

**CITY OF LANCASTER
WORK SESSION
TUESDAY, JANUARY 10, 2023**



**CITY OF LANCASTER
WORK SESSION
TUESDAY, JANUARY 10, 2023
7:00 PM**

- I. **Invocation & Pledge of Allegiance** – Council Member Hood
- II. **Roll Call**
- III. **Citizen Comments***
- IV. **Employee Comments**
- V. **Approval of Minutes**
 - A. Regular Meeting – December 13, 2022 Pg. 1
- VI. **Discussion and Action Items**
 - A. Mayor Pro Tempore Appointment (*Hutfles*) Pg. 4
 - B. Council Standing Committee Appointments (*Hutfles*) Pg. 5
 - C. Appointment of City Officers (*Hutfles*) Pg. 6
 - i. City Attorney
 - ii. City Solicitor
 - D. Judicial Appointments (*Heath*) Pg. 7
 - i. Municipal Judge
 - ii. Associate Municipal Judges
 - E. Board Appointments (*Hutfles*) Pg. 8
- VII. **Ordinance**
 - A. O22-24 (Second Reading) An Ordinance Annexing Into the City of Lancaster, South Carolina One Parcel of Land Totaling 71.956 Acres Located in the General Vicinity of 2100 Charlotte Highway and Owned by Homes of Lancaster, LLC (*Streater*) Pg. 9
 - B. O23-01 (First Reading) An Ordinance Amending Section 8-8 of the Lancaster Code of Ordinance Changing Municipal General Election Dates, and Re-Setting the Election Date For Mayor (*Hutfles*) Pg. 19
 - C. O23-02 (First Reading) An Ordinance Amending Section 8-8 of the Lancaster Code of Ordinance Changing Municipal General Election Dates, and Re-setting the Election Date For Districts 1, 2, and 5 (*Hutfles*) Pg. 27
 - D. O23-03 (First Reading) An Ordinance Amending Section 8-8 of the Lancaster Code of Ordinance Changing Municipal General Election Dates, and Re-Setting the Election Date For District 3, 5, and 6 (*Hutfles*) Pg. 29
 - E. O23-04 (First Reading) An Ordinance Annexing Into the City of Lancaster, South Carolina One Parcel of Land Totaling 21.8 Acres Located in the General Vicinity of 1926 University Drive and Owned by Hazel R. Cauthen Jr. (*Streater*) Pg. 31
- VIII. **Executive Session-Attorney Client Privilege (§30-4-70(a)(2))**
 - A. To receive legal advice on contractual matters with the Lancaster County Water & Sewer District

N.B.: Upon returning to open session, Council may take action on matters discussed in executive session

IX. Adjournment

*Persons desiring to speak should notify the City Clerk prior to the beginning of the meeting. Please begin by stating your name and address. You will have up to 3 minutes to address Council. The entire Citizen Comments portion of the agenda shall not extend longer than thirty (30) minutes. All statements should be addressed to Council as a body and not to individual Council Members. Please be advised that this is not a period of dialogue with Council or a question and answer period.



Any person requiring special accommodations should contact the Office of the City Administrator at (803) 289-1453 at least 24 hours prior to the scheduled meeting.

**CITY OF LANCASTER
WORK SESSION
TUESDAY, DECEMBER 13, 2022**

A meeting of the Lancaster City Council was held in the City Hall Council Chambers on Tuesday, December 13, 2022, at 7:00 p.m.

Mayor T. Alston DeVenny called the meeting to order. A notice of the meeting was posted at City Hall and placed on the City's website. The local news media was contacted of the meeting time and place. The meeting was open to the public with social spacing being recommended. The meeting was also streamed live on the City's YouTube channel.

I. Invocation & Pledge of Allegiance

Mayor DeVenny offered the Invocation and lead the Pledge of Allegiance

II. Roll Call

Present: Mayor Alston DeVenny, Council Member Harris, Council Member Hood, Council Member Jones, Council Member Marsh, and Council Member Sowell

Absent: Council Member Taylor

Others Present: City Administrator Flip Hutfles, City Attorney Mitch Norrell, City Clerk Tracy Rabon, Police Chief Don Roper, and IT Director Melissa Izzard.

III. Citizen Comments

Mark Halburn of 601 East Meeting Street addressed Council via telephone regarding the crime rate in the City and offered to sell his house to the City.

IV. Employee Comments

There were no employee comments

V. Approval of Minutes

A. Regular Meeting – November 22, 2022

Motion: To approve the minutes for the Regular Meeting on November 22, 2022

Moved by Council Member Hood, **Seconded by** Council Member Harris

Vote: Motion carried by unanimous roll call vote

Action: Approved

VI. Discussion and Action Items

A. Affirming the 2023 City Council Meetings Schedule

Motion: To approve the 2023 City Council Meeting Schedule

Moved by Council Member Harris, **Seconded by** Council Member Jones

Vote: Motion carried by unanimous roll call vote

Action: Approved

B. Adopting the 2023 Planning Commission & Board of Zoning Appeals Meeting Schedule

Motion: To approve the 2023 Planning Commission & Board of Zoning Appeals Meeting Schedule

Moved by Council Member Jones, **Seconded by** Council Member Sowell

Vote: Motion carried by unanimous roll call vote

Action: Approved

VII. Ordinance

- A. *022-23 (Second Reading) An Ordinance Annexing Into the City of Lancaster, South Carolina One Parcel of Land Totaling 0.16 Acres Located at 1114 Skipper Avenue and Owned by John Gay*

Motion: To approve the second reading of 022-23 an Ordinance annexing into the City of Lancaster, South Carolina one parcel of land totaling 0.16 acres located at 1114 Skipper Avenue and owned by John Gay

Moved by Council Member Harris, **Seconded by** Council Member Hood

Vote: Motion carried by unanimous roll call vote

Action: Approved

- B. *022-24 (First Reading) An Ordinance Annexing Into the City of Lancaster, South Carolina One Parcel of Land Totaling 71.956 Acres Located in the General Vicinity Of 2100 Charlotte Highway and Owned by Homes of Lancaster, LLC*

Mayor DeVenny asked if there were any concerns regarding passing the first reading tonight then the second reading in the new year after the Council swearing in. Mr. Hutfles stated that Council serves in perpetuity and does not adjourn sine die as the South Carolina General Assembly, and hence there are no concerns.

Mr. Hutfles then presented Council with the first reading of 022-24 annexing 71.956 acres into the city limits. Mr. Hutfles reported that Homes of Lancaster submitted an annexation petition for approximately seventy-two acres on U.S. Highway 521. This would be a mixed-use development consisting of townhomes, single-family dwelling residential units, in a cluster development, and commercial.

Mayor DeVenny questioned the zoning for the area. Mr. Hutfles noted that since the parcel is currently only one parcel, it would be zoned as one parcel.

Council Member Harris asked for an estimated time frame of completion. Mr. Hutfles stated the zoning application would likely be presented to the Planning Commission for deliberation in February 2023, then next a request to subdivide the parcel would be submitted by the developer, possibly in April 2023. The next step would follow in the summer, where the developer would submit the preliminary plat for approval with construction beginning in 2024.

Council Member Harris asked about the estimated \$882,000 in annual property tax. Mr. Hutfles reported that this amount is based on speculation but using similar data used in the County, staff calculated that the potential appraised value of the new subdivision would be \$111,701,067. This would generate the \$882,000 for the City's annual property tax. Council Member Harris also noted that it is important to fill the City Planner position to assist in the smart growth and development of the City .

Motion: To approve the first reading of 022-24 an Ordinance annexing into the City of Lancaster, South Carolina one parcel of land totaling 71.956 acres located in the general vicinity of 2100 Charlotte Hwy and owned by Homes of Lancaster, LLC

Moved by Council Member Harris, **Seconded by** Council Member Marsh

Vote: Motion carried by unanimous roll call vote

Action: Approved

VIII. Executive Session-Attorney Client Privilege (§30-4-70(a)(2) & Personnel Matter (§30-4-70(a)(1))

- A. *To receive legal advice on the South Carolina Ethic Commission Informal Opinion*
- B. *City Administrator's Performance Review*

Motion: To enter Executive Session

Moved by Council Member Jones, **Seconded by** Council Member Marsh

Vote: Motion carried by unanimous roll call vote

Action: Approved

Council returned from Executive Session where no votes were taken.

Motion: To return to open session

Moved by Council Member Jones, **Seconded by** Council Member Sowell

Vote: Motion carried by unanimous roll call vote

Action: Approved

IX. Adjournment

Motion: To adjourn

Moved by Council Member Jones, **Seconded by** Council Member Hood

Vote: Motion carried by unanimous roll call vote

Action: Adjourned

There being no further business, Council adjourned at 8:19 p.m.

Respectfully submitted,

Tracy Rabon
City Clerk

Agenda Item VI.A

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Mayor Pro Tempore
INITIATED BY: City Administrator
PREPARED BY: City Administrator

Background: Both the State Code of Laws and the City Code states in part that immediately after any general election for the City Council, that Council shall elect from its membership a Mayor Pro Tempore for a term of not more than two years. The Mayor Pro Tempore shall act as Mayor during the absence or disability of the Mayor.

Agenda Item VI.B

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Standing Committees
INITIATED BY: City Administrator
PREPARED BY: City Administrator

Background: §2-216 of the City Code states in part that at the first January meeting following each municipal general election the Mayor shall appoint the standing committees of the City Council with the advice and consent of Council.

The standing committees are:

- Police and Court Administration;
- Fire;
- Public Works and Public Utilities;
- Finance;
- Building Official; and
- Administrative Services.

The City Code further states that each of the standing committees shall consist of not more than two council members, the department head, and the city administrator. The mayor shall designate the chairperson of each committee, and additionally the mayor shall serve as an ex officio member of all standing committees.

Agenda Item VI.C

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Appointment of City Attorney & City Solicitor
INITIATED BY: City Administrator
PREPARED BY: City Administrator

Background: Section 2-166 and section 2-191 of the City Code respectively state in part that there shall be appointed by the Council, at the first meeting of the newly constituted Council following any general election for a Council, a City Attorney and a City Solicitor, whose term shall be for two years or until his successor is duly elected and qualified. Mitch Norrell is the City Attorney and Mike Burch is the City Solicitor.

Agenda Item VLD

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Appointment of Municipal Judge & Associate Municipal Judges
INITIATED BY: City Administrator
PREPARED BY: City Administrator

Background: Section 14-31 and section 14-42 of the City Code respectively state in part that the Council shall appointed for a term of not less than two years but no more than four years a Municipal Judge and Associate Municipal Judges.

Elizabeth Hyatt is the Municipal Judge. Cammie Heath, Ronda Parker, and Andrea Coleman are the City's full time Associate Municipal Judges, and Denise Washington, Yale Zamore, and Jeanne Gardner are the City's part-time (weekend) Associate Municipal Judges.

Staff is recommending reappointing the Municipal Judge and all Associate Municipal Judge for three-year terms.

Agenda Item V.I.E

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Board and Commission Appointments
INITIATED BY: City Administrator
PREPARED BY: City Administrator

Background: Six of the City's board have 11 seats that need appointments due to terms expiring at the end of 2022. Listed below are the term ending board members and the board they are currently serving on (all current board members wish to be reappointed):

- International Property Maintenance Code Board of Adjustments and Appeals (3-year term) – Responsible for hearing appeals from interpretations decisions of the Building Official and Code Enforcement Officer of the property maintenance code.
 - Mace Green Jr. – Owner of Mace Green Builders, Inc.
 - Erica Simpson – Owner of Erica Homes, LLC
- Mechanical Board of Adjustment and Appeals (3-year term) – Responsible for hearing appeals of decisions and interpretations of the mechanical code.
 - Ken Roberts – HVAC Contractor
 - Ken Snipes – HVAC Contractor
- Board of Electrical Examiners (3-year term) – Responsible for approving alternate materials and methods of electrical installation work in the City.
 - Tommy Baker – Duke Energy Senior Project Manager
 - Jerry Carnes – Owner of Jerry's Plumbing & Heating, Inc.
- Board of Gas Examiners (3-year term) – Responsible for making recommendations on matters relating to gas work in the City.
 - Steve Port – Owner of Port's Heat & Air
- Lancaster Landmarks Commission (3-year term) – Responsible for making recommendations on matters relating to historical designation and architectural conservation.
 - Betty Huey – Retiree Supervisor from Spring's Industry
 - Conner Tindal – Owner of Carolina Masonry Restoration
- Employee Grievance Committee (3-year term) – Responsible for hearing employees' grievances and making findings and recommendation to City Council.
 - Earl Gainey – FOG Coordinator
 - Johnsie Blythe – Utility Billing Operations Manager (filling Sherry Ellis unexpired term)

Recommendations/Actions: Staff is asking for Council Members to propose candidates for appointment for the expired seats at the January 24, 2023 City Council meeting.

Agenda Item VII.A

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Annexation Ordinance
INITIATED BY: Homes of Lancaster, LLC
PREPARED BY: Building & Zoning Director

Background: Homes of Lancaster have submitted an annexation petition for a single parcel consisting of almost 72 acres that is located just north of the Arrowood subdivision on U.S. Highway 521. The developer envisions the Red Rose Village on this tract of land, which is a mixed-use development consisting of commercial land use on the frontage of US Highway 521 with 62 townhomes behind the commercial sites on the westside of US Highway 521 followed by 176 single-family residential dwelling units in a cluster development. The developer is wishing to be annexed into the City in order to have the City's police and fire services along with the ability to construct a mixed-use development.

This parcel is contiguous to the City on the eastside of US Highway 521, which adjoins the recently annexed D.R. Horton properties.

Council unanimously approved the first reading of Ordinance O22-24 at the December 13, 2022 City Council meeting.

Financial: Even though there will be a significant increase in the number of residential dwelling units when this development is fully built it is not expected to place a significant strain on police and fire services as these departments will grow along with the mixed-use development. Using data from similar developments in the County, staff has calculated that the potential appraised valuation for Red Rose Village is \$111,701,067, which is currently 24.7% of the City's total appraised valuation. Using this assumption once fully developed Red Rose Village will generate over \$882,000 in annual property tax.

Policy Considerations: Section 5-3-150(3) of the South Carolina Code of Laws. Furthermore, the proposed annexation would be in the best interest of the City as there will be no additional burdens placed on existing City residents.

Recommendations/Actions: Approve Ordinance O22-24.

Attachments: Ordinance O22-24, annexation petitions, deed, survey plat, conceptual site plan, and location map.

ORDINANCE O22-24

AN ORDINANCE ANNEXING INTO THE CITY OF LANCASTER, SOUTH CAROLINA ONE PARCEL OF LAND TOTALING 71.956 ACRES LOCATED IN THE GENERAL VICINITY OF 2100 CHARLOTTE HIGHWAY AND OWNED BY HOMES OF LANCASTER, LLC

WHEREAS, the South Carolina Code of Laws of 1976, as amended, Title 5 Chapter 3 provides for the process for municipalities to annex property; and

WHEREAS, the City of Lancaster has enacted a Zoning Ordinance which governs the annexation and rezoning of annexed property; and

WHEREAS, a proper petition has been filed with the City of Lancaster by 100 percent of the freeholders owning 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the property to the City of Lancaster under provisions of South Carolina Code Section 5-3-150(3); and

WHEREAS, it appears to Council that annexation would be in the best interest of the property owner and the City of Lancaster.

NOW, THEREFORE, BE IT ORDAINED, by Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the property herein described below is hereby annexed to and becomes a party of the City of Lancaster.

ALL that certain piece, parcel, or lot of land with any and all improvements thereon lying, being and situate in Lancaster County, South Carolina, being shown and described as Tract 1 containing 62.346 acres more or less and Tract 2 containing 9.610 more or less as shown on boundary survey prepared for Homes of Lancaster by J.C. Crumpler dated August 03, 2022 and recorded October 6, 2022 in Book 2022 at Page 452 in the Office of the Register of Deeds.

Further being more accurate metes and bounds description of Tract 1: Beginning at an old nail in the center line intersection of West Shiloh Unity Road (S29-29) having a right of way of 66 feet in width and Havenwood Ave. (S29-398) having a right of way of 50 feet in width, thence running with the center line of West Shiloh Unity Road the following bearings and distances: North 66 degrees 16 minutes 16 seconds East for 357.66 feet, North 64 degrees 24 minutes 36 seconds East for 99.99 feet, North 60 degrees 24 minutes 36 seconds East for 99.99 feet, North 57 degrees 06 minutes 52 seconds East for 92.69 feet, North 54 degrees 51 minutes 16 seconds East for 100.00 feet, North 54 degrees 03 minutes 12 seconds East for 387.37 feet to a PK Nail set, thence running South 79 degrees 11 minutes 58 seconds East for 45.09 feet to a #5 rebar set on the right of way of West Shiloh Unity Road, Thence running South 79 degrees 11 minutes 58 seconds East for 334.89 feet to an old tall ½" iron pipe, thence running South 76 degrees 36 minutes 01 seconds East for 226.68 feet to an old ½" iron pipe, thence running South 76 degrees 36 minutes 01 seconds East for

176.72 feet to a #5 rebar set, Thence running South 77 degrees 46 minutes 22 seconds East for 176.78 feet to an old $\frac{3}{4}$ " iron pipe, thence running South 79 degrees 00 minutes 56 seconds East for 404.39 feet to an old $\frac{1}{2}$ " iron pipe, thence running South 73 degrees 46 minutes 56 seconds East for 617.42 feet to an old #4 rebar, thence running North 61 degrees 14 minutes 00 seconds East for 1289.86 feet to a #5 rebar set on the right of way of Charlotte Hwy (US Hwy 521) having a right of way of 140.00 feet in width, thence running with said right of way, South 06 degrees 55 minutes 39 seconds East for 271.22 feet to a point, thence running with a curve to the left having a bearing of South 14 degrees 46 minutes 29 seconds East, a chord distance of 796.07 feet. A length of 798.56 feet and a radius of 2915.39 feet to an old concrete right of way monument, thence running South 22 degrees 38 minutes 57 seconds East for 191.78 feet to an old $\frac{1}{2}$ " iron pipe, thence running South 73 degrees 56 minutes 58 seconds West for 384.98 feet to an old 1" iron pipe in stone pile, thence running North 80 degrees 41 minutes 50 seconds West for 366.74 feet to an old $\frac{1}{2}$ " iron pipe, thence running North 80 degrees 35 minutes 05 seconds West for 1133.61 feet to an old 1" iron pipe, thence running North 82 degrees 28 minutes 09 seconds West for 713.97 feet to an old $\frac{1}{2}$ " iron pipe bent, thence running North 80 degrees 17 minutes 21 seconds West for 622.95 feet to an old $\frac{1}{2}$ " iron pipe in stone pile, thence running North 84 degrees 04 minutes 28 seconds West for 1143.78 feet to an old $\frac{1}{2}$ " iron pipe on the right of way of West Shiloh Unity Road and Havenwood Ave., thence running North 83 degrees 54 minutes 50 seconds West for 66.52 feet to an old nail in the center line of West Shiloh Unity Road, thence running North 66 degrees 16 minutes 11 seconds East for 32.28 feet to an old nail that is also the point of beginning.

Furthermore being more accurate metes and bounds description of Tract 2: Beginning at #5 rebar set on the right of way of Charlotte Hwy. (US Hwy 521) having a right of way of 140.00 feet in width and is located South 06 degrees 55 minutes 39 seconds East for 26.95 feet from a concrete right of way monument, thence running North 61 degrees 14 minutes 00 seconds East for 8.57 feet to an old tall 1" iron pipe, thence running South 37 degrees 47 minutes 48 seconds East for 1330.88 feet to an old tall 1" iron pipe bent, thence running South 71 degrees 07 minutes 41 seconds West for 550.09 feet to an old #6 rebar on the right of way of Charlotte Hwy., thence running with right of way of Charlotte Hwy. North 22 degrees 37 minutes 18 seconds West for 181.72 feet to a concrete right of way monument, thence running with a curve to the right having a bearing of North 14 degrees 46 minutes 29 seconds West, a chord distance of 757.84 feet a length of 760.21 feet and a radius of 2775.39 feet to a #5 rebar set, thence running North 06 degrees 55 minutes 39 seconds West for 327.32 feet to a #5 rebar set that is also the point of beginning.

Derivation: Being the property conveyed to Adams Lancaster, LLC by Deed recorded Marc 03, 2016 in Deed Book 949 Page 254 in the Register of Deeds Office for Lancaster County, SC.

Tax Map No.: 0049-00-147.00

The property shall have an interim zoning classification of R-15 pending rezoning pursuant to the Zoning Ordinance.

DONE IN MEETING ASSEMBLED on the 10th day of January 2023, and to become effective January 10, 2023.

Yeas _____ Nays _____

Requested by:

Homes of Lancaster, LLC

T. Alston DeVenny, Mayor

Approved as to Form:

Mitch Norrell, City Attorney

Tracy Rabon, Municipal Clerk

First Reading: December 13, 2022
Second Reading: January 10, 2023

216 South Catawba Street
 PO Box 1149
 Lancaster SC 29721-1149
 Phone: 803-283-4253



City of Lancaster Annexation Petition

INFORMATION

Petitioner/Owner Name	Homes of Lancaster LLC	Telephone	803-577-5016
Mailing Address / City ST ZIP PO BOX 1146 Lancaster SC 29721			
Additional Owner Name (if applicable)		Telephone	
Mailing Address / City ST ZIP			
Additional Owner Name (if applicable)		Telephone	
Mailing Address / City ST ZIP			

GENERAL LOCATION OF SUBJECT PROPERTY OR PROPERTIES

CHARLOTTE HWY 78.54 ACRES	Tax Map # Acres (±)	0049-00-147.00	Requested Zoning
	Tax Map # Acres (±)		Requested Zoning
	Tax Map # Acres (±)		Requested Zoning
	Tax Map # Acres (±)		Requested Zoning
	Tax Map # Acres (±)		Requested Zoning

Attach a metes and bounds legal description prepared by a surveyor registered in South Carolina as Exhibit A of this petition.

PETITIONER'S STATEMENT AND ASSURANCES

I, the undersigned, pursuant to Section 5-3-150(3) of the Code of Laws of the State of South Carolina, representing to be at least 18 years of age and owner of all the area described on Exhibit A attached hereto at the date hereof, and whose name(s) appear on the county tax records as the owner(s) of said real estate, do by this petition, request that the property described on Exhibit A attached hereto be annexed into the City of Lancaster, South Carolina, and be classified in the above indicated City Zoning District. I certify that I have received a copy of, understand and agree to Sections 28-2 and 31-24(e) of the City of Lancaster Code of Ordinances regarding provision of utility services to contiguous properties and extension of City services pending final action by City Council regarding annexation.

PRINTED NAME(S) AND SIGNATURE(S) OF PETITIONER/PROPERTY OWNER(S) AND DATE

Howard Strickland (Partner)		12-1-22
Michael G. Williams (Partners)		12-1-22
Homes of Lancaster		12-1-22

ACTION BY LANCASTER CITYCOUNCIL

Petition	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	Action Date
Signature of Authorized City Representative			Date Signed

LANCASTER COUNTY ASSESSOR

Tax Map: 0049 00 147 00

RECORDED THIS 10th DAY OF OCTOBER, 2022 IN BOOK 00 PAGE 00

Auditor, Lancaster County, SC

Stephanie C. Knight

2022016009

DEED

RECORDING FEES	\$15.00
STATE TAX	\$6922.50
COUNTY TAX	\$2928.75

PRESENTED & RECORDED:
10-06-2022 11:39:43 AM

BRITTANY GRANT
REGISTER OF DEEDS
LANCASTER COUNTY, SC
BY: STEPHANIE KNIGHT

BK: DEED 1595

PG: 290 - 291

PREPARED BY TRIMNAL & MYERS, LLC

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, THAT **Adams Lancaster, LLC** a **South Carolina Limited Liability Company** (hereinafter called "Grantors") in the State aforesaid, for and in consideration of the sum of Two Million Six Hundred Sixty Two Thousand Five Hundred AND 00/100 (2,662,500.00) Dollars, to him paid by **Homes of Lancaster LLC**, a **South Carolina Limited Liability Company** (hereinafter called "Grantee/s") in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these Presents (do(es) grant, bargain, sell and release, unto the said:

Homes of Lancaster LLC, a **South Carolina Limited Liability Company** his/their Heirs and/or Assigns Forever:

All that piece, parcel or tract of land with any and all improvements located thereon lying, being and situate in Lancaster County, South Carolina, being shown and described as Tract 1 containing 62.346 acres more or less and Tract 2 containing 9.160 more or less as shown on boundary survey prepared for Homes of Lancaster by J.C Crumpler dated August 03, 2022 and recorded Oct. 6, 2022 in Book 2022 at Page 452 in the Office of the Register of Deeds for Lancaster County, South Carolina. Plat is craved for a more accurate description as to metes and bounds.

Being the property conveyed to Adams Lancaster, LLC by Deed recorded March 03, 2016 in Deed Book 949 Page 254 in the Register of Deeds Office for Lancaster, SC.

TMS# 0049-00-147.00

Grantee's Address: PO Box 1691, Lancaster SC 29721

This conveyance is made subject to all existing easements, restrictions, rights of way and/or encroachments.

TOGETHER will 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 said premises before mentioned unto the said GRANTEE/S, Their Heirs and/or Assigns forever.

AND the said GRANTOR/S do hereby bind themselves and their heirs and/or assigns to warrant and forever defend all and singular the said premises unto the said GRANTEE/S, Their Heirs and/or Assigns, against Themselves and Their Heirs and/or Assigns and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS our Hand(s) and Seal(s) this 6 day of October in the year of our Lord 2022.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Adams Lancaster, LLC a South
Carolina Limited Liability Company

BY: Charles Edward Tucker

^{LLC}
ITS: Manager / partner

[Signature]
Witness #1

[Signature]
Witness #2

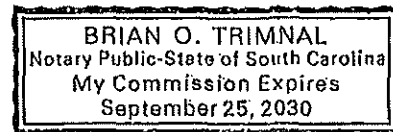
STATE OF SOUTH CAROLINA)
) ACKNOWLEDGEMENT
COUNTY OF LANCASTER)

I, Brian Trimnal, Notary Public for the State of SC,

do hereby certify that GRANTOR/S personally appeared before me this day and acknowledged the due execution of the foregoing deed.

Sworn before me this 6 day of October, 2022

[Signature]
Notary Public for the State of SC
My Commission Expires: 9 125 12030

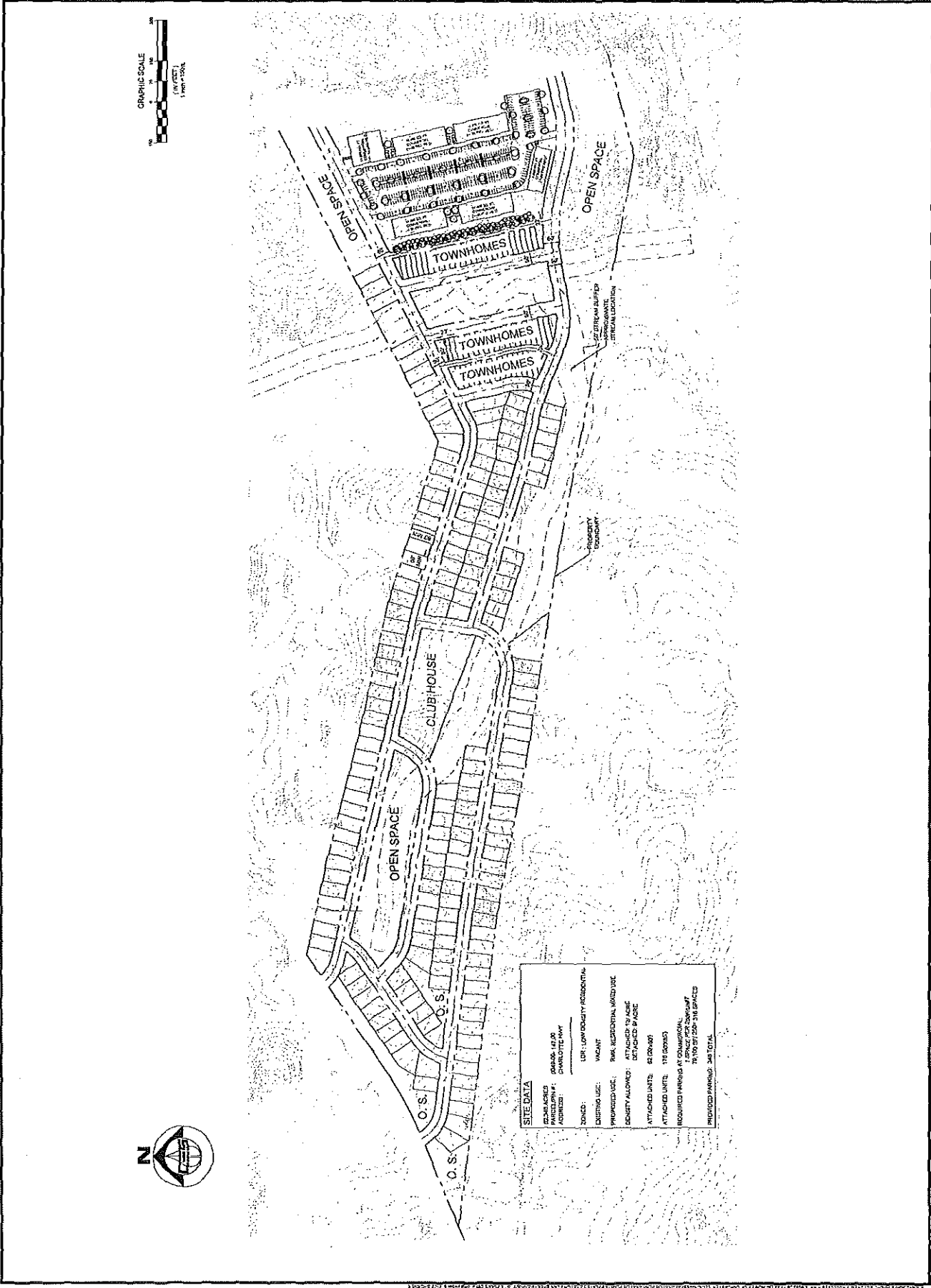


TOP REVIEW ONLY
 NOT FOR CONSTRUCTION

521 MIXED USE DEVELOPMENT
 P.O. Box 1400
 Cary, NC 27513
 HOVES OF LAKELAKE, LLC
 1351 CHARLOTTE HIGHWAY
 LAKELAKE, NC 27036
 P.O. Box 1400
 Cary, NC 27513
 P.O. Box 1400
 Cary, NC 27513

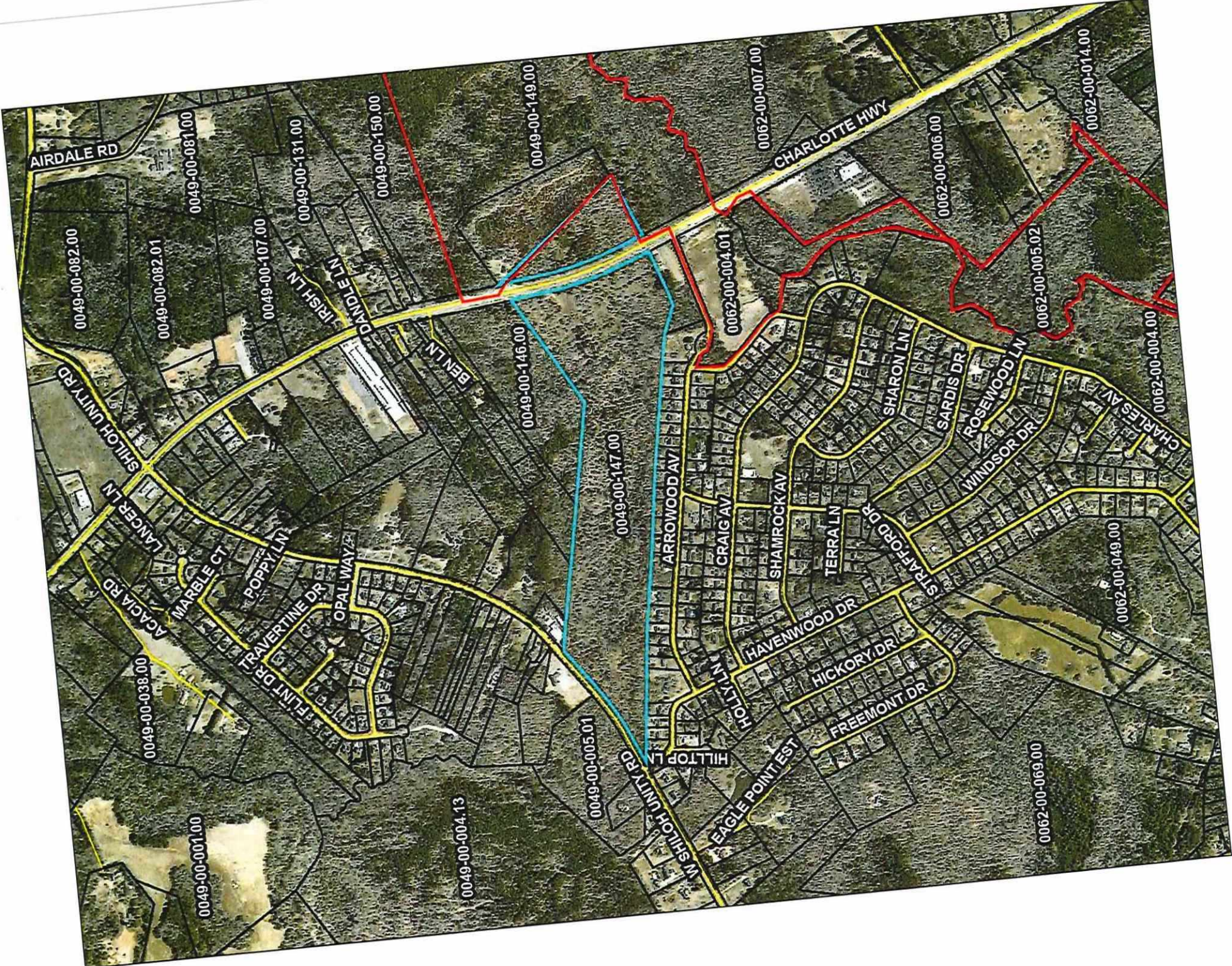
Project No: 7797.0822
 Drawing No: 7797.0822
 Date: 11/11/2022
 Scale: AS SHOWN
 Project Name: 521 MIXED USE DEVELOPMENT
 Client: HOVES OF LAKELAKE, LLC
 Designer: CES GROUP ENGINEERS, LLP
 Checker: CES GROUP ENGINEERS, LLP
 Approver: CES GROUP ENGINEERS, LLP
 Date: 11/11/2022

CONCEPTUAL
 SITE PLAN
 DRAWING NUMBER: -



SITE DATA

REAR ACCESS	NO
PARCELS TO BE	1
CONVEYED BY	DEED
ADJACENT	NO
ZONED	UR - LOW DENSITY RESIDENTIAL
EXISTING USE	VACANT
PROPOSED USE	RMX, RESIDENTIAL MIXED USE
SECURITY ALLOWED	ATTACHED TO ASSE DETACHED IN ASSE
ATTACHED UNITS	42 (20X0)
ATTACHED UNITS	174 (20X0)
REQUIRED PARKING AT 50% DENSITY	75 TO 207 (20'-3" IN SPACES)
PROPOSED PARKING	247 TOTAL



Agenda Item VII.B, C, & D

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Changing Election Dates
INITIATED BY: Lancaster County Election Commission
PREPARED BY: City Administrator

Background: The City Code allows for the County Election Commission to manage and oversee the City's elections, which the County Election Commission has been doing for numerous years. In December 2021 the Lancaster County Election Commission voted to no longer conduct municipal elections in even numbered years, but instead to conduct all County municipal elections in November of odd numbered years. Therefore, if the City still wishes for the County to hold our elections the City must adjust our election cycle to odd number years.

Currently, §8-8 of the City Code stated that the general municipal election shall be held on the first Tuesday following the first Monday in November in each even-numbered years. Therefore, in order to move elections to odd number years the term for the Mayor and all Council Members will need to be either shorten or lengthen. §5-15-50 of the South Carolina Code of Laws grants municipalities power to decided when and the manner for holding municipal elections provided that the date is set by ordinance. The following three ordinances call for extending the terms of office by one year. The next election for the Mayor and District 1, 2, and 5 Council Members will be on November 2, 2027. The election for the District 3, 4, and 6 Council Member will be held on November 4, 2025.

The reason that there are three ordinances changing the election date is that the South Carolina Ethic Commission has issued an informal opinion that extending the term of office will result in an economic interest as the Council Member will be receiving additional monies from their extended service. Therefore, the Council Member will be required to recuse themselves from the vote for their seat.

Financial: There will be no additional cost with the County continuing running the City election.

Policy Considerations: Section 5-15-50 of the South Carolina Code of Laws.

Recommendations/Actions: Approve Ordinance O23-01, O23-02, and O23-03.

Attachments: Letters from Lancaster County Registration & Elections Commission, South Carolina Ethics Commission, and Ordinance O23-01, O23-02, O23-03.



Registration and Elections
Post Office Box 1809 Lancaster, SC 29721

Lancaster County Board of Voter Registration & Elections
101 N. Main St.
Lancaster, SC 29720
June 9, 2022

City of Lancaster
216 S. Catawba St.
Lancaster, SC 29720

City Councilmembers,
Lancaster County Board of Voter Registration & Elections will conduct the municipal elections for the City of Lancaster on Tuesday, November 8th, 2022 as agreed upon during our meeting on February 17th, 2022.

After the Canvass is complete, the Lancaster County Board of Registration and Elections will no longer assist with municipal elections in November of even numbered years.

Our plan is to conduct the elections for the City of Lancaster in November of odd numbered years along with Van Wyck, Kershaw, and Heath Springs on Municipal Election Day. We would also continue to run all special elections for the city.

Please let us know as soon as possible so we can begin to make plans for next year.

With Regards,

Lancaster County Board of Voter Registration & Elections



Registration and Elections
Post Office Box 1809 Lancaster, SC 29721

Lancaster County Board of Voter Registration & Elections
101 N. Main St.
Lancaster, SC 29720
November 28, 2022

City of Lancaster
216 S. Catawba St.
Lancaster, SC 29720

City Councilmembers,

The Lancaster County Board of Voter Registration & Elections voted in December 2021 not to conduct municipal elections in even numbered years. We agreed to do the City of Lancaster election in November 2022 to allow for a smooth transition to hold elections in odd numbered years.

Our certification for the 2022 election is complete and we need to begin making plans for future elections.

Our plan is to conduct the elections for the City of Lancaster in November in odd numbered years along with Van Wyck, Kershaw, and Heath Springs on Municipal Election Day. We would also continue to run all special elections for the city.

Our office will begin planning for the 2023 elections in January. Please let us know what your plans are regarding the City of Lancaster elections so we can work with you to ensure that there is no disruption to the process.

With Regards,


Lancaster County Board of Voter Registration & Elections

State of South Carolina

State Ethics Commission

CHILDS C. THRASHER, CHAIR
DONALD GIST, VICE CHAIR
BRIAN M. BARNWELL
SCOTT E. FRICK



AJ HOLLOWAY
DON JACKSON
BRANDOLYN THOMAS PINKSTON

201 EXECUTIVE CENTER DRIVE, SUITE 150
COLUMBIA, S.C. 29210

MEGHAN L. WALKER
EXECUTIVE DIRECTOR

July 21, 2021

VIA ELECTRONIC MAIL ONLY

Jim Bradford
York City Council
jbradford@yorksc.gov

Re: Informal Opinion Request

Dear Mr. Bradford:

Thank you for your request for an informal opinion from the State Ethics Commission (Commission). An informal opinion is the opinion of Commission staff, taking into consideration any applicable formal opinions, law, and/or judicial decisions. Please be advised that an informal opinion is not binding on the Commission. Additionally, the Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991 (Act). This opinion is based solely on the facts relayed by you and does not supersede any other statutory or regulatory restrictions or procedures which may apply to this situation. A failure to disclose relevant information may void the opinion.

ISSUE

On July 9, 2021, you presented the following information, in relevant part:

Our seven member City Council voted 4 - 3 on Tuesday, July 6 of first reading in favor of the attached proposed City Ordinance which would postpone our regular City Council elections scheduled November 2, 2021 until reapportionment for all Districts can be done after receipt of the delayed Census Date on September 30, 2021. Second and final reading of the Ordinance will be on Tuesday, July [2]7.

The November elections are for District 1 (Council Member Steve Love), District 5 (Council Member Denise Lowry, and District 6 (myself - Council Member Jim

Jim Bradford, p. 2
July 21, 2021

Bradford. Elections for Mayor and Council Districts 2, 3 and 4 do not occur until November 2023 and they are not postponed by the Ordinance.

Voting for the Ordinance were Members Love, Lowry and Bradford joined by Ed Brown, the Council Member from District 2. Ed Brown is not up for re-election until November 2023. Voting against the Ordinance were the Mayor, Mike Fuesser, who is a member of Council elected at large, Council Member for District 3, Marion Ramsey, and the Council Member for District 4, Stephanie Jarrett.

As you can see the Ordinance provides that during the period of postponement current Members in Districts 1 (Love), Five (Lowry) and 6 (Bradford) will continue to serve until th[eir] successor is named. Once special elections are held new members would be sworn in at the next regular Council meeting and they would serve for the remainder of the term which would have begun on January 1, 2022 and would end on December 31, 2025.

At a City Council workshop on April 20, reapportionment expert Dr. John Ruoff of Columbia told us that the rule of thumb for reapportionment was you do so if the largest district is 10% larger than the smallest. He indicated that Council could make the decision either way to postpone elections and reapportion as quickly as possible after the data was available, or to hold elections and then reapportion as quickly as possible. The decision was Council's to make.

With the Ordinance scheduled for second reading on Tuesday, July 27, those of us in Districts 1, 5, and 6 (indeed all Council members including the Mayor) want to know if State Ethics law would consider it a conflict of interest for those Members in Districts 1, 5, and 6 requiring recusal related to that vote. Each Council Member in the six Districts receives a salary of \$6,800 a year, which would continue for Council Members Love (D1), Lowry (D5) and Bradford (D6) after th[eir] term was suppose[d] to end on December 31, 2021 during the postponement period thereafter until new elections are held.

LAW

Section 8-13-700 states, in part:

- (A) No [public official] may knowingly use his official [office] to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated . . .
- (B) No [public official] may make, participate in making, or in any way attempt to use his [office] to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A [public official] who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is

Jim Bradford, p. 3
July 21, 2021

associated, or a business with which he is associated shall:

- (1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;
- (4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of an agency, commission, board, or of a county, - municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes.

Section 8-13-100(1)(a) defines "economic interest," in relevant part, as:

an interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a [public official] may gain an economic benefit of fifty dollars or more.

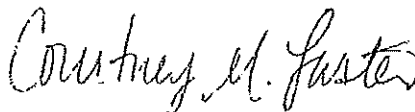
DISCUSSION

Based on the facts presented, voting to delay the election will result in your remaining on Council past your currently scheduled term and, in turn, receiving additional monies for your extended service. Commission staff believes this constitutes an economic interest requiring recusal from the July 27 vote. In order to comply with the Ethics Act, you should recuse yourself by following the instructions contained within Section 8-13-700(B), above.

In the alternative, the remaining unaffected members of Council (those not up for reelection in 2021) could vote to suspend the affected Council members' pay during any extended service period. If this occurred, the affected Council members would be permitted to take a subsequent vote on delaying the election because an economic interest would no longer be present.¹ The procedures for this, and legality under laws other than the Ethics Act, should be discussed with the Council's attorney.

Thank you for contacting the Commission. If you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,



Courtney M. Laster
General Counsel

¹ This is assuming you receive no other financial benefits from your service aside from the \$6,800 salary.

ORDINANCE O23-01

**AN ORDINANCE AMENDING SECTION 8-8 OF THE LANCASTER CODE OF
ORDINANCE CHANGING MUNICIPAL GENERAL ELECTION DATES,
AND RE-SETTING THE ELECTION DATE FOR MAYOR**

WHEREAS, Section 5-15-50 of the South Carolina Code of Laws provided that the time for holding general and special elections shall be set by ordinance; and

WHEREAS, the South Carolina Election Commission has established “Municipal Election Day” and desires all municipal elections to be held in November of odd years; and

WHEREAS, the City of Lancaster has delegated the administration of its municipal elections to the Lancaster County Election Commission; and

WHEREAS, the Lancaster County Election Commission has communicated to the City of Lancaster that it will administer municipal general elections only if they are held in November of odd-numbered years; and

WHEREAS, the Lancaster City Council recognizes and comprehends the difficulty in running open and fair elections, and acknowledges it will be in the best interest of the voters to have the Lancaster County Election Commission continue to administer its municipal elections; and

WHEREAS, in order to continue its relationship and course of dealing with the Lancaster County Election Commission, the City agrees to change the dates of its municipal general elections from even-numbered years to odd-numbered years.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Lancaster, South Carolina, in Council assembled that Section 8-8 of the Lancaster Code of Ordinances be struck in its entirety and replaced with three ordinances, the first of which is to be numbered Section 8-8(a), and to read as follows:

Sec. 8-8 (a). - When general election to be held regarding Mayor

The general election shall be held on the first Tuesday following the first Monday in November in each odd-numbered year.

In order to accomplish this transition regarding the office of mayor, the municipal general election for mayor, which would have otherwise occurred on the first Tuesday following the first Monday in November, 2026, shall instead occur on the first Tuesday following the first Monday in November, 2027, and every four years thereafter.

All ordinances in conflict with this ordinance are repealed.

DONE IN MEETING ASSEMBLED on the 24th day of January 2023, and to become effective January 24, 2023.

Yeas _____ Nays _____

Requested by:

Lancaster County Election Commission

T. Alston DeVenny, Mayor

Approved as to Form:

Mitch Norrell, City Attorney

Tracy Rabon, City Clerk

First Reading: January 10, 2023
Second Reading: _____

ORDINANCE O23-02

**AN ORDINANCE AMENDING SECTION 8-8 OF THE LANCASTER CODE OF
ORDINANCE CHANGING MUNICIPAL GENERAL ELECTION DATES,
AND RE-SETTING THE ELECTION DATE FOR DISTRICTS 1, 2, AND 5**

WHEREAS, Section 5-15-50 of the South Carolina Code of Laws provided that the time for holding general and special elections shall be set by ordinance; and

WHEREAS, the South Carolina Election Commission has established “Municipal Election Day” and desires all municipal elections to be held in November of odd years; and

WHEREAS, the City of Lancaster has delegated the administration of its municipal elections to the Lancaster County Election Commission; and

WHEREAS, the Lancaster County Election Commission has communicated to the City of Lancaster that it will administer municipal general elections only if they are held in November of odd-numbered years; and

WHEREAS, the Lancaster City Council recognizes and comprehends the difficulty in running open and fair elections, and acknowledges it will be in the best interest of the voters to have the Lancaster County Election Commission continue to administer its municipal elections; and

WHEREAS, in order to continue its relationship and course of dealing with the Lancaster County Election Commission, the City agrees to change the dates of its municipal general elections from even-numbered years to odd-numbered years.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Lancaster, South Carolina, in Council assembled that Section 8-8 of the Lancaster Code of Ordinances be struck in its entirety and replaced with three ordinances, the second of which is to be numbered Section 8-8(b), and to read as follows:

Sec. 8-8 (b). - When general election to be held regarding Districts 1, 2, and 5

Municipal general elections for Districts 1, 2 and 5 that would have otherwise occurred on the first Tuesday following the first Monday in November, 2026, shall instead occur on the first Tuesday following the first Monday in November, 2027, and every four years thereafter.

All ordinances in conflict with this ordinance are repealed.

DONE IN MEETING ASSEMBLED on the 24th day of January 2023, and to become effective January 24, 2023.

Yeas _____ Nays _____

Requested by:

Lancaster County Election Commission

T. Alston DeVenny, Mayor

Approved as to Form:

Mitch Norrell, City Attorney

Tracy Rabon, City Clerk

First Reading: January 10, 2023

Second Reading: _____

ORDINANCE O23-03

**AN ORDINANCE AMENDING SECTION 8-8 OF THE LANCASTER CODE OF
ORDINANCE CHANGING MUNICIPAL GENERAL ELECTION DATES,
AND RE-SETTING THE ELECTION DATE FOR DISTRICTS 3, 4, AND 6**

WHEREAS, Section 5-15-50 of the South Carolina Code of Laws provided that the time for holding general and special elections shall be set by ordinance; and

WHEREAS, the South Carolina Election Commission has established “Municipal Election Day” and desires all municipal elections to be held in November of odd years; and

WHEREAS, the City of Lancaster has delegated the administration of its municipal elections to the Lancaster County Election Commission; and

WHEREAS, the Lancaster County Election Commission has communicated to the City of Lancaster that it will administer municipal general elections only if they are held in November of odd-numbered years; and

WHEREAS, the Lancaster City Council recognizes and comprehends the difficulty in running open and fair elections, and acknowledges it will be in the best interest of the voters to have the Lancaster County Election Commission continue to administer its municipal elections; and

WHEREAS, in order to continue its relationship and course of dealing with the Lancaster County Election Commission, the City agrees to change the dates of its municipal general elections from even-numbered years to odd-numbered years.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Lancaster, South Carolina, in Council assembled that Section 8-8 of the Lancaster Code of Ordinances be struck in its entirety and replaced with three ordinances, the third of which is to be numbered Section 8-8(c), and to read as follows:

Sec. 8-8 (c). - When general election to be held regarding Districts 3, 4, and 6

Municipal general elections for Districts 3, 4 and 6, which would have otherwise occurred on the first Tuesday following the first Monday in November, 2024, shall instead occur on the first Tuesday following the first Monday in November, 2025, and every four years thereafter.

All ordinances in conflict with this ordinance are repealed.

DONE IN MEETING ASSEMBLED on the 24th day of January 2023, and to become effective January 24, 2023.

Yeas _____ Nays _____

Requested by:

Lancaster County Election Commission

T. Alston DeVenny, Mayor

Approved as to Form:

Mitch Norrell, City Attorney

Tracy Rabon, City Clerk

First Reading: January 10, 2023

Second Reading: _____

Agenda Item VII.E

**City of Lancaster
City Council Meeting
January 10, 2023**

TO: City Council
SUBJECT: Annexation Ordinance
INITIATED BY: Riverside Investment Options, Inc.
PREPARED BY: Building & Zoning Director

Background: Riverside Investment Options, Inc., on behalf of Hazel Cauthen, has submitted an annexation petition for a single parcel consisting of 21.8 acres that is located on the southside of University Drive across from the Arrowood subdivision. The developer wishes to build eight three-story garden style apartment buildings (apartments with outdoor patios that overlook shaded areas), that will have a total of 192 residential dwelling units. Being that this parcel has a floodplain along the eastern property line where an existing creek is located as well as the southern section of the property, approximately 8 acres of buildable land at the northern section of the parcel is available to build the primary structures, parking lot, and other site features.

The floodplain will remain green space and no structures will be constructed within it. The developer also envisions building a Veteran Memorial Nature Trail along the creek and floodplain with this trail connected into the Greenway in the future.

The developer is requesting annexation in order to have City's utility services and to take advantage of economic of scale of extending utility lines and SCDOT required road improvements by working in concert with the new and proposed surrounding residential developments.

This parcel is contiguous to the City to the east, west, and south.

Financial: The developer has calculated that the potential appraised valuation for the garden apartment complex will be \$30,000,000, which will generate over \$322,000 per year in annual property tax.

Policy Considerations: Section 5-3-150(3) of the South Carolina Code of Laws. Furthermore, the proposed annexation would be in the best interest of the City as it is not expected to place a significant strain on police and fire service as these department will grow along with the development and increase revenue.

Recommendations/Actions: Approve Ordinance O23-04.

Attachments: Ordinance O23-04, annexation petitions, deed, survey plat, conceptual site plan, and location map.

ORDINANCE O23-04

AN ORDINANCE ANNEXING INTO THE CITY OF LANCASTER, SOUTH CAROLINA ONE PARCEL OF LAND TOTALING 21.8 ACRES LOCATED IN THE GENERAL VICINITY OF 1926 UNIVERSITY DRIVE AND OWNED BY HAZEL R. CAUTHEN JR.

WHEREAS, the South Carolina Code of Laws of 1976, as amended, Title 5 Chapter 3 provides for the process for municipalities to annex property; and

WHEREAS, the City of Lancaster has enacted a Zoning Ordinance which governs the annexation and rezoning of annexed property; and

WHEREAS, a proper petition has been filed with the City of Lancaster by 100 percent of the freeholders owning 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the property to the City of Lancaster under provisions of South Carolina Code Section 5-3-150(3); and

WHEREAS, it appears to Council that annexation would be in the best interest of the property owner and the City of Lancaster.

NOW, THEREFORE, BE IT ORDAINED, by Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the property herein described below is hereby annexed to and becomes a party of the City of Lancaster.

ALL that certain piece, parcel, or lot of land, lying, being and situate about three miles North of the Town of Lancaster on the Southside of S.C. State Highway No. 29-56 in Gills Creek Township, Lancaster County, S.C., fronting North on S.C. State Highway No. 29-56 for a distance of 900 feet, designated as Lot Nos. 18, 19, 20 and 21 on a Plat of Subdivision entitled "E.W. Sistare Estate" dated July 14, 1960, recorded in the Office of the Clerk of Court for Lancaster County, S.C. in Plat Book 11 at page 61, reference to which Plat is made for a more particular description.

Derivation: The grantors herein derived their interest as the sole heirs at law of E.W. Sistare.

Tax Map No.: 0062-00-084.00

The property shall have an interim zoning classification of MF pending rezoning pursuant to the Zoning Ordinance.

DONE IN MEETING ASSEMBLED on the 24th day of January 2023, and to become effective January 24, 2023.

Yeas _____ Nays _____

Requested by:

Riverside Investment Options, Inc.

T. Alston DeVenny, Mayor

Approved as to Form:

Mitch Norrell, City Attorney

Tracy Rabon, Municipal Clerk

First Reading: January 24, 2023

Second Reading: _____



City of Lancaster Annexation Petition

INFORMATION

Petitioner/Owner Name	Hazel R Cauthen, Jr	Telephone
Mailing Address / City ST ZIP	PO Box 1528, Lancaster SC 29721	
Additional Owner Name (if applicable)	Ty VALKANAS (Dev Rep)	Telephone 619.806.0045
Mailing Address / City ST ZIP	1015 CHARLOTTE AVE, STE 353, Rock Hill 29732	
Additional Owner Name (if applicable)	Telephone	
Mailing Address / City ST ZIP		

GENERAL LOCATION OF SUBJECT PROPERTY OR PROPERTIES

University Dr	Tax Map # 0062-00-084.00 Acres (±) 21.8	Requested Zoning MF
	Tax Map # Acres (±)	Requested Zoning
	Tax Map # Acres (±)	Requested Zoning
	Tax Map # Acres (±)	Requested Zoning
	Tax Map # Acres (±)	Requested Zoning

Attach a metes and bounds legal description prepared by a surveyor registered in South Carolina as Exhibit A of this petition.

PETITIONER'S STATEMENT AND ASSURANCES

I, the undersigned, pursuant to Section 5-3-150(3) of the Code of Laws of the State of South Carolina, representing to be at least 18 years of age and owner of all the area described on Exhibit A attached hereto at the date hereof, and whose name(s) appear on the county tax records as the owner(s) of said real estate, do by this petition, request that the property described on Exhibit A attached hereto be annexed into the City of Lancaster, South Carolina, and be classified in the above indicated City Zoning District. I certify that I have received a copy of, understand and agree to Sections 28-2 and 31-24(e) of the City of Lancaster Code of Ordinances regarding provision of utility services to contiguous properties and extension of City services pending final action by City Council regarding annexation.

PRINTED NAME(S) AND SIGNATURE(S) OF PETITIONER/PROPERTY OWNER(S) AND DATE

Hazel R Cauthen, Jr		12/22
Ty VALKANAS		12.29.2022

ACTION BY LANCASTER CITYCOUNCIL

Petition <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Action Date
Signature of Authorized City Representative	Date Signed

State of South Carolina

COUNTY OF LANCASTER

KNOW ALL MEN BY THESE PRESENTS, THAT

We, Katherine S. Boyd, Marion M. Sistare, Margaret S. Spencer, Macy S. Biggs and Frank Sistare of Lancaster County,

of the State aforesaid for and in consideration of the sum of

Twenty Five Hundred, Eighty Two & 23/100 (\$2582.23) DOLLARS to US in hand paid at and before the sealing of these presents by H. Roger Cauthen and Hazel R. Cauthen, Jr., of Lancaster County,

of the State aforesaid the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said

H. Roger Cauthen and Hazel R. Cauthen, Jr.:

All that piece, parcel or lot of land, lying, being and situate about three miles North of the Town of Lancaster on the South side of S. C. State Highway No. 29-56 in Gills Creek Township, Lancaster County, S. C., fronting North on S. C. State Highway No. 29-56 for a distance of 900 feet, designated as Lot Nos. 18, 19, 20 and 21 on a Plat of Subdivision entitled "E. W. Sistare Estate" dated July 14, 1960, recorded in the Office of the Clerk of Court for Lancaster County, S. C. in Plat Book 11 at Page 61, reference to which Plat is made for a more particular description. The grantors herein derived their interest as the sole heirs at law of E. W. Sistare.

See Restrictions recorded in Book Y-4 at Page 144.

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 said Premises before mentioned, unto the said H. Roger Cauthen and Hazel R. Cauthen, Jr., their Heirs and Assigns forever.

AND We do hereby bind ourselves and our Heirs Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said H. Roger Cauthen and Hazel R. Cauthen, Jr., their

Heirs and Assigns, against US and our Heirs, Executors, Administrators, and Assigns all other persons whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS Our Hand and Seal this 16th day of January in the year of our Lord one thousand nine hundred and Sixty Two and in the one hundred and Eighty Fifth year of the Sovereignty and Independence of the United States of America.

Signed, sealed and delivered in the presence of

Margaret P. Hunter } Katherine S. Boyd (L. S.)
Margaret M. Hammond } Marion M. Sistare (L. S.)
Margaret S. Spencer (L. S.)
Macy S. Biggs (L. S.)
Frank Sistare (L. S.)

THE STATE OF SOUTH CAROLINA, COUNTY OF LANCASTER.

PERSONALLY appeared before me Margaret P. Hunter and made oath that she saw the within-named Katherine S. Boyd, Marion M. Sistare, Margaret S. Spencer, Macy S. Biggs and Frank Sistare sign, seal, and as their Act and Deed deliver the within-written Deed; and that she, with Margaret M. Hammond witnessed the execution thereof.

Sworn to before me, this 16th day of January, 1962. Margaret P. Hunter (L. S.) Notary Public for South Carolina.

THE STATE OF SOUTH CAROLINA, COUNTY OF LANCASTER.

RENUNCIATION OF DOWER

I, Margaret M. Hammond a Notary Public for South Carolina do hereby certify unto all whom it may concern, that Mrs. Susanna G. Sistare and Hazel N. Sistare wives of the within-named Marion M. Sistare and Frank W. Sistare did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily and without any compulsion, dread or fear of any person or persons whomsoever, renounce, release and forever relinquish unto the within-named H. Roger Cauthen and Hazel R. Cauthen, Jr., their

Heirs and Assigns, all her interest and estate, and also all her right and claim of Dower of, in or to all and singular, the premises within mentioned and released.

Given under my hand and seal, this 16th day of January, Anno Domini 1962. Margaret M. Hammond (L. S.) Notary Public for South Carolina. Susanna G. Sistare (L. S.) Hazel N. Sistare (L. S.) Lee O. Montgomery Clerk

Recorded 25th day of January, 1962

144

RESTRICTIONS
applying to

E. W. SISTARE EST. FARM, LANCASTER, S. C.

The following is the agreement between the purchaser and the seller, to be announced by the Auctioneers for the firm of Penny Brothers of Charlotte, N. C.

- I. Any one purchasing any one of the tracts of land on which a building (barns - old houses) is located is to tear down, and clean up debris within sixty (60) days from date of sale.
- II. This property is subject to all apparent utility easements and state right-of-ways.
- III. The acreage, announced by the Auctioneers at this sale, is in accordance with the BLUE PRINT to be exhibited at this sale. The stakes representing each lot have been set back thirty (30) feet from the center of the highway.
- IV. Purchasers do agree that, when they build, they build no residence with less than 1,000 Sq. Ft. of heated floor space, and no house is to be built on any area of land containing less than 20,000 Sq. Ft. Should a purchaser decide to cut any street in the property, said street must meet the requirements of the State of South Carolina and Lancaster County.
- V. All buildings to have a set back line from the front lines of at least fifty (50) feet. No building to be closer than fifteen (15) feet of the lines.
- VI. This property is to be used for residential purposes only. No buildings to be used for trailers or commercial purposes. No alcohol, no intoxicating beverages to be sold on any of this property.

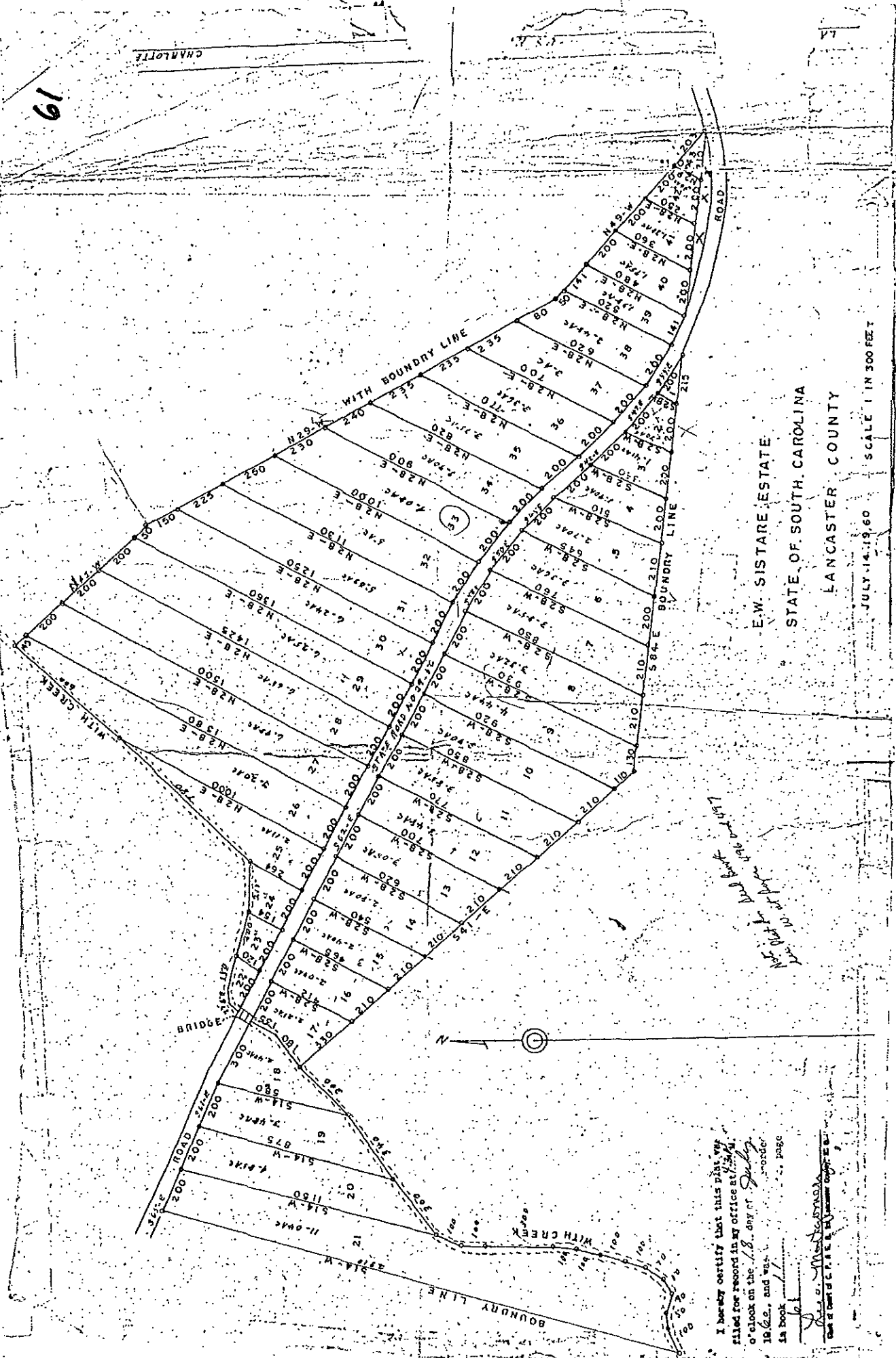
Witness
Lee O. Montgomery
Mary Lou P. Mosley

E. W. Sistare - Est.
Katherine S. Boyd
Administratrix
Marion M. Sistare
Administrator

Recorded July 23, 1960.

61

CHAMLOTTE



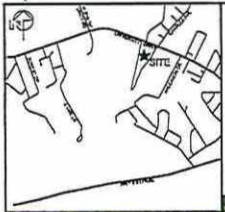
E.W. SISTARE ESTATE
 STATE OF SOUTH CAROLINA
 LANCASTER COUNTY

JULY 14, 1960 SCALE 1 IN 300 FEET

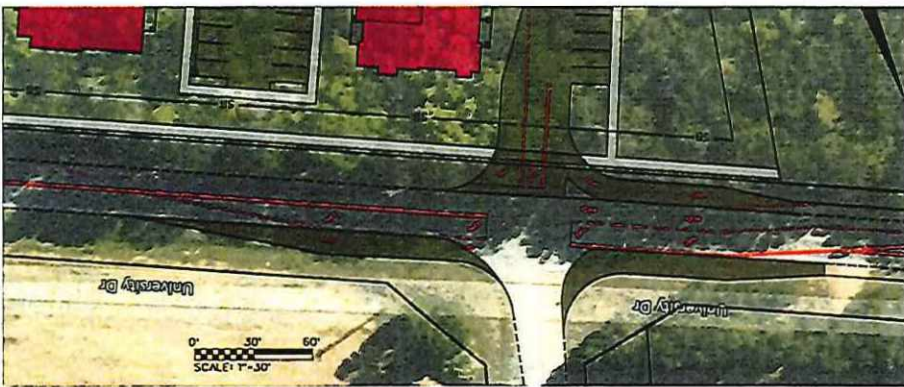
Handwritten note: The lots in this plat were all part of the same tract as shown on the plat of 1860.


I hereby certify that this plat was filed for record in my office at 10 o'clock on the 18 day of July 1960, and was in Book 11, page 37.

Signature: M. J. ...
 Clerk of Court



VICINITY MAP



APPROVALS	PREPARED BY	SEALS	PROJECT	SHEET TITLE	NO.	DATE	REVISIONS	BY	SCALE: 1" = 60'		
Project Engr: _____ Drawn By: _____ Checked By: _____	 JOEL E. WOOD & ASSOCIATES PLANNING • ENGINEERING • MANAGEMENT P.O. BOX 206 CLOVER, SC 29710 (803) 684-3200	INFORMATION ONLY	UNIVERSITY DRIVE APARTMENTS	SKETCH PLAN LAYOUT FOR NEW APARTMENTS					DATE: 11/01/2023		
Review: _____ Disc: _____ Construction: _____			LANCASTER COUNTY, SOUTH CAROLINA PREPARED FOR TY VALKANAS								JOB NO: 221015
											SHEET 1

