



Agenda

**Fountain Inn, South Carolina
Special Called Council Meeting
Thursday, August 5, 2021 - 6:00 PM**

1. Call to Order - Mayor McLeer
2. Invocation
3. Pledge of Allegiance
4. New Business -
 - a. AX2021-3 Rudolph G. Gordon School, 1507 Scuffletown Road, Simpsonville
 - b. Discussion of paving Highway 418 to the county Line
5. Adjourn

**REQUEST FOR COUNCIL ACTION**

City of Fountain Inn, South Carolina

To: Mayor and Members of City Council
From: Shawn M. Bell, City Administrator

August 12, 2021

Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading**Agenda Date Requested:** August 12, 2021**Ordinance/Resolution Caption:**

An Ordinance to Provide for the Annexation of the Property Described Herein to the City Limits of the City of Fountain Inn; to Establish a Zoning Classification Therefor; to Assign the Annexed Property to a Council Ward; and Various Matters Related Thereto.

Summary Background:

AX2021-3 would annex approximately 70.7 acres at 1507 Scuffletown Road into the City limits of the Fountain Inn; zone P/O TMS# 0555010102202 to R-15, Industrial District and assign parcel to Council Ward 4.

The Planning Commission voted unanimously (5-0) in favor of the annexation and zoning at the July 12, 2021 meeting.

The owner of the property, Greenville County School District, wish to annex the Rudolph G. Gordon School into the municipal limits of Fountain Inn (excluding 3.3 acres at the corner of Jones Mill Road and Scuffletown Road) in order to obtain a School Resource Officer for the K-12 facility.

Impact If Denied:

The parcel would remain in unincorporated Greenville County with two zoning categories, R-S Suburban and unzoned. The school and recent addition have already been constructed, but the Fountain Inn Police Department would be unable to provide the SRO outside their jurisdiction.

Impact If Approved:

The City limits will be increased by seventy acres in the northernmost portion of Fountain Inn. Rudolph G. Gordon School would be officially within the Fountain Inn and both Fountain Inn Police and Fire would provide assistance.

Financial Impact:

None as the institutional use of a school and ownership by the school district exempts taxes. Fountain Inn Fire already provides service to this area of the county. The city limits would be significantly increase but with no new residential population to serve.

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF THE PROPERTY DESCRIBED HEREIN TO THE CITY LIMITS OF THE CITY OF FOUNTAIN INN; TO ESTABLISH A ZONING CLASSIFICATION THEREFOR; TO ASSIGN THE ANNEXED PROPERTY TO A COUNCIL WARD; AND VARIOUS MATTERS RELATED THERETO.

WHEREAS, the School District of Greenville County has filed a proper petition with the City of Fountain Inn using the 100 percent petition method concerning those parcels or tracts of land, which property is contiguous to the City limits petitioning for annexation of said property to the City of Fountain Inn under the provisions of **S.C. Code Ann. § 5-3-150(3)** and described as follows:

ALL those certain pieces, parcels or tracts of land containing 70.7 acres more or less, situate, lying and being on Scuffletown Road in the City of Fountain Inn, Greenville County, South Carolina, and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

GREENVILLE COUNTY TMS # 0555010102202 P/O

and,

WHEREAS, it appears to the City Council that annexation would be in the best interest of the property owners and the City of Fountain Inn; and

WHEREAS, the notice and public hearing requirements of S.C. Code Section 5-3-150 (1) have been complied with;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Fountain Inn, South Carolina, as follows:

Section 1. **ANNEXATION:** That the property herein described is hereby annexed to and becomes a part of the City of Fountain Inn effective on the date of the passage of this Ordinance.

Section 2. **ZONING CLASSIFICATION:** The property herein described is hereby assigned the zoning classification of R-15, Residential District.

Section 3. **DISTRICT ASSIGNMENT:** The within described property shall be assigned to City Council Ward 4.

Section 4. **FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area

the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

Section 5. **AUTHORIZATION.** The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the actions authorized by this Ordinance in accordance with the conditions herein set forth.

Section 6. **EFFECTIVE DATE.** This Ordinance shall be effective upon second and final reading by the City Council.

DONE IN REGULAR MEETING THIS ____ DAY OF _____ 2021.

SIGNATURE OF MAYOR:

George Patrick McLeer

ATTEST:

APPROVED AS TO FORM:

Sandra H. Woods
City Clerk

David W. Holmes
City Attorney

FIRST READING: 8/5/2021
SECOND READING: 8/12/2021

EXEMPT

MAR - 4 2004

Space above this line for recording information

FILED
GREENVILLE, S.C.

2004 MAR -4 P 2:57

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

TITLE TO REAL ESTATE

JUDY G. HIX
REGISTER OF DEEDS

KNOW ALL MEN BY THESE PRESENTS THAT, **JANE S. HOWIE AND HUGH T. SATTERFIELD**, herein referred to as Grantor for and in consideration of the sum of FIVE HUNDRED THIRTY FOUR THOUSAND FORTY TWO AND 00/100 (\$534,042.00) Dollars, to me paid by **SCHOOL DISTRICT OF GREENVILLE COUNTY**, hereinafter referred to as Grantee in the State aforesaid, 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 Grantee, its successors, and assigns forever:

ALL that certain pieces, parcels or tract of land situate, lying and being in the State of South Carolina, County of Greenville, shown and designated as Tract 1, containing 59.338 Acres as shown on plat entitled "Survey for Greenville County School District" by Smith Surveyors, Inc., dated October 24, 2003 and recorded in the Register of Deeds Office for Greenville County, S.C., in Plat Book 434 at Page 317, reference being made hereto to said plat for the exact metes and bounds thereof.

This being the same property conveyed unto the Grantor herein by Deed of Distribution dated and recorded June 27, 2000 in the Office of the Register of Deeds for Greenville County in Deed Book 1916 at Page 672. Also by Deed of Distribution recorded February 21, 2003 in the Register of Deeds Office for Greenville County, S.C., in Deed Book 2027 at Page 1662. Also by deed from Ansel B. Satterfield dated February 23, 2004 and recorded ~~February~~ March 4, 2004 in the Register of Deeds Office for Greenville County, S.C., in Deed Book 2078 at Page 54.

This conveyance is made subject to any and all existing reservations, easements, rights of way, zoning ordinances, setback lines, and restrictions or protective covenants that may appear of record, on the recorded plat(s), or on the premises.

(17) 696 - 555.1 - 1 - 22.2

Grantee Address: 225 S. Pleasantburg Dr, Ste I-3
Greenville, SC 29607

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 Grantees, their heirs, and assigns forever.

AND THE GRANTOR does hereby bind Grantor heirs, and the Grantor's heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said Grantees, their and assigns, against Grantor and Grantor's heirs and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

18801

WITNESS my Hand and Seal this 24th day of February, in the year of our Lord 2004

Signed, Sealed and Delivered
in the Presence of:

[Signature]

Jane S. Howie
Jane S. Howie

Sharon F. Hall

Hugh T. Satterfield
Hugh T. Satterfield
by Brenda S. Smith, POA

STATE OF SOUTH CAROLINA)

) ACKNOWLEDGMENT

COUNTY OF GREENVILLE)

I, a Notary Public, within and for the State and County aforesaid, do hereby certify that the foregoing instrument of writing was this day produced to me in the above State and County by the Principals and was executed and acknowledged to be the free act and voluntary deed of the Principals.

WITNESS my signature this 24th day of February, 2004.

[Signature]

Notary Public for South Carolina

My Commission expires: 3-11-08

Prepared by S. Allan Hill, Attorney at Law, 205 E. Broad Street, Greenville, SC 29601

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

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 at 59.338 Acres, Satterfield Road, bearing GREENVILLE County Tax Map Number 555-01-01-022, was transferred by Jane S. Howie , Hugh T. Satterfield to School District of Greenville County on February 24, 2004.
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~~ Tran): #2, Transfer to School District
(If exempt, please skip items 4 – 7, and go to item 8 of this affidavit)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

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: _____
 - (c) Subtract Line 6(b) from Line 6(a) and place results here _____
7. The deed recording fee due is based on the amount listed on Line 6© 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.

Judy

Responsible Person Connected with the Transaction

SWORN to before me this 24th day of
February, 2004

Sarah Crosby (Seal)
Notary Public for South Carolina
My Commission Expires: 10-10-2013

INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being

FILED FOR RECORD IN GREENVILLE
COUNTY SC R.O.D. OFFICE AT 02:57 PM
03 04 04 RECORDED IN DEED
BOOK 2078 PAGE 0062 THRU 0065
DOC # 2004018801

Judy A. Hill