

RESOLUTION NO. 2018-24  
ACCEPTING A DEED OF DEDICATION FOR A SANITARY SEWER LINE AND  
ASSOCIATED EASEMENT FROM WALNUT LANE INVESTMENTS, LLC

WHEREAS, site plan approval for Walnut Corner was granted to Walnut Lane Investments, LLC, on June 14, 2017; and

WHEREAS, in accordance with policy, the City agreed to accept ownership and maintenance responsibility for the sanitary sewer system, upon its completion; and

WHEREAS, the City Engineer has made final inspection of the sanitary sewer lines and related appurtenances, and found that this system meets the City's standards.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, do hereby accept a deed of dedication for:

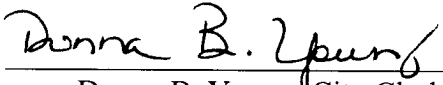
A non-exclusive easement in perpetuity for the use, repair, and maintenance of underground sewer lines on and under that property designated and described as "20' Sanitary Sewer Easement" as shown and delineated on an Easement Plat for Walnut Lane Investments, LLC prepared by Southern Partners, Inc. dated February 28, 2018, which plat is recorded in the Office of the RMC for Aiken County in Plat Book 60, Page 681.

TOGETHER WITH fee simple title to all sanitary sewer lines and apparatus located in, upon and under said PERMANENT SANITARY SEWER EASEMENT.

Tax Parcel Number 010-14-04-014

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 15 DAY OF October, 2018.

  
\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:  
  
\_\_\_\_\_  
Donna B. Young, City Clerk



The Easement granted herein is subject to all validly existing restrictions, covenants, conditions, rights of way, easements, mineral reservations and royalty reservations, encumbrances and other matters (i) of record and/or (ii) visible and on the ground that a true and correct survey would reveal, to the full extent the same exist and affect the Easement. Notwithstanding anything to the contrary in this instrument, (a) nothing contained herein shall grant or be construed to grant to Grantee (i) the right to use the Easement for any purpose other than for the purposes set forth herein, or (ii) the right to change or alter the dimensions of the Easement granted herein or otherwise change the location thereof without the prior written approval of Grantor, (b) Grantor expressly reserves unto itself and its successors and assigns, the right to use and enjoy the land covered by the Easement herein granted for any purposes whatsoever, except insofar as said use and enjoyment unreasonably interferes with the rights hereby granted to Grantee, and (c) Grantor further reserves the right to grant additional rights of way to such other persons or entities and for such purposes as Grantor may desire; provided, however, that Grantee shall not be unreasonably disturbed in the use and enjoyment of the rights hereby granted to it.

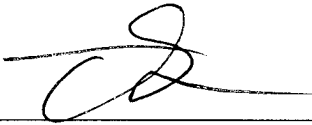
Together with, all and singular, the rights, members, hereditaments and appurtenances to the said premises before mentioned unto Grantee and Grantee's successors and assigns forever. And Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular said premises unto Grantee and Grantee's successors and assigns, and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

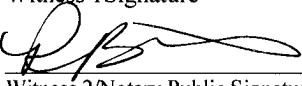
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GRANTOR SIGNATURE PAGE TO DEED AND EASEMENT TO SANITARY SEWER LINES  
WALNUT LANE INVESTMENTS, LLC to CITY OF NORTH AUGUSTA

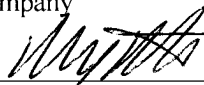
IN WITNESS WHEREOF, Grantor has caused these presents to be executed this 28<sup>th</sup> day of February, 2018.

**GRANTOR:**

  
\_\_\_\_\_  
Witness 1 Signature

  
\_\_\_\_\_  
Witness 2/Notary Public Signature

**Walnut Lane Investments, LLC**, a South Carolina limited liability company

By:   
\_\_\_\_\_  
Name: Weldon E. Wyatt  
Title: Manager

STATE OF SOUTH CAROLINA     §  
   §     ACKNOWLEDGMENT  
COUNTY OF AIKEN             §

The foregoing instrument was acknowledged before me by Weldon E. Wyatt, Manager of Walnut Lane Investments, LLC, a South Carolina limited liability company (the "Company"), by duly authorized action on behalf of the Company.

Sworn to before me this 28  
day of February, 2018.

\_\_\_\_\_  
(Seal)

Rachel B. Hutto (Print Name)  
Notary Public for South Carolina  
My Commission Expires: 8/2/26

[SEAL]

LENDER'S CONSENT TO DEED AND EASEMENT TO SANITARY SEWER LINES  
WALNUT LANE INVESTMENTS, LLC to CITY OF NORTH AUGUSTA

SRP Federal Credit Union ("Lender") holds a lien on the Property. Lender, for itself and its successors and assigns, joins herein to evidence its consent to the terms and provisions of this instrument and to evidence its agreement that its lien shall be subordinate to the Easement granted herein and that any foreclosure of the lien of Lender affecting all or any part of the Property, whether such lien presently exists or is created in the future, or any conveyance in lieu of such foreclosure, shall not extinguish, terminate, cut off, alter or otherwise affect the Easement, which shall continue unabated, in full force and effect.

**LENDER:**

**SRP Federal Credit Union**

By: Mel Valenzuela  
Name: Mel Valenzuela  
Title: Chief Lending Officer

Debecca S. Cochran  
Witness 1 Signature

Pat Bennington  
Witness 2/Notary Public Signature

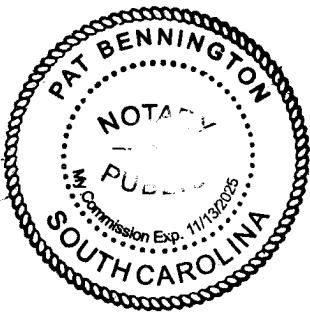
STATE OF SOUTH CAROLINA    §  
  §           ACKNOWLEDGMENT  
COUNTY OF EDGEFIELD       §

The foregoing instrument was acknowledged before me by Mel Valenzuela, Chief Lending Officer of SRP Federal Credit Union (the "Lender"), by duly authorized action on behalf of the Lender.

Sworn to before me this 1  
day of March, 2018.

Pat Bennington (Seal)

Pat Bennington (Print Name)  
Notary Public for South Carolina  
My Commission Expires: November 13, 2025



[SEAL]

**EXHIBIT A**

**LEGAL DESCRIPTION**

All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being in the County of Aiken, State of South Carolina and being more fully shown and delineated as Parcel A containing 3.7494 acres, more or less, on a Boundary Survey prepared by Hass & Hilderbrand, Inc. for Walnut Lane Investments, LLC, dated February 28, 2017 and recorded June 20, 2017 in the Office of the Register of Mesne Conveyances for Aiken County in Plat Book 60 at Page 15, having such metes and bounds as will be shown by reference to said plat. The metes and bounds as shown on said plat are incorporated herein by reference.

DERIVATION: Being the same property conveyed to Grantor by deed of Neeraj K. Sharma, as Trustee of the Neeraj K. Sharma Gifting Trust Dated December 10, 2012, such deed dated June 19, 2017 and recorded June 20, 2017 in Book 4667 at Page 1763 in this Office of the Register of Mesne Conveyances for Aiken County, South Carolina.

TMS#: 010-14-04-014

GRANTEE ADDRESS:                   Post Office Box 6400  
  North Augusta, South Carolina 29861

SANITARY SEWER  
EASEMENT PLAT  
OF  
**WALNUT CORNER**

PROPERTY LOCATED NORTH OF U.S. 25 IN THE CITY OF NORTH AUGUSTA,  
AIKEN COUNTY, SOUTH CAROLINA  
DATE: FEBRUARY 24, 2016 SCALE: 1" = 30'

PREPARED BY  
**WALNUT LANE INVESTMENTS, LLC**  
FRANK THE BROTHERS, LLC, 1000 W. BROADWAY #177, CHARLOTTE, NC 28202

RECORDS BY  
**SOUTHERN PARTNERS, INC.**  
1200 SOUTH WILMINGTON BOULEVARD, SUITE 200  
COLUMBIA, SOUTH CAROLINA 29204 (803) 799-1937



PROJECT DATA	DATE
TOTAL ACRES	0.75
ZONING	OS
Highway, Outcrop, Cemetery, District	
TAX PARCEL	470-14-04-014

City of North Augusta  
410 West Main  
North Augusta, SC 29851  
**APPROVED FOR RECORDING**  
By: [Signature]  
Date: 4/21/16

2018014600  
RECORDED: 3:07 PM  
ON: 02-27-2016 01:08 PM  
SOUTHERN PARTNERS, INC.  
1200 SOUTH WILMINGTON BOULEVARD  
SUITE 200  
COLUMBIA, SC 29204  
PG. 081 - 081

- NOTES
1. WATER BY EDGEFIELD CO. WATER AND SEWER AUTHORITY
  2. CONTRACT BY CITY OF NORTH AUGUSTA
  3. THE VALUE SHOWN IN THIS AS-BUILT WAS DONE 11-08-07 BY SOUTHERN PARTNERS, INC.

I hereby state that to the best of my knowledge and belief, the information furnished herein is true and correct, and that I am a duly licensed Professional Engineer in the State of South Carolina, and that I am duly qualified to prepare and certify this plat. I am not aware of any facts or circumstances which would make this plat inaccurate or misleading.

27665 Corner 27665 - San-Easement Plat

WALNUT LANE R/W Varies S-2104

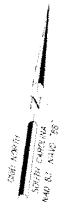
U.S. HWY # 25  
EDGEFIELD RD. R/W VARIES

SOUTHEASTERN  
LABORATORY APPEARANCE  
BY 000 14 04 014

INSIDE CITY LIMITS  
OUTSIDE CITY LIMITS

INSIDE CITY LIMITS  
OUTSIDE CITY LIMITS

K & T  
PROPERTIES, LLC  
A 2004-14-04-006



K&T PROPERTIES, LLC  
 1100 W. BROADWAY, SUITE 200  
 COLUMBIA, SOUTH CAROLINA 29204  
 (803) 799-1937