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, 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 4th 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