



ORDINANCE NO. 2023-3

AN ORDINANCE TO APPROVE THE ANNEXATION OF PROPERTIES LOCATED AT 100 UNIVERSITY VILLAGE DRIVE AND 400 UNIVERSITY VILLAGE DRIVE, ALSO KNOWN AS: TMS# 0173-11-06-001.000, AND TMS# 0173-08-16-004.000; AND PROVIDE FOR RELATED MATTERS.

WHEREAS, the City Council ("Council") of the City of Orangeburg ("City") finds:

- (a) South Carolina State University Housing, LLC owns property located at 100 University Village Drive and 400 University Drive, with county tax map numbers TMS# 0173-11-06-001.000, and TMS# 0173-08-16-004.000;
- (b) the property owner has petitioned the City to annex the referenced properties into the City's incorporated municipal limits, a copy of the petition is attached as Exhibit A;
- (c) according to a resolution adopted November 17, 2022, a copy of which is attached as Exhibit B ("Resolution"), the City's Planning Commission has, following a duly noticed public hearing, recommended approval to the Council of the annexation of the referenced property with the related amendment to the Zoning Map with the addition of the referenced properties to O-I Office-Institutional, as provided by Section 24-12 of the City Code;
- (d) proper notice of the public hearings for the proposed amendments for the Planning Commission, held on November 17, 2022, and the Council, held on December 20, 2022, have been duly published in accordance with Section 24-12.5 of the City Code;
- (e) each parcel has been duly posted in accordance with Section 24-12.6 of the City Code;
- (f) the Council has reviewed the Petition and Resolution and the related, supporting material presented at each of the readings of this Ordinance and received any comments from the public at the public hearing;

NOW, THEREFORE, by a majority vote of the Councilmembers present, the Council ordains that the City's municipal boundaries be increased to include the properties located at 100 University Village Drive and 400 University Drive, with county tax map numbers TMS# 0173-11-06-001.000, and TMS0173-08-16-004.000, all of which is annexed into the City.

BE IT FURTHER ORDAINED that, no later than seven days from this Ordinance's enactment, the City's Zoning Administrator shall update the City's Zoning Map to reflect that the annexed property is zoned O-I Office-Institutional.

ENACTED BY the City Council on March 7, 2023, and effective immediately.



Michael C. Butch

Mayor

Benny Haire

Judith R. Probst

James J. ...

Liz ...

Richard J. ...

Members of Council

Attest: *Linda M. Daniel*

City Clerk

First Reading:	January 17, 2023
Second Reading:	February 21, 2023
Public Hearing:	February 21, 2023
Third Reading:	March 7, 2023

In the presence of this witness(s):

Signature of Witness

Printed Name

Street Address

City, State, Zip Code

Phone Number

Date Signed: _____

In the presence of this witness(s):

Signature of Witness

Printed Name

Street Address

City, State, Zip Code

Phone Number

Date Signed: _____

Address:
TMP#
Zoning Requested: _____

By: _____

Printed Name

Its _____

Date Signed: _____

By: _____

Printed Name

Its _____

Date Signed: _____

Signatures are on the attached page.
"South Carolina State University Real Estate Foundation"

Owner:
Map #

Page ___ **of** ___
100% Petition for Annexation
Date of First Signature: _____



SOUTH CAROLINA STATE UNIVERSITY REAL ESTATE FOUNDATION

The Board Members of South Carolina State University Real Estate Foundation, with a quorum of voting members, did adopt the following resolution:

Whereas South Carolina State University Real Estate Foundation will continue to operate and provide services to South Carolina State University and the Orangeburg community.

Whereas the South Carolina State University Real Estate Foundation will annex of the property of University Village Apartments, located at 700 University Village, Orangeburg, South Carolina, 29115.

THEREFORE, BE IT RESOLVED THAT the Board Members of South Carolina State University Real Estate Foundation does approve Ms. Pamela Goodwine-Glover, Chair, as the signature on all documents related to the annexation of the property of University Village apartment, located at 700 University Village, Orangeburg, South Carolina, 29115.

FURTHER, South Carolina State University Real Estate Foundation does approve to annex the property of University Village Apartments, located at 700 University Village, Orangeburg, South Carolina, 29115. By the signature of the designated officers of the Board Members of South Carolina State University Real Estate Foundation affixed below, we attest to the action recorded herein.

Pamela Goodwine-Glover, Board Chair

DocuSigned by:
Pamela Goodwine-Glover, June 10, 2022
858C953474DF48A...

T. Craig Ascue, Board Vice- Chairman

DocuSigned by:
Craig Ascue, June 10, 2022
2FE84A754517453...

Richard Howell, Board Secretary/Treasurer

DocuSigned by:
R.R. Howell, June 10, 2022
48E20611AC77496...

700 University Village Drive, Orangeburg, South Carolina 29115
South Carolina State University Real Estate Foundation
501(c) (3) Nonprofit Corporation
Tel (803) 516-4443 | www.scsu.edu/real-estate

EXHIBIT B
PLANNING COMMISSION RESOLUTION
(November 17, 2022)

RESOLUTION

WHEREAS, the Planning Commission of the City of Orangeburg, South Carolina, conducted a Public Hearing on Thursday, November 17, 2022, to consider annexation of the property belonging to **South Carolina State University Housing, LLC, located at 100 University Village Drive & 400 University Village Drive** containing approximately 3.683 acres and 1.899 acres. Tax Map Numbers of property included in this annexation is: **TMS# 0173-11-06-001.000 and TMS# 0173-08-16-004.**

Subject Property:

ALL that certain piece, parcel or lot of land located in Orangeburg County, South Carolina, containing 3.683 acres, more or less, and is more particularly shown as 'PARCEL "A" 3.683 ACRES' on a plat entitled, 'ALTA/ACSM LAND TITLE SURVEY PREPARED FOR UNIVERSITY VILLAGE APARTMENTS', prepared by Richard L. All, P.L.S. Reg. No. 16497 of All Surveying, Inc., dated February 24, 2004, and recorded March 2, 2004, in Plat Book C324 at Page 003, in the RMC Office for Orangeburg County, South Carolina.

BEING a portion of the property conveyed to Bostic Development at University Village, LLC, a North Carolina limited liability company by deed of James Patterson dated March 27, 2002, and recorded in Book 0922 at Page 339, in the RMC Office for Orangeburg County, South Carolina; and the same property conveyed to Bostic Development at University Village, LLC, a North Carolina Limited Liability Company by deed of Dorothy B. Sabb, Vivian M. Sabb, Marcelette M. Sabb and Melodie S. Sabb dated April 22, 2002, and recorded in Book 0932 at Page 339, in the RMC Office for Orangeburg County, South Carolina.

Parcel "A" being more fully described as shown on the above referenced plat recorded in Plat Book C324 at Page 003 as:

All that certain piece, parcel, or lot of land, lying and being in Orangeburg County, State of South Carolina, having the following metes and bounds to wit:

Commencing at a nail in the center line intersection of Norman and Mingo Streets and then running S 16°13'11" W for a distance of 19.55 feet to an iron pin found, ½" rebar, on the southwestern right-of-way of Mingo Street, this being the P.O.B. (point of beginning).

Thence South 38 degrees 20 minutes 05 seconds East for a distance of 270.14 feet along the right-of-way of Mingo Street to an iron pin found, a 5/8" rebar at old unpaved Reid Street;

Thence South 52 degrees 36 minutes 42 seconds West for a distance of 287.17 feet along unpaved Reid Street to an iron pin found, a ¾" rebar on the right-of-way of Reid Street;

Thence North 36 degrees 56 minutes and 51 seconds West for a distance of 18.77 feet along the right-of-way of Reid Street to an iron pin set, a 5/8" rebar;

Thence South 52 degrees 43 minutes 57 seconds West for a distance of 220.38 feet along the Northwestern right-of-way of Reid Street to an iron pin set, a 5/8" rebar on the Northeastern right-of-way of Frederick Street;

Thence North 36 degrees 08 minutes 17 seconds West for a distance of 10.00 feet along the right-of-way of Frederick Street to an iron pin found, a ½" rebar;

Thence North 36 degrees 07 minutes 46 seconds West for a distance of 317.49 feet along the right-of-way of Frederick Street to an iron pin set, a 5/8" rebar;

Thence North 36 degrees 11 minutes 58 seconds West for a distance of 11.02 feet along the right-of-way of Frederick Street to an iron pin set, a 5/8" rebar;

Thence North 50 degrees 04 minutes 40 seconds East for a distance of 494.14 feet to an iron pin found, a 1" pipe on the Southwestern right-of-way of Mingo Street;

Thence South 38 degrees 21 minutes 56 seconds East for a distance of 9.37 feet along the right-of-way of Mingo Street to an iron pin set, a 5/8" rebar;

Thence South 50 degrees 04 minutes 40 seconds West for a distance of 201.02 feet to an iron pin found, a 1" square bar;

Thence South 39 degrees 10 minutes 18 seconds East for a distance of 99.16 feet to an iron pin set, a 5/8" rebar;

Thence North 50 degrees 18 minutes 27 seconds East for a distance of 195.43 feet to an iron pin found, a 1" pipe;

Thence North 51 degrees 13 minutes 54 seconds East for a distance of 4.17 feet to an iron pin found, a ½" rebar on the Southwestern right-of-way of Mingo Street, this being the P.O.B. (point of beginning). **TMS# 0173-08-16-004.000**

Subject Property:

ALL that certain piece, parcel or lot of land, located in Orangeburg County, South Carolina, containing 1.899 acres, more or less, and is more particularly shown as "PARCEL "B" 1.899 ACRES" on a plat entitled, "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR UNIVERSITY VILLAGE APARTMENTS", prepared by Richard L. All, P.L.S. Reg. No. 16497 of All Surveying, Inc., dated February 24, 2004 and recorded March 2, 2004, in Plat Book C324 at Page 3, in the RMC Office for Orangeburg County, South Carolina,

BEING a portion of the property conveyed to Bostic Development at University Village, LLC, a North Carolina limited liability company by deed of James Patterson dated March 27, 2002, and recorded in Book 0922 at Page 339, in the RMC Office for Orangeburg County, South Carolina.

Parcel "B" being more fully described as shown on the above referenced plat recorded in Plat Book C324 at Page 003 as:

All that certain piece, parcel, or lot of land, lying in Orangeburg County, State of South Carolina, having the following metes and bounds to wit:

Commencing at an iron pin found, a ½" rebar, where the Northwestern right-of-way of Reid Street intersects the Northeastern right-of-way of U.S. HWY 21 or Chestnut Street, this being the P.O.B.(point of beginning).

Thence North 32 degrees 52 minutes 44 seconds West for a distance of 318.05 feet along the right-of-way of U.S. 21 or Chestnut Street to an iron pin found, a ¾" rebar at an unnamed unpaved road;

Thence North 52 degrees 42 minutes 12 seconds East for a distance of 251.58 feet along said unnamed unpaved road to an iron pin found, a ½" rebar on the right-of-way of Frederick Street;

Thence South 36 degrees 09 minutes 30 seconds East for a distance of 317.57 feet along the right-of-way of Frederick Street to an iron pin found, a ½" rebar on the right-of-way of Reid Street;

Thence South 52 degrees 47 minutes 15 seconds West for a distance of 269.77 feet along the right-of-way of Reid Street to an iron pin found, a ½" rebar on the right-of-way of U.S. 21 or Chestnut Street, this being the P.O.B.(point of beginning). TMS# 0173-11-06-001.000

Permitted Exceptions

1. Easement from Bostic Development at University Village, LLC to the City of Orangeburg, dated May 16, 2002 and recorded in Book 931 at page 205 in the RMC Office for Orangeburg County, SC.
2. Easement from Bostic Development at University Village, LLC to the City of Orangeburg, dated June 24, 2002 and recorded in Book 957 at page 257 in the RMC Office for Orangeburg County, SC.
3. Easement from N.G. Sifly and heirs of R.W. Sifly to the City of Orangeburg, dated February 4, 1986 and recorded in Book 512 at page 273 in the RMC Office for Orangeburg County, SC.
4. Easement from Raymond Sifley and Townsend Sifley to the City of Orangeburg, dated April 3, 1986 and recorded in Book 514 at page 13 in the RMC Office for Orangeburg County, SC.
5. The following matters as shown on a plat entitled, "ALTA/ASCM LAND TITLE SURVEY PREPARED FOR UNIVERSITY VILLAGE APARTMENTS" prepared by Richard L. All, P.L.S. Reg. No 16497 of All Surveying, Inc., dated February 24, 2004, and recorded March 2, 2004, in Plat Book C324 at page 3, in the RMC Office for Orangeburg County, South Carolina, which reveals the following:
 - a. Telephone Panel Pad
 - b. Ditch
6. Rights of tenants in possession under unrecorded leases.
7. Rights of the public and others entitled thereto in and to the use of that portion of land within the bounds of Townsend Street, Reed Street and Frederick Street.

WHEREAS, § 24-12 of the City Code requires any amendments to the Zoning Ordinance, text or map, first be reviewed by the Planning Commission; and,

WHEREAS, § 24-12.3 of the City Code requires that the Planning Commission make a written recommendation to the Mayor and City Council; and that at minimum the recommendation shall include an evaluation of the proposed zoning amendment relative to the following:

1. How the proposed zoning amendment relates to and affects the City's Comprehensive Plan
2. The validity of the Comprehensive Plan relative to the area under consideration.
3. The need to correct an error or deficiency in the Zoning Ordinance.
4. Any benefits which would be derived from the proposed amendment.
5. Any cost to the City in terms of expenditures for public improvements, facilities and services.
6. The public interest; and;

WHEREAS, the Planning Commission has considered a request to annex the aforementioned property and we have concluded the following:

1. It is consistent with the Comprehensive Plan.
2. The Comprehensive Plan appears valid relative to the area under consideration.
3. We note no errors or deficiencies in the Zoning Ordinance regarding this matter.
4. Benefit would be to ensure proper development in area.
5. We note no cost to the city in terms of public improvements, facilities and services.
6. The public interest would be served by allowing this change.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, this 17th, day of November 2022, based on its evaluation and findings above, recommends to the Mayor and City Council of the City of Orangeburg, South Carolina, that the aforementioned request be **approved**.

On behalf of the Planning Commission of the City of Orangeburg, South Carolina;



Chairperson, Planning Commission

ATTEST: 