



REGULAR AGENDA

OF

DECEMBER 18, 2017



CITY OF NORTH AUGUSTA

AGENDA: REGULAR CITY COUNCIL MEETING

December 18, 2017 – Municipal Center – 100 Georgia Avenue, 3rd Floor – 7:00 P.M.

CITIZEN COMMENTS: Citizens may speak to Mayor and City Council on each item listed on this agenda. Mayor Pettit will call for your comments prior to City Council discussing the matter. **Citizens wishing to address Mayor and City Council are required to submit a Speaker Form to the City Clerk before addressing Mayor and City Council.** Forms are provided on the credenza at the entrance to the Council Chambers. Citizen comments are limited to five minutes.

CITIZEN ASSISTANCE: Individuals needing special assistance or sign interpreter to participate in the meeting, please notify the Administration Department 48 hours prior to the meeting.

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE AND READING OF THE CHRISTMAS STORY:**
3. **ROLL CALL:**
4. **APPROVAL OF MINUTES:** Regular and study session meeting minutes of December 4, 2017
5. **COMMUNITY PROMOTION:** Recognition of Donation by North Augusta Rotary Club

UNFINISHED BUSINESS

6. **BOARDS AND COMMISSIONS:** Ordinance No. 2017-22 – An Ordinance Amending Chapter 6, Article V, Entitled “Building Codes Board of Appeals,” of the City Code of the City of North Augusta, South Carolina – Ordinance, Third and Final Reading

NEW BUSINESS

7. **ENGINEERING AND PUBLIC WORKS:** Resolution No. 2017-51 – A Resolution Authorizing the City of North Augusta to Accept the Quote from Transportation Control Systems for City Illuminated Street Name Signage in Downtown
8. **ENGINEERING AND PUBLIC WORKS:** Resolution No. 2017-52 – A Resolution Authorizing a Request to the South Carolina Department of Transportation for Removal of Revco Road and Dittman Court (S-1753) from the State Highway System and the Acceptance of Ownership and Maintenance Responsibility of Said Roads by the City of North Augusta, South Carolina; and, Authorizing the Execution and Recordation of Certain Documents in Connection Therewith

9. **PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:**
 - A. **Citizen Comments:** At this time, citizens may speak to Mayor and City Council regarding matters not listed on the agenda. **Citizens wishing to address Mayor and City Council are required to submit a Speaker Form to the City Clerk before addressing Mayor and City Council.** Forms are provided on the credenza at the entrance to the Council Chambers. Citizen comments are limited to five minutes.
 - B. **Council Comments**

10. **ADJOURNMENT:**

Interoffice Memorandum



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: December 14, 2017

SUBJECT: Regular City Council Meeting of December 18, 2017

REGULAR COUNCIL MEETING

ITEM 5. COMMUNITY PROMOTION: Recognition of Donation by North Augusta Rotary Club

The City of North Augusta would like to recognize and thank the North Augusta Rotary Club for their donation of two defibrillators to the City of North Augusta.

ITEM 6. BOARDS AND COMMISSIONS: Ordinance No. 2017-22 – An Ordinance Amending Chapter 6, Article V, Entitled “Building Codes Board of Appeals,” of the City Code of the City of North Augusta, South Carolina – Ordinance, Third and Final Reading

An ordinance has been prepared for Council’s consideration on third and final reading amending Chapter 6, Article V, entitled “Building Codes Board of Appeals,” of the City Code of the City of North Augusta.

Please see the minutes of December 4, 2018 for the ordinance text.

ITEM 7. ENGINEERING AND PUBLIC WORKS: Resolution No. 2017-51 – A Resolution Authorizing the City of North Augusta to Accept the Quote from Transportation Control Systems for City Illuminated Street Name Signage in Downtown

A resolution has been prepared for Council’s consideration authorizing the City of North Augusta to accept the quote from Transportation Control Systems for City illuminated street name signage in downtown.

Please see **ATTACHMENT NO. 7** for a copy of the proposed resolution.

December 18, 2017

ITEM 8. ENGINEERING AND PUBLIC WORKS: Resolution No. 2017-52 – A Resolution Authorizing a Request to the South Carolina Department of Transportation for Removal of Revco Road and Dittman Court (S-1753) from the State Highway System and the Acceptance of Ownership and Maintenance Responsibility of said Roads by the City of North Augusta, South Carolina; and, Authorizing the Execution and Recordation of Certain Documents in Connection Therewith

A resolution has been prepared for Council's consideration authorizing a request to the South Carolina Department of Transportation for removal of Revco Road and Dittman Court (S-1753) from the State Highway System and the acceptance of ownership and maintenance responsibility of said roads by the City of North Augusta, South Carolina; and authorizing the execution and recordation of certain documents in connection therewith.

Please see **ATTACHMENT NO. 8** for a copy of the proposed resolution.

ATTACHMENT 7

RESOLUTION NO. 2017-51
A RESOLUTION AUTHORIZING THE CITY OF NORTH AUGUSTA
TO ACCEPT THE QUOTE FROM TRANSPORTATION CONTROL SYSTEMS
FOR CITY ILLUMINATED STREET NAME SIGNAGE IN DOWNTOWN

WHEREAS, on November 21, 2016, the City approved funding for economic development purposes during the 2017 budget process from the General Fund of \$40,000; and

WHEREAS, Transportation Control Systems has been selected as the supplier of illuminated street name signage for signage in downtown to maintain consistency with illuminated street signage in the City; and

WHEREAS, the Mayor and City Council of the City of North Augusta find that the awarding of such bid for the downtown illuminated street signage is in the best interest of the City.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof that Transportation Control Systems shall be awarded a contract for downtown illuminated street signage at an amount not to exceed \$20,000.

BE IT FURTHER RESOLVED that the funding sources for this contract shall be as follows:

General Fund Economic Development*	\$ 20,000.00
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*As the project will not be completed by 12/31/2017, these unspent funds will be transferred to the Capital Projects Fund after year end and designated for downtown illuminated street signage.

BE IT FURTHER RESOLVED that the City Administrator and/or Director of Engineering & Public Works is authorized to execute any documents required for the entering into of this contract subject to approval by the City Attorney.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 18TH DAY OF DECEMBER, 2017.

Robert A. Pettit, Mayor

ATTEST:

Donna B. Young, City Clerk

ATTACHMENT 8

RESOLUTION NO. 2017-52

A RESOLUTION AUTHORIZING A REQUEST TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REMOVAL OF REVCO ROAD AND DITTMAN COURT (S-1753) FROM THE STATE HIGHWAY SYSTEM AND THE ACCEPTANCE OF OWNERSHIP AND MAINTENANCE RESPONSIBIITY OF SAID ROADS BY THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA; AND, AUTHORIZING THE EXECUTION AND RECORDATION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, South Carolina Department of Transportation, (the "SCDOT") is the owner of Revco Road (S-1753) and Dittman Court (S-1753) located within the North Augusta Industrial Park in the City of North Augusta, South Carolina, as more particularly described on Exhibit "A" attached hereto and fully incorporated herein (the "Roads"); and,

WHEREAS, the Roads are part of the state highway secondary system; and,

WHEREAS, Section 57-5-80 of the South Carolina Code of Laws, 1976, as amended, permits SCDOT to transfer ownership of any road in the state highway secondary system determined to be of low traffic importance to a municipality if mutual consent is reached between SCDOT and the municipality; and,

WHEREAS, the City of North Augusta (the "City") is a South Carolina municipal corporation vested with the power to acquire public roads in accordance with South Carolina law; and,

WHEREAS, Ambiopharm Inc., as part of its current plant expansion, has requested that the City petition SCDOT to transfer ownership of Dittman Court to the City in order to facilitate property access improvements in support of its overall Master Development Plan; and,

WHEREAS, City Council has determined that it is in the public interest for the City to request that SCDOT remove both Dittman Court and Revco Road from the state secondary highway system and for the City to acquire the Roads and the continuing maintenance obligations from SCDOT; and,

WHEREAS, City Council desires to authorize the City Administrator to execute such documents as necessary to complete the conveyance of the Roads to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, AS FOLLOWS:

1. The City Council hereby authorizes the acquisition and the transfer of the Roads from SCDOT to the City, including the continuing maintenance

obligations for the Roads, and hereby confirms that the acquisition of the Roads by the City is in the public interest.

2. The Mayor, City Administrator, and City Clerk are each hereby authorized to execute any and all documents necessary to consummate the acquisition and the conveyance of the Roads to the City, including, without limitation, the acceptance and recordation of the above-referenced application with SCDOT. The City Administrator is hereby authorized to pay such reasonable costs of the transaction as may be necessary.

3. Should any part or portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 18TH DAY OF DECEMBER, 2017.

Robert A. Pettit, Mayor

ATTEST:

Donna B. Young, City Clerk

EXHIBIT A

Jefferson Davis Hwy

Revco Rd (S-1753)

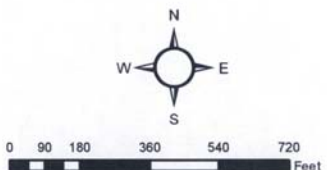
Palmetto Pkwy

Ambiopharm Inc

Dittman Ct (S-1753)



**Request to Transfer
Revco Rd and Dittman Ct (S-1753)
from State Road System to
The City of North Augusta**



South Carolina Department of Transportation

Engineering Directive

Directive Number: ED-41 **Effective:** November 17, 2015

Subject: Removal of Roads or Sections of Roads from the State Highway System

References: S.C. Code of Laws, Sections 57-5-10, 57-5-80, 57-5-120, 57-5-600, and 57-9-10, *et seq.*

Purpose: Provide Procedural Guidance in Performing Actions to Remove State Roads from the Highway System

This Directive Applies to: All Employees

At the June 21, 2007, meeting the South Carolina Department of Transportation (SCDOT) Commission recognized the need to reduce the size of the secondary road system and implemented a new policy to begin this process. State law allows the removal of roads from the state highway system under specific circumstances. Removal of a road from the state highway system must be authorized by at least one of the statutes listed below and must follow the processes set forth herein.

Authorizing Statutes:

Transfer of Roads from Secondary System to another Entity or Person - S.C. Code of Laws, Section 57-5-80

SCDOT may transfer from the state highway secondary system any road under its jurisdiction determined by SCDOT to be of low traffic importance to one of the parties indicated below, if mutual consent is reached between SCDOT and the transferee:

- (a) a county or municipality,
- (b) a school,
- (c) a governmental agency,
- (d) a nongovernmental entity, or
- (e) a person.

In all cases, the county or municipality shall have right of first refusal to accept roads into their maintenance responsibility when roads are considered for transfer from the state highway system to a nongovernmental entity or person. If a road or a portion of a road is considered for transfer from the state highway secondary system to a nongovernmental entity or person, all persons, businesses, and entities having property interests located on that section of road must be in agreement with the transfer. Maintenance responsibility for the removed road will transfer to the transferee upon notice from SCDOT of the official action removing the road from the state highway system. Notification of the transfer must be given to the county legislative delegation.

Abandonment of Section of Relocated Highway - S.C. Code of Laws, Section 57-5-120

SCDOT may abandon any section of highway that has been relocated. At its discretion, SCDOT may choose to retain the old section when it serves as a needed connection to the new section or when it serves as a proper part of the state highway system. All other sections should be abandoned. Every section abandoned due to relocation reverts to the local government having jurisdiction (city or county) or is abandoned as a public way.

Abandonment of Right-of-Way - S.C. Code of Laws, Section 57-5-600

Right-of-way previously acquired by SCDOT may be removed from the state highway system when it is determined that the right-of-way is not required for either right-of-way or departmental purposes. Removal of right of way must be primarily for public benefit, not private benefit. SCDOT's Rights of Way Office must determine what, if any, charge shall be made for the abandonment and/or transfer.

Court Ordered Closure - S.C. Code of Laws, Section 57-9-10, et seq.

Any interested person, the State, or any of its political subdivisions or agencies may petition a court of competent jurisdiction to abandon or close any street, road, or highway whether opened or not. Certain notice procedures must be followed as set forth in the statute. If the court shall determine that it is in the best interest of all concerned that such street, road, or highway be abandoned or closed, the court shall then determine in whom the title shall be vested and issue an appropriate order.

Removal Procedures:

Court Ordered Closures - All petitions for court ordered closures shall follow the following procedures:

1. The Legal Office shall send a copy of the initial petition for closure to the Director of Planning, Director of Rights of Way, and the appropriate district engineering administrator.
2. Each office should then determine if the petition covers a state system road. Once determined, each office must decide if they have objections to closure and notify the Legal Office within the time frame specified. Some examples of objections include sight distance concerns due to loss of right-of-way and the closure resulting in other state maintained roads becoming disconnected from the state system. The Legal Office will then convey any concerns to the courts.
3. If the court approves the closure, the final order of closure should be forwarded to the Director of Planning.
4. If the road was a state maintained road, the Director of Planning shall notify the SCDOT Commission.

Upon approval of the closure by the Commission (if state maintained), the following actions shall be taken:

1. The Director of Planning shall make the necessary adjustments in SCDOT's official mileage records, including those records necessary for enforcement of the secondary road mileage limitation (state and non-state maintained roads).
2. The Director of Planning shall notify the district engineering administrators of all actions taken by the Commission (state maintained roads only).
3. Based on the Commission minutes or a copy of Commission action available online, the district engineering administrator shall remove all SCDOT signs designating a road or route number (S-marker) from the section of road closed.

Other Removals:

All other requests for removal of a road or a portion of a road from the state highway system shall follow the procedures outlined below:

1. The Director of Traffic Engineering, Director of Construction, Director of Maintenance, Director of Planning, Director of Preconstruction, or a district engineering administrator may make a request for removal. A request for removal may also be initiated by the local entity (county, city, or school district) having jurisdiction or by other government agencies, a nongovernmental entity, or individuals with property interest along the section of roadway. Requests for removal must be submitted using the "Request for Removal from State Highway System" electronic form (Request for Removal from Highway System) located on SCDOT's Intranet as well as in Appendix A of this directive. A PDF fillable form is also available from the Director of Planning.
2. The SCDOT office initiating the request for removal must work with the Rights of Way Office to determine if the checkbox in the "Acceptance of Maintenance Responsibility by Other Entity" should be checked Yes or No. This will primarily depend on how the road was initially built and whether the right-of-way for the section proposed to be removed could generate revenue for SCDOT.

If the person or entity requesting to assume maintenance responsibility is not a governmental agency:

1. The SCDOT department initiating the request should confirm the requestor's identity by checking their state issued driver's license or identification card. If the requestor is an entity, not an individual, confirm identity by some other form of identification.
2. The requestor should include a letter from the county or municipality stating that the county or municipality refuses to accept maintenance of the described road. If the person or entity cannot obtain such letter, the SCDOT department initiating the request should contact the county or municipality only after the person or entity has provided proof they have tried to contact the local government. A sample form letter that should be used when contacting the local government is provided in Appendix B of this directive.

3. The requestor must obtain a statement from all persons, businesses, and entities having property interests on the road that they are in agreement with the transfer and provide adequate documentation that these are the only property owners with interests in the road. A sample affidavit documenting property owners is provided in Appendix C of this directive.
4. All requests for removal forms must be forwarded to the Director of Planning for appropriate action. The Director of Planning will maintain records of each removal request with supporting documentation and record the action taken on each request. The Director of Planning shall review the request for accuracy of description, location, and mileage, and shall verify the requested removal is in compliance with one of the statutes authorizing removal listed above. The Director of Planning shall also forward the request to the appropriate district engineering administrator for completion and concurrence as necessary. If a "Request for Removal from State Highway System" form or letter accepting maintenance responsibility is not attached to the request, the Director of Planning shall request the district engineering administrator to secure a completed form or letter.
5. Upon verification of the request for accuracy, compliance, and appropriate signatures, the Director of Planning shall forward the request to the Deputy Secretary for Intermodal Planning in the form of a recommendation to the Commission. If the road to be removed intersects a state maintained road it is important to include a plan sheet showing what right-of-way needs to be retained. Each recommendation for removal shall also include the person or entity requesting the removal (i.e., SCDOT, county, city, school district, government agency, private company, or individual), a description of the portion of road to be removed, and the statutory authority for removal along with the information required below:
 - a. Abandonment of Section of Relocated Highway
 - i. If the section was maintained by easement only - a copy of the letter or email notifying the local government of the abandonment and a copy of any response received.
 - ii. If SCDOT owns fee simple interest in the section to be abandoned – a "Request for Removal from State Highway System" form (preferred), or a statement of acceptance of maintenance responsibility by letter from the local government, or a request for quitclaim deed, or a court ordered closure action.
 - b. Transfer from Secondary Road System to another Person or Entity
 - i. "Request for Removal from State Highway System" form signed by the party to whom the road is requested to be transferred.
 - ii. Letter of right of first refusal from the county or municipality, if appropriate.
 - iii. If the requestor is a non-governmental entity or person, a statement that all persons and businesses on the road are in agreement with the transfer and adequate documentation that these are the only property owners with interests in the road. A sample affidavit documenting property owners is provided in Appendix C of this directive.

- c. Abandonment of Right of Way - "Request for Removal from State Highway System" form (preferred), or a statement of acceptance of maintenance responsibility by letter from the local government or entity (county, city, school district, or government agency).

Upon approval of the removal by the Commission, the following actions shall be taken:

1. The Director of Planning shall make the necessary adjustments in SCDOT's official mileage records, including those records necessary for enforcement of the secondary road mileage limitation.
2. The Director of Planning shall notify the district engineering administrators and Chief of Staff of all actions taken by the Commission.
3. The district engineering administrator shall ensure all SCDOT signs designating a road or route number (S-marker) are removed from the section of road transferred to a local government or agency.
4. If the entire road is to be abandoned, the district engineering administrator shall ensure all SCDOT signs are removed.
5. The district engineering administrator shall notify the requestor, in writing, of the action taken by the Commission and send an electronic copy to the Director of Planning.
6. The Chief of Staff shall notify the appropriate county legislative delegations of the actions taken by the Commission.

Based on the Commission minutes or a copy of Commission action available online, the Director of Rights of Way, if appropriate, shall prepare and forward a quitclaim deed for the removed road to the party to whom the road is being transferred. The quitclaim deed shall, in addition to transferring the right of way, specifically transfer any bridge within the limits of the removed road, and transfer all future maintenance responsibility.

Submitted and Recommended by: Mark Pleasant
Director of Planning

Approved: Ron K. Patton
Deputy Secretary for Intermodal Planning

Approved: Christy A. Hall
Deputy Secretary for Engineering

Lead: Director of Planning

History: Issued on September 15, 2008
First Revision on April 13, 2015
Second Revision on November 17, 2015

APPENDIX A
FOR ENGINEERING DIRECTIVE 41

**REQUEST FOR REMOVAL FROM
STATE HIGHWAY SYSTEM
(REVISED 09/2015)**

DESCRIPTION OF SECTION OF ROAD TO BE REMOVED

COUNTY: _____ ROAD NUMBER: _____ ROAD NAME: _____

LENGTH TO BE REMOVED: _____ MILES

BEGINNING POINT: _____ ENDING POINT: _____

DESCRIPTION: (PLEASE ATTACH LOCATION MAP)

ACCEPTANCE OF MAINTENANCE RESPONSIBILITY BY OTHER ENTITY

IT IS REQUESTED THAT THE ABOVE DESCRIBED ROAD BE REMOVED FROM THE STATE HIGHWAY SYSTEM. OWNERSHIP AND MAINTENANCE OF THIS ROAD WILL BECOME THE RESPONSIBILITY OF THE ENTITY LISTED BELOW. **IF THIS ENTITY IS NOT A GOVERNMENTAL ENTITY, A LETTER FROM THE COUNTY OR MUNICIPALITY STATING THAT THEY REFUSE TO ACCEPT MAINTENANCE OF THE DESCRIBED ROAD SHOULD BE INCLUDED WITH THIS FORM.**

YES NO IF YES IS CHECKED AND THE ENTITY ABOVE CEASES TO UTILIZE THIS PROPERTY FOR PUBLIC PURPOSES, THEN THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION SHALL BE COMPENSATED FAIR MARKET VALUE BY THE ENTITY OR ELSE THE PROPERTY SHALL REVERT TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, WHO WILL HAVE THE RIGHT TO RE-ENTER AND TAKE POSSESSION OF THE PROPERTY FREE OF ALL RESTRICTIONS AND RESTRAINTS.

NAME / ENTITY: _____
PLEASE TYPE OR PRINT

TITLE: _____
PLEASE TYPE OR PRINT

SIGNED: _____ DATE: _____

NOTE TO DISTRICT ENGINEERING ADMINISTRATOR:

THIS COMPLETED FORM AND MAP SHOULD BE FORWARDED TO:

SCDOT DIRECTOR OF PLANNING
955 PARK STREET - ROOM 515, P.O. BOX 191
COLUMBIA, S.C. 29202

**BASIS FOR REMOVAL
(TO BE COMPLETED BY SCDOT)**

CHECK ONE OF THE (3) THREE OPTIONS BELOW AND COMPLETE:

1. ABANDONMENT OF SECTION OF RELOCATED HIGHWAY

2. DELETION AND REMOVAL OF ROADS FROM THE SECONDARY SYSTEM (SWAP MILES ONLY)

ROADS TO BE ADDED IN SWAP OF MILES:

<u>ROADS NUMBER</u>	<u>ROAD MILEAGE</u>	<u>AVERAGE DAILY TRAFFIC (ADT)</u>	<u>NUMBER OF LANES</u>	<u>TRAFFIC IMPORTANCE</u>
_____	(_____ X _____ / _____)	=	_____	
_____	(_____ X _____ / _____)	=	_____	

ROADS TO BE DELETED IN SWAP OF MILES:

<u>ROADS NUMBER</u>	<u>ROAD MILEAGE</u>	<u>AVERAGE DAILY TRAFFIC (ADT)</u>	<u>NUMBER OF LANES</u>	<u>TRAFFIC IMPORTANCE</u>
_____	(_____ X _____ / _____)	=	_____	
_____	(_____ X _____ / _____)	=	_____	

NOTE: ROADS TO BE ADDED MUST BE OF HIGHER TRAFFIC IMPORTANCE THAN ROADS TO BE DELETED AS DETERMINED BY THE CALCULATIONS ABOVE.

3. DELETION AND REMOVAL OF ROADS FROM THE SECONDARY SYSTEM (NO SWAP MILES)

Or

ABANDONMENT OF RIGHT-OF-WAY - (REMOVAL OF ROADS FROM STATE HWY. SYSTEM ONLY)

DETERMINATION OF RIGHT-OF-WAY NEED (CHECK APPROPRIATE BOX(ES) BELOW)

YES NO

PROPERTY IS REQUIRED FOR SCDOT RIGHT-OF-WAY ¹

PROPERTY IS REQUIRED FOR DEPARTMENT PURPOSES ¹

ABANDONMENT IS IN THE INTEREST OF THE PUBLIC AND SCDOT

ABANDONMENT ADVERSELY AFFECTS THE INDIVIDUAL RIGHTS OF OTHERS

THE RIGHT OF WAY LIMITS RETAINED AT THE INTERSECTING ROADS WILL BE ESTABLISHED AS FOLLOWS:

ADDITIONAL COMMENTS: _____

¹ A COPY OF THE PLAN SHEET WITH THE NEW RIGHT OF WAY LIMITS MUST BE INCLUDED.

REQUEST SUBMITTED BY: _____ DATE: _____

CONCURRENCE BY: _____ DATE: _____

FOR PRIMARY ROUTES ONLY:

APPROVAL BY: _____ DATE: _____

DIRECTOR OF PLANNING

APPENDIX B
FOR ENGINEERING DIRECTIVE 41

August 20, 2013

Mr. John Doe
City of Greenville
PO Box 1234
Greenville, SC 29292

RE: Request of Removal of S-23-123

To Whom It May Concern:

My office has been approached by Mr. John Smith requesting the South Carolina Department of Transportation (SCDOT) transfer ownership and maintenance responsibility of S-23-123(ABC Road) from Jones Avenue to Good Street to Mr. Smith. Our review of this road indicated it is of low traffic importance, and we have agreed to this transfer.

Based on this request, I am writing to inform you that the City of Greenville has the right of first refusal of the above road according to the law (Section 57-5-80). As such, we are requesting a written response from the City within 30 days from the date of this letter if it desires to exercise the first right of refusal. If we do not receive a reply within this timeframe, we will consider this as a refusal to accept maintenance of the roadway, and SCDOT will proceed to transfer ownership and maintenance to Mr. Smith as requested.

If you have any questions, please call at XXX-XXX-XXXX or email me at XXXX@scdot.org.

Sincerely,

APPENDIX C
FOR ENGINEERING DIRECTIVE 41

State of South Carolina)
)
County of _____)

AFFIDAVIT

Personally appeared before me the undersigned who being duly sworn, states that _____

_____ is (are) the sole owner(s) of that certain parcel
(Name of Property Owner)

known as _____
(TMS No. or Street Address)

abutting Road _____ (_____) between _____ and
(No. of Road to be Removed) (Name of Road to be Removed) (Beginning Point Road)

_____ in _____ County.
(Ending Point Road)

(Owner)

(Owner)

SWORN TO BEFORE ME this ____ day of
_____, 20__.

NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: _____

State of South Carolina)
)
County of Richland)

AFFIDAVIT

Personally appeared before me the undersigned who being duly sworn, states that John A. Doe and Jane B. Doe is (are) the sole owner(s) of that certain parcel known as Road S-111 (222 Main Street) abutting Road S-111 between Road S-33 (Maple Drive) and Road S-44 (Elm Street) in Richland County.

(Owner Signature) John A. Doe

(Owner Signature) Jane B. Doe

SWORN TO BEFORE ME this ____ day of

_____, 20__.

NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission Expires: _____

