

**AN ORDINANCE  
APPROVING AND AUTHORIZING THE LEASE, SALE AND CONVEYANCE OF  
CHARLESTON COUNTY OWNED REAL PROPERTY KNOWN AS THE INCINERATOR SITE  
PROPERTY LOCATED AT 1801 SHIPYARD CREEK ROAD, NORTH CHARLESTON, SOUTH  
CAROLINA, IDENTIFIED AS TAX MAP PARCEL IDENTIFICATION NUMBER 469-00-00-006,  
AND OTHER MATTERS RELATED THERETO.**

BE IT ENACTED BY THE COUNTY COUNCIL OF CHARLESTON COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

WHEREAS, Charleston County owns real Property identified as tax map parcel number 469-00-00-006 located at 1801 Shipyard Creek Road, North Charleston, South Carolina presently known as the “Incinerator Site Property” (the “Property”); and

WHEREAS, Charleston County Council desires to enter into a lease of the Property with an option to purchase the Property and finds that selling the Property is in the best interests of Charleston County and its citizens; and

WHEREAS, the County has negotiated to lease and sell the Property for value and seeks to lease and subsequently convey ownership of the Property to Carver Realty SC, LLC (“Carver Realty”) for and in consideration of Two Million Nine Hundred Thousand and 00/100 (\$2,900,000.00 ) Dollars; and

WHEREAS, Charleston County Council held a public hearing on the proposed lease and sale of the Property from the County to Carver Realty on August 15, 2019, pursuant to South Carolina Code Annotated Section 4-9-130, Code of Laws of South Carolina, 1976, as amended.

NOW, THEREFORE, based upon the foregoing authorizations and for the purposes set forth above, Charleston County Council incorporates the recitals and findings in this Ordinance and enacts this Ordinance to effect the lease and sale of the Property owned by Charleston County 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. AUTHORITY TO EXECUTE DOCUMENTS FOR LEASE AND SALE OF PROPERTY**

A. Charleston County Council hereby approves and authorizes the preparation and execution of documents for the lease, and sale and conveyance of the real Property owned by

Charleston County identified as tax map parcel number 469-00-00-006 located at 1801 Shipyard Creek Road, North Charleston, South Carolina to Carver Realty. Charleston County will lease the Property to Carver Realty for a term of two (2) years with an option to purchase the Property. Carver Realty may exercise its option to purchase the Property prior to expiration of the lease term upon notice to Charleston County.

B. The Chairman of County Council is authorized to execute and deliver all documents and instruments necessary for the lease and subsequent conveyance of ownership of the Property, including, but not limited to, a Lease Agreement and Agreement for Purchase and Sale of Real Property, and any and all other documents and instruments for the lease and sale of the Property.

C. Charleston County held a public hearing on August 15, 2019, in accordance with South Carolina Code Annotated Section 4-9-130, Code of Laws of South Carolina, 1976, as amended.

### SECTION III. SEVERABILITY

If, for any reason, a court of competent jurisdiction invalidates any part of this Ordinance, the remaining portions of this Ordinance shall remain in full force and effect.

### SECTION IV. EFFECTIVE DATE OF THIS ORDINANCE

This Ordinance shall become effective immediately upon Third Reading of the Ordinance. ADOPTED and APPROVED in meeting duly assembled this \_\_\_\_ day of August, 2019.

CHARLESTON COUNTY COUNCIL

\_\_\_\_\_  
J. Elliott Summey  
Chairman of Charleston County Council

ATTEST:

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Kristen L. Salisbury  
Clerk of Charleston County Council

First Reading: August 15, 2019  
Second Reading: August 20, 2019  
Public Hearing: August 15, 2019  
Third Reading: September 12, 2019