



## **TOWN *of* SUMMERVILLE, SC**

### ***Special Called Town Council Meeting #1***

**Council Chambers – 200 South Main Street, Summerville, SC 29483**

**Thursday, March 30, 2023 – 3:00pm**

## **AGENDA**

1. Call to Order
2. Second and final Reading of an Ordinance to approve the renewal of the electric and gas Franchise Agreement with Dominion Energy of South Carolina.
3. Second and final Reading of an Ordinance to approve the renewal of the electric Franchise Agreement with Berkeley Electric Cooperative, Inc.
4. Second and final Reading of an ordinance to adopt a redistricting plan for Council Single Member Districts in the Town of Summerville.
5. Discussion and consideration of first reading of an ordinance to modify the sublease with Dorchester County for 312 North Laurel Street known as the Faith Sellers Senior Citizens Center.
6. Adjourn

**ORDINANCE**

**AN ORDINANCE TO MODIFY THE SUBLEASE WITH DORCHESTER COUNTY FOR 312 NORTH LAUREL STREET KNOWN AS THE FAITH SELLERS SENIOR CITIZENS CENTER**

WHEREAS, State of S.C. Military Department, Office of the Adjutant General (Lessor). The Town of Summerville (Lessee/Town) and Dorchester County (SubLessee/County) entered into a “Lease with Right to Purchase and Sublease” lease for the property now known as the Faith Sellers Senior Center (Senior Center) located at 312 North Laurel Street, Summerville, South Carolina (Property), said lease and sublease dated April 20, 2001 are recorded in the Register of Deeds Office for Dorchester County (ROD) in Book 4 at Page 247 on June 13, 2001, and

WHEREAS, Lessor conveyed real property to the Town of Summerville by a quitclaim deed recorded in the ROD in Book 7592 at page 98, a portion upon which is the Senior Center is located. The location of the Senior Center can be seen on a plat entitled “Boundary Survey of TMS# 137-03-18-002, Measuring 3.02 Acres, Owned by the Town of Summerville”, recorded in the ROD at Plat Book L at page 156 and incorporated herein as “Exhibit A”, and

WHEREAS, The Sublease from the Town to the County dated above described was for twenty-five (25) years with a renewal option in the twenty-fourth (24<sup>th</sup>) year for additional five (5) year terms up to an additional twenty-five (25) year period, and

WHEREAS, The County has requested the Town modify Section II(B) of the Sublease so that it will expire on the 20<sup>th</sup> day of August 2042,

WHEREAS, Town Council believes it to be in the best interest of the Citizens of Summerville to grant the County’s request for the modification of Section II(B),

NOW THEREFORE, Be it Ordained by the Mayor and Members of Council duly assembled that:

1. The above recitals are incorporated herein to the same extent as if set out verbatim.
2. Section 11(B) of Sublease from the Town to the County shall be amended so that it shall now read:

**TERM AND DELIVERY OF PREMISES:** Lessee does hereby demise, lease and let unto SubLessee, and SubLessee hereby leases and hires from Lessee to have and to hold said premises unto SubLessee until the 20<sup>th</sup> day of August, 2042.

3. As amended, the SubLessee will remain in full force and effect.
4. The Town Administrator is hereby authorized to enter into an Agreement with the County reflecting the modification to the Sublease, and

It is so Ordained!

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023 A.D.

\_\_\_\_\_  
Ricky Waring, Mayor

Town of Summerville

ATTEST:

Beth Messervy, Clerk to Council

DRAFT

State of South Carolina )  
 )  
County of Dorchester )

**MODIFICATION OF SUBLEASE**

**WHEREAS**, the Town of Summerville (Town) and Dorchester County (County) entered into a Sublease for 312 North Laurel Street also known as the Faith Sellers Senior Center (Senior Center), said Sublease being recorded in the Register of Deeds Office (ROD) for Dorchester County in Book 4 at page 247, and

**WHEREAS**, County and Town are desirous of modifying Section II (B) TERM AND DELIVERY OF PREMISES by extending the Sublease until the \_\_\_ day of \_\_\_\_, 20\_\_ so that it will now read:

Lessee does hereby demise, lease and let unto SubLessee, and SubLessee hereby leases and hires from Lessee to have and to hold said premises unto SubLessee until the \_\_\_ day of \_\_\_\_, 20\_\_.

and,

**WHEREAS**, Town Council has approved the modification of the Sublease by Town Ordinance 23-\_\_\_\_.

**NOW THEREFORE**, Town and County agree as follows:

1. The above recitals are hereby incorporated into this Modification of Sublease as if set out verbatim.
2. Section II(B) TERM AND DELIVERY OF PREMISES of the above-described Sublease shall hereafter read as follows:  
Lessee does hereby demise, lease and let unto SubLessee, and SubLessee hereby leases and hires from Lessee to have and to hold said premises unto SubLessee until the \_\_\_ day of \_\_\_\_, 20\_\_.
3. Except as modified by this modification, the above-described Sublease shall remain in full force and effect.
4. The Mayor or Town Administrator are authorized to execute a Modification Agreement with the County.

Wherefore the Town and County have set forth their hands and seals this \_\_\_ day of \_\_\_\_, 20\_\_.

**SIGNATURE PAGES TO FOLLOW.**

Modification of Sublease

Town of Summerville by

\_\_\_\_\_  
Witness #1  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Lisa Wallace, Town Administrator

\_\_\_\_\_  
Witness #2  
Print Name: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
COUNTY OF DORCHESTER )  
 )

PROBATE

PERSONALLY, appeared before me, \_\_\_\_\_ along with the other  
witness \_\_\_\_\_, after being duly sworn, deposes and say he/she saw Lisa  
Wallace sign Modification of Sublease on behalf of the Town of Summerville. The subscribing  
witness is not a party to or beneficiary of this transaction.

\_\_\_\_\_  
Witness #1

SWORN to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
[SEAL]

\_\_\_\_\_  
Print Name of Notary

Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_

Modification of Sublease

Dorchester County by

\_\_\_\_\_  
Witness #1  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Jason L. Ward, County Administrator

\_\_\_\_\_  
Witness #2  
Print Name: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
COUNTY OF DORCHESTER )  
 )

PROBATE

PERSONALLY, appeared before me, \_\_\_\_\_ along with the other  
witness \_\_\_\_\_, after being duly sworn, deposes and say he/she saw Jason  
L. Ward sign Modification of Sublease on behalf of Dorchester County. The subscribing  
witness is not a party to or beneficiary of this transaction.

\_\_\_\_\_  
Witness #1

SWORN to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
[SEAL]

\_\_\_\_\_  
Print Name of Notary

Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_