

ORDINANCE NO. _____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AUTHORIZING THE TOWN MANAGER TO EXECUTE AND DELIVER AN EASEMENT TO K. HOVNANIAN'S FOUR SEASONS AT CAROLINA OAKS, LLC OVER CERTAIN REAL PROPERTY OWNED BY THE TOWN OF BLUFFTON CONSISTING OF A PORTION OF PARCEL R610-028-000-0018-0000

WHEREAS, the Town of Bluffton, South Carolina, (the "*Town*") presently owns a parcel of land containing of approximately 41.00 acres located in the Town of Bluffton, Beaufort County, South Carolina, commonly known and identified as the New River Linear Trail ("*Trail*") and assigned Tax Map No. R610-028-000-0018-0000 (the "*Property*"); and,

WHEREAS, K. Hovnanian's Four Seasons at Carolina Oaks, LLC ("*Developer*") has requested that the Town grant it an approximately 898 square foot permanent easement (the "*Easement*") across a portion of the Property for the purpose of installing a pedestrian connection to access the Trail; 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 Easement Agreement, which has been attached hereto as **EXHIBIT "A"**; 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 easement over the Property and hereby authorizes the Town Manager to execute the Easement Agreement 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 easement 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 _____, 2025.

This Ordinance was read and passed at first reading on _____, 2025.

Larry Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter, Town Clerk
Town of Bluffton, South Carolina

This Ordinance was read and passed at second reading on _____, 2025.

Larry Toomer, Mayor
Town of Bluffton, South Carolina

Marcia Hunter, Town Clerk
Town of Bluffton, South Carolina