

**STATE OF SOUTH CAROLINA
JASPER COUNTY**

ORDINANCE #2020 - 17

ORDINANCE OF JASPER COUNTY COUNCIL

To approve an Agreement to Transfer to the Jasper County School District surplus real property consisting of approximately 0.9 acres, more or less, generally described as the portion of TMP 063-26-33-002 containing the School District Administration Building on N. Jacob Smart Blvd., and to authorize the Jasper County Administrator to enter into the Agreement and execute such deeds and other documents as may be necessary and appropriate to effect the transfer.

WHEREAS, the Jasper County (County) and the Jasper County School District (District) have discussed the transfer of certain real property owned by the County which the County finds to be surplus to the District, and have negotiated the terms of a proposed Agreement between them by which Jasper County would transfer the property identified as TMP 063-26-33-002, consisting of approximately 0.9 acres to the District for less than fair market value; and

WHEREAS, pursuant to the general law of the State of South Carolina, and the plenary grant of authority to county governments under the Home Rule Act , a donation from one political subdivision to another is permissible if the transfer satisfies both a public purpose and the donor's corporate purpose; and

WHEREAS, fiscal support of the Jasper County School District by the Jasper County Council has been recognized as an proper governmental purpose, including the general proposition that the furnishing of school buildings serves the economic benefit and development of the County, a proposition endorsed by Jasper County Council; and

WHEREAS, the Jasper County Administrator recommends and Jasper County finds that the terms of the proposed Agreement, which provide for a bargain sale of approximately 0.9 acres, more or less, amongst other terms and conditions, in order to provide additional opportunities for the District to enhance and improve the real property proposed to be transferred are fair and equitable and in the

best interests of Jasper County and satisfies a public purpose and furthers the Districts purposes;

NOW THEREFORE, BE IT RESOLVED by Jasper County Council, in council duly assembled and by the authority of the same:

1. Jasper County Council hereby adopts the foregoing premises as its findings regarding the Ordinance, approves the terms of the Agreement to Transfer Real Estate between Jasper County and the Jasper County School District, a copy of which is attached hereto and made part of this ordinance, and the Jasper County Administrator is hereby authorized and directed to execute and deliver the Agreement on behalf of the County;
2. The Jasper County Administrator is further authorized to execute and deliver on behalf of Jasper County a deed, closing statements and such other documents as may be necessary or desirable to accomplish the transfer of title to the property identified as a portion of TMP 063-26-33-002, consisting of approximately 0.9 acres, as more particularly shown on the attached survey, to the purchaser.
3. This Ordinance shall take effect upon approval of the Council.

Done this _____ day of _____, 2020.

Henry Etheridge
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

A Copy of the referenced Agreement is to be attached hereto prior to adoption and recording.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

1st Reading – August 17, 2020
2nd reading – September 8, 2020
Public Hearing – September 8, 2020
3rd reading -

