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