

ORDINANCE NO. \_\_\_\_\_

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE 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

WHEREAS, the Town of Bluffton, South Carolina, (the "***Town***") presently owns one parcel of approximately 10.4 acres located in the Town of Bluffton, Beaufort County, South Carolina, commonly known and identified as 3234E Okatie Highway and assigned Tax Map No. R610-028-000-1006-0000 (the "***Property***"); and,

WHEREAS, on October 10, 2023 the Town approved Ordinance 2023-11 granting a non-exclusive permanent utility easement to Dominion Energy of South Carolina ("***Dominion Energy***") over the Property.

WHEREAS, Dominion Energy has requested that the Town amend the easement to reposition the line to accommodate the redesign of the utility system improvement project; and,

WHEREAS, Town Staff has worked diligently with Dominion Energy to relocate the easement path across the Property that ensures a minimal impact to the Property itself; and,

WHEREAS, Town Council has determined that it is in the best interests of the Town to authorize the execution and delivery of the requested *Amendment to Easement*, which has been attached hereto as **EXHIBIT "A"** and incorporated by reference herein (the "***Easement***"); and,

WHEREAS, 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 requires that Town Council 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.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, as follows:

SECTION 1. EXECUTION AND DELIVERY OF EASEMENT. The Town Council hereby authorizes the transfer and conveyance of the necessary easements over the Property and hereby authorizes the Town Manager to execute the Easement in substantial form to the one attached hereto as **EXHIBIT "A"**.

SECTION 2. AUTHORIZATION FOR ADDITIONAL ACTIONS. The Mayor, Town Manager, and Town Clerk are each hereby authorized to execute any and all documents necessary to consummate the transfer and conveyance of the easements on the Property from the Town, including, without limitation, the delivery and recordation of the

Easement with the Office of the Register of Deeds for Beaufort County, South Carolina. The Town Manager is hereby authorized to pay such reasonable costs of the transaction as may be necessary.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon its final adoption.

DONE, RATIFIED AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

This Ordinance was read and passed at first reading on \_\_\_\_\_, 2024.

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Larry Toomer, Mayor  
Town of Bluffton, South Carolina

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Marcia Hunter, Town Clerk  
Town of Bluffton, South Carolina

This Ordinance was read and passed at second reading on \_\_\_\_\_, 2024.

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Larry Toomer, Mayor  
Town of Bluffton, South Carolina

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Marcia Hunter, Town Clerk  
Town of Bluffton, South Carolina