



CITY COUNCIL
REGULAR MEETING AGENDA
WITH BACK-UP MATERIALS
July 15, 2019



AGENDA: CITY OF NORTH AUGUSTA REGULAR CITY COUNCIL MEETING
July 15, 2019 – Municipal Building – 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.

PODIUM SECURITY: (1) Any person addressing Council may bring paper documents, handouts, etc. to the Podium. If desired, such handouts may be delivered to the City Clerk or if requested, a City staff member will distribute to Council members. (2) If the speaker desires to utilize non-paper items for demonstration purposes, any such items **MUST** be cleared by Public Safety before being taken to the Podium area. (3) Items requiring this clearing by Public Safety would include but not be limited to pocketbooks, briefcases, sacks, boxes, or any similar containers. This requirement would apply whether or not such items are to be utilized in the presentation.

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:**

3. **ROLL CALL:**

4. **APPROVAL OF MINUTES:** Regular and study session meeting minutes of July 1, 2019

5. **COMMUNITY PROMOTION:** Proclamation – Americans with Disabilities Act Awareness Day, July 26, 2019

UNFINISHED BUSINESS

6. **ANNEXATION:** Property Located Along Bradley Drive, Thaxton Court, and Bradley Court, Aiken County Tax Parcel Numbers 012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, and 012-14-06-085; AND 012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, and 012-14-06-082; AND 012-14-06-071. ± 5.42 Acres

Ordinance No. 2019-05 - To Change the Corporate Limits of the City of North Augusta by Annexing +/- 5.42 Acres of Property Located Along Bradley Drive, Thaxton Court, and Bradley Court and Owned by Summer Lakes Development, LLC. Ordinance, Third and Final Reading

7. **PLANNING & DEVELOPMENT:** Ordinance No. 2019-09 – Abandoning a Platted, But Unopened, Unimproved Road Right-of-Way Shown on a Plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta. Ordinance, Third and Final Reading

8. **ZONING:** Ordinance No. 2019-07 - To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±2.41 Acres of Land Owned by the City of North Augusta, and Located at 1220 and 1220 ½ Georgia Avenue, Aiken County Tax Parcels # 007-07-06-003 and 007-07-06-004, From R-14, Large lot Single-Family Residential, to P, Public Use. Ordinance, Third and Final Reading

9. **ZONING:** Ordinance No. 2019-06 - To Amend Article 3, Zoning Districts, Related to the Public Use (P) Special Zoning District, of the North Augusta, Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances. Ordinance, Third and Final Reading

NEW BUSINESS

10. **CITY PROPERTY:** Ordinance No. 2019-10 – To Grant Easements to Dominion Energy for Underground Conversion along W. Five Notch Road. Ordinance; First and Second Reading

11. **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

12. **ADJOURNMENT:**



*Thank you for attending tonight's meeting of the North Augusta City Council.
To assure every citizen's privilege to speak to City Council and to maintain proper decorum
the following sections of the City's Code of Ordinances are reprinted.*

Sec. 2-57. Order and decorum generally.

(a) By council members. While the council is in session, the members must preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council, or disturb any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.

(b) By other persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the council shall be forthwith, by the presiding officer, barred from further audience before the council, unless permission to continue be granted by a majority vote of the council.

Sec. 2-62. Addressing council--Permission required; exceptions.

Any person desiring to address the council shall first secure the permission of the presiding officer so to do.

Sec. 2-63. Same--Procedure.

Each person addressing the council shall step up in front of the rail, shall give such person's name and address in an audible tone of voice for the records, and unless further time is granted by the council, shall limit the address to five (5) minutes. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked a council member except through the presiding officer.

Sec. 2-64. Persons authorized to be within rail.

No person, except city officials or their representatives shall be permitted within the rail in front of the council chamber without the express consent of the council.

Interoffice Memorandum



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: July 12, 2019

SUBJECT: Regular City Council Meeting of July 15, 2019

REGULAR COUNCIL MEETING

ITEM 5. COMMUNITY PROMOTION: Proclamation – Americans with Disabilities Act Awareness Day, July 26, 2019

Mayor Pettit wishes to proclaim July 26, 2019 Americans with Disabilities Act Awareness Day.

Please see **ATTACHMENT #5** for a copy of the proclamation.

UNFINISHED BUSINESS

ITEM 6. ANNEXATION: Ordinance No. 2019-05 to Change the Corporate Limits of the City of North Augusta by Annexing +/- 5.42 Acres of Property Located Along Bradley Drive, Thaxton Court, and Bradley Court and Owned by Summer Lakes Development, LLC. Ordinance, Third and Final Reading

A ordinance has been prepared for Council's consideration to change the corporate limits of the City of North Augusta by annexing ± 5.42 acres of property located along Bradley Drive, Thaxton Court, and Bradley Court and owned by Summer Lakes Development, LLC Aiken County Tax Parcel Number 012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, and 012-14-06-085; AND 012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, and 012-14-06-082; AND 012-14-06-071.

Please see **ATTACHMENT #6** for a copy of the proposed ordinance.

ITEM 7. PLANNING & DEVELOPMENT: Ordinance No. 2019-09 – Abandoning a Platted, But Unopened, Unimproved Road Right-of-Way Shown on a Plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta. Ordinance, Third and Final Reading

An ordinance has been prepared for Council's consideration on third reading to abandon a platted but unopened, unimproved road right-of-way shown on a plat for Paul D. Brewer and Barbara C. Coleman dated June 22, 2005 in the City of North Augusta.

Please see **ATTACHMENT #7** for a copy of the proposed ordinance.

July 12, 2019

ITEM 8. ZONING: Ordinance No. 2019-07 - To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±2.41 Acres of Land Owned by the City of North Augusta, and Located at 1220 and 1220 ½ Georgia Avenue, Aiken County Tax Parcels # 007-07-06-003 and 007-07-06-004, From R-14, Large lot Single-Family Residential, to P, Public Use. Ordinance, Third and Final Reading

An ordinance has been prepared for Council's consideration on third reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ±2.41 acres of land owned by the City of North Augusta, and located at 1220 and 1220 ½ Georgia Avenue, Aiken County tax parcel # 007-07-06-003 and 007-07-06-004, from R-14, Large Lot Single-Family Residential, to P, Public Use.

Please see [**ATTACHMENT #8**](#) for a copy of the proposed ordinance.

ITEM 9. ZONING: Ordinance No. 2019-06 - To Amend Article 3, Zoning Districts, Related to Public Use (P) Special Zoning District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances. Ordinance. Third and Final Reading

An ordinance has been prepared for Council's consideration on third reading amending Article 3, Zoning Districts, Related to the Public Use (P) Special Zoning District, of the North Augusta Development Code, Chapter 18 of the City of North Augusta, South Carolina Code of Ordinances.

Please see [**ATTACHMENT #9**](#) for a copy of the proposed ordinance.

NEW BUSINESS

ITEM 10. CITY PROPERTY: Ordinance No. 2019-10 – To Grant Easements to Dominion Energy for Underground Conversion along W. Five Notch Road

A. Ordinance, First Reading

An ordinance has been prepared for Council's consideration to grant easements to Dominion Energy for underground conversion along W. Five Notch Road..

Please see [**ATTACHMENT #10**](#) for a copy of the proposed ordinance and supporting documentation.

B. Ordinance, Second Reading

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.



City of North Augusta, South Carolina

PROCLAMATION

IN RECOGNITION OF Americans with Disabilities Act Awareness Day

WHEREAS, a significant portion of the City of North Augusta residents are persons with varying disabilities that may be apparent or hidden; and

WHEREAS, individuals with disabilities have the same desires and rights for equal access as those without disabilities;

WHEREAS, those desires for equal access and equal rights include but are not limited to education, employment, and community programs and resources; and

WHEREAS, including all individuals with disabilities fully in the community enables utilization of the invaluable knowledge, skills, talents, and diversity that they have to offer; and

WHEREAS, Americans with Disabilities Act Awareness Day recognizes that individuals with disabilities are capable, contributing members of society; and

WHEREAS, individuals with disabilities are worthy of full access and inclusion in the City of North Augusta and surrounding communities.

NOW THEREFORE, I, Robert A. Pettit, Mayor of the City of North Augusta, South Carolina, do hereby claim July 26, 2019 as:

Americans with Disabilities Act Awareness Day

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Augusta, South Carolina, to be affixed this _____ day of July, 2019.



*Robert A. Pettit, Mayor
City of North Augusta*

ATTACHMENT #6

ORDINANCE NO. 2019-05
TO CHANGE THE CORPORATE LIMITS
OF THE CITY OF NORTH AUGUSTA
BY ANNEXING
± 5.42 ACRES OF PROPERTY LOCATED
ALONG BRADLEY DRIVE, THAXTON COURT AND BRADLEY COURT
AND OWNED BY SUMMER LAKES DEVELOPMENT, LLC

WHEREAS, Section 5-3-150(3) of the Code of Laws of the State of South Carolina provides that: "Notwithstanding the provisions of subsections (1) and (2) of this section, any area or property which is contiguous to a municipality may be annexed to the municipality by filing with the municipal governing body a petition signed by all persons owning real estate in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete"; and

WHEREAS, the Mayor and City Council of the City of North Augusta, by adoption of Resolution No. 2019-21 dated July 1, 2019, accepted a Petition for Annexation and wish to annex the below described properties; and

WHEREAS, the zoning classification recommended for the properties proposed for annexation has been reviewed for consistency with the Future Land Use Classification of the properties as specified in the Land Use Element of the North Augusta 2017 Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof that:

- I. The following described property shall be annexed into the City of North Augusta:

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as Lots 4, 5, 6, 8, 9, 13, 14, 15, 23 & 24 of Block C, of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4730, pages 1605-1607.

That being the same as the piece, parcels or tracts of land conveyed from Bradleyville, LLC to 30901 Development Corporation recorded in the RMC Office of Aiken County, South Carolina in Deed Book 2412, page 304 and corrected in Book 4051, page 1101.

Tax Parcel Numbers:

012-14-06-065, 012-14-06-066, 012-14-06-067, 012-14-06-069, 012-14-06-070, 012-14-06-074, 012-14-06-075, 012-14-06-076, 012-14-06-084, and 012-14-06-085

And

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lots 28B, 29B, 30B, 31B, 32B, 7C, 12C, 16C, and 21C of Bradley Terrace Subdivision as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4728, pages 246-248.

That being the same as the piece, parcels or tracts of land conveyed from Bradleyville, LLC by deed of William H. Presley and Joel T. Presley dates 12/30/2002, recorded in the RMC Office of Aiken County, South Carolina, Deed Book 2269, page 163.

Tax Parcel Numbers:

012-14-08-007, 012-14-08-008, 012-14-08-009, 012-14-08-010, 012-14-08-011, 012-14-06-068, 012-14-06-073, 012-14-06-077, and 012-14-06-082.

And

Being all that certain piece, parcels, or tracts of land, with any improvements thereon, situate, lying and being in the County of Aiken, State of South Carolina and being shown and designated as lot 10C as conveyed to Summer Lakes Development, LLC, in the RMC Office of Aiken County, South Carolina, in Deed book 4740, pages 1511-1513.

That being the same as the piece, parcels or tracts of land conveyed to Joel Presley by deed of Melvin A. Baskett dated May 25, 2010, recorded the RMC Office of Aiken County, South Carolina, in Book 4311, page 441.

Tax Parcel Number: 012-14-06-071

The property to be annexed is also shown on a map identified as "Exhibit A" titled "Map of Property Sought to be Annexed to the City of North Augusta" dated February 6, 2019, and prepared by the City of North Augusta.

- II. The zoning classification recommended for the properties to be annexed has been reviewed by the Planning Commission for consistency with the Future Land Use Classification of the properties as specified in the North Augusta 2017 Comprehensive Plan; therefore, the properties shall be zoned R-7, Small Lot Single-Family Residential as shown on a map identified as "Exhibit B" titled "General Commercial Zoning of Property Sought to be Annexed to the City of North Augusta" dated October 31, 2018 and prepared by the City of North Augusta.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON
THIS _____ DAY OF JULY, 2019.

First Reading: _____

Second Reading: _____

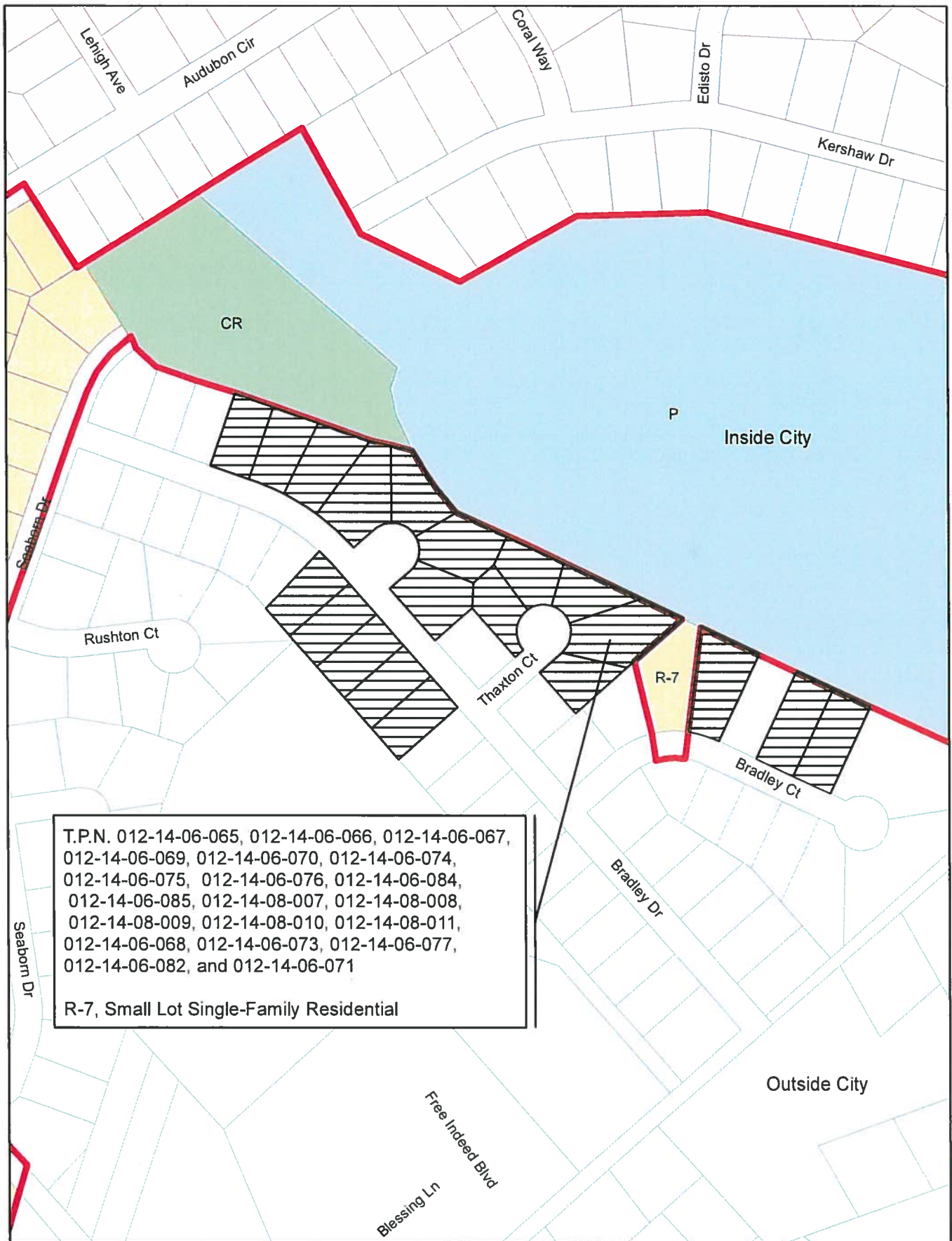
Third Reading: _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

EXHIBIT B



ATTACHMENT #7

ORDINANCE NO. 2019-09

ABANDONING A PLATTED, BUT UNOPENED, UNIMPROVED ROAD RIGHT-OF-WAY
SHOWN ON A PLAT FOR PAUL D. BREWER AND BARBARA C. COLEMAN DATED
JUNE 22, 2005 IN THE CITY OF NORTH AUGUSTA

WHEREAS, at its regularly scheduled meeting of June 20, 2019, the North Augusta Planning Commission considered the request of property owners, Paul D. Brewer and Barbara C. Coleman, for the City to abandon a section of a platted but unopened and unimproved road right-of-way adjoining their properties; and

· WHEREAS, the portion of road right-of-way requested to be abandoned is shown as Parcel "A" on a plat prepared for Paul D. Brewer and Barbara C. Coleman by George L. Godman and Associates dated June 22, 2005.

WHEREAS, THE Planning Commission, after reviewing the request, determined that the subject right-of-way has never been opened, never named, and never used as regular access to adjoining properties; that the City has never maintained the subject right-of-way; that the right-of-way did not have a tax parcel number nor was anyone paying taxes thereon; and that the road abandonment would not conflict with the City's Comprehensive Plan. Therefore, abandonment of the road right-of-way would be appropriate; and

WHEREAS, upon completion of their review, the Planning Commission unanimously recommended to the City Council that the subject right-of-way be abandoned; and

WHEREAS, the Planning Commission held a duly advertised public hearing on the requested abandonment on June 20, 2019 for the purpose of receiving input from the public on the requested abandonment; and

WHEREAS, following consideration of the recommendation from the Planning Commission and any input received at the public hearing, Mayor and Council have determined that it is appropriate that the City abandon any interest in the identified road right- of- way.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council in meeting duly assembled and by the authority thereof, that the section of platted but unopened and unnamed road right-of-way described herein is hereby abandoned.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2019.

FIRST READING: _____

SECOND READING: _____ ROBERT A. PETTIT, MAYOR

THIRD READING: _____ ATTEST:

SHARON LAMAR, CITY CLERK

ATTACHMENT #8

ORDINANCE NO. 2019-07
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,
SOUTH CAROLINA BY REZONING ± 2.41 ACRES OF LAND OWNED BY
THE CITY OF NORTH AUGUSTA, AND LOCATED AT 1220 AND 1220 ½ GEORGIA
AVENUE, AIKEN COUNTY TAX PARCELS #007-07-06-003 AND 007-07-06-004,
FROM R-14, LARGE LOT SINGLE-FAMILY RESIDENTIAL, TO P, PUBLIC USE.

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, the City, the owner of the property, has requested that it be rezoned from R-14 to P, Public Use; and

WHEREAS, the North Augusta Planning Commission, following a May 17, 2018, public hearing, reviewed and considered the amendment to the Zoning Map and the recommendations having been presented to the City Council for consideration.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The properties owned by the owned by the City of North Augusta, and located at 1220 and 1220 ½ Georgia Avenue, Aiken County Tax Parcels #007-07-06-003 and 007-07-06-004, from R-14, Large Lot Single-Family Residential to P, Public Use.
- II. Said property being officially rezoned to the classification P, Public Use, more specifically in accordance with the map attached hereto as Exhibit "A," the official Zoning Map of the City of North Augusta is to be so amended.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Second Reading _____

Third and Final Reading _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk

ATTACHMENT #9

ORDINANCE NO. 2019-06
AMENDING ARTICLE 3, ZONING DISTRICTS, RELATED TO THE PUBLIC USE (P)
SPECIAL ZONING DISTRICT, OF THE NORTH AUGUSTA DEVELOPMENT CODE,
CHAPTER 18 OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA CODE OF
ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Section 5.3.3.2 Text Amendments in Article 5, Approval Procedures, of the North Augusta Development Code, any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text; and

WHEREAS, the North Augusta City Council resolved to instruct the City Administrator to apply for a text change to Article 3, Zoning Districts, of the North Augusta Development Code; and

WHEREAS, the North Augusta Planning Commission, following a April 18, 2019 public hearing, reviewed and considered a request by the City of North Augusta to amend Section 3.6.4.5.2 entitled "Development Standards" and 3.8.1.1 of the North Augusta Development Code to revise requirements for P, Public Use District related to corridor overlay standards in Article 3, Zoning Districts, of the North Augusta Development Code. The Planning Commission report has been provided to City Council for consideration.

The Mayor and City Council have reviewed the request as well as the report from the Planning Commission and has determined that the change to the text of the Development Code is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following section. The section of the Code affected by the proposed amendment is identified by the section number.
 - A. Section 3.6.4.5.2 entitled "Development Standards", is amended to read:
§ 3.6.4.5.2 Development Standards – Uses within the P, Public Use District, are not subject to the dimensional standards of §3.5. However, such uses are

subject to the landscaping standards of Article 10, and the parking standards of Article 12.

B. Section 3.8.1.1 entitled “Applicability”, is amended to read:

§ 3.8.1.1 This section applies to any lot or parcel within the following Corridor Overlay Districts that are designated on the Official Zoning Map, with the exception of those lots or parcels zoned P.

- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2019.

First Reading _____

Second Reading _____

Third Reading _____

Robert A. Pettit, Mayor

ATTEST:

Donna B. Young, City Clerk

ATTACHMENT #10

ORDINANCE NO. 2019-10
AN ORDINANCE GRANTING EASEMENTS TO
DOMINION ENERGY FOR UNDERGROUND CONVERSION ALONG
W. FIVE NOTCH ROAD

WHEREAS, Dominion Energy has indicted to the city its intent to underground utilities along W. Five Notch Road; and

WHEREAS, as part of the construction, Dominion Energy has requested that the City grant to it easements upon and across City property that would allow for the provision of electric services; and

WHEREAS, the placement of such equipment is necessary to underground the utilities; and

WHEREAS, this area has traditionally been an area where storms have caused substantial power outages and the undergrounding of utilities in the area would held reduce the power outages from fallen trees, and

WHEREAS, the Mayor and City Council have reviewed this matter, to include the proposed Deed of Easement and find that it is in the best interest of the citizens of North Augusta that such easement be granted.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that:

- I. The City grant to Dominion Energy an easement over and across City property known as Tax Parcel Number 005-19-13-002 .
- II. The City Administrator is hereby authorized to execute the Deed of Easement and any other documents necessary in order to complete this matter.
- III. This Ordinance shall become effective immediately upon its adoption on third and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2019.

First Reading: _____

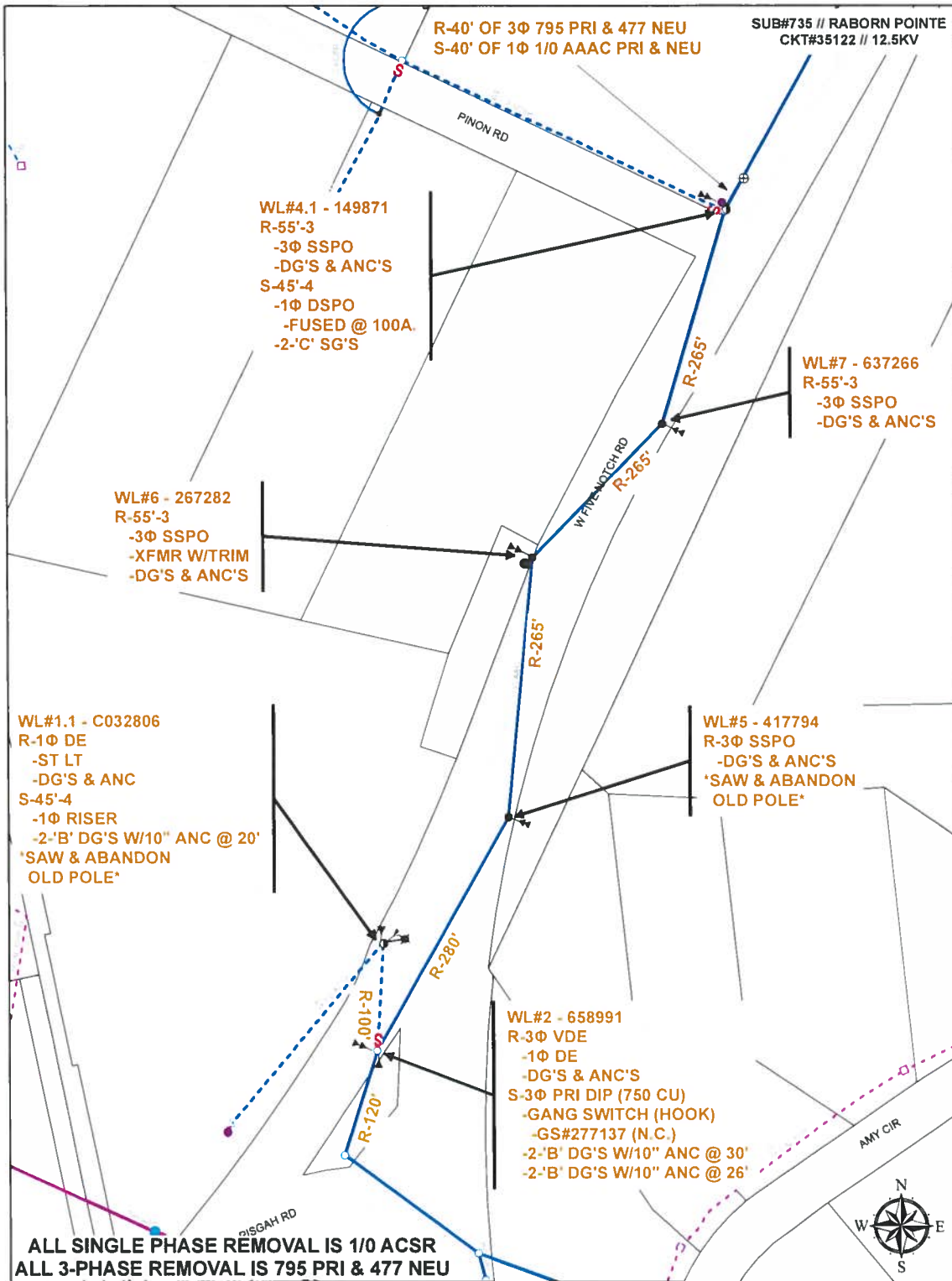
Second Reading: _____

Third Reading: _____

Robert A. Pettit, Mayor

ATTEST:

Sharon Lamar, City Clerk



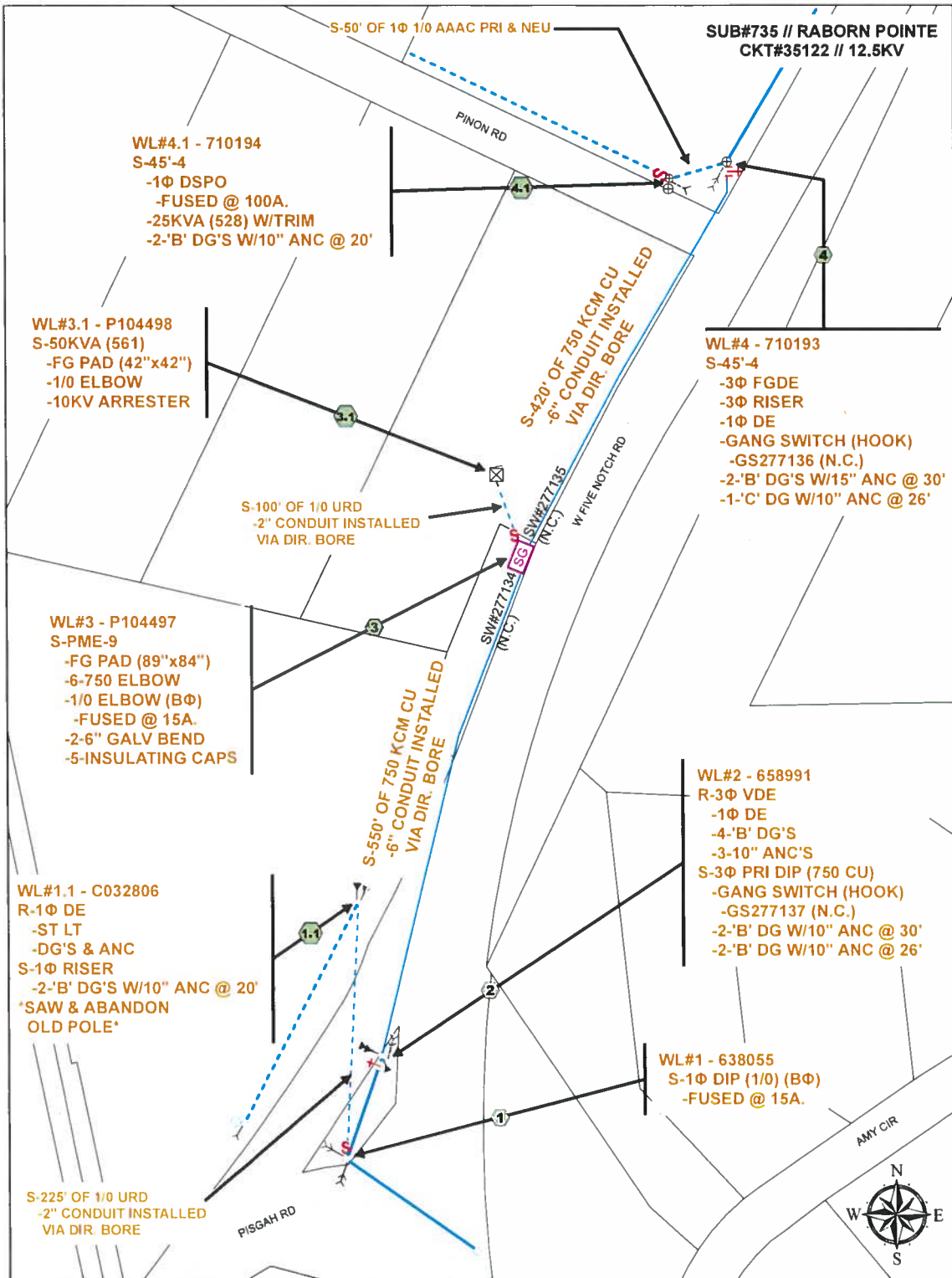
ALL SINGLE PHASE REMOVAL IS 1/0 ACSR
 ALL 3-PHASE REMOVAL IS 795 PRI & 477 NEU

Designer: SEILER, ADAM

Design Date: 07/02/2019

| TRANSFORMER INSTALLED | | | | | | TRANSFORMER REMOVED | | | | | | | | | |
|-----------------------|----------|------|-----|------|----|---------------------|-----|-----------|----------|------|-----|------|----|-----|-----|
| Company # | Serial # | Spec | KVA | Type | Ph | Con | RFA | Company # | Serial # | Spec | KVA | Type | Ph | Con | RFA |
| | | | | | | | | | | | | | | | |
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|------------------|------------------------|--------------------------|-------------------------------|
| SUB: 735 | TRUCK ACCESS? Y / N | R-SWITCH REQUIRED? Y / N | WHITE-X CUST. AFFECTED? Y / N |
| CKT: 35122 | PUPS #: | CUSTOMER: | |
| SECT: _____ | DATE: | ADDRESS: | |
| TAP: _____ | TIME: | | |
| PHASE: _____ | Sketch Corrected NAME: | POINT ID: | |
| SEC. VOLT: _____ | to Agree with CREW ID: | WORK REQ.#: 220122 | |
| | Construction DATE: | | |



Designer: SEILER, ADAM

Design Date: 07/02/2019

| TRANSFORMER INSTALLED | | | | | | TRANSFORMER REMOVED | | | | | |
|-----------------------|----------|----------|------|----|---------|---------------------|----------|----------|------|----|---------|
| Company # | Serial # | Spec KVA | Type | Ph | Con RFA | Company # | Serial # | Spec KVA | Type | Ph | Con RFA |
| | | | | | | | | | | | |
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|------------------|-------------------------------------|---------------------------|-------------------------------|
| SUB: 735 | TRUCK ACCESS? Y / N | R-SWITCH REQUIRED? Y / N | WHITE-X CUST. AFFECTED? Y / N |
| CKT: 35122 | PUPS #: _____ | CUSTOMER: _____ | |
| SECT: _____ | DATE: _____ | ADDRESS: _____ | |
| TAP: _____ | TIME: _____ | | |
| PHASE: _____ | Sketch Corrected NAME: _____ | | |
| SEC. VOLT: _____ | to Agree with CREW ID: _____ | POINT ID: _____ | |
| | Construction DATE: _____ | WORK REQ.#: 220122 | |

Easement # 899233

INDENTURE, made this _____ day of _____, 2019 by and between **The City of North Augusta, a Municipal Corporation** of the County of **Aiken** 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 **Aiken**, 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 or lot of land containing **0.24 acre**, more or less, and being the same lands conveyed to Grantor by deed of **Bishop F. Strickland**, dated or recorded **July 3, 1989**, and filed in the Register of Deeds office for **Aiken** County in Deed Book **1107** at Page **337**.

Right-of-Way is granted to replace a portion of Grantee's existing overhead power line with underground facilities to extend along and adjacent to the western side of W. Five Notch Road (S-2-45).

TMS: 005-19-03-002

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 to lay, construct, maintain, operate, repair, alter, replace and remove pipe lines, together with valves, tieovers and appurtenant facilities for the transportation of gas, oil petroleum products or any other liquids, gases or substances which can be transported through a pipe line.

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 or pipe lines 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. Grantor further agrees to maintain minimum ground coverage of twenty four (24) inches and maximum ground coverage of forty two (42) inches over all underground pipe (gas) 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 of North Augusta, a Municipal Corporation

By: _____ (SEAL)

B. Todd Glover, City Administrator

1st Witness

2nd Witness

