



Town of Shallotte
ACTION AGENDA ITEM
2026

TO: Board of Aldermen

ACTION ITEM #:

FROM: Debra White

MEETING DATE: 6/18/2026

DATE SUBMITTED: _____

ISSUE/ACTION REQUESTED: Garnet Pl. Pump Station & Sewer Dedication.

PUBLIC HEARING: YES NO

BACKGROUND/PURPOSE OF REQUEST: Garnet Place has installed a sewer lift pump station and force main sewer lines within Garnet Place development. This development is within Town limits; and Garnet Places is requesting a Resolution for a Deed of Dedication dedicating utilities of the Garnet Place development to be approved and accepted by the Town.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
CAPITAL PROJECT ORDINANCE REQUIRED:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
PRE-AUDIT CERTIFICATION REQUIRED:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
REVIEWED BY DIRECTOR OF FISCAL OPERATIONS	<input type="checkbox"/> YES	<input type="checkbox"/> NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY: YES NO N/A

ADVISORY BOARD RECOMMENDATION:

TOWN ADMINISTRATOR'S RECOMMENDATION:

FINANCE RECOMMENDATION:

ATTACHMENTS:

1. Deed Dedication & Conveyance of Sewer System
2. Quit Claim Deed
3. Affidavit
4. Sewer Indemnity Agreement
5. List of Assets
6. Resolution

<u>ACTION OF THE BOARD OF ALDERMEN</u>		
APPROVED: <input type="checkbox"/>	ATTEST:	CLERK TO THE BOARD
DENIED: <input type="checkbox"/>		
DEFERRED UNTIL: _____	_____	
	SIGNATURE	
OTHER:		

Prepared By and Return to:
Law Offices of Ian M. Byrne, PLLC; 10130 Perimeter Parkway, Suite 200, Charlotte, NC 28216

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

**DEED OF DEDICATION AND CONVEYANCE
OF SEWER SYSTEM
FOR GARNET PLACE APARTMENTS**

10th THIS DEED OF DEDICATION AND CONVEYANCE OF SEWER SYSTEM made this the day of June, 2026, from GARNET PLACE, LLC, a North Carolina limited liability company ("Grantor"), to the TOWN OF SHALLOTTE, a governmental entity created and existing under the laws of the State of North Carolina ("Grantee"), whose mailing address is P.O. Box 2287, Shallotte, NC 28459.

WITNESSETH:

THAT WHEREAS, the Grantor has developed property located in Lockwood Folly Township, Brunswick County, North Carolina known as Garnet Place Apartments (the "Project") as more particularly described in that Deed recorded in Book 5032 at Page 1084 of the Brunswick County, North Carolina Registry (the "Property"); and

WHEREAS, the Grantor has installed a sewer lift pump station and force main sewer line (collectively, the "Sewer Lift System") on the Property according to plans depicted on Sheets PS1.0, PS2.0, PS2.1, and C4.0 of the approved and permitted civil engineering plans for Garnet Place Apartments (the "Plans") prepared by Timmons Group, an engineering firm employing engineers licensed in the State of North Carolina, such Sewer Lift System having been permitted by the Grantee and Brunswick County, as more fully depicted on that "Water & Sewer As-builts Survey Garnet Place Apartments", Project Number 875-395, prepared by Cape Fear Engineering (the "As-Built Sewer Survey"); and

WHEREAS, Grantor has deeded the portion of the Property underlying the sewer lift pump station together with an easement for access ingress and egress to the Grantee via that Quitclaim Deed recorded in Book 5494 at Page 1365 of the Brunswick County Registry; and

WHEREAS, Grantor desires to obtain sewer services from Grantee for the Property, and to make sewer service from Grantee's system available to the Project; and

WHEREAS, Grantee has adopted, through appropriate resolution, stated policy regarding sewer systems under the terms of which, among other things, in order to obtain sewer for the Project, Grantor must convey title to the Sewer Lift System to Grantee through an instrument of dedication acceptable to Grantee; and

WHEREAS, Grantor now desires to convey to the Grantee and the Grantee is willing to accept the Sewer Lift System together with maintenance and repair easements associated therewith.

NOW, THEREFORE, in consideration of Grantee providing sewer services to the Project, Grantor has given, granted and conveyed, and by these presents does give, grant and convey unto the Grantee, its successors and assigns, the following described property:

The Sewer Lift Station System and Force Main shown in the Plans and on the As-Built Sewer Survey.

Together with permanent, non-exclusive easements for reasonable access to and egress from, over and upon the Property through the Project's driveway and parking lot, to have access to the Sewer Lift Station in order to properly and reasonably operate, repair, and maintain the Sewer Lift System, and to service and replace the Sewer Lift System as necessary.

IT IS UNDERSTOOD BY AND BETWEEN THE GRANTOR AND THE GRANTEE:

1. That the Grantor shall at all times, other than while the Sewer Lift Station is under actual construction, have the right to use said easements in the same manner as has been heretofore done; provided such use shall in no manner interfere with or be inconsistent with the use thereof by Grantee as provided herein. Grantor, for itself, its successors, and assigns, does reserve equal rights of easement over, in, along, and upon said driveway and parking lots for purposes of installing and maintaining such other utilities as may be required for the development of the Project, including but not limited to electric, gas, telephone, cable and fiber optic / data provided that said easements do not interfere with easements conveyed to Grantee.

2. That the Grantor shall have the rights to pass over and upon said easements with appropriate roadways for the full use of its Property, provided, however, that the construction, maintenance and use of said roadways shall in no way interfere with the Sewer Lift System constructed within said easements. Where paved streets, driveways, or parking lots are or have been installed over the subsurface, subsurface sanitary sewer lines, and related facilities and appurtenances the Grantee shall not be responsible for the repair or replacement of any pavement, curbing, walkways or other improvements which must be removed to facilitate repairs to said subsurface sanitary sewer lines, and related facilities. Replacement of privately owned pavement, curbing, or other features shall be the responsibility of the Grantor and Grantee is hereby released and discharged from any liability therefore.

3. During the time the Grantor owns the Property on which the Sewer Lift System is located, the Grantor agrees to indemnify, defend and hold harmless the Grantee from and against any claim for injury to person or property arising out of the use of the easements for driveways, parking lots, or sidewalks provided such injury does not proximately result from the negligence, gross negligence or intentional act of the Grantee, its agents or employees.

TO HAVE AND TO HOLD said Sewer Lift System, together with the easements described herein, unto said Grantee, its successors and assigns, forever upon the terms set forth herein.

The Grantor covenants to and with the Grantee, its successors and assigns, that the Grantor is the owner of the Sewer Lift System and the easements therefor in fee simple including the lift station parcel and 20 foot easement conveyed to Grantee in Book 5494, Page 1365 of the Brunswick County Registry, and that it will and its successors and assigns shall forever warrant and defend the title to said Sewer Lift System and easements therefor unto the Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.


Grantor warrants to Grantee that the Sewer Lift System herein conveyed is of good quality and free from commercially material faults and defects, and confirms to the design set forth in the Plans and on the As-Built Sewer Survey. Grantee warrants said Sewer Lift System to be free of material flaws and defects material faults and defects for a period of one (1) year from the date of recording this Deed in the office of the Brunswick County Register of Deeds.

This property does not contain the primary residence of the Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set its hands and seals, or if corporate, has caused this document to be executed by its duly authorized officers, and its seal to be hereunto affixed, as of the day and year first above written.

GARNET PLACE, LLC, Grantor

By: Garnet Place MM, LLC, Managing Member

By:  (SEAL)

Fred G. Mills, Sr., Manager

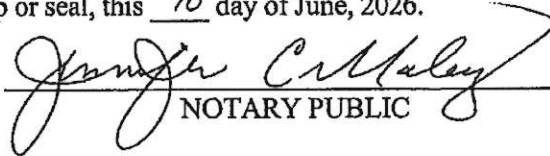
STATE OF NORTH CAROLINA

COUNTY OF Wake

I, a Notary Public of the State and County aforesaid, certify that FRED G. MILLS, SR. personally appeared before me this day and acknowledged that he is the manager/member of Garnet Place MM, LLC, a North Carolina limited liability company, who is manager member of Garnet Place, LLC, a North Carolina limited liability company and that he as such managing member being authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

WITNESS my hand and official stamp or seal, this 10 day of June, 2026.

Jennifer C. Maley
Notary Public
Harnett County, NC
My Commission Expires 3-5-2028


NOTARY PUBLIC

My Commission Expires: 3-5-2028

ACCEPTANCE OF DEED

This Deed of Dedication and Conveyance of Sewer System for Garnet Place Apartments was accepted by the Town of Shallotte Board of Aldermen on the ____ day of June, 2026.

Town of Shallotte Board of Aldermen

By: _____, Mayor

Town Clerk



EXCISE TAX / DEED STAMPS: \$0.00 (Transfer of Infrastructure to Municipality)

Prepared by / Return to: Law Offices of Ian M. Byrne, PLLC, 10130 Perimeter Parkway, Suite 200, Charlotte, NC 28216

***** NO TITLE UPDATE PERFORMED *****

STATE OF NORTH CAROLINA

QUITCLAIM DEED

COUNTY OF BRUNSWICK

THIS DEED, made and entered into this 28th day of January, 2026, by and between **GARNET PLACE, LLC**, a North Carolina limited liability company ("Grantor") whose mailing address is P.O. Box 6171, Raleigh, NC 27628, and the **TOWN OF SHALLOTTE** ("Grantee") whose mailing address is P.O. Box 2287, Shallotte, NC 28459.

WITNESSETH:

That said Grantor, for and in consideration of valuable consideration, the receipt of which is hereby acknowledged, has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the Grantee, its heirs and/or successors and assigns all right, title, claim, and interest of the said Grantor in and to those certain lots, tracts or parcels of land lying and being in Lockwood Folly Township, County of Brunswick, State of North Carolina, and more particularly described as follows:

See attached Exhibit A.

This conveyance being the land and real property underlying the sewer lift station serving Garnet Place Apartments, together with an access easement for maintenance ingress and egress thereto. The transfer of the sewer lift station itself and accompanying sewer system is addressed via Deed of Dedication and Conveyance of Sewer System to be subsequently executed between the parties and recorded in the Brunswick County Registry; this underlying land conveyance being a preliminary requirement of the Town to said dedication.

To have and to hold the aforesaid lot, tract or parcel of land and all privileges thereunto belonging to it the said Grantee and its heirs and/or successors and assigns free and discharged

This instrument prepared by Ian M. Byrne, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.



from all right, title, claim or interest of the said Grantor. This conveyance is subject to all taxes and encumbrances of record.


The property does NOT include the primary residence of Grantor.

Title Chain: This being a portion of the property obtained by Grantor via deed recorded June 21, 2023, in Book 5032, Page 1084, Brunswick County Registry.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, said Grantor has hereunto set their hand and seal as of the day and year first above written.

GARNET PLACE, LLC
By: Garnet Place MM, LLC, Managing Member

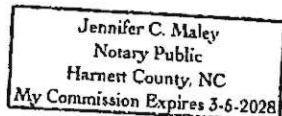
By: 
Fred G. Mills, Sr., Manager

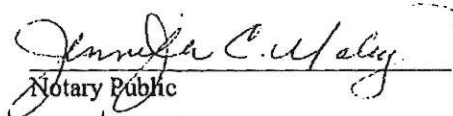
STATE OF NORTH CAROLINA

COUNTY OF Wake

I, Jennifer C. Maley, a Notary Public of the County and State aforesaid, certify that FRED G. MILLS, SR. personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 28th day of January, 2026.




Notary Public
Jennifer C. Maley
Printed Name of Notary Public

My Commission Expires: 3-5-2028



**EXHIBIT A
LEGAL DESCRIPTION**

LIFT STATION PARCEL

LYING AND BEING IN BRUNSWICK COUNTY, NORTH CAROLINA, BEGINNING AT A POINT, SAID POINT BEING THE FOLLOWING COURSE AND DISTANCE FROM A POINT AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF ARNOLD STREET AND THE NORTHERN LINE OF MCFEARANN, LLC, THENCE N 60°18'00" W A DISTANCE OF 476.65 FEET TO THE POINT OF BEGINNING; THENCE S 32°44'28" W A DISTANCE OF 21.55 FEET TO A POINT; THENCE S 41°22'00" W A DISTANCE OF 20.01 FEET TO A POINT; THENCE S 32°44'20" W A DISTANCE OF 23.67 FEET TO A POINT; THENCE N 57°15'32" W A DISTANCE OF 49.00 FEET TO A POINT; THENCE N 32°44'28" E A DISTANCE OF 65.00 FEET TO A POINT; THENCE S 57°15'32" E A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3,279.31 SQUARE FEET (0.08 ACRES), MORE OR LESS.

Together with the following 20-foot-wide easement for access ingress and egress from the public right-of-way to the aforementioned Lift Station Parcel through the driveway and parking lot of Garnet Place Apartments:

LYING AND BEING IN BRUNSWICK COUNTY, NORTH CAROLINA, , BEGINNING AT A POINT, SAID POINT BEING THE FOLLOWING COURSE AND DISTANCE FROM A POINT AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF ARNOLD STREET AND THE NORTHERN LINE OF MCFEARANN, LLC, THENCE S 58°28'30" W A DISTANCE OF 135.05 FEET TO THE POINT OF BEGINNING; THENCE FOLLOWING THE WESTERN RIGHT-OF-WAY OF ARNOLD STREET S 58°28'30" W A DISTANCE OF 20.00 FEET TO A POINT; THENCE N 31°03'49" W A DISTANCE OF 35.22 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING OF N 45°49'34" W AND A CHORD DISTANCE OF 21.47 FEET, AN ARC LENGTH OF 21.73 FEET, AND A RADIUS OF 40.46 FEET TO A POINT; THENCE N 57°14'11" W A DISTANCE OF 36.43 FEET TO A POINT; THENCE N 56°17'39" W A DISTANCE OF 88.84 FEET TO A POINT; THENCE N 57°15'40" W A DISTANCE OF 212.59 FEET TO A POINT; THENCE N 31°56'49" E A DISTANCE OF 37.43 FEET TO A POINT; THENCE N 21°10'22" W A DISTANCE OF 23.04 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING OF N 36°48'17" W AND A CHORD DISTANCE OF 2.16 FEET, AN ARC LENGTH OF 2.18 FEET, AND A RADIUS OF 4.00 FEET TO A POINT; THENCE N 41°22'00" E A DISTANCE OF 20.01 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD BEARING OF S 35°13'11" E AND A CHORD DISTANCE OF 11.65 FEET, AN ARC LENGTH OF 11.77 FEET, AND A RADIUS OF 24.00 FEET TO A POINT; THENCE S 21°10'22" E A DISTANCE OF 33.03 FEET TO A POINT; THENCE N 31°56'49" E A DISTANCE OF 27.70 FEET TO A POINT; THENCE S 57°15'40" E A DISTANCE OF 193.03 FEET TO A POINT; THENCE S 56°17'39" E A DISTANCE OF 88.85 FEET TO A POINT; THENCE S 57°14'11" E A DISTANCE OF 35.64 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD BEARING OF S 45°27'51" E AND A CHORD DISTANCE OF 31.35 FEET, AN ARC LENGTH OF 31.71 FEET, AND A RADIUS OF 60.46 FEET TO A POINT; THENCE S 31°03'54" E A DISTANCE OF 34.84 FEET TO A POINT; TO THE POINT OF BEGINNING, CONTAINING 9,140.46 SQUARE FEET (0.21 ACRES), MORE OR LESS.

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF BRUNSWICK

GARNET PLACE, LLC, a North Carolina limited liability company, with an office and place of business in Wake County, North Carolina, hereinafter referred to as "Affiant", being first duly sworn, hereby deposes and says under oath as follows:

1. That it is the owner of certain property located in Lockwood Folly Township, Brunswick County, North Carolina, known as Garnet Place Apartments (the "Project"), as more particularly described in that Deed recorded in Book 5032 at Page 1084 of the Brunswick County, North Carolina Registry (the "Property").

2. That it has executed a Deed of Dedication and Conveyance of Sewer System in favor of the Town of Shallotte of even date herewith.


3. That it has caused to be installed a sewer lift pump station and force main sewer line under and within the Property hereinafter described and referenced:

The sewer lift pump station and force main sewer line (collectively, the "Sewer Lift System") located on the Property constructed according to plans depicted on Sheets PS1.0, PS2.0, PS2.1, and C4.0 of the approved and permitted civil engineering plans for Garnet Place Apartments (the "Plans") prepared by Timmons Group, an engineering firm employing engineers licensed in the State of North Carolina, such Sewer Lift System having been permitted by the Grantee and Brunswick County, as more fully depicted on that "Water & Sewer Asbuilt Survey Garnet Place Apartments", Project Number 875-395, prepared by Cape Fear Engineering (the "As-Built Sewer Survey")

4. That it has deeded the portion of the Property underlying the sewer lift pump station to the Town of Shallotte via that Quitclaim Deed recorded in Book 5494 at Page 1365 of the Brunswick County Registry.

5. All the work which has been performed in the construction and installation of the Sewer Lift System has been fully paid for, and there are now no liens of any kind, including any lien for labor or material against the Property, which would in any way jeopardize title of Affiant to the Property, nor are there any legal actions pending against Affiant or any contractor thereof arising out of any work performed on the Project or the Sewer Lift System which would in any way jeopardize title to the Project or the Sewer Lift System.

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly executed by its Manger, this the 10 day of June, 2026.

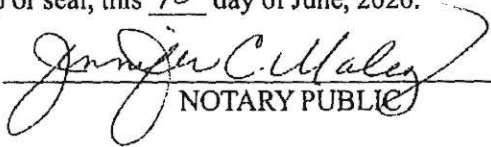
GARNET PLACE, LLC
By: Garnet Place MM, LLC, Managing Member
By:  (SEAL)
Fred G. Mills, Sr., Manager

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, a Notary Public of the State and County aforesaid, certify that FRED G. MILLS, SR. personally appeared before me this day and acknowledged that he is the manager/member of Garnet Place MM, LLC, a North Carolina limited liability company, who is manager member of Garnet Place, LLC, a North Carolina limited liability company and that he as such managing member being authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

WITNESS my hand and official stamp or seal, this 10 day of June, 2026.

Jennifer C. Maley
Notary Public
Harnett County, NC
My Commission Expires 3-5-2028


NOTARY PUBLIC

My Commission Expires: 3-5-2028

SEWER INDEMNITY AGREEMENT

This Agreement made this ___ day of June, 2026, between Garnet Place, LLC (“Developer”), a North Carolina limited liability company, and the Town of Shallotte (“Town”), a body politic and corporate, duly organized under the laws of the State of North Carolina.

Whereas, Developer has constructed a sewer lift pump station and force main sewer line to serve a property generally known as Garnet Place Apartments, and has made provision for the use of this sewer lift pump station and force main sewer line to supply the current and future needs of its development goals, and it is the intention of the Developer and the Town that the sewer lift pump station and force main sewer line will be accepted into the Town’s sewer system to serve its customers at or near the subject property area, and

Whereas, Developer has expressed a desire to have the force main sewer line installed in an area that Developer intends to cover with an impervious material, for uses including, but not limited to, parking, storage, or any other uses that would impair the Town’s access to the said sewer system in the event of needed repair or other modification of the said system, and

Whereas, the Town wishes not to unduly impede the progress of the Developer in the business of its scheduled construction and development, and to help the Developer meet its sewer needs while supplying quality sewer service to all of its customers.

Therefore, in consideration of the mutual covenants herein, the Town will supply sewer service to Garnet Place Apartments in exchange for this Agreement, whereby the Developer agrees that at all times subsequent to the transfer of this sewer lift pump station and force main sewer line by the Developer to, and acceptance by, the Town into the Town’s sewer system, this Agreement shall continue in force.

The said Developer, for so long as it owns, or until NC DOT has accepted for maintenance as a dedicated public roadway, the area covered with an impervious material which lay above the sewer line, in exchange for the Town’s acceptance of the said sewer line being located beneath an impervious material, shall timely make all necessary and prudent repairs to the said impervious surface should said surface be disrupted by the Town due to necessary maintenance activity. All repairs shall conform with the surrounding material such that there shall not be, after any pavement repair, that a hazardous condition exist, or any condition that would result in damage or injury to the said sewer system.

Developer further agrees that upon transfer of title to a third party, it shall include a covenant or other express condition applicable to the grantee, its successors or assigns (including a property owner association which holds the property as a common area), assigning the obligation to make in a timely manner all necessary and prudent repairs to the said impervious surface under which the sewer line is located. Developer further agrees that the instrument assigning the obligation shall be appropriately filed with the Brunswick County Register of Deeds. Provided that, in the case of a dedicated public road, upon receipt of a maintenance agreement from NC DOT, Developer will assign said repair obligation by covenant or other instrument, on the grantees, their

successors or assigns (including a property owners association), of the development in which said public roads are located.

In witness thereof, the parties hereto have affixed their signatures as of the date first entered above.

GARNET PLACE, LLC

By: Garnet Place MM, LLC, Managing Member

By: [Signature] (SEAL)
Fred G. Mills, Sr., Manager

TOWN OF SHALLOTTE

Name: _____
Title: _____

Attest:

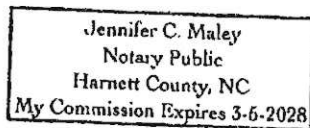
Town Clerk

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, Jennifer C. Maley, a Notary Public of the State and County aforesaid, certify that **Fred G. Mills, Sr.** personally appeared before me this day and acknowledged that he is the manager/member of Garnet Place MM, LLC, a North Carolina limited liability company, who is manager member of Garnet Place, LLC, a North Carolina limited liability company and that he as such managing member being authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and notarial seal, this the 10 day of June, 2026.



Jennifer C. Maley

Jennifer C. Maley, Notary Public

My commission expires: 3-5-2028

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

I, _____, notary public for the aforesaid State and County, certify that **Art Dornfield** personally came before me this day and acknowledged that he is Mayor of the Town of Shallotte, a North Carolina municipality, and that by authority duly given and as the act of the Town, the foregoing instrument as signed by him in such capacity for the Town.

Witness my hand and notarial seal this _____ day of _____, 2026.

Notary Public

Print Name: _____

My commission expires: _____

GARNET PLACE, LLC
Lift Station Dedication Cost List

1. Sewer System and Force Sewer Line	\$115,306.00
2. Lift Station	\$140,000.00
3. Sidewalks	\$ 19,583.00
4. Land at Lift Station	\$ 2,500.00
Total Dedication	\$277,389.00

RESOLUTION NO.26-01

WHEREAS, Garnet Place LLC, a North Carolina limited liability company, party of the first part, hereinafter referred to as "Developer" is the owner of a tract or parcel located in Shallotte Township, Brunswick County, North Carolina, obtained in a Deed recorded in Book 5032 at Page 1084 of the Brunswick County, North Carolina Registry (the "Property"); and

WHEREAS, Developer has caused to be installed a sewer lift station and related equipment located within the Town; and

WHEREAS, a Deed of Dedication has been executed by Developer January 28, 2026 dedicating to the Town the following described property:

LIFT STATION PARCEL

LYING AND BEING IN BRUNSWICK COUNTY, NORTH CAROLINA, BEGINNING AT A POINT, SAID POINT BEING THE FOLLOWING COURSE AND DISTANCE FROM A POINT AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF ARNOLD STREET AND THE NORTHERN LINE OF MCFEARANN, LLC, THENCE N 60°18'00" W A DISTANCE OF 476.65 FEET TO THE POINT OF BEGINNING; THENCE S 32°44'28" W A DISTANCE OF 21.55 FEET TO A POINT; THENCE S 41°22'00" W A DISTANCE OF 20.01 FEET TO A POINT; THENCE S 32°44'20" W A DISTANCE OF 23.67 FEET TO A POINT; THENCE N 57°15'32" W A DISTANCE OF 49.00 FEET TO A POINT; THENCE N 32°44'28" E A DISTANCE OF 65.00 FEET TO A POINT; THENCE S 57°15'32" E A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3,279.31 SQUARE FEET (0.08 ACRES), MORE OR LESS.

Together with the following 20-foot-wide easement for access ingress and egress from the public right-of-way to the aforementioned Lift Station Parcel through the driveway and parking lot of Garnet Place Apartments:

LYING AND BEING IN BRUNSWICK COUNTY, NORTH CAROLINA, , BEGINNING AT A POINT, SAID POINT BEING THE FOLLOWING COURSE AND DISTANCE FROM A POINT AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF ARNOLD STREET AND THE NORTHERN LINE OF MCFEARANN, LLC, THENCE S 58°28'30" W A DISTANCE OF 135.05 FEET TO THE POINT OF BEGINNING; THENCE FOLLOWING THE WESTERN RIGHT-OF-WAY OF ARNOLD STREET S 58°28'30" W A DISTANCE OF 20.00 FEET TO A POINT; THENCE N 31°03'49" W A DISTANCE OF 35.22 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING OF N 45°49'34" W AND A CHORD DISTANCE OF 21.47 FEET, AN ARC LENGTH OF 21.73 FEET, AND A RADIUS OF 40.46 FEET TO A POINT; THENCE N 57°14'11" W A DISTANCE OF 36.43 FEET TO A POINT; THENCE N 56°17'39" W A DISTANCE OF 88.84 FEET TO A POINT; THENCE N 57°15'40" W A DISTANCE OF 212.59 FEET TO A POINT; THENCE N 31°56'49" E A DISTANCE OF 37.43 FEET TO A POINT; THENCE N 21°10'22" W A DISTANCE OF 23.04 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A CHORD BEARING OF N 36°48'17" W AND A CHORD DISTANCE OF 2.16 FEET, AN ARC LENGTH OF 2.18 FEET, AND A RADIUS OF 4.00 FEET TO A POINT; THENCE N 41°22'00" E A DISTANCE OF 20.01 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD BEARING OF S 35°13'11" E AND A CHORD DISTANCE OF 11.65 FEET, AN ARC LENGTH OF 11.77 FEET, AND A RADIUS OF 24.00 FEET TO A POINT; THENCE S 21°10'22" E A DISTANCE OF 33.03 FEET TO A POINT; THENCE N 31°56'49" E A DISTANCE OF 27.70 FEET TO A POINT; THENCE S

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The deed for said property is duly recorded in Book 5494, Page 1365 of the Brunswick County Registry.

WHEREAS, a Deed of Dedication has been executed by Developer June 10, 2026 conveying to the Town the following described property:

The Sewer Lift Station System and Force Main shown in the Plans and on the As-Built Sewer Survey.

Together with permanent, non-exclusive easements for reasonable access to and egress from, over and upon the Property through the Project's driveway and parking lot, to have access to the Sewer Lift Station in order to properly and reasonably operate, repair, and maintain the Sewer Lift System, and to service and replace the Sewer Lift System as necessary.

WHEREAS, the Town by vote of the Board of Aldermen accepted the dedication from Developer at its June 18, 2026 meeting but hereby adopts this Resolution to ratify its acceptance.

WHEREAS, the acceptance of all of said property would benefit the Town of Shallotte and is in the best interest of the citizens of the Town of Shallotte.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE as follows:

1. That the Town hereby accepts the conveyance and dedication offered by Garnet Place, LLC as set forth above including the deed previously recorded in Book 5494, Page 1365 of the Brunswick County Registry.

2. That the Town shall record the deed of dedication of the deed executed by Developer on June 10, 2026 in the Office of the Register of Deeds for Brunswick County.

ADOPTED THIS 18th DAY OF JUNE, 2026.

ATTEST:

Art Dornfeld, Mayor

Natalie Goins, Town Clerk