

AN ORDINANCE

APPROVING AND AUTHORIZING THE GRANT OF A UTILITY EASEMENT TO DOMINION ENERGY SOUTH CAROLINA INC., ON A PORTION OF COUNTY PROPERTY IDENTIFIED AS TAX MAP PARCEL NUMBER 411-13-00-004 LOCATED AT LEEDS AVENUE AND HEADQUARTERS ROAD, NORTH CHARLESTON, SOUTH CAROLINA

WHEREAS, Charleston County owns real property located at Leeds Avenue and Headquarters Road, North Charleston, South Carolina, further identified as Tax Map Parcel Number 411-13-00-004 ("Property"); and

WHEREAS, Dominion Energy South Carolina, Inc. ("Dominion") requested the grant of a permanent easement containing approximately 1,400 square feet ("the Easement") to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines and necessary associated equipment in order to provide electric service to the new Azalea Fuel Site 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 use for the Properties which will benefit County Operations, and it consents to Dominion having the Easement across and upon the Properties.

NOW, THEREFORE, BE IT ORDAINED by Charleston County Council in a 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 to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad-mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under a portion of the Property to allow Dominion to install and maintain an electric line and appurtenant facilities to provide electric 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 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 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 23rd day of July 2024.

CHARLESTON COUNTY COUNCIL

By: 
Herbert R. Sass, III
Chairman of County Council

ATTEST:

By: 
Kristen L. Salisbury
Clerk to County Council

First Reading: June 4, 2024
Second Reading: June 18, 2024
Public Hearing: June 18, 2024
Third Reading: July 23, 2024

