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1 R2019-21: RESOLUTION TO ACCEPT THE DEDICATION OF THOSE  
2 CERTAIN ROADWAYS KNOWN AS COLE COURT AND ETHAN DRIVE  
3 LOCATED IN THE PLANTATION HEIGHTS SUBDIVISION OFF 38<sup>TH</sup> AVE N.

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4 **Applicant/Purpose:** Plantation Heights Property Owners Association, Inc., (owners)/  
5 to accept Cole Court & Ethan Drive into the City's road network.  
6

7 **Brief:**

- 8 • Seacoast Communities developed the Planation Heights Subdivision in 2004,  
9 which included the construction of two roadways.
- 10 • Planation Heights POA has acquired ownership for the roadways (50' rights-of-  
11 way) from Seacoast Communities in the Planation Heights Subdivision.
- 12 • Planation Heights POA has requested the City take ownership & maintenance  
13 for the roadways in Planation Heights Subdivision.
- 14 • Public utilities are located within, along, & above the ROW.
- 15 • Street complies w/ current standards & construction requirements.
- 16 • Owner has provided executed dedication deed for the transfer of roadway.  
17

18 **Issues:**

- 19 • While this proposed resolution is consistent w/ long-standing City policy &  
20 practice, there are key differences in this request that should be considered:
  - 21 ○ The subdivision was built roughly 20 years ago. That is a much longer  
22 period of time than is usually elapses before the City is asked to take  
23 over private street maintenance.
  - 24 ○ The community is not gated, but it is walled. The streets in question do  
25 not connect to any other street. The benefit to the public is very  
26 limited.  
27

28 **Public Notification:** Normal meeting notifications.  
29

30 **Alternatives:** None considered.  
31

32 **Financial Impact:**

- 33 • Typical costs associated w/ roadway maintenance.
- 34 • As the roads age these costs will increase.  
35

36 **Manager's Recommendation:** I recommend approval, but not without some qualms  
37 due to the limited public benefit derived from this action.  
38

39 **Attachment(s):**

- 40 ▪ Proposed Resolution.
- 41 ▪ Copy of Subdivision Plat.
- 42 ▪ Copy of executed Deed of Dedication.

**RESOLUTION R2019-21**

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

**RESOLUTION TO ACCEPT THE  
DEDICATION OF  
THOSE CERTAIN ROADWAYS  
KNOWN AS COLE COURT AND  
ETHAN DRIVE WITHIN THE  
PLANATION HEIGHTS  
SUBDIVISION OFF 38<sup>TH</sup> AVE N.**

WHEREAS, PLANTATION HEIGHTS PROPERTY OWNERS ASSOCIATION, INC., has dedicated those certain roadways known as Cole Court and Ethan Drive located in the Planation Heights Subdivision off 38<sup>th</sup> Ave N. to the public.

WHEREAS, those certain roadways are shown on the following final plat: "Bonded Final Subdivision Plat Plantation Heights, 10.41 Acres Along 38<sup>th</sup> Avenue North", prepared for Seacoast Communities dated April 09, 2004, recorded March 23, 2005, in Plat Book 204 at Page 39 in the Register of Deeds Office for Horry County, South Carolina, which said roadways being more particularly identified as 50' wide right-of-ways, 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 roadway.

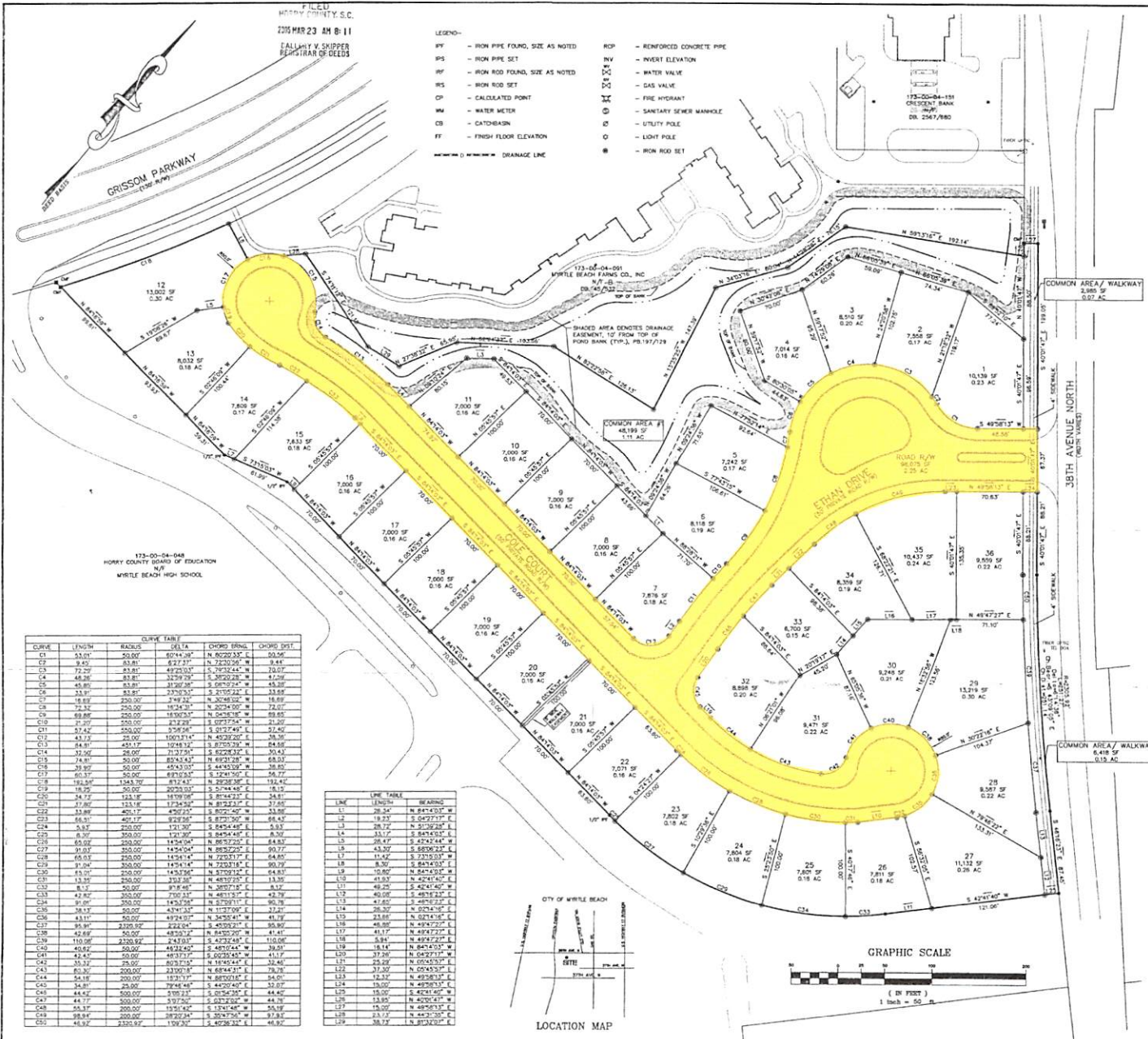
NOW THERFORE, it is resolved that the City of Myrtle Beach hereby accepts dedication and responsibility of that certain roadway as described above.

SIGNED, SEALED and DATED, this 26<sup>TH</sup> day of March, 2019.

\_\_\_\_\_  
BRENDA BETHUNE, MAYOR

ATTEST:

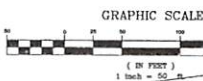
\_\_\_\_\_  
JENNIFER STANFORD, CITY CLERK



CURVE	LENGTH	CURVE TABLE	RADIUS	DELTA	CHORD BEING	CHORD DIST
C1	55.07	50.00	8074.80	N. 80°20'33\"	50.00	19.07
C2	9.05	81.81	817.17	N. 22°52'48\"	8.41	1.41
C3	72.20	43.81	49232.00	S. 79°32'44\"	12.07	0.27
C4	48.30	81.81	3759.20	S. 50°32'28\"	45.86	8.56
C5	49.80	81.81	3132.20	S. 08°27'24\"	45.86	8.56
C6	33.97	81.81	3705.00	S. 21°22'42\"	33.89	0.81
C7	18.09	250.00	319.24	N. 50°48'02\"	18.09	0.00
C8	73.32	250.00	9824.31	N. 30°24'50\"	72.07	1.25
C9	68.86	250.00	16900.33	N. 34°58'35\"	68.86	0.00
C10	31.07	250.00	312.28	S. 07°27'54\"	21.00	0.27
C11	37.42	250.00	370.84	S. 01°27'49\"	27.42	0.97
C12	43.13	250.00	1067.31	N. 49°29'20\"	38.36	0.81
C13	48.91	250.00	1018.12	S. 07°52'29\"	48.88	0.03
C14	31.02	250.00	71.37	S. 82°28'32\"	31.02	0.00
C15	74.17	250.00	89434.71	N. 09°21'28\"	68.53	0.54
C16	39.99	250.00	49433.01	S. 44°35'03\"	36.80	0.31
C17	80.37	250.00	88124.81	S. 12°41'50\"	74.77	0.56
C18	193.30	1438.76	8974.17	N. 82°32'51\"	193.30	0.00
C19	18.29	550.00	3023.00	S. 57°44'48\"	18.13	0.16
C20	54.77	213.88	1819.00	N. 82°32'51\"	54.77	0.00
C21	37.80	133.18	1734.58	N. 81°25'17\"	37.80	0.00
C22	33.80	401.17	4962.17	S. 80°27'49\"	33.80	0.00
C23	66.31	550.00	8712.51	S. 82°32'51\"	66.31	0.00
C24	53.87	250.00	171.30	S. 24°54'48\"	53.87	0.00
C25	81.07	250.00	100.20	S. 82°32'51\"	81.07	0.00
C26	65.02	250.00	1454.04	N. 86°57'22\"	64.83	0.19
C27	31.07	250.00	1454.04	N. 86°57'22\"	31.07	0.00
C28	65.02	250.00	1454.04	N. 86°57'22\"	65.02	0.00
C29	31.04	250.00	1454.04	N. 86°57'22\"	31.04	0.00
C30	19.70	250.00	1454.04	N. 86°57'22\"	19.70	0.00
C31	13.50	250.00	338.30	N. 48°17'25\"	13.50	0.00
C32	8.77	250.00	319.84	N. 38°27'30\"	8.77	0.00
C33	42.82	250.00	700.11	N. 48°17'25\"	42.79	0.03
C34	31.00	250.00	1454.04	N. 37°21'11\"	31.00	0.00
C35	34.17	250.00	4341.97	N. 11°27'00\"	31.81	0.26
C36	43.11	550.00	4974.71	N. 34°36'41\"	43.11	0.00
C37	81.90	250.00	100.20	N. 49°29'20\"	81.90	0.00
C38	42.89	50.00	4850.12	N. 84°50'20\"	41.41	0.18
C39	110.88	250.00	213.00	S. 42°27'48\"	110.88	0.00
C40	40.82	250.00	4974.71	N. 49°29'20\"	39.81	0.01
C41	44.42	250.00	4974.71	S. 02°28'45\"	43.17	0.12
C42	35.12	250.00	8074.80	N. 14°04'44\"	32.40	0.27
C43	80.30	250.00	23300.11	N. 68°44'31\"	78.28	0.21
C44	44.77	250.00	4974.71	N. 08°21'00\"	44.77	0.00
C45	34.81	250.00	7946.48	S. 44°29'40\"	32.87	0.19
C46	44.42	250.00	519.23	S. 02°28'45\"	44.42	0.00
C47	44.77	250.00	3132.20	S. 44°29'40\"	44.77	0.00
C48	54.37	250.00	1574.46	S. 13°46'48\"	54.37	0.00
C49	48.91	250.00	1018.12	N. 82°32'51\"	48.88	0.03
C50	48.91	250.00	1018.12	S. 40°38'32\"	48.88	0.03

LINE	LENGTH	BEARING
L1	26.34	N. 84°41'57\" E
L2	19.13	S. 51°07'17\" E
L3	28.72	N. 51°39'28\" E
L4	33.17	S. 84°33'11\" E
L5	26.47	S. 42°42'14\" E
L6	5.81	N. 84°50'20\" E
L7	4.30	S. 85°06'36\" E
L8	11.42	S. 21°03'01\" E
L9	7.90	N. 84°50'20\" E
L10	41.93	N. 42°41'42\" E
L11	49.26	S. 42°41'42\" E
L12	40.66	S. 48°17'25\" E
L13	47.80	S. 46°19'32\" E
L14	21.68	S. 46°19'32\" E
L15	26.20	S. 51°07'17\" E
L16	44.94	N. 51°39'28\" E
L17	41.17	N. 49°29'20\" E
L18	18.14	N. 84°41'57\" E
L19	14.85	N. 69°45'01\" E
L20	37.30	N. 04°29'11\" E
L21	29.20	N. 07°43'04\" E
L22	37.30	N. 04°29'11\" E
L23	12.37	N. 82°32'51\" E
L24	15.00	N. 48°26'13\" E
L25	15.00	S. 48°26'13\" E
L26	13.80	S. 48°26'13\" E
L27	15.00	N. 48°26'13\" E
L28	5.17	N. 82°32'51\" E
L29	18.37	N. 82°32'51\" E

LOCATION MAP



- NOTES
- 36 SINGLE FAMILY RESIDENTIAL LOTS TO BE CREATED AND BECOME PART OF P.O.A. ALONG WITH COMMON AREA LOTS AND PRIVATE ROAD RIGHT-OF-WAY.
  - PARCEL IS ZONED P.D.S.
  - AREA SUMMARY:
    - 36 SINGLE FAMILY LOTS: 6.83 AC
    - COMMON AREA / WALKWAY - OPEN SPACE: 0.22 AC
    - COMMON AREA / FORD & OPEN SPACE: 2.23 AC
    - PRIVATE ROAD RIGHT-OF-WAYS: 1.41 AC
    - TOTAL SUBDIVISION AREA: 10.41 AC
    - OPEN SPACE (ADJACENT LAKE): 1.28 AC
    - TOTAL OPEN SPACE WITHIN P.D.S.: 2.73 AC
  - DENSITY OF DEVELOPMENT IS 3.46 LOTS PER ACRE.
  - PARCELS TO BE CARVED FROM Horry County Tract 173-00-04-04.
  - OWNER IS MYRTLE BEACH FARMS CO., INC.
  - DEVELOPER IS SEACOST COMMUNITIES, INC.
  - DEED REFERENCE: O.G.A.S. PG. 532  
PLAT REFERENCE: PG. 181, PG. 29
  - DEVELOPMENT PARCEL IS LOCATED WITHIN A FLOOD INSURANCE RATE ZONE 'X' (AREAS DEEMED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS PER F.I.R.M. MAP NUMBER 4001027014, MAP REVISION DATE: JUNE 23, 1999, COUNTY NUMBER 40009, PANEL 0701 SUFFIX H.
  - PLANNING HEIGHTS P.A. DOCUMENTS TO BE RECORDED WITH PLAT.
  - THIS DEVELOPMENT IS A PART OF EXHIBIT 'D' OF THE Horry COUNTY DEVELOPMENT AGREEMENT RECORDED DECEMBER 8, 2000 IN DEED BOOK 3332 AT PAGE 777 IN THE REGISTER OF DEEDS FOR Horry County.
  - THIS IS A SINGLE-FAMILY RESIDENTIAL SUBDIVISION WHICH SHALL BECOME PART OF PLANTATION HEIGHTS P.A. THIS SHALL BE RESPONSIBLE FOR MAINTENANCE OF ROADS, DRIVEWAYS, WALKS AND OTHER OPEN IMPROVEMENTS INCLUDING ALL STORM- WATER STRUCTURES, PIPES, POOLS, ETC. THIS SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL COMMON AREAS.
  - POSTED SPEED LIMIT ON NEW ROADWAYS TO BE 25 MPH.
  - TRASH DISPOSAL TO BE BY INDIVIDUAL PRIVATE HAULER.
  - MINIMUM LOT AREA = 7000 SF  
MINIMUM LOT FRONTAGE = 100.00' MFT. FRONT FOR LOTS ON O.A.-DE-SEA = 34.13'
  - ROADWAY WIDTH OF DRIVING LANES IS 22.00'.
  - COMMON AREA LOTS (OPENING) TO BE USED FOR STORM WATER AND DRAINAGE PURPOSES ONLY. ADDITIONAL PASTURE RECREATIONAL USES MAY BE ALLOWED BY P.O.A.
  - ALL DRAINAGE EASEMENTS ARE TO REMAIN CLEAR AND FREE OF STRUCTURES OR OBSTRUCTIONS. DRAINAGE EASEMENTS ALONG DRAINAGE PIPES SHALL ALSO BE USED FOR ACCESS TO COMMON AREAS FOR MAINTENANCE.
  - THIS DEVELOPMENT IS A PART OF EXHIBIT 'D' OF THE Horry COUNTY DEVELOPMENT AGREEMENT RECORDED DECEMBER 8, 2000 IN DEED BOOK 3332 AT PAGE 777 IN THE REGISTER OF DEEDS FOR Horry County.
  - BUILDING SETBACK INFORMATION -

YARD	REAR
FRONT	10'
REAR	5'
SIDE	SEE NOTE BELOW

MINIMUM SIDE YARD SETBACK SHALL BE NOT LESS THAN TWO (2) FEET FROM ANY SIDE LOT LINE, PROVIDED HOWEVER, ALL EXTERIOR BUILDING WALLS MUST BE AT LEAST ELEVEN (11) FEET FROM THE BUILDING WALL OF THE HOME ADJOINING LOT.

1. I DO HEREBY CERTIFY THAT THE STREET, UTILITIES, AND OTHER REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO CITY SPECIFICATIONS AND STANDARDS IN THE SUBDIVISION (ENTITLED PLANTATION HEIGHTS, ON (2)) THAT A GUARANTEE OF THE INSTALLATIONS OF THE REQUIRED IMPROVEMENTS IN AN AMOUNT OR MANNER SATISFACTORY TO THE CITY OF MYRTLE BEACH HAS BEEN RECEIVED.

2. I, (WE) HEREBY CERTIFY THAT I AM (ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY RESOLVE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES TO PUBLIC OR PRIVATE USES AS NOTED.

3. I, (WE) HEREBY CERTIFY THAT I (AM, ARE) THE CITY CLERK OF THE CITY OF MYRTLE BEACH, SOUTH CAROLINA. DO HEREBY CERTIFY THAT ON THE DAY OF THE CITY COUNCIL OF THE CITY OF MYRTLE BEACH ACCEPTED THE DEDICATION OF THE STREETS, EASEMENTS, RIGHT-OF-WAY, AND PUBLIC PURPOSES AS SHOWN HEREON.

CITY ENGINEER: \_\_\_\_\_  
DATE: \_\_\_\_\_  
CITY MANAGER: \_\_\_\_\_  
DATE: \_\_\_\_\_  
CITY CLERK: \_\_\_\_\_  
DATE: \_\_\_\_\_

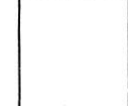
APPROVED FOR RECORDING BY  
CITY OF MYRTLE BEACH,  
SOUTH CAROLINA  
DATE: \_\_\_\_\_  
PLANNING DEPT.

3.21.05 *William P. ...*  
DATE: OWNER

CERTIFICATE OF ACCEPTANCE OF DEDICATIONS

FILE NO. 03-070  
SCALE: As Noted  
DATE: 4-9-04  
DRAWN BY: JJ  
CHECKED BY: JJ  
ENG. NO. \_\_\_\_\_  
SHEET 1 OF 1

JEFFREY D. SOLAN & ASSOCIATES, P.C.  
ENGINEERING, PLANNING & LAND SURVEYING  
PO Box 50423  
Myrtle Beach, SC 29579  
Office: (843) 241-1772  
Fax: (843) 241-1773



BONDED FINAL SUBDIVISION PLAT  
PLANTATION HEIGHTS  
10.41 ACRES ALONG 98TH AVENUE NORTH  
CITY OF MYRTLE BEACH, SOUTH CAROLINA  
PREPARED FOR: SEACOST COMMUNITIES

FILE NO. 03-070  
SCALE: As Noted  
DATE: 4-9-04  
DRAWN BY: JJ  
CHECKED BY: JJ  
ENG. NO. \_\_\_\_\_  
SHEET 1 OF 1



TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Grantee its successors and/or assigns, forever so that the said Grantor, its successors and/or assigns, nor any other person or persons, claiming under it, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

Witness under hand and seal this 24 day of January in the year of our Lord two thousand nineteen in the two hundred and forty-second year of the Sovereignty and Independence of the United States of America.

WITNESSES:

Plantation Heights Property Owners Association, Inc.

Wendy Lynn Bailey  
Wendy Lynn Bailey  
Ashley Beavers  
Ashley Beavers

Patricia L. Gordon  
By: Patricia L. Gordon  
Its: President

THE STATE OF SOUTH CAROLINA     )  
   )  
COUNTY OF HORRY                     )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named Plantation Heights Property Owners Association, Inc., by and through its President, sign, seal, and as its act and deed, deliver the within-written Deed; and that s/he with the other witness witnessed the execution thereof and that the subscribing witness is not a beneficiary of the transaction.

Wendy Lynn Bailey

SWORN to before me, this  
24 day of January, 2019.  
Ashley Beavers  
Notary Public for South Carolina  
My Commission Expires 01/12/26

Ashley Beavers  
Notary Public  
State of South Carolina  
My Commission Expires January 12, 2026

Accepted for Public Dedication, This, the \_\_\_\_\_ Day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
By: John Pedersen  
City Manager

Approved as to Form.

\_\_\_\_\_  
Thomas Ellenburg  
City Attorney

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. Property known as Cole Court and Ethan Drive in Myrtle Beach, South Carolina, being shown on Horry County Plat Book 204 at Page 39, was transferred by Plantation Heights Property Owners Association, Inc., 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) XXXXX exempt from the deed recording fee because: Exemption #1, #2, and #12 apply

(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 XXXX

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 xxx 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: \_\_\_\_\_.

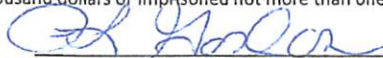
6. The deed recording fee is computed as follows:

- (a) Place the amount listed in item 4 above here: \$ \_\_\_\_\_.
- (b) Place the amount listed in item 5 above here: -0-  
(If no amount is listed, place zero here.)
- (c) Subtract line 6(b) from Line 6(a) and place result here: \$ \_\_\_\_\_.

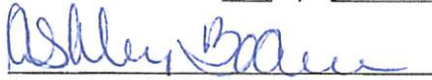
7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$0.00.

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.

  
 Responsible Person Connected with the Transaction  
 Patricia L. Gordon – President of Grantor

SWORN to before me this 24 day of January, 2019

  
 Notary Public for South Carolina  
 My Commission Expires: 01/12/26

Ashley Beavers  
 Notary Public  
 State of South Carolina  
 My Commission Expires January 12, 2026

## EXHIBIT A

ALL AND SINGULAR, those certain pieces, parcels, or tracts, of land located within the boundaries of the Right-of-Way of Ethan Drive and Cole Court as shown on that certain Subdivision Plat of Plantation Heights entitled "Bonded Final Subdivision Plat Plantation Heights 10.41 Acres Along 38<sup>th</sup> Avenue North, City of Myrtle Beach, South Carolina" prepared for Seacoast Communities by Jeffrey D. Solan & Associates, P.C. dated April 9, 2004, and last revised March 21, 2005, and recorded March 23, 2005, in Plat Book 204 at Page in the records of the Register of Deeds for Horry County, South Carolina.

LESS AND EXCEPTING, any portion therein shown and designated as "Common Area/Walkway 6,418 SF, 0.15AC", "Common Area/Walkway 2,2985 SF, 0.07AC", "Common Area #1 48,199 SF, 1.11AC", and that area designated as a landscaping buffer within the Right-of-Way for Ethan Drive as well as any mail kiosk area whether within the road Right-of-Way or not.

NOTWITHSTANDING, the grant herein includes for the benefit of the Grantee, its successors and assigns, a perpetual non-exclusive easement for ingress and egress over and across the properties described above, such including Ethan Drive, Cole Court, and the aforementioned Common Area/Walkway(s) and Common Area #1 for the purpose of ingress/egress and the right to construct, repair, and maintain utility lines and equipment including, but not limited to, water, sewer, electricity, telephone, cable, television, gas, and the right to direct storm water drainage and to construct, repair, and maintain drainage pipes and other drainage facilities.

This being a portion of the same property conveyed to Grantor herein by Deed recorded in Deed Book 3081 at Page 373 and more accurately and further shown in Plat Book 204 at Page 39, such being recorded March 23, 2005, in the records of Horry County, South Carolina.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

INDEMNITY and HOLD HARMLESS AGREEMENT

This Agreement is executed this 24 day of January, 2019 by the Plantation Heights Property Owners Association, Inc. (hereinafter, "the Association").

Whereas, the Association has requested the City of Myrtle Beach (hereinafter "the City") to assume the maintenance and other municipal obligations associated with the assumption of the roads within the development commonly known as Plantation Heights; and,

Whereas, the City has agreed to the request of the Association subject to the Association agreeing to provide the indemnity and hold harmless found herein below; and,

Whereas, the Association's Board of Directors met on or about May, 22, 2018, and by unanimous consent agreed to provide such documents as may be necessary by the City to affect the assumption of the roads by the City.

NOW THEREFORE,

For and in consideration of City's agreement to assume the maintenance and other typical municipal obligations commensurate with Ethan Drive and Cole Court within the Plantation Heights Development, the Association hereby provides a complete and unconditional release and hold harmless in conjunction with the City's assumption of the maintenance of the roads and storm water management within Plantation Heights. The Association in doing so, acknowledges that it shall retain sole responsibility for the upkeep and maintenance of the mailbox kiosk(s) within the development regardless of the location within the road right-of-way as well as retaining all responsibility for maintenance of all neighborhood signage, entry-way features, and lighting standards; it being noted that should the Association request the City to make replacement of any lighting or street signs, such shall be replaced with City standard sign/pole replacements. Furthermore, the Association shall indemnify and hold the City harmless from any matters related to encroachments related to the community wall that encroaches into the road right-of-way. Lastly, the Association does this date agree to release and hold harmless the City from any loss, cost, or expense it may incur as a result of any circumstance related to or in conjunction with any matter occurring prior to the City's assumption of the rights-of-way described within the attached Deed (see Exhibit "A").

In witness whereof, this document has been executed on the date first above written.

Plantation Heights Property Owners Association, Inc.

Wendy Lynn Bailey  
Wendy Lynn Bailey  
Ashley Beavers  
Ashley Beavers

Patricia L. Gordon

By: Patricia L. Gordon  
Its: President

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

ACKNOWLEDGMENT  
Under S.C. Codes 30-5-30(c)

I, Ashley Beavers, a Notary Public in and for the State of South Carolina, hereby certify that Patricia L. Gordon, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 24 day of January, 2019.

Ashley Beavers  
Notary Public of South Carolina  
My Commission Expires: 01/12/26

Ashley Beavers  
Notary Public  
State of South Carolina  
My Commission Expires January 12, 2026