

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)
COUNTY OF HORRY) AUTHORIZING THE TRANSFER OF LAND
)
TOWN OF SURFSIDE BEACH)

WHEREAS, Daniel Sitter and Janice Sitter, citizens and residents of the Town of Surfside Beach, own property in the Town abutting a 10ft. "alley," the alley parcel being comprised of 1150 sq. ft./ .03 acres ("the parcel"); and

WHEREAS, The Town Council has reviewed a Plat depicting the parcel dated March 26, 2020, prepared by Culler Land Surveying III, Inc., prepared for Daniel Sitter, attached as **Ex. A**; and

WHEREAS, The parcel, identified as property of the Town, is not used by the Town of Surfside Beach for any public purpose; and

WHEREAS, On May 1, 2020, Daniel Sitter and Janice Sitter ("potential grantees"), tendered \$5,000 as an offer to purchase the Town's rights to the parcel; and

WHEREAS, To the extent applicable, Sec. 2-208(a) of the Town of Surfside Beach Code of Ordinances requires bids for certain contracts with a value in excess of \$10,000 in prescribed circumstances; and

WHEREAS, The alley parcel was not marketed or listed for sale by the Town, the offer made by the potential Grantees was unsolicited, the potential contract is for less than \$10,000, and no voting member of Town Council has a personal or pecuniary interest in the parcel, the adjacent parcels, or the potential Grantees; and

WHEREAS, Sections 2-56(a)(4) of the Code of Ordinances of the Town of Surfside Beach requires Town Council act by ordinance to grant rights in public property after public hearing, and Section 2-56(a)(7) requires Town Council act by ordinance to sell or authorize the conveyance or lease of any lands of the municipality; and

WHEREAS, The Town Council for the Town of Surfside Beach held a Public Hearing May 12, 2020, prior to second reading; and

WHEREAS, The Town Council has considered the fair market value of the parcel, the absence of any public benefit to the Town's citizens in retaining and maintaining the alley, the public benefit of selling the parcel, and the absence of any other offer, a to

accept the offer of \$5,000 to transfer whatever rights the Town had or has to the parcel to the potential grantees.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, that the Town Administrator or his designee be authorized to execute a Quitclaim Deed and Affidavit to transfer the following parcel to Daniel Sitter and Janice Sitter in exchange for \$5,000, in the best interests of the Town:

That certain piece, parcel or track of land described as 'Original 10' Alley' , lying and being in the Town of Surfside Beach, previously known as Socastee Township, Horry County, South Carolina, and is shown on that certain plat prepared by Culler Land Surveying III, Inc., dated March 26, 2020 and recorded _____, 2020, in Plat Book ____ at Page ____ in the Office of the Register of Deeds for Horry County, said Plat attached to this Ordinance and incorporated as Exhibit "A," to be added to PIN #461-03-01-0042.

Potential Grantee's Address: 810 N. Dogwood Drive, Surfside Beach, SC 29575-4050

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon second reading by the Mayor and Town Council of the Town of Surfside Beach.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ____ day of ____, 2020.

Bob Hellyer, Mayor

Debbie Scoles,
Mayor Pro Tempore Bruce Dietrich, Town Council

David Pellegrino,
Town Council Paul Holder, Town Council

Cindy Keating,
Town Council Michael Drake, Town Council

Attest:

Sheri Medina, Town Clerk

