



Town of Shallotte
ACTION AGENDA ITEM
2025

TO: Board of Aldermen

FROM: Debra White

ACTION ITEM #:

MEETING DATE: 06/26/2025

DATE SUBMITTED: 6/23/2025

ISSUE/ACTION REQUESTED: Summers Walk Phase 1 Streets, roads, cul-de-sacs and right-of-ways. **PUBLIC HEARING:** ☐ YES ☐ NO

BACKGROUND/PURPOSE OF REQUEST: DFC Summers Walk, LLC has installed streets, roads, cul-de-sacs and right-of-ways located at the Summers Walk Phase 1 development. This development is within Town limits; and DFC Summers Walk, LLC is requesting a Resolution for a Deed of Dedication dedicating streets, roads, cul-de-sacs and right-of-ways of Summers Walk Phase 1 subdivision to be approved and accepted by the Town.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☐ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☐ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☐ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES ☐ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES ☐ NO ☐ N/A

ADVISORY BOARD RECOMMENDATION:

TOWN ADMINISTRATOR'S RECOMMENDATION:

FINANCE RECOMMENDATION:

ATTACHMENTS:

1. Deed Dedication
2. Affidavit
3. Warranty Agreement
4. List of Asset
5. Resolution

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

☐

DEFERRED

UNTIL:

SIGNATURE

OTHER:

DEED OF DEDICATION AND ACCEPTANCE

Parcel: N/A – Rights of Way

Revenue Stamps: \$0.00

☐ If checked, the property includes the primary residence of at least one of the parties depicted as party of the first part. (N.C. Gen. Stat. § 105-317.2)

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

THIS DEED OF DEDICATION AND ACCEPTANCE, made and entered into this the ____ day of _____, 2025 by and between DFC SUMMERS WALK LLC, a Florida limited liability company, the Grantor (the address of the Grantor is: 13000 Sawgrass Village Circle, Suite 24, Building 5, Ponte Vedra, Florida 32082); and THE TOWN OF SHALLOTTE, a governmental entity created and existing under the laws of the State of North Carolina and which is duly created and existing under the laws of the State of North Carolina, party of the second part the Grantee (the address of the Grantee is: P.O. Box 2287, Shallotte, NC 28459).

Prepared by Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post Office Box 7068, Wilmington, NC 28406-7068
Please return to Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post Office Box 7068, Wilmington, NC 28406-7068
Attention: Justin M. Lewis

No opinion on title is rendered by Ward and Smith, P.A., without a separate written opinion on title from Ward and Smith, P.A.

WITNESSETH:

That the Grantor in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations paid to the Grantor by Grantee, the receipt and sufficiency of which hereby are acknowledged, has dedicated, granted, bargained, sold and conveyed and by these presents does dedicate, grant, bargain, sell and convey unto the Grantee, and Grantee by signing below does hereby accept the Grantor's offer of dedication and conveyance, the following described property to wit:

All those certain tracts or parcels of land lying and being situated in Brunswick County, North Carolina, and being more particularly described on Exhibit A attached hereto and incorporated herein by reference.

This dedication and acceptance is made subject to easements of record or on the ground, restrictive covenants of record, and ad valorem taxes for the current year, if any and on a prorated basis.

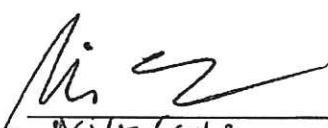
TO HAVE AND TO HOLD said property and all privileges and appurtenances thereunto belonging to the Grantee, Grantees successors and assigns, forever.

And the Grantor covenants that (i) Grantor has done nothing to affect such title to the aforesaid property as was received by Grantor; (ii) Grantor has the full right, title and authority to make this offer of dedication and conveyance to the Grantee; and, (iii) subject to the matters set forth above, agrees to warrant and defend the title to said property against the lawful claims of all persons claiming by, through or under Grantor, but no further.

Grantee, by signing this instrument, does so in order to formally evidence its acceptance of the Grantor's offer of dedication and conveyance of the subject property identified and more particularly described in Exhibit A.

IN TESTIMONY WHEREOF, Grantor and Grantee have caused this instrument to be executed under seal in such form as to be binding, this the day and year first above written.

DFC SUMMERS WALK LLC

By: 
Name: Mike Carls
Title: VP

STATE OF Florida
COUNTY OF St. Johns

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: Nick Carlson, VP.

Date: 03/19/2025



Signature of Notary Public

Alexander Bamberger

Notary's printed or typed name

My commission expires: 10/27/28



Notary seal or stamp must appear within this box.

TOWN OF SHALLOTTE

By: _____
Name: _____
Title: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

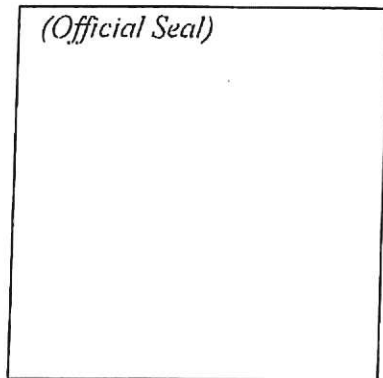
I certify that the following person personally appeared before me this day, acknowledging to me that he/she signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: _____.

Date: _____

Signature of Notary Public

Notary's printed or typed name

My commission expires: _____



Notary seal or stamp must appear within this box.

EXHIBIT A

All those certain tracts or parcels of land lying and being situated in Brunswick County, North Carolina, and being more particularly described as follows:

PARCEL 1

All those certain tracts or parcels of land lying and being situate in Brunswick County, North Carolina, and being shown and identified as "**Summerwalk Road**", "**Summerswalk Road**", "**Swimming Lane**", and "**Getaway Lane**", all on the plat recorded in Map Cabinet 164, at Pages 49-54 in the office of the Register of Deeds of Brunswick County.

AFFIDAVIT

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

DFC SUMMERS WALK LLC, a Florida limited liability company, with an office and place of business in Ponte Vedra, Florida, hereinafter referred to as Affiant, being first duly sworn, hereby deposes and says under oath as follows:

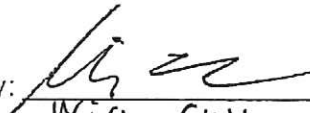
1. That it is the owner of certain property located in Shallotte Township, Brunswick County, North Carolina, known as Summers Walk Subdivision, containing lots numbering 1 thru 7, 105, 131 thru 138, 139, 140, 142, and 143, as more particularly described in a Deed of Dedication in favor of The Town of Shallotte of even date herewith.
2. That it has caused to be installed streets / rights-of-way through the property hereinafter described and referenced;

The road, street, and cul-de-sac rights of way shown as "Summerwalk Road", "Summerswalk Road", "Swimming Lane", and "Gateway Lane" on the map of "Summers Walk Phase 1" recorded in Map Book 164, Pages 49-54 of the Brunswick County Registry, reference to which map is hereby made for a more particular description.

3. All the work which has been performed in the construction and installation of said rights-of-way, above, has been fully paid for and there are now no liens of any kind including any lien for labor or material against the subdivision property which would in any way jeopardize title of Affiant to the property in said subdivision nor are there any legal actions pending against Affiant or any contractor arising out of any work performed in said subdivision or rights-of-way installed therein which would in any way jeopardize title to the subdivision located therein.

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly
executed by its authorized officer(s) this 19 day of March, 2025.

DFC SUMMERS WALK LLC

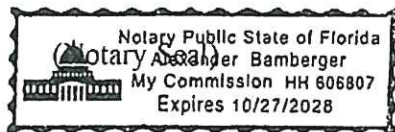
By: 
Nick Carlson, Manager

STATE OF Florida

COUNTY OF St Johns

I, a Notary Public of the County and State aforesaid, do hereby certify that
Nick Carlson personally came before me this day and acknowledged that he is
VP of DFC Summers Walk LLC being authorized to do so, executed the
foregoing on behalf of the corporation.

Witness my hand and official seal, this the 19 day of March, 2025.




Signature of Notary Public

Alexander Bamberger
Printed or Typed Name of Notary Public

My Commission Expires: 10/27/28

WARRANTY

KNOW ALL MEN BY THESE PRESENTS, that DFC Summers Walk LLC, a Florida limited liability company, hereinafter referred to as "Owner", is held and firmly bound unto the Town of Shallotte, a governmental entity existing under the laws of the State of North Carolina as set forth herein. The Owner binds themselves, their heirs, executors, administrators, successors and assigns jointly and severally to the Town of Shallotte as set forth herein.

WHEREAS, DFC Summers Walk, LLC, the Owner, has lawfully developed and constructed a development in the Town of Shallotte, North Carolina, known and identified as Summers Walk Phase 1 and Phase 1A, and in connection therewith, has constructed certain roadways and other appurtenant road structures, and has dedicated those facilities to the Town of Shallotte for public use and maintenance, and desires and has requested the Town of Shallotte to accept said facilities.

NOW THEREFORE, in consideration of the acceptance of said facilities by Town, Owner agrees to convey to the Town of Shallotte fee simple title to said facilities, and warrants that said facilities are constructed in a good and workmanlike manner in compliance with all plans and specifications approved by Town and are free from defects in materials and workmanship and shall remain in said condition, less normal wear and tear, for a period of one year from the date of action by Town of Shallotte Board of Aldermen accepting said facilities. Should said facilities or any portion thereof require repair or replacement within one year from the date of acceptance of said facilities for failure of workmanship, materials, or any other defects, specifically including damages resulting from any construction related activities including utility construction or building construction performed by other parties who purchased land, Owner shall make all necessary repairs or shall be liable to the Town of Shallotte for the costs to repair and replace said facilities to their original condition.

SIGNED, SEALED, AND DATED this the 16th day of June, 2025.

WITNESS:

Gaston P. [Signature]
Witness Print Name
[Signature]
Witness Signature

OWNER:

DFC Summers Walk LLC

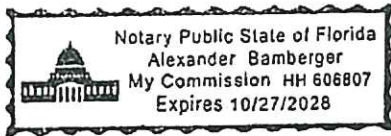
By: [Signature]
Mike Cassey VP
Printed Name and Title


STATE OF Florida

COUNTY OF St Johns

I, Alexander Bamberger, a Notary Public in and for the State and County aforesaid, do hereby certify that Nick Carlson, as Vice President of DFC Summers Walk LLC, a Florida limited liability company personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing instrument for the purposes therein set forth and in the capacity indicated.

Witness my hand and notarial seal, this the 14 day of June, 2025.





Signature of Notary Public

Alexander Bamberger

Notary's printed or typed name

My commission expires: 10/27/28

Summers Walk Phase 1 - Assets Cost List - Roads

Cost Description	QTY	Unit	Cost	Total
ABC Stone	3240	TON	\$ 49.00	\$ 158,760.00
Curb	8675	LnFt	\$ 25.00	\$ 216,875.00
Asphalt	9665	SqYd	\$ 19.00	\$ 183,635.00
Pavement Markings	1	LS	\$ 7,500.00	\$ 7,500.00
				<u>\$ 566,770.00</u>

RESOLUTION NO.25-06

WHEREAS, DFC SUMMERS WALK LLC, a Florida limited liability company, with an office and place of business in Ponte Vedra, Florida, (hereinafter "Developer") is the owner of a tract or parcel located in Shallotte Township, Brunswick County, North Carolina, known as "Summers Walk Phase 1A" as more particularly described in North Carolina General Warranty Deed recorded in Map Book 162, Page 15 of the Brunswick County Registry, reference to which map is hereby made for a more particular description; and Map Book 164, Pages 49-54 of the Brunswick County Registry" and which is being developed as Summers Walk subdivision as shown on plat(s) which have been recorded in the office of the Register of Deeds for Brunswick County, North Carolina; and

WHEREAS, Developer has caused to be installed road, street, and cul-de-sac rights of way located within the Town; and

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

ITEM ONE

The roads, streets, cul-de-sac and rights of way shown as "**Summerwalk Road**", "**Summerswalk Road**", "**Swimming Lane**", and "**Gateway Lane**" on the map of "Summers Walk Phase 1" recorded in Map Book 164, Pages 49-54 of the Brunswick County Registry, reference to which map is hereby made for a more particular description.

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 DFC SUMMERS WALK LLC as set forth above.
2. That the Town shall record the deed of dedication in the office of the Register of Deeds for Brunswick County.

ADOPTED THIS 26th DAY OF JUNE, 2025.

ATTEST:

Walt Eccard, Mayor

Natalie Goins, Town Clerk