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1 **R2018-22: RESOLUTION TO ACCEPT THE DEDICATION OF THOSE**  
2 **CERTAIN ROADWAY PORTIONS KNOWN AS CULBERTSON AVENUE AND**  
3 **BERKSHIRE AVENUE, WITHIN THE WEST LAKE PHASE 2 SUBDIVISION.**

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4 **Applicant/Purpose:** D. R. Horton, Inc., (owner) / to accept portions of roadways as  
5 Berkshire Ave., & Culbertson Ave., located w/in the West Lake Phase 2 Subdivision  
6 into the City’s road network  
7

8 **Brief:**

- 9 • Owner has constructed two 50’ wide ROW (right-of-way) along portions of  
10 Berkshire Ave., & Culbertson Ave., located w/in the West Lake Phase 2  
11 Subdivision.
- 12 • Public utilities have been located w/in, along, & underneath the ROW.
- 13 • All necessary easement documents have been included.
- 14 • Streets comply w/ current standards & construction requirements.
- 15 • Owner has provided executed dedication deed for the transfer of roadways.  
16

17 **Issues:**

- 18 • None identified.
- 19 • Proposed resolution is consistent w/long-standing City policy & practice  
20

21 **Public Notification:** Normal meeting notifications.  
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23 **Alternatives:** None considered.  
24

25 **Financial Impact:**

- 26 • Typical costs associated w/ roadway maintenance.
- 27 • As the roads age these costs will increase.  
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29 **Manager’s Recommendation:** I recommend approval. Strictly as a matter of disclosure  
30 Fox lives on another portion of this street.  
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32 **Attachment(s):**

- 33 ■ Proposed Resolution.
- 34 ■ Copy of Subdivision Plat.
- 35 ■ Copy of executed Deed of Dedication.

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**RESOLUTION R2018-22**

**STATE OF SOUTH CAROLINA  
COUNTY OF HORRY  
CITY OF MYRTLE BEACH**

**RESOLUTION TO ACCEPT THE  
DEDICATION OF THOSE CERTAIN  
ROADWAY PORTIONS KNOWN AS  
CULBERTSON AVENUE AND BERKSHIRE  
AVENUE WITHIN THE WEST LAKE PHASE  
2 SUBDIVISION LOCATED OFF WYATT  
LANE.**

WHEREAS, D.R. Horton, Inc., has dedicated those certain roadway portions known as Culbertson Avenue and Berkshire Avenue within the West Lake Phase 2 Subdivision, located off Wyatt Lane, to the public.

WHEREAS, those certain roadways are shown on the following final plat: "Subdivision Plat of WEST LAKE PHASE 2", dated November 3, 2016, recorded November 17, 2016 in Plat Book 272 at Page 322 in the Register of Deeds Office for Horry County, South Carolina, which said roadway portions being more particularly identified as 50' wide right-of-ways, and shown on the above mentioned final plat; and,

WHEREAS, the City Council finds that it will benefit the public to accept the dedication of the above described roadway.

NOW THEREFORE, it is resolved that the City of Myrtle Beach hereby accepts dedication and responsibility of that certain roadway as described above.

SIGNED, SEALED and DATED, this 12<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
BRENDA BETHUNE, MAYOR

ATTEST:

\_\_\_\_\_  
JENNIFER STANFORD, INTERIM CITY CLERK





IN WITNESS WHEREOF, the undersigned has caused these presents to be executed, under seal, this 21<sup>st</sup> day of April, 2018.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

Ida Hussey  
Witness

**D.R. HORTON, INC.**  
a Delaware Corporation

By: Bradford C. Brundage

Ida Hussey  
Printed Name

Name: Bradford C. Brundage

Tahira Williams  
Witness

Its: City Manager – Division President

Tahira Williams  
Printed Name

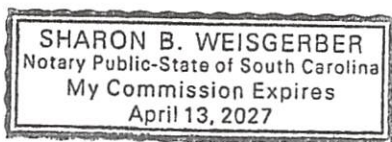
STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF HORRY            )

ACKNOWLEDGMENT

I, the undersigned, a Notary Public for South Carolina, do hereby certify that Bradford C. Brundage, as Assistant Vice President of D.R. Horton, Inc. personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Sharon B. Weisgerber (SEAL)  
Notary Public for South Carolina

My Commission Expires: April 13, 2027



**EXHIBIT "A"**  
**Property Description**

All those certain pieces, parcels or tracts of land, situate, lying and being in West Lake Phase 2, Myrtle Beach, Horry County, South Carolina, more particularly shown and designated as Berkshire Avenue (proposed public 50' R/W) and Culbertson Avenue (proposed public 50' R/W) on a plat entitled "SUBDIVISION PLAT OF West Lake Phase 2" prepared by Thomas & Hutton Engineering Co., dated November 3, 2016 and recorded November 17, 2016 in Plat Book 272 at Page 322, Office of the Register of Deeds for Horry County and Culbertson Avenue (proposed 50' public R/W).

TMS: Being a portion of 447-00-00-0029 (Parent)

This being a portion of the property conveyed to D.R. Horton, Inc. by Deed of Montrose SC, LLC dated the 16<sup>th</sup> day of June 2016 and recorded in Deed Book 3925 at Page 2299 in the Register of Deeds Office for Horry County.

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 located at West Lake Phase 2, bearing Horry County PIN Number 447-00-00-0029, was transferred by D.R. Horton, Inc. to City of Myrtle Beach on APRIL 26<sup>TH</sup>, 2018.

3. Check one of the following: The deed is

- (a) \_\_\_\_\_ subject to the deed recording fee as a transfer 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) X exempt from the deed recording fee because (See Information section of affidavit);  
Transfer to Government Entity.  
(If exempt, please skip items 4 - 7, and go to item 8 of this affidavit).

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) \_\_\_\_\_ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \_\_\_\_\_.
- (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: \_\_\_\_\_
- (b) Place the amount listed in item 5 above here: \_\_\_\_\_  
(If no amount is listed, place zero here.)
- (c) Subtract line 6(b) from Line 6(a) and place result here: \_\_\_\_\_

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

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as:

Bradford C. Brundage, Authorized Representative

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 not more than one thousand dollars or imprisoned not more than one year or both.

D.R. Horton, Inc.

By: [Signature]  
 Name: Bradford C. Brundage  
 Its: City of Myrtle Beach

SWORN to before me this 26th  
day of April year of 2018

Sharon B. Weisgerber  
 Notary Public for South Carolina  
 My Commission Expires: April 13, 2027

