



SPECIAL CALLED
CITY COUNCIL MEETING

MONDAY, NOVEMBER 6, 2023
IMMEDIATELY FOLLOWING COMMITTEE
MEETINGS

The Council will meet in the Mauldin City Hall at
5 East Butler Road in the Council Chambers

A QUORUM OF COUNCIL WILL BE PRESENT

**CITY OF MAULDIN
SPECIAL CALLED CITY COUNCIL MEETING AGENDA
NOVEMBER 6, 2023, IMMEDIATELY
FOLLOWING COMMITTEE MEETINGS
CITY HALL - COUNCIL CHAMBERS
5 E. BUTLER ROAD**

1. Call to Order

Mayor Terry Merritt

- a. Invocation
- b. Pledge of Allegiance
- c. Welcome

2. New Business

Mayor Terry Merritt

Committee of the Whole

- a. An ordinance authorizing the conveyance of any and all interest in certain real property in the City of Mauldin at New Commerce Court

3. Council Requests

Mayor Terry Merritt

4. Adjournment

Mayor Terry Merritt

CITY COUNCIL AGENDA ITEM

MEETING DATE: November 6, 2023

AGENDA ITEM: 2a

TO: City Council

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: New Commerce Court Right-of-Way Reconfiguration

BACKGROUND

As part of the development of the Parkside at Butler Apartments on New Commerce Court, the City permitted the developer to redesign the end of New Commerce Court. In accordance with the City's Land Development Regulations, the developer replaced the cul-de-sac at the end of New Commerce Court with a hammerhead or T-intersection configuration. This resulted in a better transition from New Commerce Court into the drives for Parkside at Butler.

REQUEST

At this time, the developer of Parkside at Butler and the City are seeking to clean up the right-of-way so that it matches the new T-intersection configuration. This includes the conveyance of 0.054 acres (2,315 square feet) from the City of Mauldin to the Parkside at Butler development, and the conveyance of 0.048 acres (2,074 square feet) from the Parkside at Butler development to the City of Mauldin. See the attached recombination plat for reference. (Please note in this plat, parcels "B" and "C" would be conveyed to the Parkside at Butler development and parcels "E" and "F" would be conveyed to the City of Mauldin.)

Under the direction of the City Attorney, Daniel Hughes, this conveyance will be accomplished through quit claim deeds. This is being presented to the City Council as an ordinance that will require approval at two readings.

Additional applicant request: The developer for Parkside at Butler is trying to close on the project before the end of November. Before they can close, this ordinance will need to be approved by City Council. The developer has requested City Council's consideration of scheduling a special-called meeting in November so that both readings of this ordinance can be completed in November.

STAFF RECOMMENDATION

Staff recommends that this matter be forwarded to City Council with a recommendation of approval.

ATTACHMENTS

Recombination Plat
Ordinance

MAULDIN ORDINANCE _____-2023

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF ANY AND ALL INTEREST IN CERTAIN REAL PROPERTY IN THE CITY OF MAULDIN

WHEREAS, the City of Mauldin (“City”) owns certain road right-of-way property lying and situate within the city limits of Mauldin, County of Greenville along New Commerce Court identified as Parcel “B” and Parcel “C” on the “Recombination Plat for Parkside at Butler Phases 1 and 2” attached hereto as Exhibit “A;” and,

WHEREAS, Parkside at Butler, LP (“Parkside”) owns certain property lying and situate within the city limits of Mauldin, County of Greenville along New Commerce Court identified as Parcel “F” on the Recombination Plat for Parkside at Butler Phases 1 and 2” attached hereto as Exhibit “A;” and,

WHEREAS, New Commerce Properties, LLC (“New Commerce”) owns certain property lying and situate within the city limits of Mauldin, County of Greenville along New Commerce Court identified as Parcel “E” on the Recombination Plat for Parkside at Butler Phases 1 and 2” attached hereto as Exhibit “A;” and,

WHEREAS, Parkside and New Commerce desire for the City to convey its interest in Parcel “B” and Parcel “C” to Parkside to facilitate the development of Parkside at Butler; and,

WHEREAS, in exchange for the City’s conveyance of Parcel “B” and Parcel “C,” Parkside agrees to dedicate Parcel “F” to the City and New Commerce agrees to dedicate Parcel “E” to the City as new right-of-way to be added to the existing right-of-way of New Commerce Court; and,

WHEREAS, pursuant to S.C. Code § 5-7-40, a municipality may convey or dispose of property it owns by Ordinance; and,

WHEREAS, the Mayor and City Council find that it is in the best interest of the City of Mauldin to convey Parcel "B" and Parcel "C" to Parkside by the quit-claim deed attached hereto as Exhibit "B" in exchange for the dedication of Parcel "E" and Parcel "F" to the City by New Commerce and Parkside, respectively, as additional right-of-way of New Commerce Court.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Mauldin, that the Mayor of the City is hereby authorized, empowered, and directed to execute, acknowledge and deliver the quit-claim deed attached hereto as Exhibit "B."

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

Terry W. Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

Introduced by: _____

First Reading: _____

Second Reading: _____

Approved as to form: _____
Daniel R. Hughes