

RESOLUTION NO. 2023-32
ACCEPTING A DEED OF DEDICATION FOR THE STREETS,
SANITARY SEWER, STORMWATER COLLECTION AND FIRE SUPPRESSION
SYSTEMS, AND ASSOCIATED EASEMENTS AND RIGHTS OF WAY, ALONG WITH A
MAINTENANCE GUARANTEE AND LETTER OF CREDIT,
FOR AUSTIN HEIGHTS SECTION II

WHEREAS, Summerfield SC, LLC developed Austin Heights, Section 2 according to the requirements of the North Augusta Planning Commission; and the City, and owns the streets, utilities and easements; and

WHEREAS, pursuant to §5.8.4.3 of the North Augusta Development Code, the Director of Planning and Development and the City Engineer approved the final subdivision plat for recording on June 8, 2023; and

WHEREAS, it is the policy of the City that, upon approval of a final subdivision plat, the City will, following inspection by the City's Engineering department, accept a deed of dedication for the streets, utilities, etc. for the purpose of ownership and maintenance when said deed is accompanied by a maintenance guarantee; and

WHEREAS, a maintenance guarantee and supporting letter of credit accompany the deed; and

WHEREAS, the City Engineer has made final inspection of the subject improvements and these improvements meet City 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:

ALL those strips or parcels of land, and appurtenances to said premises belonging or in anywise appertaining therewith, situate, lying and being in the City of North Augusta, Aiken County, South Carolina, in Austin Heights, Section II, being 50' Right of Ways known as Greyton Circle, Bakerville Lane, and Kingburgh Lane, as more particularly shown and described on that certain plat of survey prepared by H&C Surveying, Inc. for Summerfield SC, LLC dated December 6, 2022 and recorded in Plat Book 65, Pages 24-26, in the Office of the RMC of Aiken County, South Carolina. Reference is hereby made to said Plat for a complete and accurate description of said property hereby conveyed.

ALSO, all and singular, those certain sewage collection systems, including but not limited to all pipes, mains, manholes, and other improvements and appurtenances in any way connected therewith, excluding service lines from the lot lines to the improvements located thereon developed or extending within the lot lines of undeveloped lots situate, lying and being in Aiken County, South Carolina, in Austin Heights Subdivision, Section II, being

more fully shown and designated on that plat prepared by H&C Surveying, Inc. for Summerfield SC, LLC.

ALSO, all sanitary sewer easements and appurtenances to said premises belonging or in any way incident or appertaining as shown on the above referenced plats.

ALSO, all easements and appurtenances to said premises belonging or in any way incident or appertaining, as shown on the above referenced plats, including but not limited to:

Easement No. 1 – 4,332 S.F. or 0.10 AC

Easement No. 2 – 4,441 S.F. or 0.10 AC

Easement No. 3 – 6,500 S.F. or 0.15 AC


Easement No. 4 – 7,369 S.F. or 0.17 AC

This being a portion of the same property conveyed to Summerfield SC, LLC by deed of Dottie Berniece Summers, as Trustee of the Summers Family Trust dated July 11, 1985, on January 22, 2019, and being recorded in the Office of the RMC in Aiken County, South Carolina, in Book 4760, Pages 1122-1124.

Tax Parcel No: a portion of 011-05-01-001

BE IT FURTHER RESOLVED that a Maintenance Guarantee and letter of credit in the amount of \$127,571.00 are hereby accepted.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 21st DAY OF AUGUST, 2023.

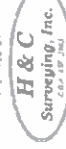


Briton S. Williams, Mayor

ATTEST:

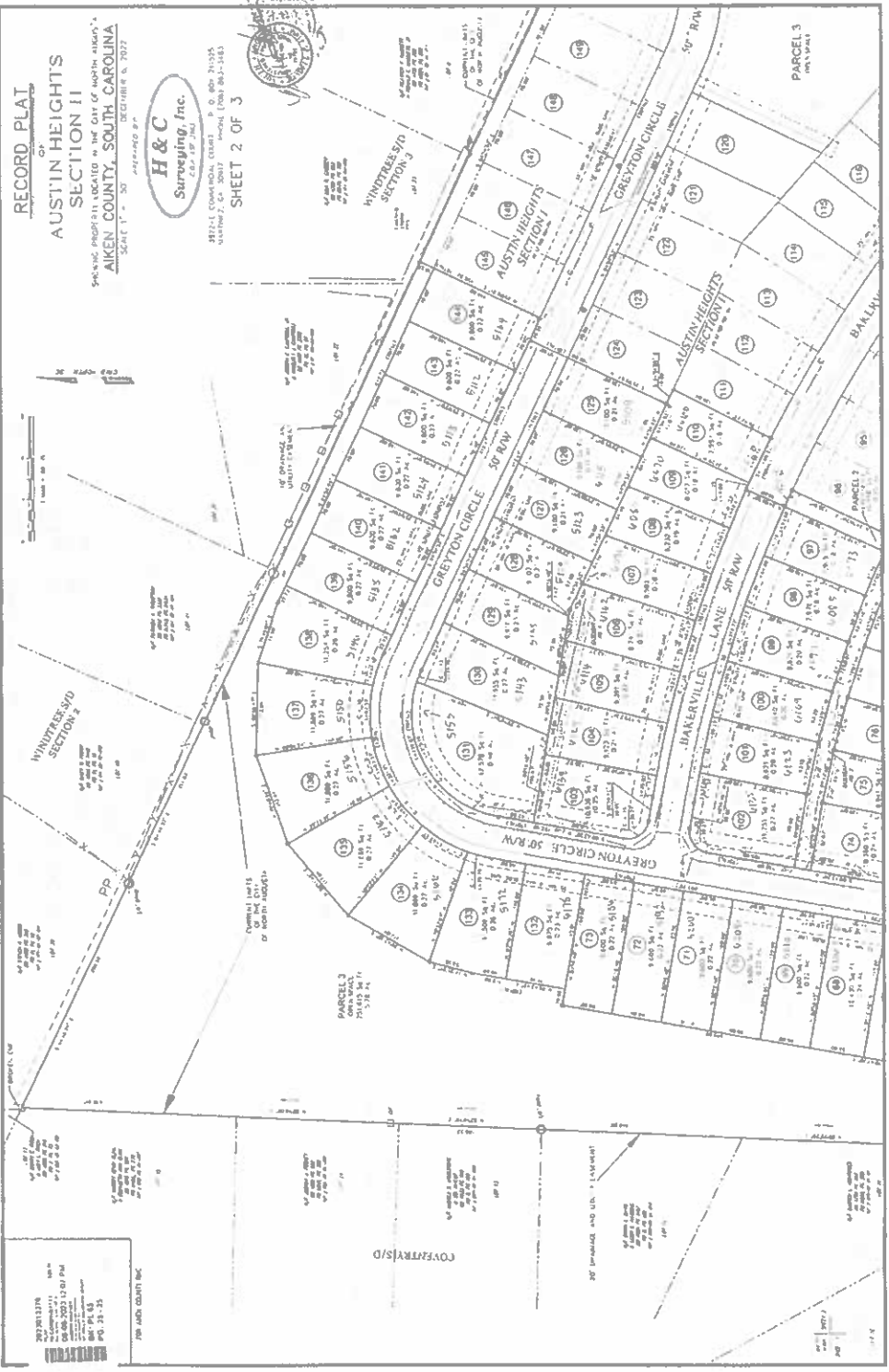

Jamie Paul, City Clerk

RECORD PLAT
 OF
AUSTIN HEIGHTS SECTION II
 AIKEN COUNTY, SOUTH CAROLINA
 SCALE 1" = 50' APPROX. P.L.
 DECEMBER 6, 2022



H&C
 Surveying, Inc.
 1015 S. GREENWOOD ST., SUITE 200
 AUSTIN, TEXAS 78704
 PHONE (512) 424-1111
 FAX (512) 424-1112
 WWW.HANDC.COM

SHEET 2 OF 3



2022121378
 1015 S. GREENWOOD ST., SUITE 200
 AUSTIN, TEXAS 78704
 PHONE (512) 424-1111
 FAX (512) 424-1112
 WWW.HANDC.COM

700 AND COUNTY REC



20250331
 08:48:2025 10:00 PM
 08:48:2025 10:00 PM
 08:48:2025 10:00 PM
 08:48:2025 10:00 PM

PARCEL 3
 20,113 sq. ft.
 0.46 ac.
 100,000.00

PARCEL 1
 10,000 sq. ft.
 0.23 ac.
 100,000.00

RECORD PLAT
AUSTIN HEIGHTS
SECTION II
 AIKEN COUNTY, SOUTH CAROLINA
 SCALE 1" = 100'
 PREPARED BY H&C SURVEYING, INC.
 DATE: 10/20/2025



H&C
 Surveying, Inc.
 2025 DORR STREET, SUITE 100, AIKEN, SOUTH CAROLINA 29801
 TEL: 803.733.1111 FAX: 803.733.1112
 www.hcsurveying.com

SHEET 3 OF 3

2023019854



DEED
RECORDING FEES \$15.00
STATE TAX \$0.00
COUNTY TAX \$0.00
PRESENTED & RECORDED

09-08-2023 04:23 PM

JUDITH WARNER
REGISTER OF MESME CONVEYANCE
AIKEN COUNTY, SC
BY: DOLLIE VILLANUEVA DEPUTY

BK: RB 5111

PG: 1797 - 1806

Return to:
Klosinski Overstreet, LLP
1229 Augusta West Parkway
Augusta, GA 30909

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

DEED OF DEDICATION
AUSTIN HEIGHTS
SECTION II

THIS INDENTURE, made and entered into this 27th day of April 2023, by and between **SUMMERFIELD SC, LLC**, as the Party of the First Part, and **CITY OF NORTH AUGUSTA**, South Carolina, a body politic and corporate and political subdivision of the State of South Carolina, as the Party of the Second Part, whose address is P.O. Box 6400, North Augusta, SC 29861-6400.

WITNESSETH:

Party of the First Part, for and in consideration of the Sum of One Dollar (\$1.00) in cash to it in hand paid by the Party of the Second Part, the receipt of which is hereby acknowledge, at and/or before the sealing and delivery of these presents, and other good and valuable considerations, has granted, bargained, sold, released, conveyed and confirmed and by these presents does grant, bargain, sell, release, convey and confirm unto the said Party of the Second Part, its successors and assigns, the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The party of the Second Part, as part of the consideration for this conveyance, accepts this conveyance of said streets, easements and storm water drainage areas and agrees to maintain the same as part of its road and storm water systems and the acceptance of the delivery of these presents shall be conclusive evidence of such agreement.

The within conveyance is subject, however, to the prior understanding and agreement of the parties hereto that Grantee assumes no responsibility for extending lines beyond that which is shown on the aforesaid maps or plans nor is Grantee required as its cost to extend any service lines to undeveloped lots in this project, further that the Grantor(s) herein covenants and warrants to make no representation verbal or written that Grantee at its cost will extend said service lines and or main lines beyond which are presently existing, at the time of any written conveyance.

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 premises before mentioned unto said Grantee(s), their Heirs and Assigns forever.

And the Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto the said Grantee, its successors and assigns against the Grantors and its heirs successors and assigns, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

SIGNATURE PAGE ATTACHED

IN WITNESS WHEREOF, the said Party of the First Part has caused this Deed of Dedication to be executed the day and year first above written as the date of these presents.

Signed, sealed and delivered
in the presence of:

SUMMERFIELD SC, LLC

Janelle Lund
First Witness

By: [Signature]
Michael D. Polatty
As Its: Manager

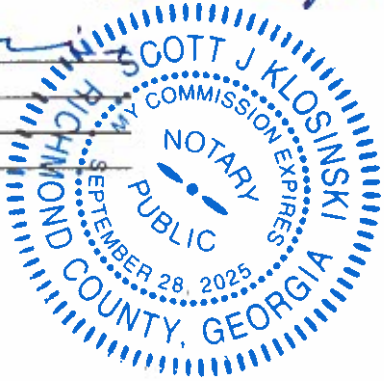
S J Klosinski
Second Witness

STATE OF GEORGIA)
)
COUNTY OF RICHMOND)

I, Scott J. Klosinski, a Georgia notary public, do hereby certify that Michael D. Polatty, as Manager of Summerfield SC, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this the 26 day of April, 2023.

[Signature]
Notary Public for _____
Printed Name: _____
My Commission Expires: _____



[SEAL]

First Community Bank joins in this conveyance to release its interest in that portion of the property rights described in the plat for Austin Heights Section II from that security deed recorded in the RMC Office of Aiken County, South Carolina, in Record Book 5039, Pages 1588-1598

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal on the day and year first above written.

Signed, sealed and delivered in our presence:

Brandon Haining
Unofficial Witness

Barbara B. Epps
Notary Public, Columbia County,

Grantor:
FIRST COMMUNITY BANK

By: [Signature]

Print: Phil Bryhoun
As Its: Vice President Commercial Bank

My commission expires: 10/3/25
[SEAL]

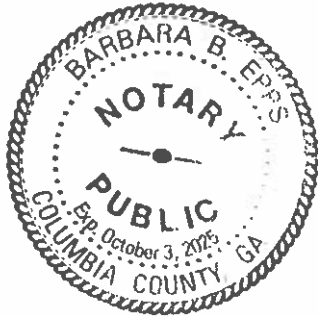


Exhibit "A"

All those strips or parcels of land, and appurtenances to said premises belonging or in anywise appertaining therewith, situate, lying and being in the City of North Augusta, Aiken County, South Carolina, in Austin Heights, Section II, being 50' Right of Ways known as Greyton Circle, Bakerville Lane, and Kingburgh Lane, as more particularly shown and described on that certain plat of survey prepared by H&C Surveying, Inc. for Summerfield SC, LLC dated December 6, 2022, and recorded in Plat Book 65, Pages 24-26, in the Office of the RMC of Aiken County, South Carolina. Reference is hereby made to said Plat for a complete and accurate description of said property hereby conveyed.

ALSO, all and singular, those certain sewage collection systems, including but not limited to all pipes, mains, manholes, and other improvements and appurtenances in any way connected therewith, excluding service lines from the lot lines to the improvements located thereon developed or extending within the lot lines of undeveloped lots situate, lying and being in Aiken County, South Carolina, in Austin Heights Subdivision, Section II, being more fully shown and designated on that plat prepared by H&C Surveying, Inc. for Summerfield SC, LLC.

ALSO, all sanitary sewer easements and appurtenances to said premises belonging or in any way incident or appertaining as shown on the above referenced plats.

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Easement No. 2 – 4,441 S.F. or 0.10 AC
Easement No. 3 – 6,500 S.F. or 0.15 AC
Easement No. 4 – 7,369 S.F. or 0.17 AC

This being a portion of the same property conveyed to Summerfield SC, LLC. by deed of Dottie Berniece Summers, as Trustee of the Summers Family Trust dated July 11, 1985, on January 22, 2019, and being recorded in the Office of the RMC in Aiken County, South Carolina, in Book 4760, Pages 1122-1124.

Tax Map and Parcel: portion of 011-05-01-001

STATE OF GEORGIA)
COUNTY OF RICHMOND)

AFFIDAVIT

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.

1. The property being transferred is bearing a portion of Aiken County, South Carolina Tax Map # 011-05-01-001 and being transferred by Summerfield SC, LLC to City of North Augusta, South Carolina on _____.

2. 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: #2
(Explanation, if required)
IF EXEMPT, PLEASE SKIP ITEMS 4-6, 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 (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) _____ in the amount listed in item 4 above
 - (b) _____ the amount listed in item 5 above (no amount place zero)
 - (c) _____ 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. 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.

SWORN TO AND SUBSCRIBED
before me this 27th day of April,
2023.

S J Klosinski,
Scott J. Klosinski
Attorney

Janelle W. Lund
Notary Public
My Commission Expires:



***PRELIMINARY
CERTIFICATION OF TITLE***

All those strips or parcels of land, and appurtenances to said premises belonging or in anywise appertaining therewith, situate, lying and being in the City of North Augusta, County of Aiken, State of South Carolina, in Austin Heights, Section II, being 50' Right of Ways known as Greyton Circle, Bakerville Lane, and Kingburgh Lane, as more particularly shown and described on that certain plat of survey prepared by H&C Surveying, Inc. for Summerfield SC, LLC dated December 6, 2022, and recorded in Plat Book 65, Pages 24-26, in the Office of the RMC of Aiken County, South Carolina. Reference is hereby made to said Plat for a complete and accurate description of said property hereby conveyed.

ALSO, All and singular, those certain water distribution and sewage collection systems, including but not limited to all pipes, mains, manholes, valves, meters and other improvements and appurtenances in any way connected therewith, excluding service lines from the lot lines to the improvements located thereon developed or extending within the lot lines of undeveloped lots situate, lying and being in Aiken County, South Carolina, in Austin Heights Subdivision, Section II, being more fully shown and designated on that plat prepared by H&C Surveying, Inc. for Summerfield SC, LLC.

ALSO, all water and sanitary sewer easements and appurtenances to said premises belonging or in any way incident or appertaining as shown on the above referenced plats.

ALSO, all easements and appurtenances to said premises belonging or in any way incident or appertaining, as show on the above referenced plats, including but not limited to:

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Tax Map and Parcel: portion of 011-05-01-001

I have examined the public records affecting title to the property described above. **BASED UPON SUCH EXAMINATION, and** subject to the liens, encumbrances and other exceptions, marketable, fee simple title is vested in

Summerfield SC, LLC

The below liens, restrictions, easements, encumbrances, and other exceptions apply:

1. Errors shown by a plat of survey. The exact location on boundary lines, unrecorded easements, and other facts or conditions which would be disclosed by an accurate survey and inspection of the property, or possible liens of laborers or materialmen for improvement of the property, not filed for record prior to date;
2. The rights, if any, of persons who may be in possession under claims not appearing of record, or other matters not of record, including any prescriptive rights or claims to removable fixtures, forgery, insanity, or minority of a maker;
3. Violation of any zoning ordinances or restrictive covenants;
4. All city, state, county, and school taxes for 2023 are not yet due and payable;
5. Mortgage from Summerfield SC, LLC. to First Community Bank, dated July 20, 2022 and recorded August 9, 2022, in Record Book 5039 on page 1588-1598 of the public records of Aiken County, South Carolina, given to secure the original principal sum of \$2,082,404.00.
6. UCC Financing Statement in favor of First Community Bank, recorded in FS - 22-5811, of the public records of Aiken County, South Carolina.

Title is certified from the period beginning January 29, 2019 and ending at 12:00 P.M. on March 30, 2023.



Scott J. Klosinski, Attorney at Law

First Community Bank joins in this conveyance to release its interest in that portion of the property rights described in the plat for Austin Heights Section II from that security deed recorded in the RMC Office of Aiken County, South Carolina, in Record Book 5039, Pages 1588-1598

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal on the day and year first above written.

Signed, sealed and delivered in our presence:

Brandon Hauke
Unofficial Witness

Barbara B Epps
Notary Public Columbia County,

Grantor:
FIRST COMMUNITY BANK

By: [Signature]

Print: Phil Hughes
As Its: Vice President / Commercial Banker

My commission expires: 10/3/25

