City of
Tega Cay, South Carolina

Regular City Council Meeting Agenda
Tega Cay Glennon Center - Lower Level
15077 Molokai Drive, Tega Cay, SC

6:00 P.M. Call to Order, Pledge of Allegiance and Moment of Silence

1. Executive Session

1.a. Legal Advice In Relation To Proposed Windhaven PDD

2. Public Comments

3. Approval Of Minutes

Documents: 3A DRAFT MINUTES 2.16.16.PDF, 3A DRAFT MINUTES 2.1.16.PDF, 3A DRAFT MINUTES 3.3.16.PDF

4. Special Presentations

4.a. Presentation From New Clubhouse Food & Beverage Operator, John Weinbrenner

4.b. Proclamation Recognizing Helping Hands

4.c. Presentation And Council Discussion Regarding Proposed Windhaven PDD

5. Committee Appointments

5.a. Planning Commission

5.b. Board Of Zoning Appeals

5.c. Storm Water

6. Unfinished Business

6.a. 2nd Reading Of An Ordinance To Rezone TMS# 646-00-016 From B-1 (Neighborhood Bs) To GI (Gov't & Institutional)-City Hall, 643-07-01-014 From B-2 (Gen'l Bs) To GI (Police Station), A Portion Of 643-07-01-001 From B-1 To GI (Glennon Center), 644-01-01-345 From B-2 To PARK (Memorial Gardens), 644-01-01-020 From B-2 And PARK To PARK (Trailhead Park), 644-02-01-001 From B-1 To PARK (Trailhead Park - Restroom Area Next To Shoreline Parking Lot) 644-02-01-002 From B-1 To PARK (Shoreline Pkwy Parking Lot For Trailhead Park), 644-01-01-120 From B-1 To PARK (Gravel Lot And Pier Area Adjacent To Beach & Swim Center)

Documents: 6A ORD. __ REZONING ORDINANCE - CITY PROPERTIES.PDF

6.b. 2nd Reading Of An Ordinance To Rezone Tax Map Numbers 644-02-01-014 And 644-01-01-250 From B-1 To GI (GH Elementary, GH Middle, TC Elementary Schools)

Documents: 6B ORD. __ REZONING ORDINANCE - SCHOOL PROPERTIES.PDF

6.c. TC Connect

Documents: 6C TC CONNECT MAP.PDF

7. New Business

7.a. Resolution Authorizing The Lease/Purchase Of Equipment For Golf Course Maintenance

Documents: 7A RESOLUTION 2016- AUTHORIZING THE LEASE-PURCHASE OF GOLF COURSE MAINTENANCE EQUIPMENT.PDF

7.b. Planning Commission Recommendation Regarding Windhaven PDD

7.c. Introduction And 1st Reading Of An Ordinance To Annex By 100 Percent Petition Tax Map Numbers 646-00-00-002, 646-00-00-004, 646-00-00-005, 646-00-00-006, 646-00-00-007, 646-00-00-013, 646-00-00-031, 644-01-01-029, And A Portion Of 646-00-00-018 And To Rezone From RUD In The County To PDD In The City (Windhaven)

Documents: ORD. __ ANNEXATION ORDINANCE - WINDHAVEN.PDF, WINDHAVEN REZONING MAP.PDF, WINDHAVEN PDD STANDARDS REV 3-17-16 FINAL.PDF

7.d. Approval Of Bank Agreement, Performance, Labor And Materials Surety Agreement For Lakeridge Phase 2, Pod E, Map 2

Documents: 7D2 PLM AGREEMENT, DG, POD E, MAP 2.PDF, 7D3 GARDENDALE PHASE_2 POD_E MAP_2 BOND - CITY ENGINEER APP.PDF, 7D4 DG POD E MAP 2 CONVEYANCE PLAT.PDF

7.e. Appointment To The York County Natural Gas Authority Board

Documents: 7E1 YCNG AUTHORITY BD - ELLEN WEIR NOMINATION.PDF

7.f. Amendment For PRT Commission

Documents: 7F1 ORDINANCE TO ESTABLISH PRT.PDF

7.g. Resolution In Support Of 4-Year Staggered Terms For York County Council

Documents: 7G RESOLUTION (COUNTY COUNCIL-TERMS).PDF

8. City Manager's Report

9. Public Comments

10. Council Comments

11. Executive Session

11.a. Legal Advice Incident To Fire Station Funding

12. Adjournment

DRAFT MINUTES UNTIL APPROVED BY COUNCIL

City of
TEGA CAY, SOUTH CAROLINA

Regular City Council Meeting Minutes
Philip T. Glennon Center – Council Chambers
15077 Molokai Drive, Tega Cay, SC
Tuesday, February 16, 2015
6:00 p.m.

Councilmembers Present: *Mayor George Sheppard, Mayor Pro Tempore David O'Neal, Councilmembers Dottie Hersey, Ryan Richard and Jennifer Stalford. A quorum was present.*
Staff Present: *Charlie Funderburk, City Manager; Sylvia Szymanski, Municipal Clerk; Susan Britt, Planning and Development Manager; and City Attorney Bob McCleave*
The Press was duly notified of the meeting.

Mayor George Sheppard called the meeting to order at 6:00 p.m. and noted it was a Regular City Council meeting. He then led the Pledge of Allegiance and a Moment of Silence.

ITEM 1 JOINT PUBLIC HEARING WITH PLANNING COMMISSION

A. Rezoning of TMS# **646-00-00-062** *(former Suite property currently owned by City adjacent to City Hall)* from BD-1 in the County to GI in the City as a part of a 100 Percent Petition Annexation

No comments to this rezoning.

B. Rezoning of TMS# **644-00-00-030** *(Dam Rd.)* from RUD in the County to B-2 in the City as a a part of a 100 Percent Petition Annexation

Susan Britt, Planning & Development Manager, described rezoning said property to business for commercial purposes as requested by the petitioner who also asked to be annexed. City Manager Funderburk followed up with details should Signature Waste contract for that site.

Public Comments

1. Darryl McDaniel, 2200 Dam Road, opposed an operations center for Signature Waste at this location.
2. John Sherwood, Tepa Place, expressed concern with traffic and road conditions at this location.

C. Rezoning of TMS#s **646-00-00-002**, **646-00-00-004**, **646-00-00-005**, **646-00-00-006**, **646-00-00-007**, **646-00-00-013**, **646-00-00-031**, **644-01-01-029**, and a portion of **646-00-00-018** from RUD in the County and B-2 in the City of Tega Cay to PDD in the City *(Windhaven)*

Susan Britt described the parcel followed by Council discussion.

Public Comments

1. Frank Sabato, 1709 Bentgrass Lane, a 3-year resident, shared concerns about growth. Patio homes and town homes reduce quality of life in Tega Cay and they reduce average household income.
2. Frank McCollum, 7004 Tega Cay Drive, presented his analysis regarding taxes, revenues, expenses and profitability. Although pro-growth, his biggest concern is the dilution of his vote, he requested more facts.
3. John Sherwood, 10035 Tepa Place, considers himself pro-growth. He disclosed this is advantageous commercially, but a school at this site limits licensing for restaurants which could be attractive to historic Tega Cay. He questioned police/fire service and consideration of a York County Council moratorium.
4. Vincent DesRosiers, 7124 Topsail Circle, commented this is not the City he moved to 3 years ago. Baxter is the only planned community and illustrated need for delay to leverage a plan for this space. He asked Council to put together a plan.

D. Rezoning of TMS#s **646-00-00-016** from B-1 (Neighborhood Business) to GI (Government & Institutional)- *City Hall*, **643-07-01-014** from B-2 (General Business) to GI *(Police Station)*, a Portion of **643-07-01-001** from B-1 to GI (Glennon Center), **644-01-01-345** from B-2 to PARK *(Memorial Gardens),* **644-01-01-020** from B-2 and PARK to PARK (Trailhead Park), **644-02-01-001** from B-1 to

PARK *(Trailhead Park- restroom area next to Shoreline Parking lot),* **644-02-01-002** from B-1 to PARK (Shoreline Pkwy Parking lot for Trailhead Park), **644-01-01-120** from B-1 to PARK *(gravel lot and pier area adjacent to Beach & Swim Center)*
Susan Britt explained the effort to comply with actual land uses. There was little discussion and no public comment.

E. Rezoning of TMS#s **644-02-01-014** from B-1 to GI *(Gold Hill Elementary & Gold Hill Middle Schools)*, **644-01-01-250** from B-1 to GI *(Tega Cay Elementary School)*
Susan Britt explained government institutional zonings. There was no discussion.
1. Jackie Travieso of 29031 Windjammer questioned percentage of open space when acquiring land. Susan Britt followed up with a description of ordinances and use of acreage.

MOTION
Councilmember Hersey motioned for a 5-minute break, seconded by Mayor Pro Tem O'Neal and approved unanimously.

*Council entered into a short break at 7:36pm and returned to session at 7:45pm***.**

MOTION
Councilmember Hersey motioned to table Item 5C to the Special March 3 Council Meeting, seconded by Mayor Pro Tem O'Neal and passed unanimously.

ITEM 2 PUBLIC COMMENTS
1. Rick Walker, 947 Rocky Point Lane, a previous game warden, commented that one of the reasons for moving here was the abundant wildlife and he wants the deer to be left alone.
2. Amy Bennison, 10031 Bora Bora Drive, remarked on SC population growth, its wildlife impact, reliability of spotlight surveys, and stewardship of the environment.
3. John Sherwood of Tepa Place, asked for clarification on peddlers in the community and when to call non-emergency or emergency police numbers. City Manager Funderburk spoke to peddlers having business licenses. He encouraged anyone who sees a suspicious person, call the police.
4. Jackie Trevioso, 29031 Windjammer Drive, noted the Tega Cay deer influenced her home purchase and shared her opposition to select killing but rather survival of the fittest and hopes for community input.

ITEM 3 APPROVAL OF MINUTES
Mayor Sheppard noted no changes to the January 19, 2016 minutes and the minutes were approved.

ITEM 4 SPECIAL PRESENTATION
A. SCDNR Deer Study
Jeff Whitt of SCDNR commented on the December 16, 2015 spotlight deer survey covering over eight miles along the golf course. 47 deer were spotted which would equate to 67 deer per square mile or one deer per eleven acres. Councilmember Stalford stated the City does not have a problem here, but rather a social issue.
B. Mr. Putty's Fun Park
Chris Scuderi outlined his plan to build a miniature golf course and adventure park with snack stations behind the Tega Cay Mobil station.

ITEM 5 NEW BUSINESS
A. Award for Fire Department RFP
Chuck Randolph, Randolph and Sons Construction and Architect, Keith Carlan presented their experience and designs. City Manager Funderburk commented that construction could begin by June with an 11-month construction schedule once plans are approved with an open by spring 2017. This station would be located near Walmart.

MOTION
Councilmember Hersey motioned to award the RFP for Fire Station 2 to Randolph and Sons Builders and direct the City Manager to bring back to City Council the necessary contracts and funding solution for consideration prior to a notice to proceed being given, seconded by Councilmember Stalford and approved unanimously.

B. Planning Commission Recommendation

Susan Britt announced for Item 1A: Tax Map 646-00-00-062 (*Suite property*), was to recommend approval. On Item 1B for rezoning of Tax Map #644-00-00-030 (*Dam Road property*) RUD to B2, the recommendation was denial but consideration should be given to Mixed Use District rather than B2. However, this lot does not meet the acreage requirements for Mixed Use which is five acres as this property is less than 5 acres. When asked for clarification, Ms. Britt commented the denial centered on B2 district, county rural residential zoning and GI, as well as the public hearing comments. The Planning Commission tabled any Windhaven PDD recommendation. The recommendation on Item D for rezoning (*City-owned property*) was for approval. For Item 1E (*school-owned property*) rezoning, recommendation was for approval.

C. Introduction and 1st Reading of an Ordinance to Annex by 100 Percent Petition Tax Map Number 646-00-00-062 and to Rezone from BD-1 in the County to GI in the City

MOTION
Councilmember Stalford motioned to approve the motion as stated, seconded by Councilmember Hersey and approved unanimously.

D. Introduction and 1st Reading of an Ordinance to Annex 100 Percent Petition Tax Map Number 644-00-00-030 and to Rezone from RUD in the County to B-2 in the City

MOTION
Councilmember Hersey motioned to approve the motion as stated, no second, motion failed.

E. Introduction and 1st Reading of an Ordinance to Annex by 100 Percent Petition Tax Map Numbers 646-00-00-002, 646-00-00-004, 646-00-00-005, 646-00-00-006, 646-00-00-007, 646-00-00-013, 646-00-00-031, 644-01-01-029, and a portion of 646-00-00-018 and to Rezone from RUD in the County to PDD in the City - TABLED Prior to Item 2

F. Introduction and 1st Reading of an Ordinance to Rezone Tax Map Numbers 646-00-00-016 from B-1 to GI, 643-07-01-014 from B-2 to GI, a Portion of 643-07-01-001 from B-1 to GI, 644-01-01-345 from B-2 to PARK, 644-01-01-020 from B-2 and PARK to PARK, 644-02-01-001 from B-1 to PARK, 644-02-01-002 from B-1 to PARK, 644-01-01-120 from B-1 to PARK

MOTION
Councilmember Hersey motioned to approve the motion as stated, seconded by Mayor Pro Tem O'Neal and approved unanimously.

G. Introduction and 1st Reading of an Ordinance to Rezone Tax Map Numbers 644-02-01-014 and 644-01-01-250 from B-1 to GI

MOTION
Councilmember Ryan motioned to approve the motion as stated, seconded by Councilmember Hersey and approved unanimously.

H. Street Acceptance for entirety of Celandine Way, Bergamot St., Rosebud Ct., Basil Ct., Violet Ct. and Verbena Ct.; for the remaining portions of Angelica Lane, Annatto Way, Rosemary Lane and Gladiola Way; and sections of Cilantro Ct (as shown in Phase 1, Pod C, Map 2) and Coralbell

Lane (as shown in Phase 1, Pod C, Map 1 & Map 2), and Hazel St. (as shown in Phase 1, Pod C, Map 3)

City Manager Funderburk indicated these streets have met or exceeded the minimum buildout of 75% per street, have been inspected and meet City standards.

MOTION

Councilmember Stalford motioned to approve the motion as stated contingent upon the City Attorney's review of the necessary deed and documents, seconded by Councilmember Richard and approved unanimously.

I. Discussion regarding Volunteer Opportunities/Committees

City Manager Funderburk described new opportunities for the community to become engaged in a Parks, Recreation, Tourism Commission with five appointed by Council to include a liaison from Tega Cay Connect, a marketing/fundraising member, a community events member, a recreation member and a park and facilities member. Additional volunteers would create ad hoc groups for specific events. Opportunities would be listed on the City's website and each volunteer would be forwarded to the appropriate commission member. Meetings would take place quarterly and these volunteers would disseminate the information to their neighborhoods. This provides different levels of involvement to specific events. There was some discussion. An amendment will be made to Code for a PRT Commission.

ITEM 6 CITY MANAGER'S REPORT

City Manager Funderburk said the cost to trap coyotes is $2,850 per week. His recommendation is to do nothing but if residents are confronted, contact the police. Per the workshop, the City has posted a growth map on the City's website. York County incorrectly billed the residents for storm water fees on their taxes, so in March, there will be a one-time charge of $12 in the utility bill. The City now has a Parks & Rec Facebook page and a Tega Cay Utilities Facebook page. Polar Plunge raised $11,000 and Chief Parker thanked Chief Szymanski and the Fire Department for their bonfire and lunch. The Police Department's mobile units have been installed and part of the staff will act as trainers and it will be fully operational at the end of the month. Kathy Masters and Doug Burns will spearhead sign regulations review. Eddie Z's Concert for Kidneys has been rescheduled for April 9 at 6pm at Runde Park with bands and food trucks and a kids' amusement area. Chief Parker's son, Alex, turned 17 this weekend. While at Sugar Mountain this weekend, Alex found a 10-year old who had broken his arm so he stayed with him until help arrived. On the way home, an SUV flipped over front end over end and side over side. Chief Parker and Alex broke out the windshield, Alex cleared the remaining glass from the windshield and pulled the driver from the car. He then climbed on top of the vehicle to open the passenger side door and pulled the passenger out to safety. The City is proud of our staff and their families.

ITEM 7 PUBLIC COMMENTS

1. Linda Stevenson, 3024 Point Clear Drive, finds the number of deer the City unacceptable and as they multiply, there will be a real problem.
2. Betty Worrell, Heron Run Drive, mentioned recent deer/car collisions to herself and a neighbor.
3. Bill Hayes asked the City to consider reduplicating the current fire station to reduce costs.

ITEM 8 COUNCIL COMMENTS

Councilmember Ryan was happy with the turnout for this meeting.

Councilmember Stalford asked about recycling. City Manager Funderburk said he has heard nothing new from Signature Waste. The City continues to get pricing for the sidewalk near the fountain. The Beautification Committee is having a meeting on Thursday at 1:15 of the Glennon Center. Their next workday is Wednesday at 9am in the Living Memorial Gardens, but wear gloves and bring tools. There is also a new junior (ages 8-13) Croquet Club. If interested, Terry Hunt at 803-548-0810 can give your more information.

Councilmember Hersey was also happy to see the turnout and based on tonight's discussion, she changed her mind on several items. The City is making progress on food and beverage and hopefully in the next few weeks, there will be a strategy in moving forward. She would still like to see in the City Manager's report, an update on problems with TCUD. Kudos to Alex Parker, the Police Chief's son.

Mayor Pro Tem O'Neal mentioned the next Special Meeting is March 3 in the Glennon Center.

Mayor Sheppard reiterated the numbers for new housing from York County. Total for York County was 3,575, Tega Cay was 1,148, and Fort Mill was 5,164 for a total of 9,887. That does not include the PDD that was approved by the county for maximum 600 residential homes where Knight Stadium used to be. It is ironic for the county to approve that housing, but then decide to go on a housing freeze.

ITEM 9 Executive Session

A. Discussion Incident to Contractual Matters Related to Food and Beverage Services

MOTION

Councilmember Hersey motioned to go into Executive Session for the purpose of having a discussion incident to Contractual Matters related to food and beverage, seconded by Councilmember Stalford and passed unanimously.

Council entered into Executive Session at 9:06 p.m. and exited at 10:10 p.m. Mayor Sheppard noted only those items on the agenda were discussed and no votes were taken other than to return to open session.

ITEM 12 ADJOURNMENT

MOTION

There being no further business, Councilmember Richard motioned to adjourn the meeting, seconded by Councilmember Hersey and approved unanimously.

The meeting was adjourned at 10:11 p.m.

Respectfully Submitted,

[SEAL]

_____

Sylvia Szymanski, Municipal Clerk

APPROVED:

_____

George Sheppard, Mayor

APPROVAL DATE: March 21, 2016

City of
TEGA CAY, SOUTH CAROLINA

Special City Council Workshop Minutes
Philip T. Glennon Center – Council Chambers
15077 Molokai Drive, Tega Cay, SC
Monday, February 1, 2016
6:00 p.m.

Councilmembers Present: *Mayor George Sheppard, Mayor Pro Tempore David O'Neal, Councilmembers Dottie Hersey, Ryan Richard and Jennifer Stalford. A quorum was present.*
Staff Present: *Charlie Funderburk, City Manager; Katie Poulsen, Assistant City Manager*
The Press was duly notified of the meeting.

Mayor George Sheppard called the meeting to order at 6:00 p.m. and noted it was a Special City Council workshop. He then led the Pledge of Allegiance and a Moment of Silence.

MOTION
Councilmember Richard motioned to allow public comments following the same protocol as regular city council meetings prior to Item 1A on the agenda, seconded by Mayor Sheppard. Motion passed 4:1 with Councilmember Hersey dissenting.

ITEM 1 PUBLIC COMMENTS
1. Kathy Masters, 4072 Point Clear, asked the City to work with the County as it relates to growth.

2. John Sherwood, 10035 Tepa Place, asked for descriptive information on the City's website on golf carts, ATVs, etc., including what is state law.

ITEM 2 WORKSHOP DISCUSSION
A. Sidewalk at Shoreline & Tega Cay Drive
City Manager Funderburk discussed previous funding for the sidewalk prior to the signalization by SCDOT. Pricing for sidewalk, handicapped ramps, and two crosswalks totaled $14,475, while relocating utilities could cost $5,000 to $8,000. The total project cost is $22,475. After some discussion, it was determined that City Manager Funderburk will investigate further into TEP (Transportation Enhancement Program) funds and Susan Britt could follow up with David Hooper.

B. Ordinance 77 – Sign Regulations
City Manager Funderburk presented some changes that had occurred October, 2015. Discussion ensued about new zoning districts and their needs. Local business owners suggested conducting a survey. City Manager Funderburk noted he would ask Susan Britt to put this item on the next Planning Commission agenda. Mayor Sheppard asked for legal advice. Mayor Pro Tem O'Neal also asked for verbiage on sign placement.

C. Volunteer Committees
Mayor Sheppard proposed getting more people involved. Discussion included ad hoc versus standing committees, along with the idea of an ad hoc marketing group for Catawba Park. The City Manager would discuss this matter with senior staff and come back to Council with their thoughts.

D. Golf Carts
Mayor Pro Tem O'Neal commented on the state statute that is in existence. Mayor Sheppard suggested creating a form letter and beginning a letter writing campaign, followed up by phone calls. City Manager Funderburk mentioned the biggest complaint was children driving the carts with their friends. Councilmember Stalford noted if night time driving is not curbed, the City may consider issuing tickets since she has not noticed any improvement.

E. Growth
City Manager Funderburk presented a York County map which shows incorporated Fort Mill and Tega Cay, preliminary plats, and commercial properties. Discussion centered on residential zoning districts, open space, buildable lots, and the City's potential consideration of decreasing density numbers. The Mayor indicated revisiting having a land use plan for Tega Cay, Fort Mill, and the county.

ITEM 3 PUBLIC COMMENTS
1. Kathy Masters of Point Clear mentioned the City does have the rooftops to increase economic development.

2. John Sherwood of Tepa Place brought up having an Economic Development Committee to impact more business opportunities because the City is not considered business friendly.

ITEM 4 COUNCIL COMMENTS
Councilmember Hersey expressed concern about having too many items on the agenda for discussion. To have public comments while the Council is doing a working session may become unmanageable.

Councilmember Stalford was happy to see some attendees at the workshop.

ITEM 4 EXECUTIVE SESSION

A. Discussion incident to Contractual Matters as it relates to Food and Beverage

MOTION

Councilmember Hersey motioned to go into Executive Session for a discussion incident to Contractual Matters related to Food and Beverage, seconded by Councilmember Stalford and passed unanimously.

Council entered into Executive Session at 7:41 p.m. and exited at 8:21p.m. Mayor Sheppard noted only those items on the agenda were discussed and no votes were taken other than to return to open session.

ITEM 12 ADJOURNMENT
MOTION
There being no further business, Councilmember Richard motioned to adjourn the meeting, seconded by Councilmember Hersey and approved unanimously.

The meeting was adjourned at 8:36 p.m.

[Signature page to follow]

Respectfully Submitted,

[SEAL]

_____
Sylvia Szymanski, Municipal Clerk

APPROVED:

_____
George Sheppard, Mayor

APPROVAL DATE: March 21, 2016

City of
TEGA CAY, SOUTH CAROLINA

Special City Council Meeting Minutes
Philip T. Glennon Center – Council Chambers
15077 Molokai Drive, Tega Cay, SC
Thursday, March 3, 2015
6:00 p.m.

Councilmembers Present: *Mayor George Sheppard, Mayor Pro Tempore David O'Neal, Councilmembers Dottie Hersey, Ryan Richard and Jennifer Stalford. A quorum was present.*
Staff Present: *Charlie Funderburk, City Manager; Szymanski, Municipal Clerk; and City Attorney Bob McCleave*
The Press was duly notified of the meeting.

Mayor George Sheppard called the meeting to order at 6:00 p.m. and noted it was a Special City Council meeting. He then led the Pledge of Allegiance and a Moment of Silence.

ITEM 1 EXECUTIVE SESSION
1. Discussion incident to Contractual Matters regarding Food and Beverage

MOTION
Councilmember Hersey motioned to go into Executive Session for a discussion incident to contractual matters regarding food and beverage, seconded by Councilmember Richard and passed unanimously.

Council entered into Executive Session at 6:01 p.m. and exited at 6:43 p.m. Mayor Sheppard noted only those items on the agenda were discussed and no votes were taken other than to return to open session.

ITEM 2 PUBLIC COMMENTS
1. Jeff Chapman, 807 Ledgestone Ct., asked about completion of the Stonecrest roundabout. City Manager Funderburk indicated it would take eight weeks after placement of the gas line, and completion is estimated at May or June.
2. Terry Hunt, 994 Knob Creek Lane announced a new Junior Croquet program with four clinics and a tournament for boys and girls ages 8-13. Thursday, March 10 at 6:30pm and Saturday, March 12 at 4pm are sign up dates at the Glennon Center. The tournament takes place on Saturday, April 30 at 2pm.

MOTION
Councilmember Stalford motioned to amend the agenda to include Item 6B under Executive Session to include contractual matters regarding water and sewer service with York County, seconded by Councilmember Richard and passed unanimously.

ITEM 3 UNFINISHED BUSINESS
A. 2nd Reading of an Ordinance to Annex by 100 Percent Petition Tax Map Number 646-00-00-062 and to Rezone from BD-1 in the County to GI in the City *(former Suite property currently owned by City adjacent to City Hall)*

MOTION
Councilmember Richard motioned to approve the Ordinance as stated, seconded by Councilmember Hersey and passed unanimously.

ITEM 4 NEW BUSINESS

A. Food and Beverage Contract

City Manager Funderburk reported that the City has successfully negotiated a food and beverage license agreement with John Weinbrenner, the president of all three City Tavern locations. He will present at the next regular Council meeting.

MOTION

Councilmember Hersey motioned to approve the food and beverage license agreement to authorize the City Manager to use $40,000 from H-Tax to upgrade the restaurant and bar area prior to the effective date of the agreement and authorize the City Manager to execute said agreement with said edits by the City Manager, seconded by Mayor Pro Tem O'Neal and passed unanimously.

ITEM 5 COUNCIL COMMENTS

Councilmember Hersey mentioned a story in last week's Fort Mill Times about growth. It contained a statement by Mayor Pro Tem O'Neal, which may have been misquoted, saying the City Council was opposed to a moratorium on new construction. She noted there had been no such real discussion by Council, no vote on a moratorium and stated, "I want to set the record straight in case anyone had read that article and thought they missed something. That has not happened. I do not know Council's views on it, but if it ever comes up for a discussion and vote, we shall figure it out at that point."

Councilmember Richard asked residents to stay active and stay informed. Get friends, family and neighbors to come to the March 21 Council meeting and you can hear from John Weinbrenner on food and beverage.

Councilmember Stalford commented that Mr. Putty had a great groundbreaking. Check them out on Facebook. They are in Tega Cay and we want to support them. In Lake Ridge on Gardendale there are reports of speeding. She asked for the Police speedometer board to be placed there as a reminder.

Mayor Sheppard recently attended the Charlotte Regional Alliance Transportation Committee in Kannapolis last Monday. They have many concerns, as do we. South Carolina is still feeling the effects of the recent floods. The state is coming back strong. We do not have nearly the problems that North Carolina has on their roads. It appears that the gas tax is not going to happen.

ITEM 6 Executive Session

A. Legal Advice Incident to Funding for Fire Station & Catawba Park
B. Discussion on Contractual Matters regarding Water and Sewer Service with York County

MOTION

Councilmember Stalford motioned to go into Executive Session for the purpose of receiving legal advice incident to funding the fire station and Catawba Park and to include contractual matters regarding water and sewer service with York County, seconded by Councilmember Hersey and passed unanimously.

Council entered into Executive Session at 7:00 p.m. and exited at 8:02 p.m. Mayor Sheppard noted only those items on the agenda were discussed and no votes were taken other than to return to open session.

ITEM 7 ADJOURNMENT

MOTION

There being no further business, Councilmember Richard motioned to adjourn the meeting, seconded by Councilmember Stalford and approved unanimously.

The meeting was adjourned at 8:02 p.m.

Respectfully Submitted,

[SEAL]

_____
Sylvia Szymanski, Municipal Clerk

APPROVED:

_____
George Sheppard, Mayor

APPROVAL DATE: _ March 21, 2016 _

STATE OF SOUTH CAROLINA)
COUNTY OF YORK) **ORDINANCE ___**
CITY OF TEGA CAY)

TO REZONE TAX MAP NUMBERS 646-00-00-016, 643-07-01-014, A PORTION OF 643-07-01-001, 644-01-01-345, 644-01-01-020, 644-02-01-001, 644-02-01-002 AND 644-01-01-120 OWNED BY THE CITY OF TEGA CAY

WHEREAS, the City of Tega Cay desires to rezone Tax Map Numbers 646-00-00-016, 643-07-01-014, a Portion of 643-07-01-001, 644-01-01-345, 644-01-01-020, 644-02-01-001, 644-02-01-002, and 644-01-01-120 owned by the City of Tega Cay; and

WHEREAS, these properties were acquired by the City at a time when only limited classifications existed in its Land Use and Zoning Ordinances; and

WHEREAS, with the adoption of the 2015-2025 Comprehensive Plan, the need for additional zoning classifications were identified; and

WHEREAS, in October 2015, City Council did amend the City's Zoning Ordinance to create additional zoning districts to further encapsulate those parcels within, and adjacent to, the City limits; and

WHEREAS, it is in the best interest of the City to rezone these parcels to be consistent with the standards and character of the approved Land Use and Zoning Ordinances and the 2015-2025 Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Tega Cay duly assembled:

SECTION 1. Tax Map Number 646-00-00-016 be rezoned from B-1 (Neighborhood Business) to GI (Government & Institutional)

SECTION 2. Tax Map Number 643-07-01-014 be rezoned from B-2 (General Business) to GI

SECTION 3. Tax Map Number a portion of 643-07-01-001 be rezoned from B-1 to GI

SECTION 4. Tax Map Number 644-01-01-345 from B-2 to PARK

SECTION 5. Tax Map Number 644-01-01-020 from B-2 and PARK to PARK

SECTION 6. Tax Map Number 644-02-01-001 from B-1 to PARK

SECTION 7. Tax Map Number 644-02-01-002 from B-1 to PARK

SECTION 8. Tax Map Number 644-01-01-120 from B-1 to PARK

FIRST READING: **February 16, 2016**
SECOND READING: **March 21, 2016__**
PUBLIC HEARING: **February 16, 2016**

Enacted this 21ST day of March, 2016, by a majority vote of the duly elected City Council of the City of Tega Cay, South Carolina.

SIGNED: **CITY OF TEGA CAY**

_____
George C. Sheppard, Mayor

[SEAL]

_____
David L. O'Neal, Mayor Pro Tempore

_____
Dottie Hersey, Council Member

_____
Ryan Richard, Council Member

_____
Jennifer Stalford, Council Member

ATTEST:

_____
Charlie Funderburk, City Manager

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the City Council of the City of Tega Cay, South Carolina, held on the ____ day of _____, 2016.

Sylvia Szymanski

_____
Municipal Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF YORK) **ORDINANCE ___**
CITY OF TEGA CAY)

TO REZONE TAX MAP NUMBERS 644-02-01-014 AND 644-01-01-250 OWNED BY THE FORT MILL SCHOOL DISTRICT

WHEREAS, the City of Tega Cay desires to rezone Tax Map Numbers 644-02-01-014 and 644-01-01-250 owned by the Fort Mill School District; and

WHEREAS, these properties were zoned by the City at a time when only limited classifications existed in its Land Use and Zoning Ordinances; and

WHEREAS, with the adoption of the 2015-2025 Comprehensive Plan, the need for additional zoning classifications were identified; and

WHEREAS, in October 2015, City Council did amend the City's Zoning Ordinance to create additional zoning districts to further encapsulate those parcels within, and adjacent to, the City limits; and

WHEREAS, it is in the best interest of the City and property owner to rezone these parcels to be consistent with the standards and character of the approved Land Use and Zoning Ordinances and the 2015-2025 Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Tega Cay duly assembled:

SECTION 1. Tax Map Number 644-02-01-014 be rezoned from B-1 (Neighborhood Business) to GI (Government & Institutional)

SECTION 2. Tax Map Number 644-01-01-250 be rezoned from B-1 (Neighborhood Business) to GI (Government & Institutional)

FIRST READING: **February 16, 2016**
SECOND READING: **March 21, 2016**
PUBLIC HEARING: **February 16, 2016**

Enacted this 21st day of March, 2016, by a majority vote of the duly elected City Council of the City of Tega Cay, South Carolina.

[Signature Page to Follow]

SIGNED: **CITY OF TEGA CAY**

_____
George C. Sheppard, Mayor

[SEAL]

_____
David L. O'Neal, Mayor Pro Tempore

_____
Dottie Hersey, Council Member

_____
Ryan Richard, Council Member

_____
Jennifer Stalford, Council Member

ATTEST:

_____
Charlie Funderburk, City Manager

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the City Council of the City of Tega Cay, South Carolina, held on the 21st day of March, 2016.

Sylvia Szymanski

_____
Municipal Clerk

Tega Cay Neighborhoods

Tega Cay
Major Road
Minor Road
York County Boundary
Water Body
Parcels

N
W E
S

0 500 1,000
Feet

North Carolina

River Falls
Heron Harbor
Amber Woods
Water Trace
Meadowview
Trailridge
Seven Coves
Hunters Run
Cameron Creek
Stonecrest
River Bend
Emerald Pines
Stonecrest Villas
Beach Club Townhomes
Windsong Bay
Calloway
Serenity Point
Bora Bora
Chestnut Hill
Fairway Point
Silver Gull Townhomes
Windjammer
Neptune Landing
Daybreak
Molokai Extension
Lake Forest
River Lakes
Woodhaven
Chelsea Day
Tara Tea
Molokai
Anchorage
Marquesas 1
Molokai 2
Palmyra
Windward
Marquesas 2
Point Clear
Lake Ridge

Catawba Regional Council of Governments
Serving Chester, Lancaster, Union, & York Counties

Map Produced By
Catawba Regional Council of Governments
215 Hampton Street / Post Office Box 450
Rock Hill, South Carolina 29731
(803) 327-9041
www.catawbacog.org

Catawba Regional Council of Governments disclaims any liability or responsibility for damages that may arise from the use of this map or data contained therein. All efforts have been made to ensure accuracy.

Data Sources
Catawba Regional COG; York County; Tega Cay

Updated Date
3/14/2016

File Location
n:/projects/york_county/Tega Cay

RESOLUTION 2016-__

A RESOLUTION AUHORIZING THE LEASE/PURCHASE OF EQUIPMENT FOR GOLF COURSE MAINTENANCE IN THE FORM OF AN EQUIPMENT LEASE/PURCHASE AGREEMENT NOT TO EXCEED $217,000

WHEREAS, the Tega Cay Golf Management Group has presented their FY 2015-2016 Operations Budget for Council comments, the City of Tega Cay does authorize the lease/purchase of golf course maintenance equipment for the Tega Cay Golf Club; and

WHEREAS, the Tega Cay City Manager has now presented a proposal for the financing of such equipment.

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The City hereby determines to finance the golf course maintenance equipment through South State Bank, in accordance with the proposal attached hereto. The amount financed shall not exceed $217,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.554% and the financing term shall not exceed 4 years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the equipment as contemplated by the proposal and this resolution. <u>The Financing Documents shall include an Equipment Lease/Purchase Agreement, payment schedule, Equipment Acceptance Notice, Essential Use Letter and Resolution by the City of Tega Cay.</u>

3. The City Manager is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The City Manager is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the City Manager shall approve, with the City Manager's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and

interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 21st day of March, 2016.

SIGNED:

CITY OF TEGA CAY

_____
George C. Sheppard, Mayor

[SEAL]

_____
David L. O'Neal, Mayor Pro Tempore

_____
Dottie Hersey, Council Member

_____
Ryan Richard, Council Member

ATTEST:

_____
Charlie Funderburk, City Manager

_____
Jennifer Stalford, Council Member

Certificate of Adoption

I hereby certify that the foregoing is a true copy of the resolution passed at the regular meeting of the City Council of the City of Tega Cay, South Carolina, held on the 21st day of March, 2016.

Sylvia Szymanski

_____
Municipal Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF YORK) **ORDINANCE ___**
CITY OF TEGA CAY)

TO ANNEX BY 100 PERCENT PETITION METHOD, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE CITY OF TEGA CAY, APPROXIMATELY ± 122.2 ACRES, TAX MAP NUMBERS 646-00-00-002, 646-00-00-004, 646-00-00-005, 646-00-00-006, 646-00-00-007, 646-00-00-013, 646-00-00-031, 644-01-01-029, AND A PORTION OF 646-00-00-018, ADJACENT TO THE BOUNDARY LINE OF THE CITY, AS DESCRIBED ON THE SITE PLAN ATTACHED HERETO AND INCORPORATED BY REFERENCE AND TO REZONE FROM YORK COUNTY B-2 TO CITY OF TEGA CAY PDD

WHEREAS, the owners of the real estate designated as York County Tax Map Numbers 646-00-00-002, 646-00-00-004, 646-00-00-005, 646-00-00-006, 646-00-00-007, 646-00-00-013, 646-00-00-031, 644-01-01-029, and a portion of 646-00-00-018, located on Gold Hill Road and containing ± 122.2 acres, as described on the attached site plan, has petitioned the City Council of the City of Tega Cay to annex to the City of Tega Cay.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Members of City Council of the City of Tega Cay duly assembled:

SECTION I. That the described land on the attached plats and all adjacent rights-of-way, contiguous to the boundary of the City of Tega Cay is hereby annexed to, taken into and made a part of the City of Tega Cay.

SECTION II. That the property above described and hereby annexed shall be Planned Development District (PDD) under the Zoning Ordinance of the City of Tega Cay.

SECTION III. This ordinance shall be effective from and after the date that the Property Owners transfer the above-described property to Development Solutions Group through a deed recorded in the Office of the Register of Deeds, York County, South Carolina. If the property is not transferred within one-hundred and twenty (120) days from the date of adoption, this ordinance shall be of no force or effect.

FIRST READING: _____
SECOND READING: _____

Enacted this __ day of _____, 2016, by a majority vote of the duly elected City Council of the City of Tega Cay, South Carolina.

SIGNED: **CITY OF TEGA CAY**

_____
George C. Sheppard, Mayor

[SEAL]

_____
David L. O'Neal, Mayor Pro Tempore

_____
Dottie Hersey, Council Member

_____
Ryan Richard, Council Member

_____
Jennifer Stalford, Council Member

ATTEST:

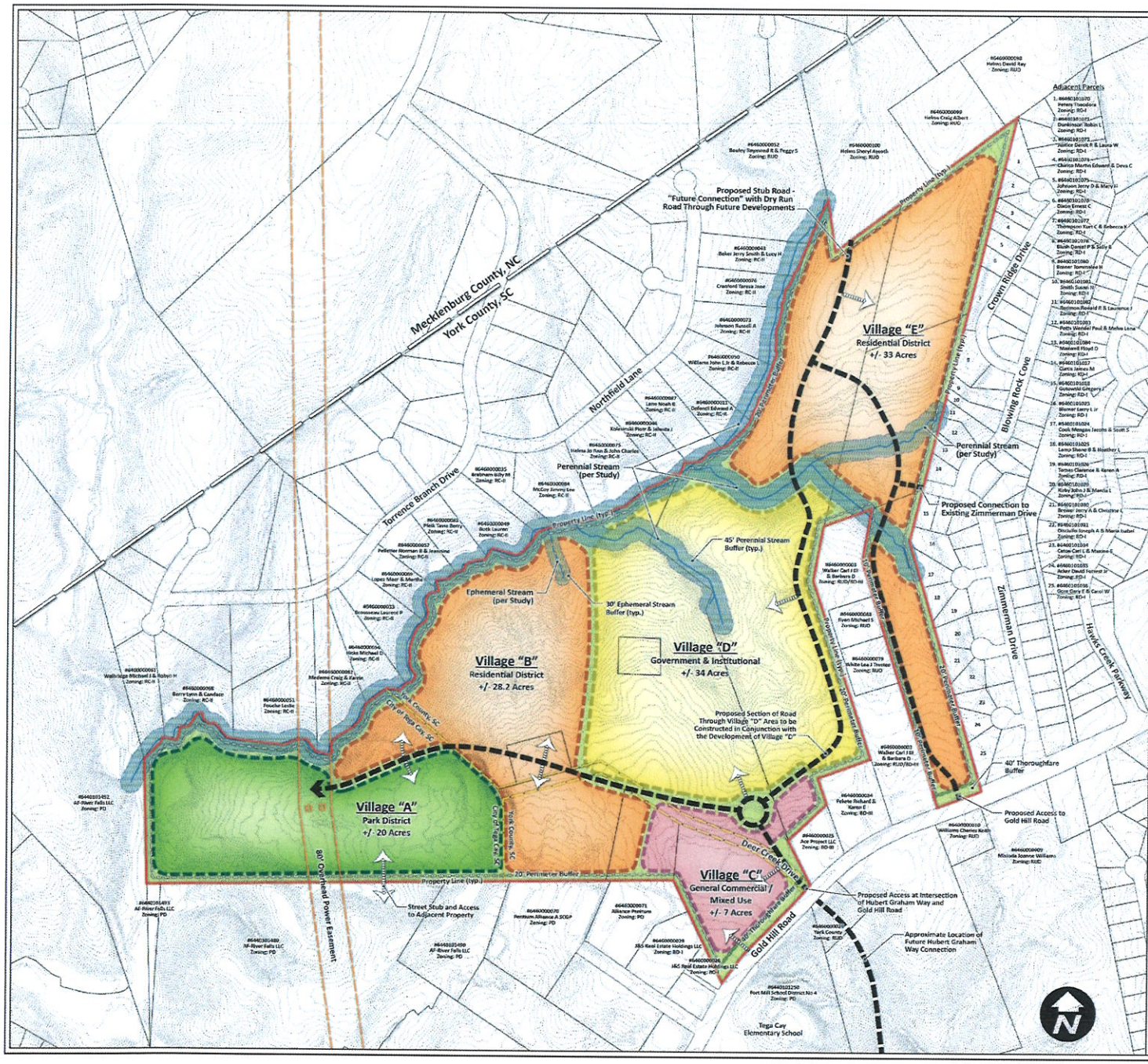
_____
Charlie Funderburk, City Manager

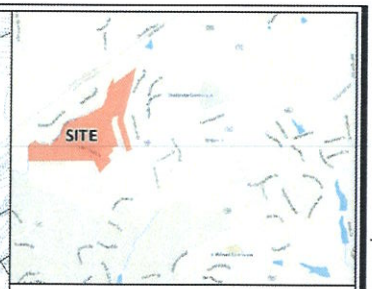
Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the City Council of the City of Tega Cay, South Carolina, held on the ____ day of _____, 2016.

Sylvia Szymanski

_____
Municipal Clerk





Vicinity Map

Not To Scale

Site Data

Tax Parcels:	6460000002, 6460000004, 6460000005, 6460000006, 6460000007, 6460000013, 6460000018, 6460000031 & 6440101029
Total Acreage:	+/- 122.2 Acres
Location:	City of Tega Cay & York County, SC
Zoning:	
Existing:	
Town:	B-2, Scenic Overlay (City of Tega Cay)
County:	RUD (York County)
Proposed:	PDD (City of Tega Cay)

Village	Acres	Land Usage
Village "A"	+/- 20 Acres	Park District
Village "B"	+/- 28.2 Acres	Residential District
Village "C"	+/- 7 Acres	General Commercial/Mixed Use
Village "D"	+/- 34 Acres	Government & Institutional
Village "E"	+/- 33 Acres	Residential District

Open Space:
Required: +/- 12.2 AC (10%)
Proposed: +/- 30.0 AC (24%)*
*Consists of the 20 acre Park Dedication & 10% of remaining acreage

Proposed Units / Square Feet per Village

Village "A"	N/A (Park District)
Village "B" & "E"	400 Units (Residential District)
Village "C"	50,000 SF (GC/MU)
Village "D"	500,000 SF (GI) & 100,000 SF (GC/MU)

Total Overall PD Proposed Units & SF	
Residential District	Up to 400 Units
General Commercial / Mixed Use	Up to 150,000 SF
Government & Institutional	Up to 500,000 SF

General Notes:
1. Base information provided by York County GIS Data and "Gold Hill Road" prepared by Carolina Surveyors, Inc., dated July 29, 2008. Base information should be verified for accuracy.
2. All zoning and wetland information utilized in the preparation of this Base Map is considered to be preliminary in nature and subject to change and field verification.
3. Draft - Do not rely on this document.

Floodplain Information
No floodplain located on site, per information obtained from FEMA FIRM Panels 0284J and 0292K effective date of study September 26, 2008.

Stream/Wetland Information
Stream/Wetland information is based on preliminary information provided to ESP through Preliminary Wetland Reports by Carolina Wetland Services consisting of "Deer Creek Drive" dated September 2, 2015 and "Gold Hill Road" dated December 2, 2014. For purposes of preparation of this plan, any potential wetland areas and stream features depicted on the plan are considered to be preliminary in nature and approximate in location.

Access Points/Driveways/Streets
1. Proposed project site entrance locations are considered preliminary in nature and need to be verified for adequate sight distance.
2. All roadway and drive systems are considered to be preliminary and will need to be verified for sufficiency to satisfy or exceed minimum requirements established in the City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development) and applicable standards identified by SCDOT. Street connections are conceptual and may be subject to change based on agency input and review.

Open Space
Open Space areas are conceptual and preliminary. The exact location of these areas may change as client finalizes decisions regarding final layout, product allocation, and other spatially dependent project components such as stormwater areas, wetland areas, utility features, and buffers (as applicable) for this project are better defined.

Potential Stormwater Quality Areas
Location of proposed stormwater areas are conceptual and preliminary and will need to be determined. The exact size and location of these areas will change as the client finalizes decisions regarding final layout, product allocation, and an other proposed changes to the project are better defined. Layout and will create subject to change based on final design of the stormwater areas.

Public Information:
ESP Associates is not responsible for deficiencies caused by incorrect, incomplete, missing or outdated information derived from public sources such as GIS, Planning and Zoning Departments.

ESP
ESP Associates, P.A.
P.O. Box 7030, Charlotte, NC 28241, NC - 704.583.4949
3475 Lakemont Blvd., Fort Mill, SC 29708, SC - 803.802.2440
www.espassociates.com

This drawing and/or the design shown are the property of ESP Associates, P.A. The reproduction, alteration, copying, or other use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.
ESP Associates, P.A.

CLIENT
DSG Development Solutions Group
11121 Carmel Commons Blvd., Suite 360
Charlotte, NC 28226

PROJECT

Windhaven

SHEET TITLE

Planned Development Site Plan

PROJECT LOCATION: City of Tega Cay, SC

GRAPHIC SCALE
200 0 100 200 400
1 INCH = 200 FT.

PROJECT LOCATION	DT62.100
DRAWING NAME	DTSP - Windhaven - Rezoning Submittal.dw
DATE	January 5, 2015
DRAWN BY	AB
CHECKED BY	MK

AGENCY / SUBMITTAL REVISION

NO.	DATE	BY	REVISION
1	1/14/16	MK	Per City Staff Comments
2	2/4/16	MK	Per City Staff Comments
3	2/10/16	MK	Adjust Total Residential Units
4	3/16/16	MK	Adjust Total Residential Units

PLANNED DEVELOPMENT DISTRICT STANDARDS

Windhaven
A Mixed Use Planned Community

1. Statement of General Facts, Conditions and Objectives

Property Size: Approximately 122.2 Acres

York County Tax Map #'s: 6460000002, 6460000004, 6460000005, 6460000006, 6460000007, 6460000013, 6460000018, 6440101029 and 6460000031

The development depicted on the Planned Development Site Plan is intended to reflect the general arrangement of proposed uses on the site. Final configuration, placement, and size of individual site elements may be altered or modified during design development and construction phases, within the limits of the City of Tega Cay Code of Ordinances or as otherwise established through the standards outlined in the Windhaven Planned Development District (PDD) Standards. The Petitioner reserves the right to modify the total number of units and uses identified within individual villages or phases, reallocate units from a village or phase to another, reconfigure street layouts, provided that the maximum density for the entire mixed use development does not exceed the maximum density permitted.

These standards, as established by the Windhaven PDD Standards, as set out below and as depicted on the Planned Development Site Plan shall be followed in connection with development taking place on the site.

2. Land Use Designations and Standards for Development

The land uses authorized for the Windhaven Development consist of:

- Park District
- Residential District (RD)
- General Commercial / Mixed Use (GC / MU)
- Government and Institutional District (GI)

The following represents the respective requirements for the use and development of and within each designated land use area of Windhaven. Apartments are not permitted within the PDD.

3. Overall PDD Density and Districts

The overall density authorized for the Windhaven Development consists of:

- Residential – Up to 400 Units consisting of a balanced mix of Single Family Detached, Patio Homes and Townhomes
- Commercial – Up to 150,000 s.f.
- Government and Institutional – Up to 500,000 s.f.

Note: Residential units may be adjusted and interchanged between all villages and residential uses as long as the total project doesn't exceed a total of 400 total residential units within the boundary of the PDD.

A. Park District

Purpose: The general purpose of the park zoning district is to provide recreation and open space functions for the long-term benefit and enjoyment of city residents and adjacent neighborhoods.
Permitted Uses: Within the Park District, a building or premises shall be used only for active or passive recreation and its associated uses and facilities.

Development Standards: Notwithstanding development standards set forth elsewhere by this use category the minimum requirements within the Park District is as follows:

- 35 foot setback from adjacent residential uses
- Zero lot line setback from non-residential uses

B. Residential District (RD)

Purpose: This district is designed to permit a variety of residential uses at variable densities, based on the characteristics of such uses. Areas so designated are deemed suited to and with market potential for such uses. This designation is applied principally to undeveloped areas where unit and density flexibility will not adversely impact existing residential subdivisions, and where the housing market is sufficiently broad and flexible to meet the various consumer demands.

Permitted Uses: Within RD District, a building or premises shall be used only for the following purposes:

1. Dwelling, single-family, detached.
2. Dwelling, single family attached (patio / townhomes).
3. Duplex, triplex, and quadriplex.
4. Schools, Government and Institutional uses. Public or private, offering general education courses and public utilities.
5. Neighborhood and community parks and centers, golf courses and similar uses.
6. Churches or similar places of worship, including parish houses, parsonages and convents.
7. Customary home occupations.

8. Single family, in-home daycare.
9. Subdivision sales office provided that:
    a. The use serves the subdivision in which it is located.
    b. A site plan is submitted;
    c. The use be terminated upon completion of the sale of ninety-five percent (95%) of the total number of homes and/or lots; provided, however, that a model or demonstration unit may be used for sales purposes until the last unit or lot is sold.

Development Standards: Notwithstanding development standards set forth elsewhere by this use category, Table 1 summarizes the minimum requirements within the RD District. Additional development standards for this district are below:

1. Development will consist of up to 400 residential units as established in Table 1 and consist in a balanced mix of the following:
    a. Single Family Detached
    b. Patio Homes
    c. Townhomes
2. Maximum height of buildings will be three (3) stories, not to exceed 50 feet.
3. No more than one (1) separate maintenance building will be constructed per project site.
4. Detached lighting on the project site will be limited to 15 feet in height. All lighting fixtures will be full cut-off in nature, excluding lower, decorative lighting that may be installed along sidewalks, walking paths, and parking areas.
5. The project site must include access easements to greenways and trails when they exist on adjoining properties.
6. High quality amenities, appropriate to the density of the development, will be provided on project site to include but not limited to:
    a. A club house;
    b. A fitness facility for the residents of the community;
    c. A club room / recreational room;
    d. A pool and pool deck; and
    e. A formal landscape area with seating areas.
7. Surface parking lots shall not be permitted between the buildings and the adjacent public street or in the buffer area but should be located to the side and rear of the lot with building massing facing the public street to the greatest extent possible.
8. Internal streets shall have the option to be private but must meet design approval based on City standards.
9. Sidewalks will be provided along major thoroughfares to provide safe, continuous pedestrian linkages within the PDD and between adjacent developments. In addition, paved walkways will be provided within the project site to provide a connection between buildings, parking locations, and common spaces.
10. HVAC and related mechanical equipment, including roof top mechanical equipment if applicable, will be screened from public view at grade.
11. All new public utility transmission and distribution lines will be placed underground.
12. Cooling towers will not be allowed on the project site.
13. The following Architectural Standards shall apply:

a. The building materials used on the principle buildings will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementatious siding (such as hardi-plank), stucco, or wood. Single Family Detached and Attached at least 35% of the front façade shall be exclusive of windows, doors and roofs, will be constructed of brick, stone and synthetic stone, precast stone or precast concrete.
b. The principle buildings will include a variety of building solutions through the mixing of building profiles, elevations, and distinctive roof forms.
c. The front façade of the principle buildings will be oriented towards the major thoroughfare or street in such manner as to create a public streetscape on a pedestrian scale.
d. Building frontages along streets shall break any flat, monolithic façade by including a variety of architectural features to provide visual interest and a pedestrian scale to the first floor.
e. All Single Family Attached (townhome) units shall have two-car garages.
f. Club House, detached garages, mailbox stations, and any other buildings or structures shall match the architectural appearance of the principle buildings.
g. Within the PDD, walls used to enclose the compactor and/or recycling facility will be architecturally compatible with the building materials and colors used on the nearby principle buildings.

[redacted]

RHD DEVELOPMENT STANDARDS
PERMITTED RESIDENTIAL USES

	Single Family Detached	Patio and Atrium Houses	Duplex Residences	Single Family Attached Townhouses	Multi-plex - Triplex / Quadriplex
Minimum lot area per dwelling (sq. ft.)	6,000	4,000	8,000	1,800	N/A
Minimum site area Project (acres)	N/A	1	1	1	2
Lot Width (feet)	50	40	20	20	N/A
Minimum yard and building setback:	N/A	N/A	N/A	N/A	20
Front on major street (feet)					
Front Loaded	20	20	20	25	20
Alley Loaded	15	10	10	10	N/A
Front on minor street (feet)	N/A	N/A	N/A	N/A	15
Side	5 / 10 Aggregate	5	5	0	10
Rear	15	8	15	15	20

NOTES:

- **Front setbacks are from back of sidewalk**
- **Density based upon total number of individual units vs. number of buildings allowed per acre. Open space areas shall be included in the calculations for gross density.**
- **Duplexes, townhomes, and multi-plexes will have a maximum height of 50 feet consisting of a three story building. Height is to be measured from the main entry of the ground level of the building.**

C. General Commercial / Mixed Use District (GC/MU)

Purpose: The purpose of this district is to provide for areas within the Development designed to implement the "village concept", which will create a more connected development of commercial businesses, easily accessible through the use of landscaped pedestrian walkways. Such walkways will not only provide a sense of unity and flow in the development by connecting the businesses, but will also allow safe and easy access to those businesses.

Permitted Uses: Within the GC / MU District, a building or premises shall be used only for the following purposes:

1. Commercial recreation establishments, including movie theaters, pool and video game rooms, bowling and skating rinks.
2. Primary retail establishments such as department stores, general mercantile stores, clothing, variety, and similar low bulk items.
3. Secondary retail establishments such as those selling principally one-stop items, usually high-bulk, including furniture, appliance, home furnishings, floor coverings, business machines, heating and air conditioning sales and service, and similar establishments, also including establishments selling automobiles, trucks, boats, farm equipment, building and plumbing supplies, surplus materials, bicycle sales and service.
4. Dwelling, single-family, detached.
5. Dwelling, single family attached (patio / townhomes).
6. Duplex, triplex and quadriplex.
7. General business services such as duplicating, mimeographing and copying shops, addressing and mailing services, blueprinting, photostatting and film development.
8. Office and business establishments and services.
9. Funeral homes.
10. Personal service establishments including animal hospitals and kennels.
11. Automobile service and repair provided that:
    a. All service and repair shall be conducted within not less than thirty (30) feet from the front of the building
    b. There shall be no openings toward adjoining residential districts
    c. No junked or salvaged vehicles shall be kept on the premises
12. Public and private transportation service and facilities, including bus terminals and taxi stands.
13. Restaurants, including those with drive-through windows with or without on premises alcohol sales.
14. Motels, hotels, bed and breakfast establishments.
15. Educational institutions, primary through graduate education, public and private.
16. Armories for meetings and other gathering places for public or private use.
17. Commercial schools and schools providing adult training in any of the arts, sciences, trades and professions.
18. Museums, art galleries and libraries.

19. Convenience retail establishments such as small scale drug, grocery, and beverage stores; bakery, flower and gift shops; newsstands and bookstores, and similar small scale convenience uses excluding gasoline sales and garages.
20. Churches and places of worship or religious institutions.
21. Commercial adult and child care facilities.
22. Lodges and civic clubs.
23. Governmental
    - Fire & Police
    - Post Office
    - Town Hall

Development Standards: Notwithstanding development standards set forth elsewhere by this use category, Table 2 summarizes the minimum requirements within the GC / MU District. Additional development standards for this district are below:

1. Development will consist of up to 150,000 SF of Commercial as established in Table 2. Other uses permitted include residential as noted in the permitted uses of the RD district as long as the maximum square footage and units for the overall PDD are not exceeded.

2. Establishment of the Pedestrian Walkway: A Pedestrian Walkway, which shall be a minimum of ten (10) feet in width, shall be established for each side of each building that contains a primary customer entryway. A primary customer entryway is that entrance that is designated by the owner / developer of a building as the primary entrance for the public into that building. To provide for the Pedestrian Walkway, setbacks (from the building, excluding any architectural features, awnings, or protrusions, to the back of curb of streets, parking areas or other paved areas) shall be a minimum of ten (10) feet. The sides and rear of each building containing a service, emergency or public entryway (other than a primary customer entryway as described above) shall have a building setback of a minimum of five (5) feet to back of curb or property line, whichever is most restrictive. The term "Pedestrian Walkway" does not exclude any other traditional forms of pedestrian sidewalks as are deemed necessary and appropriate by the owner / developer of any building. Planting strips are required within the Pedestrian Walkway and shall meet the City of Tega Cay Code of Ordinances requirements.

3. Shared parking: In the event the owners of the property that is designated as GC / MU or GI agree to allow for parking and access easements across their various properties, such easements are allowed and the resulting increase in parking spaces can be included in the total number of parking spaces each business is required to provide.

D. Government and Institutional District (GI)

Purpose: The purpose of this district is to provide a wide variety of professional and government offices and institutions proximate to residential and more intense business districts so as to satisfy the City's demand for services. These regulations are designed to encourage the formation and continuance of a quiet, compatible, and uncongested environment for government and institutional services intermingled with residential uses.

Retail uses may be allowed as a conditional or special exception use, subject to specific standards, and provided the primary purpose is to serve the office workers or GI uses in the district. Townhomes, patio, duplex, triplex, quadriplex and single-family residential uses, community facilities, and religious institutions are also allowed. The maximum residential density allowed is five (5) dwelling units per acre and the minimum lot area for development for all non-residential uses is one (1) acre. Live / work dwellings and upper story dwellings over a street-level non-residential use may be included at densities of eight (8) units an acre. Densities are allowed as long as the total of 400 total residential units within the boundary of the PDD is not exceeded.

Permitted Uses: Within the GI District a building or premises shall be used only for the following purposes:

1. Educational institutions, primary through graduate education, public and private.
2. Armories for meetings and other gathering places for public or private use.
3. Commercial schools, and schools providing adult training in any of the arts, sciences, trades and professions.
4. Dwelling, single-family, detached.
5. Dwelling, single family attached (townhouse), patio homes, duplex, triplex, and quadriplex.
6. Office and business establishments and services.
7. Museums, art galleries and libraries
8. Personal service establishments such as barber and beauty shops; laundromats; laundry pick-up; tailor; dressmaker; shoe shops; photo studio; restaurants (excluding those with drive-through windows, dance floors or staged entertainment); and similar small scale personal service establishments.
9. Convenience retail establishments such as small scale drug, grocery, and beverage stores; bakery, flower and gift shops; newsstands and bookstores, and similar small scale convenience uses excluding gasoline sales and garages.
10. Churches and places of worship or religious institutions.
11. Commercial adult and child care facilities.
12. Lodges and civic clubs.
13. Governmental
    - Fire & Police
    - Post Office
    - Town Hall

Development Standards: Notwithstanding development standards set forth elsewhere by this use category, Table 2 summarizes the minimum requirements within the GI District.

Development will consist of up to 500,000 SF as established in Table 2. Other uses included residential are permitted as noted in the permitted uses of the GI district as long as the maximum square footage and units for the overall PDD are not exceeded.

[redacted]

GC/MU AND GI DEVELOPMENT STANDARDS

	GENERAL COMMERCIAL	GOVERNMENT / INSTITUTIONAL
MAXIMUM SQUARE FEET	Up to 150,000 SF*	Up to 500,000 SF
MINIMUM LOT SIZE	10,000 Sq. Ft.	1 Acre
MINIMUM LOT WIDTH	75’	100’
	Cul-de-sac 40’	Cul-de-sac 40’
BUILDING SETBACKS (Feet from P/L) Fronting: MAJOR ROAD	25’	25’
MINOR ROAD	15’	15’
SIDE (Min.)	10’	15’
REAR (Min.)	10’	15’

NOTES:

- **General Commercial consists of up to 50,000 SF in Village “C” and up to 100,000 SF in Village “D”.**

4. Impervious Area

Impervious areas shall not exceed 75% of the entire Planned Development.

5. Streets

Minimum dimensions and design standards for each street type shall follow a consistent standard. The standards for each street shall follow one of the following:

A. Public Street: Shall be a minimum of 50' R.O.W. in accordance with the city standards outlined in the City of Tega Cay Code of Ordinances at the time of Preliminary Plat approval. Public streets shall be accepted for maintenance by the City of Tega Cay once they are completed and built per the City Standards. Increased R.O.W. widths are allowed under the City of Tega Cay Code of Ordinances.

B. Private Residential Street: Shall be in private easements and constructed in accordance with the city standards outlined in the City of Tega Cay Code of Ordinances at the time of Preliminary Plat approval. The Petitioner / Developer reserve the right to have private streets within the Planned Development.

C. Cul-de-sacs: Shall conform to standards in the City of Tega Cay Code of Ordinances.

The developer reserves the right to have proposed roads as public or private. The decision to have the proposed roads as public or private shall be made before Preliminary Plat approval.

6. Vehicular Access and Road Improvements

A. Vehicular access: Access shall be provided in the general locations shown on the Planned Development Site Plan. Adjustments to the locations of street and driveway entrances may occur, as required to meet state and local agency standards and coordinate with final subdivision and site plan design.

B. Improvements to Existing Roads: Existing road improvements will be provided per SCDOT requirements. A Traffic Impact Analysis shall be prepared and approved by the City of Tega Cay and SCDOT.

C. Deer Creek Drive: R.O.W. to be locally abandoned and new public road shall be built for access to the community.

7. Bufferyards

Bufferyards between the development and adjacent properties and along state maintained roads will meet the minimum requirements for and between uses prescribed by the bufferyard requirements as generally depicted on the Planned Development Site Plan, and as specified in bufferyard requirements of City of Tega Cay Code of Ordinances, Appendix A (Zoning) and as shown in Appendix A, unless circumstances exist whereas existing vegetation preserved on site

may be used in lieu of required landscape plantings to satisfy buffer and/or screening requirements. In this circumstance, Petitioner / Developer shall not be required to install landscape plantings or materials within those portions of the prescribed bufferyards that currently contain vegetation, wetlands or mature hardwoods. Petitioner reserves the right to construct a minimum six foot high opaque fence, wall, berm or combination thereof in order to reduce the buffer and/or screening requirements. In the event that the petitioner or their assignee decides to install a fence, wall or berm, they may reduce buffer area dimensions by 25%. Bufferyards will be designed in a manner to allow openings of an appropriate width in order to allow pedestrian and vehicular connectivity. Clearing and grading may occur within these buffers. Bufferyards will be replanted according to the approved landscape plan. Streets, utilities, easements, pedestrian or bicycle paths, decorative landscape features, fences, monuments and signage may be placed within these buffers. Internal buffers between uses of the Planned Development shall not be required. A buffer shall not be required adjacent to parcel 646-0000-025 where it abuts Deer Creek Drive. A 10 foot buffer shall be provided along the western property line adjacent to parcels 646-0000-003, 646-0000-079, and 646-0000-088 as shown on the Planned Development Site Plan.

8. Restrictive Covenants

Restrictive Covenants will be created and recorded upon submittal of the final plat, to establish, among other things, permitted uses and maintenance responsibility of the Homeowner's Association or Property Owner's Association.

9. Common Open Space

Common open space will be provided throughout each component of the development per the Planned Development Site Plan, City of Tega Cay Code of Ordinances, Appendix A (Zoning) and City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development). A minimum of 20% of the overall project site shall be established as Common Open Space, consisting of a 20 acre park dedication to the City of Tega Cay and 10% (approximately 10 acres) of the remaining site acreage. Required stormwater / water quality management features may be located within common open space areas and shall be counted toward fulfilling the common open space requirement. A 20 acre park dedication to the City of Tega Cay shall be provided meeting the recreation requirement of section 1306. Grading for and installation of storm drainage, utilities and easements (including, but not limited to, sanitary sewer, gas, electric, telephone, water and cable television) may occur within open space and natural undisturbed open space as long as the minimum natural undisturbed area requirement is met per the City of Tega Cay Code of Ordinances. Common Open Space is to be platted and recorded separately from other uses. Except for the City of Tega Cay Park, which shall be owned by the City of Tega Cay, open space will be owned and maintained by a Homeowner's Association or Property Owner's Association. Buffers shall be counted towards Common Open Space.

10. Parking

Parking requirements for each permitted use and platted lot will comply with the parking requirements of the City of Tega Cay Code of Ordinances, as shown in Appendix B, subject to

the petitioner's ability to include parking spaces located within units with garages as eligible spaces meeting said requirements. Parking requirement shall be met with on street and off street parking. On-street parking may be allowed within the boundaries of the Planned Development District provided the road is wide enough, designed to accommodate it and streets are properly marked.

Joint Use of Off-Street Parking Lots: Up to fifty (50) percent of the parking spaces required for one (1) theaters, public auditoriums, bowling alleys, dance halls, clubs, churches and religious institutions and government / institutional uses may be provided and used jointly by two (2) financial institutions, offices, retail stores, repair shops, service establishments, restaurants and similar uses not normally open, used or operated during the same hours as those listed in one (1).

11. Signage

Proposed monument signs for the development will be determined during the construction document phase. Proposed signs will conform to the standards set forth in the City of Tega Cay Code of Ordinances. One master development sign shall be allowed along the frontage of Gold Hill Road. One (1) additional development sign shall be allowed for each entrance along Gold Hill Road. Internal community development signs shall be allowed along internal roads based on the standard set forth in the City of Tega Cay Code of Ordinances.

12. Improvements

The Developer will be responsible for installation of all subdivision, common area, and amenity improvements, open space and buffer yards which pertain specifically to the project. Provided, however, the Developer has elected to fund one of the recreational amenities requirements, pursuant to Section 1306.1 of the City's Land Development Code, through a contribution to the City ("Amenity Contribution"). The Amenity Contribution shall be calculated by taking the total number of residential lots within each Final Plat and multiplying it times $1,500, but shall not be less than $400,000 for the total Amenity Contribution. The Amenity Contribution shall be paid in installments at the time of submission of each Final Plat for the residential Villages B and E at an amount determined by the number of units in that Final Plat, with the entire balance of the Amenity Contribution being paid prior to the submission of the final Final Plat of the residential Villages B and E. The Amenity Contribution shall count as one (1) of the required amenities, with the total number of required amenities being determined by the total number of dwelling units, pursuant to Section 1306.1 of the City's Land Development Code.

13. The Developer

The Developer has been informed of and understands all requirements of the City of Tega Cay Code of Ordinances, Appendix A (Zoning), storm water management and sediment control ordinance, City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development) and building code.

14. City of Tega Cay Water Tower

The Developer agrees to dedicate up to ¼ of an acre for a City owned water tower. Location shall be within Village C and will be determined and agreed upon by the developer prior to submission of the final Final Plat for the Windhaven PDD.

15. Submittals

The Developer understands that submittals must be made to and approvals obtained from all applicable Tega Cay Planning and Development Services Departments prior to grading or construction. Plan approvals will follow the Preliminary Plat Process which is approved by the Planning Commission.

16. Construction Schedule and Phasing

This development will be constructed in phases. Proposed phasing will be determined and approved during the Preliminary Plat process. Site construction of each phase will be completed in its entirety prior to final plat recording of each phase. No phase will be allowed that does not reflect a street in its entirety.

17. Binding Effect of the Rezoning Application

If this rezoning application is approved, all conditions applicable to development of the site imposed under these PDD Standards and the Planned Development Site Plan will, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of petitioner and subsequent owners of the site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

Throughout this rezoning application, the term "Petitioner" shall be deemed to include the successors in interest and assigns of the Petitioner who may be involved in development of the site from time to time.

18. Applicable Ordinances

This development will be subject to the standards and requirements of the City of Tega Cay Code of Ordinances, Appendix A (Zoning), City of Tega Cay Code of Ordinances, Appendix B (Subdivision and Land Development) in effect at the date of approval by the City of Tega Cay City Council or as amended by the provisions of the Planned Development Site Plan unless otherwise provided and specified in these PDD Standards, as approved by the City of Tega Cay Council.

STATE OF SOUTH CAROLINA

COUNTY OF YORK

PERFORMANCE, LABOR and MATERIALS AGREEMENT
Lakeridge Phase 2, Pod E, Map 2

THIS PERFORMANCE, LABOR and MATERIAL AGREEMENT (the "Agreement") is made and entered into as of the _____ day of March, 2016 between DRAKE GARDENDALE, LLC a South Carolina limited liability company, (the "Obligor") and the CITY OF TEGA CAY, a South Carolina municipality (the "Obligee" and at times the "City"). At times herein, the Obligor and Obligee are collectively referred to as the "parties" or individually as a "party".

Statement of Purpose

Obligor has requested that it be granted final plat approval by the City for the subdividing and improving of a tract of land known as "**Lakeridge Phase 2, Pod E, Map 2**", further described on the plat for **Lakeridge Phase 2, Pod E, Map 2 dated March 8, 2016** and submitted to the City in regards to said development, attached hereto as **Exhibit A**, which is incorporated herein by reference as a part hereof (the "Final Plat").As a condition precedent to the granting of the above described Final Plat approval by the City, the Obligor is required to furnish a Performance, Labor and Material Agreement as herein provided. JaZ

NOW THEREFORE, in consideration of the mutual promises herein contained, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

A. Labor, Materials, Equipment.

1. The Obligor binds itself, its successors and assigns, to the City to pay for labor, materials and equipment furnished for use in completing the infrastructure improvements described in **Exhibit B** hereto, incorporated herein by reference as a part hereof ("Improvements").

2. If Obligor, or any contractor or subcontractor of said Obligor, its successors and assigns, fails to pay for any of the Improvements or performance of the work to be done, or for any work labor done thereon of any kind in, on or about the Improvements, upon demand by the City the Obligor will pay the same, and also in case suit is brought upon this Agreement, the City's reasonable attorney's fees, and other expenses reasonably incurred by the City.

3. Upon receipt of written notice of a claim for the payment for materials, equipment or work done, the Obligor shall promptly and at the Obligor's expense take the following actions:

a. Send an answer to the claimant, with a copy to the City, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed.

b. Within 30 days pay or provide a payment bond for the disputed amount.

c. Pay undisputed amounts within 30 days of receipt.

B. Performance, Completion of Improvements.

1. If the Obligor completes the Improvements, on or before March 31, 2018, this obligation shall cease and be void, otherwise it shall remain in full force and effect until such Improvements are completed, and the Obligor binds itself to said Obligee, that the Improvements shall be completed in accordance with this Agreement.

2. If Obligor does not construct the Improvements as herein specified on or before March 31, 2018, then the Obligor shall immediately tender payment to the Obligee in the amount required to complete the Improvements, and also in case suit is brought upon this Agreement, the City's reasonable attorney's fees, and other expenses reasonably incurred by the City.

C. Miscellaneous.

1. No City Liability. The City shall not be liable for payment of any costs or expenses of any claimant under this Agreement, and shall have under this Agreement no obligations to make payments to, given notices on behalf of, or otherwise have obligations to claimants under this Agreement.

2. Waiver. The Obligor hereby waives notice of any change, including changes of time, to the Final Plat, related subcontracts, purchase order and other obligations.

3. No Obligation to Proceed Before Collection on Bank Deposit. No provision of this Agreement shall be interpreted to require the Obligee to proceed against the Obligor before first proceeding to collect from the deposit, pursuant to the Bank Account Agreement attached hereto, and incorporated herein by reference, as **Exhibit C.** This Agreement is the Performance, Labor and Materials Agreement referenced in the Bank Account Agreement, with a corresponding deposit in the amount of $28,910.00, with the City as Beneficiary thereunder.

4. Controlling Document. No provision of the Development Agreement on file with the York County Clerk of Court at Record Book 07436, Page 00253 on September 26, 2005, as amended, shall be interpreted to require the Obligee to proceed under the terms or conditions of the Development Agreement for the enforcement of this Agreement. The terms of this Performance, Labor and Materials Agreement shall be enforceable notwithstanding terms and conditions in the Development Agreement to the contrary.

5. Notice. Notice to the City or the Obligor shall be mailed or delivered to the addresses as follows:

If to City of Tega Cay (Obligee):

City of Tega Cay
7725 Tega Cay Drive
Tega Cay, SC 29708
Attn: Charlie Funderburk

If to Drake Gardendale, LLC (Obligor):

Drake Gardendale, LLC
2501-B Plantation Center Drive
Matthews, NC 28105
Fax: 704-321-2181
Attn: Jeff LeForce

All notices, demands and requests which may be given or which are required to be given hereunder by either party to the other must be in writing. All such notices, demands and requests shall be sent by certified mail, return receipt requested, postage prepaid, or by overnight courier service (*e.g.*, Federal Express), or by personal delivery, or by facsimile, and addressed as provided above, or to such other address as a party may specify by duly given notice.

Notices, demands and requests when given in the manner aforesaid through the mail will be deemed sufficiently served, given, or received for all purposes hereunder three (3) days after the date such notice, demand or request is properly deposited with the United States Postal Service, or if sent by overnight courier service, on the first business day after same is deposited with the overnight courier service with instructions to deliver the next business day, or if delivered in person or sent by facsimile, on the date of personal delivery or date of facsimile. Each party shall notify the other of any change in address.

6. Memorandum of Agreement. Obligor agrees that, at the request of the City, Obligor will promptly execute and deliver a Memorandum of Agreement in recordable form sufficient to provide record notice of this Agreement, and City shall be entitled to record such Memorandum of Agreement with the York County Clerk of Court. If Obligor does not promptly respond to such request, Obligor consents to City's unilateral execution and filing of such memorandum. If such a memorandum has been filed by the City, upon completion of the Obligor's obligations hereunder, City shall promptly execute and record a memorandum evidencing such completion and release from obligations hereunder.

7. Assignment. The Obligor may not assign its obligations hereunder without the written consent of the City, which consent shall be in the City's sole discretion.

8. Authority. The person or persons executing this Agreement on behalf of Obligor represent, covenant and warrant to City as of the date Obligor delivers this Agreement that: (a) Obligor is duly constituted, in good standing and qualified to do business in the State of South Carolina, (b) Obligor will file when due all forms, reports, fees and other documents necessary to comply with applicable laws, and (c) the signatories signing on behalf of Obligor have the requisite authority to bind Obligor pursuant to Obligor's organizational documents.

9. Benefits and Binding Effect. The provisions of this Agreement shall inure to the benefit of, and shall be binding upon, the parties hereto and their respective heirs and permitted successors and assigns, as may be applicable.

10. Run with Property. The terms and conditions of this Agreement, until satisfied, shall run with the Property.

11. No Presumption. No presumption shall be created in favor of or against Obligor or Obligee with respect to the interpretation of any term or provision of this Agreement due to the fact that this Agreement was prepared by or on behalf of one of said parties.

12. Severability. The invalidity or unenforceability of any one or more phrases, sentences, causes or provisions of this Agreement shall not affect the validity or enforceability of the remaining portions of this Agreement or any part thereof.

13. Jurisdiction. This Agreement shall be construed, interpreted, enforced and governed by and under the laws of the State of South Carolina, without regard to its principles of conflicts of law. Each party to this Agreement hereby irrevocably agrees that any legal action or proceeding arising out of or relating to this Agreement or any of the agreements or transactions contemplated hereby must be brought in the courts of York County, in the State of South Carolina and hereby expressly submits to the personal jurisdiction and venue of such courts for the purposes thereof and expressly waives any claim of improper venue and any claim that such courts are an inconvenient forum.

14. Writing Required. No change, amendment, qualification, cancellation or waiver hereof shall be effective unless in writing and executed by both parties hereto.

15. Time of the Essence. Time is of the essence with respect to all time periods and dates set forth herein.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their officers thereunto authorized this ____ day of March, 2016.

WITNESSES:

_____

_____

OBLIGOR
Drake Gardendale, LLC

_____
By: Jeff LeForce
Its: Authorized Agent

WITNESSES:

_____

_____

OBLIGEE
City of Tega Cay

_____
By: Charlie Funderburk
Its: City Manager

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

PROBATE

PERSONALLY APPEARED BEFORE ME the undersigned, who states under oath that __he was present and witnessed execution of the foregoing instrument by Jeff LeForce, as Authorized Agent, acting for and on behalf of Drake Gardendale, LLC, a South Carolina limited liability company.

Witness #1

Sworn to and Subscribed Before Me
This 8 Day of March, 2016:

Notary Public for North Carolina
My Commission Expires: 7-22-2020

DIANNE KELLER
NOTARY PUBLIC
MECKLENBURG COUNTY, NC

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

PROBATE

PERSONALLY APPEARED BEFORE ME the undersigned, who states under oath that __he was present and witnessed execution of the foregoing instrument by Charlie Funderburk, acting as City Manager, for and on behalf of the City of Tega Cay, South Carolina, a South Carolina municipality.

Witness #1

Sworn to and Subscribed Before Me
This _____ Day of _____, 2016:

Notary Public for S.C.
My Commission Expires:_____

THIS DRAWING AND/OR THE DESIGN SHOWN ARE THE PROPERTY OF ESP ASSOCIATES, P.A. THE REPRODUCTION, ALTERATION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT THEIR WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

ESP ASSOCIATES, P.A.

NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, UNLESS OTHERWISE NOTED.
2. SUBJECT PROPERTY:
   OWNER OF RECORD: DRAKE GARDENDALE, LLC
   ZONED: GARDENDALE POD
   PORTION OF TAX PARCEL: 6440101239, 6440101518, 6440101241
   DEED/PLAT REFERENCE: DEED BOOK 9426 PAGE 214, DEED BOOK 14501 PAGE 237, DEED BOOK 15491 PAGE 258, PLAT BOOK 0251 AT PAGES 9 & 10, PLAT BOOK 0268 PAGE 8, PLAT BOOK 0252 PAGE 4, PLAT BOOK 150 PAGE 232.
3. SITE DEVELOPMENT INFORMATION (ZONING GARDENDALE POD-AREA DESIGNATION "E"):

TOTAL LOTS IN POD E	50
MINIMUM LOT WIDTH	70'
MINIMUM LOT AREA	8,000 SF (0.184 AC)
FRONT YARD SETBACK	20' (MINIMUM)
REAR YARD SETBACK	20'
SIDE YARD SETBACK	5' (4' MINIMUM, 10' AGGREGATE)*

   *5' SHOWN (UNLESS OTHERWISE NOTED) COMBINED SIDE YARDS OF INTERIOR LOTS SHALL TOTAL A MINIMUM OF 10 FEET. NO INDIVIDUAL SIDE YARD SHALL BE LESS THAN 4 FEET. A MAXIMUM OF 18" OVERHANG IS ALLOWED BEYOND THE SIDE YARD SETBACK.
4. SUBJECT TRACT IS GRAPHICALLY LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN 500 YEAR) ACCORDING TO FEMA FIRM COMMUNITY PANEL NO. 4509720214K AND 4509720216K WITH AN EFFECTIVE DATE OF SEPTEMBER 26, 2008. NO CONSTRUCTION ALLOWED WITHIN THE 100 YEAR FLOOD PLAIN.
5. DATE OF SURVEY: DECEMBER 2015
6. NO CEMETERIES OR BURIAL GROUNDS WERE FOUND OR REPORTED TO THIS FIRM.
7. #5 REBAR SET AT ALL CORNERS UNLESS NOTED OTHERWISE.
8. AREAS COMPUTED BY COORDINATE METHOD.
9. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.
10. REQUIRED TREES ARE NOT TO BE IN THE PLANTING STRIP, BUT OUTSIDE THE STREET RIGHT-OF-WAY IN THE OWNER'S YARD.
11. UTILITIES ARE TO BE LOCATED EXCLUSIVELY INSIDE STREET RIGHT-OF-WAY (UNLESS NOTED PER ORDINANCE 50, SECTION 12027).
12. ROADS ARE PROPOSED FOR ACCEPTANCE INTO THE CITY OF TEGA CAY ROADWAY SYSTEM (ROADS WILL NOT BE CONSIDERED FOR ACCEPTANCE BY THE CITY UNTIL 75% BUILD OUT AND OCCUPATION).
13. THE MAINTENANCE OF ALL TEMPORARY AND PERMANENT EROSION AND STORMWATER MANAGEMENT CONTROLS, OUTSIDE THE STREET RIGHT-OF-WAY, IS THE RESPONSIBILITY OF THE DEVELOPER OR HIS DESIGNEE. THE CITY OF TEGA CAY RESERVES THE RIGHT TO PERFORM WORK IN THESE AREAS SHOULD THE DEVELOPER OR HIS DESIGNEE NOT PROPERLY MAINTAIN THESE AREAS CAUSING POTENTIAL DANGER TO THE INTEGRITY OF THE ROADWAY. IN THIS EVENT, THE DEVELOPER OR HIS DESIGNEE WOULD BE BILLED FOR ANY COST INCURRED BY THE CITY.
14. INDIVIDUAL LOT IRRIGATION SYSTEMS WILL NOT BE INSTALLED WITHIN THE STREET RIGHT-OF-WAYS UNLESS PROPERTY LINE COMES ALL THE WAY TO THE BACK OF CURB.
15. THE DEVELOPER OR HIS DESIGNEE IS RESPONSIBLE FOR KEEPING ALL SIGHT DISTANCE EASEMENTS CLEAR OF ALL SIGNS, VEGETATION AND OTHER OBJECTS THAT MAY BLOCK DRIVER'S LINE OF SITE.
16. UNIFORM TRAFFIC CONTROL DEVICES (SUCH AS STOP SIGNS) ARE TO BE LOCATED WITHIN GRASS STRIP BETWEEN BACK OF CURB AND FACE OF SIDEWALK.
17. NO WATER METERS, BLOW OFF ASSEMBLY, BACKFLOW PREVENTERS, HYDRANTS, GATE VALVES OR SANITARY SEWER CLEANOUTS TO BE LOCATED WITHIN DRIVEWAYS OR SIDEWALK.
18. INFRASTRUCTURE DEEDS AND AS-BUILTS FOR WATER, SEWER AND STORM SYSTEMS MUST BE SUBMITTED AND APPROVED BY THE CITY BEFORE THE CITY WILL ISSUE A CERTIFICATE OF OCCUPANCY.
19. ON LOTS CONTAINING PLATTED PODS OR OTHER UTILITY EASEMENTS NO PERMANENT STRUCTURES WILL BE PERMITTED WITHIN THE EASEMENT BOUNDARIES.
20. FINAL PLAT CONFORMS TO THE ACTUAL LOT DIMENSIONS AND SQUARE FOOTAGES PER THE APPROVED PRELIMINARY PLAT APPROVED AND SIGNED BY THE TEGA CAY PLANNING COMMISSION DATED SEPTEMBER 9, 2007.
21. DIRECT ACCESS FOR LOT 813 OF NEW GREY ROCK ROAD.
22. PROPOSED HYDRANT AT LOT 459 TO BE INSTALLED BEFORE LOT 813 IS ISSUED A C.O.

AREA SUMMARY		
LOTS (13 SINGLE FAMILY)	153,013 SF	3.513 AC
TOTAL AREA IN R/W	20,083 SF	0.461 AC
ROAD LENGTH:		
ARNICA COURT	301 LF	
AREA ENCOMPASSED BY THIS PLAT	173,096 SF	3.974 AC

CERTIFICATE OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS OF THE CITY OF TEGA CAY, SOUTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICES OF THE CLERK OF COURT OF YORK COUNTY, SOUTH CAROLINA.

CITY SEAL

DATE

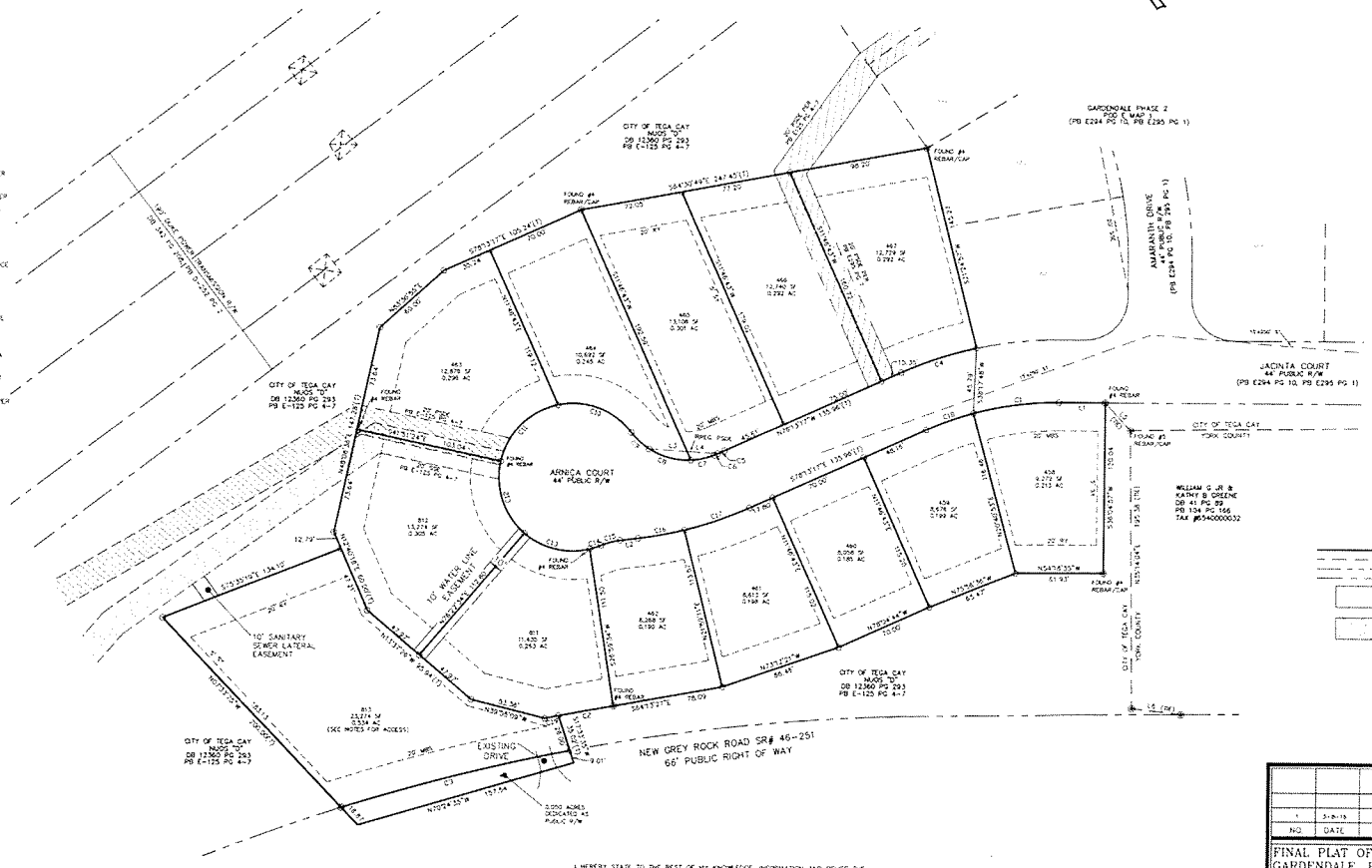
CITY MANAGER
TEGA CAY, SOUTH CAROLINA

Parcel Line Table

Line #	Direction	Length
L1	S 53°55'03" E	32.31'
L2	S 61°20'02" E	12.75'
L3	S 50°31'37" E	26.79'
L4	S 50°31'37" E	21.75'
L5	N 61°35'45" W	26.39'
L6	N 47°06'35" W	34.02'

Curve Table

Curve #	Radius	Length	Bearing	Chord
C1	228.00'	61.29'	S 61°27'05" E	61.10'
C2	1447.16'	39.55'	N 64°09'19" W	39.55'
C3	1428.82'	165.12'	N 68°16'29" W	165.02'
C4	272.00'	56.13'	N 72°18'35" W	56.03'
C5	228.00'	5.13'	N 77°34'33" W	5.13'
C6	228.00'	3.95'	N 78°33'43" W	3.95'
C7	50.00'	15.74'	N 64°36'12" W	15.68'
C8	50.00'	30.87'	N 39°18'42" W	30.38'
C9	50.00'	17.31'	N 11°43'21" W	17.23'
C10	52.00'	58.21'	N 33°52'18" W	55.22'
C11	52.00'	59.82'	S 81°06'06" W	56.56'
C12	52.00'	36.08'	S 17°15'35" W	53.56'
C13	52.00'	49.19'	S 42°43'18" E	47.37'
C14	52.00'	8.44'	S 72°28'04" E	8.43'
C15	50.00'	14.05'	S 69°04'02" E	14.00'
C16	272.00'	33.21'	S 64°36'12" E	33.19'
C17	272.00'	46.46'	S 73°55'53" E	46.40'
C18	228.00'	35.43'	S 72°46'12" E	35.39'
C19	1447.16'	9.82'	N 65°19'43" W	9.82'



LEGEND:

- MBS = MINIMUM BUILDING SETBACK
- RY = REAR YARD
- SY = SIDE YARD
- (T) = TOTAL
- ST = SIGHT TRIANGLE
- NUDS = NATURAL UNDISTURBED OPEN SPACE
- PB = PLAT BOOK
- DB = DEED BOOK
- PG = PAGE
- PSDE = PUBLIC STORM DRAINAGE EASEMENT
- ○ = SET #5 REBAR UNLESS OTHERWISE NOTED
- ● = #4 REBAR FOUND UNLESS OTHERWISE NOTED
- R/W = RIGHT OF WAY
- NTS = NOT TO SCALE
- SSE = SANITARY SEWER EASEMENT
- = BOUNDARY AND LOT LINES
- = ADJOINING OR FUTURE LOT LINE
- = EASEMENT LINE
- = RIGHT OF WAY LINE
- = SANITARY SEWER EASEMENT
- = PUBLIC DRAINAGE EASEMENT

I HEREBY CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1:14,229 AND THE ANGULAR ERROR OF CLOSURE IS 2 SECONDS PER ANGLE AS SHOWN HEREON AND THE AREA IS SHOWN WAS DETERMINED BY COORDINATE METHOD OF AREA CALCULATION.

DAVID A. MERRON, SCPLS L.S.-20193

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "D" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN. ALSO I MAKE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD PANEL NO. 4509720214K, EFFECTIVE DATE SEPTEMBER 26, 2008 & PANEL NO. 4509720216K EFFECTIVE DATE SEPTEMBER 26, 2008, AND FOUND THAT THIS PORTION OF GARDENDALE POD E DOES NOT FALL WITHIN A 100 YEAR FLOOD BOUNDARY.

DAVID A. MERRON, SCPLS P.L.S. 20193

SOUTH CAROLINA
ESP ASSOCIATES, P.A.
NO. C01144
CERTIFICATE OF AUTHORIZATION

BAR SCALE 1"=40'
0 20 40 80

NO.	DATE	REVISION	BY
1	3-8-16	ADD DRIVEWAY AND UTILITY EASEMENT TO LOT 813 & HYDRANT	PTB

FINAL PLAT OF
GARDENDALE, PHASE 2
POD E, MAP 2
LOCATED IN CITY OF TEGA CAY
YORK COUNTY
SOUTH CAROLINA

CLIENT / OWNER
DRAKE GARDENDALE, LLC
2501 B PLANTATION CENTER DRIVE
MATTHEWS, NC 28105
(803) 381-4432

PROJECT NO. NUDS-229.00
DATE 12-4-2015
DATE 3-7-2016
DRAWN BY PJN
CHECKED BY DAM
SCALE 1"=40'
DATE OF SURVEY DECEMBER 2015
DRAWING NO. NUDS POD E MAP 2.DWG
1 OF 2 SHT.

ESP
ESP Associates, P.A.
P.O. Box 7030 3475 Lakemont Blvd.
Charlotte, NC 28241 Fort Mill, SC 29708
704-583-4949 (NC)
803-802-2440 (SC)
www.espassociates.com

Exhibit A

JOEL E. WOOD & ASSOCIATES

PLANNING • ENGINEERING • MANAGEMENT

Main Office

2160 Filbert Highway
York, SC 29745

P.O. Box 296
Clover, SC 29710

Tel.: (803) 684-3390
Fax.: (803) 628-2891

Kings Mountain, NC

104 N. Dilling St.
Kings Mountain, NC
28086

P.O. Box 296
Clover, SC 29710

Tel.: (704) 739-2565
Fax.: (704) 739-2565

February 16, 2016
Via email

Ms. Susan Britt, Planning Director
City of Tega Cay
P.O. Box 3399
Tega Cay, SC 29715

REF: GARDENDALE, PHASE 2, POD "E," MAP2
BOND REQUIREMENTS

Dear Ms. Britt:

As requested, I have reviewed the "Bond Estimate" provided by PE^2 Engineering for the above referenced Project. A copy of the estimate provided PE^2 Engineering, P. L. L. C. is attached and made part of this correspondence. I first reviewed our files for cost for site development work and found cost to develop this portion of the project to be in line with cost for similar work. Therefore, I feel that the total project cost provided by PE^2 Engineering, is a representative cost to complete the project.

I believe that the claim made by PE^2 Engineering of work not yet completed for the infrastructure shown on the above referenced Plat, along with the 1.25 multiplier required by the City, brings the total bond requirements for the above referenced Plat to be $28,910.00. To the best of my information and belief, the amount shown above is an appropriate amount for the Bond to be provided by the Owner for the infrastructure on the Gardendale, Phase 2, Pod E, Map 2 Plat. Should you have any questions or need any additional information, please feel free to contact me.

Sincerely,

JOEL E. WOOD & ASSOCIATES, L. L. C.

Joel E. Wood, P. E.,
Managing Partner
Attch.

PE²

PROJECT MANAGEMENT
ENGINEERING
ENTITLEMENT

ENGINEER'S CERTIFICATION

I, Bradley K. Johnson, PE, as a duly licensed Professional Engineer in the State of South Carolina, having been authorized to observe periodically the construction of the project:

Final Plat Gardendale Phase 2, Pod E, Map 2

project name

Gardendale Road and New Gray Rock Road

location

for the Permittee, Gardendale Development, Inc., hereby state that, to the best of my knowledge information and belief of the construction of the roadway, sanitary lines, stormdrains and water main are built within substantial compliance with the design plans. Items to yet to be completed will be covered by a letter of credit to approved by the city engineer.

Lot Numbers: 458-467, 811-813

Respectfully,

SOUTH CAROLINA
LICENSED PROFESSIONAL ENGINEER
No. 24897
BRADLEY K. JOHNSON

JAN-28-2016

Bradley K. Johnson, PE
SC PE 24897
Engineering Manager, PE² Engineering

PE²

PROJECT MANAGEMENT
ENGINEERING
ENTITLEMENT

Susan Britt
Planning Administrator
City of Tega Cay

January 28, 2016

Re: Lakeridge Pod "E" Map 2 Letter of Credit Amount

Dear Ms. Susan Britt,

This letter is to verify that certain improvements for Lakeridge Phase 2, Pod 'E', Map 2 as shown on final plat "Final Plat of Gardendale, Phase 2, Pod E Map 2", date of survey December 14, 2015, have been installed. An opinion of probable cost for the items yet to be constructed for the above referenced plat are below and are intended to be used to determine the letter of credit amount required for this plat.

LAKERIDGE PHASE 2 POD 'E' MAP 2 CONSTRUCTION COST AND LETTER OF CREDIT AMOUNTS

Project Total	$23,128.00
25% Surety Bond Adder	$5,782.00
Letter of Credit Total	**$28,910.00**

A detailed breakdown of the letter of credit amount is attached. Please let me know if you have any questions.

Respectfully,

Bradley K. Johnson, PE
SC PE 24897
Engineering Manager, PE Squared, PLLC
Enclosures (1)

e: brad@pesquared.com
p: 704.916.9732

OPINION OF PROBABLE COST

PROJECT: LAKERIDGE POD 'E MAP 2
DATE: 1/28/16

		SCHEDULED WORK				INSTALLED		REMAINING
	ITEM	QTY.	UNIT	UNIT PRICE	VALUE	QTY.	VALUE	VALUE
GRADING								
1	CLEAR, GRUB, & DISPOSE OFFSITE	2.5	AC	$5,400.00	$13,500.00	2.5	$13,500.00	$0.00
2	GRADING	7800	CY	$2.00	$15,600.00	7800	$15,600.00	$0.00
3	FINE GRADE ROAD	1294	SY	$0.75	$970.50	1294	$970.50	$0.00
SEWER								
4	8" SEWERLINE PVC	677	LF	$24.00	$16,248.00	677	$16,248.00	$0.00
5	8" SEWERLINE DUCTILE IRON PIPE	0	LF	$52.00	$0.00	0	$0.00	$0.00
6	SEWER MANHOLES	3	EA	$1,850.00	$5,550.00	3	$5,550.00	$0.00
7	LATERAL SEWER SERVICES	12	EA	$520.00	$6,240.00	12	$6,240.00	$0.00
STORM								
8	15" RCP	96	LF	$28.50	$2,736.00	96	$2,736.00	$0.00
9	18" RCP	130	LF	$30.00	$3,900.00	130	$3,900.00	$0.00
10	24" RCP	94	LF	$34.00	$3,196.00	94	$3,196.00	$0.00
11	30" RCP	170	LF	$53.00	$9,010.00	170	$9,010.00	$0.00
12	36" RCP	649	LF	$60.00	$38,940.00	649	$38,940.00	$0.00
13	42" RCP	0	LF	$85.00	$0.00	0	$0.00	$0.00
14	DROP INLET	1	EA	$1,550.00	$1,550.00	1	$1,550.00	$0.00
15	SINGLE CURB INLET	4	EA	$1,850.00	$7,400.00	4	$7,400.00	$0.00
16	DOUBLE CURB INLET	0	EA	$2,750.00	$0.00	0	$0.00	$0.00
17	STORM MANHOLE	0	EA	$2,000.00	$0.00	0	$0.00	$0.00
18	15" FES W/ RIP RAP APRON	0	EA	$500.00	$0.00	0	$0.00	$0.00
19	18" FES W/ RIP RAP APRON	0	EA	$600.00	$0.00	0	$0.00	$0.00
20	24" FES W/ RIP RAP APRON	0	EA	$700.00	$0.00	0	$0.00	$0.00
21	30" FES W/ RIP RAP APRON	0	EA	$1,100.00	$0.00	0	$0.00	$0.00
22	36" FES W/ RIP RAP APRON	1	EA	$1,300.00	$1,300.00	1	$1,300.00	$0.00
23	42" FES W/ RIP RAP APRON	0	EA	$2,800.00	$0.00	0	$0.00	$0.00
WATER								
24	2" WATERLINE PVC	345	LF	$7.00	$2,415.00	345	$2,415.00	$0.00
25	6" WATERLINE PVC	98	LF	$15.80	$1,548.40	98	$1,548.40	$0.00
26	8" WATERLINE PVC	0	LF	$20.00	$0.00	0	$0.00	$0.00
27	2" GATE VALVES W/ BOX AND RING	0	EA	$650.00	$0.00	0	$0.00	$0.00
28	6" GATE VALVES W/ BOX AND RING	0	EA	$800.00	$0.00	0	$0.00	$0.00
29	8" GATE VALVES W/ BOX AND RING	0	EA	$850.00	$0.00	0	$0.00	$0.00
30	BACKFLOW PREVENTER (1")	0	EA	$2,000.00	$0.00	0	$0.00	$0.00
31	HYDRANT ASSEMBLY	0	EA	$3,800.00	$0.00	0	$0.00	$0.00
32	BLOWOFF ASSEMBLY	1	EA	$350.00	$350.00	1	$350.00	$0.00
33	METER BOX 3/4" (AND 3/4" WATER SERVICE)	12	EA	$625.00	$7,500.00	12	$7,500.00	$0.00
37	TAP TO EX. 16" WATERLINE	0	EA	$4,000.00	$0.00	0	$0.00	$0.00
ROADWAY								
38	2'-0" VALLEY CURB & GUTTER	758	LF	$9.75	$7,390.50	758	$7,390.50	$0.00
39	2'-0" CURB AND GUTTER	0	LF	$9.75	$0.00	0	$0.00	$0.00
40	8" MACADAM BASE	1294	SY	$11.40	$14,751.60	1294	$14,751.60	$0.00

41	1.5" SURFACE COURSE TYPE	1294	SY	$7.50	$9,705.00	1294	$9,705.00	$0.00
42	1.5" SURFACE COURSE TYPE (FINAL LIFT)	1294	SY	$7.50	$9,705.00	0	$0.00	$9,705.00
LANDSCAPING								
43	SIDEWALK	780	LF	$11.60	$9,048.00	0	$0.00	$9,048.00
44	SITE TREES	25	EA	$175.00	$4,375.00	0	$0.00	$4,375.00

	TOTAL	INSTALLED	REMAINING
GRADING SUBTOTAL	$30,070.50	$30,070.50	$0.00
SEWER SUBTOTAL	$28,038.00	$28,038.00	$0.00
STORM SUBTOTAL	$68,032.00	$68,032.00	$0.00
WATER SUBTOTAL	$11,813.40	$11,813.40	$0.00
ROADWAY SUBTOTAL	$41,552.10	$31,847.10	$9,705.00
LANDSCAPING SUBTOTAL	$13,423.00	$0.00	$13,423.00
PROJECT TOTAL	$192,929.00	$169,801.00	$23,128.00
25 SURETY BOND ADDER			$5,782.00
BOND AMOUNT			$28,910.00

SOUTH CAROLINA
LICENSED PROFESSIONAL ENGINEER
No. 24897
BRADLEY K. JOHNSON

JAN 28, 2016

Note: Professional has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions. Professional's opinions of probable total Project costs and construction costs are made on the basis of Professional's experience and qualifications and represent Professional's best judgment as an experienced and qualified Professional, familiar with the construction industry.

CERTIFICATE OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF TEGA CAY, SOUTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED BY THE CITY COUNCIL FOR RECORDING IN THE OFFICE OF THE CLERK OF COURT OF YORK COUNTY, SOUTH CAROLINA.

CITY SEAL

Established 1952

3/3/16 Vitae

DATE

CITY MANAGER
TEGA CAY, SOUTH CAROLINA

THIS DRAWING AND/OR THE DESIGN SHOWN ARE THE PROPERTY OF ESP ASSOCIATES, P.A. THE REPRODUCTION, ALTERATION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT THEIR WRITTEN CONSENT IS PROHIBITED AND ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

ESP ASSOCIATES, P.A.

Parcel Line Table		
Line #	Direction	Length
L1	N 12°40'18" E	12.79

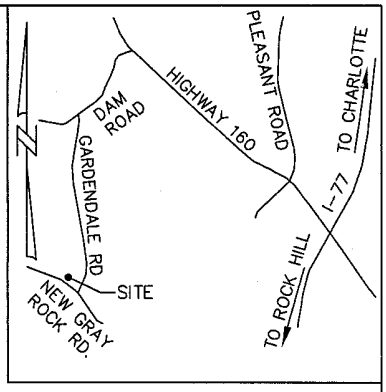


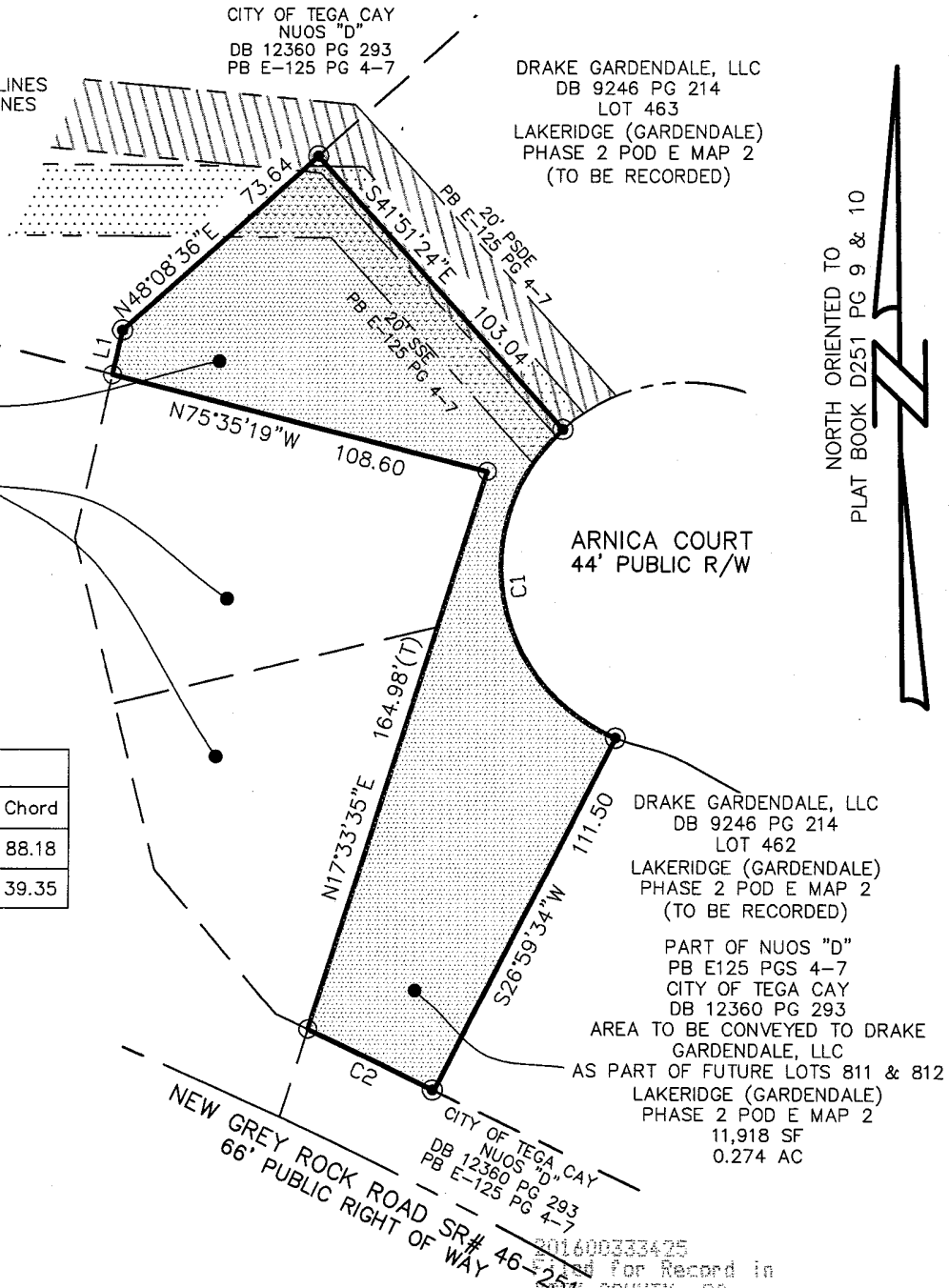
EXHIBIT "A"

BAR SCALE 1"=50'

0 25 50 100

LEGEND

AC = ACRES
SF = SQUARE FEET
NUOS = NATURAL UNDISTURBED OPEN SPACE
R/W = RIGHT OF WAY
PB = PLAT BOOK
DB = DEED BOOK
PG = PAGE
= RIGHT OF WAY
= ADJOINING BOUNDARY LINES
= BOUNDARY AND LOT LINES
= EASEMENT LINE
= FOUND #5 REBAR
= SET #5 REBAR



Curve Table				
Curve #	Radius	Length	Bearing	Chord
C1	52.00	105.24	S 9°50'17" E	88.18
C2	1447.16	39.35	N 64°20'19" W	39.35

NOTES

1. PARCELS DEPICTED MAY BE SUBJECT TO ADDITIONAL RESTRICTIONS EASEMENTS AND/OR RIGHTS OF WAY.
2. SUBJECT TRACT DEED/PLAT REFERENCE DB 12360 PG 293, PB E-125 PGS 4-7.
3. SUBJECT TRACT TAX PARCEL #6440101305.
4. #5 REBARS FOUND OR SET AT ALL CORNERS.
5. AREAS COMPUTED BY COORDINATE METHOD.
6. THE PURPOSE OF THIS PLAT IS TO DEFINE AN AREA OWNED BY THE CITY OF TEGA CAY TO BE CONVEYED TO DRAKE GARDENDALE, LLC.

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR

2016000333425
Filed for Record in
YORK COUNTY, SC
DAVID HAMILTON, CLERK OF COURTS
03-03-2016 At 01:14 pm.
SMALL PLAT 5.00

201600333426
Filed for Record in
YORK COUNTY, SC
DAVID HAMILTON, CLERK OF COURTS
03-03-2016 At 01:14 pm.
DEED DC INT 10.00
State Tax .00
County Tax .00
DR Vol 15491 Page 283 - 292

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

TITLE TO REAL ESTATE
QUITCLAIM DEED
TITLE NOT EXAMINED

KNOW ALL MEN BY THESE PRESENTS, that the **CITY OF TEGA CAY**, a South Carolina municipality, 7725 Tega Cay Drive, Tega Cay, South Carolina 29708 ("**Grantor**") for and in consideration of a public purpose and in accordance with the terms of that certain First Amendment to Development Agreement and that certain Third Amendment to Development Agreement between the parties hereto, with said original Development Agreement being dated August 4, 2005, and recorded in Record Book 7436, Page 253, and with said First Amendment to Development Agreement being dated June 19, 2006, and recorded in Record Book 8162, Page 280, and with said Third Amendment to Development Agreement being dated February 23, 2009, and recorded in Record Book 10633, Page 155, all as amended, and the Grantor having determined (i) that the Grantee (as defined below) has donated to Grantor a total amount of land in excess of the 142 acres required by said Development Agreement, and (ii) that the reconveyance of the Premises (as defined below) by Grantor to Grantee by this Deed shall not cause the net acreage donated by Grantee to Grantor to be less than a total of 142 acres, and (iii) that Grantee acquired any interest it has in that certain 0.75-acre property of Tommy Nelson Rayfield (York County Tax Map No. 654-0000-015) (the "**Rayfield Property**") more particularly identified in Section 5 of the above-referenced First Amendment to Development Agreement, and the Grantor subsequently annexed said Rayfield Property thus making the Rayfield Property a part of the Property which is subject to the above-referenced Development Agreement, and (iv) that the conveyance by Grantor to Grantee of any interest it has in the Premises is necessary for the development of Lots 811 and 812 by Grantee and for the construction of a home on each of said Lots by a homebuilder, and (iv) that this quit claim conveyance of any of the City's interest in the Premise has been requested by **DRAKE**

GARDENDALE, LLC, a South Carolina limited liability company, 2501-B Plantation Center Drive, Matthews, North Carolina 28105 ("**Grantee**"), Grantor has granted, bargained, quitclaimed and released, and by these presents does grant, bargain, quitclaim and release unto the said Grantee, its successors and assigns, the following described property, to wit (the "**Premises**"):

All that certain piece, parcel, or lot of land lying, being and situate in City of Tega Cay, County of York, State of South Carolina and being shown and designated as "PART OF NUOS "D" PB E125 PGS 4-7 CITY OF TEGA CAY DB 12360 PG 293 AREA TO BE CONVEYED TO DRAKE GARDENDALE, LLC AS PART OF FUTURE LOTS 811 AND 812 LAKERIDGE (GARDENDALE) PHASE 2 POD E MAP 2 11,918 SF 0.274 AC" upon that plat entitled "Conveyance Plat, Property of City of Tega Cay" prepared by David A. Weirich, SCPLS No. L-20193, recorded in Plat Book 150 at Page 232 in the Office of the Clerk of Court for York County, South Carolina which plat is incorporated herein by reference, and having such metes, bounds, courses, and distances as by reference to said plat will more fully appear.

Tax Map No.: Part of 644-01-01-305

The within described Premises is conveyed subject to all restrictive covenants, easements and rights-of-way of record or apparent upon a reasonable inspection of the Premises.

TOGETHER with all and singular, all of the Grantor's right, title and interest in and to the rights, members, hereditaments and appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND HOLD, all and singular, all of the Grantor's right, title and interest in and to the said Premises before mentioned, unto the said Grantee, its successors and assigns, forever, without any representation or warranty by Grantor.

[Signature page follows]

IN WITNESS WHEREOF, the City of Tega Cay has caused these presents to be executed and sealed by its duly authorized officer this 2nd day of March in the year of our Lord two thousand sixteen and in the two hundred and fortieth year of the sovereignty and independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness #1
Printed Name: Leslie C. Richards

Donna S. DeRado
Witness #2
Printed Name: Donna S. DeRado

CITY OF TEGA CAY

By:
Name: Charlie Funderburk
Title: City Manager

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

PROBATE

PERSONALLY APPEARED BEFORE ME the undersigned, who states under oath that _he was present and witnessed execution of the foregoing instrument by Charlie Funderburk, as City Manager, acting for and on behalf of the City of Tega Cay, a South Carolina municipality.

Witness #1

Sworn to and Subscribed Before Me

This the 2nd day of March, 2016:

Notary Public for South Carolina
My Commission Expires: 5/5/25

SYLVIA SZYMANSKI NOTARY PUBLIC SOUTH CAROLINA My Comm. Exp. 5-5-2025

STATE OF SOUTH CAROLINA)
) **AFFIDAVIT**
COUNTY OF YORK)

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 located in the City of Tega Cay, bearing York County Tax Map Number __(See Tax Map Number set forth in the Deed), and was transferred by City of Tega Cay to Drake Gardendale, LLC, on _____, 2016.

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:
   Exemption #1 transferring realty in which the value of the realty is less than one hundred dollars
   (If exempt, please skip items 4-7 and go to item 8.)

4. Check one of the following if either item 3(a) or 3(b) above has been checked.

   (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_X_ 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) 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 the result here:_____

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

_____
Responsible Person Connected with this Transaction

Charlie Funderburk
Type or Print Name Here

SWORN to before me this 2nd
day of March, 2016.

_____
Notary Public for South Carolina
My Commission Expires:_____

[Notarial Seal]

SYLVIA SZYMANSKI
NOTARY
My Comm. Exp.
5-5-2025
PUBLIC
SOUTH CAROLINA

YORK COUNTY NATURAL GAS AUTHORITY

979 WEST MAIN STREET
P. O. BOX 11907
ROCK HILL, SOUTH CAROLINA 29731-1907

TELEPHONE (803) 329-5255 FAX (803) 329-0998

February 26, 2016

Mayor George Sheppard
City of Tega Cay
7725 Tega Cay Drive
Tega Cay, SC 29708

Re: Reappointment to York County Natural Gas Authority Board

Dear Mayor Sheppard:

This letter is to inform you that Mrs. Ellen Weir is up for a new term on the York County Natural Gas Authority Board as of March 1, 2016. The Authority is requesting you and the City of Tega Cay recommend to the Governor, via Senator Hayes' advice and consent, Mrs. Weir's appointment to the Board for another term.

In my opinion, Mrs. Weir has represented Tega Cay extremely well during her term on the Board and has provided valuable input to the Board on matters of high importance to the future success of the Authority, including construction of vital natural gas infrastructure in the fast growing Northern York County area. Mrs. Weir has also provided beneficial input to the Board's discussions related to financial and other management issues facing the Authority. With Mrs. Weir's leadership, we feel the Authority is well positioned to continue providing safe, reliable and economical natural gas service to Tega Cay and the entire service area of the Authority for years to come.

In accordance with the bylaws of the Authority, I hereby notify you and the City of Tega Cay of Mrs. Weir's current term expiration on March 1, 2016. With Mrs. Weir's consent to continue her service on the Authority's Board, I am requesting that you recommend to the Governor the reappointment of Mrs. Weir.

I am happy to provide any additional information that you may require for this reappointment process. Please do not hesitate to contact me.

Sincerely,

James A. Heckle

Mr. James A. Heckle
President and CEO

STATE OF SOUTH CAROLINA)
COUNTY OF YORK) **ORDINANCE ___**
CITY OF TEGA CAY)

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF THE PARKS, RECREATION AND TOURISM COMMISSION IN PLACE OF THE COMMUNITY RELATIONS COMMITTEE

WHEREAS, Section 5-13-30 of the South Carolina Code of Laws vest with City Council the power to appoint all Committees, Boards and Commissions relating to the affairs of the municipal government, except as otherwise provided by law; and

WHEREAS, Ordinance 2 provides that the City Council may appoint a special committee to assist in municipal affairs; and

WHEREAS, Tega Cay did adopt Ordinance 393 on December 28, 2009 providing for the creation, membership and authority of the Community Relations Committee; and

WHEREAS, the City of Tega Cay finds it necessary to modify its committees and establish the Parks, Recreation and Tourism Commission in place of the Community Relations Committee; and

THEREFORE BE IT ORDAINED THAT the Mayor and City Council members of the City of Tega Cay, State of South Carolina, duly assembled to adopt Ordinance ___ as contained herein.

DIVISION 2. - PARKS, RECREATION AND TOURISM COMMISSION

Sec. 2-165. - Purpose.
The purpose of the Parks, Recreation and Tourism Commission (PRT Commission) is to:

1) Support the recreation programs and facilities of the City and to market those programs and facilities to encourage tourism throughout the City;
2) Support the vision of city council in regards to parks, recreation programs, tourism and community events;
3) Serve as an advisory commission to the mayor, city council and city manager on a regular basis as requested;
4) Act as a focal group to assist with the coordination and implementation of various types of activities and functions for the enjoyment of the community by residents of the City and the surrounding area. Said duties shall be in cooperation with city goals and objectives and with knowledge and approval of the city council and city manager;
5) Submit any and all financial requests to the city manager or the manager's designee on an annual basis as part of the City’s budgeting process.

Sec. 2-166. - Composition; appointment; compensation.
The PRT Commission shall be composed of five (5) members appointed by city council. Members shall serve without compensation. A member of city staff shall be appointed by the City Manager and shall serve as the Chairperson of the Commission. A city councilmember appointed by the mayor shall serve as liaison (nonvoting); provided, however, such liaison shall not act or speak on behalf of city council in regards to the PRT Commission. Those serving as members of the community relations committee as of the effective date of the ordinance from which this division is derived shall continue to serve until such time city council is able to appoint members of the PRT Commission.

The Commission shall develop advisory committees, in order to better facilitate the various duties of the Commission. Those committees shall include, but not be limited to marketing, fundraising, community events, recreation programs, and facilities.

Sec. 2-167. - Qualifications; term; vacancy.

a) The voting members shall be city residents and hold no other public office or position within the city. Members shall serve a two-year term staggered term. Notwithstanding the foregoing, the Commission and its individual members shall serve at the will and pleasure of city council. Two (2) members shall serve until March 31 of odd years, and three (3) members shall serve until March 31 of even years. Vacancies occurring other than by expiration of term shall be filled by city council for the unexpired term. Members may continue to serve until their successors have been appointed. Members may be reappointed to successive terms without limitations, on the condition they present a written application for the desired term.
b) Voting members shall be at least 18 years of age and residents of the city. Special emphasis shall be given to those applicants whose application exhibits expertise in areas of marketing, fund raising, event planning, facilities management and recreation. No applicant will be considered who represents a conflict of interest as defined in the South Carolina Code of Laws. Voting members shall review and recommend to the city manager any applicants for open committee positions.

Sec. 2-168. - Officers.
The PRT Commission shall elect one of its members as Vice-chairperson. The PRT Commission shall elect one of its members as secretary. No member elected as an officer may hold that office for more than one consecutive year, but are eligible to be elected to a different office the following year.

Four of the members shall also serve as Chairperson for the following advisory committees:

1) Marketing/Fundraising
2) Community Events
3) Recreation
4) Parks & Facilities

The fifth member shall serve in an at-large capacity assisting the Commission as deemed necessary.

Sec. 2-169. - Meetings.
The PRT Commission shall meet at the call of the Chairperson on a regular schedule. Any regular or special meeting or cancellation requires a 24-hour prior public notice. An agenda for the meeting shall be developed in a timely fashion by the Chairperson of the Commission and shall be submitted to the Municipal Clerk in order for it to be disseminated to the public. The Commission shall observe Robert's Rules of Order for the transaction of business. The Commission shall conduct all meetings so as to obtain necessary information and to promote the full and free exchange of ideas. All meetings shall be open to the public and in accordance with the Freedom of Information Act. The Commission shall keep minutes of the meetings. Written copies of all minutes, reports, studies, surveys and recommendations shall be filed with the Municipal Clerk.

Secs. 2-170—2-191. - Reserved.

FIRST READING: March 21, 2016
SECOND READING: _____

Enacted this ___ day of ____, 2016, by a majority vote of the duly elected City Council of the City of Tega Cay, South Carolina.

SIGNED: **CITY OF TEGA CAY**

_____
George C. Sheppard, Mayor

[SEAL]

_____
David L. O'Neal, Mayor Pro Tempore

_____
Dottie Hersey, Council Member

_____
Ryan Richard, Council Member

_____
Jennifer Stalford, Council Member

ATTEST:

_____
Charlie Funderburk, City Manager

RESOLUTION 2016-___

A RESOLUTION TO ENDORSE FOUR YEAR STAGGERED TERMS FOR YORK COUNTY COUNCIL

WHEREAS, the City of Tega Cay strives to promote efficiency in government and cooperative productive intergovernmental affiliations within York County; and,

WHEREAS, the County Council of York County, as the governing body of York County, consisting of seven defined single-member election districts in which council members serve for terms of two years, is one governing body with which the City of Tega Cay seeks to improve the effectiveness of its relationship; and,

WHEREAS, the City Council of Tega Cay finds that one way in which to accomplish this objective is through sustained interaction with defined county council membership achieved through four year staggered terms for county council members; and,

WHEREAS, S.C. Code Ann. § 4-9-90, as amended, provides that county councils in any county in which the terms of county council members are for two years may, by ordinance, change such terms to four-year staggered terms, provided that such ordinance shall only become effective upon approval by favorable vote of the qualified electors of the County voting in a referendum conducted for that purpose; and,

WHEREAS, the Council for the City of Tega Cay finds that a change in the number of years for the terms of office for York County Council members from two-year terms to four-year staggered terms will provide stability, continuity, and efficiency in government and serve the overall public interest of the citizens of York County.

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Tega Cay, South Carolina, supports a change in the terms of office for the County Council Members of York County from two years to four years staggered terms and calls upon the County Council for York County to initiate and pass an Ordinance to place the matter before the electorate of the County, as provided by law.

Adopted this 21st day of March, 2016

CITY COUNCIL OF TEGA CAY

By: _____
George Sheppard, Mayor

Attest: _____
Charlie Funderburk, City Manager