
R2019-69: TO ACCEPT THE DEDICATION OF PORTIONS OF THOSE CERTAIN ROADWAYS KNOWN AS JONQUIL PLACE (50' PUBLIC RIGHT-OF-WAY), PARISH WAY (50' PUBLIC RIGHT-OF-WAY), AND WYATT LANE (50' PUBLIC RIGHT-OF-WAY) WITHIN THE WEST LAKE PHASE 3 SUBDIVISION

Applicant/Purpose: D.R. Horton, has dedicated portions of Jonquil Place (50' Public Right-Of-Way), Parish Way (50' Public Right-of-Way), and Wyatt Lane (50' Public Right-of-Way) which are portions of previously constructed roadways in the West Lake Phase 3 Subdivision to the public.

Brief:

- Owner has constructed 50' wide public right-of-ways known as Jonquil Place (50' Public ROW), Parish Way (50' Public ROW), and Wyatt Lane (50' Public ROW) which are portions of previously constructed roadways within the West Lake Phase 3 Subdivision.
- Public utilities have been located in, along, and above these streets.
- Each street complies with current standards and construction requirements.
- Owner has provided executed dedication deed for the transfer of the roadways.

Issues:

- The proposed action is consistent w/ long-standing City policy & practice.
- None identified.

Public Notification: Normal meeting notifications.

Alternatives: None considered.

Financial Impact: No initial cost to City. Normal maintenance cost to City.

Manager's Recommendation: I recommend approval.

Attachment(s):

- Proposed Resolution.
- Copy of Subdivision Plat.
- Copy of executed Deed of Dedication.

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RESOLUTION R2019-69

CITY OF MYRTLE BEACH)	TO ACCEPT THE DEDICATION OF
COUNTY OF HORRY)	PORTIONS OF THOSE CERTAIN
STATE OF SOUTH CAROLINA)	ROADWAYS KNOWN AS JONQUIL PLACE
		(50' PUBLIC RIGHT-OF-WAY), PARISH WAY
		(50' PUBLIC RIGHT-OF-WAY), AND WYATT
		LANE (50' PUBLIC RIGHT-OF-WAY) WITHIN
		THE WEST LAKE PHASE 3 SUBDIVISION

WHEREAS, D.R. HORTON, has dedicated a portion of those certain roadways known as Jonquil Place, Parish Way, and Wyatt Lane within the West Lake Phase 3 Subdivision to the public.

WHEREAS, those certain roadways shown on the following final plat: "Subdivision Plat of West Lake Phase 3", prepared by Thomas & Hutton Engineering Company dated December 20, 2016 and recorded September 14, 2017 in Plat Book 277 at Page 147 in the Register of Deeds Office for Horry County, South Carolina, which said roadways being more particularly identified as 50' Public Right-of-Ways, as 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 those certain roadways as described above.

SIGNED, SEALED and DATED, this 26TH day of November, 2019.

BRENDA BETHUNE, MAYOR

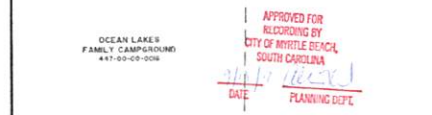
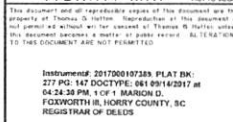
ATTEST:

JENNIFER STANFORD, CITY CLERK

CERTIFICATE OF OWNERSHIP AND DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT I (AM WE ARE) THE
OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND
THAT I (WE) HEREBY ADOPT THIS PLAN OF DEVELOPMENT/PLAT
WITH MY (OUR) FREE CONSENT AND THAT I (WE) HEREBY DEDICATE
ALL ITEMS AS SPECIFICALLY SHOWN OR INDICATED ON SAID PLAN

SIGNATURE _____

NAME (PRINT) _____ DATE _____

[illegible]

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

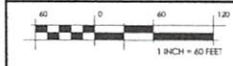
MATTHEW D. EVE/MOVSRY
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR
LICENSE NO. 2273

WEST LAKE
PHASE 3

CITY OF MYRTLE BEACH
Horry County, South Carolina
prepared for
D.R. HORTON, INC.


THOMAS & HUTTON
 Engineering | Surveying | Planning | GIS | Consulting

611 Burroughs & Chapin Blvd. • Suite 202
Myrtle Beach, SC 29577 • 843.839-3545



plot 12/20/16	drawn JLD	reviewed MDS	field xxx/xxx/xxx	crew xxx
job: 25264.5000x01			SHEET 1 OF 1	

Prepared By: Michael R. Ganley, Attorney, Bagwell Holt Smith P.A.
111 Cloister Court, Ste. 200, Chapel Hill, NC 27514

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

DEED

KNOW ALL MEN BY THESE PRESENTS, that D.R. Horton, Inc., a Delaware corporation, 4049 Belle Terre Boulevard, Myrtle Beach, SC 29579, 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; 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, hereinafter called Grantee, to wit:

All those certain pieces, parcels or tracts of land, situate, lying and being in West Lake Phase 3, Myrtle Beach, Horry County, South Carolina, more particularly shown and designated as Jonquil Place (50' Public R/W), Parish Way (50' Public R/W), and Wyatt Lane (50' Public R/W) on a plat entitled "SUBDIVISION PLAT OF West Lake Phase 3" prepared by Thomas & Hutton Engineering Co., dated December 20, 2016 and recorded September 14, 2017 in Plat Book 277 at Page 147, Office of the Register of Deeds for Horry County.

PIN / TMS #: Portion of 447-00-00-0028

DERIVATION: Being a portion of the property conveyed to D.R. Horton, Inc. by Montrose SC, LLC on February 17, 2017 by Deed recorded in Deed Book 3988 Page 1805, Horry County Register of Deeds.

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), and all persons whomsoever lawfully claiming, or to claim the same, or any part thereof.

IN WITNESS WHEREOF, the Grantor has hereto set its hand and seal this 22nd day of April, 2019.

SIGNED, SEALED AND DELIVERED
In the Presence of:

[Signature]
Witness #1

[Signature]
Witness #2

D.R. HORTON, INC.
a Delaware corporation

By: [Signature]
Debbie Green, VP of Operations

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

PROBATE

PERSONALLY appeared the undersigned witness and made oath that he/she saw the within named Grantor sign, seal and as the grantor's act and deed deliver the within Deed and that deponent with the other witness whose name is subscribed above witnessed the execution thereof, and that the subscribing witness is not a party to or beneficiary of the transaction.

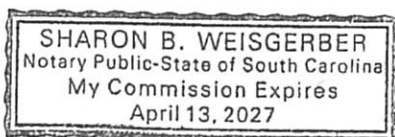
[Signature]
Witness

SWORN to before me this 22nd
day of April, 2019.

[Signature] (SEAL)

Notary Public for South Carolina
(print name)

[Signature]
My Commission Expires: April 13, 2027



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 bearing Horry County Tax Map Number Portion of 447-00-00-0028 was transferred by D.R. Horton, Inc. to the City of Myrtle Beach on April 22, 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 Line 6(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:
_____.

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.

D.R. HORTON, INC.
a Delaware corporation

By: Debbie Green
Debbie Green, VP of Operations

SWORN TO before me this 22nd
Day of April, 2019.

Sharon B. Weisgerber
Notary Public for South Carolina

My Commission Expires: April 13, 2027
