

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 23-23

An Ordinance Authorizing The Conveyance Of Certain Property From Darlington County, South Carolina To The Darlington County Water & Sewer Authority To Correct An Erroneous Deed Filed By A Private Taxpayer And Addressing Other Matters Related Thereto.

WHEREAS, by deed dated November 4, 1997 and recorded in Book D185 at Page 171 in the Darlington County Clerk of Court's Office, ALCO-LITE Industries, LLC and TechnoSteel, LLC conveyed certain property to Darlington County, South Carolina (the "County"), in connection with a fee-in-lieu of tax transaction; and

WHEREAS, by lease dated November 1, 1997 and recorded in Book D185 at Page 177 (the "Lease"), the County leased the property back to ALCO-LITE Industries, LLC in connection with the fee-in-lieu of tax transaction; and

WHEREAS, by that certain deed dated November 13, 1998 and recorded November 18, 1998 in Book D221 at Page 62 in the Darlington County Clerk of Court's Office, TechnoSteel, LLC purported to convey a 50' X50' Sewer Pump Station (the "Pump Station Property") to the County; and

WHEREAS, Sam Carbis Asset Management, LLC (the "Company") is the successor in interest to ALCO-LITE Industries, LLC and TechnoSteel, LLC; and

WHEREAS, the Pump Station Property should have been conveyed to the Darlington County Water & Sewer Authority ("DCWSA"); and

WHEREAS, the County, having obtained the consent of the Company, has agreed to convey the Pump Station Property to the DCWSA.

NOW, THEREFORE, BE IT ORDAINED by the County Council in a meeting duly assembled as follows:

Section 1. The form, terms, and provisions of the Quitclaim Deed presented to this meeting are hereby approved, and all of the terms, provisions, and conditions thereof are incorporated herein by reference as if the Quitclaim Deed were set out in this Ordinance in its entirety. The Chairman of the County Council is authorized, empowered, and directed to execute, acknowledge, and deliver the Quitclaim Deed in the name of and on behalf of the County, and thereupon to cause the Quitclaim Deed to be delivered to the DCWSA. The Quitclaim Deed is to be in substantially the form now before this meeting and hereby approved, with such changes therein as shall not be materially adverse to the County and as shall be approved by the officials of the County executing the same, upon the advice of counsel to the County, such officer's execution thereof to constitute conclusive evidence of such officer's

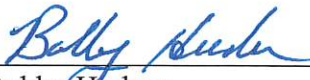
approval of any and all changes or revisions therein from the form of the Quitclaim Deed now before this meeting.

Section 2. The County Administrator, Chairman of the County Council, and Clerk to County Council, for and on behalf of the County, are hereby authorized and directed to do any and all things reasonably necessary to effect the execution and delivery of the Quitclaim Deed and the performance of all obligations of the County under such documents.

Section 3. This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

BE IT ORDAINED this 5th of February, 2024

**DARLINGTON COUNTY,
SOUTH CAROLINA**

Signed: 
Name: Bobby Hudson
Title: Chairman

ATTEST:


J. JaNet Bishop
Clerk to Council

First Reading: December 4, 2023
Second Reading: January 2, 2024
Public Hearing: January 2, 2024
Third Reading: February 5, 2024

EXHIBIT A
QUITCLAIM DEED

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed as of the 5th day of February, 2024 by **Darlington County, South Carolina** (hereafter referred to as "Grantor") to **Darlington County Water & Sewer Authority** (whose address is 131 Industrial Way Darlington, SC 29532); (hereinafter referred to as "Grantee").

WITNESSETH:

WHEREAS, by deed dated November 4, 1997 and recorded in Book D185 at Page 171 in the Darlington County Clerk of Court's Office, ALCO-LITE Industries, LLC and TechnoSteel, LLC conveyed certain property to Darlington County, South Carolina, in connection with a fee-in-lieu of tax transaction; and

WHEREAS, by lease dated November 1, 1997 and recorded in Book D185 at Page 177, Grantor leased the property back to ALCO-LITE Industries, LLC and TechnoSteel, LLC (the "Lease") as provided in the fee-in-lieu of tax transaction; and

WHEREAS, by that certain deed dated November 13, 1998 and recorded November 18, 1998 in Book D221 at Page 62 in the Darlington County Clerk of Court's Office, TechnoSteel, LLC purported to convey a 50'X50' Sewer Pump Station (the "Pump Station Property") to the Grantor; and

WHEREAS, Sam Carbis Asset Management, LLC (the "Company") is the successor in interest to ALCO-LITE Industries, LLC and TechnoSteel, LLC; and

WHEREAS, the Pump Station Property should have been conveyed to Grantee herein; and

WHEREAS, Grantor, with the consent of the Company, has agreed to convey the Pump Station Property to the Grantee.

IN CONSIDERATION of the sum of Five and 00/100 Dollars (\$5.00), the receipt and sufficiency of which is acknowledged by Grantor, Grantor has quitclaimed, granted, bargained, sold, and released, and by this Quitclaim Deed quitclaims, grants, conveys, bargains, sells, and releases to Grantee, her successors and assigns, all of its right, title, and interest in the following described real property:

All that certain tract of land in the County of Darlington, State of South Carolina, a portion of Tax Parcel 167-00-01-014, shown as a sewer lift station 50"X50" on a plat prepared by Engineering Consultants, Inc., for TechnoSteel, LLC and ALCO-LITE Industries, LLC dated March 22, 2004 and recorded in the Office of the Clerk of Court for Darlington County in Book 197 at Page 149.

THIS PROPERTY DESIGNATED **ON RECORD AS UNRECORDED COPY**
DIST 2-24 MAP 167 SECT 00 BLK 01 PARCEL 290
DIST ___ MAP ___ SECT ___ BEK ___ PARCEL ___
DIST ___ MAP ___ SECT **C** CLERK OF ARCHIVE/RMC
D.O.I. 2-12-24 **DARLINGTON COUNTY, SC**
RECEIVED 2-12-24 TIME AW OUT: ___

This being a portion of the property conveyed to Darlington County, State of South Carolina by ALCO-LITE Industries, LLC, a SC limited liability company and TechnoSteel, LLC, a SC limited liability company by deed dated November 4, 1997 and recorded on December 5, 1997 in the Office of Register of Deeds for Darlington County in Deed Book D185 at Page 171.

Portion of TMS#: 166-00-01-014 (for informational purposes only)

TOGETHER with all and singular rights, members, hereditaments, and appurtenances belonging or in any way incident or appertaining thereto;

TO HAVE AND TO HOLD all and singular said property unto Grantee, its successors and assigns forever.

THIS conveyance is made subject to any covenants, restrictions, reservations, zoning ordinances, easements, rights-of-way, or other matters that may appear or would be shown by a current plat affecting the within-described property.

[signature page to follow]

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Darlington County, South Carolina

[Signature]
Witness

By: [Signature]
Printed Name: Bobby Hudson

[Signature]
Witness

Its: County Council Chairman

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

I, J. Janet Bishop, Notary Public for the State of South Carolina, do hereby certify that Bobby Hudson, the County Council Chairman of Darlington County, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing Quitclaim Deed.

Subscribed to and sworn before me this 5th day of February, 2024.

[Signature] (L.S.)
Notary Public, State of South Carolina
My Commission Expires: 6/18/2029

[NOTARY SEAL]

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

**AFFIDAVIT FOR TAXABLE OR
EXEMPT TRANSFERS**

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 is bearing Darlington County Tax Map Number 167-00-01-014, was transferred by Darlington County, South Carolina to Darlington County Water & Sewer Authority

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) X exempt from the deed recording fee because (See Information section of affidavit): 1
(If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes _____ or No _____

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. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before 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) Place the amount listed in item 4 above here: \$ _____
(b) Place the amount listed in item 5 above here: \$ _____
(If no amount is listed, place zero here.)
(c) Subtract Line 6(b) from Line 6(a) and place result here: \$ _____

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is:

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Grantor.

9. 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.

Bobby Hudson
Bobby Hudson, Chairman
Darlington County Council

SWORN to and subscribed before me this
5th day of February, 2024.

J. Janet Bishop
Notary (L.S.):
Notary Public for South Carolina
My Commission Expires: 6/19/2029
Notary (printed name): J. Janet Bishop

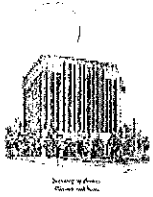
INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

Exempted from the fee are deeds:

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the federal government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitutes a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust as a stockholder, partner, or trust beneficiary of the entity or so as to become a stockholder, partner, or trust beneficiary of the entity as long as no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in the stock or interest held by the grantor. However, except for transfers from one family trust to another family trust without consideration or transfers from a trust established for the benefit of a religious organization to the religious organization, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee, even if the realty is transferred to another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership to a partner or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceeding;
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 791(a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act.

Darlington County Recording Page



Darlington Clerk of Court / ROD
Scott B. Suggs
Darlington County Courthouse
1 Public Square - Room B-4
Darlington, SC 29532
(843) 398-4330

OrdinanceNo : **2024-05**



Doc ID - 003953830010

On (Recorded Date) : **2/13/2024**
At (Recorded Time) : **2:39:13 PM**

Recording Pages : 10
Recording Fee : \$0.00

Please keep this Cover Page with the Original Document
This sheet is now part of this document, please leave attached.

Index Type : ORDINANCE
Type of Instrument :
Type of Transaction: Ordinance

First INDEXED NAME

DARLINGTON COUNTY COUNCIL

Received From :
DARLINGTON COUNTY COUNCIL

Return To :

The attached document including this Cover Page was recorded in the County Recorder's office of
Darlington County, South Carolina
