

Adopted: 12/10/2019

Ord #: 2093

**AN ORDINANCE
AUTHORIZING THE CONVEYANCE OF THE REAL PROPERTIES LOCATED AT 896 FOLLY
ROAD (PARCEL ID #425-06-00-100) AND 1644 CAMP ROAD TO CORKY'S OUTDOOR
POWER EQUIPMENT**

WHEREAS, the County of Charleston ("County") owns the properties located at 896 Folly Road, Parcel ID# 425-06-00-100, and 1644 Camp Road, no parcel ID, in the Town of James Island known as the former Subway, (the buildings and real property hereinafter collectively known as "the Property"); and

WHEREAS, Danny O'Quinn, owner and operator of Corky's Power Equipment, LLC, (Corky's) owns real property adjacent to the Property for the operation of an outdoor equipment and lawn care company and has offered to purchase the Property from the County for the appraised value of the Property; and

WHEREAS, as a condition of the acquisition, Corky's has agreed to enter into an easement on the Property with the Town of James Island (Town) whereby the Town would pay for and install public improvements on the Property that support the Rethink Folly Road initiative; and

WHEREAS, the County will convey approximately .34 acres to Corky's for the sum of Five Hundred Thousand Dollars (\$500,000.00) with the condition that Corky's enter into an easement with the Town on the Property supporting the Rethink Folly Road initiative; and

WHEREAS, a Public Hearing on the proposed conveyance of the Property will be held prior to the third reading of this Ordinance, pursuant to §4-9-130 of the Code of Laws of South Carolina (1976, as amended) ; and

WHEREAS, the conveyance of the Property, pursuant to the terms set forth above, is in the best interests of Charleston County and its citizens; and

NOW, THEREFORE, be ordained it by Charleston County Council, in meeting duly assembled, finds as follows:

SECTION I. AUTHORIZATION TO EXECUTE DEED

Charleston County Council authorizes the preparation of a limited warranty deed for execution by the Chairman to transfer the Property of approximately .34 acres of Parcel ID# 425-06-00-100 and 1644 Camp Road to Corky's for the sum of Five Hundred Thousand Dollars (\$500,000.00). This is conditioned on Corky's entering into an agreement with the Town for an Easement on the Property for the Rethink Folly Road initiative prior to execution of the deed.

SECTION II. CONFLICT WITH OTHER ORDINANCES

Any previously enacted ordinance that is in conflict with the provisions of this Ordinance is hereby repealed from and after the effective date of this Ordinance.

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 by

the Charleston County Council.

ADOPTED and APPROVED in meeting duly assembled this ____ day of _____,
2019.

CHARLESTON COUNTY COUNCIL

By: _____

J. Elliott Summey
Chairman

ATTEST:

By: _____
Kristen L. Salisbury
Clerk of Charleston County Council

First Reading: November 12, 2019
Second Reading: November 21, 2019
Third Reading: December 10, 2019
Public Hearing: December 10, 2019