

AN ORDINANCE TO PROVIDE FOR THE DISPOSITION OF  
RIGHT OF WAY EASEMENTS BY THE CITY OF ROCK HILL  
TO YORK ELECTRIC COOPERATIVE, INC.

BE IT ORDAINED by the Governing Body of the City of Rock Hill, in Council assembled:

SECTION 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.

SECTION 2. That the City of Rock Hill, South Carolina, is the owner of property located on Cel River Road bearing tax parcel numbers 667-01-01-012 and 662-07-01-103, in the City of Rock Hill, York County, South Carolina; that the City of Rock Hill has agreed to convey right of way easements to York Electric Cooperative, Inc. as more completely set forth in the Grant of Right of Way to York Electric Cooperative, Inc. for Utility Purposes attached hereto and incorporated herein as Exhibit 1 and Exhibit 2. The consideration for the easements is \$1.00 and other valuable consideration as determined by the City Manager.

SECTION 3. That the conveyance of the above mentioned easements to York Electric Cooperative, Inc. shall be effected by

instrument(s) approved by the City Attorney which shall include reservations for existing city utilities.

SECTION 4. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. That this Ordinance shall be and become finally binding immediately after same shall have received first and final readings, given in manner required by law.

DONE AND RATIFIED in Council assembled on this the 28<sup>TH</sup> day  
of APRIL, 2025.

John Pressly Gettys, Jr.  
John Pressly Gettys, Jr., Mayor

Derrick L. Lindsay  
Derrick L. Lindsay, Mayor Pro Tempore

John A. Black, III  
John A. Black, III, Councilmember

G. Brent Faulkenberry  
G. Brent Faulkenberry, Councilmember

James C. Reno, Jr.  
James C. Reno, Jr., Councilmember

Kevin H. Sutton  
Kevin H. Sutton, Councilmember

Perry L. Sutton  
Perry L. Sutton, Councilmember

ATTEST:

Anne P. Harty  
Anne P. Harty  
Municipal Clerk

STATE OF SOUTH CAROLINA       )  
COUNTY OF YORK                )  
CITY OF ROCK HILL               )

Project ID: P037951  
Tract No. 30

Grant of Easement to York Electric Cooperative,  
Inc. for Electric Utility Purposes

The undersigned Grantor, in consideration of payment to the Grantor of the sum of **One Dollar \$(1.00) and Other Good and Valuable Consideration**, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and release unto the **York Electric Cooperative, Inc., 1385 East Alexander Love Highway, P.O. Box 150, York, SC 29745** ("Grantee") and licensees, the right, privilege and easement to enter and re-enter at any time and to install, dig, build, erect, maintain, repair, rebuild, operate, and patrol one or more electric power transmission lines overground or underground, including the right to erect poles and other transmission line structures, wires, cables and any necessary appurtenances for the proper conduct of electricity; and the right to clear the right of way and keep it clear of brushes, trees, buildings, and fire hazards; the above described rights being incident to performance by the Grantee of its functions as a Cooperative or as the operator of a public electric utilities system, or the performance by any licensee of the Grantee of the same function, the premises to be affected hereby being as follows:

DESCRIPTION OF EASEMENT AREA

**All of those certain strip (s) of land situated in York County, South Carolina located in the vicinity of S-50 (Cel River Road/Red River Road) Project Number P037951, same being a total of 11,648 square feet (0.267 acre) as shown on attached Exhibits "A" and "B", Tract No. 30 (TMS No. 667-01-01-012), property of the City of Rock Hill.**

To have and to hold the same unto the Grantee, its successors and assigns forever, together with any and all rights normally incident thereto, and particularly the right of ingress and egress thereto from time to time as necessary for construction, reconstruction, enlargement, and/or maintenance. The premises shall be leveled and graded and restored to substantially the same condition after any construction or subsequent maintenance or repair as at commencement of use insofar as possible, all at the expense of the Grantee.

And the Grantor hereby represents that said premises are owned by the undersigned in fee and are not subject to any mortgage or lien whatsoever.

The Grantor shall have the right to use the above-described strip for purposes not inconsistent with Grantee's full enjoyment of the rights hereby granted, provided that the Grantor shall not erect or construct any building or drill or operate any well or septic system within such strip, without the express written permission of the Grantee.

In consideration of Grantor's grant of easement herein, Grantee shall allow Grantor to attach Grantor's own electric utilities facilities to the poles, ducts, and/or conduits constructed or placed in the easement area by Grantee. Grantor shall not be required to remove or relocate such attached facilities unless Grantor agrees to such removal or relocation in writing.

All rights and privileges, obligations and liabilities created by this instrument shall inure to the benefit of, and be binding upon the heirs, designees, administrators, executors, successors and assigns of the parties hereto.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]



IN WITNESS WHEREOF these presents have been duly executed under seal by the Grantor and Grantee on this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Witnesses

CITY OF ROCK HILL, a South Carolina municipality,

\_\_\_\_\_  
1<sup>ST</sup> Witness Signature

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

\_\_\_\_\_  
2<sup>nd</sup> Witness Signature

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2025

STATE OF SOUTH CAROLINA     )  
                                                           )  
COUNTY OF YORK                     )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of CITY OF ROCK HILL, a South Carolina municipality, on behalf of the municipality.

\_\_\_\_\_  
Print Notary Name: \_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[NOTARIAL SEAL]

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 SCOOT HEADQUARTERS; 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCOOT STANDARD DRAWING 809-105-00

CITY OF ROCK HILL  
TMS: 667-01-01-012

TRACT 30  
OBTAIN = 11,648 SF (0.267 AC)  
FOR PERMANENT ELECTRIC EASEMENT

105  
105

— S-50 (CEL-RIVER RD.)  
RELOC. PHASE 2 C

**BEGIN  
CONSTR.  
TR 30 DR.  
STA. 10 + 37.85**

**END CONSTR.**  
**TR 30 DR.**  
**STA. 11+85.00**

**BEGIN  
CONSTR.  
TR 30 DR.  
STA. 10 + 37.85**

N 51° 07' 49" E

$$\begin{array}{r} +20.00 \\ \hline -65.00 \end{array}$$

NEW  
65'—  
R/W

NEW  
65'  
R/W

12' ←  
ALL SPOOT DOCKET 46.488 CLT

PRES. 33' R/W SCDOT DOCKET  
46.488 CLL

NEW TRANS. R/W

(84)

**RELOCATE S-50 (CEL-RIVER RD.) PHASE 2  
CENTERLINE BETWEEN STA. 68+68.62 AND  
STA. 167+98.69**

79

PRES. TRA  
DOCKET

**YORK ELECTRIC CO-OP**

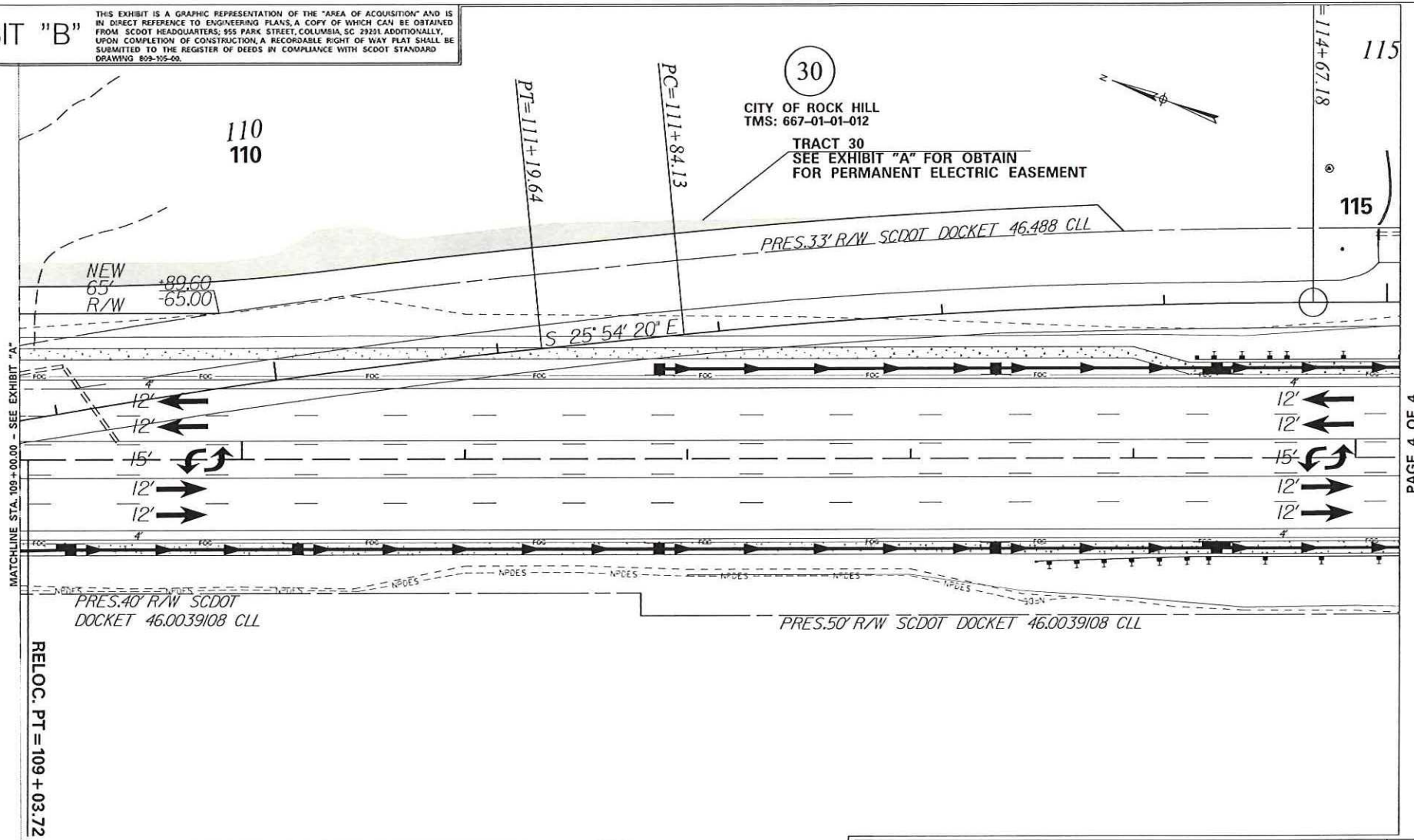
AREA OF ACQUISITION FROM TRACT 30 PROJECT ID P037951  
25 0 50 YORK COUNTY

ORIGINAL PREPARED: 08-01-2024

GRAPHIC SCALE 1" = 50'

# EXHIBIT "B"

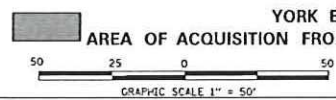
THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "AREA OF ACQUISITION" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS, 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED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



PAGE 4 OF 4

RELOCATE S-50 (CEL-RIVER RD.) PHASE 2  
CENTERLINE BETWEEN STA. 68+68.62 AND  
STA. 167+98.69

79



YORK ELECTRIC CO-OP  
AREA OF ACQUISITION FROM TRACT 30 PROJECT ID P037951  
YORK COUNTY  
ORIGINAL PREPARED: 08-01-2024



STATE OF SOUTH CAROLINA       )  
COUNTY OF YORK                    )  
CITY OF ROCK HILL                 )

Project ID: P037951  
Tract No. 38

Grant of Easement to York Electric Cooperative,  
Inc. for Electric Utility Purposes

The undersigned Grantor, in consideration of payment to the Grantor of the sum of **One Dollar \$(1.00) and Other Good and Valuable Considerations**, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and release unto the **York Electric Cooperative, Inc., 1385 East Alexander Love Highway, P.O. Box 150, York, SC 29745** ("Grantee") and licensees, the right, privilege and easement to enter and re-enter at any time and to install, dig, build, erect, maintain, repair, rebuild, operate, and patrol one or more electric power transmission lines overground or underground, including the right to erect poles and other transmission line structures, wires, cables and any necessary appurtenances for the proper conduct of electricity; and the right to clear the right of way and keep it clear of brushes, trees, buildings, and fire hazards; the above described rights being incident to performance by the Grantee of its functions as a Cooperative or as the operator of a public electric utilities system, or the performance by any licensee of the Grantee of the same function, the premises to be affected hereby being as follows:

DESCRIPTION OF EASEMENT AREA

**All of those certain strip (s) of land situated in York County, South Carolina located in the vicinity of S-50 (Cel River Road/Red River Road) Project Number P037951, same being a total of 12,321 square feet (0.283 acre) as shown on attached Exhibit "A", Tract No. 38 (TMS No. 662-07-01-103), property of the City of Rock Hill.**

To have and to hold the same unto the Grantee, its successors and assigns forever, together with any and all rights normally incident thereto, and particularly the right of ingress and egress thereto from time to time as necessary for construction, reconstruction, enlargement, and/or maintenance. The premises shall be leveled and graded and restored to substantially the same condition after any construction or subsequent maintenance or repair as at commencement of use insofar as possible, all at the expense of the Grantee.

And the Grantor hereby represents that said premises are owned by the undersigned in fee and are not subject to any mortgage or lien whatsoever.

The Grantor shall have the right to use the above-described strip for purposes not inconsistent with Grantee's full enjoyment of the rights hereby granted, provided that the Grantor shall not erect or construct any building or drill or operate any well or septic system within such strip, without the express written permission of the Grantee.

In consideration of Grantor's grant of easement herein, Grantee shall allow Grantor to attach Grantor's own electric utilities facilities to the poles, ducts, and/or conduits constructed or placed in the easement area by Grantee. Grantor shall not be required to remove or relocate such attached facilities unless Grantor agrees to such removal or relocation in writing.

All rights and privileges, obligations and liabilities created by this instrument shall inure to the benefit of, and be binding upon the heirs, designees, administrators, executors, successors and assigns of the parties hereto.

[SIGNATURE APPEARS ON THE FOLLOWING PAGE]



IN WITNESS WHEREOF these presents have been duly executed under seal by the Grantor on this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Witnesses

CITY OF ROCK HILL, a South Carolina municipality,

\_\_\_\_\_  
1<sup>ST</sup> Witness Signature

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_

\_\_\_\_\_  
2<sup>nd</sup> Witness Signature

Title: \_\_\_\_\_

Date: \_\_\_\_\_, 2025

STATE OF SOUTH CAROLINA     )  
                                                           )  
COUNTY OF YORK                     )

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of CITY OF ROCK HILL, a South Carolina municipality, on behalf of the municipality.

\_\_\_\_\_  
Print Notary Name: \_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[NOTARIAL SEAL]

# EXHIBIT "A"

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 RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 829-105-09.

TRACT 38  
OBTAIN = 12,321 SF (0.283 AC)

CITY OF ROCK HILL  
TMS: 662-07-01-103

38

BEGIN CONSTR.  
TRAILHEAD  
RELOC.  
STA. 10 + 35.50

100

100

RELOC. PC = 10 + 71.44

NEW 85' R/W

NEW 65' R/W

NEW 65' R/W

PRES. 33' R/W SCDOT DOCKET 46.488 CLL

S 60° 28' 01" E

PRES. 33' R/W SCDOT DOCKET 46.488 CLL

NEW 80' R/W

BEGIN CONSTR.  
S-1347 (COMMERCE DR.)  
RELOC. STA. 10 + 35.50

RELOC. PC = 11 + 09.97

RELOCATE S-50 (CEL-RIVER RD.) PHASE 2  
CENTERLINE BETWEEN STA. 68 + 68.62 AND  
STA. 167 + 98.69

RELOC. PC = 101

PRES. PLATTED 33' R/W PB B25719 CLL

PC = 102 + 09.94

84

NEW TRANS. R/W

CITY OF ROCK HILL  
AREA OF ACQUISITION FROM TRACT 38 PROJECT ID P037951  
YORK COUNTY  
ORIGINAL PREPARED: 09-19-2024

Michael Baker