

AN ORDINANCE

AUTHORIZING CHARLESTON COUNTY COUNCIL TO CONVEY CHARLESTON COUNTY'S INTEREST, IF ANY, IN REAL PROPERTY IDENTIFIED AS TAX MAP PARCEL NUMBER 343-07-00-058 BY QUITCLAIM DEED TO LOUIE F. GARVIN, JR.

WHEREAS, there exists an unopened, untraveled "paper" road on James Island that was platted but never opened traveling from Stephan Drive to Fleming Road running between tax map parcels indentified as numbers 343-07-00-004, 343-07-00-005, 343-07-00-049 and 343-07-00-048 and through the parcel of property identified as tax map parcel number 343-07-00-058 also known as 429 Fleming Road, Charleston, SC 29412 owned by Louie F. Garvin, Jr.; and

WHEREAS, since 1940, a residence has been located on the parcel where the unopened road would be located, and since 1973, when tax maps were first utilized, the road was included as part of the parcel; and

WHEREAS, the portion of the parcel containing the unopened road has been used for decades by the current owner and prior owners of the parcel, and the County of Charleston has never asserted ownership of the road; and

WHEREAS, the owner of the parcel has requested the County of Charleston relinquish any interest it may have in the unopened road and quit claim that interest to him.

NOW, THEREFORE, BE IT ENACTED by the County Council of Charleston County, South Carolina, in meeting duly assembled, as follows:

SECTION I. INCORPORATION OF FINDINGS

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

SECTION II. EXECUTION OF QUIT CLAIM DEED

Charleston County Council authorizes and empowers its Chairman to execute and deliver the Quit Claim Deed that is attached hereto as Exhibit "A" in order to quitclaim any right, title and interest the County of Charleston may have in the parcel of property identified as tax map parcel number 343-07-00-058 to Louie F. Garvin, Jr.

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 upon approval following third reading by the County Council.

CHARLESTON COUNTY, SOUTH CAROLINA