

#1970

Adopted 7/18/17

**AN ORDINANCE  
APPROVING AND AUTHORIZING THE GRANT OF AN EASEMENT TO  
SCE&G OVER A PORTION OF CHARLESTON COUNTY OWNED PROPERTY  
IDENTIFIED AS THE CHARLESTON CENTER/ BANOV BUILDING LOCATED  
AT 3-5 CHARLESTON CENTER DRIVE, CHARLESTON, SOUTH CAROLINA.**

**WHEREAS**, South Carolina Electric and Gas (“SCE&G”) requested the grant of an Easement one hundred twenty-five feet long by ten feet wide on a portion of Charleston County’s property identified by tax map number 460-14-00-019, located at 3-5 Charleston Center Drive, in Charleston, South Carolina (“Property”), and Charleston County Council granted this easement on June 6, 2017, in Ordinance Number \_\_\_\_\_ which is attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, SCE&G required the easement in order to reroute SCE&G facilities so that they can continue to safely provide service and will pay for all costs of constructing, maintaining, and repair the easements 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**, it was unanimously resolved that the undersigned Officer convey an Easement as hereinafter described to the Grantee named below for the consideration expressed herein.

**KNOW ALL MEN BY THESE PRESENTS**, that the County of Charleston, (“Grantor”) in the State aforesaid, for and in consideration of the sum of One and 00/100 (\$1.00) Dollar, to it

in hand paid by SCE&G (the “Grantee”), receipt of which is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell, and release unto Grantee, its heirs and assigns forever, the Easement, which is more fully described on Exhibit A, which is attached hereto and made a part hereof by reference, over, on, through and burdening the real property of the Grantor identified as TMS 460-14-00-019.

The Easement may be used jointly by the Grantor, and its successors and assigns, and by the Grantee, and its heirs and assigns. The Grantor shall be under no obligation to maintain the Easement, but shall have the right to do so if desired.

### **SECTION 1. FINDINGS INCORPORATED**

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

### **SECTION 11. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS**

**A.** Charleston County Council grants one hundred twenty-five (125) feet long easement by ten (10) feet wide easement across a portion of Charleston County’s real property identified by parcel identification number 460-14-00-019, located at 3-5 Charleston Center Drive, in Charleston, South Carolina, to reroute SCE&G facilities so that they can continue to safely provide service. 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.

**B.** The Chairman of County 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 18 day of 2017.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
A. Victor Rawl  
Chairman of County Council

ATTEST.

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk to County Council

First Reading: June 6, 2017  
Second Reading: June 20, 2017  
Third Reading: July 18, 2017

