

RESOLUTION NO. 2024-45

AUTHORIZING A REQUEST TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REMOVAL OF A PORTION OF E. PINE GROVE AVENUE (S-190) FROM THE STATE HIGHWAY SYSTEM AND THE ACCEPTANCE OF OWNERSHIP AND MAINTENANCE RESPONSIBILITY 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 a portion of E. Pine Grove Avenue (S-190) 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, E. Pine Grove Avenue has been identified for future streetscape improvements, potentially including underground drainage, curb & gutter, and sidewalks; and,

WHEREAS, as part of the Downtown Parking Improvement Project, the Engineering Department is proposing drainage improvements that will serve both projects; and,

WHEREAS, in order to facilitate such improvements, it is recommended that the City obtain ownership of the Road in its entirety; and,

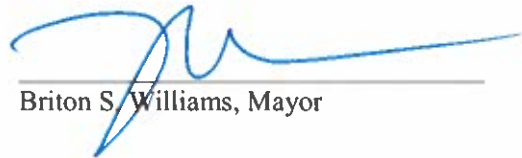
WHEREAS, City Council has determined that it is in the public interest for the City to request that SCDOT remove a portion of E. Pine Grove Avenue from the state secondary highway system and for the City to acquire the Road and the continuing maintenance obligations from SCDOT; and,

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

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 21st DAY OF OCTOBER, 2024.



Briton S. Williams, Mayor

ATTEST:



Jamie Paul, City Clerk

EXHIBIT A

