



**ORDINANCE NUMBER 29-2019**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF  
ANY AND ALL INTEREST IN CERTAIN REAL PROPERTY IN THE CITY OF GREER**

**WHEREAS**, the City of Greer owns and maintains a city street known as "Spring Street" in the City of Greer; and,

**WHEREAS**, as part of a project for relocating a portion of Spring Street, the City of Greer acquired a certain parcel of land containing 4,597 square feet (0.106 acres) by deed recorded May 8, 2017 in Deed Book 2512 at Page 0800, Greenville County Register of Deeds Office, and,

**WHEREAS**, the Spring Street project is more particularly identified on Exhibit "A" attached hereto; and,

**WHEREAS**, pursuant to the project, the portion of property previously used as Spring Street shall be conveyed to M. Beth R. Ehlich and B. Christopher Ehlich (hereinafter "Ehlich"), and made a part of their property identified as Greenville County Tax Map No. G014000303801; and,

**WHEREAS**, the property to be combined with the Ehlich property is identified as 0.07 acres as shown on the survey entitled "M. Beth R. Ehlich and B. Christopher Ehlich" dated September 4, 2018, and revised March 28, 2019, a copy of which is attached hereto as Exhibit "B" and incorporated herein as if set forth fully (hereinafter "Property"); and,

**WHEREAS**, prior to the conveyance of the Property to Ehlich, the city intends to convey a perpetual and exclusive utility right of way to the Greer Commission of Public

Works to grant Greer CPW the right to maintain its existing utilities located on the Property; and,


**WHEREAS**, given the size and location of the Property, it has very little value, while the Spring Street project provides tremendous value to the City through better traffic flows and public safety; and,

**WHEREAS**, pursuant to S.C. Code §5-7-40, a municipality may convey or dispose of property it owns by Ordinance; and,

**WHEREAS**, the Mayor and City Council find that it is in the best interest of the City of Greer to convey the utility right of way to Greer CPW and convey the Property to Ehlich pursuant to the Utility Right of Way Agreement and the Quit Claim Deed attached hereto as Exhibits "C" and "D."

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the City of Greer, that the Mayor of the City is hereby authorized, empowered, and directed to execute, acknowledge and deliver a utility right of way to Greer Commission of Public Works identified as Exhibit "C" and the quit-claim deed identified as Exhibit "D" to convey any and all interest the City may have in the Property to Ehlich, subject to the utility right of way.

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

  
Richard W. Danner, Mayor

ATTEST:



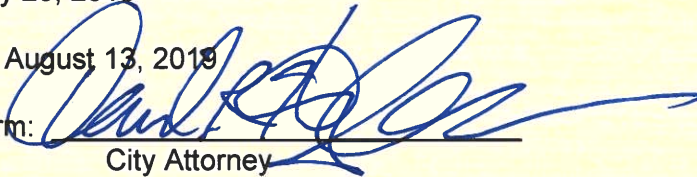
Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Jay Arrowood

First Reading: July 23, 2019

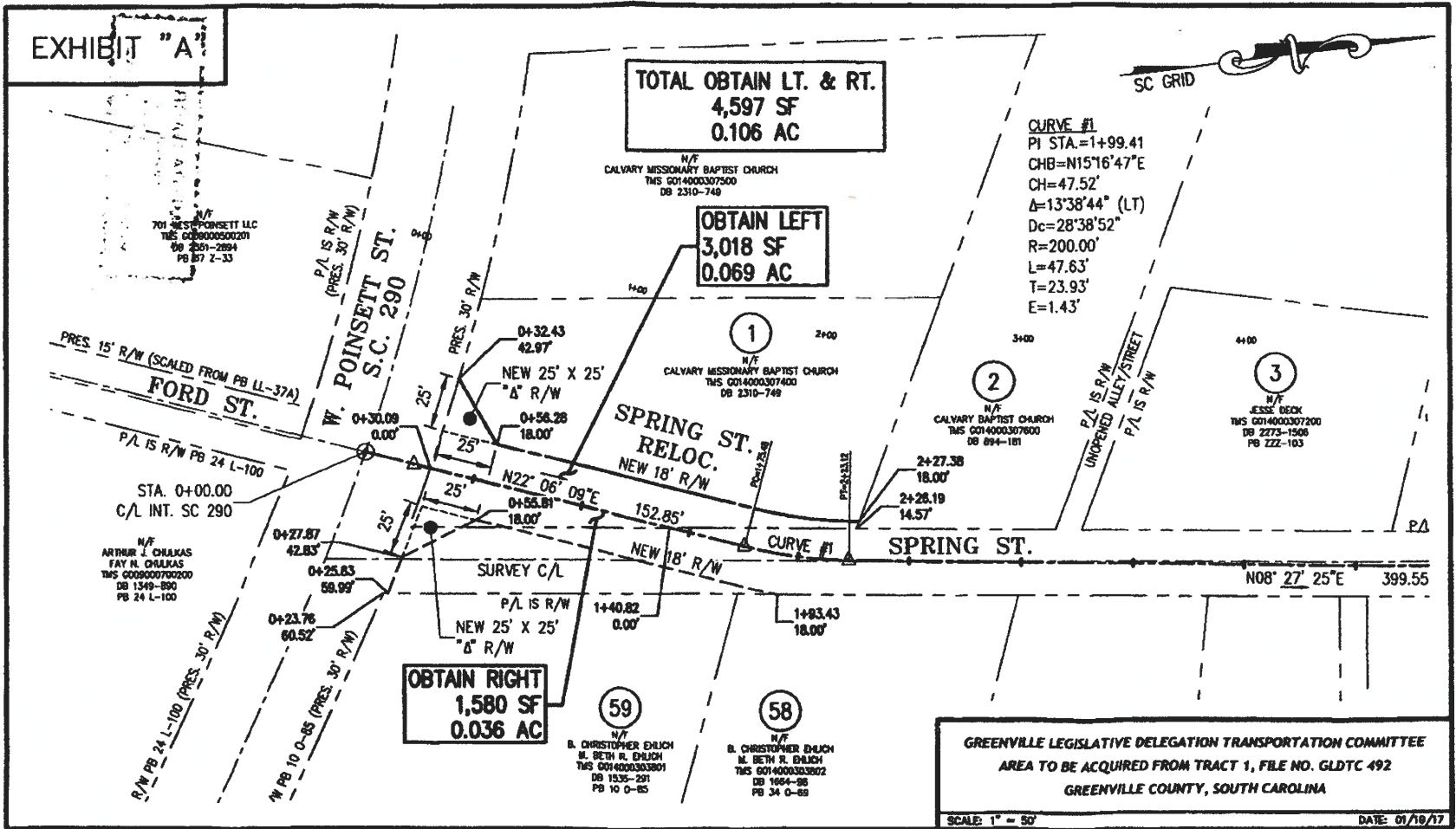
Second Reading: August 13, 2019

Approved as to form:



City Attorney

**EXHIBIT "A"**

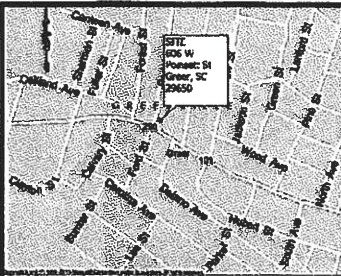


2017037026 DE BK 2512 PG 0801

EXHIBIT  
**A**

PENGAD 800-881-8888

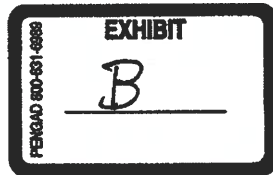
GREENVILLE LEGISLATIVE DELEGATION TRANSPORTATION COMMITTEE  
AREA TO BE ACQUIRED FROM TRACT 1, FILE NO. GLDTC 492  
GREENVILLE COUNTY, SOUTH CAROLINA



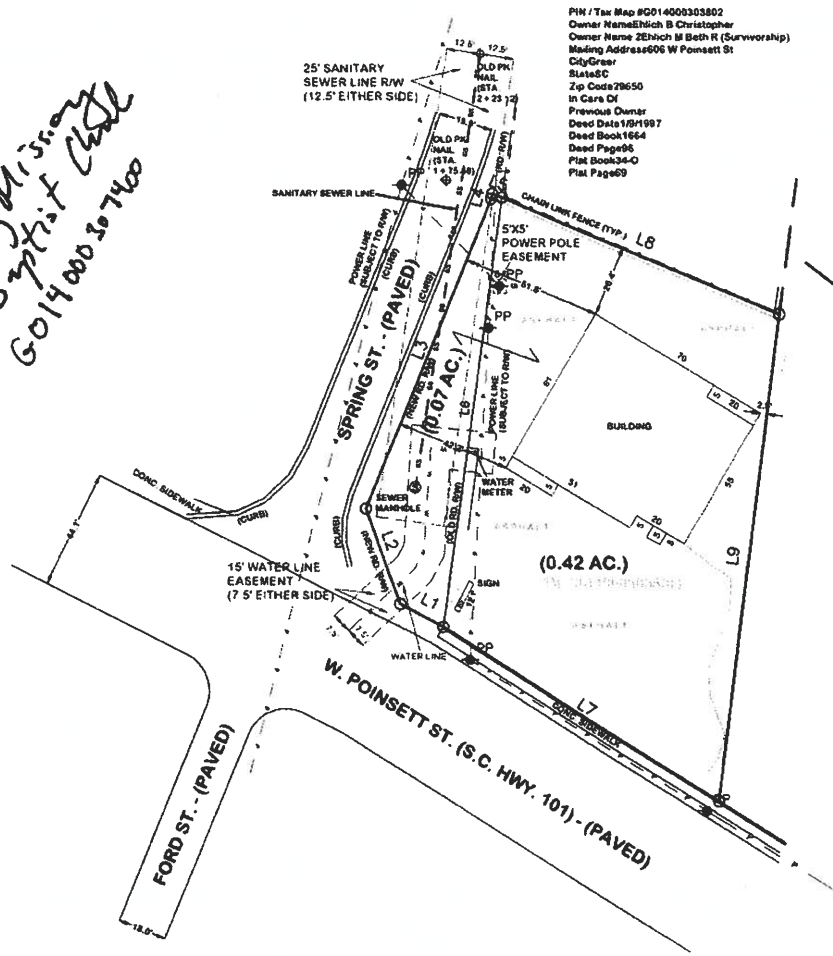
VICINITY MAP NS

**NOTES**

NO TITLE SEARCH BY HUSKEY & HUSKEY, INC.  
 PROPERTY SHOWN SUBJECT TO EASEMENTS OF RECORD  
 UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED, UNLESS SHOWN OTHERWISE.  
 NO FEATURES LOCATED OTHER THAN THOSE SHOWN  
 PARCELS TO BE COMBINED TOGETHER AS SHOWN  
 BEING CURRENT TAX MAP PARCEL AND DIFFERENCE BETWEEN OLD/NEW ROAD RW  
 OLD 1/2" REBAR ON ALL CORNERS, UNLESS NOTED OTHERWISE  
 ADJOINING PROPERTY OWNERS AND THEIR RESPECTIVE PROPERTY LINES, WHICH MAY BE APPROXIMATED, ARE BASED ON MOST CURRENT COUNTY RECORDS AND DO NOT AFFECT THE VALIDITY OF THE SURVEY SHOWN HEREON  
 SEE SCDOT DOCKET FILE NO. GLDTC492 FOR FURTHER ROAD RW INFORMATION



*Calvary Missionary Baptist Church  
 6014 000 307400*



PIN / Tax Map #G01400303802  
 Owner Name: Ehlich B Christopher  
 Owner Name: Zehlich M Beth R (Survivorship)  
 Mailing Address: 606 W Poinsett St  
 City: Greer  
 State: SC  
 Zip Code: 29650  
 In Care Of  
 Previous Owner: Deed Date: 1/19/97  
 Deed Book: 1654  
 Deed Page: 96  
 Plat Book: 34-O  
 Plat Page: 69

PIN / Tax Map #G01400303800  
 Owner Name: Chulikas Demetrios A  
 Owner Name: 2  
 Mailing Address: 804 Ladykirk Ln  
 City: Greer  
 State: SC  
 Zip Code: 29650  
 In Care Of  
 Previous Owner: Edwards B P Inc  
 Deed Date: 2/6/1995  
 Deed Book: 1601  
 Deed Page: 357  
 Plat Book: 29-O  
 Plat Page: 20

**0.49 AC. TOTAL**

LINE	BEARING	DISTANCE
L1	N 62°08'13" W	17.95
L2	N 19°54'58" W	37.02
L3	N 22°06'09" E	122.29
L4	N 14°25'09" E	1.93
L5	S 68°40'24" E	3.82
L6	S 07°49'29" W	158.45
L7	N 58°05'36" W	119.84
L8	S 67°28'26" E	110.68
L9	S 07°04'24" W	179.28

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 'B' SURVEY AS SPECIFIED. THE BUILDING(S) OR WALL(S) SHOWN HEREON DO NOT ENCRDACH ON THE ADJACENT PROPERTY, EXCEPT AS SHOWN. I HEREBY STATE THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1/7600 AS SHOWN HEREON AND THE AREAS WERE DETERMINED BY THE D.M.D. METHOD OF CALCULATION OR BY COMPUTER. THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA, AS DEFINED BY THE FLOOD INSURANCE MAP.

REF. PLAT BOOK 10-O, PP. 85 REF. DEED BOOK 1836, PP. 291

**SURVEY FOR**  
**M. BETH R. EHLICH**  
**and B. CHRISTOPHER EHLICH**  
 LOCATED IN THE CITY OF GREER - 606 W. POINSETT ST.

COUNTY: GREENVILLE COUNTY TAX MAP PARCEL: G01400303801 STATE: SOUTH CAROLINA

DATE: SEPTEMBER 4, 2018 FIELD BOOK: 5-18-76 FIELD CHIEF: T. E. H. DRWN BY: S. H. D.  
 REVISED: MARCH 28, 2019

SCALE 1" = 30'

HUSKEY & HUSKEY, INC. - PROFESSIONAL LAND SURVEYORS  
 2939 CHESNEE HWY. - SPARTANBURG, SC 29307  
 PH. (864)878-6781, FAX (864)878-1771, E-MAIL: huskeyptinc@bellsouth.net

MEMBER OF THE S.C. SOCIETY OF PROFESSIONAL LAND SURVEYORS

JOB NO. 51875 REG. NO. 19006



After Recording Return To:  
Duggan & Hughes, LLC  
P.O. Box 449  
Greer, SC 29652

\_\_\_\_\_  
[Space Above This Line For Recording Data] \_\_\_\_\_

**NO TITLE EXAMINATION**

**QUIT CLAIM DEED**

<b>STATE OF SOUTH CAROLINA</b>	)	<b>Grantee's Address:</b>
	)	<b>606 W. Poinsett St.</b>
<b>COUNTY OF GREENVILLE</b>	)	<b>Greer, SC 29650</b>

KNOW ALL MEN BY THESE PRESENTS, that **The City of Greer**, in consideration of **One Dollar (\$1.00), and no other consideration**, the receipt of which is hereby acknowledged, has granted, bargained, sold, and released, and by these presents does grant, bargain, sell and release unto **M. Beth R. Ehlich and B. Christopher Ehlich**, their heirs and assigns forever, all its right, title and interest in and or the following described real property:

**SEE ATTACHED EXHIBIT "A"**

[LEGAL DESCRIPTION]

This conveyance is subject to any and all existing reservations, easements, rights of way, zoning ordinances and restrictive covenants that may appear of record or on the premises.

together with all and singular the rights, members, hereditaments and appurtenances to said premises belonging or in any wise incident or appertaining; to have and to hold all and singular the premises before mentioned unto the grantee, and the grantee's heirs, successors and assigns, forever.

SIGNED, sealed and delivered  
in the presence of:

**THE CITY OF GREER**

Elizabeth Adams  
Jodygmunz

Richard W. Danner

BY: **Richard W. Danner**  
ITS: **Mayor**

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

**ACKNOWLEDGEMENT**

I, the undersigned, a Notary Public in and for the State of South Carolina, do hereby certify that **THE CITY OF GREER, by Richard W. Danner, its Mayor** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this 13<sup>th</sup> day of January, 2019: 2020.

Tammela V. Duncan  
Notary Public for South Carolina

Tammela V. Duncan  
Printed Name of Notary Public  
Greenville County  
My Commission Expires: 12/17/2028

## EXHIBIT A

All that certain piece, parcel or lot of land with improvements thereon, lying, situate and being in the State and County aforesaid, in the City of Greer, on the northeast corner of W. Poinsett Street and Spring Street, being shown and designated 0.07 acre tract on a plat of survey for M. Beth R. Ehlich and B. Christopher Ehlich by Huskey & Huskey, Inc., dated September 4, 2018 and revised March 28, 2019 and recorded on \_\_\_\_\_, 2020 in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_, in the Register of Deeds Office for Greenville County, South Carolina. Reference I is made to said plat for a more complete metes and bounds description thereof.

This being the same property that was formerly a part of a street known as Spring Street, a public road owned and maintained by the Grantor. As part of a project by the City of Greer, a portion of Spring Street was relocated and the above-described portion is no longer part of Spring Street.

TMS No.: To be combined with G014000303801.

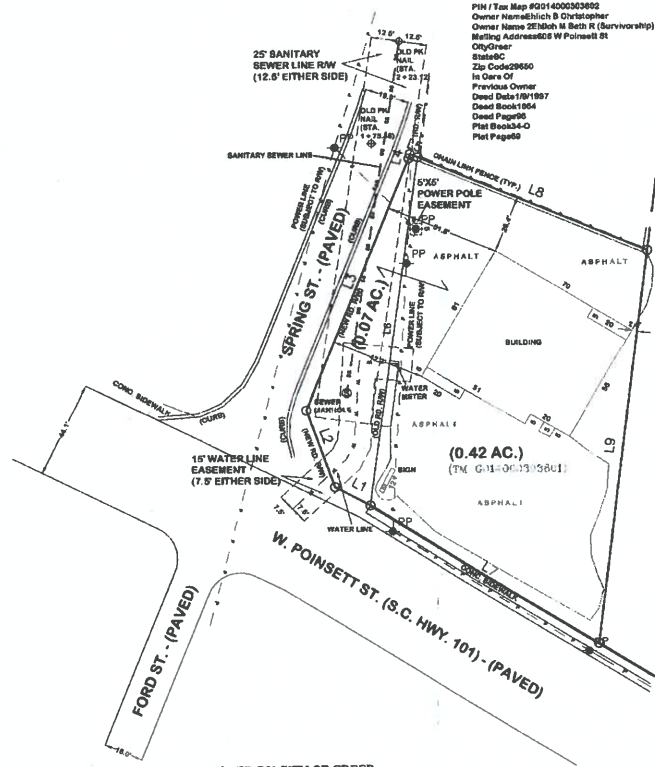




VICINITY MAP NR

**NOTES**

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 SEE CDDOT BOOKLET FILE NO. GLDTC482 FOR FURTHER ROAD RW INFORMATION.



PIN / Tax Map #G014000303602  
 Owner Name: Ehllich B Christopher  
 Owner Name: Ehllich B Beth R (survivorship)  
 Mailing Address: 604 W Poinsett St  
 City: Greer  
 State: SC  
 Zip Code: 29660  
 In Care Of:  
 Previous Owner:  
 Deed Date: 1/21/1997  
 Deed Book: 1804  
 Deed Page: 9  
 Plat Book: 334-D  
 Plat Page: 9

PIN / Tax Map #G014000303600  
 Owner Name: Chuluka Demetrios A  
 Owner Name: 2  
 Mailing Address: 604 Ladykirk Ln  
 City: Greer  
 State: SC  
 Zip Code: 29650  
 In Care Of:  
 Previous Owner: Edwards B P Inc  
 Deed Date: 2/11/1995  
 Deed Book: 1801  
 Deed Page: 397  
 Plat Book: 29-D  
 Plat Page: 20

APPROVED BY CITY OF GREER  
 Approved for the recording in the office of the  
 County Register of Deeds  
 Director, Building & Zoning,  
 & Zoning Coordinator  
 Date: 12/30/19

0.49 AC. TOTAL  
 SUBJECT TO UTILITIES SHOWN

LINE	BEARING	DISTANCE
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REF. PLAT BOOK 10-D, PP. 85 REF. DEED BOOK 1635, PP. 251

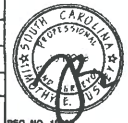
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 2939 CHEROKEE HWY. - SPARTANBURG, SC 29307  
 PH. (803) 578-5671, FAX (803) 578-1771, E-MAIL: huskeyphoto@bellsouth.net JOB NO. 21872 REG. NO. 19099



STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF GREENVILLE  )

**GENERAL UTILITY RIGHT OF WAY**

FOR AND IN CONSIDERATION of \$1.00 and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **THE CITY OF GREER, S.C.** (“Grantor”) does hereby grant and convey unto the **Greer Commission of Public Works**, a body politic under the laws of South Carolina (“Grantee”), its successor, assigns and licensees, the right, privilege and easement to enter and re-enter at any time and to install, dig, build, erect, maintain, repair, rebuild, replace, operate, and patrol one or more water pipelines, sewer pipelines, natural gas pipelines/regulator stations, and/or electric power distribution lines, aboveground or underground, including the right to erect poles and other distribution line structures, wires, cable and any necessary appurtenances for the proper provision of water, sewer, natural gas, or electricity, electronic information, data, and communications; the right to clear the rights-of-way area and keep it clear of brushes, trees, buildings, and fire hazards; and the right to trim and or remove trees, if any, located beyond the limits of the rights-of-way, but which interfere with the rights-of-way; the above described rights being incident to performance by the Grantee as the operator of its public utilities systems, being the tract described as 0.07 acres, more or less, as shown on a survey for “M. Beth R. Ehlich and B. Christopher Ehlich” dated September 4, 2018, and revised March 28, 2019, a copy of which is attached hereto as Exhibit “A” and recorded herewith on January \_\_\_\_\_, 2020 in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_, Greenville County Register of Deeds Office. Reference to said plat is made for a more complete metes and bounds description thereof. Said property is further identified as a portion of Spring Street, a street owned and maintained by the Grantor.

To have and to hold the same unto the Grantee, its successors and assigns forever, together with any and all rights normally incident thereto, and particularly the right of ingress and egress thereto from time to time as necessary for installation, construction, reconstruction, enlargement and/or maintenance. Insofar as possible, upon completion of these activities, the affected area(s) shall be leveled, graded, reseeded, and restored to substantially the same condition as existed prior to commencement of this work, all at the expense of the Grantee.

Grantor(s) covenants and warrants that it is the sole owner in fee simple absolute of the subject property, subject to any lien(s) set forth above. Further, Grantor(s) covenants and warrants that Grantor(s) will not transfer, alienate, devise, encumber, or otherwise affect title to the subject property above for a period of ten (10) days from the date of this Right-of-Way, which will allow the Grantee time to have this Right-of-Way and plat recorded in the Register of Deeds for Greenville County, South Carolina.

The Grantor(s) shall have the right to use the above-described Property for purposes not inconsistent with Grantee’s full enjoyment of the rights hereby granted, provided that the Grantor(s) shall not erect or construct any building or other structure thereon; maintain or permit any underground or aboveground system of piping, poles or wiring within such strip; make any use of the facilities installed, buried, erected, or constructed thereon; or drill or operate any well or septic system within such strip, without the express written permission of the Grantees. No use shall be made of the said strip of land that would, in the opinion of the Grantee, injure, endanger or render inaccessible the utility piping, and/or electric power distribution lines and related appurtenances.

This Agreement shall run with the land and bind Grantor’s successors and assigns.

All rights and privileges, obligations and liabilities created by this instrument shall inure to the benefit of, and be binding upon the heirs, designees, administrators, executors, successors and assigns of the parties hereto.

IN WITNESS WHEREOF these presents have been duly executed under seal by the Grantor(s) on this the day of \_\_\_\_\_, 20\_\_\_\_\_.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

THE CITY OF GREER, S.C.

Elizabeth Adams

Witness 1

Rick Danner

By: Rick Danner

Its: Mayor

Judy Mung

Witness 2

STATE OF SOUTH CAROLINA )

**ACKNOWLEDGEMENT**

COUNTY OF GREENVILLE )

I, Tammela V. Duncan, a Notary Public in and for the State of South Carolina, do hereby certify that Rick Danner, Mayor for the City of Greer personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal this 13<sup>th</sup> day of January, 2019. 2020.

Tammela V. Duncan

Notary Public for South Carolina

Print Name: Tammela V. Duncan

My Commission Expires: 12/17/2028