

RESOLUTION

**A RESOLUTION AUTHORIZING TOWN MANAGER TO FINALIZE AN
ENCROACHMENT AGREEMENT NECESSARY TO COMPLETE THE APPROVED NEW
RIVER LINEAR TRAIL PROJECT**

WHEREAS, the Town of Bluffton is pursuing pathway, bridge and pier improvements at the New River Linear Trail in support of the strategic focus to promote healthy and quality lifestyles for its diverse citizenry; and,

WHEREAS, to complete the Project, the Town needs to encroach onto portions of the utility easement interests of Central Electric Power Cooperative from the New River to Sun City Hilton Head, Encroachment Agreement attached hereto as Exhibit "A" (the "Agreement") and accompanying Letter of Agreement attached hereto as Exhibit "B" (the "Letter"); and,

WHEREAS, Town Council desires to authorize the Town Manager to execute such documents and to expend such funds as are necessary to finalize the Agreement and Letter and, to the extent necessary, to ratify the Town Manager's actions related to the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF BLUFFTON, SOUTH CAROLINA, AS FOLLOWS:**

1. The Town Council hereby authorizes the Town Manager to finalize the Agreement and Letter necessary to complete the approved New River Linear Trail project improvements and approves the Agreement and Letter in substantially the form attached hereto as Exhibit "A" and Exhibit "B".

2. The Mayor, Town Manager, and Town Clerk are each hereby authorized to execute any and all documents necessary to effect the Agreement and Letter, including, without limitation, the acceptance and recordation of the above-referenced Agreement 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.

**THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION.
SIGNED, SEALED AND DELIVERED AS OF THIS ____ DAY OF _____,
2025.**

Larry Toomer, Mayor
Town of Bluffton, South Carolina

ATTEST:

Marcia Hunter, Town Clerk
Town of Bluffton, South Carolina

EXHIBIT “A” (THE AGREEMENT)

EXHIBIT “B” (THE LETTER)