

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2009-18**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF AN  
EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS  
CERTAIN OCONEE COUNTY REAL PROPERTY AND AUTHORIZING  
THE EXECUTION AND DELIVERY OF AN AGREEMENT RELATED  
TO THE SAME; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Oconee County, a body politic and corporate and a political subdivision of the State of South Carolina (the “County”), is the owner of that certain tract of land situate being more fully shown and designated on a deed recorded in the office of the Register of Deeds for Oconee County, South Carolina on August 9, 1995, in Deed Book 828 p. 121, and having Oconee County TMS# 149-00-01-004; (“County Property”); and,

**WHEREAS**, Blue Ridge Electric Cooperative, Inc. (“Blue Ridge”) wishes to acquire from the County, a perpetual, non-exclusive right-of-way and utility easement upon, over, through and across that certain piece, parcel or tract of land being contained within and located upon the County Property designated as “Right-of-Way and Utility Easement Area” on a utility route survey beginning at route Station 87+77.65 and ending at Station 90+99.08 prepared by Souther Land Surveying entitled “OCONEE COUNTY RIGHT-OF-WAY TO BE ACQUIRED BY BLUE RIDGE ELECTRIC COOPERATIVE, INC. EBENEZER 100 KV TRANSMISSION LINE” dated October 27, 2008 and attached hereto as Exhibit A and incorporated herein by this reference(“Survey”); and

**WHEREAS**, in consideration of the payment and other good and valuable consideration as stated in the easement agreement, attached hereto as Exhibit B and incorporated by this reference (“Easement Agreement”), the County desires to declare, create and establish a perpetual, non-exclusive right-of-way and utility easement upon, over, through and across the Right-of-Way and Utility Easement Area for the benefit of Blue Ridge by execution and recording of the Easement Agreement; and,

**WHEREAS**, Section 4-9-30(2) of the Code of Laws of South Carolina, 1976, as amended, (the “Code”) authorizes the County to transfer or otherwise dispose of interests in real property.

**NOW, THEREFORE**, be it ordained by Oconee County Council, in meeting duly assembled, that:

1. Oconee County Council authorizes the conveyance to Blue Ridge of those certain easement interests across the County Property as are more particularly described in the Easement Agreement.
2. The Oconee County Administrator is hereby authorized and directed to execute the Easement Agreement, and to take all other steps and actions as are necessary or appropriate to transfer said easement interests in the County Property to Blue Ridge.
3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.
4. All orders, resolutions, and enactments of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_ day of \_\_\_, 2009.

**FOR OCONEE COUNTY:**

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Reginald T. Dexter, Chairman  
Oconee County, South Carolina

**ATTEST:**

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Elizabeth G. Hulse  
Oconee County Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading: