CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Shahid

C. Pledge of Allegiance

D. Presentations and Recognitions
   1. Recognition of the Ambassador of Ireland to the United States, Daniel Mulhall

E. Public Hearings

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:
   1. March 14, 2019
   2. March 26, 2019

H. Citizens Participation Period

I. Petitions and Communications:

J. Council Committee Reports:
   1. Committee on Public Works and Utilities: (Meeting was held on April 8, 2019 at 4:00 p.m.)
      a. Acceptances and Dedications:
         (i) Acceptance and Dedication of a new 10’ wide Exclusive Stormwater Drainage Easement Agreement at 224 Muirfield Parkway.
         (ii) Acceptance and Dedication of a new 40’ bridge right-of-way, Governor’s Cay.
             -- Title to Real Estate
             -- Affidavit for Taxable or Exempt Transfers
             -- Plat
         (iii) 1300’ eight - foot multi-use path on Oceanic Street. Approval to notify SCDOT that the City intends to accept maintenance responsibility for the multi-use path described above in conjunction with SK8 Park and the Magnolia Development on Oceanic Street (S-10-2472).
(iv) 61 State Street. Approval to notify SCDOT that the City intends to accept maintenance responsibility for granite curb, concrete sidewalk, street lights and street trees on Liguaard Street (S-10-214) in conjunction with the project at 61 State Street.

b. Stormwater Management Department Update

(i) Updates from Project Managers
(ii) Update from Floodplain Manager

2. Committee on Recreation: (Meeting was held on April 9, 2019 at 3:00 p.m.)

a. Items for Discussion (*Action may or may not be taken on any of the below items*):
   - Discussion about the City property on Woodland Road
   - Golf Course Commission and Recreation Commission (citizen advisory boards)
   - Length of Terms
   - Brantley Park;
   - Longborough Exchange Agreement;
   - Waring Senior Center;
   - Stoney Field;
   - WPAL;
   - Status of the ongoing Cultural Planning Process;
   - Status of Cannon Street Arts Center (134 Cannon);
   - Corrine Jones Community Garden proposal;
   - Daniel Island Neighborhood Park #4;
   - Ferguson Village;
   - Wellness and Aquatics Center Complex;
   - Mrs. Tee.

3. Committee on Ways and Means:

(Bids and Purchases

(Police Department: Approval of an application for a grant in the amount of $338,946 to fund the acquisition of a NIBIN IBIS Trax System, a ballistics tank, safety equipment, and the salary for one (1) Firearms Examiner for the CPD Forensics Dept. This grant application is due on 04/19. This grant does not require a City match.

(Police Department: Approval of an application for training and technical assistance from the DOJ to support violence reduction strategies and build the Police Department’s capacity to fight crime. This application is due on April 11th. This grant does not require a City match.

(Police Department: Approval of the award of $47,500 for the removal of five abandoned vessels from the Ashley River/Charleston Harbor area. This grant has already been accepted due to time constraints. This grant does not require a City match. NOAA/DHEC are providing $42,500 towards the project, and Charleston City Marina has agreed to provide a $5,000 match.

(Stormwater: Approval to apply for the South Carolina Rural Infrastructure Authority
("SCRIA") grant application that requires a City match of $166,667. If approved, this grant would cover $500,000 of the construction costs of the Huger/King Drainage Project. Due to time constraints, the application was submitted on March 8, 2019 to meet the deadline on March 11, 2019. The City Match of $166,667 is available through an existing project allocation of $1,000,000 from the Cooper River Bridge TIF.

(Parks-Capital Projects: Approval of a Construction Contract with McGrath Industries dba Talbot Tennis in the amount of $107,010 to resurface and repair cracked surfaces at the following courts: Moultrie Tennis (6ea.), Mitchell Basketball, Mary Utsey Basketball (2ea.), Ferguson Village Basketball, Lenevar Basketball, Willie Gaines Basketball, and Johns Island Tennis (4ea.). With the approval of the project budget, Staff is authorized to award and/or amend contracts less than $40,000 to the extent contingency funds exist in the Council Approved budget. The Construction Contract will obligate $107,010 of the $150,000 project budget. The funding source for this work is Capital Projects-Structural Repairs.

(Parks-Capital Projects: Approval to accept a 2018 Park and Recreation Development (PARD) grant award for the funding of the construction of a new playground at Johns Island Park, with the existing equipment removed upon completion. Scope of work includes site preparation, purchase and installation of new play equipment, purchase and installation of safety surfacing, and related site improvements. This grant provides 80% of the cost of a project, with the remaining 20% to be provided as matching funds. The grant funding provides $26,487.25, requiring a $6,621.81 match for total project funding of $33,109.06. Funding will be available upon acceptance of award, and work must be completed by May 31, 2021. The approval of the grant award will institute a $33,109.06 project budget. The funding source for the project is: 2018 PARD Grant Funding ($26,487.25) and 2019 Construction-Playground Equipment Maintenance ($6,621.81).

(Housing and Community Development: Request the Mayor and City Council approve the Subordination Agreement for Oakside Apartments SC LLC. The LLC has finalized construction of the apartments and are converting from a construction loan to a permanent loan for the 38-unit development. The City of Charleston invested $250,000 in HOME Investment Partnerships Program funds and the City of Charleston’s loan and restrictive covenants are subordinate to the Bank of America loan. Should the LLC default on the Bank of America loan, the City of Charleston’s Covenants are extinguished. However, because Low Income Housing Tax Credits (LIHTC) are a part of the funding structure; a fifteen-year compliance period has to be met. City Council approved the award of $250,000 April 24, 2018.

(Legal Department: Approval of Host Venue Partnership Agreement between the City and OC Sport Pen Duick, French subsidiary of OC Sport, for the City’s financial support in the amount of $150,000 and operational and logistical support to OCS for the City to host the finish of “The Transat” single-handed Trans-Atlantic sailing race in 2020. (To be sent under separate cover by the Legal Department)

(Budget Finance and Revenue Collections: Approval of a budget transfer in the amount of $130,086 from the Police Department to Corporation Counsel for the addition of a lawyer that will work predominantly with the Police Department. This position will be responsible for helping the Police Department update current policies and procedures as well as write and implement new policies and procedures specific to policing activities. It will also be responsible for training sworn positions by complementing current training programs as well as developing new training programs and initiatives. Funds will come from three
civilian positions that will be converted to this position. Remaining funds will come from salary savings within the Police Department.

(Budget Finance and Revenue Collections: Approval of a budget transfer in the amount of $41,000 from Non-Departmental Contingency for an additional 6 months of operating costs at 529 Meeting St. ($21,000) additional contribution to Military Connections ($10,000) and a contribution to Sister Cities International ($10,000).

(Approval of Termination of Lease between 160 St. Phillips St., LLC and the City pertaining to the parcel of land at the northeast corner of Morris and St. Philip Street (TMS No. 460-12-02-054), currently leased by the City for parking use. (Northeast corner of Morris and St. Philip Street)

(Consider the following annexation:
- 2037 Lake Shore Drive (TMS# 343-03-00-156) 0.21 acre, James Island (District 11). The property is owned by East Bay Air, LLC.

Give first reading to the following bill from Ways and Means:

An ordinance to provide for the annexation of property known as 2037 Lake Shore Drive (0.21 acre) (TMS# 343-03-00-156), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by East Bay Air LLC.

K. Bills up for Third Reading:

1. An ordinance amending Chapter 27 of the Code of the City of Charleston, by amending Flood Hazard Prevention and Control Requirements in Section 27-117 to increase the Freeboard Requirement from one foot to two feet, effective August 1, 2019. (AS AMENDED) (DEFERRED)

L. Bills up for Second Reading:

(City Council may give second reading, order to third reading, give third reading, and order engrossed for ratification any bill listed on the agenda as a second reading.)

1. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-263, the Daniel Island Master Plan Zoning text, to add provisions that allow the Visual Buffer Zone Setback to be reduced or eliminated and allow the Visual Buffer Zone to be reduced when conditions specified in the new provisions are met (AS AMENDED).

2. An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 28, Section 45 to include streets crossing King Street for one block in either direction of King Street between and including Line and Broad Streets and streets crossing North and South Market Streets for one block in either direction of North and South Market Streets between King Street and East Bay Streets.

3. An ordinance to amend Division 2 (Tourism Commission) of Article II (Administration and
Enforcement) of Chapter 29 of the Code of the City of Charleston, South Carolina (Tourism Ordinance), by striking references in Sec. 29-33 to the Mayor’s Office of Tourism and inserting instead references to the Department of Livability and Tourism, and by adding language to Sec. 29-33 emphasizing the application of Robert’s Rules of Order to the conduct of business before the Commission.

4. An ordinance to amend Chapter 29, Article V, Sec. 29-206 (a), 29-208 (c) (5) and (c) (6), Sec. 29-209, and Sec. 29-212 (b) and (c) (1) of the Code of the City of Charleston pertaining to the gatekeeper loading and medallion issuance procedure, recording of tour information, sanitation communication, and management requirements.

5. An ordinance to amend Chapter 29 of the Code of the City of Charleston by adding regulations pertaining to the blocking of the public right-of-way by walking tours.

6. An ordinance to amend Part 15 (Mixed Use 1 - Workforce Housing District Mixed Use 2 - Workforce Housing District) of Article 2 (Land Use Regulations) of Chapter 54 of the Code of the City of Charleston, South Carolina (Zoning Ordinance), to implement the Federal Opportunity Zone Program, by creating certain incentives to encourage the development of “Opportunity Units” for households with incomes less than or equal to 60% of the Area Median Income (AMI). (DEFERRED FOR PUBLIC HEARING) Expires 3.26.20

7. An ordinance to provide for the annexation of a vacant lot on Stinson Drive (0.99 acre) (TMS# 350-05-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by Rale MGMT LLC. (DEFERRED)

8. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that a vacant lot on Stinson Drive (West Ashley) (0.99 acre) (TMS #350-05-00-095) (Council District 11), be zoned Diverse Residential (DR-1F) classification. The property is owned by Rale MGMT LLC. (DEFERRED) Expires 2.26.20

9. An ordinance to provide for the annexation of property known as Clements Ferry Road (16.40 acres) (TMS# 275-00-00-005), Cainhoy, Berkeley County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 1. The property is owned by IVO Sands LLC. (DEFERRED)

10. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Clements Ferry Road (Cainhoy) (approximately 16.40 acres) (TMS #275-00-00-005) (Council District 1), be zoned Rural Residential (RR-1) classification. The property is owned by IVO Sands LLC. (DEFERRED) Expires 10.23.19

11. An ordinance to provide for the annexation of property known as 1415 S Edgewater Drive (0.72 acre) (TMS# 349-13-00-095), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of
District 11. The property is owned by Robert F. Kauffmann. (DEFERRED)

12. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1415 South Edgewater Drive (West Ashley) (0.72 acre) (TMS #349-13-00-095) (Council District 11), be zoned Single-Family Residential (SR-1) classification. The property is owned by Robert F. Kauffmann. (DEFERRED FOR PUBLIC HEARING) Expires 11.27.19

13. An ordinance to provide for the annexation of property known as 1389 River Road (10.94 acres) (TMS# 311-00-00-025), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)

14. An ordinance to provide for the annexation of property known as 1381 River Road (1.28 acres) (TMS# 311-00-00-097), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Knapp A Partnership. (DEFERRED)

15. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from Light Industrial (LI) classification to Upper Peninsula (UP) classification. The property is owned by Joe Singleton. (DEFERRED) Expires 7.17.19

16. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 1335 King Street Extension (Peninsula) (0.37 acre) (TMS #464-14-00-079) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Joe Singleton. (DEFERRED) Expires 7.17.19

17. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from Single-Family Residential (SR-1) classification to Upper Peninsula (UP) classification. The property is owned by Horace A. Rooke. (DEFERRED) Expires 7.17.19

18. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on King Street Extension and Montford Avenue (Peninsula) (0.10 acre) (TMS #464-14-00-080) (Council District 4), be rezoned from the 2.5 Old City Height District classification to the 4-12 Old City Height District classification. The property is owned by Horace A. Rooke. (DEFERRED) Expires 7.17.19

19. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 141 Meeting Street and 174 King Street (Peninsula) (1.061 acres) (TMS #457-08-04-003) (Council District 1), be rezoned from General Business (GB)
classification to Urban Commercial (UC) classification. The property is owned by SCE&G. *(DEFERRED) Expires 8.21.19*

20. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to remove residential uses, nursing and personal care uses, and school uses from the Light Industrial (LI) and Heavy Industrial (HI) Zone Districts. *(DEFERRED) Expires 5.8.19*

21. An ordinance to close and abandon Kinlock Court, a City right-of-way, said right-of-way running westerly approximately 200 feet from meeting street to the Interstate 26 right-of-way; and to further authorize the Mayor to execute Quit Claim Deeds and any other necessary documents, approved as to form by the Office of Corporation Counsel, to the owners of those properties abutting each side of Kinlock Court, conveying to each owner one-half of the width of Kinlock Court as said Kinlock Court abuts each owner’s property, subject to any and all easements or other matters of record. *(DEFERRED)*

**M. Bills up for First Reading**

1. An ordinance to amend the description of the Charleston Neck Redevelopment Project area as established by Ordinance No. 2004-151; to amend the Public Infrastructure Improvements Agreement dated as of September 1, 2015 between the City of Charleston, South Carolina and Highland Resources, Inc., as successor to Ashley River Investors, LLC; and other matters relating thereto. *(DEFERRED)*

2. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 200 Spring Street (Peninsula) (0.412 acre) (TMS #460-11-01-011) (Council District 3), be rezoned to be included in the Accommodations Overlay Zone (A) classification. The property is owned by 200 Spring Street Development LLC. *(DEFERRED AT THE REQUEST OF THE APPLICANT) Expires 2.26.20*

3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 217 Ashley Avenue (Peninsula) (0.33 acre) (TMS #460-11-04-080) (Council District 6), be rezoned from Diverse Residential (DR-2F) classification to Limited Business (LB) classification. The property is owned by Trust of Robert J. Lowe, Jr. & Trust of Gwendolyn M. Lowe. *(The Planning Commission recommends disapproval.) (DEFERRED) Expires 11.27.19*

4. An ordinance to amend Chapter 21, Article II of the Code of the City of Charleston by adding a new Section 21-17 that prohibits building construction operations during certain hours. *(DEFERRED)*

5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property located on Sheppard Street and Saint Philip Street (Peninsula) (approximately 0.69 acre) (TMS #460-04-04-078, 460-04-04-080 and 460-04-04-086) (Council District 4), be rezoned to include it in the Short Term Rental Overlay Zone (ST) classification. The property is owned by Lowcountry Marketing Group LLC. *(DEFERRED)*
Expires 7.17.19

6. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-220 Accommodations Overlay Zone, by inserting language to preserve Mixed-Use Districts; prohibit the displacement of housing by accommodations and consider the effects of housing units to be altered or replaced on the housing stock and whether requirements to protect the affordability of the housing units should be attached to an accommodations special exception approval; prohibit the displacement or reduction of office space by accommodations to be located within areas on the peninsula designated “A-1” on the Accommodations Overlay Zoning Map and on streets with office use as a predominant use; prohibit the displacement of more than 25 percent of ground floor, store front retail space by accommodations uses on streets with ground floor, store front retail as a dominant use; and prohibit an overconcentration of accommodations units within areas on the peninsula designated “A-1” on the Accommodations Overlay Zoning Map (DEFERRED) Expires 8.21.19

7. An ordinance to amend provisions of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Part 17 – Upper Peninsula District pertaining to incentive options and particularly strengthening Workforce Housing; and by amending Sec. 54-201 (V), Base Zoning Districts to correct Upper Peninsula District; and by amending Article 3, Part 2, Sec 54-305 (B) pertaining to Upper Peninsula District; and by amending Article 3, Part 1, Sec. 54-301, Table 3.1 Height, Area and Setback Regulations, footnote 24, pertaining to correcting the Section number; and by amending Article 4, Part 4, Sec. 54-420, Table 1.2 allowed sign types by Zoning District to add Upper Peninsula District; and by amending Article 1, Part 1, Sec. 54-102 (b), Base Zoning District Classifications to add Upper Peninsula District. (DEFERRED) Expires 6.19.19

M. Miscellaneous Business:

1. Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice relating to grant funds held by LDC. Action may or may not be taken.

2. The next regular meeting of City Council will be Tuesday, April 23, 2019 at 5:00 p.m. at City Hall, 80 Broad Street.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.
STATE OF SOUTH CAROLINA  ) EXCLUSIVE STORM WATER  
COUNTY OF CHARLESTON   ) DRAINAGE EASEMENT 
                      ) CITY OF CHARLESTON  

This Exclusive Storm Water Drainage Easement (this "Easement") is made and entered into this ___ day of __________ 2019, by and between ROBERT LEWIS PALTRINERI and ADRIANE DAWN PALTRINERI ("Grantors"), and the CITY OF CHARLESTON, a South Carolina municipality (the "City" or "Grantee").

WHEREAS, the City desires to install, expand, and/or maintain storm water drainage pipes, yard inlets, and appurtenances (the "Storm Water Facilities") across that certain real property owned by Grantors, said property being more fully described on Exhibit A, attached hereto and incorporated herein by reference (the "Property");

WHEREAS, to accomplish its objectives, the City also desires to obtain an easement through the Property, in the location shown as the "Easement Area" on that certain sketch attached hereto and incorporated herein by reference as Exhibit B (the "Sketch"), for the purpose of installing, expanding, and/or maintaining the Storm Water Facilities through the Property for the benefit of the Property and other properties in the area served by the City;

WHEREAS, Grantors desire to cooperate with the City and to grant unto the City that certain permanent and exclusive storm water drainage easement in and to the Easement Area necessary to install, expand, and/or maintain the Storm Water Facilities.

NOW, THEREFORE, in consideration of the foregoing recitals and the benefits to be derived to the Property by the Storm Water Facilities, the receipt and sufficiency of which are hereby acknowledged, Grantors have granted, bargained, sold, released, and conveyed, and by these presents do grant, bargain, sell, release and convey unto Grantee, its successors and assigns, that certain permanent, exclusive storm water drainage easement on, over, under and through the Easement Area, as shown on the Sketch, for the purpose of installing, expanding, and maintaining the Storm Water Facilities through the Property for the benefit of the Property and other properties in the area served by the City.

SAID EASEMENT having such size, shape, location, measurements, and buttings and boundings as shown on said Sketch, reference to which is hereby made for a more complete and accurate description.

The City shall at all times have the right of ingress and egress to the Easement Area for purposes of periodic inspection, maintenance, repair and replacement of the Storm Water Facilities. This Easement shall be commercial in nature and shall run with title to the Property.

The City has no obligation to repair, replace, or compensate Grantors for trees, plants, grass, shrubs or other elements damaged or destroyed within the confines of the Easement Area during the conduct of the City’s allowable activities as described in this Easement.
TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the Grantee, its successors and assigns, against Grantors and Grantors' heirs and assigns, and all persons whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, Grantors have set their hand and seal the day and year first above-written.

WITNESSES:

[Signatures]

Robert Lewis Paltrineri
Adriane Dawn Paltrineri

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

ACKNOWLEDGEMENT

THE FOREGOING instrument was acknowledged before me this 7th day of March, 2019 by Robert Lewis Paltrineri and Adriane Dawn Paltrineri.

Signature: __________________________
Print Name of Notary: Barbara Tanus
Notary Public for South Carolina
My Commission Expires: June 11, 2019

[SEAL OF NOTARY]

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IN WITNESS WHEREOF, the City of Charleston has set its hand and seal the day and year first above-written.

WITNESSES: CITY OF CHARLESTON

Witness #1 By:

Witness #2

Its:

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

ACKNOWLEDGEMENT

THE FOREGOING instrument was acknowledged before me this ____ day of ____________, 2019 by ______________________, of the City of Charleston, a Municipal Corporation organized and existing pursuant to the laws of the State of South Carolina, on _____________.

Signature: ________________________________

Print Name of Notary: ________________________________

Notary Public for South Carolina

My Commission Expires: ________________________________

[SEAL OF NOTARY]

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EXHIBIT A

All that certain piece, parcel, or lot of land, with the buildings and improvements thereon, containing 0.285 acres, more or less, situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, shown and designated as Lot 7 on that certain plat entitled, "PLAT OF PHASE B2-1, SHADOWMOSS PLANTATION, CITY OF CHARLESTON, ST. ANDREWS PARISH, CHARLESTON CO., S.C., OWNER: SURF ASSOCIATES, INC.,” prepared by George A.Z. Johnson, Jr. (S.C.P.L.S. No. 1894), dated April 3, 1984, and recorded August 21, 1984, in Plat Book BB at Page 033 in the RMC Office (now the Register of Deeds Office) for Charleston County, South Carolina, said piece, parcel, or lot of land having such size, shape, dimensions, buttins and boundings as will by reference to said plat more fully and at large appear.

This being the same property conveyed to Robert Lewis Paltrineri and Adriane Dawn Paltrineri by deed of Michael Nelson dated October 16, 2018, and recorded on October 23, 2018, in Deed Book 0755 at Page 473 in the Register of Deeds Office for Charleston County, South Carolina.

TMS No. 358-04-00-065

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EXHIBIT B

[SKETCH WITH EASEMENT AREA SHOWN]
STATE OF SOUTH CAROLINA )
COUNTY OF BERKELEY )

KNOW ALL MEN BY THESE PRESENTS, that Lennar Carolinas, LLC. ("Grantor") in the state aforesaid, for and in consideration of the sum of ONE AND 00/100 DOLLAR ($1.00), being the true consideration to it in hand paid at and before the sealing of these presents by the CITY OF CHARLESTON, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said CITY OF CHARLESTON ("Grantee"), its successors and assigns, forever, the following described property which is granted, bargained, sold and released for the use of the public forever:

All of the property underneath, above, and containing those certain streets, roads, drives, and cul-de-sacs situate, lying and being in the City of Charleston, County of Berkeley, State of South Carolina, identified as (list street names)
Governor's Cay, The Bridge on Forrest Drive

as shown and designated on a plat entitled
Final Plat Showing a New 40' Bridge Right of Way, Governor's Cay, City of Charleston, Berkeley County, South Carolina

prepared by Parker Land Surveying, LLC, dated September 25, 2018, revised ________________, and recorded on ________________, in Plat Book __________ at Page __________ in the ROD Office for Berkeley County.
Said property buttering and bounding, measuring and containing, and having such courses and distances as are shown on said plat. Reference being had to the aforesaid plat for a full and complete description, being all of the said dimensions, a little more or a little less.

This being a portion of the property conveyed to Grantee herein by deed of the Ryland Group Inc. dated July 10, 2015 and recorded Jul 14, 2015 in Book 11491 at Page 56 in the ROD Office for Berkeley County, South Carolina.

Grantee's Mailing Address: City of Charleston
Department of Public Service
Engineering Division
2 George Street
Suite 2100
Charleston, South Carolina 29401

Portion of TMS No.: 271-00-02-115
TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned unto the CITY OF CHARLESTON, its successors and assigns forever.

AND Grantor does hereby bind itself and its heirs, executors and administrators, to warrant and forever defend, all and singular, the said premises unto the said City of Charleston, heirs and assigns, against Grantor and its heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 10 day of January 2019.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Witness Number One

[Signature]

Printed Name

John H A

Witness Number Two

[Signature]

Printed Name

Keri Roscoe

**********

STATE OF South Carolina

COUNTY OF Charleston

ACKNOWLEDGEMENT

This foregoing instrument was acknowledged before me (the undersigned notary) by

Jason Byham, the VP of Lennar Carolinas, LLC of the Grantor on the 10 day of January 2019.

Signature of Notary: Cassidy J Bozelli
Print Name of Notary: Cassidy J Bozelli
Notary Public for South Carolina
My Commission Expires: 10/20/24

SEAL OF NOTARY
STATE OF SOUTH CAROLINA   
COUNTY OF Berkeley       ) AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property was transferred by Lennar Carolinas, LLC to The City of Charleston on July 10, 2019.

3. Check one of the following: The deed is
   (A) ___ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money’s worth.
   (B) ___ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
   (C) [ ] exempt from the deed recording fee because (See Information section of affidavit): #2, transfer to City of Charleston (explanation required) (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?
Check Yes ___ or No ___

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
   (A) ___ The fee is computed on the consideration paid or to be paid in money or money’s worth in the amount of ________
   (B) ___ The fee is computed on the fair market value of the realty which is ________
   (C) ___ The fee is computed on the fair market value of the realty as established for property tax purposes which is ________

5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If “YES,” the amount of the outstanding balance of this lien or encumbrance is ________

6. The deed recording fee is computed as follows:
   (A) ___ Place the amount listed in item 4 above here: ________
   (B) ___ Place the amount listed in item 5 above here: ________
   (If no amount is listed, place zero here.)
   (C) ___ Subtract Line 6(b) from Line 6(a) and place the result here: ________
1. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is ________________.

2. As required by Code Section '12-24-70, I state that I am a responsible person who was connected with the transaction as ________________.

3. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

[Signature]

Responsible Person Connected with the Transaction

Jason Byham

Print or Type Name Here Division President

Sworn this 10 day of January 20 19

Cassidy J Bozelle

Notary Public for South Carolina

My Commission Expires: 10/28/2024

ATET4-2013
## BRIDGE IDENTIFICATION AND DIMENSIONS

<table>
<thead>
<tr>
<th>STRUCTURE NO.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>STRUCTURE NAME</td>
<td>Governors Cay Bridge on Forrest Drive</td>
</tr>
<tr>
<td>STRUCTURE TYPE</td>
<td>concrete slab</td>
</tr>
<tr>
<td>YEAR BUILT</td>
<td>2017</td>
</tr>
<tr>
<td>LOCATION</td>
<td>Forrest Drive</td>
</tr>
<tr>
<td>STRUCTURE LOAD RATING</td>
<td>crosses small creek and marsh</td>
</tr>
<tr>
<td># OF MAIN SPANS</td>
<td>5</td>
</tr>
<tr>
<td># OF APPROACH SPANS</td>
<td>0</td>
</tr>
<tr>
<td>STRUCTURE TOTAL LENGTH</td>
<td>180'</td>
</tr>
<tr>
<td>MAXIMUM SPAN LENGTH</td>
<td>30'</td>
</tr>
<tr>
<td>DECK WIDTH</td>
<td>29'-10&quot;</td>
</tr>
<tr>
<td>CURB TO CURB WIDTH</td>
<td>24'</td>
</tr>
<tr>
<td>PEDESTRIAN BICYCLE LANE WIDTH</td>
<td>5'</td>
</tr>
<tr>
<td>APPROACH SLAB SIZE</td>
<td>29'-10&quot; x 20'</td>
</tr>
</tbody>
</table>

## BRIDGE ELEMENTS MATERIALS AND/OR DESCRIPTION

| MAIN SPAN MATERIAL | 4000psi concrete |
| MAIN SPAN TYPE | concrete slab |
| DECK TYPE | concrete cast-in-place |
| WEARING SURFACE | monolithic concrete |
| ABUTMENT FOUNDATIONS | 20" SQ. prestressed concrete pile |
| PIER FOUNDATIONS | 20" SQ. prestressed concrete pile |
| ABUTMENT PIER MATERIAL | 4000 psi concrete |

### DECK
1. DECK SLAB | cast in place concrete 4000 psi |
2. EXPANSION JOINTS | deflection joint (Bent 4) |
3. CURBS, SIDEWALKS AND MEDIAN | cast in place concrete 4000 psi |
4. PARAPETS AND OR RAILINGS | steel tubing ASTM A 500, all others ASTM A36 |
5. DRAINS AND DRAINAGE | n/a |
6. UTILITIES | PVC conduits in concrete slab |
7. OTHER | |

### SUPERSTRUCTURE
1. BEARING DEVICES | 1-4" elastomeric bearing pads |
2. GIRDERS OR BEAMS | N/A |
3. ARCH(S) OR SLAB(S) | Slab is 1-4" deep cast in place concrete 4000 psi |
4. FLOOR BEAMS AND STRINGERS | N/A |
5. TRUSSES | N/A |
6. DIAPHRAGMS AND BRACING | N/A |
7. PAINT OR FINISHING TREATMENT | N/A |
8. I ASCIA | N/A |
9. ALIGNMENT | tangent section |
10. OTHER | |
## BRIDGE IDENTIFICATION AND DIMENSIONS

<table>
<thead>
<tr>
<th>STRUCTURE NO</th>
<th>Governors Cay Bridge on Forrest Drive</th>
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<td>concrete slab</td>
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<tr>
<td>YEAR BUILT</td>
<td>2017</td>
</tr>
<tr>
<td>FACILITY CARRIED</td>
<td>Forrest Drive</td>
</tr>
<tr>
<td>STRUCTURE LOAD RATING</td>
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<tr>
<td>WATERWAY CHANNEL</td>
<td>6</td>
</tr>
<tr>
<td># OF MAIN SPANS</td>
<td>6</td>
</tr>
<tr>
<td># OF APPROACH SPANS</td>
<td>0</td>
</tr>
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## BRIDGE ELEMENTS MATERIALS AND/OR DESCRIPTION

| MAIN SPAN MATERIAL | 4000psi concrete |
| MAIN SPAN TYPE | concrete slab |
| DECK TYPE | concrete cast-in-place |
| WEARING SURFACE | monolithic concrete |
| ABUTMENT FOUNDATIONS | 20" SQ. prestressed concrete pile |
| PIER FOUNDATIONS | 20" SQ. prestressed concrete pile |
| ABUTMENT-PIER MATERIAL | 4000 psi concrete |

## DECK

1. DECK SLAB | cast in place concrete 4000 psi |
2. EXPANSION JOINTS | deflection joint (Bent 4) |
3. CURBS, SIDEWALKS AND MEDIAN | cast in place concrete 4000 psi |
4. PARAPETS AND OR RAILINGS | steel tubing ASTM A 500; all others ASTM A36 |
5. DRAINS AND DRAINAGE | n/a |
6. UTILITIES | PVC conduits in concrete slab |
7. OTHER |

## SUPERSTRUCTURE

1. BEARING DEVICES | 1 4" elastomeric bearing pads |
2. GIRDERS OR BEAMS | N/A |
3. ARCHITECTURAL SLAB(S) | N/A |
4. FLOOR BEAMS AND STRINGERS | Slab is 1'-4" deep cast in place concrete 4000 psi |
5. TRUSSES | N/A |
6. DIAPHRAGMS AND BRACING | N/A |
7. PAINT OR FINISHING TREATMENT | N/A |
8. FASCIA | N/A |
9. ALIGNMENT | tangent section |
10. OTHER |
**SUBSTRUCTURE ABUTMENTS**

| 1. BREASTWALLS OR COLUMNS | N/A     |
| 2. PILE BENTS             | yes     |
| 3. CAPS AND OR BEARING SEATS | 4000psi concrete |
| 4. BACKWALLS AND/OR BULKHEADS |
| 5. FOUNDATIONS            | 20" SQ. prestressed concrete pile |
| 6. WINGWALLS              |
| 7. WEEP HOLES             |
| 8. EXPANSION JOINTS       |
| 9. SLOPE PROTECTION       |
| 10. OTHER                 |

**SUBSTRUCTURE PIER(S)**

| 1. WALLS AND/OR COLUMNS   |
| 2. PILE BENTS             | yes     |
| 3. CAPS AND OR BEARING SEATS | 4000psi concrete |
| 4. FOUNDATIONS            | 20" SQ. prestressed concrete pile |
| 5. OTHER                  |

**WATERWAY/CHANNEL**

| 1. ALIGNMENT              | skewed & curved |
| 2. EROSION AND/OR SCOUR   |
| 3. PROTECTION             |
| 4. OBSTRUCTIONS           |
| 5. OTHER                  |

**APPROACHES**

| 1. APPROACH SLABS         | yes     |
| 2. RELIEF JOINTS          |
| 3. APPROACH GUARDRAIL     | Per SCDOT requirements |
| 4. SIGNS                  |
| 5. OTHER                  |

**RETAINING WALLS**

| 1. WALLS                  | N/A     |
| 2. WEEP HOLES             |
| 3. FOUNDATIONS            |
| 4. OTHER                  |

**TRAFFIC AND SAFETY FEATURES**

1. BRIDGE RAILINGS:
   - Configuration: Post and rail
   - Material: steel tubing ASTM A 500: all others ASTM A36
   - Type: 
   - Height: 3'-6"

2. APPROACH ROADWAY WIDTH: 24'

3. APPROACH PAVEMENT WIDTH:

4. SHOULDER WIDTHS:

5. BRIDGE MEDIAN: n/a

6. APPROACH GUARDRAILS: TBBC

7. GUARDRAIL TERMINALS: Type T's

8. SPEED LIMIT SIGNS POSTED:

9. OTHER SIGNING:

10. STRIPING:

11. LIGHTING:

12. OTHER:
COST DATA:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right-of-Way Costs (cost of land only)</td>
<td>$10.00</td>
</tr>
<tr>
<td>Construction Costs (structure construction only)</td>
<td>$895,680.00</td>
</tr>
<tr>
<td>Paid By</td>
<td>Cal Atlantic Homes</td>
</tr>
<tr>
<td>GL Account No. (City use only)</td>
<td>#</td>
</tr>
</tbody>
</table>

COMMENTS:


DEVELOPER CERTIFICATION:

| Name of Developer:                          | Lennar Carolinas LLC. |
| Developer's Address:                        | 1941 Savage Road, Suite 100C Charleston, SC 29407 |
| Developer's Authorized Signature:           |                       |
| Date:                                      | 1/10/19               |

ENGINEER CERTIFICATION:

| Name of Engineer of Record:                 | Stantec Consulting Services, Inc. |
| Engineer's Address:                         | 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 |
| Engineer's Authorized Signature:            |                       |
| Date:                                      | 2/5/17                 |

FOR CITY USE ONLY:

| City Council District Number:               |          |
| Political Jurisdiction                      | City      |
| Maintenance Jurisdiction                    | City      |
| Review by Finance                          | City      |
| Date of Acceptance/Dedication by City Council: |          |
| Forwarded to Finance                        | Date:     |
| Forwarded to Charleston County              | Date:     |
| Forwarded to GIS                            | Date:     |
February 12, 2019

Matthew Blackwell, P. S.
Site Development Manager
City of Charleston Department of Public Service
2 George Street Suite 2100
Charleston, SC 29401

Mr. Blackwell,

SCDOT is requiring a letter from the City accepting liability and maintenance responsibility to maintain the County’s planned multi-use path facility on Oceanic Street. The proposed path as shown on the attached concept graphic, is an 8’ asphalt multi-use path approximately 1,300 feet in length that will connect Charleston County’s SK8 Park to the Magnolia development’s planned sidewalk along “A” Street. “A” Street is shown on the attached graphic. The path will reside within SCDOT’s Oceanic Street right-of-way, except for a portion of the path that will tie into the “A” Street sidewalk. Sections of the existing open ditch drainage system will be piped and filled to allow the path to maintain a 5’ offset from the roadway.

As stated in SCDOT’s 10/24/2018 email regarding maintenance of the path, “The Department would continue ownership of Oceanic St (S-10-2472); however, we would not maintain the multiuse path. We would need a letter from the City or County accepting liability and maintenance responsibility for the multiuse path.” It has been clarified that SCDOT would maintain the project’s drainage improvements.

Per our previous stakeholder discussions and correspondence the City is willing to accept liability and maintenance responsibility for the multiuse path, and this letter will serve as the formal request to the City to assume that responsibility.

Thank you for your support of the Oceanic Street Multi-use Path. We look forward working with you and all of the project stakeholders to complete this important connectivity project. Please let me know if you need any other information.

Sincerely,

Cal Oyer, P.E.
Project Manager
Charleston County Transportation Development

www.charlestoncounty.org
C:
Michael Mathis, City of Charleston Transportation Project Manager
Juleigh Fleming, SCDOT District Six Permit Engineer
Matthew Maldenauer, Charleston County Parks Senior Planner
Stuart Coleman, CC&T Real Estate Partner
Scott Baker, Stanlee Project Manager
Eric Adams, Charleston County Transportation Development Deputy Director for Engineering
O'Brien, Tom F.

From: Trey Linton <tlinton@forsberg-engineering.com>
Sent: Monday, March 11, 2019 10:59 AM
To: O'Brien, Tom F.
Cc: Blackwell, Matthew
Subject: 61 State Street Hotel - Granite curb maintenance letter
Attachments: SITE EXHIBIT.pdf

Tom,

We received comment from SCDOT on our project on State Street that we will need a letter from City agreeing to maintenance of granite curbing and sidewalk along the road. See attached exhibit. Can you provide this letter? Thanks.

Trey Linton, PE
Forsberg Engineering & Surveying, Inc
1587 Savannah Highway, Suite B
P.O. Box 30575
Charleston, SC 29417
Phone: 843.571.2622(o)
tlinton@forsberg-engineering.com
www.forsberg-engineering.com