

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: May 20, 2024

Agenda Item: 7E	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: May 15, 2024
Subject: Petition for annexation and zoning designation for ±0.16 acres on Tom E. Chestnut Road [Z-24-15]	Division: Planning and Development

**Background:**

In 2006, the City of North Myrtle Beach City Council approved a resolution allowing the City Manager to enter into a pre-annexation agreement with LC Barnaba Construction, Inc. regarding Lot O of the Belle Edge Subdivision. This pre-annexation agreement allowed the residents of this property to connect to the water and/or sewer system of the City of North Myrtle Beach even though the property was not contiguous to the City’s corporate boundary and was not eligible for annexation at that time. In exchange for allowing connection to the City’s utilities, restrictive covenants were executed and recorded for this property allowing the property to be considered for annexation into the City of North Myrtle Beach once it was contiguous. Lot O was subdivided into five lots with common area in a plat recorded on October 5, 2006, but the restrictive covenants run with all parcels that were included in the original Lot O. On June 20, 2023, the City Council approved the annexation and zoning of the property immediately adjacent to the subject property on the north. At this time, the subject parcel became contiguous to the City’s corporate boundary and eligible for annexation.

**Existing Conditions:**

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned Single-Family 6 (SF6) under Horry County jurisdiction. Located off Tom E. Chestnut Road, the parcel contains open space and a pond for the adjacent Stone Ridge subdivision. Surrounding parcels within City limits are zoned Single-Family Residential Low-Density (R-1); adjacent unincorporated county parcels are zoned Commercial Forest Agriculture (CFA). Upon annexation, the parcel would be designated R-1 as per Exhibit A: Zoning Map Z-24-15, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary. A proposed ordinance has been attached for Council’s review.

**Proposed R-1 Zoning:**

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		10,000 SF	1 Acres	10,000 SF
Minimum Lot Width		80 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	10 feet <sup>1</sup>	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		40%	60%	40%
Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	45 feet	45 feet

Notes: <sup>1</sup> A five-foot side yard setback shall be required for substandard lots of record.

**Planning Commission Action:**

The Planning Commission conducted a public hearing on May 7, 2024, and voted to recommend approval of the annexation and zoning designation, citing “A”, where necessary to implement the Comprehensive Plan with the caveat that a maintenance agreement is in place for the pond currently located on the parcel. Staff has located the covenants and restrictions for the Stone Ridge subdivision and found the following text referencing the maintenance of the common area parcel:

G. Maintenance: The HOA shall maintain and keep in good repair the Common Property. This maintenance shall include, without limitation, maintenance, repair and replacement subject to any insurance then in effect, of all landscaping and improvement situated on the Common Property. In addition, the HOA shall maintain grass and other landscaping located along or in dedicated rights of way which were installed and maintained by Declarant, to the extent permitted by the applicable governmental authority, and shall maintain all entry features and retention ponds for the Development. On drainage ways that abut adjoining property, the HOA will share in the cost of their maintenance with the adjoining property. Lot Owner will be responsible for maintaining the area along the water line. The foregoing maintenance shall be performed consistent with the Development-Wide Standard.

There was no public comment.

**Recommended Action:**

Approve or deny the proposed ordinance on first reading

Reviewed by Department Head

Reviewed by City Manager

Reviewed by City Attorney

Council Action:

Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_

**ORDINANCE**

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH  
ANNEXING ± 0.16 ACRES IDENTIFIED AS PIN 357-07-01-0012.**

**WHEREAS**, the property owner has entered into a pre-annexation agreement with the City of North Myrtle Beach through restrictive deed covenant until such time as it becomes contiguous, the 0.27 acres consisting of the following parcel PIN 357-07-01-0012 as referenced on Exhibit A: Zoning Map Z-24-15, prepared by the City of North Myrtle Beach Planning and Development Department depicting the annexation boundary, which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the referenced property is now contiguous; and

**WHEREAS**, the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held all necessary public hearings in accordance with applicable State Statutes and City Ordinances; and

**WHEREAS**, the City Council has received a report from the Planning Commission recommending the subject property be zoned Single-Family Residential Low-Density (R-1) upon annexation.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of North Myrtle Beach, South Carolina, in Council duly assembled:

**Section 1. Annexation.** That parcel identified by PIN 357-07-01-0012 (the “Annexed Parcel”), consisting of approximately 0.16 acres and depicted on Exhibit A, and all contiguous portions of all public rights-of-way, streets, and highways are hereby annexed pursuant to Sections 5-3-150 and 5-3-240 of the Code of Laws of South Carolina, 1976, as amended.

**Section 2. Zoning Designation.** The Annexed Parcels are hereby designated and zoned as Single-Family Residential Low-Density (R-1).

DONE, RATIFIED AND PASSED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Mayor Marilyn Hatley

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

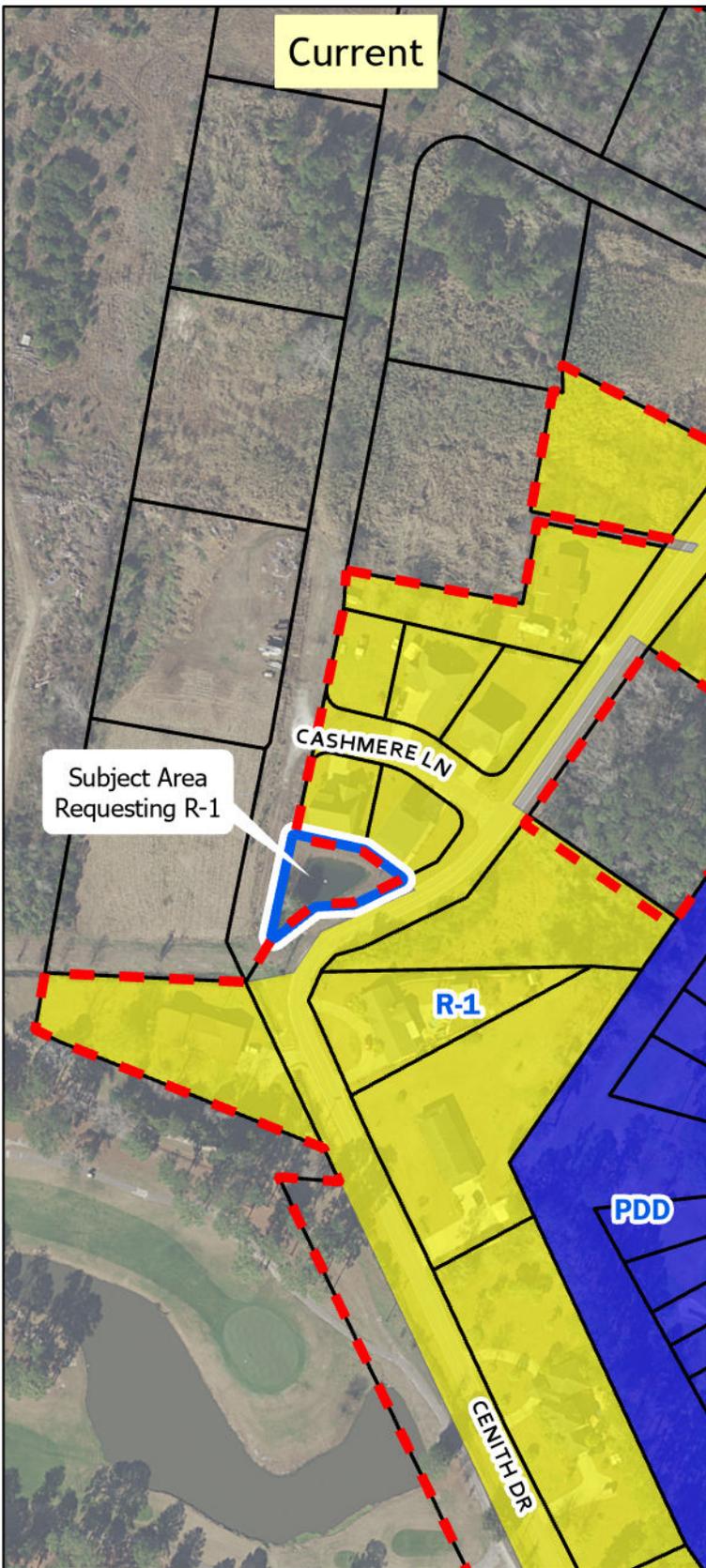
REVIEWED:

\_\_\_\_\_  
City Manager

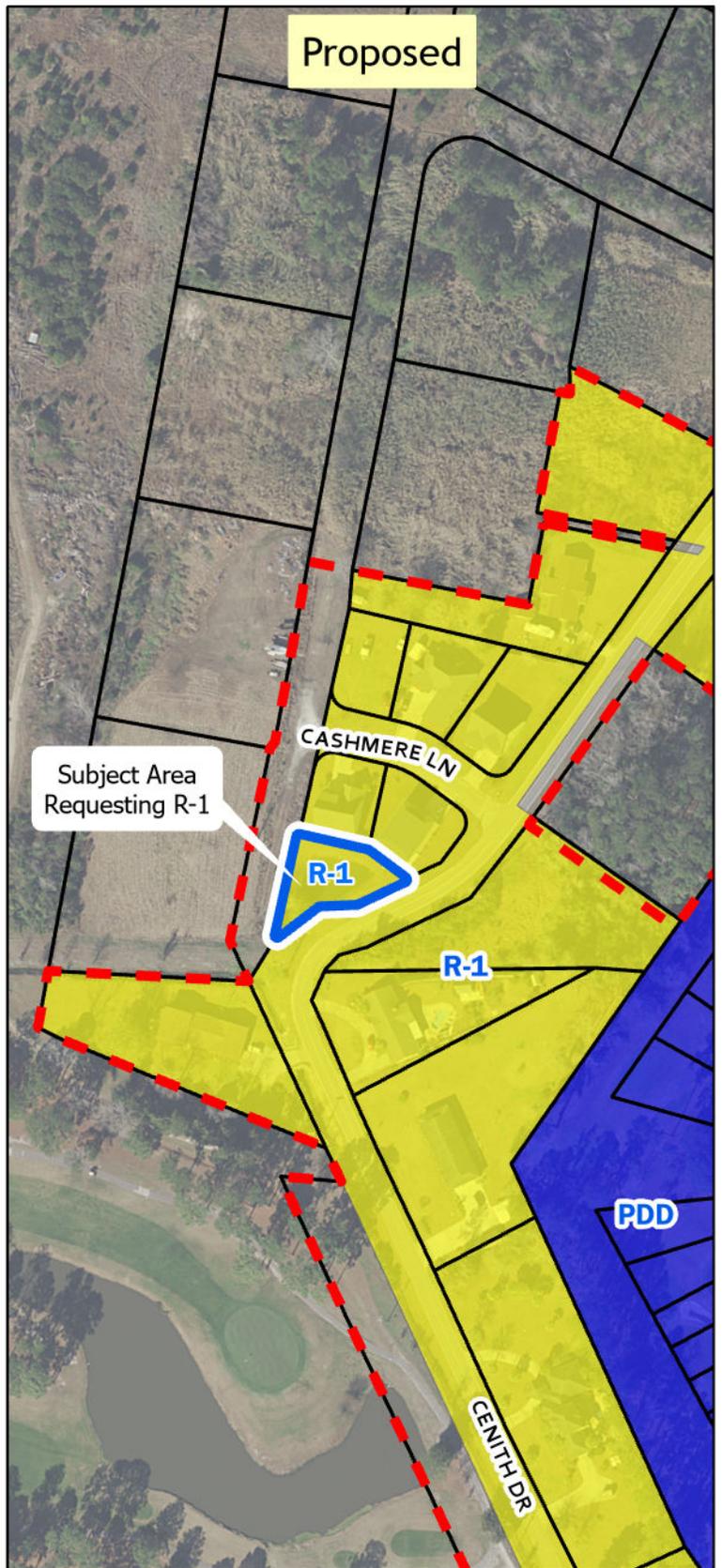
FIRST READING: 5.20.2024  
SECOND READING: \_\_\_\_\_

ORDINANCE: \_\_\_\_\_

Current



Proposed

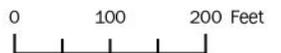


### Legend

-  North Myrtle Beach City Limit
-  Subject Area
-  Zoning District PDD
-  Zoning District R-1



## Exhibit A: Zoning Map Z-24-15



**6E. ANNEXATION & ZONING DESIGNATION Z-24-15:** Pursuant to a recorded pre-annexation agreement, City staff has begun the process to annex lands on Tom E. Chestnut Road totaling approximately ±0.16 acres and identified by PIN 357-07-01-0012. The lots are currently unincorporated and zoned Single-Family Residential 6 (SF6) by Horry County. The petition also reflects the requested City of North Myrtle Beach zoning district of Single-Family Residential Low-Density (R-1) and will be heard concurrently.

**History and Background:**

In 2006, the City of North Myrtle Beach City Council approved a resolution allowing the City Manager to enter into a pre-annexation agreement with LC Barnaba Construction, Inc. regarding Lot O of the Belle Edge Subdivision (TMS 143-12-01-019). This pre-annexation agreement allowed the residents of this property to connect to the water and/or sewer system of the City of North Myrtle Beach even though the property was not contiguous to the City’s corporate boundary and was not eligible for annexation at that time. In exchange for allowing connection to the City’s utilities, restrictive covenants were executed and recorded for this property allowing the property to be considered for annexation into the City of North Myrtle Beach once it was contiguous. Lot O was subdivided into five lots and open space in a plat recorded on October 5, 2006, but the restrictive covenants run with all parcels that were included in the original lot O. On June 20, 2023, the City Council approved the annexation and zoning of the property immediately adjacent to the subject property on the north. At this time, the subject parcel became contiguous to the City’s corporate boundary and eligible for annexation.

**Existing Conditions and Surrounding Land Uses:**

The subject property area is contiguous to the corporate boundary of the City of North Myrtle Beach and is zoned SF6 under Horry County jurisdiction. Located off Tom E. Chestnut Road, the parcel contains open space and a pond for the adjacent Stone Ridge subdivision. Surrounding parcels within City limits are zoned R-1; adjacent unincorporated county parcels are zoned CFA.

**Proposed R-1 Zoning:**

		Single-family Dwelling	Churches	Other Permitted Uses
Minimum Site Area		10,000 SF	1 Acres	10,000 SF
Minimum Lot Width		80 feet	NA	NA
Minimum Yards:	Front	25 feet	25 feet	25 feet
	Side	10 feet <sup>1</sup>	25 feet	10 feet
	Rear	20 feet	25 feet	25 feet
Maximum Impervious Surface Ratio		40%	60%	40%
Maximum Height of Structures		35 feet (15 feet for Accessory Buildings)	45 feet	45 feet

Notes: <sup>1</sup> A five-foot side yard setback shall be required for substandard lots of record.

**Planning Commission Action:**

As per the Zoning Ordinance Section 23-4, *Amendments*, the Planning Commission shall prepare a report and make recommendations on any proposed amendment to the North Myrtle Beach Zoning

Ordinance, including the Zoning Map, stating its findings and its evaluation of the request. In making its report, the Commission shall consider the following factors:

- a) The relationship of the request to the Comprehensive Plan:

*The Future Land Use map contained in the 2018 Comprehensive Plan recommends Residential Suburban as a land use class for the subject area. The principal permitted uses noted in the compliance index include primarily single-family lots, small farms, and farm related uses such as produce stands, and mobile homes on individual lots. The recommended primary zoning district is R-1; R-1A and R-1B are the secondary zoning district alternatives.*

The proposed zoning designation, R-1 (Single-Family Residential Low-Density), is a recommended zoning district within the Compliance Index for the subject property.

- b) Whether the request violates or supports the Plan:

*Chapter 5, “The Way We Grow,” of the 2018 Comprehensive Plan identifies the Residential Suburban future land use classification as follows: The purpose of this classification is to define, protect, and provide low density, single-family detached housing areas where designated, and to prohibit any development that would compromise existing residential characteristics. In addition, these areas are intended to provide for in-fill and expansion of existing neighborhoods and subdivisions. Standards and densities for these areas are designated to reflect existing conditions. This area is also intended to allow incorporation of property west of the waterway at densities typical of inland development. Primarily single-family lots, small farms and farm-related uses such as produce stands, and mobile homes on individual lots, excluding large mobile home parks, are compatible uses here. This category allows up to five dwelling units per acre (du/acre).*

The proposed R-1 zoning is consistent with the Residential Suburban land use classification found in the 2018 Comprehensive Plan.

- c) Whether the uses permitted by the proposed change would be appropriate in the area concerned:

*The purpose of the R-1 zoning district is, “To preserve and protect the character of existing neighborhoods and subdivisions, and to prohibit any uses which would compromise or alter existing conditions and uses. Also, these districts are intended to encourage residential infilling and expansion of existing neighborhoods and subdivisions. Development land uses permitted in each are designed to reflect existing conditions and enhance the prospects of ‘lie development.’”*

The uses permitted in the R-1 district would be appropriate in the area.

- d) Whether adequate public-school facilities, roads and other public services exist or can be provided to serve the needs of the development likely to take place because of such change, and the consequence of such change:

Current public rights-of-way serve this area; access is subject to encroachment permit approval.

- e) Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewer to the area:

Water and sewer services are available to the parcel.

As a matter of policy, no request to change the text of the ordinance or the map shall be acted upon favorably, except:

- (a) Where necessary to implement the comprehensive plan, or
- (b) To correct an original mistake or manifest error in the regulations or map, or
- (c) To recognize substantial change or changing conditions or circumstances in a particular locality, or
- (d) To recognize changes in technology, the style of living, or manner of doing business.

This petition for annexation and zoning designation is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for May 20, 2024. Should the Planning Commission desire to forward a positive recommendation to the City Council, one of the reasons should be included in the report.

**Staff Review:**

*Planning and Development, Planning Division*

The Planning Division has no issue with the proposed petition for annexation and zoning.

*Planning and Development, Zoning Division*

The Zoning Administrator has no issue with the proposed petition for annexation and zoning.

*Public Works*

The City Engineer has no issue with the proposed petition for annexation and zoning.

*Public Safety*

The Fire Marshall has no issue with the proposed petition for annexation and zoning.

**Planning Commission Action:**

The Planning Commission may recommend approval, recommend approval with modifications and/or conditions; or recommend denial of the proposal, as submitted.

Alternative Motions

- 1) I move that the Planning Commission recommend approval of the annexation and zoning petition [Z-24-15] as submitted.

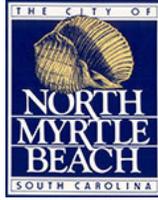
OR

- 2) I move that the Planning Commission recommend denial of the annexation and zoning petition [Z-24-15] as submitted.

OR

- 3) I move (an alternate motion).

FILE NUMBER:	Z-24-15
Complete Submittal Date:	April 15, 2024



Notice Published:	April 18, 2024
Planning Commission:	May 7, 2024
First Reading:	May 20, 2024
Second Reading:	June 17, 2024

**City of North Myrtle Beach, SC**

**Petition for Annexation & Zoning**

**GENERAL INFORMATION**

<b>Date of Request: April 15, 2024</b>	<b>Property PIN(S): 35707010012</b>
<b>Property Owner(s): RICHARDSON KENTON PAUL</b>	<b>Type of Zoning Map Amendment: Petition for Annexation and Zoning</b>
<b>Address or Location: Lake on Tom E. Chestnut</b>	<b>Project Contact: Suzanne Pritchard</b>
<b>Contact Phone Number: 8432805572</b>	<b>Contact Email Address: lspritchard@nmb.us</b>
<b>Current County Zoning: SF6</b>	<b>Proposed Zoning: R-1</b>
<b>Total Area of Property: 0.16 Acres</b>	<b>Approximate Population of Area to be Annexed: 0</b>

**RECORDED COVENANT INFORMATION**

I hereby certify that the tract(s) or parcel(s) of land to which this approval request pertains is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought, as provided in South Carolina Code of Laws (§ 6-29-1145).  
*Applicant's E-signature: Suzanne Pritchard*

This form complies with a state law that took effect on July 1, 2007 (S.C. Code § 6-29-1145) that requires all planning agencies to inquire in an application for a permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority.

903801

STATE OF SOUTH CAROLINA  
COUNTY OF HORRY

FILED  
HORRY COUNTY, S.C.  
2006 JUN 26 PM 1:51

RESTRICTIVE COVENANTS

BALLERY V. SKIPPER  
REGISTRAR OF DEEDS

KNOW ALL MEN BY THESE PRESENTS, that L.C. Barnaba Construction, Inc. seeks permission to connect to the water and/or sewer system of the City of North Myrtle Beach. The Grantor owns that certain piece, parcel, or tract of land situate, lying and being Lot "O" in the Belle Edge Subdivision, containing 1.49 acres outside the corporate limits of the City of North Myrtle Beach. The property is also known as Horry County TMS # 143-12-01-019.

It is understood and agreed that as a condition for connecting to the water and/or sewer system, the Grantor, by executing this Restrictive Covenant, is petitioning for annexation of the above described property into the City of North Myrtle Beach. If and when the above described property becomes contiguous to the corporate limits of the City, then the above described property shall be considered for annexation by the City Council of the City of North Myrtle Beach. Final annexation of the above described property rests upon an affirmative vote of a majority of the governing body of the City of North Myrtle Beach.

It is further understood and agreed that should the Grantor, its successors and assigns, withdraw this Restrictive Covenant, the City of North Myrtle Beach may immediately stop providing water and/or sewer services to the above described property, as well as institute legal action for non-performance.

This restrictive covenant shall run with the land. All rights, powers and privileges hereby granted to the City of North Myrtle Beach shall pass to its successors and assigns, and shall be binding upon Grantor, its successors and assigns. It is hereby agreed that the conditions of this agreement, and this agreement itself, is a restriction and covenant on the title to the within named property and binding upon the Grantor, its successors and assigns.

DEED  
3119 1310

1310  
g

WITNESS the execution hereof, this 19<sup>th</sup> day of May, 2006.

Signed, Sealed and Delivered  
in the presence of :

Louis C. Barnaba  
Louis C. Barnaba  
Kimberly Herd  
Kimberly Herd

William A. Dew  
William A. DEW  
Mark R. Amos  
Mark R. AMOS

STATE OF SOUTH CAROLINA     )  
  )  
COUNTY OF HORRY                    )                    PROBATE

PERSONALLY appeared before me William A. Dew, and made oath that he or she saw the within named Louis Barnaba sign, seal and as his or her act and deed in the case of private persons, or as the corporate act and deed, in the event of a corporation, and by its proper officers, deliver the within Restrictive Covenants, and the he or she, with MARK R. AMOS witnessed the execution thereof.

Sworn to and subscribed before me this 19<sup>th</sup>  
day of MAY, 2006.

Brenda E. Eckis  
Notary Public for South Carolina    Brenda E. Eckis  
My Commission Expires August 24, 2010  
My Commission Expires: \_\_\_\_\_

1311



School, County and Special of such defaulter, specifying therein the aggregate amount of all of his taxes as well as the amount to each fund; and

**WHEREAS, IT IS FURTHER PROVIDED BY SAID** Acts that under and by virtue of said warrant or execution the Tax Collector shall seize and take exclusive possession of so much of the defaulting taxpayer's estate, real or personal or both, as may be necessary, to raise the sum of money named therein and the charges thereon, and after due advertisement sell the same before the Court House door of the County, on a regular sales day, and within the usual hours for public sales, for cash, give to the purchaser (upon his complying with the terms of sale) a receipt for the purchase money, but not make title to the purchaser until the expiration of twelve months from the day of sale, if the property sold be not redeemed as therein provided, and annex said receipt with the duplicate warrant with the endorsement thereon of his action thereunder; and

**WHEREAS, ANGIE JONES, the County Treasurer of Horry County,** did issue her warrant directed to me by authority of the laws of South Carolina against **L C BARNABA CONSTRUCTION, INC. (New Owner: WENDELL NORRIS),** defaulting taxpayer of the County, strictly charging and commanding me as Tax Collector of said County to levy by distress and sale of the personal property, and if sufficient personal property cannot be found, then by distress and sale of the land of the said **L C BARNABA CONSTRUCTION, INC. (New Owner: WENDELL NORRIS), DEFAULTER, THE SUM OF TWO HUNDRED EIGHTY-THREE AND 04/100 (\$283.04) DOLLARS;** and

**WHEREAS,** by virtue of said warrant or execution, I, **CRYSTAL MONTGOMERY,** as **Delinquent Tax Manager** of the County and State aforesaid at said time, did on the **17<sup>th</sup> day of March, 2017,** seize and take possession of the property

hereinafter described and on the 4<sup>th</sup> day of the month of December in the year 2017, within the usual hours of sale after due advertisement sell the same to **KENTON PAUL RICHARDSON**, the purchaser and the highest bidder at such sale, for the sum of **EIGHT HUNDRED AND NO/100 (\$800.00) DOLLARS**; and gave a receipt for said purchase money; and

**WHEREAS**, twelve months have elapsed since the date of said sale, and the said **L C BARNABA CONSTRUCTION, INC. (New Owner: WENDELL NORRIS)** the defaulting taxpayer or other parties interested after due notice have failed to redeem said land so sold for taxes; and

**WHEREAS**, as provided by the above-referred Act, the undersigned did cause certified notice to be mailed to the defaulting taxpayer as follows:

**SEE "EXHIBIT B" ATTACHED HERETO.**

**NOW, THEREFORE, I, CRYSTAL MONTGOMERY, as Horry County Delinquent Tax Manager** at said time, in consideration of the sum of **EIGHT HUNDRED AND NO/100 (\$800.00) DOLLARS** to me paid by the said **KENTON PAUL RICHARDSON**, whose mailing address is **129 Pinfeather Trail, Myrtle Beach, SC 29588** have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said **KENTON PAUL RICHARDSON**, his heirs and assigns, (as the case may be) the following described property, to wit:

**SEE "EXHIBIT A" ATTACHED HERETO.**

**SAID CONVEYANCE** is made without any covenant or warranty by Horry County, express, implied, or otherwise, including, but not limited to, title, quantity, or any encumbrances or easements burdening or benefiting the subject of this conveyance.

**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 hereby granted, with the appurtenances, unto the said **KENTON PAUL RICHARDSON**, his heirs and assigns, (as the case may be) according to the form, force and effect of the laws and usages of the State of South Carolina in such cases made and provided.

**WITNESS** my Hand and Seal this 25<sup>th</sup> day of March in the year of our Lord Two Thousand Nineteen and in the Two Hundred Forty-Third Year of the Independence of the United States of America.

Signed, Sealed and Delivered  
In the Presence of:

Amber Rhodes  
Amber Rhodes, Witness

Crystal Montgomery (L.S.)  
CRYSTAL MONTGOMERY, as Horry County  
Delinquent Tax Manager

Verna Marie Collins  
Verna Marie Collins, Witness-Notary

The witnesses are not a party to, nor a beneficiary of, the within transaction.

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF HORRY            )

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public do hereby certify that **CRYSTAL MONTGOMERY, AS HORRY COUNTY DELINQUENT TAX MANAGER** personally appeared before me this    day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 25<sup>th</sup> day of March, 2019.

Verna Marie Collins (L.S.)  
Verna Marie Collins - Notary Public for South Carolina

My Commission Expires: 9/21/2026

STATE OF SOUTH CAROLINA ) AFFIDAVIT  
COUNTY OF HORRY )

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 .16 acre, more or less, Open Space, Pond Stone Ridge, Horry County, South Carolina, bearing Horry County Tax Map # **1431201097**, was transferred by **CRYSTAL MONTGOMERY, as Horry County Delinquent Tax Manager** to **KENTON PAUL RICHARDSON** on March 25, 2019.
3. Check one of the following: The Deed is
  - (a) xx subject to the deed recording fee as a transfer fee 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) \_\_\_\_\_ exempt from the deed recording fee because.
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) xx The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of **\$800.00**.
  - (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:   | \$800.00 |
| (b) Place the amount listed in item 5 above here:<br>(If no amount is listed, place a zero here.) | 00.00    |
| (c) Subtract line 6(b) from Line 6(a) and place result here:                                      | \$800.00 |

7. The deed recording fee due is based on the amount listed on Line 6(c) above and deed recording fee due is **\$3.70**.

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 no more than one thousand dollars or imprisoned not more than one year, or both.

Sworn to before me this  
25<sup>th</sup> day of March,  
2019.

Verna Marie Collins  
Verna Marie Collins - Notary Public for SC  
My Commission Expires: 9/21/2026

Crystal Montgomery  
CRYSTAL MONTGOMERY, as Horry County  
Delinquent Tax Manager

**EXHIBIT "A"**

**TMS # 1431201097; Owner: L C BARNABA CONSTRUCTION, INC. (New Owner: WENDELL NORRIS); Successful Bidder: KENTON PAUL RICHARDSON**

ALL AND SINGULAR, all that certain piece, parcel or lot of land, situate, lying and being in Little River Township, Horry County, South Carolina, being shown and designated as **Open/Common Space Pond 1, 7,312.3 Sq. Ft., 0.168 Acre, more or less**, as shown on plat prepared by Robert A. Warner and Associates, Inc. for Stone Ridge Subdivision, dated September 5, 2006, and recorded in the Office of the ROD for Horry County in **Plat Book 217 at Page 165**, reference to which is craved as forming a part and parcel hereof.

This being the identical property conveyed by Crystal Montgomery, Horry County Delinquent Tax Manager to Wendell Norris by deed recorded in the Office of the ROD for Horry County on June 9, 2016, in Deed Book 3922 at Page 827.

## ‘EXHIBIT B’

Defaulting Taxpayers Name: L C Barnaba Construction Inc

New Owner: Norris Wendell

TMS#: 143-12-01-097

Date of Execution: March 17, 2017

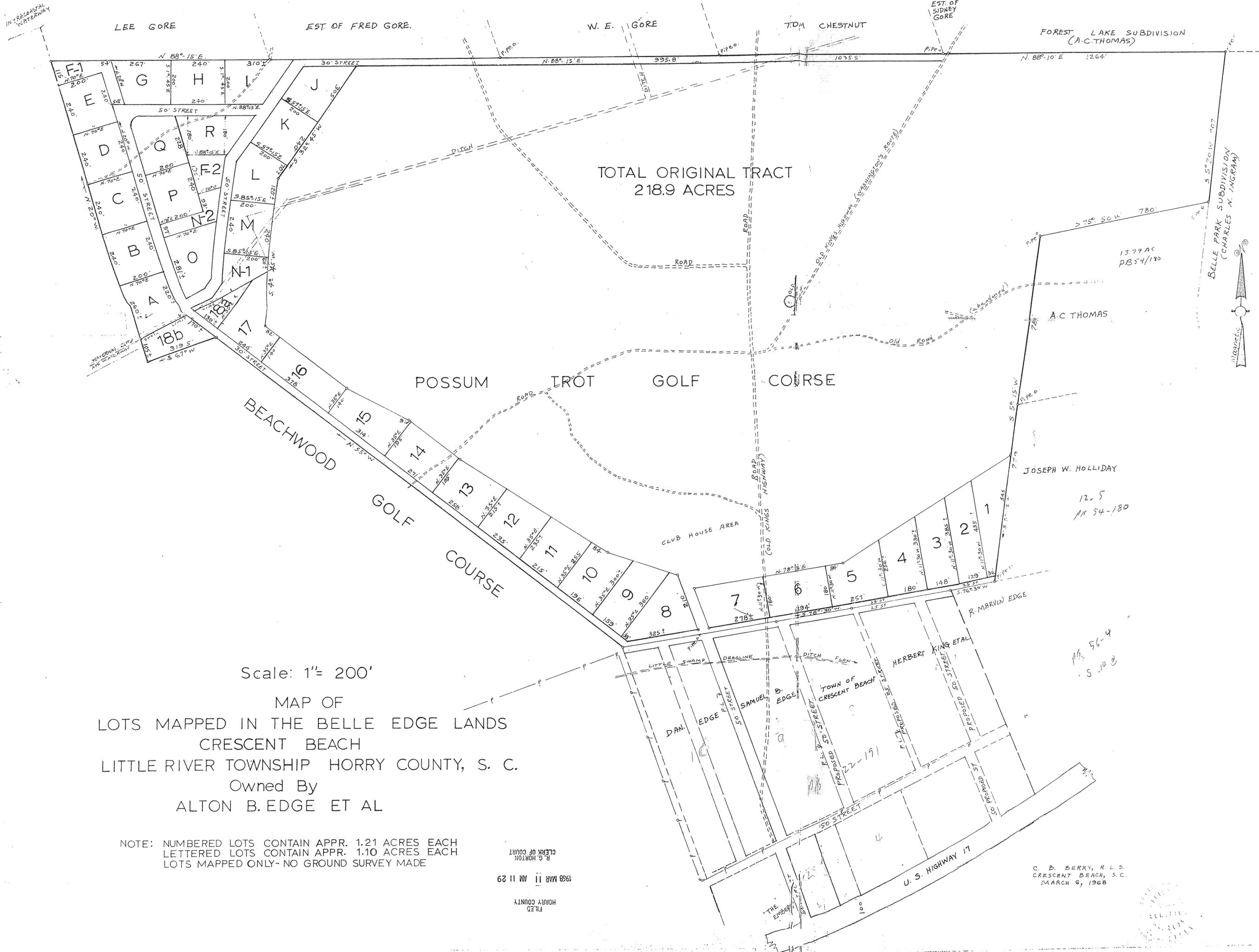
Date Posted: September 8, 2017

Posted by Whom: Palmetto Posting Inc

CERTIFIED MAILED	ADDRESSES	DATE RECEIVED/ RETURNED	BY WHOM
05/24/2017	L C Barnaba Construction Inc	06/22/2017	See signature card below
05/24/2017	Norris Wendell	06/02/2017	Forwarding Order
08/21/2017	Norris Wendell	08/24/2017	Wendell Norris
10/22/2018	L C Barnaba Construction Inc	11/18/2018	Attempted not known
10/22/2018	Norris Wendell	10/24/2018	Wendell Norris
10/22/2018	Norris Wendell	10/25/2018	Wendell Norris

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p>L C BARNABA CONSTRUCTION INC PO BOX 70958 MYRTLE BEACH SC 29572 0034</p> <p>35707010012    05718</p> <p>2. Article Number <b>92154969009997901743897443</b></p>	<p><b>COMPLETE THIS SECTION</b></p> <p>A. Signature <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> <i>Wendell Norris</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below. <input type="checkbox"/> No</p> <p>3. Service Type</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (Over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail	<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Registered Mail Restricted Delivery	<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (Over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express																
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail																
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Registered Mail Restricted Delivery																
<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise																
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Insured Mail																	
<input type="checkbox"/> Insured Mail Restricted Delivery (Over \$500)																	

PS Form 3811 April 2015 PSN 7530-02-000-9053 Domestic Return Receipt



TOTAL ORIGINAL TRACT  
218.9 ACRES

POSSUM TROT GOLF COURSE

BEACHWOOD GOLF COURSE

Scale: 1" = 200'

MAP OF  
LOTS MAPPED IN THE BELLE EDGE LANDS  
CRESCENT BEACH  
LITTLE RIVER TOWNSHIP HORRY COUNTY, S. C.  
Owned By  
ALTON B. EDGE ET AL

NOTE: NUMBERED LOTS CONTAIN APPR. 1.21 ACRES EACH  
LETTERED LOTS CONTAIN APPR. 1.10 ACRES EACH  
LOTS MAPPED ONLY- NO GROUND SURVEY MADE

FR.ES  
HORRY COUNTY  
1968 MAR 11 AM 11 29  
R. G. HORTON  
CLERK OF COURT

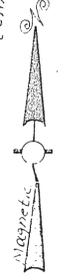
C. B. BERRY, R. L. S.  
CRESCENT BEACH, S. C.  
MARCH 6, 1968

pg. 56-4  
S. 10 e

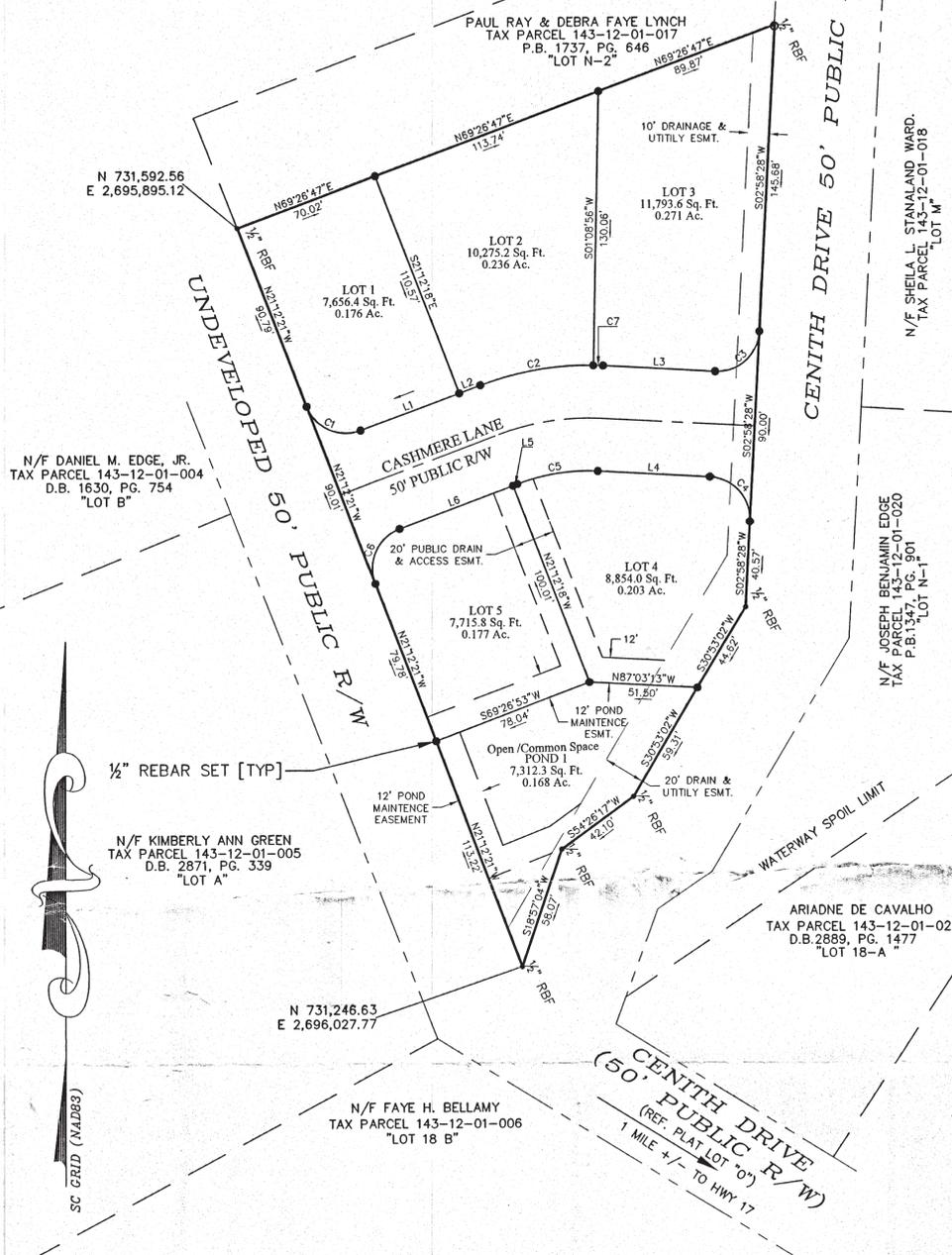
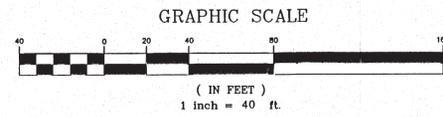
13.79 AC  
PB 54/180

12.5  
A 54-180

BELLE PARK SUBDIVISION  
(CHARLES N. INGRAM)



217-165



NOTES:

- 1. THIS PROPERTY IS SUBJECT TO ANY EASEMENT OR RESTRICTION OF PUBLIC RECORD.
2. THERE HAS BEEN NO DETERMINATION OF HAZARDOUS WASTE ON THIS PROPERTY.
3. 1/2" RBS SHALL BE PLACED AT ALL CORNERS UNLESS SHOWN OTHERWISE.
...
16. HOA/POA DOCUMENTS OR RESTRICTIVE COVENANTS AND EASEMENTS FOR THE DEVELOPMENT SHOWN HEREON WHERE RECORDED IN DEED BOOK ... PAGE ... ON THIS (DATE) DAY OF (MONTH), 20... IN THE OFFICE OF THE REGISTER OF DEEDS FOR HORRY COUNTY.

PROJECT DATA

- 1. THIS PROJECT IS PROPOSED FOR SINGLE RESIDENTIAL HOMES.
2. ROADS AND STORM WATER MANAGEMENT INFRASTRUCTURE SHALL BE CONSTRUCTED TO MEET OR EXCEED HORRY COUNTY STANDARDS.
3. ACCESSORY STRUCTURES WILL BE ALLOWED ON RESIDENTIAL PARCELS WITH DEVELOPER APPROVAL...
...
7. TRAFFIC SPEED SHALL BE 25 MPH.

REFERENCES:

- 1. BOUNDARY, TOPO AND AS-BUILT MAP WAS PREPARED BY ROBERT A. WARNER & ASSOCIATES, DATED: JANUARY 12, 2006.
2. REFERENCE PLAT ENTITLED "LOTS MAPPED IN THE BELLE EDGE LANDS" PREPARED FOR ALTON B. EDGE DATED MARCH 11, 1988 AND RECORDED IN THE HORRY COUNTY COURT HOUSE IN PLAT BOOK 48 PAGE 19.

FILED HORRY COUNTY, S.C. 2006 OCT -5 PM 4:52 BALLERY V. SKIPPER REGISTRAR OF DEEDS

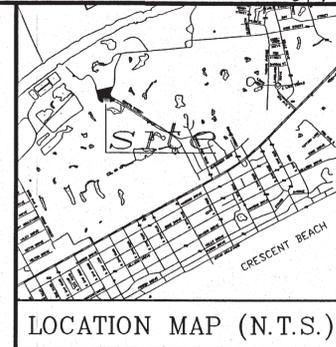
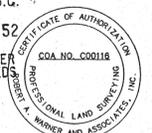


Table with 2 columns: TYPE OF DEVELOPMENT and SINGLE FAMILY. Rows include TMS NO., FLOOD ZONE, TOTAL LOT AREA, TOTAL RIGHT-OF-WAY AREA, etc.

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with my our free consent, establish minimum building lines and dedicate all streets, alleys, walks, parks and other sites to public or private uses as noted.

Name: L. C. Barnaba Construction, Inc. Signature: L. C. Barnaba Date: 9-27-06

Name: Daniel C. Eckis, P.E. Signature: Daniel C. Eckis Date: 9-27-06

Name: Atalaya Engineering, LLC Signature: Atalaya Engineering Date: 9-27-06

Name: Robert A. Warner Signature: Robert A. Warner Date: 9-27-06

CERTIFICATE OF EASEMENT DEDICATION

We, as property owners or a legal representative thereof, do hereby certify that the easements shown are as agreed upon, and we hereby dedicate the easements for the use stated for perpetuity.

Name: L. C. Barnaba Construction, Inc. Signature: L. C. Barnaba Date: 9-27-06

Name: Daniel C. Eckis, P.E. Signature: Daniel C. Eckis Date: 9-27-06

Name: Atalaya Engineering, LLC Signature: Atalaya Engineering Date: 9-27-06

Name: Robert A. Warner Signature: Robert A. Warner Date: 9-27-06

CERTIFICATION OF APPROVAL OF WATER LINES

I hereby certify that water lines meeting the full requirements of the city's subdivision regulations have been installed or that a guarantee of the installation of the required improvements in an amount or manner acceptable to the City of North Myrtle Beach has been received.

Name: Kevin D. Blayton Signature: Kevin D. Blayton Date: 9-27-06

CERTIFICATION OF APPROVAL OF SEWAGE DISPOSAL SYSTEM

I hereby certify that a sewage disposal system meeting the full requirements of the city's subdivision regulations have been installed or that a guarantee of the installation of the required improvements in an amount or manner acceptable to the City of North Myrtle Beach has been received.

Name: Kevin D. Blayton Signature: Kevin D. Blayton Date: 9-27-06

Approved For Recording

In compliance with Building, Flood Control, Engineering & Stormwater Planning & Zoning. Signatures and dates for various departments.

OWNER:

L. C. BARNABA CONSTRUCTION, INC. 506 37TH AVE. SOUTH NORTH MYRTLE BEACH, SOUTH CAROLINA (843) 272-5898

DEVELOPER:

L. C. BARNABA CONSTRUCTION, INC. 506 37TH AVE. SOUTH NORTH MYRTLE BEACH, SOUTH CAROLINA (843) 272-5898

ENGINEER:

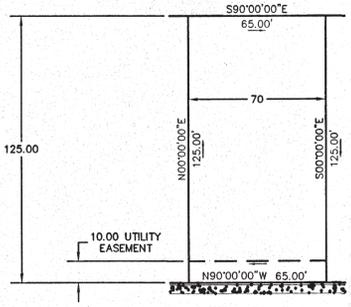
DANIEL C. ECKIS, P.E. ATALAYA ENGINEERING, LLC 10838 KINGS ROAD MYRTLE BEACH, S.C. 29572 (843) (843) 692-7025

SURVEYOR:

ROBERT A. WARNER & ASSOC., INC. 726 8TH AVENUE NORTH MYRTLE BEACH, S.C. 29577 (843) 626-6662

LINE TABLE with columns: LINE, LENGTH, BEARING. Rows L1 through L6.

CURVE TABLE with columns: CURVE, LENGTH, RADIUS, BEARING, CHORD. Rows C1 through C7.



TYPICAL LOT DETAIL

CERTIFICATE OF ACCURACY

I hereby state that 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 A survey as specified herein. Furthermore, I hereby certify that this plat is true & correct to the accuracy required in Article IV, Section 20-26(c), "Degree of Accuracy".

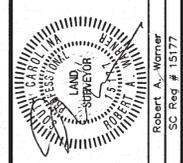
Date: August 4, 2006

Signature: Robert A. Warner, P. L. S. S.C. Registration Number 15177

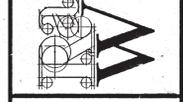
3 DAYS BEFORE DIGGING IN SOUTH CAROLINA CALL 1-800-922-0983 PALMETTO UTILITY LOCATION SERVICE

LEGEND: CMF - CONCRETE MONUMENT FOUND, CMS - CONCRETE MONUMENT SET, OT - OPEN TOP IRON PIPE, etc.

REVISIONS table with columns: NO., DATE, DESCRIPTION.



Robert A. Warner and Associates, Inc. Professional Land Surveying, Mapping and Planning Myrtle Beach, South Carolina 29577



BONDED FINAL PLAT Prepared for L. C. BARNABA CONSTRUCTION, INC. DATE: SEPTEMBER 5, 2006 SCALE: 1" = 40'

STONE RIDGE SUBDIVISION PROJECT SHEET TITLE

Table with columns: REF. NO., DATE, DESCRIPTION. Includes references to previous plat books and drawing sheets.

AREA DATA:

Right of Way = 0.24 Ac. Open Space = 0.17 Ac. Lots = 1.06 Ac. TOTAL AREA = 1.47 Ac.





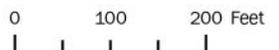
-  North Myrtle Beach City Limit
-  Subject Area

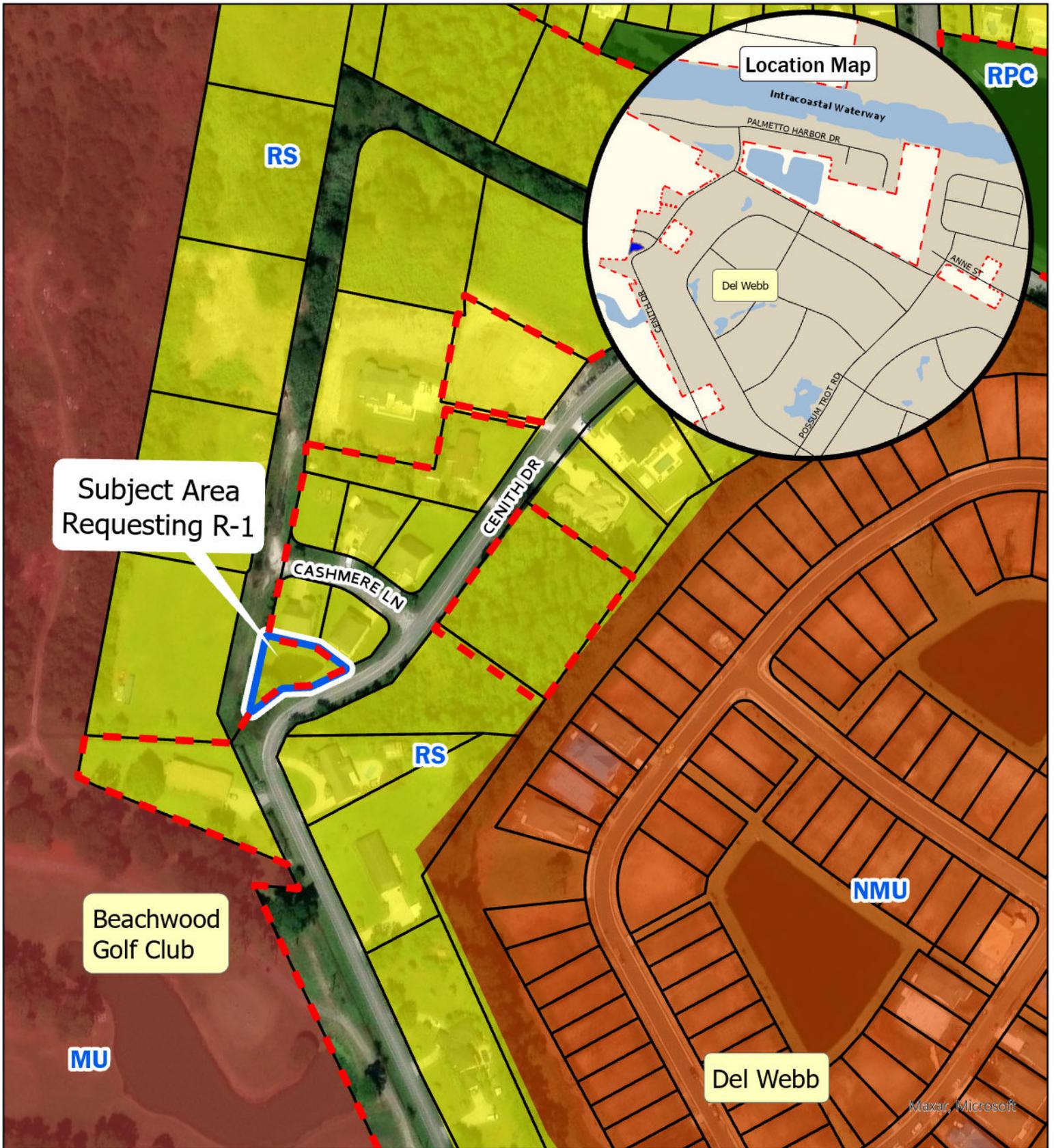
### Legend

- |   |   |
|---|---|
|  Existing Land Use |  Golf Course   |
|  Common Open Space |  Single-Family |
|  Vacant            |  Vacant        |



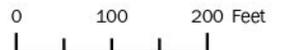
### Existing Land Use





**Legend**

- North Myrtle Beach City Limit
- Subject Area
- Future Land Use**
- MU
- NMU
- RPC
- RS



**Future Land Use**