

AN ORDINANCE

APPROVING AND AUTHORIZING THE CONVEYANCE OF A PORTION OF CHARLESTON COUNTY OWNED REAL PROPERTY LOCATED AT 1800 LABOR CAMP ROAD, MOUNT PLEASANT, SOUTH CAROLINA, PARCEL IDENTIFICATION NUMBER 558-00-00-038, TO THE FOUR-MILE COMMUNITY ASSOCIATION.

WHEREAS, Charleston County (the "County") owns real property located at 1800 Labor Camp Road, Mount Pleasant, South Carolina, identified as tax map parcel number 558-00-00-038; and

WHEREAS, Charleston County Council (the "County Council") desires to convey 4.61 acres of the total 5.26 acres of the real property identified as tax map parcel number 558-00-00-038, to the Four-Mile Community Association, and finds that conveying the property is in the best interests of the County and its citizens; and

WHEREAS, the County desires to convey the property to the Four-Mile Community Association to be used for a community center and a recreational area; and

WHEREAS, the County Council requires that should the Four-Mile Community Association fail to develop the property for recreational purposes to include, but not limited to, a community center and recreational area, within ten (10) years, or dissolve or cease to exist, or attempt to sell the property or encumber the property with a mortgage or similar encumbrance to secure borrowed moneys or other indebtedness, title to the property shall immediately pass to and vest in the County and the property will revert to the County.

WHEREAS, the County Council and Four-Mile Community Association specifically intend that this conveyance be subject to the above-described property interest in favor of

the County; and

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, 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. APPROVAL OF CONVEYANCE OF REAL PROPERTY WITH CONDITIONS AND AUTHORITY TO EXECUTE DOCUMENTS FOR THE CONVEYANCE OF REAL PROPERTY

A. The County Council conveys 4.61 acres of the total 5.26 acres of the County owned real property identified as tax map parcel identification number 558-00-00-038 located at 1800 Labor Camp Road, Mount Pleasant, South Carolina, to the Four-Mile Community Association. The location of the property is shown on the attached plat, which is incorporated by reference as Exhibit "A."

B. The Four-Mile Community Association will develop the property for recreational purposes within ten (10) years. Should the Four-Mile Community Association fail to develop the property for recreational purposes to include, but not limited to, a community center and recreational area, within ten (10) years, or dissolve or cease to exist, or attempt to sell the property or encumber the property with a mortgage or similar encumbrance to secure borrowed moneys or other indebtedness, title to the property shall immediately pass to and vest in the County and the property will revert back to the County.

C. The Chairman of the County Council is authorized to execute and deliver any and all documents and instruments necessary for the conveyance of the real property.

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 its approval following third reading by the County Council.

ADOPTED and APPROVED in meeting duly assembled this ___ day of December, 2009.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
Teddie E. Pryor, Sr.
Chairman of County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk to County Council

First Reading: _____, 2009
Second Reading _____, 2009
Third Reading: _____, 2009