

**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 PORTIONS OF COUNTY PROPERTIES IDENTIFIED AS TAX MAP PARCEL NUMBER 412-00-00-011 LOCATED AT 3831 LEEDS AVENUE AND TAX MAP PARCEL NUMBER 412-00-00-014 LOCATED AT 4450 BRICKYARD CREEK ROAD, NORTH CHARLESTON, SOUTH CAROLINA**

WHEREAS, Charleston County owns real property located at 3831 Leeds Avenue, North Charleston, South Carolina, further identified as Tax Map Parcel Number 412-00-00-011 ("3831 Leeds Avenue") and 4450 Brickyard Creek Road, North Charleston, South Carolina, further identified as Tax Map Parcel Number 412-00-00-014 ("4450 Brickyard Creek Road") (together the "Properties"); and

WHEREAS, the Commissioners of Public Works of the City of Charleston, South Carolina ("CPW") requested the grant of a permanent easement containing approximately 0.09 acres / 3,759 square feet and is 15 feet in width across a portion of 3831 Leeds Avenue and approximately .01 acres / 635 square feet and is 15 feet in width across a portion of 4450 Brickyard Creek Road ("the Easements") 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 Easements 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 Easements, as needed, and will have the right of access to and from the Properties as may be necessary for its purposes relating to the Easements; and

WHEREAS, CPW will be responsible for any damages to the Properties occurring during its use, maintenance, repair or replacement of the Easements; and

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

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 0.09 acres / 3,759 square feet across a portion of 3831 Leeds Avenue and a permanent Easement containing approximately .01 acres / 635 square feet across a portion of 4450 Brickyard Creek Road 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 Easements, and to all persons acting on its behalf and all property which may be in or

upon the Easements and Properties. All persons and property of every kind which may be in or upon the Easements and Properties shall be there at the sole risk of CPW.

CPW shall pay for all costs to construct, install, maintain and repair the Easements, as needed. The location of the Easements 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 4<sup>th</sup> day of January 2022.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_

Teddie E. Pryor, Sr.  
Chairman of County Council

ATTEST:

By: \_\_\_\_\_

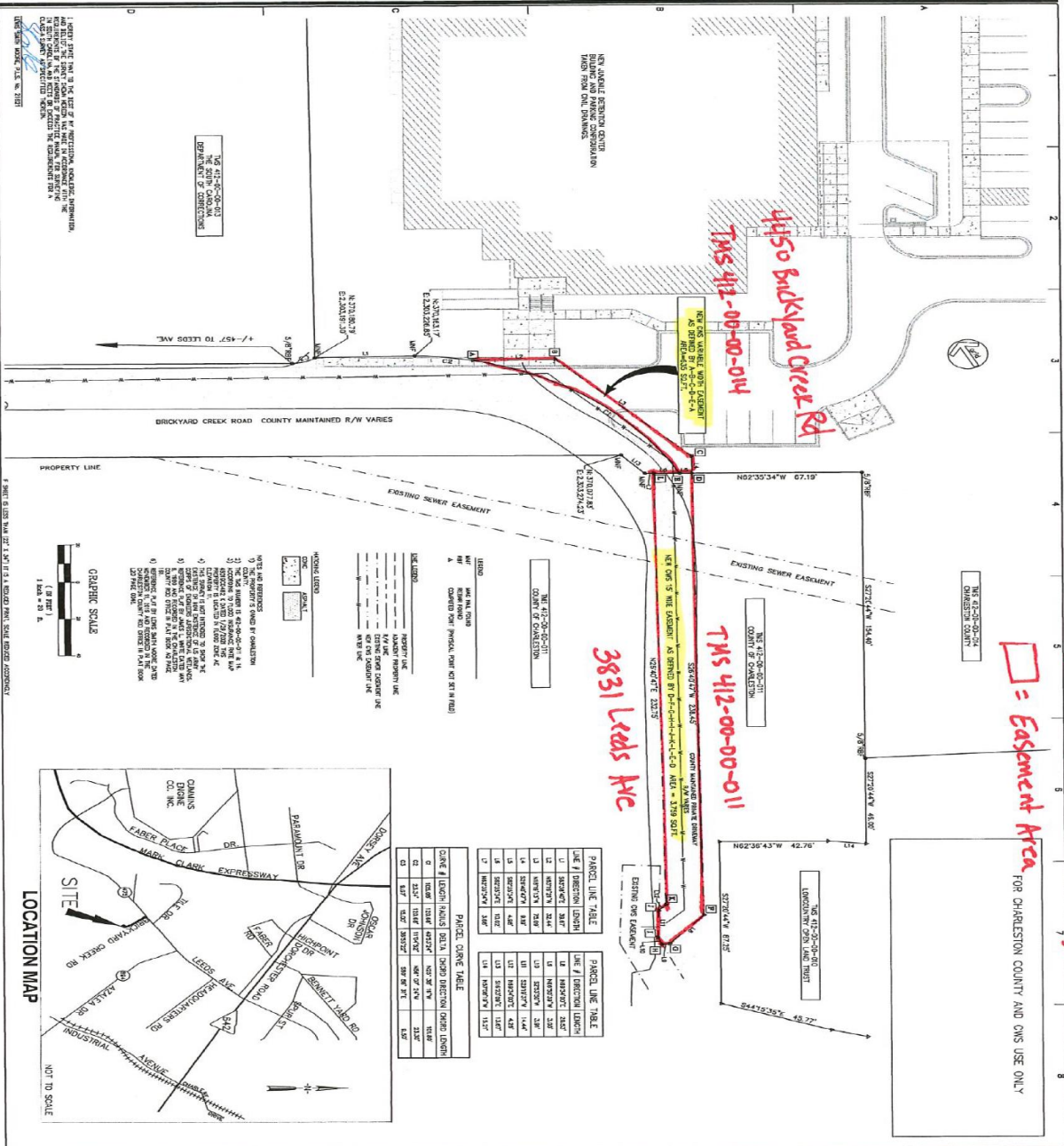
Kristen L. Salisbury  
Clerk to County Council

First Reading: December 7, 2021

Second Reading: December 16, 2021

Third Reading: January 4, 2022

Public Hearing: January 4, 2022



1. THIS PLAN IS THE PROPERTY OF THE ENGINEER, ARCHITECT, SURVEYOR, AND LANDSCAPE ARCHITECT. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER, ARCHITECT, SURVEYOR, AND LANDSCAPE ARCHITECT.

2. THIS PLAN IS THE PROPERTY OF THE ENGINEER, ARCHITECT, SURVEYOR, AND LANDSCAPE ARCHITECT. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER, ARCHITECT, SURVEYOR, AND LANDSCAPE ARCHITECT.



PARCEL CURVE TABLE

CURVE #	LENGTH	CHORD BEARING	CHORD LENGTH
C1	112.17	N 111.88° 32' E	112.17
C2	112.17	S 111.88° 32' W	112.17
C3	112.17	S 111.88° 32' W	112.17
C4	112.17	N 111.88° 32' E	112.17

PARCEL LINE TABLE

LINE #	BEARING	LENGTH
L1	N 111.88° 32' E	112.17
L2	S 111.88° 32' W	112.17
L3	S 111.88° 32' W	112.17
L4	N 111.88° 32' E	112.17

PLAT SHOWING A NEW 15' CWS EASEMENT AS DESCRIBED BY D-F-G-H-I-K-L-E-D  
 TMS 412-00-00-011 PROPERTY OF CHARLESTON COUNTY  
 AND A VARIABLE WIDTH CWS EASEMENT AS DEFINED BY A-B-C-D-E-A  
 TMS 412-00-00-014 PROPERTY OF CHARLESTON COUNTY  
 BRICKYARD CREEK ROAD  
 CITY OF NORTH CHARLESTON CHARLESTON COUNTY, S.C.



**FORSBERG ENGINEERING AND SURVEYING, INC.**  
 1587 SAVANNAH HIGHWAY SUITE B  
 CHARLESTON, SOUTH CAROLINA 29417  
 (843) 571-2627 FAX (843) 571-6760  
 CIVIL ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE

DATE: 11/11/2014  
 DRAWN BY: J. W. WILSON  
 CHECKED BY: J. W. WILSON  
 APPROVED BY: J. W. WILSON  
 SHEET NUMBER: 1 OF 1