

**AN ORDINANCE APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO THE SOUTH CAROLINA ELECTRIC AND GAS COMPANY ON A PORTION OF COUNTY PROPERTY KNOWN AS THE BAXTER-PATRICK JAMES ISLAND LIBRARY**

**WHEREAS**, South Carolina Electric and Gas ("SCE&G") requested the grant of an Easement one hundred forty-five feet long by five feet wide on a portion of Charleston County's property identified by tax map number 334-07-00-042, located at S. Grimball Rd. and Nathaniel Dr., in Charleston, South Carolina ("Property"), and Charleston County Council grants this easement attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, SCE&G required the easement in order to establish 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 ("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 in Exhibit A, which is attached hereto.

**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 of one hundred forty-five (145) feet by five (5) feet for the underground electric line across a portion of Charleston County's real property identified by parcel identification number 334-07-00-042, located at S. Grimball Road and Nathaniel Drive, in Charleston, South Carolina, for SCE&G to provide electric utilities. 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 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 19th day of December 2019.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
J. Elliott Summey  
Chairman of County Council

ATTEST.

By: \_\_\_\_\_  
Kristen Salisbury  
Clerk to County Council

First Reading: November 21, 2019  
Second Reading: December 10, 2019  
Third Reading: December 19, 2019