

**AN ORDINANCE**

**APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO DOMINION ENERGY SOUTH CAROLINA INC., ON PORTIONS OF COUNTY PROPERTIES IDENTIFIED AS TAX MAP PARCEL NUMBERS 469-06-00-102, 469-06-00-107, 469-06-00-103, 469-06-00-101, 469-06-00-002, 469-06-00-004 & 469-06-00-003 LOCATED AT THE INTERSECTION OF RIVERS AVENUE AND MCMILLAN AVENUE, NORTH CHARLESTON, SOUTH CAROLINA**

WHEREAS, Charleston County owns real property located at the intersection of Rivers Avenue and McMillan Avenue, North Charleston, South Carolina, further identified as Tax Map Parcel Numbers 469-06-00-102, 469-06-00-107, 469-06-00-103, 469-06-00-101, 469-06-00-002, 469-06-00-004 & 469-06-00-003 located at the intersection of Rivers and McMillan Avenues, North Charleston, South Carolina (together the "Properties"); and

WHEREAS, Dominion Energy South Carolina, Inc. ("Dominion") requested the grant of a permanent easement containing approximately .032 acres that is 1,395 feet in length by 10 feet in width across a portion of the Properties ("the Easement") to construct, install, and maintain a gas line and appurtenant facilities to provide gas service to the new Social Services Hub 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 Properties as may be necessary for its purposes relating to the Easement; and

WHEREAS, Dominion 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 Dominion 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 .32 acres that is 1,395 feet in length by 10 feet in width across a portion of the Properties 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 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 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 20th day of September 2022.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: \_\_\_\_\_  
Kristen L. Salisbury  
Clerk to County Council

First Reading: August 23, 2022  
Second Reading: September 6, 2022  
Third Reading: September 20, 2022  
Public Hearing: September 20, 2022