## CITY OF CLEMSON, SOUTH CAROLINA

## **RESOLUTION 2020-0010**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEMSON, SOUTH CAROLINA, AUTHORIZING ACCEPTANCE OF THE DEDICATION OF ROADS AND SIDEWALKS IN PHASES V AND VI OF PATRICK SQUARE AND ASSOCIATED RIGHTS OF WAY AND EASEMENTS.

**WHEREAS,** Patrick Square is located within the City limits of the City of Clemson and was created as a Planned Development (PD) ordinance approved by Council; and,

**WHEREAS,** in the Patrick Square PD ordinance, the roads and sidewalks in Phases V and VI were designated to be dedicated to the City of Clemson once the development was built out, and these phases are now built out; and,

**WHEREAS,** the Patrick Square Phase V and VI roads and sidewalks are owned by Patrick Square, LLC, which wishes to comply with the provisions and intentions of the PD ordinance by dedicating them to the City; and,

**WHEREAS,** the plat detailing Phase V is on file with the Pickens County Register in Plat Book 599 at Page 265, and the plat for Phase VI is on file in Plat Book 601 at Page 336; and

WHEREAS, S.C. Code §5-7-40 authorizes municipalities to own and possess real estate; and,

**WHEREAS,** S.C. Code §5-7-30 authorizes municipalities to exercise powers in relation to roads and streets, as appears necessary and proper; and,

**WHEREAS**, the Clemson City Code requires that in order for the City to accept dedication of privately funded and constructed streets and sidewalks, those structures are to be built to applicable City standards (See, e.g., CC Code ##15-27.2, 15-30.1, 15-30.6(a)); and,

**WHEREAS,** the City Engineer has inspected the streets and sidewalks constructed and verified that they have been built and/or upgraded to be in compliance with applicable City standards; and,

**WHEREAS,** CC Code #15-30.1(c) provides that "streets, utilities and easements, or other structures or development features" proposed to be dedicated to the City for ownership and/or maintenance, shall be accepted only upon majority vote by City Council duly meeting in public session; and,

**NOW THEREFORE,** it is hereby resolved by the City Council of the City of Clemson, South Carolina, duly assembled and with a quorum present, via majority vote, that:

1. The City hereby authorizes acceptance of the dedication of the streets and sidewalks of Phases V and VII of Patrick Square, along with associated curbing and drainage structures, existing City utility easements, and the existing rights of way referenced on the plats described herein; and,

2.	By accepting the streets and sidewalks of Phases V and VI of Patrick Square, the City will have
	sole discretion to make whatever future changes and/or improvements it deems appropriate
	including, but not limited to, altering direction of traffic, prohibiting on-street parking, and/or
	determining appropriate signage, as well as changes to size and/or construction and
	construction materials that may be deemed appropriate; and,

3. Acceptance of Phases V and VI will be final upon filing of appropriate documentation of the conveyance with the Pickens County Register, at which time the Phases V and VII streets shall be placed in the City street inventory.

IT IS SO RESOLVED.				
Dated this the 19 <sup>th</sup> day of October 2020.				
CITY OF CLEMSON, SOUTH CAROLINA				
	Ву:			
		MAYOR J.C. COOK, III		
ATTEST:				
Beverly A. Coleman, City Clerk				

