



Restrictive Covenant Frequently Asked Questions

What is a Restrictive Covenant? A Restrictive Covenant is an agreement between the City of Conway, & the owner of a property. It basically says that the City will provide water service now, in exchange for the owner annexing their property into the City once it becomes contiguous or adjacent to the City Limits.

Why do I have to fill out a Restrictive Covenant? If a property owner is in the City of Conway's Service Area and is not contiguous or adjacent to the current City Limits, then the owner will have to fill out a Restrictive Covenant in order to receive water services.

What if I am contiguous or adjacent to the City Limits of Conway? If you are contiguous or adjacent to the City of Conway, an annexation petition must be signed before water service will be allowed.

Restrictive Covenant Instruction Sheet

- The **OWNER** of the property seeking the Restrictive Covenant must fill out the form in its entirety.
- It must be signed by a witness and notarized.
- The original must be taken to the Registrar of Deeds located at 1301 Second Avenue, Conway, where it will be clocked, scanned, and filed with the property deed. Phone: 915-5430.
- After the Registrar clocks & scans the form, then it must be delivered to the City of Conway's Finance Department located at 1000 Second Avenue (City Hall Annex). Phone: 248-1780.
- Once the Finance Department receives the clocked copy of the Restrictive Covenant, a new account can be created.

City of Conway Planning Department
P.O. Drawer 1075
Conway, SC 29528
(843) 488-9888



STATE OF SOUTH CAROLINA

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RESTRICTIVE COVENANT

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COUNTY OF HORRY

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KNOW ALL ME BY THESE PRESENTS, that, (I, we) _____ (Grantor) seek permission to connect to the Water and/or Sewer System of the City Of Conway. The property/parcel is situated outside the corporate limits of the City Of Conway. The property/parcel is identified in the records of the Assessor of Horry County as Tax Map _____ and is physically located at _____. The above referenced property was conveyed by deed to the Grantor and recorded in the Office of the Register of Mesne Conveyance for Horry County, South Carolina in Deed Book _____ at Page _____ .

We understand and agree that as a condition of service and connection of the Water and/or Sewer System to the above referenced property, we will petition, when requested by the City Of Conway (by Group or Individual method) for annexation to the City Of Conway under Section 5-3-150 of the Code of Laws for the State of South Carolina. We further understand that it may be necessary to execute a petition for annexation on more than one occasion; however, the final acceptance of the said petition rests upon an affirmation vote of a majority of the governing body of the City Of Conway.

It is understood and agreed upon that this covenant shall be legally binding upon (myself/us) as the Grantor(s), and our heirs and successors. Any violation of, or refusal to sign, said petition shall result in either legal recourse for nonperformance by the City, and/or termination of water and/or sewer services provided to the premises.

It is further understood and agreeable that the City may inspect and approve the owner's water and/or sewer system prior to connection to insure compliance with the City and State regulations. An inspection fee, if applicable, may be imposed for such inspection in accordance with the guidelines and policies set forth by the City of Conway.

All rights, powers, and privileges hereby granted to the City of Conway as grantee shall convey to its heirs, successors and assigns, and shall be binding upon the heirs, successors, administrators, executors and assigns of the Grantor. Grantor acknowledges that the conditions of this agreement and this agreement itself is a restriction and covenant of the title of the above reference property and binding upon the grantors, heirs, successors, and assigns. Furthermore, it is mutually agreeable that upon any dividing, separation, or split of the above referenced property, this agreement shall remain binding upon the successors and heirs of such division, and that this covenant shall remain binding upon the successors and heirs of such division, and that this covenant shall remain a restriction and covenant on the title of the parcel resultant of such division.

IN WITNESS THEREOF, the undersigned Grantor has hereto set his hand and Seal this

_____ day of _____.

SIGNED, SEALED AND DELIVERED by:
Grantor in the presents of:

Witness

Grantor Name

Witness

Grantor Name

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY) PROBATE

PERSONALLY appeared before me the undersigned witness, and made oath that he/she saw the within named Grantor(s) sign, seal and as his/her act and deed, deliver the within written Agreement and Covenant; and that he/she with the other witness named above witnessed the execution thereof.

Witness

SWORN TO BEFORE ME THIS _____
DAY OF _____, _____

NOTARY PUBLIC FOR SOUTH CAROLINA

My commission expires: _____