

AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF ROCK HILL  
TO ABANDON A PORTION OF AN EASEMENT  
ACROSS PROPERTY AT 481 GALLERIA BOULEVARD

WHEREAS, Galleria Land, LLC ("Owner"), has previously granted to the City of Rock Hill (the "City") a right-of-way on Owner's property identified as Tax Map #667-01-01-005 (the "Property") to enable the City's performance of its functions as a municipality or as the operator of any public utilities system, such right-of-way being more particularly described in that certain Grant of Easement recorded on December 12, 2019, in Book 17959 at page 162 in the Office of the Clerk of Court for York County, South Carolina (the "Easement"), as:

All of those certain strip(s) of land situated in York County, South Carolina, located in the vicinity of 481 Galleria Blvd, same being a total of 68,983 square feet,

and as more particularly shown on a drawing of the Property attached as Exhibit A to said Grant of Easement; and

WHEREAS, City required a reconfiguration of the City's lines and City requested that the Owner grant the City a new easement in exchange for abandoning a portion of the old Easement; and

WHEREAS, Owner has asked the City to abandon a portion of the Easement, as delineated on the Exhibit "A" attached hereto and, by this reference, made a part hereof (the "Excised Portion"), such excised portion totaling 11,158.78 square feet (0.256 acre) but no portion of the Excised Portion shall include any of the property on Exhibit A labeled as "Utility Easement Area=2,276 SF (0.052 AC)", "Utility Easement Area = 1,898 SF (0.044 AC)" or "Utility Easement Area=1,760 SF (0.041 AC) nor any portion of any of the easement area granted in that certain Grant of Easements from Owner and recorded in Book 19171, Page 57; and

WHEREAS, because the City finds it is in the City's interest to abandon a portion of the old Easement; and

WHEREAS, Rock Hill City Council, in a meeting duly assembled, determines that the exchange set forth herein is and will be necessary for the improvement of the City;

NOW, THEREFORE, the City Council of the City of Rock Hill hereby determines and directs:

1. That this Ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, Section 5-7-30, Section 5-7-40, and Section 5-7-260; and Section 2-48 and Section 2-96 of the Code of the City of Rock Hill.

2. That the recitals set forth above are true and correct in all respects.

3. That notwithstanding anything above, the City reserves all other easements, rights-of-way, or other rights it may have in and to the Property.


4. That the abandonment of the Excised Portion for a Substitute Easement is hereby approved, authorized, directed, ratified, and confirmed in all respects upon compliance with this ordinance.


5. That the appropriate City representatives are hereby authorized to execute and deliver any documents required to effect such abandonment and exchange, when appropriate.

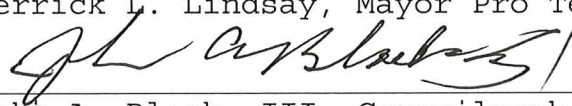
6. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.


7. That this Ordinance shall be and become finally binding immediately after the same shall have received first and final readings, given in the manner required by law.

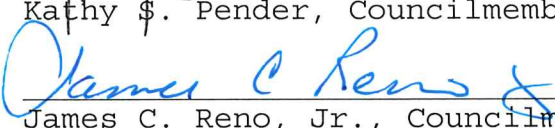
DONE AND RATIFIED in Council assembled on this the 27<sup>TH</sup> day  
of JUNE, 2022

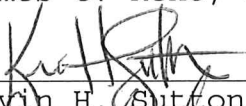
  
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John Pressly Gettys, Jr., Mayor

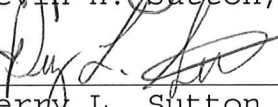
  
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Derrick L. Lindsay, Mayor Pro Tempore

  
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John A. Black, III, Councilmember


  
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Kathy S. Pender, Councilmember

  
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James C. Reno, Jr., Councilmember

  
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Kevin H. Sutton, Councilmember

  
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Perry L. Sutton, Councilmember

ATTEST:

  
\_\_\_\_\_  
Anne P. Harty  
Municipal Clerk

THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "AREA OF ACQUISITION" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS, 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 809-105-00.

