

**AN ORDINANCE  
TO APPROVE AND AUTHORIZE THE GRANT OF TWO TEMPORARY  
EASEMENTS TO CHARLESTON WATER SYSTEM ON A PORTION OF  
COUNTY PROPERTY, LOCATED AT 1344 BEES FERRY ROAD,  
CHARLESTON, SOUTH CAROLINA, IDENTIFIED AS TAX MAP PARCEL  
NUMBER 301-00-00-026**

WHEREAS, Charleston Water System (“CWS”) has requested the grant of two (2) temporary construction easements of varying widths, 2,354 linear feet and 4,493 linear feet, respectively, across a portion of Charleston County’s real property identified by tax map parcel identification number 301-00-00-026, located at 1344 Bees Ferry Road, in Charleston, South Carolina, hereby attached as Exhibits A and B; and

WHEREAS, CWS requires these temporary easements to use while constructing a new sewer line on the Property and these temporary easements will terminate upon completion of the construction of the sewer line; and

WHEREAS, CWS will pay for all costs of constructing, maintaining, and repairing the temporary easements, as needed; and

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

WHEREAS, Charleston County Council also finds that the temporary easements will be a benefit to the County and other businesses in the area, and it consents to CWS having two (2) temporary easements 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. TEMPORARY EASEMENTS GRANTED; AUTHORITY TO EXECUTE DOCUMENTS**

A. Charleston County Council grants two (2) temporary construction easements of varying widths, 2,354 linear feet and 4,493 linear feet, respectively, to CWS across a portion of Charleston County’s real property identified by parcel identification number 301-00-00-026, located at 1344 Bees Ferry Road, in Charleston, South Carolina. CWS will provide construction and maintenance of a new sewer line on the Property. CWS

will be responsible for any damages to County property occurring during its use of the temporary easements, or anyone on its behalf to include its invitees. CWS will pay for all costs of constructing, maintaining, and repairing the easements, as needed. The locations of the easements are shown on the attached drawings, which are incorporated by reference as Exhibits A and B. These easements will terminate upon completion of the construction of the sewer line.

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 7<sup>th</sup> day of January, 2016.

CHARLESTON COUNTY COUNCIL  
J. Elliott Summey, Chairman

ATTEST:

Beverly T. Craven  
Clerk to County Council