

**AN ORDINANCE
APPROVING AND AUTHORIZING THE GRANT OF AN EASEMENT
TO SOUTH CAROLINA PORTS AUTHORITY
ON A PORTION OF COUNTY PROPERTY, IDENTIFIED AS
TAX MAP PARCEL NUMBER 537-00-00-062,
LOCATED AT 355 WANDO PLACE DRIVE, MT. PLEASANT, SOUTH CAROLINA**

WHEREAS, South Carolina Ports Authority (“SCPA”) has requested the grant of an access easement of twenty-five (25) feet by three hundred twenty-two (322) feet across a portion of Charleston County’s real property identified by parcel identification number 537-00-00-062, located at 355 Wando Place Drive, in Mt. Pleasant, South Carolina, for SCPA to access its property, identified by parcel identification number 537-00-00-041, which is adjacent to 355 Wando Place Drive; and

WHEREAS, Hubner Manufacturing Corporation will pay for all costs of constructing, maintaining, and repairing the access easement, as needed; and

WHEREAS, SCPA will be responsible for any damages to County property occurring during its use of the access easement; and

WHEREAS, Charleston County Council finds that granting the easement is an appropriate public use for this property; and

WHEREAS, Charleston County Council also finds that the easement will be a benefit to the County and other businesses in the area, and it consents to SCPA having an easement across the property owned by the County; and

NOW, THEREFORE, BE IT ORDAINED by County Council of Charleston County, South Carolina in meeting duly assembled finds 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. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS

A. Charleston County Council grants an easement of twenty-five (25) feet by three hundred twenty-two (322) feet across a portion of Charleston County’s real property identified by parcel identification number 537-00-00-062, located at 355 Wando Place Drive, in Mt. Pleasant, South Carolina, for SCPA to access its property, identified by parcel identification number 537-00-00-041, which is adjacent to 355 Wando Place Drive. SCPA will be responsible for all costs associated with the easement, SCPA will be responsible for any damages to County property occurring during its use, or anyone on its behalf to include its invitees. Hubner Manufacturing Corporation will pay for all costs of constructing, maintaining, and repairing the access easement, as needed. The location of the 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 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.

ADOPTED and APPROVED in meeting duly assembled this 21st day of April, 2015.

CHARLESTON COUNTY COUNCIL

By: _____

J. Elliot Summey
Chairman of County Council

ATTEST:

By: _____

Beverly T. Craven
Clerk to County Council