

AN ORDINANCE
TRANSFERRING AN INTEREST IN REAL PROPERTY
FROM THE COUNTY OF CHARLESTON TO SOUTH CAROLINA ELECTRIC AND
GAS COMPANY

WHEREAS, the Medical University of South Carolina (AMUSC@) and the South Carolina Electric and Gas Co. (ASCE&G@) have informed the County that in conjunction with the construction of the new MUSC hospital, existing overhead power lines must be removed, and

WHEREAS, The County is in the process of selling the Health Complex Parking Garage (the AGarage@) to MUSC, and the adjacent street known as McClennan-Banks Court (the AStreet@) to the Medical University Hospital Authority (AMUHA@), and

WHEREAS, in order to expedite the planning and infrastructure improvements necessary for construction of the new hospital, SCE&G and MUSC have requested that the County grant a permanent utility easement across McClennan-Banks Court to SCE&G prior to the closing of the sale of the Garage and Street, and

WHEREAS, County Council approved a temporary access agreement allowing SCE&G access to the Street prior to final approval of the grant of easement, and

WHEREAS, the Charleston County Council finds that it is in the best interests of the citizens of Charleston County to grant a utility easement across lands owned by the County identified as McClennan-Banks Court, in the City of Charleston,

NOW, THEREFORE, pursuant to the authority granted to the County Council for Charleston County under the Constitution, statutes, and laws of the State of South Carolina, BE IT ENACTED by the Charleston County Council, in meetings duly assembled, after three readings and a public hearing, the following ordinance:

SECTION I. TRANSFER OF INTEREST IN REAL PROPERTY

Attached to this ordinance as Attachment 1 is an unexecuted copy of the instrument to be executed to grant the easement across the County property known as McClennan-Banks Court from the County to SCE&G. Attachment 1 is incorporated in this ordinance as if Attachment 1 were set forth verbatim in this section. This ordinance authorizes the County Council Chairman or County Administrator to execute the instrument and grant the easement in accordance with the terms set forth in Attachment 1.

SECTION II. CONFLICTS

Any previously enacted ordinance that is in conflict with the provisions of this ordinance is hereby repealed from and after the effective date of this ordinance.

SECTION III. SEVERABILITY

If, for any reason, any part of this ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this ordinance shall remain in effect.

SECTION IV. EFFECTIVE DATE

This ordinance shall become effective immediately upon approval following third reading.

ADOPTED and APPROVED in meeting duly assembled this _____ day of _____, 2004.

CHARLESTON COUNTY COUNCIL

By: _____
Barrett S. Lawrimore
Chairman

ATTEST:

By: _____
Beverly T. Craven
Clerk of Council

First Reading: _____
Public Hearing: _____
Second Reading: _____
Third Reading: _____