



## NOTICE OF MEETING

A meeting of the Committee on Real Estate will be held beginning at 3:00 p.m. Monday, February 22, 2021, **Conference Call: 1-929-205-6099; Access Code: 835 678 884**. The agenda will be as follows:

### AGENDA

Invocation – Councilmember Appel

#### Approval of Minutes:

February 8, 2021

- a. Request approval for the Mayor to execute the attached Easement between the City of Charleston and Dominion Energy South Carolina, Inc., whereby the City grants to Dominion a right of way as shown on the attached drawing in order to relocate overhead electric lines to underground lines. The property is owned by the City of Charleston. [Stoney Field (Fishburne St. and Hagood Ave.) TMS: 460-00-00-007] (Ordinance)
- b. An ordinance authorizing the Mayor to execute on behalf of the City a Quit Claim Deed and any other necessary documents, approved as to form by the Office of Corporation Counsel, to Quit Claim a portion of Floyd Drive, as shown on the attached survey to the record owner(s) of Charleston County TMS # 301-00-00-795, subject to any and all easements and utilities and further subject to the conditions set forth herein.
- c. Executive Session in accordance with Section 30-4-70(a)(2) to receive legal advice regarding the Charleston School of Law transaction. (***Discussion will be deferred to the Ways and Means Committee.***)

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.

a.)

**REAL ESTATE COMMITTEE**  
**GENERAL FORM**

TO: Real Estate Committee DATE: February 23, 2021

FROM: Real Estate Division DEPT: BFRC

ADDRESS: Stoney Field (Fishburne St. and Hagood Ave.)

TMS: 460-00-00-007

PROPERTY OWNER: City of Charleston

**ACTION REQUEST:** Request approval for the Mayor to execute the attached Easement between the City of Charleston and Dominion Energy South Carolina, Inc., whereby the City grants to Dominion a right of way as shown on the attached drawing in order to relocate overhead electric lines to underground lines.

**ORDINANCE:** Is an ordinance required? Yes  No

**COORDINATION:** The request has been coordinated with:  
*All supporting documentation must be included*

	<u>Signature</u>	<u>Attachments</u>
Department Head	_____	<input type="checkbox"/>
Legal Department	_____	<input type="checkbox"/>
Chief Financial Officer	_____	<input type="checkbox"/>
Director Real Estate Management	<i>Leigh Bailey</i>	<input checked="" type="checkbox"/>
	_____	<input type="checkbox"/>

**FUNDING:** Was funding needed? Yes  No   
If yes, was funding previously approved?\* Yes  No

\*If approved, provide the following: Dept/Div. \_\_\_\_\_ Acct: \_\_\_\_\_  
Balance in Account \_\_\_\_\_ Amount needed for this item \_\_\_\_\_

**NEED:** Identify any critical time constraint(s).

\*Commercial Property and Community & Housing Development have an additional form.

**COMMERCIAL REAL ESTATE FORM**

TO: Real Estate Committee      DATE: February 23, 2021

FROM: Real Estate Division      DEPT: BFRC

ADDRESS: Stoney Field (Fishburne St. and Hagood Ave.)

TMS: 460-00-00-007

PROPERTY OWNER: City of Charleston

Request approval for the Mayor to execute the attached Easement between the City of Charleston and Dominion Energy South Carolina, Inc., whereby the City grants to Dominion a right of way as shown on the attached drawing in order to relocate overhead electric lines to underground lines.

ACTION REQUEST: \_\_\_\_\_

**ORDINANCE:** Is an ordinance required? Yes  No

**ACTION: What action is being taken on the Property mentioned?**

<input type="checkbox"/>	<b>ACQUISITION</b>	Seller (Property Owner)	_____	Purchaser	_____
<input type="checkbox"/>	DONATION/TRANSFER				
	Donated By: _____				
<input type="checkbox"/>	FORECLOSURE				
	Terms: _____				
<input type="checkbox"/>	PURCHASE				
	Terms: _____				
<input type="checkbox"/>	CONDEMNATION				
	Terms: _____				
<input type="checkbox"/>	OTHER				
	Terms: _____				

<input type="checkbox"/>	<b>SALE</b>	Seller (Property Owner)	_____	Purchaser	_____
<input type="checkbox"/>	NON-PROFIT ORG, <i>please name</i> _____				
	Terms: _____				
<input type="checkbox"/>	OTHER				
	Terms: _____				

**COMMERCIAL REAL ESTATE FORM**

<input checked="" type="checkbox"/>	<b>EASEMENT</b>	Grantor (Property Owner) <u>City of Charleston</u>	Grantee <u>Dominion Energy South Carolina, Inc.</u>
<input checked="" type="checkbox"/>		Right of way to construct, relocate, and maintain electric lines. This right of way will be utilized as a part of Dominion's relocation of electric lines from overhead to underground.	
	<input type="checkbox"/>	PERMANENT	Terms: _____
	<input type="checkbox"/>	TEMPORARY	Terms: _____
<input type="checkbox"/>	<b>LEASE</b>	Lessor: _____	Lessee: _____
	<input type="checkbox"/>	INITIAL	Terms: _____
	<input type="checkbox"/>	RENEWAL	Terms: _____
	<input type="checkbox"/>	AMENDMENT	Terms: _____

**BACKGROUND CHECK:** If Property Action Request is for the sale or lease of city property, has a background check been completed?

Yes  No  N/A

Results: \_\_\_\_\_

Signature: Leigh Bailey  
Director Real Estate Management

**ADDITIONAL:** Please identify any pertinent detail (Clauses, Agreement Terms, Repeals, etc.) regarding City Property.

**NEED:** Identify any critical time constraint(s).



Ratification  
Number \_\_\_\_\_

# A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN ELECTRICAL EASEMENT, APPROVED AS TO FORM BY THE OFFICE OF CORPORATION COUNSEL, TO DOMINION ENERGY SOUTH CAROLINA, INC., ENCUMBERING A PORTION OF THE CITY'S REAL PROPERTY DESIGNATED AS CHARLESTON COUNTY TMS NO. 460-00-00-007, WITHIN THE RIGHT OF WAY SHOWN ON DRAWING C-83916, TO PERMIT INSTALLATION OF TRANSFORMER, RELATED UNDERGROUNDING AND MAINTENANCE UPON SUCH PROPERTY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Mayor is hereby authorized to execute on behalf of the City an electrical easement, approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City's real property designated as Charleston County TMS No. 460-00-00-007, within the Right of Way shown on Drawing C-83916, to permit the undergrounding of existing overhead utility lines on such property.

Section 2. That this Ordinance shall become effective upon ratification.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the year of Our Lord, 2021, in the 245th Year of the Independence of the United States of America.

By: \_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST: By: \_\_\_\_\_  
Jennifer Cook  
Clerk of Council

# Easement # 901446

INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between **The City Council of Charleston** of the County of **Charleston** and State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and the **DOMINION ENERGY SOUTH CAROLINA, INC.**, a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor, being the owner of land situate in the County of **Charleston**, State of South Carolina, hereby grants and conveys to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract of land containing **16.60 acres**, more or less, and being the same lands conveyed to Grantor by deed, dated or recorded **8/13/1936**, and filed in the Register of Deeds office for **Charleston County in Deed Book X38 at Page 651**.

**The Right of Way is generally shown on Dominion Energy South Carolina, Inc. drawing #D-83916, and is by reference made a part hereof, with the actual final Right of Way to be determined by the facilities as installed in accordance with the easement. A Dominion Energy South Carolina, Inc. drawing, approved by the Grantor, its successors or assigns, will provide authorization for revisions and or future lines.**

**TMS: 460-00-00-007      Fishburne St & Hagood Ave**

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land ("Easement Space") extending Fifteen (15) feet on each side of any pole lines and Five (5) feet on each side of any underground wires and within, over, under or through a section of land extending Twelve (12) feet from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the property of Grantor (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however, that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the applicable above specified Easement Space, and in case such structure is built, then Grantor, or such successors and assigns as may be in possession and control of the premises at the time, will promptly remove the same upon demand of Grantee herein. Grantor further agrees to maintain minimum ground coverage of thirty six (36) inches and maximum ground coverage of fifty four (54) inches over all underground primary electric lines. Together also with the right of entry upon said lands of Grantor for all of the purposes aforesaid.

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

**The City Council of Charleston**

\_\_\_\_\_  
1<sup>st</sup> Witness

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
2<sup>nd</sup> Witness

**Easement # 901446**

ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF **Charleston** )

The foregoing instrument was acknowledged before me, the undersigned Notary, and I do hereby certify that the within named \_\_\_\_\_, of **The City Council of Charleston**, personally appeared before me this day and that the above named acknowledged the due execution of the foregoing instrument.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Signature of Notary Public State of SC

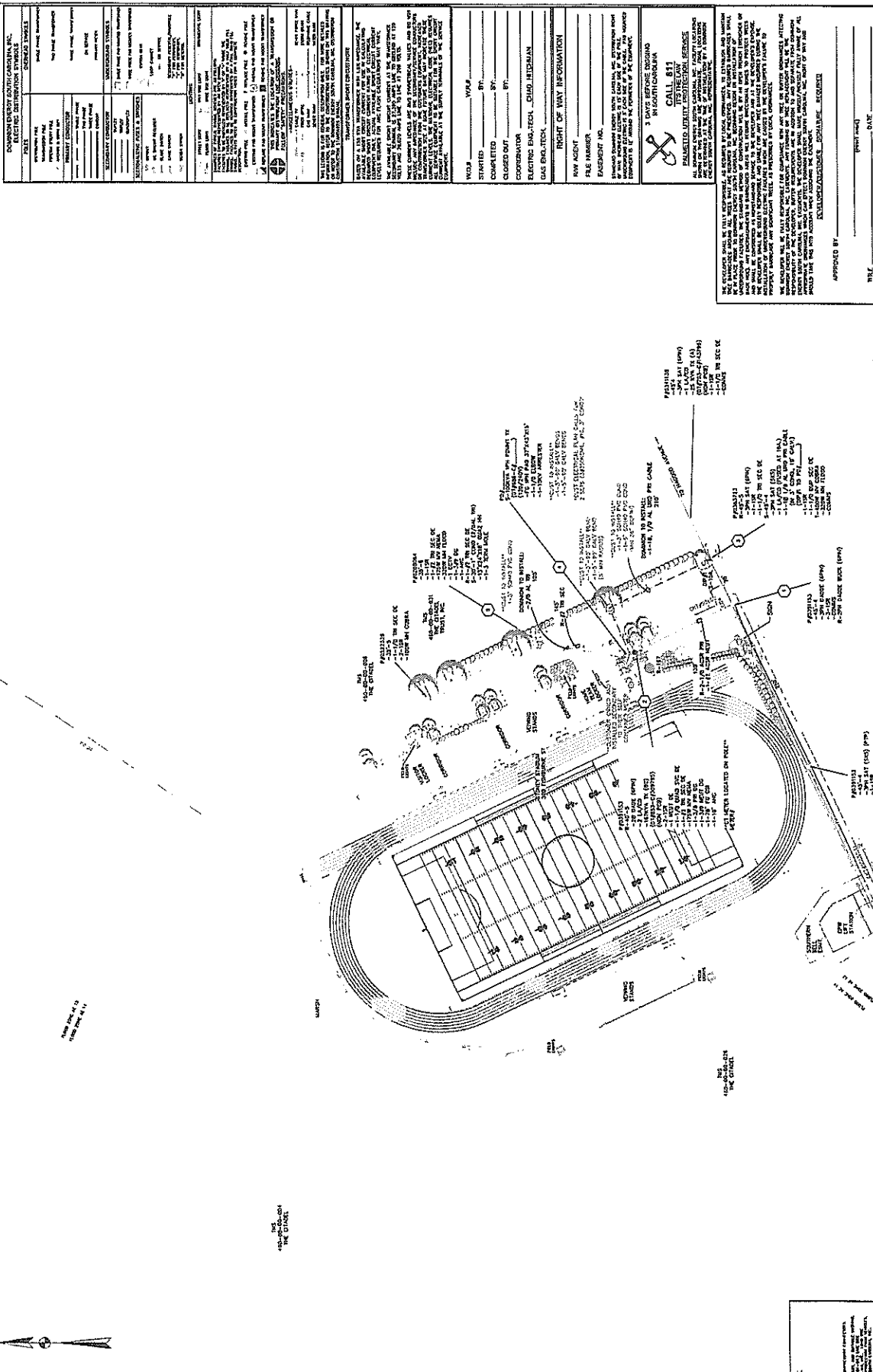
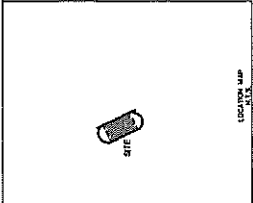
My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Print Name of Notary Public

**RIGHT OF WAY GRANT TO  
DOMINION ENERGY SOUTH CAROLINA, INC**

Line: **Stoney Field UG Conversion**  
County: **Charleston**  
R/W File Number: **24536**  
Grantor(s): **The City Council of Charleston**

**Return to: Dominion Energy South Carolina, Inc.  
Right-of-Way  
2392 West Aviation Avenue MC: CH-29  
North Charleston, SC 29406**



GENERAL INFORMATION	
PROJECT NO.	083916
DATE	11/17/2014
SCALE	1" = 50'
DATE	11/17/2014
PROJECT NO.	083916
DATE	11/17/2014
SCALE	1" = 50'
DATE	11/17/2014

**PRELIMINARY**

DOMINION ENERGY SOUTH CAROLINA, INC.  
 3000 FLORENCE STREET  
 FLORENCE, SC 29505  
 TEL: 803.792.1000  
 FAX: 803.792.1001  
 WWW.DESI.COM

ELECTRONIC DRAWING—DO NOT REVISE MANUALLY

PLAN "SAFETY" INTO EVERY JOB

**DOMINION ENERGY SOUTH CAROLINA, INC.**  
 ENGINEERING DEPARTMENT  
 3000 FLORENCE STREET  
 FLORENCE, SC 29505  
 TEL: 803.792.1000  
 FAX: 803.792.1001  
 WWW.DESI.COM

**PROJECT INFORMATION**  
 PROJECT NO. 083916  
 DATE 11/17/2014  
 SCALE 1" = 50'  
 DATE 11/17/2014

**DESIGNER**  
 NAME: [REDACTED]  
 TITLE: [REDACTED]

**CHECKED BY**  
 NAME: [REDACTED]  
 TITLE: [REDACTED]

**APPROVED BY**  
 NAME: [REDACTED]  
 TITLE: [REDACTED]

**RIGHT OF WAY INFORMATION**  
 ROW ADJUT: [REDACTED]  
 FILE NUMBER: [REDACTED]  
 EASEMENT NO.: [REDACTED]

**CALL 811**  
 3 DAYS BEFORE DIGGING  
 IN SOUTH CAROLINA

**GENERAL NOTES**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOUTH CAROLINA ELECTRICAL CODE (SC ELC) AND THE NATIONAL ELECTRICAL CODE (NEC).  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOUTH CAROLINA CONSTRUCTION CODE (SC CCC) AND THE INTERNATIONAL BUILDING CODE (IBC).  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOUTH CAROLINA MECHANICAL CODE (SC MCC) AND THE INTERNATIONAL MECHANICAL CODE (IMC).  
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOUTH CAROLINA PLUMBING CODE (SC PLC) AND THE INTERNATIONAL PLUMBING CODE (IPC).  
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOUTH CAROLINA FIRE CODE (SC FIC) AND THE INTERNATIONAL FIRE CODE (IFC).  
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE SOUTH CAROLINA HEALTH AND SAFETY CODE (SC HSC) AND THE OSHA REGULATIONS.





Ratification  
Number \_\_\_\_\_

# A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A QUITCLAIM DEED AND ANY OTHER NECESSARY DOCUMENTS, APPROVED AS TO FORM BY THE OFFICE OF CORPORATION COUNSEL, TO QUITCLAIM A PORTION OF FLOYD DRIVE, AS SHOWN ON THE ATTACHED SURVEY, TO THE RECORD OWNER(S) OF CHARLESTON COUNTY TMS NO. 301-00-00-795, SUBJECT TO ANY AND ALL EASEMENTS AND UTILITIES AND FURTHER SUBJECT TO THE CONDITIONS SET FORTH HEREIN.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Mayor is hereby authorized to execute on behalf of the City a quitclaim deed and other necessary documents, approved as to form by the Office of Corporation Counsel, to quitclaim a portion of Floyd Drive, as shown on Exhibit 1, attached hereto and incorporated herein by reference (the "Property"), to the record owner(s) of Charleston County TMS No. 301-00-00-795, subject to any easements or utilities held by the City or by other user of the easements or utilities, including but not limited to drainage easements and facilities, whether or not such easements and utilities have been recorded.

Section 2. This Ordinance shall become effective upon the last of the following events: (1) receipt by the City from the record owner(s) of Charleston County TMS No. 301-00-00-795 of all applicable fees, including but not limited to recording fees and deed stamps, associated with the quitclaim deed; (2) the adoption by City Council of a resolution closing and abandoning the ROW Area; and (3) receipt by the City from the record owner(s) of Charleston County TMS No. 301-00-00-362 of a consent to the quitclaim deed.

Section 3. If the conditions set forth in Section 2 have not been satisfied within ninety (90) days of the adoption of this Ordinance, then this Ordinance shall become null and void.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the year of Our Lord, 2021, in the 245th Year of the Independence of the United States of America.

By: \_\_\_\_\_  
John J. Tecklenburg, Mayor

ATTEST:

By: \_\_\_\_\_  
Jennifer Cook  
Clerk of Council

