

AN ORDINANCE

APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO DOMINION ENERGY OF SOUTH CAROLINA INC., ON A PORTION OF COUNTY PROPERTY IDENTIFIED AS TAX MAP PARCEL NUMBER 412-00-00-012 AND LOCATED AT 3765 LEEDS AVENUE, NORTH CHARLESTON, SOUTH CAROLINA

WHEREAS, Charleston County owns real property located at 3765 Leeds Avenue, North Charleston, South Carolina, further identified as Tax Map Parcel Number 412-00-00-012 (the "Property"); and

WHEREAS, Dominion Energy South Carolina, Inc. ("Dominion") requested the grant of a permanent easement containing approximately .079 acres that is 345 in length by 10 feet in width across a portion of the Property ("the Easement") to construct, install, and maintain a gas line and appurtenant facilities to provide gas service to the new Juvenile Detention Center as shown in Exhibit A, and according to that specific location of the Easement and scope of work shown in Exhibit B, both exhibits attached hereto and made apart hereof by reference; and

WHEREAS, Dominion will pay for all costs of constructing, installing, maintaining, and repairing the Easement, as needed, and will have the right of access to and from the Property as may be necessary for its purposes relating to the Easement; and

WHEREAS, Dominion will be responsible for any damages to the Property occurring during its use, maintenance, repair or replacement of the Easement; and

WHEREAS, Charleston County Council finds that granting the Easement is an appropriate public use for this Property which will benefit the County and its citizens, and it consents to Dominion having the Easement across and upon the Property.

NOW, THEREFORE, BE IT ORDAINED by Charleston County Council in meeting duly assembled finds 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. EASEMENT GRANTED; AUTHORITY TO EXECUTE DOCUMENTS

A. Charleston County Council grants a permanent Easement containing approximately .079 acres that is 345 in length by 10 feet in width across a portion of the Property to allow Dominion to install and maintain a gas line and appurtenant facilities to provide natural gas utilities.

B. Dominion shall be responsible for any damages to County property occurring during its use of the Easement, and to all persons acting on its behalf and all property which may be in or upon the Easement and Property. All persons and property of every kind which may be in or upon the Easement and Property shall be there at the sole risk of Dominion.

Dominion shall pay for all costs to construct, install, maintain and repair the Easement, as needed. The location of the Easement is shown on the drawing attached as Exhibit A.

C. 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 14th day of September, 2021.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to County Council

First Reading: July 27, 2021
Second Reading: August 24, 2021
Third Reading: September 14, 2021
Public Hearing: September 14, 2021

EXHIBIT "A"

Drawing of the Easement

EXHIBIT "B"

Specific Location of the Easement and
Scope of Work to Construct and Install Gas Line