

AN ORDINANCE

APPROVING AND AUTHORIZING THE TRANSFER OF OWNERSHIP OF THE
PIPING SYSTEM AND GRANTING A RIGHT OF WAY EASEMENT TO
CHARLESTON WATER SYSTEM OF A PORTION OF COUNTY PROPERTY
KNOWN AS THE AZALEA AUTO GARAGE SHOP.

WHEREAS, Charleston County installed a 6 inch water line on the east side of Charleston County property known as TMS 411-13-00-004, known as the Azalea Auto Garage ("Azalea Garage"), located at 4371 Headquarters Road in North Charleston, South Carolina; and

WHEREAS, the County desires to transfer ownership of this piping system to the Commissioners of Public Works of the City of Charleston ("CPW") so it can operate and maintain the water system; and

WHEREAS, CPW has requested the grant of a 15 feet x 400 feet easement across a portion of the Azalea Garage in order to operate and maintain the water system; and

WHEREAS, Charleston County Council also finds that transferring the ownership of the piping system to CPW and granting a right of way easement to CPW will allow CPW to operate and maintain the water system at the Azalea Garage; and

WHEREAS, Charleston County Council finds that transferring ownership of the piping system and granting the easement are appropriate public uses for this property; and

NOW, THEREFORE, be it ordained by Charleston County Council, in meetings duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. OWNERSHIP TRANSFERRED; EASEMENT GRANTED;
AUTHORITY TO EXECUTE DOCUMENTS

A. Charleston County Council transfers ownership of the piping

system and grants a 15 feet x 400 feet right of way easement across a portion of Charleston County's real property identified by parcel identification number 411-13-00-004 known as site of the Azalea Auto Garage, located at 4371 Headquarters Road, in North Charleston, South Carolina, to allow CPW to operate and maintain the water system at this facility. The location of the utility easement is shown on the attached drawing, which is incorporated by reference as Exhibit A.

B. The Chairman of Council is authorized to execute and deliver all documents and instruments necessary for the transfer of ownership of the piping system and for the grant of this easement.

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 full force and effect.

SECTION IV. EFFECTIVE DATE

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