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 NUMBERS 469-06-00-004, 469-06-00-101, 469-06-00-102, 469-06-00-103, & 469-06-
00-107 LOCATED AT THE INTERSECTION OF RIVERS AVENUE AND MCMLLAN AVENUE,
NORTH CHARLESTON, SOUTH CAROLINA

WHEREAS, Charleston County owns real property located the intersection of Rivers
Avenue and McMillan Avenue, North Charleston, South Carolina, further identified as Tax Map
Parcel Number 469-06-00-004, 469-06-00-101, 469-06-00-102, 469-06-00-103 and 469-06-00-
107 (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 0.59
acres / 25,415 square feet and is 15 feet in width across a portion the Properties (“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 Social Services Hub complex 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 Easement, as needed, and will have the right of access to and from the Properties
as may be necessary for its purposes relating to the Easement; and

WHEREAS, CPW will be responsible for any damages to the Properties 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 the Properties which will benefit the County and its citizens, and
it consents to CPW having the Easement 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 0.59 acres / 25,415 square feet across a portion of the Properties 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 Easement and Properties. All persons and property of every kind which may be in or
upon the Easement and Properties 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 1st day of March 2022.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: __________________________
    Kristen L. Salisbury
    Clerk to County Council

First Reading: February 1, 2022
Second Reading: February 15, 2022
Third Reading: March 1, 2022
Public Hearing: March 1, 2022