

AN ORDINANCE

TO APPROVE AND AUTHORIZE THE GRANT OF AN EASEMENT TO SOUTH CAROLINA ELECTRIC AND GAS COMPANY 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, AND ACKNOWLEDGE SOUTH CAROLINA ELECTRIC AND GAS COMPANY'S ABANDONMENT OF A PORTION OF AN EASEMENT LOCATED ON THE SAME PROPERTY.

WHEREAS, South Carolina Electric and Gas ("SCE&G") has requested the grant of an easement twenty (20) feet wide along the length of its current easement 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 ("Property"), hereby attached as Exhibit A; and

WHEREAS, SCE&G requires this easement to provide electrical work associated with the construction of a new sewer line on the Property and will pay for all costs of constructing, maintaining, and repairing the easement, as needed; 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 SCE&G having an easement across the property owned by the County; and

WHEREAS, Charleston County Council also acknowledges that SCE&G has also abandoned another easement on a portion of the same property, hereby attached as Exhibit B; 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 twenty (20) feet wide along the length of its current easement 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, to perform electrical work associated with a new sewer line on the Property. SCE&G will be responsible for any damages to County property occurring during its use of the easement, or anyone on its behalf to include its invitees. SCE&G will pay for all costs of constructing, maintaining, and repairing the easement, as needed. The location of the easement is shown on the attached drawing, which is incorporated by reference as Exhibit A. Charleston County Council also acknowledges that SCE&G has abandoned another easement on a portion of the same property, which is incorporated by reference as Exhibit B.

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 7th day of January, 2016.

CHARLESTON COUNTY COUNCIL
J. Elliott Summey
Chairman of County Council

ATTEST:

Beverly T. Craven
Clerk to County Council