

## RESOLUTION

### A RESOLUTION AUTHORIZING TOWN ATTORNEY TO INITIATE LEGAL PROCEEDINGS TO CONFIRM TITLE TO CERTAIN RIGHTS OF WAY IN BLUFFTON AS NECESSARY TO CONSTRUCT HISTORIC DISTRICT SEWER EXTENSION PHASES 4 THROUGH 6

WHEREAS, Town Council recognizes that failing septic systems can negatively impact public health, environmental health, quality of life, and economic growth for the Town, and realizes that the protection of Bluffton's watersheds and other outstanding natural resources is of the utmost importance to the community; and,

WHEREAS, to protect public health and environmental health the *May River Watershed Action Plan Update and Model Report* (MRWAP) was adopted via Resolution most recently in February 2021 as a supporting document to the Town's Comprehensive Plan; and

WHEREAS, the MRWAP recommended the elimination of septic systems throughout the watershed via development and implementation of a Sewer Extension and Connection Policy; and

WHEREAS, Town Council adopted a Sewer Connection and Extension Policy in September 2017 which directs Strategic Plan action via the capital improvement program to focus on sewer extension in the Historic District within Five-Hundred (500) feet of the May River and its Coves, as well as the acquisition of ghost road rights-of-way to support such capital projects; and

WHEREAS, this recommendation to acquire ghost road rights-of-way is in alignment with *The Old Town Master Plan*, adopted via Ordinance in July 2006, which encourages the Town to undertake efforts to establish clear title to the existing rights-of-ways that exist in Old Town; and,

WHEREAS, Staff has been following the *Policy and Procedure Manual for the Acquisition and Disposition of Real Property by the Town of Bluffton*, adopted by Town Council on April 11, 2017, and revised by Town Council on April 14, 2020, to obtain voluntary execution of quitclaim deeds by impacted property owners for Historic District Sewer Projects; and

WHEREAS, Staff has been unable to obtain the rights-of-way necessary for the installation of public sanitary sewer through voluntary execution of certain quitclaim deeds from several property owners for Historic District Sewer Projects – Phase 4 (Lawrence Street), Phase 5 (Green Street), and Phase 6 (Pope Lane, Water Street, and Allen Street), as depicted in **EXHIBIT A**, which is impeding the progress of Historic District Sewer Projects; and,

**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 Attorney, in conjunction with the Town Manager, to initiate legal proceedings to confirm and/or quiet title to certain established rights-of-way located in Bluffton and as necessary for the completion of Historic District Sewer Extension Projects – Phase 4 (Lawrence Street), Phase 5 (Green Street), and Phase 6 (Pope Lane, Water Street, and Allen Street), with such rights-of-way as depicted in **Exhibit A**.

**THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ADOPTION.**

**SIGNED, SEALED AND DELIVERED AS OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

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Lisa Sulka, Mayor  
Town of Bluffton, South Carolina

ATTEST:

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Kimberly Gammon, Town Clerk  
Town of Bluffton, South Carolina