

RESOLUTION

A RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS FROM HERITAGE AT NEW RIVERSIDE COMMUNITY ASSOCIATION TO COMPLETE THE NEW RIVER LINEAR TRAIL PROJECT

WHEREAS, the Town of Bluffton ("*Town*") owns and maintains real property commonly known as the New River Linear Park Trail ("*Trail*"), which Trail is utilized by the general public and crosses Heritage Parkway, which roadway is owned by Heritage at New Riverside Community Association, Inc.; and,

WHEREAS, the Town desires to complete necessary repairs and maintenance to the Trail and to install and permanently maintain a crosswalk on Heritage Parkway at the Trail to ensure the safety of the public utilizing the Trail ("*Project*"); and

WHEREAS, to complete the Project, the Town seeks to acquire, for a public purpose, (a) a Temporary Access Easement on, over and through Heritage Parkway to allow access to the Trail and (b) a Permanent Crosswalk Easement over a portion of the Heritage Parkway, more particularly for the installation and maintenance of a crosswalk at the intersection of the Trail and Heritage Parkway, where said parcels are specifically identified in "Exhibit A" attached hereto and incorporated herein by reference; hereinafter the "*Easements*"; and,

WHEREAS, the property owners expressed support for the Project and have voluntarily offered to execute a conveyance for the Easements to the Town over the parcel for a public purpose; and,

WHEREAS, the Town desires to accept the donation of the Easements and Town Council has determined that it is in the public interest for the Town to accept the donation and conveyance of the Easements; and,

WHEREAS, Town Council desires to authorize the Town Manager to execute such documents and to expend such funds as are necessary to complete the donation and conveyance of the Easements to the Town 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 acceptance of the donation and conveyance of the Easements to the Town, as identified in Exhibit "A", as a donation to the Town for the public purpose described above; and approves the Easements in a substantially similar form as shown in Exhibit "B" attached hereto and incorporated herein by reference.

2. The Mayor, Town Manager, and Town Clerk are each hereby authorized to execute any and all documents necessary to affect the donation and conveyance of the Easements as a donation to the Town, including, without limitation, the acceptance and recordation of the above-referenced Easements 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 EASEMENTS)

Tax Map Parcel Number	Address	Easement Type
1. R614-035-000-0440-0000	Right of Way known as Heritage Parkway	Temporary Access
2. R614-035-000-0587-0000	Right of Way known as Heritage Parkway	Permanent Crosswalk

EXHIBIT "B"
(EASEMENT FORM)