



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

Agenda Item No.

16d

TO: Honorable Mayor and Members of City Council
FROM: John F. McDonough, City Manager

Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: March 13, 2023

ORDINANCE/RESOLUTION CAPTION:

RESOLUTION TO PROVIDE FOR CERTAIN CERTIFICATIONS REGARDING AN ABANDONED BUILDING AND AN ABANDONED BUILDING SITE, ACCORDING TO SOUTH CAROLINA CODE ANNOTATED SECTION 12-67-100, ET SEQ. LOCATED AT 1200 AND 1202 LAURENS ROAD (TAX MAP NUMBERS 0198000403200 AND 0198000400200)

SUMMARY BACKGROUND:

This Resolution certifies each of the three redevelopment sites situated on real property located at 1200 and 1202 Laurens Road and further identified as Greenville County Tax Map Numbers 0198000403200 and 0198000400200 (the "Property") as an abandoned building site for purposes of the South Carolina Abandoned Building Revitalization Act. The Resolution itself provides no tax relief.

IMPACT IF DENIED:


The site will not be certified.

FINANCIAL IMPACT

N/A

REQUIRED SIGNATURES

Department Director

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City Attorney

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OMB Director

City Manager

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A R E S O L U T I O N

TO PROVIDE FOR CERTAIN CERTIFICATIONS REGARDING AN ABANDONED BUILDING AND AN ABANDONED BUILDING SITE, ACCORDING TO SOUTH CAROLINA CODE ANNOTATED SECTION 12-67-100, *ET SEQ.* LOCATED AT 1200 AND 1202 LAURENS ROAD (TAX MAP NUMBERS 0198000403200 AND 0198000400200)

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (“Act”) was enacted as South Carolina Code Annotated Section 12-67-100, *et seq.*, to create an incentive for the rehabilitation, renovation, and redevelopment of abandoned buildings; and

WHEREAS, the Act provides that transformation of abandoned buildings to productive assets for the communities in which the abandoned buildings are located serves a public and corporate purpose and results in job opportunities and tax base; and

WHEREAS, Section 12-67-140 of the Act provides that a Taxpayer who rehabilitates an abandoned building is eligible either for a credit against income taxes, license fees, or premium taxes, or a credit against local property taxes, all as more further described in the Act; and

WHEREAS, Ovata Land Holdings, LLC (“Taxpayer”), is the owner and developer who is responsible for all of the rehabilitation expenses associated with the redevelopment of real property, which, according to the information provided by the Taxpayer to the city of Greenville, is located in the City’s corporate limits, at 1200 and 1202 Laurens Road in Greenville, South Carolina (“Property”), which is further identified by the Greenville County Tax Map Numbers 0198000403200 and 0198000400200, upon which there are three buildings or sites for redevelopment (“Redevelopment Sites”); and

WHEREAS, the Taxpayer has represented to the City that it is in the Taxpayer’s best interest to pursue only the credit against income taxes pursuant to Section 12-67-140(A)(1) of the Act; and

WHEREAS, the Taxpayer has supplied information to the City, a copy of which is attached to this Resolution as Exhibit A, represented to the City that the information is truthful and accurate, and has requested that the City certify the each of the Redevelopment Sites on the Property is a “building site” that contains an “abandoned building,” all as more fully described in the Act;

NOW, THEREFORE, BASED SOLELY ON THE INFORMATION PROVIDED TO THE CITY BY THE TAXPAYER, WITHOUT INVESTIGATION, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, AS FOLLOWS:

Section 1. (a) The geographic area of each Redevelopment Site on the Property, identified as sites A, B, and C on the site plan attached hereto as Exhibit B, is a “building site,” as described in Section 12-67-120(2) of the Act, and (b) located on each building site, there appears to be an “abandoned building,” as described in Section 12-67-120(1) of the Act.

Section 2. This Resolution provides no property tax relief whatsoever, and the Taxpayer has represented to the City that the Taxpayer will not seek any relief from real property taxes or fees under South Carolina law. This Resolution provides no information regarding the availability of any benefit to the Taxpayer.

Section 3. This Resolution is effective as of the date of its adoption.

RESOLVED THIS _____ DAY OF _____, 2023.

MAYOR

Attest:

CITY CLERK

EXHIBIT A

OWNER'S AFFIDAVIT

TAYLOR DAVIS ("Affiant"), being the Manager of Ovata Land Holdings, LLC, a South Carolina limited liability company ("Owner"), who being duly sworn according to law and intending to be legally bound, deposes and says to the extent of his actual knowledge as follows:

1. On December 22, 2021, by deed recorded in the Office of the Register of Deeds for Greenville County, South Carolina (the "ROD Office") on December 29, 2021 in Deed Book 2645 at Page 47, Laurens Road Church of God conveyed to Owner those certain parcels or tracts of real property containing 3.279 acres, more or less, together with all improvements thereon, located at 1200 Laurens Road in Greenville, South Carolina and bearing Greenville County, South Carolina Tax Map Number 0198.00-04-032.00 (the "Church Property") and that certain parcel or tract of real property containing 0.334 acres, more or less, together with all improvements thereon, including located at 1202 Laurens Road in Greenville, South Carolina and bearing Greenville County, South Carolina Tax Map Number 0198.00-04-002.00 (the "Adjacent Property" and together with the Church Property, the "Properties").

2. At the time of the conveyance of the Properties to Owner, two buildings were located on the Church Property, one being a church building containing 13,712 square feet on two floors and the fellowship hall building containing 2,164 square feet (collectively, the "Buildings") and a house containing 5,387 square feet on three floors (the "House") was located on the Adjacent Property.

3. At the time of the Owner's purchase of the Properties, all of the space in the Buildings and the House was vacant and unoccupied and not being used for any purpose and the Owner has not occupied or used the Buildings or the House for any business purposes since its purchase of the Properties.

4. This Affidavit is given to induce the City Council of Greenville, South Carolina (the "City Council") to adopt an ordinance certifying that each of the Buildings and the House is an "abandoned building" within the meaning of Section 12-67-120(1) of the Abandoned Buildings Act and each of the Buildings, the House and adjacent driveways and parking areas to the Buildings and the House constitute a "building site" within the meaning of Section 12-67-120(2) of the Abandoned Buildings Act, all pursuant to the authority granted to City Council by Section 12-67-160(A) of the Code. The Affiant and the Owner understands that material reliance will be placed upon this Affidavit by the City Council.

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IN WITNESS WHEREOF, this Owner's Affidavit is given this 2 day of March, 2023.

OWNER:

OVATA LAND HOLDINGS, LLC

By: *Taylor Davis* (SEAL)
Taylor Davis, Manager

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

I certify that Taylor Davis personally appeared before me this day and acknowledged that he is the Manager of the Owner of the Properties and that he, in such capacity, being authorized to do so, voluntarily signed the foregoing on behalf of the Owner for the purposes stated therein.

Date: 3/2/2023

By: *Jennifer Moore*

Print Name: Jennifer Moore
Notary Public for South Carolina

[SEAL OR STAMP]

My Commission Expires: 9/18/2024



EXHIBIT B

