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1 **R2019-37: RESOLUTION TO ACCEPT THE DEDICATION OF THOSE**  
2 **CERTAIN RIGHT-OF-WAYS LOCATED IN THE MARKET COMMON R-13**  
3 **SUBDIVISION.**

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4 **Applicant/Purpose:** LUK-MB2, LLC, (owners) / to accept those certain rights-of-way  
5 (ROW) located in the Market Common R-13 Subdivision into the City's road network.  
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7 **Brief:**

- 8 • Applicant has constructed:
    - 9 ○ A ROW of varying width known as Peterson Street.
10 ○ A 22' ROW known as William Hook Street.
11 ○ A 27' ROW known as Air Force Lane.12 ○ A 22' ROW known as Cope Alley.13 ○ A 43' ROW known as Means Circle.14 ○ A 22' ROW known as Kalcevic Alley.15 ○ A 22' ROW known as Crowell Lane.16 ○ A 22' ROW known as Binder Alley.
- 17 • Public utilities are located in, along, & above the rights-of-way.
- 18 • Streets comply w/ current standards & construction requirements.19 • The owner has provided executed dedication deed for the ROW transfer.
- 
- 20

21 **Issues:**

- 22 • None identified.
23 • Proposed resolution is consistent w/long-standing City policy & practice  
24

25 **Public Notification:** Normal meeting notifications.  
26

27 **Alternatives:** None considered.  
28

29 **Financial Impact:**

- 30 • Typical costs associated w/ roadway maintenance.
31 • As the roads age these costs will increase.  
32

33 **Manager's Recommendation:** I recommend approval.  
34

35 **Attachment(s):**

- 36 ▪ Proposed Resolution.
37 ▪ Copy of Subdivision Plat.38 ▪ Copy of executed Deed of Dedication.

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**RESOLUTION R2019-37**

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

**RESOLUTION TO ACCEPT THE  
DEDICATION OF  
THOSE CERTAIN RIGHT-OF-WAYS  
WITHIN THE MARKET COMMON R-  
13 SUBDIVISION.**

WHEREAS, LUK-MB2, LLC, has dedicated those certain right-of-ways known as Peterson Street (R/W Varies), William Hook Street (52' R/W), Air Force Lane (27' R/W), Cope Alley (22' R/W), Means Circle (43' R/W), Kalcevic Alley (22' R/W), Crowell Lane (43' R/W), and Binder Alley (22' R/W) located in the Market Common R-13 Subdivision to the public.

WHEREAS, those certain right-of-ways are shown on that certain survey entitled: "Final Plat of Market Common Parcel R13 (Parcels 263 through 272)", prepared for LUK-MB2, LLC by Robert A. Warner and Associates, Inc. dated February 27, 2015, recorded in the Office of the Register of Deeds for Horry County on March 23, 2015, in Plat Book 265 at Page 208 (3 sheets), said plat being incorporated herein by reference.

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

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

SIGNED, SEALED and DATED, this 13<sup>TH</sup> day of August, 2019.

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

ATTEST:

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













STATE OF SOUTH CAROLINA )  
CITY OF MYRTLE BEACH ) DEED  
COUNTY OF HORRY ) (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#: 186-27-01-125 through 134

All those certain parcels of land with improvements thereon, if any, situate in Myrtle Beach, Horry County, South Carolina, designated and shown as “Peterson Street (Proposed Public R/W Varies)”, “William Hook Street (Proposed 22’ Public R/W)”, “Air Force Lane (Proposed Public 27’ R/W)”, “Cope Alley (Proposed Public 22’ R/W)”, “Means Circle (Proposed Public 43’ R/W)”, “Kalcevic Alley (Proposed Public 22’ R/W)”, “Crowell Lane (Proposed Public 22’ R/W)” and “Binder Alley (Proposed 22’ Public R/W)” containing 5.57 acres, more or less, as shown on “Final Plat of Market Common Parcel R13 (Parcels 263 through 272)” prepared for LUK-MB2, LLC by Robert A. Warner and Associates, Inc. dated February 27, 2015, recorded in the Office of the Register of Deeds for Horry County on March 23, 2015, in Plat Book 265, page 208 (3 sheets), 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 5<sup>th</sup> day of August, 2019.

Signed, Sealed and Delivered  
in the presence of


Witnesses:

Grantor:

  
\_\_\_\_\_  
First Witness Signs Here

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

  
\_\_\_\_\_  
Second Witness Signs Here

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

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 August, 2019.

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.

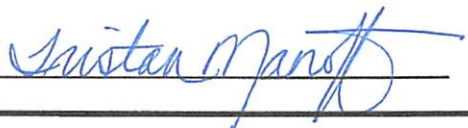
State of California  
County of San Diego )

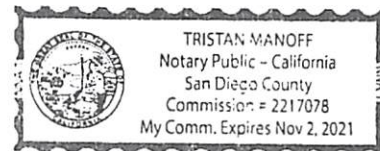
On August 5, 2019 before me, Tristan Manoff, Notary Public  
(insert name and title of the officer)

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)



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 13, bearing Horry County parent Tax Map Numbers 186-27-01-125 through 134, was transferred by LUK-MB2, LLC to The City of Myrtle Beach on August \_\_\_\_, 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) 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 Line 6(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 August, 2019.

By: Spin. Rube  
Its: Vice President

\_\_\_\_\_  
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 August 5, 2019 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)

