

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: November 7, 2022

Agenda Item: 5A	Prepared by: Chris Noury, City Attorney
Agenda Section: Consent: Resolution	Date: October 5, 2022
Subject: A Resolution to accept Johnson Street as a public right-of-way	Division: Legal

**Background:**

Johnson Street is an area located in the Crescent Beach section of North Myrtle Beach that has been maintained by the Department of Public Works as a public right-of-way for the past 30 plus years. In addition, within the last year, the Public Works Department paved Johnson Street as part of its streets maintenance program.

Technically, Johnson Street is a privately owned parcel and the owner, Hillside Development, LLC has requested the City formally accept the area as a public right-of-way. The owner will quit claim its interest in Johnson Street to the City.

The City is not seeking payment from the owner to cover the cost of upgrading the street to City standards as the City has already been maintaining this street as indicated above.

**Recommended Action:**

Adoption of the Resolution

Reviewed by City Manager		Reviewed by City Attorney
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Council Action:  
Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_

**RESOLUTION**

**A RESOLUTION REGARDING THE CONVERSION OF JOHNSON STREET  
FROM A PRIVATE RIGHT-OF-WAY TO A PUBLIC RIGHT-OF-WAY**

**WHEREAS**, Johnson Street has been maintained by the City for 30 plus years as a public right-of-way (ROW); and

**WHEREAS**, approximately 1 year ago, the City repaved Johnson Street as part of the City’s routine maintenance of City streets; and

**WHEREAS**, technically, Johnson Street is a private parcel owned by Hillside Development, LLC. (Hillside); and

**WHEREAS**, Hillside desires to convey its interest in Johnson Street to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA:**

**Section 1:** The conversion of Johnson Street from a private parcel to a public right-of-way is hereby approved.

**Section 2:** The City Manager is authorized to sign the documents necessary to transfer ownership of Johnson Street to the City of North Myrtle Beach.

**Section 3:** The Resolution shall become effective upon verification by the City Attorney that there are no claims or lis pendens filed against the property.

**Resolved this the SEVENTH Day of NOVEMBER 2022.**

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

ATTEST:

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

Resolution: 22-09

