
1 **R2020-15: TO ACCEPT THE DEDICATION OF A CERTAIN PORTION OF ROADWAY**
2 **KNOWN AS WITHERS SWASH DRIVE (S-26-542), LOCATED SOUTHWEST OF 3RD**
3 **AVENUE SOUTH FROM THE SOUTH CAROLINA DEPARTMENT OF**
4 **TRANSPORTATION.**

5 **Applicant/Purpose:** SCDOT (owner)/ to accept a portion of Withers Swash Dr., into the City's
6 road network.

7
8 **Brief:**

- 9 • Because the City will be accepting 3rd South as a City street, Withers Swash Drive will
10 also need to be accepted per SCDOT policy.
11 • SCDOT policy states that a State owned road (Withers Swash Drive) cannot be
12 accessed by a City owned road (3rd South).
13

14 **Issues:**

- 15 • Upon dedication, maintenance of the road & right-of-way will become the
16 responsibility of the City.
17 • This action complies w/ SCDOT policy.
18

19 **Public Notification:** Normal meeting notifications.

20
21 **Alternatives:** None considered.

22
23 **Financial Impact:**

- 24 • No initial cost to City.
25 • The City will assume normal ongoing maintenance costs.
26

27 **Manager's Recommendation:** I recommend approval.

28
29 **Attachment(s):**

- 30 • Proposed Resolution.
31 • Copy of Exhibit.
32 • Copy of executed Quitclaim Deed.

CITY OF MYRTLE BEACH) TO ACCEPT THE DEDICATION OF A CERTAIN
COUNTY OF HORRY) PORTION OF ROADWAY KNOWN AS
STATE OF SOUTH CAROLINA) WITHERS SWASH DRIVE (S-26-542),
LOCATED SOUTHWEST OF 3rd AVENUE
SOUTH FROM THE SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION.

WHEREAS, the South Carolina Department of Transportation, owner of that certain portion of roadway known as Withers Swash Drive (S-26-542), located Southwest of 3rd Avenue South, has agreed to remove this section of roadway from the State Highway System for municipal ownership and maintenance.

WHEREAS, that certain roadway is shown on Exhibit entitled "REMOVAL FROM STATE HIGHWAY SYSTEM S-26-542 (WITHERS SWASH DRIVE) BMP 0.130 – EMP 0.420" prepared by S.C. Department of Transportation, which said roadway being more particularly identified as "Section of Road to be Removed", and shown in red on the above mentioned exhibit: and,

WHEREAS, the City Council finds that it will benefit the public to accept the ownership and maintenance responsibility of the above described roadway.

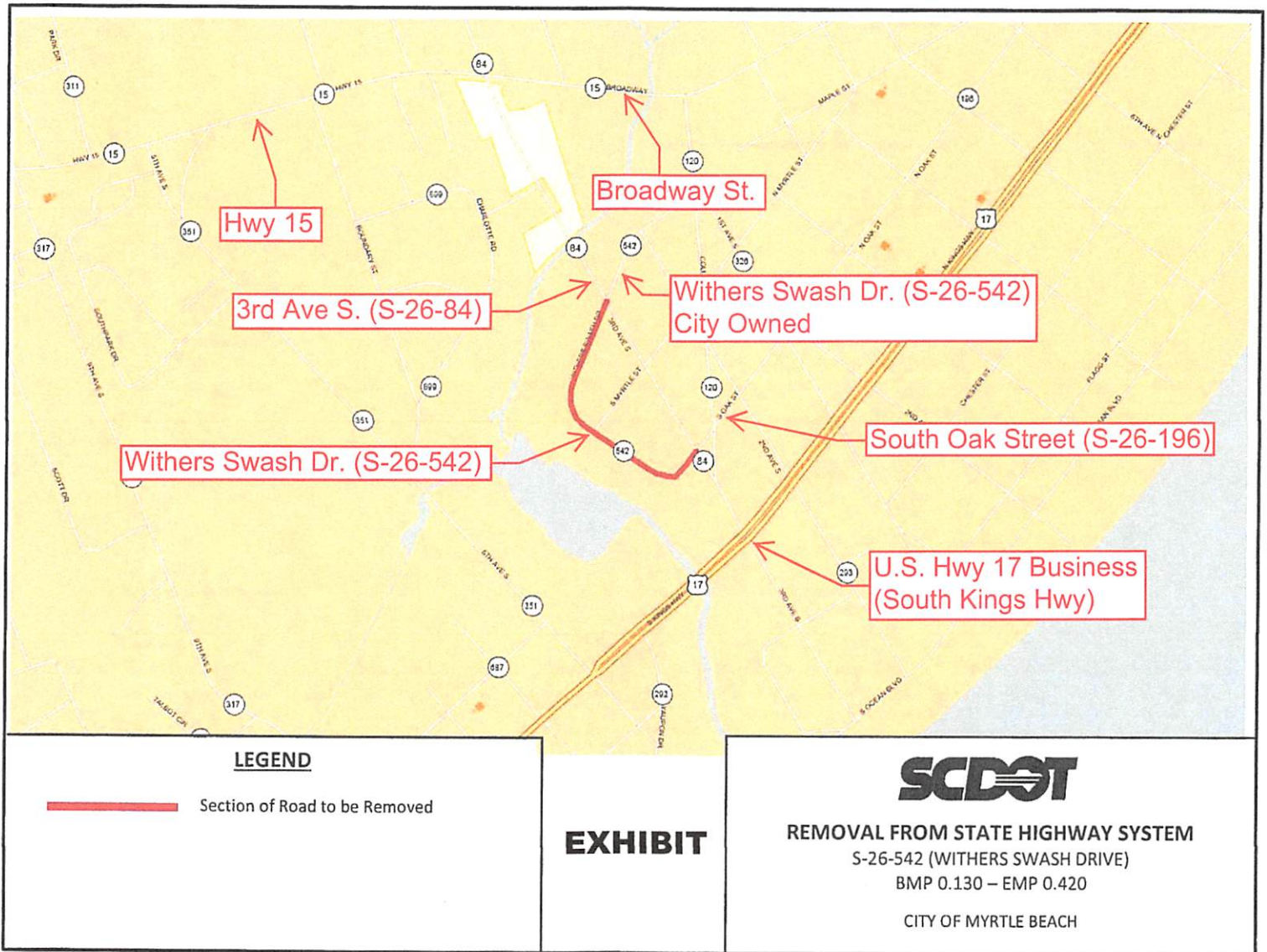
NOW THEREFORE, it is resolved that the City of Myrtle Beach hereby accepts ownership and maintenance responsibility of the above described roadway.

SIGNED, SEALED and DATED, this 25TH day of February, 2020.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER STANFORD, CITY CLERK



Grantee's Address: Post Office Box 2468
Myrtle Beach, SC 29578

This conveyance is being made subject to any and all existing public utility rights of user, reservations, easements, rights of way, control of access, zoning ordinances and restrictions or protective covenants that may appear on record or on the premises, other than those hereby released.

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 City of Myrtle Beach**, its successors and assigns, forever.

WITNESS the hand and seal of the South Carolina Department of Transportation this 31st day of October, in the year of our Lord Two Thousand Eighteen.

Signed, sealed and delivered
in the presence of

Mr. A. J. Johnson
Catherine L. Brooks

SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION

By: Christy A. Hall (L.S.)
Christy A. Hall, P.E.
Secretary of Transportation

By: Brian W. Keys (L.S.)
Brian W. Keys, P.E. 300415
Deputy Secretary for Finance and Administration

THE STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

)
) **ACKNOWLEDGEMENT**
)

Personally appeared before me the above named Grantors on behalf of South Carolina Department of Transportation and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 31st day of October, 2018.

Catherine L. Brooks
Notary Signature

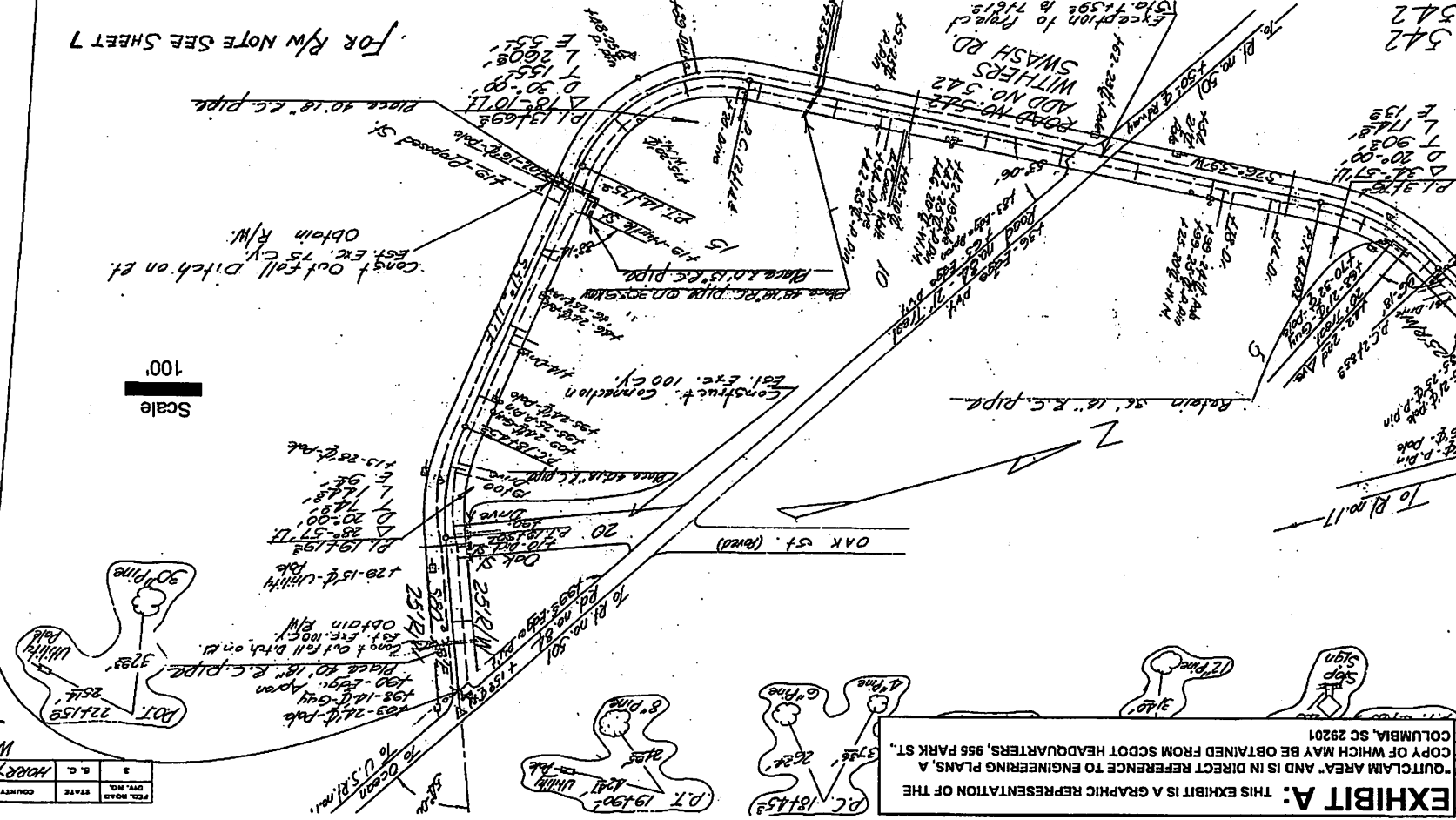
Catherine L. Brooks
Printed Name of Notary

NOTARY PUBLIC FOR THE STATE OF
SOUTH CAROLINA
My Commission Expires: 2/8/26
(Affix Seal if outside SC)

EXHIBIT A. THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "QUITCLAIM AREA" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH MAY BE OBTAINED FROM SCDOT HEADQUARTERS, 955 PARK ST., COLUMBIA, SC 29201

FILE NO.	STATE	COUNTY	PROJECT NO.	SHEET NO.	TOTAL SHEETS
26.410	MOORE	MOORE	26.410	17	18
ADD NO. 542					

SMASH RD
WITHERS
ADD NO. 542
SURVEY STA 21+90 END OF DKT. 26.410 FD. 542



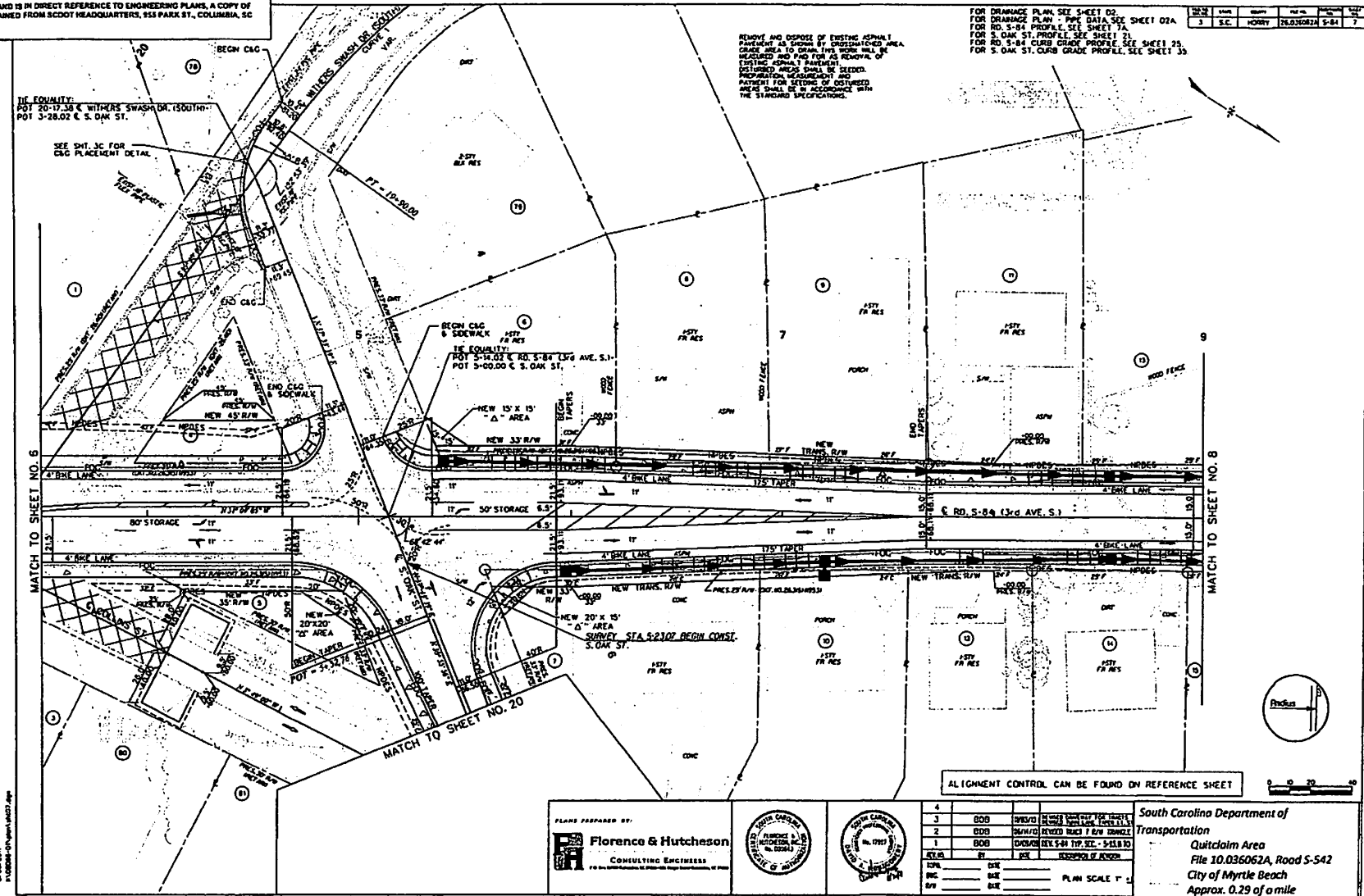
FOR R/W NOTE SEE SHEET 7

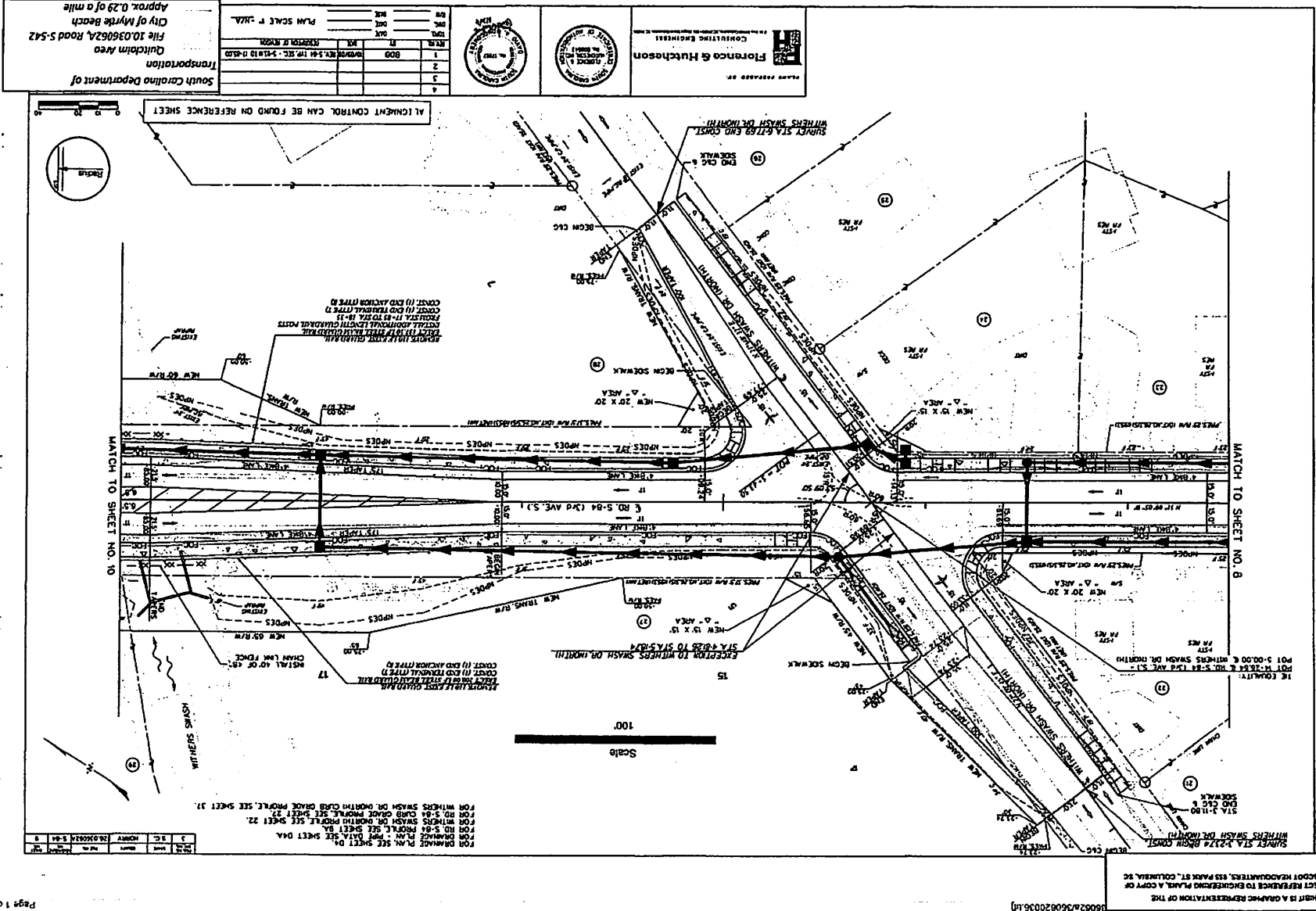
Scale
100'

South Carolina Department of Transportation
Quitclaim Area
File 26.410, Road 5-542
City of Myrtle Beach
Approx. 0.29 of a mile

542
542

EXHIBIT B: THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "OUTCLAM AREA" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH MAY BE OBTAINED FROM SCDOT HEADQUARTERS, 253 PARK ST., COLUMBIA, SC 29201





January 2017

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

AFFIDAVIT FOR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on the back of this affidavit and I understand such information.
2. The property being transferred is located at Road S-542 (Withers Swash Drive, a/k/a Withers Swash Road), bearing Horry County Tax Map Number n/a, was transferred by the South Carolina Department of Transportation to the City of Myrtle Beach on October 31, 2018.
3. The deed is exempt from the deed recording fee because (See Instructions section of affidavit): #2

If exempt under Exemption #14 as described as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

4. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: the Property Management Manager of the South Carolina Department of Transportation.
5. I understand that a person required to furnish this affidavit who wilfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisonment not more than one year, or both.

Kathryn E. Copeland
Responsible Person Connected with the Transaction

Kathryn E. Copeland
Print or Type Name Here

SWORN to before me this 31st day of October, 2018

Jean C. Baens
Notary Public for South Carolina

Jean C. Baens
Printed Name of Notary
My Commission Expires: 11/18/24