
R2019-10: RESOLUTION TO ACCEPT THE DEDICATION OF THAT CERTAIN ROADWAY PORTION KNOWN AS SUNCREST DRIVE (50' RIGHT-OF-WAY) WITHIN THE CRESSWIND PHASE 2A SECTION OF THE CRESSWIND SUBDIVISION.

Applicant/Purpose: KH Withers, LLC, (owners) / to accept a portion of Suncrest Drive into the City's road network.

Brief:

- Applicant has constructed a section of a 50' wide ROW known as Suncrest Drive, which is an extension of a previously constructed & dedicated roadway in phase 2A of the Cresswind Subdivision.
- Public utilities have been located within, along, & above the ROW.
- Streets comply with current standards and construction requirements.
- Owner has provided executed dedication deed for the transfer of the roadway.

Issues:

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

Public Notification: Normal meeting notifications.

Alternatives: None considered.

Financial Impact:

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

Manager's Recommendation: I recommend approval.

Attachment(s):

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

RESOLUTION R2019-10

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

RESOLUTION TO ACCEPT THE
DEDICATION OF THAT CERTAIN
ROADWAY PORTION KNOWN AS
SUNCREST DRIVE (50' RIGHT-OF-WAY)
WITHIN THE CRESSWIND PHASE 2A
SECTION OF THE CRESSWIND
SUBDIVISION.

WHEREAS, KH Withers, LLC, has dedicated that certain roadway portion known as Suncrest Drive within the Cresswind Phase 2A Section of the Cresswind Subdivision to the public.

WHEREAS, that certain roadway is shown on the following final plat: "Subdivision Plat of CRESSWIND PHASE 2A", prepared by Thomas & Hutton Engineering Company dated June 01, 2012 and recorded January 26, 2015 in Plat Book 264 at Page 297 in the Register of Deeds Office for Horry County, South Carolina, which said roadway portion being more particularly identified as 50' wide right-of-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 roadway.

NOW THEREFORE, 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 12TH day of February, 2019.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER STANFORD, CITY CLERK

N/

TITLE NOT SEARCHED

STATE OF SOUTH CAROLINA)
) **DEDICATION DEED**
COUNTY OF HORRY)

KNOW ALL MEN BY THESE PRESENTS, THAT **KH Withers, LLC**, (hereinafter referred to as "Grantor") in the State aforesaid, for and in consideration of the sum of **TEN and 00/100 (\$10.00) DOLLARS**, to it in hand paid at and before the sealing of these presents by the **CITY OF MYRTLE BEACH**, a political subdivision of the State of South Carolina, (hereinafter referred to as "Grantee"), in the State aforesaid, the receipt and sufficiency of which is hereby acknowledged, has granted, sold, remised and released, and by these presents does hereby grant, sell, remise and release unto the said Grantee all of its right, title and interest in and to the following described property, to wit:

SEE ATTACHED EXHIBIT A FOR COMPLETE LEGAL DESCRIPTION

Grantee's Address: P.O. Box 2468
 Myrtle Beach, SC, 29578

SUBJECT to the Declaration of Covenants, Conditions and Restrictions for Cresswind recorded in Deed Book 3683, at Page 2032, in the Office of Register of Deeds for Horry County, South Carolina, as thereafter Amended and Supplemented (the "Declaration").

AND SUBJECT to the provisions of the Articles of Incorporation and By-Laws of Cresswind and to all other reservations and restrictions of record, easements, zoning ordinances and rights of way of record.

AND SUBJECT to all other reservations and restrictions of record, easements, zoning ordinances and rights of way of record.

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 said premises before mentioned unto the said Grantee, its successors and assigns

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said Grantee, its successors and assigns, forever. And the said Grantor does hereby bind itself and its successors and assigns against itself and its successors and all other persons whomever lawfully claiming, or to claim the same, or any part thereof.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed,
under seal, this 13 day of March, 2017.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

KH Withers, LLC
By: KH Withers, LLC

Its: Sole Member



Witness



Witness


By: 

Name: Robert Darity

Its: V.P.

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY) ACKNOWLEDGMENT

The within instrument was acknowledged before me this 13 day of March, 2017, by
KH Withers, LLC as its Sole Member by Robert Darity as its V.P.

 (SEAL)
Notary Public for South Carolina
My Commission Expires: 8.22.2018



Sandra Ann Taylor
NOTARY PUBLIC
The State of South Carolina
My Commission Expires
August 22, 2018

EXHIBIT "A"
Property Description

All those certain pieces, parcels or tracts of land, situate, lying and being in Cresswind Phase 2A, Myrtle Beach, Horry County, South Carolina, more particularly shown and designated as "Suncrest Drive PROPOSED 50' PUBLIC R/W" on a plat entitled "SUBDIVISION PLAT OF Cresswind Phase 2A" prepared by Thomas & Hutton Engineering Co., dated June 1, 2012 and recorded January 26, 2015 in Plat Book 264 at Pages 297, Office of the Register of Deeds for Horry County.

TMS: 180-00-02-294 & 180-00-02-293 (Parent)

The premises herein granted are taken from that certain property conveyed to the Grantor by deed of Farrow Parkway Investments, LLC, dated the 23 day of October, 2012 and recorded in Deed Book 3616 at Page 806 in the Register of Deeds Office for Horry County and by the deed from Farrow Parkway Investments, LLC, recorded August 8, 2013 in Deed Book 3676 at Page 397 in the Register of Deeds Office for Horry County.

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 is located in Cresswind Phase 2A in Myrtle Beach, South Carolina, being a portion of Horry County Tax Map Number 180-00-02-294 & 180-00-02-293 (Parent) and was transferred by KH Withers, LLC. to the City of Myrtle Beach on 3.14, 2017.

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) XXX exempt from the deed recording fee because (See Information section of affidavit);
Exemption Numbers 2. Conveyance to a political subdivision.
(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 Line6(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:

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.

By: KH Withers, LLC

By: [Signature]

Name: Robert Danty

Its: V.P.

SWORN to before me this 13

day of March, 2017

Sandra Ann Taylor
Notary Public for South Carolina

My Commission Expires: 8-22-2028



Sandra Ann Taylor
NOTARY PUBLIC
The State of South Carolina
My Commission Expires
August 22, 2028