AN ORDINANCE
APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO THE
COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF CHARLESTON, SOUTH
CAROLINA, ON A PORTION OF A 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, the Commissioners of Public Works of the City of Charleston, South
Carolina (“CPW”) requested the grant of a permanent easement containing approximately 0.08
acres / 3,527 square feet and is 15 feet in width across a portion of the Property (“the
Easement”) to lay, construct, locate, install, operate, maintain, inspect, repair, relocate and
replace an underground water line with necessary valves, valve boxes, meters, fittings,
manholes, service lines, controls, devices, equipment, fire hydrants and other usual
appurtenances to provide water service to the Detention Center Campus 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, CPW 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, CPW 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 CPW 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 0.08 acres / 3,527 square feet and is 15 feet in width across a portion of the
Property to allow CPW to install and maintain utility lines and appurtenant facilities to provide
water utilities.

B. CPW 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 CPW.

CPW 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 9th day of November 2021.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: ____________________________
    Kristen L. Salisbury
    Clerk to County Council

First Reading: October 12, 2021
Second Reading: October 26, 2021
Third Reading: November 9, 2021
Public Hearing: November 9, 2021
EXHIBIT “A”

Drawing of the Easement
EXHIBIT “B”

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