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AGENCY: General Services Division

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SUBJECT: Easements

The General Services Division requests approval of the following easements in accordance with SC Code of Laws:

- (a) County Location: Horry  
From: Budget and Control Board (Department of Education)  
To: Santee Cooper  
Consideration: \$4,500  
Description/Purpose: To grant a .27 acre easement for construction, installation, operation and maintenance of a 69kV tap line connecting to the new Homewood Substation adjacent to the Horry School Bus Maintenance Shop.
- (b) County Location: Charleston  
From: Budget and Control Board (Department of Natural Resources)  
To: South Carolina Electric and Gas Company  
Consideration: \$1  
Description/Purpose: To grant a .11 acre easement for the construction, installation, operation and maintenance of an underground power line to provide power to Botany Bay Plantation.
- (c) County Location: Charleston  
From: Budget and Control Board (Department of Transportation)  
To: South Carolina Electric and Gas Company  
Consideration: \$700  
Description/Purpose: To grant a .07 acre easement for the construction, operation and maintenance of a gas main beneath the Ashley River south of the U.S. 17-A bridge to serve existing and future developments.

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BOARD ACTION REQUESTED:

Approve the referenced easements.

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ATTACHMENTS:

Agenda item worksheet; SC Code of Laws Sections 1-11-80, 1-11-90 and 1-11-100

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: November 6, 2008

Blue Agenda

**1. Submitted by:**

- (a) Agency: General Services Division  
(b) Authorized Official Signature:



M. Richbourg Roberson, Director

**2. Subject:**

**EASEMENTS**

**3. Summary Background Information:**

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**4. What is the Board asked to do?** Approve the referenced easements.

**5. What is recommendation of Board Division involved?** Recommend approval of the referenced easements.

**6. List of Supporting Documents:**

SC Code of Laws Sections 1-11-80, 1-11-90 and 1-11-100

**SECTION 1-11-80. Board authorized to grant easements for public utilities on vacant State lands.**

The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipe lines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

**SECTION 1-11-90. Board authorized to grant rights of way over State marshlands for roads or power or pipe lines to State agencies or political subdivisions.**

The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marshlands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

**SECTION 1-11-100. Execution of instruments conveying rights of way or easements over marshlands or vacant lands.**

Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

