

RESOLUTION NO. 2018-17

A RESOLUTION AUTHORIZING A REQUEST TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REMOVAL OF A PORTION OF BUNTING DRIVE (S-309) FROM THE STATE HIGHWAY SYSTEM AND THE ACCEPTANCE OF OWNERSHIP AND MAINTENANCE RESPONSIBIITY OF SAID ROAD 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 Bunting Drive (S-309) located within the Lynnhurst Subdivision in the City of North Augusta, South Carolina, as more particularly described on Exhibit “A” attached hereto and fully incorporated herein (the “*Road*”); and,

WHEREAS, the Road is 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, the City, in accordance with its Stormwater Management Capital Improvement Plan, has engaged a professional engineering firm to study, recommend, and design drainage improvements within the Lynnhurst Subdivision to reduce roadway and private property flooding; and,

WHEREAS, the final design includes the installation of underground storm drainage piping within the travel lanes of a portion of Bunting Drive, generally between Towhee Avenue (S-315) and Robin Road (S-311); and,

WHEREAS, the City has made application to the SCDOT for an Encroachment Permit for the construction of the storm drainage piping and related appurtenances within the right-of-way; and,

WHEREAS, the SCDOT has denied the permit application, citing its objection to the pipeline being installed within the travel lanes; and,

WHEREAS, the SCDOT has further suggested that if the City cannot re-design the project to remove the pipeline from the travel lanes, then it should pursue this action to allow the project to proceed as designed; and,

WHEREAS, the City's Engineering Department has reviewed the plans and believes that the current design best meets the hydrologic design parameters, and minimizes construction impacts upon existing City-owned and private utilities, as well as private property, and recommends that the City pursue this action; and,

WHEREAS, City Council has determined that it is in the public interest for the City to request that SCDOT remove a portion of Bunting Drive from the state secondary highway system and for the City to acquire the Road 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 Road from SCDOT to the City, including the continuing maintenance obligations for the Road, and hereby confirms that the acquisition of the Road 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 Road 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 seperable.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 6TH DAY OF AUGUST, 2018.



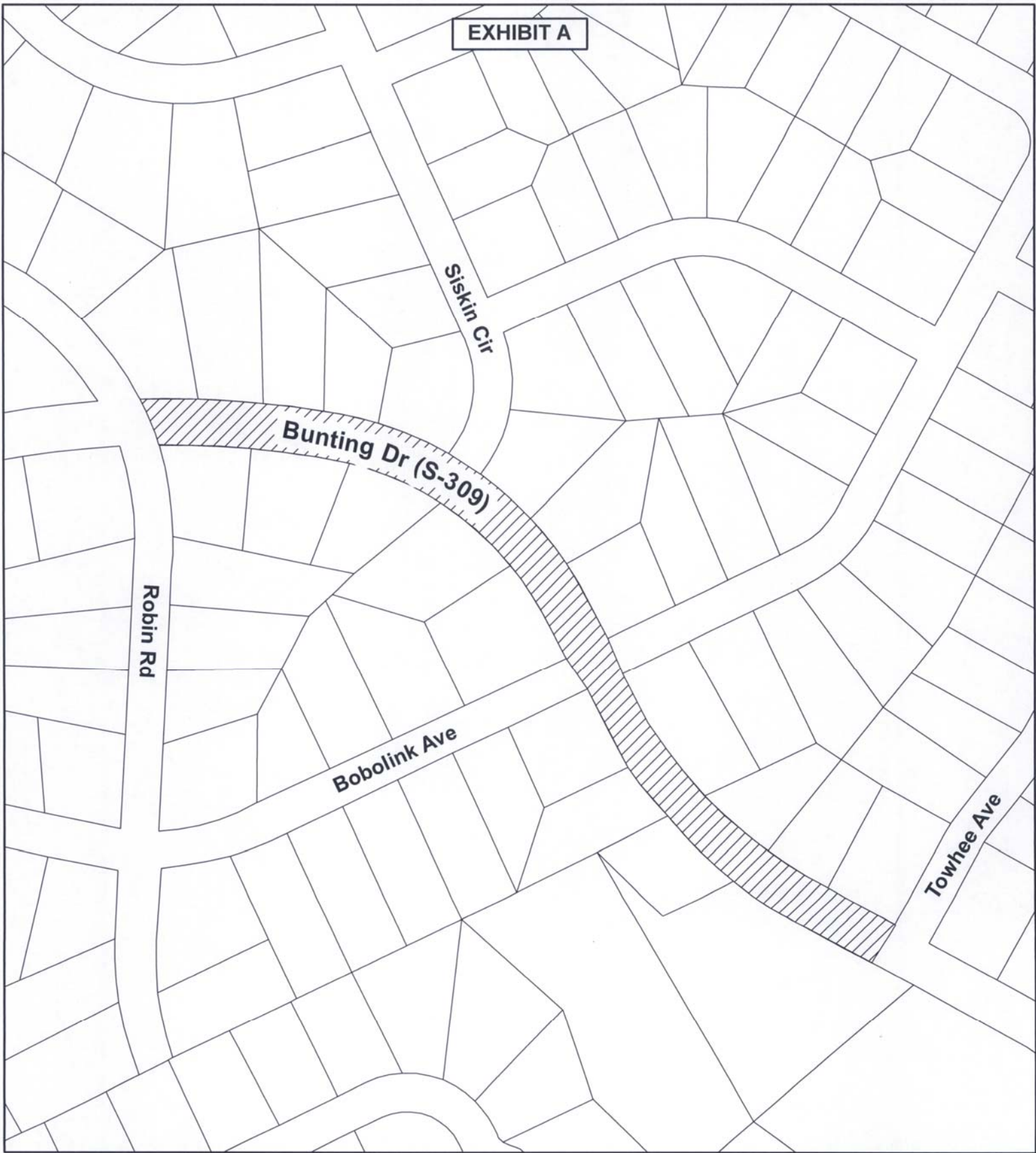
Robert A. Pettit, Mayor

ATTEST:

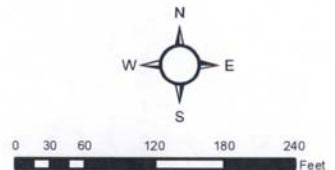


Donna B. Young, City Clerk

EXHIBIT A



**Request to Transfer
Bunting Dr (S-309)
from State Road System to
The City of North Augusta**



**REQUEST FOR TRANSFER OF ROAD FROM STATE SECONDARY
SYSTEM TO ANOTHER GOVERNMENTAL AGENCY**

(REVISED 05/01/2018)

DESCRIPTION OF SECTION OF ROAD TO BE TRANSFERRED

COUNTY: _____ ROAD NUMBER: _____ ROAD NAME: _____

LENGTH TO BE TRANSFERRED: _____ MILES

BEGINNING POINT: _____ ENDING POINT: _____

DESCRIPTION: (PLEASE ATTACH LOCATION MAP)

ACCEPTANCE OF MAINTENANCE RESPONSIBILITY

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. BY SIGNING BELOW, THE ENTITY ACKNOWLEDGES THAT THE ROAD MUST REMAIN OPEN TO THE PUBLIC UNLESS CLOSED PURSUANT TO APPROPRIATE LOCAL ROAD CLOSING PROCEDURES OR THE STATUTORY ROAD CLOSING PROCESS FOUND IN S. C. CODE SECTION 57-9-10, et seq.

GOVERNMENTAL AGENCY: _____
PLEASE TYPE OR PRINT

NAME: _____
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 ROAD DATA SERVICES
955 PARK STREET - ROOM 515, P.O. BOX 191
COLUMBIA, S.C. 29202

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

CHECK ONE OF THE (2) TWO OPTIONS BELOW AND COMPLETE:

1. TRANSFER 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 TRANSFERRED 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 TRANSFERRED AS DETERMINED BY THE CALCULATIONS ABOVE.

2. TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (NO SWAP MILES)

TRANSFER CHECKLIST (CHECK APPROPRIATE BOXES BELOW)

YES NO

ROAD IS REQUIRED FOR DEPARTMENT PURPOSES ¹

ROAD IS OF LOW TRAFFIC IMPORTANCE. LIST FUNCTIONAL CLASSIFICATION: _____

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.

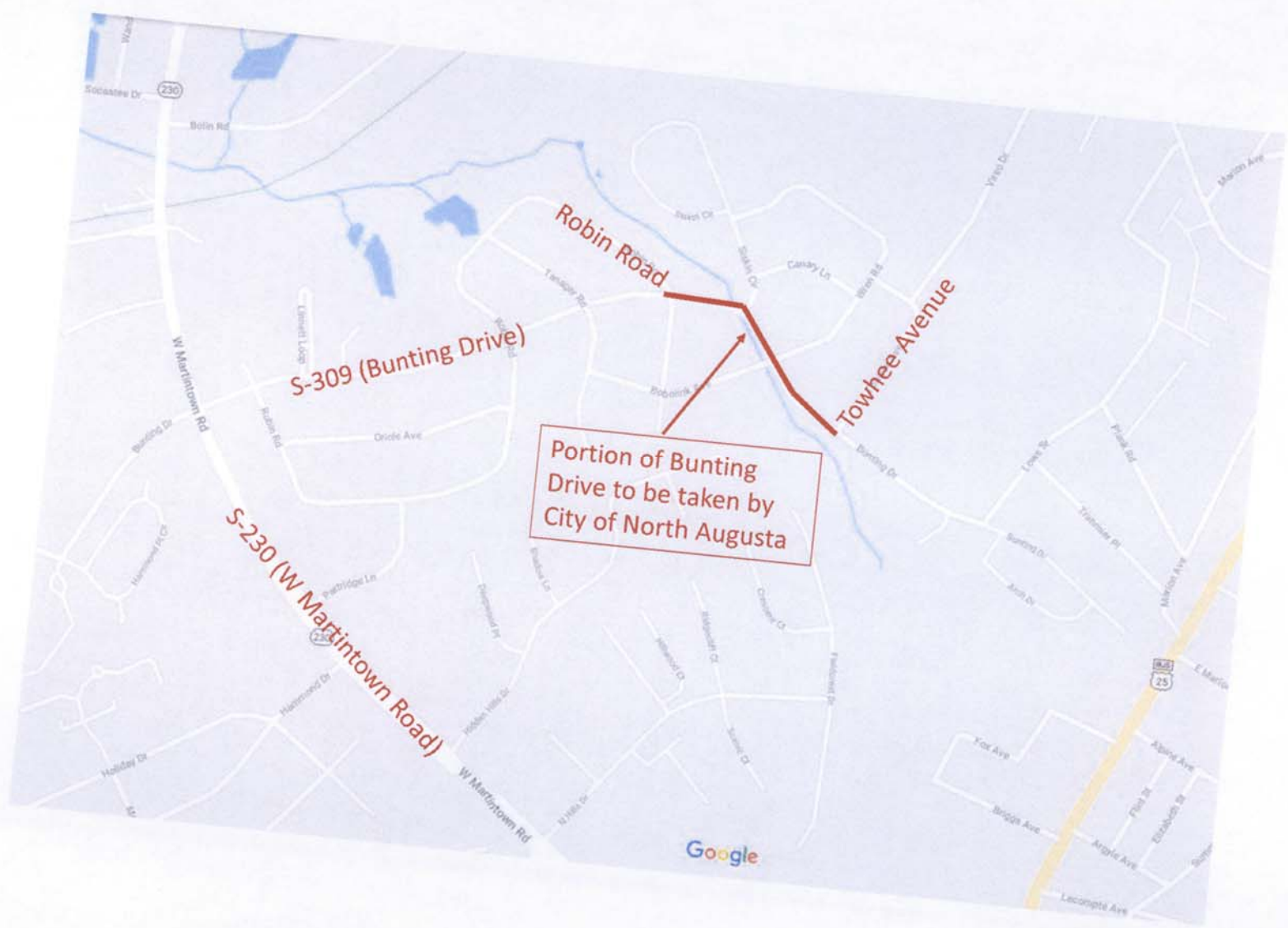
REQUEST SUBMITTED BY: _____ DATE: _____

CONCURRENCE BY: _____ DATE: _____

FOR ROUTES ABOVE MAJOR COLLECTOR ONLY:

APPROVED: _____ DATE: _____

DIRECTOR OF ROAD DATA SERVICES OR DESIGNEE



S-309 (Bunting Drive)

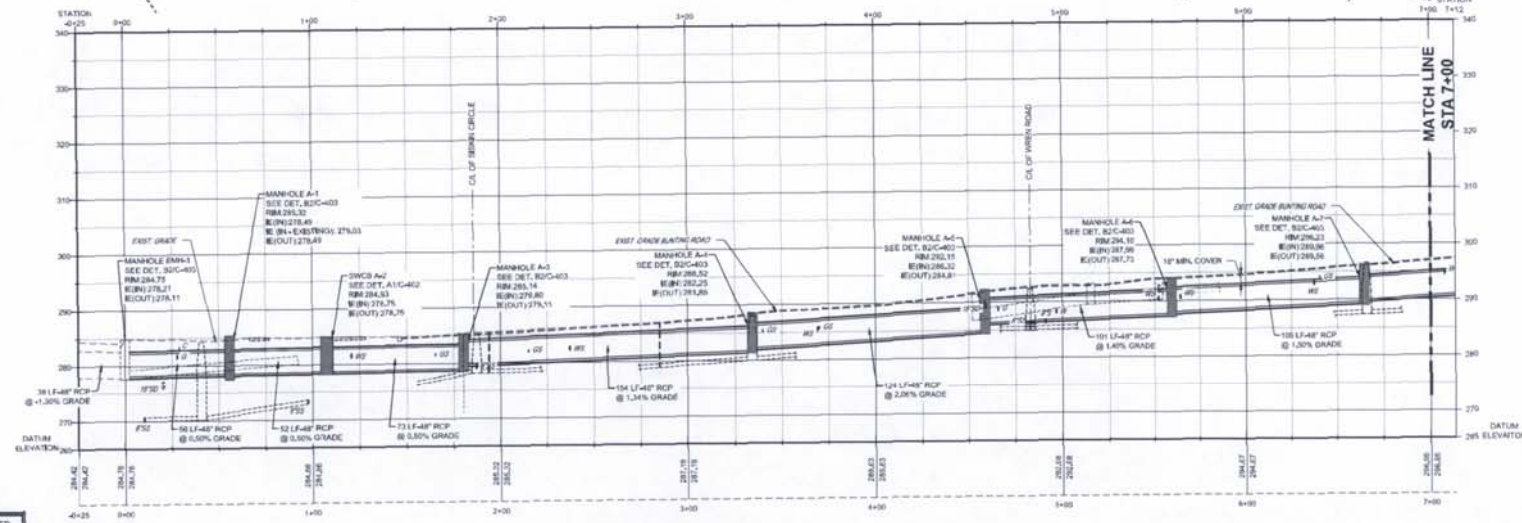
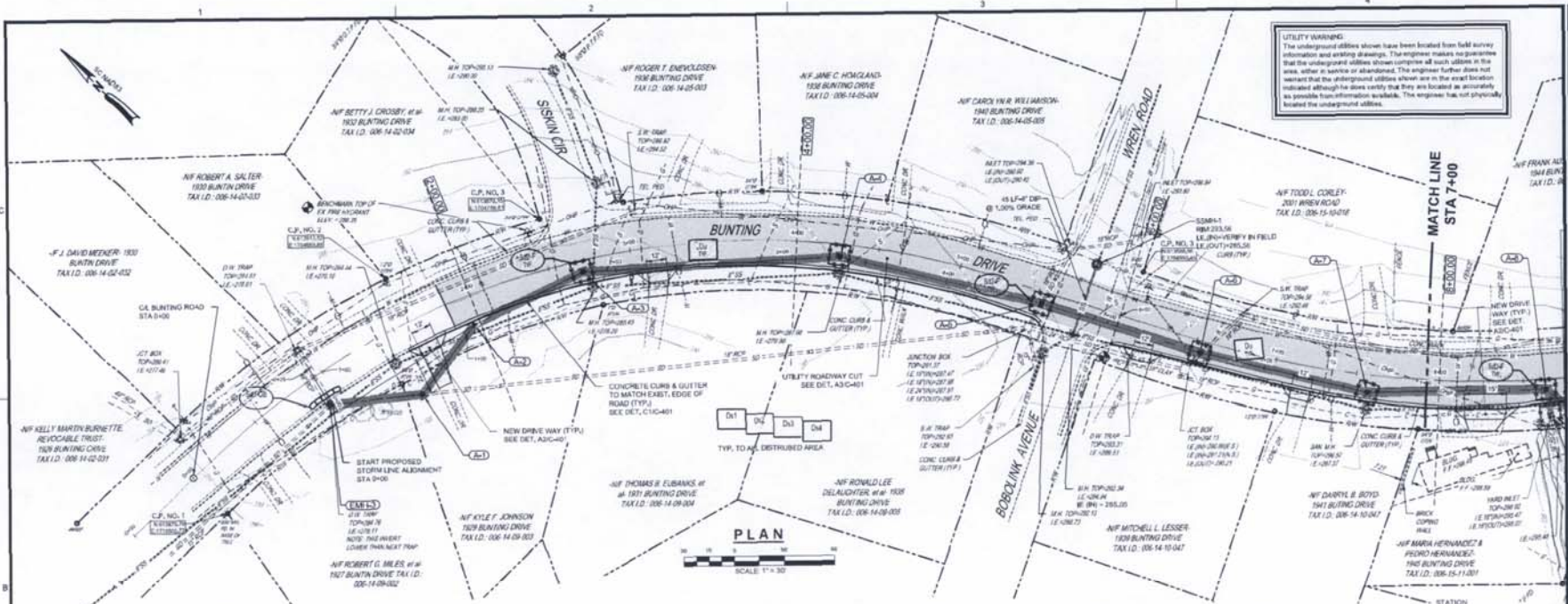
Robin Road

Towhee Avenue

S-230 (W Martintown Road)

Portion of Bunting Drive to be taken by City of North Augusta

Google



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100 GEORGIA AVENUE, NORTH AUGUSTA, SC 29854
TEL: (803) 774-1100 FAX: (803) 774-1100
RAX: (803) 774-1100 FAX: (803) 774-1100
WWW.JLGROUP.COM

CITY OF NORTH AUGUSTA
100 GEORGIA AVENUE, NORTH AUGUSTA, SC 29854
LYNNHURST SUBDIVISION
DRAINAGE IMPROVEMENTS



PROJECT NO. 2057.1702
DRAWN BY: CRE
CHECKED BY: R.J.L.
DATE: 7/7/2017
SHEET TITLE:
PLAN & PROFILE
STA 0+00 TO 7+00

SCALE: AS NOTED
DRAWING NO.:
C-101 REV: 0