

DATE 11-7, 11

DOCU-
MENT

ATTACH-

REVIEWED BY

PREPARED BY

CITY ATTORNEYS OFFICE

[Signature]

[Signature]

[Signature]

AN ORDINANCE TO PROVIDE FOR A GENERAL EASEMENT BY THE CITY OF
ROCK HILL TO THE ROCK HILL TELEPHONE COMPANY

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 a tract of land located on Taxiway J Drive as shown on the attached General Easement; and that the Rock Hill Telephone Company has requested that the City grant it a certain easement(s) as set forth and described in the General Easement attached hereto, and as shown as Exhibit A attached thereto, upon and across the land which the City may own, in whole or in part, and described above, for and in consideration of the sum of One (\$1.00) Dollar.

SECTION 3. That grant of the abovementioned easement(s) to the Rock Hill Telephone Company, its successors and assigns, for the consideration set forth above, all as is more fully set forth in the General Easement attached hereto, is hereby approved, authorized, directed, ratified and confirmed in all respects.

SECTION 4. That the City Manager is hereby empowered to negotiate the final details of such easement(s) and execute the same as recordable documents, so long as such easement(s) does not conflict with the terms of this Ordinance.

SECTION 5. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. That this Ordinance shall be and become finally binding immediately after same shall have received first and second readings, given in the manner required by law.

DONE AND RATIFIED in Council assembled on this the ____ day of _____, 2011.

A. Douglas Echols, Jr., Mayor

Susie B. Hinton, Mayor Pro Tempore

John A. Black, III, Councilmember

Kathy S. Pender, Councilmember

James C. Reno, Jr., Councilmember

Osbey Roddey, Councilmember

Kevin H. Sutton, Councilmember

ATTEST:

Anne H. Poag
Municipal Clerk

E-7
(04/11)

GENERAL EASEMENT

STATE South Carolina)
COUNTY OF York)

Taxiway J Dr
RHTC J.O. 30-11-341

\$ 1.00

Received of the Rock Hill Telephone Company

One and 00/100 Dollars, in consideration of which the undersigned hereby grants unto said Company, its respective successors, assigns, lessees, and agents, a right-of-way and easement to construct, reconstruct, and maintain lines for communications purposes consisting of such wires and cables mounted on poles, placed in conduit, and/or buried, and such poles, guys, anchors, conduits, terminal housings, and other fixtures and appurtenances as the grantee may from time to time require upon, across, over, and/or under the property which they own or in which they have any interest in the Township of Ebenezer County of York, State of South Carolina, said right-of-way and easement to be located as follows:

A ten foot right of way (5 foot either side of the cable) to place communications facilities as required as shown in the shaded area on the attached drawing. This right of way parallels and crosses Taxiway J Dr.

and upon, along, and/or under the roads, streets, or highways adjoining or through said property, together with the following rights: to clear and keep clear all trees, under-growth, or other obstructions within said right of way; to trim any trees along said lines so as to keep the wires and cables cleared at least thirty-six inches; to permit the attachment of, and/or carry in conduit, wires and cables of any other person or company for communication purposes or for the transmission and distribution of electric power; and, on the property adjacent to said line for any and all anchors and guy wires that may be reasonably necessary; and of ingress and egress to said line at all times for the purposes herein granted. The grantor for them, their heirs, executors, administrators, successors, and assigns hereby covenants that no wire line will be erected or permitted on said property which in the judgment of the grantee, its successors, and assigns, will interfere with its service or endanger its lines. Reserving however, to the grantor the right to cultivate and use the ground within the limits of said right of way, provided that such use does not interfere with or obstruct the rights herein granted, and provided further, that the grantor shall not build, create, or construct, nor permit others to build, create or construct, any building or other structure or obstruction on, over, or under said line or lines which may interfere with the construction, operation, or maintenance thereof. Said sum being received in full payment for the rights herein granted.

The undersigned warrants that it is the sole, fee simple owner of the Property, that it has the unqualified right and power regarding the Property to grant the easement and right-of-way set forth herein and that it will defend and indemnify the grantee against any and all persons who may claim otherwise.

Grantor reserves the right to terminate this General Easement in the event Grantor:

WITNESS _____ hand and seal as of the _____ day of _____, 20____

at _____
(Post Office Address of first Grantor)

Witness:

(Grantor) (SEAL)

Witness:

(Grantor) (SEAL)

*no longer wishes for Company/Grantee to provide any service through said right-of way and easement. This General Easement is subject to City Council approval in a manner prescribed by law.

STATE OF)
COUNTY OF)

PROBATE

Personally appeared before me _____ and made
(1st Witness Name)
oath that he saw the within named _____
(Grantor)
sign, seal, and as _____ act and deed deliver the within written instrument; and that together he/she
with the other witness who signed above witnessed the execution thereof.

SWORN to before me this _____
(Witness Signature)

day of _____ A.D. 20 _____

(SEAL)
Notary Public (affix seal)
My commission expires _____

STATE OF)
COUNTY OF)

PROBATE

Personally appeared before me _____ and made
(1st Witness Name)
oath that he saw the within named _____
(Grantor)
sign, seal, and as _____ act and deed deliver the within written instrument; and that together he/she
with the other witness who signed above witnessed the execution thereof.

SWORN to before me this _____
(Witness Signature)

day of _____ A.D. 20 _____

(SEAL)
Notary Public (affix seal)
My commission expires _____

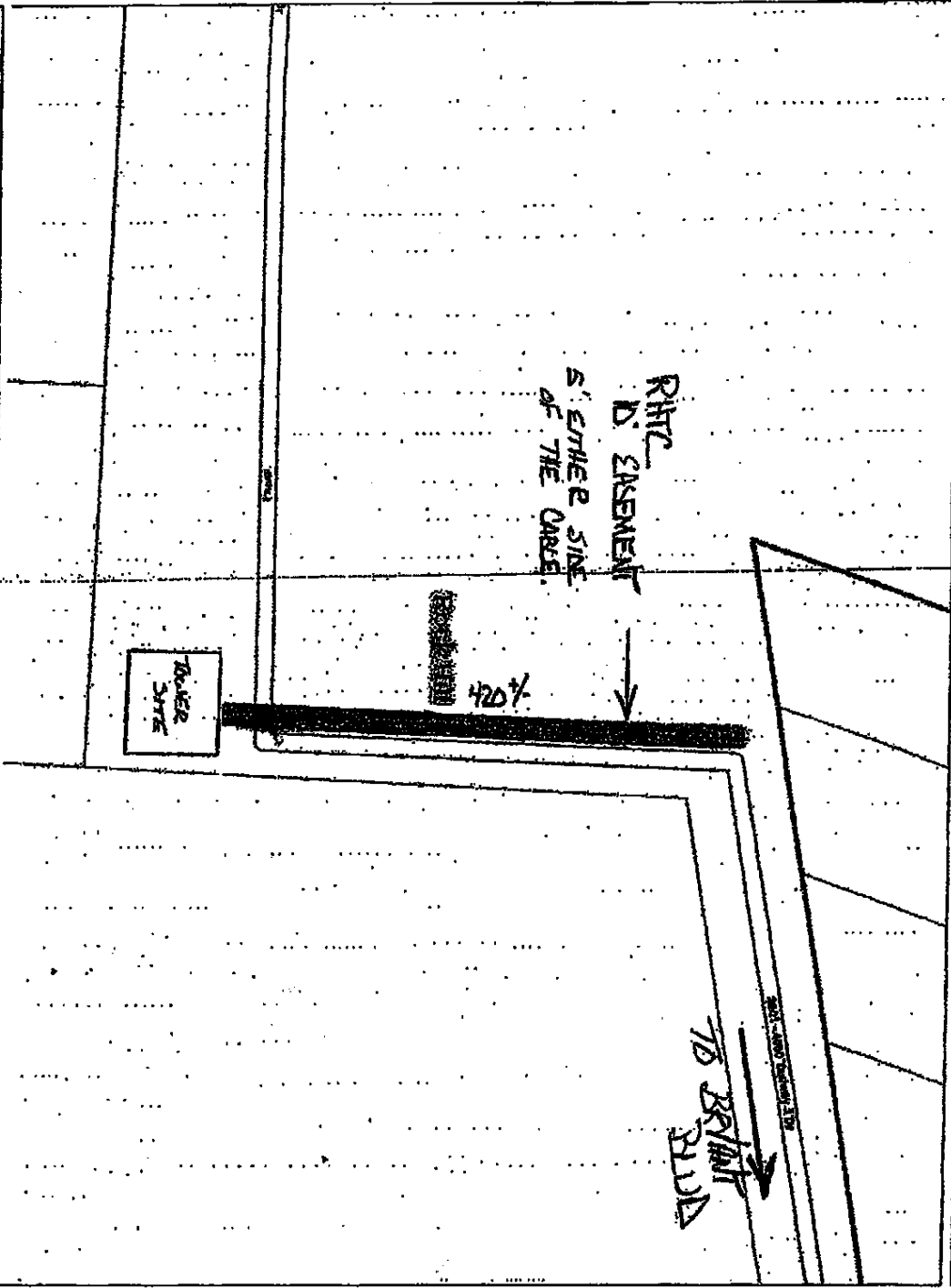
TELEPHONE COMPANY REFERENCE DATA

Serial No. _____ File No. _____

Name and Address of Grantor(s) _____

Location _____

Line _____ from _____ to _____



GIS@YorkCountyGov.com
 Printed: 10/17/2011

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Address
 - Street - Utility, Sign, etc
 - ▲ Occupied
 - ▲ Vacant
- Subdivisions
- Parcels
- Roadway
 - ▬ Interstate
 - ▬ Highway
 - ▬ Major Road
 - ▬ Street
 - ▬ Railway
- Plan Tracking Projects
- City (label)

RHTC D.O. 30-1-341
 DRAWING NTS

1:1,200



Notes
 Enter Map Description