

ORDINANCE NO. 2595

**AN ORDINANCE DECLARING THE CLOSURE OF TWO ALLEYWAYS
ON THE NORTHERN SIDE OF DINGLE STREET
(BETWEEN S. SUMTER STREET AND S. MAIN STREET)
AND AUTHORIZING THE TRANSFER OF SUCH ALLEYWAYS
TO PRIVATE OWNERSHIP BY QUITCLAIM DEED**

WHEREAS, Job's Mortuary Inc. (the "Owner") owns a parcel of land located on the northern side of Dingle Street (between S. Sumter Street and S. Main Street) and bearing Tax Map Parcel No. 22-7-04-01-069 (the "Job's Mortuary Parcel");

WHEREAS, the Sumter County tax maps indicate an alleyway on either side of the Job's Mortuary Parcel, which alleyways currently serve no public purpose or function and are unimproved (the "Alleyways");

WHEREAS, the location of the Alleyways is indicated on the attached map;

WHEREAS, the Owner has petitioned the City of Sumter, South Carolina (the "City") to close the Alleyways and to convey the City's interest in the Alleyways, if any, to the Owner;

WHEREAS, City staff has investigated the Alleyways and has determined to recommend that the petition be granted;

WHEREAS, the City published notice of a public hearing to be held on January 2, 2018, to consider the closure of the Alleyways in *The Item* on December 12, 19, and 26, 2017;

WHEREAS, the City posted notice of the proposed closings and the public hearing on the Alleyways;

WHEREAS, the City notified surrounding property owners of the proposed closings and the public hearing;

WHEREAS, the City conducted the public hearing as advertised on January 2, 2018, at 6:00 p.m.;

WHEREAS, the City Council of the City of Sumter (the "Council") has now determined, following the public hearing, that the Alleyways are no longer necessary or required for the convenience, public use, or improvement of the City; that closing the Alleyways will serve a public purpose and will be in the public interest by supporting an existing commercial development; that closing the Alleyways will not negatively affect the community or surrounding property owners and that there are other nearby routes available to emergency vehicles and the public which travel this area of the City; and

WHEREAS, the Owner, in consideration of the payment of One Dollar (\$1.00), has requested that the City quitclaim all of the City's interest in the Alleyways to the Owner;

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NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City, as follows:

Section 1. Pursuant to Section 5-27-150 of the South Carolina Code of Laws of 1976, as amended, the City Council declares that the Alleyways are hereby closed and abandoned.

Section 2. The City shall convey the Alleyways by quitclaim deed to the Owner in consideration of the payment of One Dollar (\$1.00).

Section 3. The quitclaim deed shall be in such form and substance as may be approved, and shall be executed and delivered on behalf of the City, by the City Manager.

ENACTED IN COUNCIL ASSEMBLED THIS 16TH DAY OF JANUARY, 2018.

CITY OF SUMTER, SOUTH CAROLINA

Joseph T. McElveen, Jr., Mayor

Thomas J. Lowery, Mayor Pro Tem

Robert A. Galiano, Jr., Councilman

Ione J. Dwyer, Councilwoman

Calvin K. Hastie, Sr., Councilman

David P. Merchant, Councilman

Steven H. Corley, Councilman

ATTEST:

Linda D. Hammett, City Clerk

Public Hearing: January 2, 2018

First Reading: January 2, 2018

Second/Final Reading: January 16, 2018

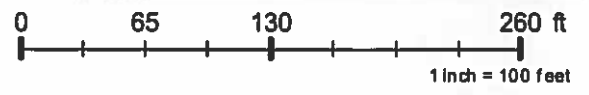
NOTICES PUBLISHED IN THE ITEM on December 12, 19, and 26, 2017 (see attached)

EXHIBIT A

MAP OF JOB'S MORTUARY PARCEL AND ALLEYWAYS



Dr. Ralph Canty Alley Closing



Note: Data compiled from Sumter County GIS, Planning and Assessor Offices. This map is a graphic representation and should only be used for illustrative purposes. In no way should this map be used for exact locations.

Author: Sumter County, SC
Date: 12/7/2017

EXHIBIT B

PUBLICATION NOTICES FOR DECEMBER 12, 19, AND 26, 2017

STATE OF SOUTH CAROLINA
COUNTY OF SUMTER

PRINTER AFFIDAVIT

SUMTER, CITY OF (LEGALS)
PO BOX 1449 ATTN: CHERYL HUDSON
SUMTER, SC 29151

Personally appeared before me



Kathy Stafford, Legal Clerk

Who being duly sworn, says she is a
Bookkeeping clerk of the OSTEEN
PUBLISHING CO., Publisher of THE ITEM
A Newspaper published in said state and
county and the advertisement

Sort Text: Job's Mortuary

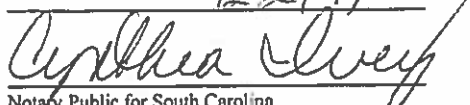
Ad Order ID: 278061

was published in said newspaper on
12/12/2017
12/19/2017
12/26/2017

and a copy of the advertisement is attached.

Sworn to before me on said date

12-29-17



Notary Public for South Carolina

*My Commission Expires
November 8, 2027*

NOTICE OF INTENTION TO CLOSE TWO ALLEYWAYS ON DINGLE STREET BETWEEN S. SUMTER STREET AND S. MAIN STREET AND NOTICE OF PUBLIC HEARING BY THE CITY OF SUMTER, SOUTH CAROLINA

The City of Sumter, South Carolina, proposes to permanently close two alleyways on the northern side of Dingle Street (between S. Sumter Street and S. Main Street).

Before ordering such closing, the City Council of the City of Sumter will hold a public hearing on such proposed closings on **TUESDAY, JANUARY 2, 2018, at 6:00 p.m.** in the City Council Chambers located at the Sumter Opera House, 21 N. Main Street, Sumter, SC 29150. At the public hearing, all residents of the City and other interested parties will have the opportunity to speak and be heard.

Documents pertaining to the proposed closings are on file in the Office of the City's General Counsel, 21 N. Main Street, Sumter, SC 29150, and are available to be inspected, studied, and copied by interested parties.

CITY COUNCIL OF THE CITY OF SUMTER
Joseph T. McElveen, Mayor
Linda D. Hammett, City Clerk

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**CITY COUNCIL OF THE CITY OF
SUMTER**
Joseph T. McElveen, Mayor
Linda D. Hammett, City Clerk

December 11, 2017

SUMTER CITY COUNCIL

PUBLIC

HEARING

WHAT: RC-17-01, Dingle St. Alley Closings (between S. Sumter St. & S. Main St.) (City)

WHEN: Tuesday, January 2, 2018 @ 6:00 p.m.

WHERE: City Council Chambers – Fourth Floor Opera House - 21 N. Main St.,
Sumter, SC

WHY: Proposal to permanently close two alleyways on the northern side of Dingle Street (between S. Sumter St. and S. Main St.)

YOU ARE INVITED TO ATTEND AND OFFER COMMENTS.

ANY CITIZENS WHO REQUIRE SPECIAL ASSISTANCE SHOULD CONTACT THE
PLANNING DEPARTMENT OFFICE PRIOR TO THE PUBLIC HEARING.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT (803) 774-1660

WE LOOK FORWARD TO SEEING YOU THERE!!!

*****PLEASE NOTE THAT THE CITY COUNCIL MEETING WILL START AT 5:30 P.M.
AND THE PUBLIC HEARING WILL START AT 6:00 P.M.*****