

**ORDINANCE FOR THE SALE OF LOT 82 ½ IN THE TOWN OF  
SULLIVAN'S ISLAND**

**ORDINANCE NO. 2015-01**

**WHEREAS**, Title 5 of the South Carolina Code of Laws sets forth the powers, duties, functions and responsibilities of all municipalities; and,

**WHEREAS**, Section 5-7-40 of the State Statute provides for ownership and disposition of property by municipalities; and,

**WHEREAS**, Section 2-60 of the Town of Sullivan's Island Municipal Code sets forth the procedure for disposition of Town real property; and,

**WHEREAS**, the Town Council has determined that the sale of certain parcels of real property will facilitate the financing of several capital projects including but not limited to construction of a new Town Hall, acquisition of a fire fighting apparatus and capital construction projects within the Water and Sewer Department; and,

**WHEREAS**, The Town Council ordained on April 16, 2013 to sell Lot 82 ½, 2618 Raven Drive, TMS 529-06-00-117 using the brokerage services of Dunes Properties Ltd.; and,

**WHEREAS**, the Town Administrator has negotiated a contract for Lot 82 ½ for the sales price of \$670,000.00, subject to approval by Town Council; and,

**WHEREAS**, Town Council believes it is in the best interest of the Town to ratify said contract and to sell the same for the negotiated price.

**NOW, THEREFORE, BE IT ORDAINED**, by the Town of Sullivan's Island, in a meeting duly assembled, that Lot 82 1/2, 2618 Raven Drive, TMS No. 529-06-00-117 be sold to William E. Conklin, Jr. in accordance with the terms and conditions of the contract dated December 17, 2014 and that the Mayor sign the deed of conveyance to be attested to by the Town Clerk.

Motion was made by Councilman Clark ; seconded by Councilman Kaynard , and approved by a vote of 4-0 . Passed and approved by the Town Council of the Town of Sullivan's Island, South Carolina on the 25 day of March, 2015.



Patrick O'Neil, Mayor

Attest:

  
Ellen Miller, Town Clerk

Attest to Form:

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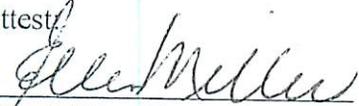
Larry Dodds, Town Attorney

SCANNED

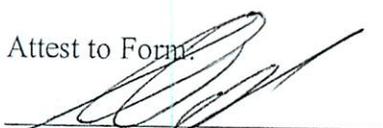
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Patrick O'Neil, Mayor

Attest:  
  
Ellen Miller, Town Clerk

(w attorney signature)

Attest to Form:  
  
Larry Dodds, Town Attorney

State of South Carolina, }  
COUNTY OF CHARLESTON

WHEREAS, The Town Council of the Town of Sullivan's Island in meeting duly called and held on .....  
MARCH, 2015, at Sullivan's Island, South Carolina, at which meeting a  
majority and quorum of the Council were present and voting throughout, duly accepted the bid of .....  
WILLIAM EDWARD CONKLIN, JR. .... and by resolution duly passed, the Council authorized and  
directed the sale and conveyance of the hereinafter described property for the hereinafter set forth price to .....  
WILLIAM EDWARD CONKLIN, JR. .... and the Mayor was authorized and directed to execute said  
deed of conveyance in the name of the Council acting in its own behalf and as statutory agent of the State of South Carolina,  
attested by the Clerk of the Council, and to deliver the same to the purchaser.

NOW KNOW ALL MEN BY THESE PRESENTS, That the Town Council of the Town of Sullivan's Island for and in  
consideration of the sum of SIX HUNDRED SEVENTY THOUSAND (\$670,000.00) ..... DOLLARS,  
to it in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has  
granted, bargained, sold and released and by these presents does grant, bargain, sell and release unto the said .....  
WILLIAM EDWARD CONKLIN, JR. .... heirs and assigns:

ALL that lot, piece or parcel of land, together with any improvements thereon, situate, lying and being on Sullivan's  
Island, County of Charleston, State of South Carolina, and known and designated as Lot 82 1/2, as shown on a plat  
entitled, "CRITICAL LINE DELINEATION, LOTS 82 1/2 & 83 1/2, LOCATED ON SULLIVAN'S ISLAND,  
CHARLESTON COUNTY, SOUTH CAROLINA," prepared by John E. Ward, Jr., R.L.S. S.C. Reg. No. 13171,  
dated December 4, 2013 and recorded February 6, 2014 in the RMC Office for Charleston County, S.C. in Plat Book  
S14, at Page 0015. Said lot having such size, shape, dimensions, buttings and boundings as will be shown by  
reference to aforesaid plat.

SUBJECT to any and all easements, restrictions, setbacks and rights-of-way of public record and as shown and/or  
noted on the above-referenced plat.

SUBJECT to zoning ordinances for the Town of Sullivan's Island.

SUBJECT to Interests created by, or limitations on use imposed by, the Federal Coastal Zone Management Act or  
other federal law or by S.C. Code, Chapter 39, Title 48, as amended, or any regulations promulgated pursuant to said  
state or federal laws.

BEING a portion of the property owned by the State of South Carolina, which pursuant to Act (statute) of the  
Legislation No. 420, Section 8, the Town of Sullivan's Island is authorized to convey the same in accordance with  
the terms of said Act.

TMS #: 529-06-00-117

RESERVING unto the Grantor, its successors and assigns, an easement of right of way for existing public utilities and the  
right to enter on said premises for the purpose of removal, maintenance, repair or replacement of same.

TO HAVE AND TO HOLD all and singular the said premises unto the said WILLIAM EDWARD CONKLIN, JR.  
heirs and assigns, forever.

WITNESS the hand of PATRICK O'NEIL, Mayor of the Town of Sullivan's  
Island, in behalf of the Town Council and of the State of South Carolina, attested by ELLEN MILLER  
the Clerk of the said Council, this 25 day of MARCH, 2015.

WITNESSES:

*Andy Benke*  
*Thomas R. Bell*

THE STATE OF SOUTH CAROLINA AND THE  
TOWN COUNCIL OF THE TOWN OF SULLIVAN'S ISLAND  
By: *Patrick O'Neil*  
Patrick O'Neil, Mayor  
Attest: *Ellen Miller*  
Ellen Miller, Clerk

State of South Carolina, }  
COUNTY OF CHARLESTON

PERSONALLY appeared before me ..... who, being duly  
sworn, deposes and says that he saw PATRICK O'NEIL  
as Mayor and  
as Clerk of the Town Council of the Town of Sullivan's Island,  
sign, and as the act and deed of the State of South Carolina and of the said Council deliver the foregoing written deed, and  
that he with ..... witnessed the execution thereof.

SWORN to before me this 25  
day of MARCH  
*Lisa Darrow*  
Notary Public for South Carolina



*Andy Benke*

**SCANNED**

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STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

**AFFIDAVIT**

(DATE OF TRANSFER OF TITLE  
(CLOSING DATE: \_\_\_\_\_, 2015

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 by **The State of South Carolina and the Town Council of the Town of Sullivan's Island to William Edward Conklin, Jr. on March \_\_\_\_\_, 2015.**
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) \_\_\_\_\_ EXEMPT from the deed recording fee because (exemptions 1-12) (If exempt, please skip item 4-6, and go to item 7 of this affidavit.) \_\_\_\_\_
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.  
(a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of **\$670,000.00**.  
(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) **\$ 670,000.00** the amount listed in item 4 above.  
*LESS* (b) \$ \_\_\_\_\_ the amount listed in item 5 above (no amount place zero).  
*TOTAL* (c) **\$ 670,000.00** Subtract Line 6(b) from Line 6(a) and place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: **ATTORNEY**
8. Check if Property other than Real Property is being transferred on this Deed.  
(a) \_\_\_\_\_ Mobile Home  
(b) \_\_\_\_\_ Other
9. \_\_\_\_\_ DEED OF DISTRIBUTION – ATTORNEY’S AFFIDAVIT: Estate of \_\_\_\_\_ deceased CASE NUMBER \_\_\_\_\_. Personally appeared before me the undersigned attorney who, being duly sworn, certified that (s)he is licensed to practice law in the State of South Carolina: that (s)he has prepared the Deed of Distribution for the Personal Rep. in the Estate of \_\_\_\_\_ deceased and that the grantee(s) therein are correct and confirm to the estate file for the above named decedent.
10. 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 imprisoned not more than one year, or both.

SIGNED: \_\_\_\_\_  
**Jay Brown, Attorney**  
(Grantor, Grantee or Attorney that prepared form)

Sworn to before me this \_\_\_\_\_  
day of March, 2015

\_\_\_\_\_  
Notary Public for SOUTH CAROLINA  
My Commission Expires: \_\_\_\_\_