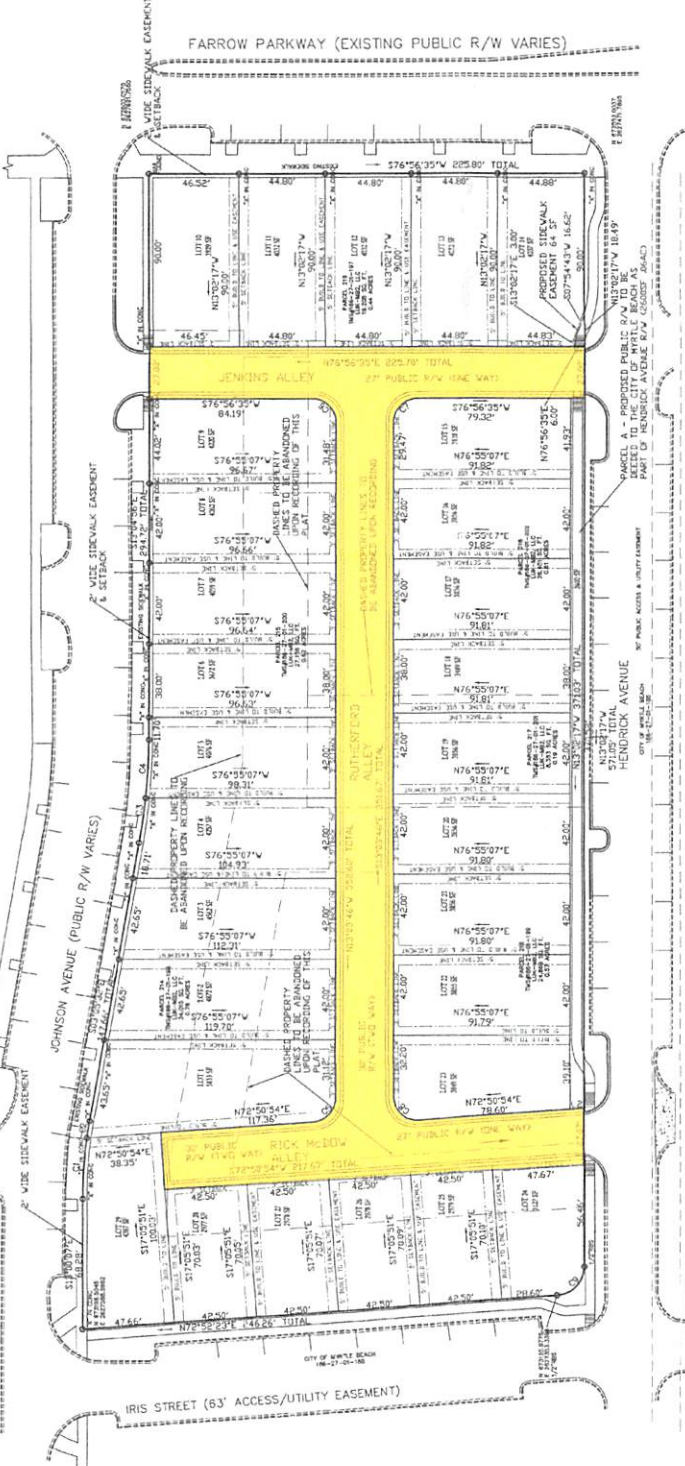
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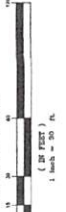
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APRIL 17, 2017 REVISION TO ADD SIDEWALK EASEMENT TO LOT 14

THIS PLAT SUPERSEDES THE PLAT TITLED "FINAL PLAT OF MARKET COMMON PARCEL R3 (PARCELS 214 THROUGH 219) MYRTLE BEACH, HURRY COUNTY SOUTH CAROLINA" PREPARED FOR LUK-MBE, LLC BY ROBERT A. WARNER & ASSOC. RECORDED FEB. 8, 2017 IN PLAT BOOK C74, PAGE 9 IN THE HURRY COUNTY REC OFFICE.



CURVE TABLE with columns: CURVE LENGTH, RADIUS, CHORD, CHORD DIR.

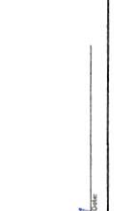
LINE TABLE with columns: LINE, LENGTH, BEARING.

STATEMENT OF APPROVAL OF THE SURVEY AND CONSTRUCTION OF THE PLAT BY THE HURRY COUNTY RECORDER.

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STATE OF SOUTH CAROLINA, HURRY COUNTY, RECORDER OF DEEDS.

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