

## TOWN COUNCIL

### STAFF REPORT

#### Projects and Watershed Resilience Department



<b>MEETING DATE:</b>	September 12, 2023
<b>PROJECT:</b>	Consideration of an Ordinance and Ratification of a Non-Exclusive Easement Over Certain Real Property Owned by the Town of Bluffton Consisting of Parcel R610 035 000 0016 0000 in favor of Dominion Energy of South Carolina Inc. for the New River Linear Trail – First Reading
<b>PROJECT MANAGER:</b>	Kimberly Washok-Jones, Director of Projects and Watershed Resilience

**REQUEST:** Town Council approve a transfer of a permanent utility easement (Attachment 1) via First Reading of an Ordinance (Attachment 2) to Dominion Energy of South Carolina Inc. over a portion of real property owned by the Town of Bluffton at 3829 Okatie Highway, commonly known as New River Linear Trail (Tax Map No. R610 035 000 0016 0000).

**BACKGROUND:** On April 11, 2005, Town of Bluffton purchased approximately 42.67 acres of real property located at 3829 Okatie Highway from New Riverside, LLC. Lighting service is not currently available to the property. The easement provides access to Dominion for the parking lot area of the trail to construct and perpetually maintain and operate utility lines and equipment.

Should Town Council desire to pursue the granting of the easement, 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 of the Easement is provided as Attachment 2.

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

1. Town Council approves Second and Final Reading of the proposed Ordinance.
2. Town Manager executes Easement.
3. Recording of Easement.

**SUMMARY:** Consideration of a proposed Easement related to Town owned property at 3829 Okatie Highway in favor of the Dominion Energy of South Carolina Inc.

#### **ATTACHMENTS:**

1. Draft Easement

2. Ordinance
3. Proposed Motion