
1 **2021-41 (1ST READING): AUTHORIZING THE SALE OF SURPLUS CITY**
2 **PROPERTY ON OLD BRIDGE ROAD TO ROBERT LUKEY.**

3 **Applicant/Purpose:** Staff / to sell surplus property for \$180,000.
4

5 **Brief:**

- 6 • The City owns surplus property located at 855 Old Bridge Road.
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8 **Issues:**

- 9 • The sale is subject to the following terms and conditions:
 - 10 ○ The property is sold "AS IS WHERE-IS" condition.
 - 11 ○ Buyer shall be responsible for all taxes that may accrue as a result of the transfer.
 - 12 ○ Buyer shall pay all costs and fees associated with the sale and closing including but not
13 limited to preparation of the deed and other documents associated with the transfer,
14 attorney's fees, closing costs, and filing and recording fees to include deed stamps.
 - 15 ○ Buyer shall not build any structure or make any improvement that interferes with the ability
16 of the City of Myrtle Beach to access underground lines and valves unless written
17 permission is granted by the City.
 - 18 ○ Buyer recognizes the intent of the City of Myrtle Beach to reserve to itself a utility easement
19 over, under and across the property for all water and sewer utilities and that the sale is
20 subject to those easements.
 - 21 ○ City reserves the right to access the property for installation, operation, maintenance,
22 inspection and/or repair of all water and/or sewer utilities. If the property is disturbed or
23 damaged in connection with the installation, operation, maintenance, inspection and/or
24 repair of utilities, the City has no liability or responsibility to repair the property or return the
25 property to its condition prior to the damage or disturbance.
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27 **Public Notification:** Normal meeting notification.
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29 **Alternatives:**

- 30 • Modify the proposed ordinance.
- 31 • Deny the proposed ordinance.
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33 **Financial Impact:**

- 34 • This property is not in the City limits. Impact is limited to the proceeds of the sale.
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36 **Manager's Recommendation:**

- 37 • I recommend 1st reading (10.26.2021).
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39 **Attachment(s):** Ordinance

ORDINANCE 2021-41

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

**AUTHORIZING THE SALE OF SURPLUS
CITY PROPERTY ON OLD BRIDGE
ROAD TO ROBERT LUKEY**

WHEREAS, the City of Myrtle Beach is the owner of surplus property located at 855 Old Bridge Road outside the municipal limits and bearing TMS #1550825035; and

WHEREAS, City Council has determined that the property is not needed for public use and the sale of the property would return the property to the tax rolls of the City; and

WHEREAS, the City is authorized to sell real property pursuant to South Carolina Code Ann. § 5-7-40; and

WHEREAS, the sale of the property is being made subject to terms and conditions including but not limited to the following:

1. The property is being sold in an "AS IS WHERE-IS" condition. The buyer is responsible for conducting any and all inspections and testing of the property at its own cost and expense.
2. No representation is made by the City of Myrtle Beach as to the utility, usability or environmental condition of the property.
3. Buyer shall be responsible for all taxes that may accrue as a result of the transfer.
4. Buyer shall pay all costs and fees associated with the sale and closing including but not limited to preparation of the deed and other documents associated with the transfer, attorney's fees, closing costs, and filing and recording fees to include deed stamps.
5. Buyer shall not build any structure or make any improvement that interferes with the ability of the City of Myrtle Beach to access underground lines and valves unless written permission is granted by the City.
6. Buyer recognizes the intent of the City of Myrtle Beach to reserve to itself a utility easement over, under and across the property for all water and sewer utilities and that the sale is subject to those easements as well as existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, and such facts as an accurate survey would reveal.
7. Buyer recognizes the right of the City of Myrtle Beach to access the property for purposes related to installation, operation, maintenance, inspection and/or repair of all water and/or sewer utilities and any other underground assets. If the property is disturbed or damaged in connection with the installation, operation, maintenance, inspection and/or repair of utilities, the City has no liability or responsibility to repair the property or return the property to its condition prior to the damage or disturbance.

1 NOW, THEREFORE, IT IS ORDAINED that, subject to the foregoing conditions, the City of Myrtle
2 Beach will sell by quit claim deed the real property located at 855 Old Bridge Road to Robert
3 Lukey for One Hundred Eight Thousand (\$180,000.00) Dollars and the City Manager is hereby
4 authorized to execute the deed and any other documents necessary effect the sale and transfer.

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6 This ordinance shall become effective immediately upon its adoption.

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9 ATTEST:

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BRENDA BETHUNE, MAYOR

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JENNIFER ADKINS, CITY CLERK

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1ST Reading: 10-26-2021

16

2ND Reading:

