

**This is not a legal or an engineering paper. This is an informational presentation giving context to the repair and repaving of Legends Drive, west of the guardhouse.**

## **Overview**

### **Repair and Repave Legends Drive**

**(from the guardhouse to the golf course)**

**500 feet of repair and repave:** Part 2 of the entire 2 1/2 miles of the Legends Drive corridor

- Part 1 was the STD; 21 team members, over 150 people donated.

- Some property owners wanted assurances before voting for the STD
- Part 2 - A small team to bring this plan to life. Eight people.
- **The road is privately owned**
  - Young family agreed to be part of the plan to repair and repave.
  - Young family set the rules - it's their road (no owner's lane; no changes)
  - Adjacent properties were impacted.
    - Drainage,
    - Swales,
    - Turning radius

- **Who is paying for this?**
  - Anyone who must traverse that 500 feet to get from their property to a public road.
  - Parties with implied easements:
    - This may be created if you need to use someone else's property to access a public road.
- **Why are we paying for this?**
  - Easement holders are using someone else's property
  - Easement holders have a duty of care
  - Under SC common law, owners and easement holders share cost of maintenance equitably, absent a maintenance agreement.

In our case, no maintenance agreement

- **Who has implied easements?**

Property owners west of the guardhouse:

- Legends POA,
- Gleneagles Cottages,
- Ailsa Village,
- Moorland Reserve,
- Golf Course,
- Young family properties

## **DETAILS**

### **Repair and Repave Legends Drive**

**(from the guardhouse to the golf course)**

### **The Contract**

A contract was executed by Danny Young on August 11, 2025.

**Contractor:** N. Miller Asphalt Paving

**Contract price:** \$68,000

The contractor expects to start mid September, and construction should last about a week.

**Proposals:** Ten bids from two paving companies; \$58,000 to \$179,000.

- Horry County engineers estimated a cost of \$174,000 to bring the road up to County standards.
- The wide range of estimates is for different levels of materials and labor.
- After consulting with in-house and contractor engineers, we issued a final Statement of Work (SOW) to competing contractors
- Final proposals from two firms complying with the same SOW was \$68,000 and \$109,000, respectively.

# **STATEMENT OF WORK (SOW)**

## **Legends Drive Repair and Resurfacing**

**From End-of-County Maintenance Sign (Guardhouse)  
to the First Golf Course Median (see Elevation Survey)**

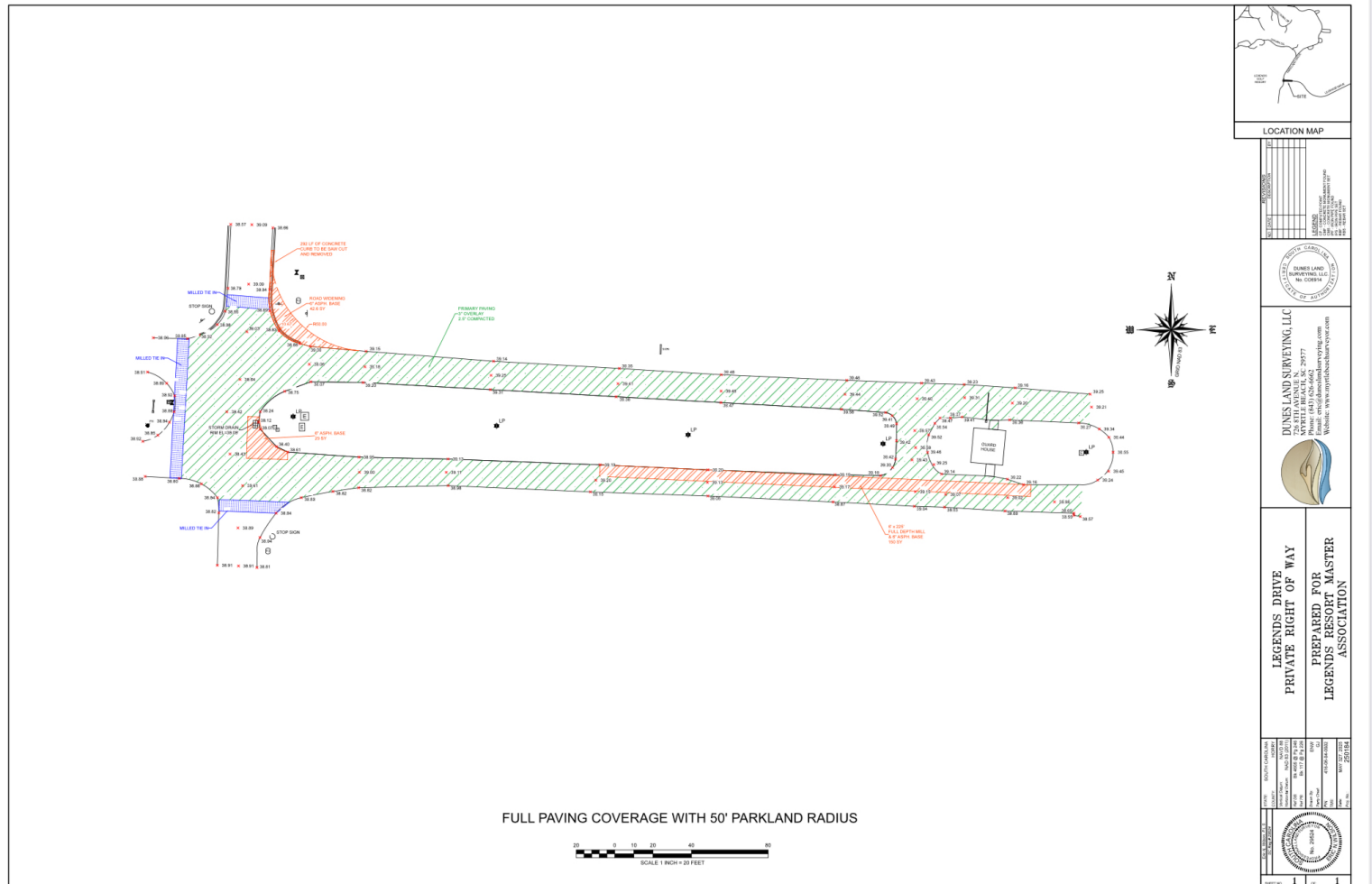
### **STATEMENT OF WORK**

The following are additional clarifications, changes and comments to be incorporated with your proposal previously submitted to us. Please submit a new proposal by Wednesday June 25, 2025 reflecting these final modifications.

1. 50' turning radius from the westbound lane north onto Parkland Drive. Remove existing curbing in that turn. The curbing is not to be replaced. The entire radius is to be widened with 6" of asphalt below the final surface layer. Any railroad ties are to be left in place if below the 6" asphalt base depth.
2. Reinforce the catch basin, as shown on the Elevation Survey, with a 6" asphalt base below the final surface area.
3. Knock down all grass shoulders. No additional grading is required.
4. The new road surface needs to transition slightly into the two guardhouse paths. Successful bidder is not responsible for grading or elevation of path itself.
5. The eastbound lane needs an estimated 225' x 6' of deep patching, using 6" of asphalt below the final surface area. A much smaller amount of 6" asphalt deep patching is needed for the westbound lane nearer the guardhouse (based on professional judgment).
6. No milling to existing asphalt except in transition areas.
7. Existing asphalt to be swept and a leveling course laid (skim coat).
8. New 2 1/2" compacted surface asphalt layer after skim coat.
9. Crossways slope to be pitched outward 1% to 1 1/2%.
10. New asphalt surface to be in the same footprint as the existing road, except as provided herein.

Any questions, please contact Tom Tiscione by email at [ttisc@tiscione.com](mailto:ttisc@tiscione.com) or by cell at 908-625-9198.

# Elevation Survey, full coverage with 50 foot Parkland radius





## **Cost Apportionment: Equitable and Proportionate**

Under easement common law in SC, courts have supported cost distribution equitably among dominant and servient parties.

- Actual usage is not easily quantifiable:
  - Some have one car, others two cars
  - Some moved into the neighborhoods yesterday, others years ago
  - Some have since moved out
  - Some commute daily, others do not
  - Some own unimproved lots
- Different land use = different traffic:
  - Townhouses behave differently than single family homes
  - Golf courses behave differently than restaurants

- Office space behaves differently than a retail business

## **Horry County Land Development Regs, Article 4 - Design Standards**

### **Table 4-B, Trip Generation Rates**

A reliable method of cost apportionment is necessary to satisfy equity. Table 4-B is used by Horry County in deciding the type road to be built to serve the public.

By separately analyzing **Land Use Type**, the County estimates average daily trip generation rates (“ADTs”) for each Land Use Type.

# (Table 4-B)

## Article 4 – Design Standards

Table 4-B  
Trip Generation Rates by Major Land Use Categories

Land Use Type	Average Weekday Trip Generation Rates
<b>Residential</b>	
Single Family Detached	Trips Per Indicated Measure: <u>Dwelling Unit</u>
Townhouse	8
Apartment	6
Mobile Home Park	5
Retirement Community	3
<b>Office Building</b>	
General Office, 10,000 gross sq. ft.	<u>1,000 gross sq. ft. of building area</u>
General Office, 50,000 gross sq. ft.	24
General Office, 100,000 gross sq. ft.	16
General Office, 200,000 gross sq. ft.	14
General Office, 500,000 gross sq. ft.	12
General Office, 800,000 gross sq. ft. and over	9
Medical Office Building	8
Office Park	34
Research Center	11
	6
<b>Retail</b>	
Specialty Retail	<u>1,000 gross sq. ft. of building area</u>
Discount Store	31
Shopping Center, 10,000 sq. ft. gross leasable area	53
Shopping Center, 50,000 sq. ft. gross leasable area	69
Shopping Center, 100,000 sq. ft. gross leasable area	53
Shopping Center, 200,000 sq. ft. gross leasable area	40
Shopping Center, 500,000 sq. ft. gross leasable area	33
Shopping Center, 1,000,000 sq. ft. gross leasable area	33
Shopping Center, 1,600,000 sq. ft. gross leasable area	32
Fast-Food Restaurant with drive-thru & inside seating	600
High-Turnover (sit down) Restaurant	160
<b>Vehicle Fueling Positions</b>	
Gasoline/Service Station with or without Convenience Market	100
<b>Industrial</b>	
Light Industrial	<u>1,000 gross sq. ft. of building area</u>
Heavy Industrial	6
Industrial Park	3
Manufacturing	7
Warehousing	3
Mini-Warehouse	4
	3
<b>Lodging</b>	
Hotel/Motel	<u>Room</u>
	8
<b>Institutional</b>	
Elementary School	<u>Student</u>
High School	1
Junior/Community College	1
	2
<b>Recreation</b>	
Golf Course	<u>Acres</u>
Marina	5
Sports Facility	25
	33

## **The Cost for each Property Owner Group**

Using Table 4-B, the equitable cost apportionment is as follows:

EASEMENT GROUPING	Homes, Acres or Improved sq ft	Average Daily Trips (ADTs)	Total ADTs	Percent to Total	\$\$ Fair Share
LEGENDS POA	644	-	4,228	42%	\$29,097
GLENEAGLES COTTAGES	45	8	360	4	2,478
MOORLAND RESERVE	97	6	582	6	4,005
AILSA VILLAGE	121	8	968	10	6,662
GOLF COURSE	-	-	3,032	31	20,865
YOUNG FAMILY	-	-	711	7	4,893
Totals			9,881	100%	\$68,000

### **How the base was determined for each**

- The six easement groups were identified
- Table 4-B was used for apportionment

- The base was built by identifying the property in each group using land PIN numbers.

## Let's peel legends POA back to the underlying regimes

LEGENDS POA SUBORDINATE REGIMES	NUMBER OF RESIDENCES	Average Daily Trips (ADTs)	Total ADTs	Percent to Total	\$\$ Fair Share
PARKLAND POA	320	8	2,560	26%	\$17,618
TURNBERRY POA CONDOS	196	5	980	10	6,744
GLENEAGLES POA TOWN	48	6	288	3	1,982
GLENEAGLES POA CONDOS	80	5	400	4	2,753
Totals			4,588	~42%	\$29,097

## What does this mean for us today?

For a contract price of \$68,000, the cost per property owner will vary based on property type (no special assessments):

Each single family: \$55.05

Each townhouse: \$41.29

Each apartment (condo): \$34.41

### **What does this mean for the future?**

For subsequent maintenance sealcoat applications (every 4-5 years): Estimated to be \$4,500 per application, if approved.

- A Memorandum of Understanding (MOU) will be mailed to each party this week.
- Executing the MOU is voluntary and does not bind any party.

### **Let's do some math**

If a residential property owner used the road since 2005, the cost per year to maintain the road equates to:

- \$2 - \$3/yr for a single family home
- \$2/yr for a townhouse
- \$1.72/yr for a condo

Sealcoat maintenance is less than \$1/yr/dwelling.