

**ORDINANCE NO. 2016-02**

**TOWN OF BLUFFTON, SOUTH CAROLINA**

**AN ORDINANCE AUTHORIZING A SHARED PARKING EASEMENT FOR CERTAIN  
REAL PROPERTY OWNED BY THE TOWN OF BLUFFTON CONSISTING OF PARCELS  
R610 022 000 1099 0000, R610 030 000 1848 0000 AND R610 030 000 1649  
0000 AND IN FAVOR OF EVICORE HEALTHCARE**

**WHEREAS**, the Town of Bluffton, South Carolina, (the "Town") presently owns a total of eighteen point seven four (18.74) upland acres within the Buckwalter Place Development ("Town Owned Property"), which includes certain parking and related infrastructure improvements; and,

**WHEREAS**, CareCore National, LLC d/b/a eviCore Healthcare ("eviCore") submitted a Letter of Intent to the Town outlining its proposed purchase of approximately three point one three (3.13) upland acres, consisting of two point three five (2.35) acres of undeveloped property as well as point seven eight (0.78) acres of adjacent right-of-way, known as CareCore Drive, of the Town Owned Property within Buckwalter Place for \$275,000 (the "Property Acquisition Area"); and,

**WHEREAS**, on October 13, 2015, the Town of Bluffton Town Council (the "Town Council"), by majority vote, authorized the Town Manager to enter into negotiations for the sale of the Property Acquisition Area to eviCore; and,

**WHEREAS**, eviCore has informed the Town that it intends to construct office buildings or other buildings on the Property Acquisition Area, which would potentially increase parking demands within Buckwalter Place; and,

**WHEREAS**, the Town has previously constructed and intends, but is not obligated, to construct certain additional access, parking and utility improvements on portions of the Town Owned Property, as illustrated on the Buckwalter Place Master Plan provided as Exhibit "A" attached hereto (the "Infrastructure Improvements"); and,

**WHEREAS**, as part of the sale of the Property Acquisition Area, eviCore has requested and the Town desires to grant eviCore a non-exclusive easement allowing eviCore, its employees, agents and customers, the use of the parking located on the Town Owned Properties, provided that eviCore constructs a new office building or other building on the Property Acquisition Area, and subject to certain reservations; and,

**WHEREAS**, Sections 5-7-40 and 5-7-260 of the South Carolina Code of Laws and Sections 2-13(a)(8) and 2-13(a)(4) of the Code of Ordinances for the Town of Bluffton requires that Town Council act by Ordinance to convey, lease, or authorize the conveyance or lease of any Town owned lands as well as easements and public rights-of-way.

WHEREAS, Sections 5-7-40 and 5-7-260 of the South Carolina Code of Laws and Sections 2-13(a)(8) and 2-13(a)(4) of the Code of Ordinances for the Town of Bluffton requires that Town Council act by Ordinance to convey, lease, or authorize the conveyance or lease of any Town owned lands as well as easements and public rights-of-way.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA:

**SECTION 1. Sale of Town Owned Property.** Approval of the sale of approximately 3.13 acres consisting of portion of Parcels R610 022 000 1099 0000, R610 030 000 1848 0000 and R620 030 000 1777 0000 to eviCore healthcare, as detailed in the *Property Description* provided as Exhibit A, which is attached and incorporated herein, for a purchase price of Two Hundred Seventy-Five Thousand and No/100 (\$275,000.00) Dollars.

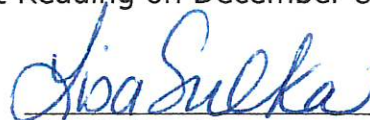
**SECTION 2. Transfer of General Commercial Development Rights.** Approval of the transfer of approximately 8.79 acres of General Commercial development rights to eviCore healthcare as detailed in the *Partial Assignment and Assumption of Rights and Obligations Under Development Agreement* provided as Exhibit B, which is attached and incorporated herein.

**SECTION 3. Establishment of a CareCore Drive Temporary Access Easement.** Approval of the establishment of a temporary access easement for the continued use of CareCore Drive and future abandonment/termination as detailed in the *Permanent Cross Access, Utilities & Drainage Easements Agreement and Confirmation of Perpetual Access Easement Agreement for CareCore Drive R-O-W* provided as Exhibit C, which is attached and incorporated herein.

**SECTION 4.** This ordinance shall become effective upon its final adoption.

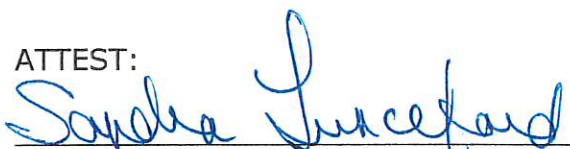
DONE, RATIFIED AND ENACTED this Thirteenth Day of January 2016.

This Ordinance was read and passed at First Reading on December 8, 2015.




Lisa Sulka, Mayor  
Town of Bluffton, South Carolina


ATTEST:



Sandra Lunceford, Town Clerk  
Town of Bluffton, South Carolina

This Ordinance was passed at Second and Final Reading held on January 13, 2016.

  
\_\_\_\_\_  
Lisa Sulka, Mayor  
Town of Bluffton, South Carolina

ATTEST:  
  
\_\_\_\_\_  
Sandra Lunceford, Town Clerk  
Town of Bluffton, South Carolina