

## TOWN COUNCIL

### STAFF REPORT

#### Projects and Watershed Resilience Department



<b>MEETING DATE:</b>	September 10, 2024
<b>PROJECT:</b>	Consideration of an Ordinance and Ratification to Approve an Amendment to Ordinance No. 2023-11 Repositioning the Non-Exclusive Easement Over a Portion of Parcel R610 028 000 1006 0000 for Dominion Energy's System Improvement Project – Second and Final Reading
<b>PROJECT MANAGER:</b>	Kimberly Washok-Jones, Director of Projects and Watershed Resilience

**REQUEST:** Town Council approve Second and Final Reading of an Ordinance and Ratification (Attachment 1) authorizing the approval of an Amendment to Ordinance No. 2023-11 to reposition the non-exclusive utility easement to Dominion Energy of South Carolina Inc. over a portion of real property owned by the Town of Bluffton at 3234E Okatie Highway (Tax Map No. R610 028 000 1006 0000).

**BACKGROUND:** On January 20, 2004, Town of Bluffton purchased approximately 8.85 acres of real property located at 3234E Okatie Highway from Del Webb Communities, Inc. On October 13, 2023, the Town approved Ordinance 2023-11 granting a non-exclusive utility easement to Dominion Energy of South Carolina Inc. across a portion of the property for the purpose of installing an underground line to support their utility system improvement project. Dominion Energy has requested an amendment to the easement (Attachment 2) to reposition the line to accommodate the redesign of the utility system improvement project.

Should Town Council desire to pursue the granting of the Ordinance, formal action to authorize the easement via Ordinance is necessary. In accordance with Sections 5-7-40 and 5-7-260 of the South Carolina Code of Laws and Sections 2-13(a)(8) and 2-13(a)(4) of the Code of Ordinances for the Town of Bluffton, Town Council must act by Ordinance to convey, lease, or authorize the conveyance or lease of any Town owned lands as well as easements and public rights-of-way. Therefore, the proposed Ordinance for approval to Amend Ordinance No. 20023-11 is provided as Attachment 1.

**NEXT STEPS:** Should Town Council desire to approve Second and Final Reading of the proposed Ordinance, the following next steps will be implemented:

1. Town Manager executes Amendment to Easement
2. Recording of Amendment to Easement

**SUMMARY:** Consideration of a proposed Amendment to Easement related to Town owned property at 3234E Okatie Highway in favor of the Dominion Energy of South Carolina Inc.

**ATTACHMENTS:**

1. Ordinance
2. Amendment to Easement
3. Proposed Motion