

**AN ORDINANCE
GRANTING A DRAINAGE EASEMENT TO THE TOWN OF MCCLELLANVILLE ON A
PORTION OF COUNTY PROPERTY KNOWN AS THE MCCLELLANVILLE LIBRARY (TMS
NUMBER 764-14-00-016)**

WHEREAS, the Town of McClellanville ("Town") has requested an easement of approximately 20' covering 3,113 SF / 0.07 acres on a portion of real property owned by the County of Charleston ("County") located at 222 Baker Street in McClellanville and further identified by tax map number 764-14-00-016 ("Property") to access, repair, and maintain a portion of an underground drainage system, attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the Town requires the easement in order to access the portion of the drainage system located on the Property as needed and will pay for all costs associated with maintaining and repairing the portion of the drainage system located in the easement area; 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 residents and businesses in the area, and it consents to the Town 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, ("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 the Town ("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 a new 20' easement covering approximately 3,113 square feet or 0.07 acres on a portion of real property located at 222 Baker Street, McClellanville, South Carolina, further identified by tax map number 764-14-00-016, for the Town to access, maintain, and repair a drainage pipe. The Town 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. The Town will pay for all costs to maintain and repair the easement as needed. The location of the easement is shown on the attached plat, 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 16th day of February 2021.

CHARLESTON COUNTY COUNCIL

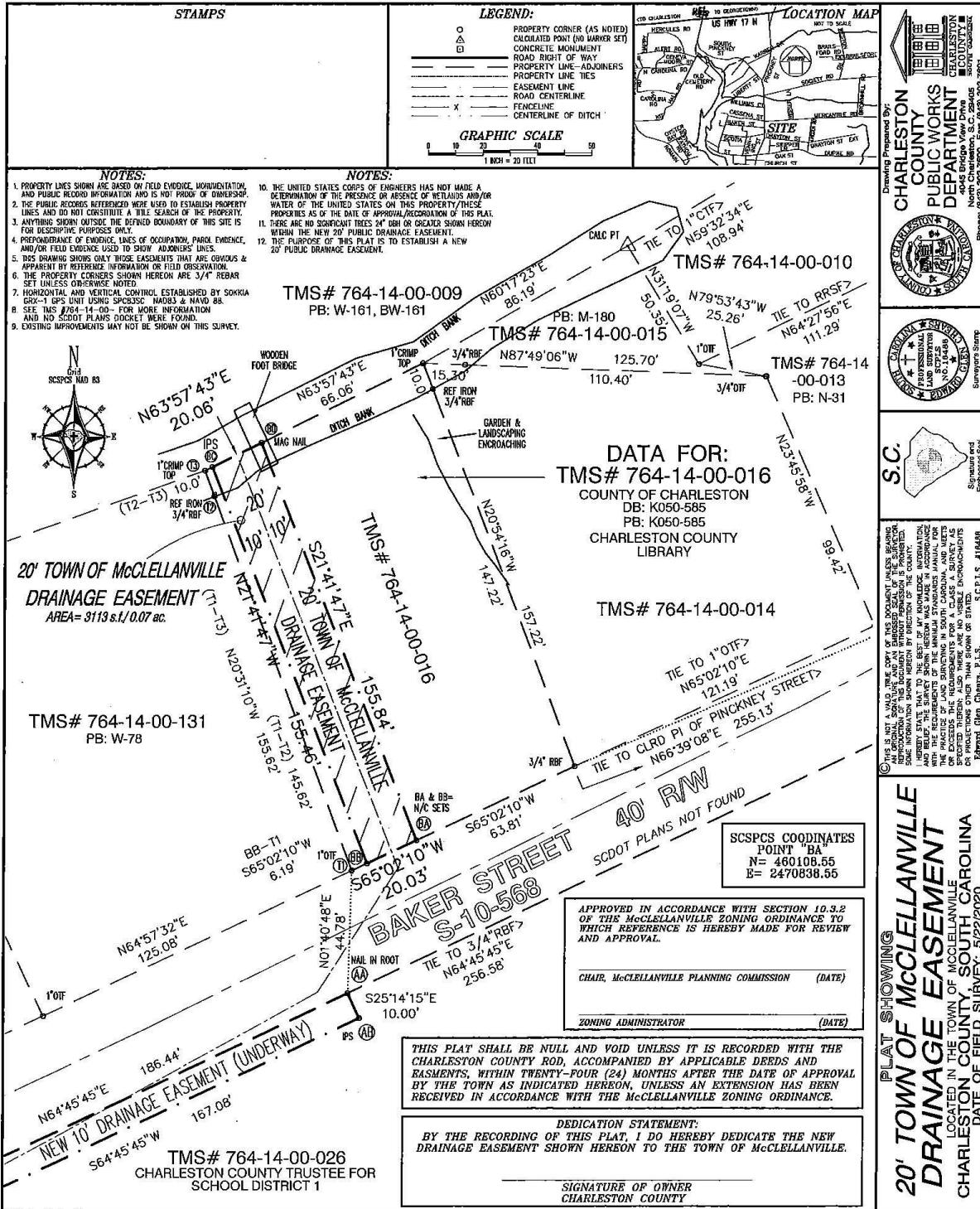
By: _____
Teddie E. Pryor, Sr.
Chairman of County Council

ATTEST.

By: _____
Kristen Salisbury
Clerk to County Council

First Reading: January 19, 2021
Second Reading: February 2, 2021
Third Reading: February 16, 2021
Public Hearing: February 16, 2021

EXHIBIT A



Drawing Prepared By:

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT
1445 English Vln Drive
North Charleston, S.C. 29405
Phone: (843) 202-1600 Fax: (843) 202-7801

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT
LAND SURVEYING DIVISION
NO. 1445 ENGLISH VLN DR
NORTH CHARLESTON, S.C. 29405

SC Signature and Enclosed Seal

SC S.C. P.L.S. #19488
Extract (then Charlatn, P.L.S.)