



Town of Hilton Head Island
TOWN COUNCIL MEETING
Tuesday, March 15, 2022, 3:00 PM
AGENDA

The Town Council meeting will be held in-person at Town Hall in the Benjamin M. Racusin Council Chambers. The meeting can be viewed on the [Town of Hilton Head Island Public Meetings Facebook Page](#), [Beaufort County Channel](#) and Spectrum Channel 1304.

1. **Call to Order**
2. **FOIA Compliance** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Roll Call**
4. **Pledge to the Flag**
5. **Invocation - Pastor Steve Salvas, Grace Community Church**
6. **Approval of the Agenda**
7. **Approval of the Minutes**
 - a. Workshop - February 22, 2022
 - b. Regular Meeting - March 1, 2022
8. **Report of the Town Manager**
 - a. Items of Interest
 - b. Parks & Recreation Commission Semi-Annual Update - Ray Kisiah, Chair
9. **Reports of the Members of the Town Council**
 - a. General Reports from Town Council
 - b. Report of the Community Services & Public Safety Committee – Councilman Harkins
 - c. Report of the Public Planning Committee – Councilman Ames
 - d. Report of the Finance & Administrative Committee – Councilman Lennox

10. Proclamations/Commendations

- 11. Appearance by Citizens** Citizens who wish to address the Committee concerning the items on the agenda, may do so by contacting the Town Clerk at 843.341.4701, no later than 12:00 p.m. the day of the meeting. Citizens may also submit written comments concerning any of the items on the agenda through the eComment portal. The eComment portal can be found by following this link: [March 15, 2022 Town Council Meeting Information](#).

12. New Business

- a. First Reading of Proposed Ordinance 2022-07, Amending Section 3-1-210, of the Municipal Code for the Town of Hilton Head Island, South Carolina with Regard to the Boundaries of the Six Single-Ward Districts in the Town of Hilton Head Island, South Carolina
- b. First Reading of Proposed Ordinance 2022-04, Amending Section 2-5-70 of the Municipal Code for the Town Hilton Head Island, South Carolina to Allow for Public Comment at a Town Council Meeting by any Interested Party During the Appearance by Citizens Portion of the Agenda
- c. Consideration of a Resolution Authorizing the Town of Hilton Head Island, South Carolina to Enter into a Joint Ownership and Operating Agreement with Beaufort County for the Redevelopment and Operation of the Ford's Shell Ring
- d. First Reading of Proposed Ordinance 2022-03 Authorizing the Execution of a Termination of an Easement and Granting of an Access and Utility Easement Encumbering Real Property Owned by the Town of Hilton Head, South Carolina and Beaufort County, South Carolina, in Area of the Ford's Shell Ring Property, Under the Authority of SC Code Ann. Section 5-7-40 (Supp. 2010), and Section 2-7-20 of the Municipal Code for the Town of Hilton Head Island, South Carolina, (1983)

13. Executive Session

- a. Discussion of Personnel Matters Related to the Appointments to the Design Review Board [pursuant to SC Freedom of Information Act Sec. 30-4-70(a)(1)]
- b. Discussion of Personnel Matters Related to an Appointment to the Beaufort County Citizens Advisory Committee [pursuant to SC Freedom of Information Act Sec. 30-4-70(a)(1)]

14. Possible actions by Town Council Concerning Matters Discussed in Executive Session

15. Adjournment



Town of Hilton Head Island TOWN COUNCIL WORKSHOP Tuesday, February 22, 2022, 9:00 a.m. MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Town Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Shawn Colin, *Interim-Director of Community Development*; Jayme Lopko, *Senior Planner*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the workshop to order at 9:00 a.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Roll Call

Roll was taken by the Town Clerk, and attendance of all members of Town Council was confirmed.

4. Approval of the Agenda

Mr. Harkins moved to approve. Mr. Stanford seconded. The motion carried by a vote of 7-0.

5. Workshop Discussion

a. Presentation on the Beaufort County School District Impact Fees – Dr. Frank Rodriguez, Superintendent of Schools and Eric Greenway, County Administrator

Dr. Rodriguez and Mr. Greenway, along with members of Dr. Rodriguez's staff address Town Council to provide an overview of the Beaufort County School District Impact Fees. They answered questions from the members of Town Council, noting how the collection and use of these fees would affect the Town of Hilton Head Island.

b. Update and Discussion of Current Housing Initiatives and Proposed Nest Steps

Mr. Orlando opened the discussion by reviewing the Housing Initiative timeline and where the Town currently. He reviewed the Workforce Housing Strategic Plan, Our Plan, and the Town's Strategic Action Plan. Mr. Orlando noted how all three of these plans play a pivotal role in accomplishing the initiatives. Mr. Orlando reviewed the community profile for the Island. This included the number of residents, income comparisons, the affects the median income has on housing options, available housing options, and commuting trends. Mr. Orlando reviewed the Town Council policy actions and those outcomes. He reviewed what a proposed housing program would look like, including the use of the American Rescue Plan Funds and a Public Private Partnership. Mr. Orlando talked about the two programs coming forward which would utilize the American Rescue Plan Funds and then introduced what a Public Private Partnership would include. He pointed out the Town-owned property also known as the North End Post Office Tract, noting that this would be a good opportunity for a Public Private Partnership. Mr. Orlando answered questions posed to him by Town Council and the citizens in attendance.

The presentation from this workshop can be found at: [Workforce Housing Initiative](#)

6. Adjournment

By unanimous vote, the workshop adjourned at 11:37 a.m.

Approved: March 1, 2022

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Town of Hilton Head Island TOWN COUNCIL MEETING Tuesday, March 1, 2022, 3:00 p.m. MINUTES

Present from Town Council: John J. McCann, *Mayor*; Bill Harkins, *Mayor Pro-Tempore*; David Ames, Tamara Becker, Alex Brown, Tom Lennox, Glenn Stanford, *Town Council Members*

Present from Town Staff: Marc Orlando, *Town Manager*; Josh Gruber, *Deputy Town Manager*; Angie Stone, *Assistant Town Manager*; Shawn Colin, *Interim-Director of Community Development*; Jennifer Ray, *Capital Program Manager*; Jenn McEwen, *Director of Cultural Affairs*; John Troyer, *Director of Finance*; John Tuttle, *Technology & Innovation Director*; Jeff Buckalew, *Town Engineer*; Krista Wiedmeyer, *Town Clerk*

1. Call to Order

Mayor McCann called the meeting to order at 3:00 p.m.

2. FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Roll Call

Roll was taken by the Town Clerk, and attendance of all members of Town Council was confirmed.

4. Invocation – Reverend Denise A. Trogdon – All Saints Episcopal Church

Reverend Trogdon delivered the invocation.

5. Pledge to the Flag

6. Approval of the Agenda

Mr. Stanford moved to approve. Mr. Harkins seconded. The motion carried by a vote of 7-0.

7. Approval of the Minutes

a. Workshop – February 8, 2022

Mr. Harkins moved to approve the minutes from February 8, 2022. Mr. Stanford seconded. The motion carried 7-0.

b. Regular Meeting – February 15, 2022

Mr. Harkins moved to approve the minutes from February 15, 2022. Mr. Stanford seconded. The motion carried 7-0.

8. Report of the Town Manager

a. Items of Interest

Mr. Orlando reviewed various items of interest within the Town.

b. Board of Zoning Appeals Semi-Annual Update – Patsy Brison, Chair

Chairperson Brison gave an update to the members of Town Council concerning the last six months of business handled by the Board.

c. Status Update on the Business Plan and Master Plan for Mitchelville Freedom Park- Ahmad Ward, Executive Director

Mr. Ward gave an update to the members of Town Council concerning the Business Plan and Master Plan for Mitchelville Freedom Park.

9. Reports of the Members of Town Council

a. General Reports of Town Council

Mr. Stanford reported on St. James Church and their desire to move due to the Airport runway being extended and the regional jets flying overhead. The Town and the County have been cooperating with each other to promote another site. We have identified another site which is part of the Mid-Island project. The Church came forward with a design plan that included a sanctuary plus a fellowship hall with a full commercial kitchen. The project that they envision is much larger than their current project is. The project was submitted to the FAA, and they have sent it back stating they replace with a like structure in terms of size and facilities. That puts us back to ground zero. We are trying to work cooperatively with them to promote this project which we see as very worthy for the benefit of this vital aspect of the community.

b. Report of the Lowcountry Area Transportation Study – Councilman Stanford

Mr. Stanford did not have a report.

c. Report of the Lowcountry Council of Governments – Councilwoman Becker

Mrs. Becker did not have a report.

d. Report of the Southern Lowcountry Regional Board – Councilman Lennox

Mr. Lennox reported that the Board met on February 22nd and Scott Slatton from MASC made a presentation on short-term rentals which included an update on House Bill 4547 which the Town Staff is aware is a ban on local government regulating short term rentals. As we go forward with our exercise on the analysis of the impact of short-term rentals on Hilton Head Island and the likelihood of some sort of regulation at the local government level, we must be aware and cognizant of what this Bill which is being debated in Committee could do to our ability to regulate short-term rentals.

e. Report of the Beaufort County Airports Board – Councilman Ames

Mr. Ames stated the Airport Board met February 24th. The Airport Managers update included existing terminal bathroom upgrades, the commercial apron for planes and the expectation for the same flight schedule we had last year has changed and it should be less hectic.

f. Report of the Community Services & Public Safety Committee – Councilman Harkins

Mr. Harkins reported that the Committee met on February 28th and they are recommending three items to Town Council for consideration 1) the Ordinance amending Section 2-5-70 which would allow for public comment from any interested party during the appearance by citizens portion of the agenda; 2) support for a joint ownership and operating agreement between the Town and Beaufort County related to the development plus the operation of the Fords Shell Ring property; 3) the termination of easements in creation of an access and utility easement on the Fords Shell Ring property.

g. Report of the Public Planning Committee – Councilman Ames

Mr. Ames reported that the meeting which was to be held last Thursday was postponed and is now scheduled for March 9th at 2:00 p.m. Its focus will be on the proposed short-term rentals Ordinance.

h. Report of the Finance & Administrative Committee – Councilman Lennox

Mr. Lennox reported the Finance & Administrative Committee with the support of staff held a series of four Workshops during February to deal with the potential redrawing of the Town Wards as a result of the recent 2020 Census. Data from that Census made our current drawings of the Wards non-compliant. The product of those Workshops was six maps to be considered. The Committee has selected a preferred alternative that will be forwarded to Town Council for inclusion on its March 15th Agenda.

10. Appearance by Citizens

Skip Hoagland: Addressed the Mayor and Town Council on various matters related to the Chamber and Town of Hilton Head Island.

11. Unfinished Business

a. Second Reading of Proposed Ordinance 2022-05 – Amendments to the Town of Hilton Head Island Municipal Code Concerning Electronic Public Meetings

Mr. Harkins moved to approve. Mr. Stanford seconded. With no discussion, the motion carried by a vote of 6-1. Mrs. Becker opposed.

12. New Business

a. Consideration of a Resolution Authorizing Beach Operations Updates to Include the Beach Parking Passes, Restriction of Certain Vehicles and Access to Islanders' Beach Park

Mr. Harkins moved to approve. Mr. Stanford seconded. Mr. Gruber stated that there is a scrivener's error contained within the document. Under Item 2(a)(i), the word "less" than 183 days should actually read "greater" than 183 days. With the understanding that the scrivener's error will be corrected if adopted we would put it back to you in terms of action on this item. The motion carried by a vote of 7-0.

13. Executive Session

Mr. Orlando stated that there was a need for Executive Session for: 1) negotiations pertaining to property on William Hilton Parkway near Fresh Market Shops, 2) pertaining to contractual arrangements on proposed sale of property in the Newport Villa Area, 3) legal advice pertaining to a potential claim with Hilton Head Landscapes vs. Town of Hilton Head Island and 4) personnel matters related to the appointment of a Beaufort County Citizens Advisory Committee Member as it relates to the 1% Sales Tax Referendum.

At 3:45 p.m., Mr. Harkins moved to enter Executive Session for the reasons described by the Town Manager. Mr. Stanford seconded. The motion carried unanimously.

14. Possible actions by Town Council concerning matters discussed in Executive Session

At 4:45 p.m. Town Council returned from Executive Session with no action taken.

15. Adjournment

Mr. Harkins moved to adjourn. Mr. Stanford seconded. The motion carried 7-0.

Approved:

Krista M. Wiedmeyer, Town Clerk

John J. McCann, Mayor



Parks & Recreation Commission

Semi-Annual Report to Town Council July 2021 – February 2022

The August and October 2021 Regular Meetings were cancelled.

July 8, 2021 Regular Meeting

- Commissioners Jack Daly and Christina Kristian reappointed
- Election of Chairman Ray Kisiah and Vice Chairman Jack Daly
- Regular updates from Island Recreation Association and staff

August 19, 2021 Workshop

- Mid-Island Community Park Project Kick-Off

August 24, 2021 Workshop

- Chaplin Community Park and Crossings Park Project Kick-Off

September 9, 2021 Regular Meeting

- Commissioner Thomas Dowling reappointed
- Regular updates from Island Recreation Association and staff

November 18, 2021 Regular Meeting

- Commissioner Mike Manesiotis appointed
- Regular updates from Island Recreation Association and staff
- Parks & Recreation Commission 2022 Meeting Schedule adoption

December 9, 2021 Regular Meeting

- FY23 CIP Project List introduction
- Parks & Recreation Commission 2022 Work Plan adoption
- Regular updates from staff

January 13, 2022 Regular Meeting

- FY23 CIP Project List review and recommendation
- Current Park Maintenance review and discussion
- Regular updates from Island Recreation Association and staff

February 10, 2022 Regular Meeting

- Bike Walk Hilton Head Island semi-annual update
- Parks and Recreation Commission Role and Duties review and discussion
- Regular updates from staff



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Mayor and Town Council
FROM: Joshua Gruber, Deputy Town Manager
CC: Marc Orlando, ICMA-CM, Town Manager
DATE: March 11, 2022
SUBJECT: 2020 Census Redistricting for the Town of Hilton Head Island

Recommendation:

The Finance and Administrative Committee recommends that Town Council adopt *Alternative 5, Consolidated Map* as the new *Ward Map* for the Town of Hilton Head Island, South Carolina for the next ten years.

Summary:

The Finance and Administrative Committee held a series of four workshops in February to solicit public input and review the *Preliminary GIS Generated Map* and any alternative maps which were developed after each subsequent workshop. At a Special Meeting on March 1, 2022, the Finance and Administrative Committee met and considered six alternative redistricting maps. The committee voted unanimously to forward *Alternative 5, Consolidated Map* to Town Council for adoption as the new *Ward Map* for the Town of Hilton Head Island, South Carolina.

Background:

On August 12, 2021, the United States Census Bureau issued the 2020 Census data for state and local governments. According to this information, the population of Hilton Head Island Town increased by 562 people from a 2010 figure of 37,099 to a 2020 figure of 37,661. Pursuant to

With the receipt of this information, the Town is constitutionally required to redraw its six Town Council wards to ensure that there is equal representation of the Island's population amongst all the wards. The Town began its redistricting process with the assistance of Mr. Frank Rainwater, South Carolina Revenue and Fiscal Affairs' Executive Director. Mr. Rainwater provided Town Council with a general overview of the redistricting process and the current standards by which state and federal courts will review redrawn maps. Additionally, Mr. Rainwater presented benchmark data related to the Town's 2020 Census figures. This information identified a target population for each Town Council Ward of 6,277 individuals with Wards 1,2,3 and 6 needing to

reduce their current populations and Wards 4 and 5 needing to increase their current populations to achieve the target population figure.

Following this meeting, the Town Council adopted Resolution 2021-23 which outlined the criteria by which the Town would go about conducting its redistricting efforts. Attached to this Resolution was a series of public engagement opportunities that would allow for an open discussion and dialogue with both members of the public and Town Council regarding the various alternatives that could be examined that would allow the Town to successfully redraw its ward boundaries. A series of four public workshops were held by the Finance and Administrative Committee at various locations across the Island. These workshops resulted in a number of potential alternative maps being created.

These alternative maps, including any potential revisions, alterations, or combinations thereof, are now before the Finance and Administrative Committee for consideration. Once a preferred option is voted upon by the Committee, that map will be sent to the full body of Town Council for consideration of an Ordinance outlining the specific geographic boundaries that are reflected within that map and which will constitute the redrawn boundaries of the Town's six wards.

Upon adoption of the Redistricting Ordinance by Town Council, a copy of this documentation will be provided to the Board of Elections and Voter Registration of Beaufort County who will then update their election records for affected citizens accordingly.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO. 2022-

PROPOSED ORDINANCE NO. 2022-07

AN ORDINANCE TO AMEND SECTION 3-1-210 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TO ESTABLISH THE BOUNDARIES OF THE TOWN OF HILTON HEAD ISLAND'S SIX WARDS BY RE-DRAWING (REDISTRICTING) THE SIX WARDS; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Hilton Head Island, South Carolina did previously adopt Title 3, Code of the Town of Hilton Head Island, (1983), to provide for municipal elections in accordance with the provisions of Title 5-5-10, et seq., Code of Laws of South Carolina, (1976); and

WHEREAS, the Town Council of the Hilton Head Island, South Carolina finds that the results of the 2020 census show an increase in the population and change in the demographics of certain existing wards within the Town of Hilton Head Island, South Carolina; and

WHEREAS, the Town Council of the Town of Hilton Head Island, South Carolina finds that in order to comply with the Voting Rights Act of 1965, the Town of Hilton Head Island, South Carolina must now re-draw the several ward boundaries (redistrict); and

WHEREAS, this Ordinance shall establish, subject to the requirements of the Voting Rights Act of 1965, the designation of the several ward boundaries.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL THAT:

NOTE: **Underlined and bold-face typed** portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

Section 1. That Section 3-1-210, Code of the Town of Hilton Head Island, shall be amended as follows:

Section 3-1-210. Ward boundaries.

Wards established. There shall be six (6) wards within the town. The boundaries for the six (6) single ward districts shall be as set forth in the following narrative descriptions and on the accompanying map:

Wards established. There shall be six (6) wards within the town. The boundaries for the six (6) single-ward districts shall be as set forth in the following narrative descriptions and on the accompanying map:

(1) — *Ward No. 1.* Beginning at a point, said point being the intersection of the centerlines of William Hilton Parkway and Folly Field Road; thence in a northerly direction along the centerline of William Hilton Parkway to the centerline intersection of William Hilton Parkway and Union Cemetery Road; thence in a northeasterly and northwesterly direction along the centerline of Union Cemetery Road to the centerline intersection of Union Cemetery Road and Dillon Road; thence in a northeasterly direction along the centerline of Dillon Road to a point where it intersects an extension of the property line between Beaufort County Tax Parcel 1034 on Tax Map 9 owned now or formerly by the Town of Hilton Head Island and Beaufort County Tax Parcel 1090 on Tax Map 9 owned now or formerly by Gerald Doe; thence in a northwesterly direction along the extended and actual property line between said Parcels 1034 and 1090 and continuing in a generally northward direction along the eastern boundary of Parcel 1034 which is also the northernmost or westernmost boundary line of Beaufort County Tax Parcels 2B, on Tax Map 9 and Tax Parcels 24A, 236, 235, 22A, 197, 22, 283, 20B, and 304 on Tax Map 5 to the northernmost property corner of Beaufort County Tax Parcel 1034 which is also the easternmost corner of Beaufort County Tax Parcel 280 on Tax Map 5 and is owned now or formerly by the Adrienne Carter; thence in a northwesterly direction along the northeasternmost property line of Beaufort County Tax Parcel 280 on Tax Map 5 to a point at the northernmost property corner of Tax Parcel 280, said point also being the intersection with the Hilton Head Airport Property owned now or formerly by Beaufort County and designated as Beaufort County Tax Parcel 85 on Tax Map 8; thence in a northeasterly direction along a property line bounded on the northwest by lands of the Hilton Head Airport being Beaufort County Tax Parcel 85 on Tax Map 8 and bounded on the southeast by Beaufort County Tax Parcels 304 and 284 on Tax Map 5 and along an extension of this property line to the intersection with the centerline of Dillon Road; thence in a northwesterly direction along the centerline of Dillon Road to the centerline intersection of Dillon Road and Beach City Road; thence in a southwesterly direction along the centerline of Beach City Road to the centerline intersection of Beach City Road and Hospital Center Boulevard; thence in a northwesterly direction along the centerline of Hospital Center Boulevard to the centerline intersection of Hospital Center Boulevard and Main Street; thence in a southwesterly direction along the centerline of Main Street to the centerline intersection of Main Street and Whooping Crane Way; thence in a southwesterly and northwesterly direction along the centerline of Main Street to the centerline intersection of Main Street and Wilborn Road; thence in a northeasterly direction along the centerline of Wilborn Road to the centerline intersection of Wilborn Road and School Road; thence in a northwesterly and westerly direction along the centerline of School Road to the centerline intersection of School Road and Gum Tree Road; thence in a northwesterly direction along the centerline of Gum Tree Road to the centerline intersection of Gum Tree Road and Squire Pope Road; thence in a northeasterly direction along the centerline of Squire Pope Road to the centerline intersection of Squire Pope Road and Squiresgate Road; thence in a northerly direction to a point on the northwesternmost edge of the right-of-way of Squire Pope Road, said point being the easternmost corner

of a property owned now or formerly by Hilton Head Boathouse, LLC and designated as Beaufort County Tax Parcel 1B on Tax Map 3; thence in a northwesterly direction along the northeasternmost boundary of the property owned now or formerly by Hilton Head Boathouse, LLC and designated as Beaufort County Tax Parcel 1B on Tax Map 3 to a point where the boundary line intersects the low water line of Skull Creek; thence in a northwesterly direction into Skull Creek along the northeasternmost boundary of 2010 U.S. Census Block 2001 in Tract 105, the northernmost boundary of 2010 U.S. Census Block 2003 in Tract 105 and the northernmost boundary of 2010 U.S. Census Block 2010 in Tract 105 to a point where it intersects the mean low water line on the eastern shore of Pinckney Island which is also the boundary line of the Municipal Limits of the Town of Hilton Head Island; thence in a southwesterly direction along the mean low water line on the eastern and southeastern shore of Pinckney Island to a point where it intersects a five mile arc around the Municipal Limits of the Town of Bluffton as these Municipal Limits existed in the year 1984; thence in southerly direction across Skull Creek and along the aforementioned five mile arc around the 1984 Municipal Limits of the Town of Bluffton to a point where this arc intersects the mean low water line on the southern edge of Skull Creek; thence in a westerly direction along the mean low water line on the southern edge of Skull Creek, across the mouth of an unnamed creek, and continuing along the southern edge of Skull Creek to a point where the mean low water line intersects an extension of the center line of Jenkins Road; thence in a southeasterly direction along the extended and actual centerline of Jenkins Road to a point where the centerline intersects with an extension of the southernmost boundary line of a development known now or formerly as the Outdoor Resorts RV Resort and Yacht Club; thence in a westerly direction along the extended and actual southernmost boundary of the development known now or formerly as the Outdoor Resorts RV Resort and Yacht Club to a point where the boundary angles sharply to the northwest; thence in a northwesterly direction along the southwesterly boundary of the development known now or formerly as the Outdoor Resorts RV Resort and Yacht Club and an extension of this boundary to a point where it intersects with the mean high water line of an unnamed tidal creek on the northern side of Jenkins Island; thence in a southwesterly direction along the mean high water line of the unnamed tidal creek on the northern side of Jenkins Island, said line also being the Municipal Limits of the Town of Hilton Head Island, to a point where it intersects with the northeastern edge of the right-of-way of William Hilton Parkway; thence in a southwesterly direction across the right-of-way of William Hilton Parkway and along the line of the Municipal Limits of the Town of Hilton Head Island to a point that intersects the southwestern edge of the right-of-way of William Hilton Parkway; thence in a southeasterly and easterly direction along the southwestern and southern edge of the right-of-way of William Hilton Parkway, which is also the northern boundary of the Windmill Harbor development, to a point at the northeasternmost corner of the Windmill Harbor development, said point being the northeasternmost corner of a property known now or formerly as Lot 11, Windmill Harbor and designated now or formerly as Beaufort County Tax Parcel 11 on Tax Map 6A; thence in a southeasterly direction to the point on the mean high water line on the southern shore of Jenkins Island that is closest to the northeasternmost corner of Lot 11, Windmill Harbor; thence in an irregular northerly and westerly direction along the mean high water line of the southern shore of Jenkins Island to a point where it intersects a five mile arc around the Municipal Limits of the Town of Bluffton as these Municipal Limits existed in the year 1984; thence in a

southerly direction along the aforementioned five mile arc around the 1984 Municipal Limits of the Town of Bluffton to a point where this arc intersects an extension of the centerline of Old House Creek; thence in an easterly direction along the extended and actual centerline of Old House Creek to a point where it intersects an extension of the centerline of Sterling Pointe Drive; thence in a southerly direction along the extended and actual centerline of Sterling Pointe Drive to the centerline intersection of Sterling Pointe Drive and Oakview Road; thence in a westerly direction along the centerline of Oakview Road to a point where Oakview Road angles to the south; thence in a southerly direction along the centerline of Oakview Road to the centerline intersection of Oakview Road and Spanish Wells Road; thence in a southwesterly direction along the centerline of Spanish Wells Road to the centerline intersection of Spanish Wells Road and Bryant Road; thence in a southerly direction along the centerline of Bryant Road to a point where it angles to the northeast; thence in a northeasterly direction along the centerline of Bryant Road to the centerline intersection of Bryant Road and Muddy Creek Road; thence in a southerly direction along the centerline of Muddy Creek Road to a point where it intersects an extension of the northern property line of a parcel of land designated as Beaufort County Tax Parcel 40J on Tax Map 10, said parcel owned now or formerly by Mare Torin; thence in an easterly direction along the extended property line of the parcel of land designated as Beaufort County Tax Parcel 40J on Tax Map 10 to its northwesternmost corner; thence in an easterly direction along the northernmost property line of the parcel of land designated as Beaufort County Tax Parcel 40J on Tax Map 10 and an extension to the east of that property line to a point where it intersects the centerline of the southbound lane of the Sol Blatt Jr. Parkway; thence in a southerly direction along the centerline of the southbound lane of the Sol Blatt Jr. Parkway to a point approximately 140 feet south of the toll booths on Sol Blatt Jr. Parkway; thence in an easterly direction to a point on the centerline of the northbound lane of Sol Blatt Jr. Parkway that is approximately 140 feet south of the toll booths, said point also being a corner of Ward Four; thence in a northerly and northeasterly direction along the centerline of the northbound lane of Sol Blatt Jr. Parkway to the centerline intersection of the northbound lane of Sol Blatt Jr. Parkway and the centerline of the westbound lane of William Hilton Parkway; thence in an easterly direction along the centerline of the westbound lane of William Hilton Parkway to the centerline intersection of the westbound lane of William Hilton Parkway and Gardner Drive; thence in a southerly and westerly direction along the centerline of Gardner Drive to the centerline intersection of Gardner Drive and Leg O' Mutton Road; thence in a southerly direction along the centerline of Leg O' Mutton Road to the centerline intersection of Leg O' Mutton Road and Marshland Road; thence in a southwesterly direction along the centerline of Marshland Road to a point where the centerline intersects an extension of the boundary line of the Indigo Run development, said point being approximately 300 feet to the northeast of the centerline intersection of Marshland Road and Evelina Road; thence in a northwesterly direction along the extended and actual boundary of the Indigo Run development to a point where the boundary line angles to the southwest, said point also being the northeasternmost corner of property owned now or formerly by Earl and Brenda Mitchell; thence in a southwesterly direction along the boundary of the Indigo Run development to a point where it intersects the northern edge of the right of way of Marshland Road; thence in a southwesterly direction to the centerline intersection of Marshland Road and Dianahs Drive; thence in a southerly direction along the centerline of Dianahs Drive to a point

where an extension of the centerline of Dianahs Drive intersects the centerline of a tidal creek on the north side of Broad Creek; thence in a southerly and southeasterly direction along the centerline of the tidal creek to a point where it intersects the centerline of Broad Creek; thence in an easterly direction along the centerline of Broad Creek to a point where it intersects an extension of the property line formed by the northeastern boundary of Palmetto Dunes development and property now or formerly owned by the Town of Hilton Head Island; thence along the extended and actual property line formed by the northeastern boundary of Palmetto Dunes development and property now or formerly owned by the Town of Hilton Head Island to a point where an extension of this property line intersects with the centerline of William Hilton Parkway; thence in a northeasterly direction along the centerline of William Hilton Parkway to the centerline intersection of William Hilton Parkway and Folly Field Road, said point being the point of beginning.

(2) ~~Ward No. 2. Beginning at a point, said point being the centerline intersection of Main Street and Wilborn Road; thence in a northeasterly direction along the centerline of Wilborn Road to the centerline intersection of Wilborn Road and School Road; thence in a northwesterly and westerly direction along the centerline of School Road to the centerline intersection of School Road and Gum Tree Road; thence in a northwesterly direction along the centerline of Gum Tree Road to the centerline intersection of Gum Tree Road and Squire Pope Road; thence in a northeasterly direction along the centerline of Squire Pope Road to the centerline intersection of Squire Pope Road and Squiresgate Road; thence in a northerly direction to a point on the northwesternmost edge of the right-of-way of Squire Pope Road, said point being the easternmost corner of a property owned now or formerly by Hilton Head Boathouse, LLC and designated as Beaufort County Tax Parcel 1B on Tax Map 3; thence in a northwesterly direction along the northeasternmost boundary of the property owned now or formerly by Hilton Head Boathouse, LLC and designated as Beaufort County Tax Parcel 1B on Tax Map 3 to a point where the boundary line intersects the low water line of Skull Creek; thence in a northwesterly direction into Skull Creek along the northeasternmost boundary of 2010 U.S. Census Block 2001 in Tract 105, the northernmost boundary of 2010 U.S. Census Block 2003 in Tract 105 and the northernmost boundary of 2010 U.S. Census Block 2010 in Tract 105 to a point where it intersects the mean low water line on the eastern shore of Pinckney Island which is also the boundary line of the Municipal Limits of the Town of Hilton Head Island; thence in a northeasterly direction along the mean low water line of the eastern shore of Pinckney Island to Port Royal Sound; thence, in a northeasterly direction to a marine navigation mark, now or formerly known as R "4" (32 degrees 16 minutes 23 seconds north latitude, 80 degrees 44 minutes 10 seconds west longitude); thence, in an easterly direction to a marine navigation mark known as R "2" bell (32 degrees 16 minutes 23 seconds north latitude, 80 degrees 42 minutes 23 seconds west longitude); thence, in an east southeasterly direction toward a marine navigation mark, now or formerly known as "25" QK FL bell (32 degrees 15 minutes 37 seconds north latitude, 80 degrees 39 minutes 32 seconds west longitude) to a point on that line where it intersects with an extension of the boundary line of the Hilton Head Plantation development; thence in a southwesterly direction along the extended and the actual boundary of the Hilton Head Plantation development to a point, said point being the southernmost corner of a property known as Lot 1, Portion of Parcel A, Pelican Watch Way, owned now or formerly by Parcel A, LLC and designated as Beaufort County Tax Parcel 362 on Tax Map 4; thence in a~~

northwesterly direction along the southwesternmost property line of the aforementioned Lot 1 to a point where the extension of this line intersects with the centerline of Pelican Watch Way; thence in a northwesterly, westerly and southwesterly direction along the centerline of Pelican Watch Way to the centerline intersection of Pelican Watch Way and Hickory Forest Drive; thence in a northwesterly and westerly direction along the centerline of Hickory Forest Drive to the centerline intersection of Hickory Forest Drive and High Bluff Road; thence in a northerly direction along the centerline of High Bluff Road to the northernmost centerline intersection of High Bluff Road and Myrtle Bank Road; thence in a southwesterly and southerly direction along the centerline of Myrtle Bank Road to the southernmost centerline intersection of Myrtle Bank Road and High Bluff Road; thence in a westerly direction along the centerline of High Bluff Road to the centerline intersection of High Bluff Road and Whooping Crane Way; thence in a southerly direction along the centerline of Whooping Crane Way to the centerline intersection of Whooping Crane Way and Headlands Drive; thence in a westerly and northwesterly direction along the centerline of Headlands Drive to the centerline intersection of Headlands Drive and Twisted Oak Court; thence in a southwesterly direction along the centerline and an extension of the centerline of Twisted Oak Court to a point where it intersects the boundary line of the Hilton Head Plantation development; thence in a southeasterly direction along the boundary line of the Hilton Head Plantation development to a point where the boundary line angles sharply to the southwest; thence in a southwesterly direction along the boundary line of the Hilton Head Plantation development to the corner of the Hilton Head Plantation development that is closest to the intersection of the centerlines of Main Street and Wilborn Road; thence in a westerly direction to a point at the centerline intersection of Main Street and Wilborn Road, said point being the point of beginning.

(3) — *Ward No. 3.* Beginning at a point, said point being the intersection of the centerlines of Lagoon Road and Pope Avenue; thence in a northwesterly direction along the centerline of Pope Avenue to the centerline intersection of Pope Avenue and Sea Pines Circle; thence in a counterclockwise direction along the centerline of Sea Pines Circle to the centerline intersection of Sea Pines Circle and Palmetto Bay Road; thence in a northwesterly direction along the centerline of Palmetto Bay Road to the centerline intersection of Palmetto Bay Road and Point Comfort Road; thence in a southwesterly direction along the centerline of Point Comfort Road to its intersection with an extension of the property line of Sea Pines, said property line lying between Sea Olive Road and Sand Fiddler Road; thence in a southerly direction along the extended and actual property line of Sea Pines to the intersection with the centerline of an unnamed tidal creek; thence in a meandering westerly direction along the centerline of the unnamed tidal creek to a point at the mouth of the unnamed tidal creek, said point also being the northeast corner of 2011 U.S. Census Block 2027, Tract 102; thence in a westerly direction along the extended centerline of the unnamed tidal creek which line is also the northern edge of 2011 U.S. Census Block 2027, Tract 102 to a point where it intersects the centerline of Broad Creek, said point also being the northwesternmost corner of 2011 U.S. Census Block 2027, Tract 102; thence in a southwesterly direction along the centerline of Broad Creek to a point at the center of the mouth of Broad Creek; thence in a westerly direction into Calibogue Sound to the northeasternmost corner of 2011 U.S. Census Block 1015 in Tract 102; thence in a westerly direction along the northern edges of 2011 U.S. Census Block 1015 in Tract 102 and 2011 U.S. Census Block 2000 in Tract 101 to a point on the boundary of the Municipal Limits of

the Town of Hilton Head Island, said point being the northwesternmost corner of 2011 U.S. Census Block 2000 in Tract 101; thence in a northerly direction along the boundary of the Municipal Limits of the Town of Hilton Head Island to a marine navigation mark, now or formerly known as FL R "32" (32 degrees 02 minutes 57 seconds north latitude, 80 degrees 49 minutes 44 seconds west longitude); thence continuing up Calibogue Sound in a northeasterly direction along the boundary of the Municipal Limits of the Town of Hilton Head Island to a marine navigation mark, now or formerly known as R "30" (32 degrees 10 minutes 0 seconds north latitude, 80 degrees 48 minutes 35 seconds west longitude); thence in a northeasterly direction along the boundary of the Municipal Limits of the Town of Hilton Head Island to a point where that boundary intersects with the extension of the centerline of Old House Creek; thence in an easterly direction along the extended and actual centerline of Old House Creek to a point where it intersects an extension of the centerline of Sterling Pointe Drive; thence in a southerly direction along the extended and actual centerline of Sterling Pointe Drive to the centerline intersection of Sterling Pointe Drive and Oakview Road; thence in a westerly direction along the centerline of Oakview Road to a point where Oakview Road angles to the south; thence in a southerly direction along the centerline of Oakview Road to the centerline intersection of Oakview Road and Spanish Wells Road; thence in a southwesterly direction along the centerline of Spanish Wells Road to the centerline intersection of Spanish Wells Road and Bryant Road; thence in a southerly direction along the centerline of Bryant Road to a point where it angles to the northeast; thence in a northeasterly direction along the centerline of Bryant Road to the centerline intersection of Bryant Road and Muddy Creek Road; thence in a southerly direction along the centerline of Muddy Creek Road to a point where it intersects an extension of the northern property line of a parcel of land designated as Beaufort County Tax Parcel 40J on Tax Map 10, said parcel owned now or formerly by Marc Torin; thence in an easterly direction to the northwesternmost corner of the parcel of land designated as Beaufort County Tax Parcel 40J on Tax Map 10; thence in an easterly direction along the northernmost property line of the parcel of land designated as Beaufort County Tax Parcel 40J on Tax Map 10 and an extension of that property line to the east to a point where it intersects the centerline of the southbound lane of the Sol Blatt Jr. Parkway; thence in a southerly direction along the centerline of the southbound lane of the Sol Blatt Jr. Parkway to a point approximately 140 feet south of the toll booths on Sol Blatt Jr. Parkway; thence in an easterly direction to a point on the centerline of the northbound lane of Sol Blatt Jr. Parkway that is approximately 140 feet south of the toll booths, said point also being a corner of Ward Four; thence in an easterly direction to a point at the centerline intersection of Marshland Road and Formosa Lane; thence in a northeasterly direction along the centerline of Marshland Road to the centerline intersection of Marshland Road and Tidewater Manor; thence in a southeasterly and northeasterly direction along the centerline of Tidewater Manor to a point where it intersects an extension of the property line between Lot 1, Tidewater Landing and Lot 2, Tidewater Landing; thence in a southeasterly direction along the extended and the actual property line between Lot 1, Tidewater Landing and Lot 2, Tidewater Landing to a point where an extension of this property line intersects the centerline of Broad Creek; thence in an easterly direction along the centerline of Broad Creek to a point at the intersection of the centerline of Broad Creek and the centerline of an unnamed creek that leads to Shelter Cove; thence in a southeasterly and easterly direction along the centerline of the

unnamed creek that passes around the northern and eastern side of the Disney Vacation Club at Shelter Cove and continues southeasterly to a point where it intersects the centerline of William Hilton Parkway; thence in a southwesterly direction along the centerline of William Hilton Parkway to a point where it intersects an extension of the boundary line between the Shipyard and Palmetto Dunes developments; thence in a southeasterly direction along the extended and actual boundary between the Shipyard and Palmetto Dunes developments to a point adjacent to a 90 degree turn in the centerline of Shipyard Drive; thence in a southwesterly direction to a point on the centerline of Shipyard Drive where it makes the 90 degree turn; thence in a southwesterly direction along the centerline of Shipyard Drive to the centerline intersection of Shipyard Drive and Barcelona Drive; thence in a southerly and southwesterly direction along the centerline of Barcelona Drive to a point where it intersects the easternmost property line of Brigantine Quarters; thence in a southeasterly direction along the easternmost property line of Brigantine Quarters to a point at the southeasternmost corner of Brigantine Quarters; thence in a southwesterly direction along the boundary between Shipyard development and North Forest Beach subdivision to the intersection of the boundary between Shipyard development and North Forest Beach subdivision, the northeastern right-of-way of Ibis Street and the northern right-of-way of Lagoon Road; thence in a southwesterly direction to the centerline intersection of Ibis Street and Lagoon Road; thence in a southwesterly direction along the centerline of Lagoon Road to a point at the centerline intersection of Lagoon Road and Pope Avenue, said point being the point of beginning.

(4) — *Ward No. 4.* Beginning at a point, said point being the intersection of the centerlines of William Hilton Parkway and Folly Field Road; thence in an easterly direction along the centerline of Folly Field Road to the centerline intersection of Folly Field Road and Starfish Drive; thence in a southeasterly direction along the centerline of Starfish Drive through the centerline intersection of Starfish Drive and Sand Dollar Road and continuing on a line that is an extension of the centerline of Starfish Drive to a point that intersects with the mean low water line of the Atlantic Ocean; thence in a southwesterly direction along the mean low water line of the Atlantic Ocean to a point where it intersects an extension of the boundary line between Sea Pines development and South Forest Beach subdivision; thence in a northerly direction along the extended and actual boundary line between Sea Pines development and South Forest Beach subdivision to a point where an extension of this boundary line intersects with the centerline of South Forest Beach Drive; thence in a northeasterly direction along the centerline of South Forest Beach Drive to the centerline intersection of South Forest Beach Drive and Coligny Circle; thence in a clockwise direction along the centerline of Coligny Circle to the centerline intersection of Coligny Circle and Pope Avenue; thence in a northwesterly direction along the centerline of Pope Avenue to the centerline intersection of Pope Avenue and Lagoon Road; thence in a northeasterly direction along the centerline of Lagoon Road to the centerline intersection of Lagoon Road and Ibis Street; thence in a northeasterly direction to the intersection of the northern right-of-way of Lagoon Road, the northeastern right-of-way of Ibis Street and the boundary line between Shipyard development and North Forest Beach subdivision; thence in a northeasterly direction along the boundary line between Shipyard development and North Forest Beach subdivision to a point where it meets the southeastern property corner of Brigantine Quarters; thence in a northwesterly direction along the property line of Brigantine Quarters to a point where it intersects the centerline of Barcelona

Drive; thence in a northeasterly and northerly direction along the centerline of Barcelona Drive to the centerline intersection of Barcelona Drive and Shipyard Drive; thence in a northeasterly direction along the centerline of Shipyard Drive to a point where the centerline turns sharply to the southeast and becomes adjacent to the boundary line between Shipyard and Palmetto Dunes developments; thence continuing in a northeasterly direction along an extension of the centerline of Shipyard Drive to a point where it intersects the boundary line between Shipyard and Palmetto Dunes developments; thence in a northwesterly direction along the boundary line between Shipyard and Palmetto Dunes developments to a point where an extension of this boundary line intersects the centerline of William Hilton Parkway; thence in a southwesterly direction along the centerline of William Hilton Parkway to the centerline intersection of William Hilton Parkway and Queens Folly Road; thence along the centerline of William Hilton Parkway for a distance of approximately seven hundred and seventy feet to a point where it crosses over and intersects the centerline of a tidal creek; thence in a northwesterly and westerly direction along the centerline of the tidal creek that passes around the eastern and northern side of the Disney Vacation Club at Shelter Cove and continues northwesterly to a point where it intersects the centerline of Broad Creek; thence in a westerly direction along the centerline of Broad Creek to a point where it intersects an extension of the property line between Lot 1, Tidewater Landing and Lot 2, Tidewater Landing; thence in a northwesterly direction along the extended and the actual property line between Lot 1, Tidewater Landing and Lot 2, Tidewater Landing to a point where it intersects the centerline of Tidewater Manor; thence in a southwesterly and northwesterly direction along the centerline of Tidewater Manor to the centerline intersection of Tidewater Manor and Marshland Road; thence in a southwesterly direction along the centerline of Marshland Road to the centerline intersection of Marshland Road and Formosa Lane; thence in a westerly direction to a point on the centerline of the northbound lane of Sol Blatt Jr. Parkway, said point being 140 feet south of the parkway toll booth; thence in a northerly and northeasterly direction along the centerline of the northbound lane of Sol Blatt Jr. Parkway to the centerline intersection of the northbound lane of Sol Blatt Jr. Parkway and the centerline of the westbound lane of William Hilton Parkway; thence in an easterly direction along the centerline of the westbound lane of William Hilton Parkway to the centerline intersection of the westbound lane of William Hilton Parkway and Gardner Drive; thence in a southerly and westerly direction along the centerline of Gardner Drive to the centerline intersection of Gardner Drive and Leg O' Mutton Road; thence in a southerly direction along the centerline of Leg O' Mutton Road to the centerline intersection of Leg O' Mutton Road and Marshland Road; thence in a southwesterly direction along the centerline of Marshland Road to a point where the centerline intersects an extension of the boundary line of the Indigo Run development, said point being approximately 300 feet to the northeast of the centerline intersection of Marshland Road and Evelina Road; thence in a northwesterly direction along the extended and actual boundary of the Indigo Run development to a point where the boundary line angles to the southwest, said point also being the northeasternmost corner of property owned now or formerly by Earl and Brenda Mitchell; thence in a southwesterly direction along the boundary of the Indigo Run development to a point where it intersects the northern edge of the right of way of Marshland Road; thence in a southwesterly direction to the centerline intersection of Marshland Road and Dianahs Drive; thence in a southerly direction along the centerline of Dianahs Drive to a point

where an extension of the centerline of Dianahs Drive intersects the centerline of a tidal creek on the north side of Broad Creek; thence in a southerly and southeasterly direction along the centerline of the tidal creek to a point where it intersects the centerline of Broad Creek; thence in an easterly direction along the centerline of Broad Creek to a point where it intersects an extension of the property line formed by the northeastern boundary of Palmetto Dunes development and property now or formerly owned by the Town of Hilton Head Island; thence along the extended and actual property line formed by the northeastern boundary of Palmetto Dunes development and property now or formerly owned by the Town of Hilton Head Island to a point where an extension of this property line intersects with the centerline of William Hilton Parkway; thence in a northeasterly direction along the centerline of William Hilton Parkway to the centerline intersection of William Hilton Parkway and Folly Field Road, said point being the point of beginning.

(5) ~~Ward No. 5. Beginning at a point, said point being the intersection of the centerlines of Point Comfort Road and Palmetto Bay Road; thence in a southeasterly direction along the centerline of Palmetto Bay Road to the centerline intersection of Palmetto Bay Road and Sea Pines Circle; thence in a clockwise direction along the centerline of Sea Pines Circle to the centerline intersection of Sea Pines Circle and Pope Avenue; thence in a southeasterly direction along the centerline of Pope Avenue to the centerline intersection of Pope Avenue and Coligny Circle; thence in a counter-clockwise direction along the centerline of Coligny Circle to the centerline intersection of Coligny Circle and South Forest Beach Drive; thence in a southeasterly direction along the centerline of South Forest Beach Drive to a point where it intersects with an extension of the boundary line between Sea Pines development and South Forest Beach subdivision; thence in a southeasterly direction along the extended and actual boundary line between Sea Pines development and South Forest Beach subdivision to a point where an extension of this boundary line intersects with the low water line of the Atlantic Ocean; thence in a southwesterly and northwesterly direction along the low water line of the Atlantic Ocean to point where the low water line meets the intersection of the western edge of US Census Block 1000 in Tract 101 and the southern edge of 2011 U.S. Census Block 1013 in Tract 101; thence in a westerly direction into Calibogue Sound along the southern edge of 2011 U.S. Census Block 1013 in Tract 101 to its southwesternmost point where it intersects the Municipal Boundary of the Town of Hilton Head Island; thence in a northerly direction along the Municipal Boundary Line of the Town of Hilton Head Island, said line also being the westernmost edge of 2011 U.S. Census Blocks 1013, 1014, and 2000 in Tract 101, to a point at the northwesternmost corner of US Census Block 2000 in Tract 101; thence eastward away from the Municipal Limits of the Town of Hilton Head Island along the northern edges of 2011 U.S. Census Blocks 2000 in Tract 101, 2011 U.S. Census Block 1015 in Tract 102, toward the mouth of Broad Creek to the northeasternmost corner of 2011 U.S. Census Block 1015 in Tract 102; thence in an easterly direction to the center of the mouth of Broad Creek; thence in a northeasterly direction along the centerline of Broad Creek to a point where it meets the extended centerline of a small unnamed tidal creek on the east side of Broad Creek, said point also being the northwesternmost corner of 2011 U.S. Census Block 2027 in Tract 102; thence in an easterly direction along the northern edge of 2011 U.S. Census Block 2027 in Tract 102 to the mouth of the small unnamed tidal creek, said point also being the northeasternmost corner of 2011 U.S. Census Block 2027 in Tract 102; thence in a meandering easterly direction along the~~

centerline of the small unnamed tidal creek to a point where it intersects with an extension of the Sea Pines development property line, said property line lying between Sea Olive Road and Sand Fiddler Road; thence in a northerly direction along the extended and actual property line of Sea Pines development to a point where an extension of this boundary line intersects the centerline of Point Comfort Road; thence in a northeasterly direction along the centerline of Point Comfort Road to a point at the centerline intersection of Point Comfort Road and Palmetto Bay Road, said point being the point of beginning.

~~(6) — Ward No. 6. Beginning at a point, said point being the intersection of the centerline of Folly Field Road and the centerline of William Hilton Parkway; thence in a northerly direction along the centerline of William Hilton Parkway to the centerline intersection of William Hilton Parkway and Union Cemetery Road; thence in a northeasterly and northwesterly direction along the centerline of Union Cemetery Road to the centerline intersection of Union Cemetery Road and Dillon Road; thence in a northeasterly direction along the centerline of Dillon Road to a point where it intersects an extension of the property line between Beaufort County Tax Parcel 1034 on Tax Map 9 owned now or formerly by the Town Of Hilton Head Island and Beaufort County Tax Parcel 1090 on Tax Map 9 owned now or formerly by Gerald Doe; thence in a northwesterly direction along the extended and actual property line between said Parcels 1034 and 1090 and continuing in a generally northward direction along the eastern boundary of Parcel 1034, said boundary also being the northernmost or westernmost boundary line of Beaufort County Tax Parcels 2B, on Tax Map 9 and Tax Parcels 24A, 236, 235, 22A, 197, 22, 283, 20B, and 304 on Tax Map 5 to the northernmost property corner of Beaufort County Tax Parcel 1034 which is also the easternmost corner of Beaufort County Tax Parcel 280 on Tax Map 5 and is owned now or formerly by the Adrienne Carter; thence in a northwesterly direction along the northeasternmost property line of Beaufort County Tax Parcel 280 on Tax Map 5 to a point at the northernmost property corner of Tax Parcel 280, said point also being the intersection with the Hilton Head Airport Property owned now or formerly by Beaufort County and designated as Beaufort County Tax Parcel 85 on Tax Map 8; thence in a northeasterly direction along a property line bounded on the northwest by lands of the Hilton Head Airport being Beaufort County Tax Parcel 85 on Tax Map 8 and bounded on the southeast by Beaufort County Tax Parcels 304 and 284 on Tax Map 5 and along an extension of this property line to the intersection with the centerline of Dillon Road; thence in a northwesterly direction along the centerline of Dillon Road to the centerline intersection of Dillon Road and Beach City Road; thence in a southwesterly direction along the centerline of Beach City Road to the centerline intersection of Beach City Road and Hospital Center Boulevard; thence in a northwesterly direction along the centerline of Hospital Center Boulevard to the centerline intersection of Hospital Center Boulevard and Main Street; thence in a southwesterly direction along the centerline of Main Street to the centerline intersection of Main Street and Whooping Crane Way; thence in a southwesterly and northwesterly direction along the centerline of Main Street to the centerline intersection of Main Street and Wilborn Road; thence in a northeasterly direction to a property corner of Hilton Head Plantation, said corner being the nearest property corner to the intersection of the centerlines of Main Street and Wilborn Road; thence in a northeasterly direction along the boundary of Hilton Head Plantation to a point where the boundary of Hilton Head Plantation makes a sharp angle to the northwest; thence in an northwesterly direction along the boundary of Hilton~~

Head Plantation to a point where it intersects with a line extended from the centerline of Twisted Oak Court; thence in a northeasterly direction along the extended and actual centerline of Twisted Oak Court to the centerline intersection of Twisted Oak Court and Headlands Drive; thence in an easterly and southeasterly direction along the centerline of Headlands Drive to the centerline intersection of Headlands Drive and Whooping Crane Way; thence in a northerly direction along the centerline of Whooping Crane Way to the centerline intersection of Whooping Crane Way and High Bluff Road; thence in an easterly direction along the centerline of High Bluff Road to the southernmost centerline intersection of High Bluff Road and Myrtle Bank Road; thence in a northerly and northeasterly direction along the centerline of Myrtle Bank Road to the northernmost centerline intersection of Myrtle Bank Road and High Bluff Road; thence in a southerly direction along the centerline of High Bluff Road to the centerline intersection of High Bluff Road and Hickory Forest Drive; thence in an easterly and southeasterly direction along the centerline of Hickory Forest Drive to the centerline intersection of Hickory Forest Drive and Pelican Watch Way; thence in a northeasterly and easterly direction along the centerline of Pelican Watch Way to a point where an extension of this centerline intersects the eastern boundary of Hilton Head Plantation, said point also being the southeasternmost corner of a property designated as Lot 1, Portion or Parcel A, Pelican Watch Way and owned now or formerly by Parcel A, LLC; thence in a northeasterly direction along the boundary of Hilton Head Plantation to a point where an extension of this boundary intersects with the boundary line of the Municipal Limits of the Town of Hilton Head Island, said boundary line being the line between a marine navigation mark, now or formerly known as R "2" bell (32 degrees 16 minutes 23 seconds north latitude, 80 degrees 42 minutes 23 seconds west longitude) and a marine navigation mark, now or formerly known as "25" QK FL bell (32 degrees 15 minutes 37 seconds north latitude, 80 degrees 39 minutes 32 seconds west longitude); thence, in an east southeasterly direction along the boundary line of the Municipal Limits of the Town of Hilton Head Island to a marine navigation mark, now or formerly known as "25" QK FL bell (32 degrees 15 minutes 37 seconds north latitude, 80 degrees 39 minutes 32 seconds west longitude); thence, in a southerly direction to the easternmost low water point on the Atlantic shore of Hilton Head Island at a point near the apex of the arc formed by the beach of Port Royal Plantation; thence, in a south southwesterly direction along the mean low water line on the Atlantic shore of Hilton Head Island to a point where it intersects an extension of the centerline of Starfish Drive; thence in northwesterly direction along the extended and actual centerline of Starfish Drive to the centerline intersection of Starfish Drive and Folly Field Road; thence in a westerly direction along the centerline of Folly Field Road to a point at the centerline intersection of Folly Field Road and William Hilton Parkway, said point being the point of beginning.

- (1) **Ward No. 1. Beginning at the most northerly point of Ward 1, thence southeasterly 0.51 miles along Unnamed Boundary, thence southwesterly 0.26 miles along Squire Pope Road, thence southeasterly 1.00 miles along Gumtree Road, thence southeasterly 0.42 miles along School Road, thence southwesterly 0.12 miles along Wilborn Road, thence easterly 0.71 miles along Main St, thence northeasterly 0.03 miles along Whooping Crane Way, thence easterly 0.03 miles along Unnamed Local Road, thence easterly 0.16 miles along Main St, thence northeasterly 0.35 miles along N Main St, thence southeasterly 0.14 miles along Hospital Center Blvd, thence northeasterly 1.64 miles along Beach City Road, thence southerly 1.14 miles**

along Dillon Road , thence southerly 0.96 miles along Union Cemetery Road , thence southwesterly 1.81 miles along William Hilton Pkwy , thence northwesterly 0.21 miles along Unnamed Line, thence northerly 0.72 miles along Unnamed Boundary, thence westerly 4.85 miles along Unnamed Shoreline, thence northerly 0.25 miles along Dianahs Drive , thence easterly 0.37 miles along Unnamed Boundary, thence easterly 0.19 miles along Marshland Road , thence easterly 0.85 miles along Unnamed Boundary, thence easterly 0.39 miles along Marshland Road , thence northerly 0.26 miles along Leg O Mutton Road , thence northerly 0.42 miles along Unnamed Boundary, thence northerly 0.41 miles along Gardner Drive , thence westerly 2.19 miles along William Hilton Pkwy , thence southwesterly 1.97 miles along Spanish Wells Road , thence easterly 0.14 miles along Marshland Road , thence southerly 0.38 miles along Cross Island Pkwy , thence northwesterly 0.09 miles along Spanish Wells Road , thence westerly 0.05 miles along Marshland Road , thence northerly 0.14 miles along Muddy Creek Road , thence northwesterly 0.40 miles along Bryant Road , thence easterly 0.26 miles along Spanish Wells Road , thence northeasterly 0.26 miles along Oakview Road , thence northerly 0.25 miles along Sterling Pointe Drive , thence northerly 0.10 miles along Unnamed Boundary, thence westerly 0.54 miles along Old House Creek , thence northerly 3.95 miles along Unnamed Boundary, thence northeasterly 0.21 miles along Unnamed Shoreline, thence easterly 0.35 miles along Unnamed Boundary, thence northwesterly 0.15 miles along Jenkins Island Road , thence northwesterly 0.03 miles along Unnamed Boundary, thence easterly 0.16 miles along Unnamed Shoreline, thence northerly 0.15 miles along Unnamed Boundary, thence northeasterly 0.45 miles along Unnamed Shoreline, thence northeasterly 0.05 miles along Unnamed Boundary, thence northeasterly 0.55 miles along Unnamed Shoreline, thence northeasterly 0.10 miles along Unnamed Boundary, thence northeasterly 0.38 miles along Unnamed Shoreline, thence northeasterly 0.09 miles along Unnamed Boundary to the aforementioned point of beginning.

(2) Ward No. 2. Beginning at the most northerly point of Ward 2, thence southwesterly 0.53 miles along Unnamed Boundary, thence southerly 0.07 miles along Dolphin Head Lane , thence southerly 0.88 miles along Dolphin Head Drive , thence southeasterly 0.89 miles along High Bluff Road , thence southwesterly 0.99 miles along Myrtle Bank Road , thence westerly 0.23 miles along High Bluff Road , thence southerly 2.00 miles along Whooping Crane Way , thence westerly 0.71 miles along Main St , thence northeasterly 0.12 miles along Wilborn Road , thence northwesterly 0.42 miles along School Road , thence northwesterly 1.00 miles along Gumtree Road , thence northeasterly 0.26 miles along Squire Pope Road , thence northwesterly 0.73 miles along Unnamed Boundary, thence northerly 0.24 miles along Unnamed Shoreline, thence northeasterly 3.44 miles along Unnamed Boundary to the aforementioned point of beginning.

(3) Ward No. 3. Beginning at the most northerly point of Ward 3, thence easterly 0.51 miles along Unnamed Boundary, thence easterly 0.54 miles along Old House Creek , thence southerly 0.10 miles along Unnamed Boundary, thence southerly 0.25 miles along Sterling Pointe Drive , thence southwesterly 0.26 miles along Oakview Road , thence westerly 0.26 miles along Spanish Wells Road , thence southeasterly 0.40 miles along Bryant Road , thence southerly 0.14 miles along Muddy Creek Road ,

thence easterly 0.05 miles along Marshland Road , thence southeasterly 0.09 miles along Spanish Wells Road , thence southerly 0.64 miles along Cross Island Pkwy , thence easterly 2.04 miles along Unnamed Boundary, thence easterly 0.80 miles along Unnamed Shoreline, thence southeasterly 0.14 miles along Unnamed Line, thence southerly 0.07 miles along Unnamed Boundary, thence southerly 0.15 miles along Harbourside Lane , thence southeasterly 0.06 miles along King Neptune Drive , thence southeasterly 0.07 miles along King Neptune Way , thence southwesterly 0.90 miles along William Hilton Pkwy , thence southeasterly 0.01 miles along William Hilton Pkwy , thence southwesterly 0.42 miles along William Hilton Pkwy , thence southeasterly 0.04 miles along Park Lane , thence northerly 0.01 miles along Unnamed Local Road, thence southeasterly 0.29 miles along Unnamed Boundary, thence southeasterly 0.78 miles along Unnamed Line, thence southeasterly 0.11 miles along Unnamed Property Line, thence southwesterly 0.03 miles along Atlantic , thence southwesterly 5.20 miles along Unnamed Boundary, thence northerly 0.15 miles along Unnamed Line, thence westerly 0.13 miles along S Forest Beach Drive , thence northeasterly 1.35 miles along Cordillo Pkwy , thence northwesterly 0.64 miles along Pope Ave , thence northerly 0.02 miles along Sea Pines Circle , thence northwesterly 0.05 miles along Sea Pines Circle , thence northwesterly 1.39 miles along Palmetto Bay Road , thence northwesterly 0.05 miles along Bay Pines Road , thence southerly 0.27 miles along Bay Pines Drive , thence westerly 0.06 miles along Unnamed Line, thence northerly 0.05 miles along Tide Point Way , thence westerly 0.06 miles along Tide Pointe Road , thence southerly 0.05 miles along Spruce Court , thence westerly 0.46 miles along Unnamed Line, thence southwesterly 2.50 miles along Unnamed Shoreline, thence westerly 0.16 miles along Unnamed Boundary, thence southwesterly 0.70 miles along Unnamed Shoreline, thence northerly 6.36 miles along Unnamed Boundary to the aforementioned point of beginning.

- (4) Ward No. 4. Beginning at the most northerly point of Ward 4, thence easterly 0.22 miles along William Hilton Pkwy , thence southerly 0.41 miles along Gardner Drive , thence southerly 0.42 miles along Unnamed Boundary, thence southerly 0.26 miles along Leg O Mutton Road , thence westerly 0.39 miles along Marshland Road , thence westerly 0.85 miles along Unnamed Boundary, thence westerly 0.19 miles along Marshland Road , thence westerly 0.37 miles along Unnamed Boundary, thence southerly 0.25 miles along Dianahs Drive , thence easterly 4.85 miles along Unnamed Shoreline, thence southerly 0.72 miles along Unnamed Boundary, thence southeasterly 0.21 miles along Unnamed Line, thence northeasterly 1.43 miles along William Hilton Pkwy , thence southeasterly 0.26 miles along Beachwood Drive , thence northeasterly 0.37 miles along Unnamed Boundary, thence northeasterly 0.43 miles along Wimbledon Court , thence southeasterly 0.05 miles along Grasslawn Ave , thence southeasterly 0.16 miles along Folly Field Road , thence southwesterly 6.87 miles along Unnamed Boundary, thence northeasterly 0.03 miles along Atlantic , thence northwesterly 0.11 miles along Unnamed Property Line, thence northwesterly 0.78 miles along Unnamed Line, thence northwesterly 0.29 miles along Unnamed Boundary, thence southerly 0.01 miles along Unnamed Local Road, thence northwesterly 0.04 miles along Park Lane , thence northeasterly 0.42 miles along William Hilton Pkwy , thence northwesterly 0.01 miles along William Hilton Pkwy , thence northeasterly 0.90 miles along William Hilton Pkwy , thence northwesterly 0.07 miles along King Neptune Way , thence northwesterly 0.06 miles along King Neptune Drive , thence northerly 0.15 miles along Harbourside Lane ,

thence northerly 0.07 miles along Unnamed Boundary, thence northwesterly 0.14 miles along Unnamed Line, thence westerly 0.80 miles along Unnamed Shoreline, thence westerly 2.04 miles along Unnamed Boundary, thence northerly 1.02 miles along Cross Island Pkwy, thence westerly 0.14 miles along Marshland Road, thence northeasterly 1.97 miles along Spanish Wells Road, thence easterly 1.96 miles along William Hilton Pkwy to the aforementioned point of beginning.

(5) Ward No. 5. Beginning at the most northerly point of Ward 5, thence southeasterly 0.05 miles along Bay Pines Road, thence southeasterly 1.39 miles along Palmetto Bay Road, thence southeasterly 0.05 miles along Sea Pines Circle, thence southerly 0.02 miles along Sea Pines Circle, thence southeasterly 0.64 miles along Pope Ave, thence southwestly 1.35 miles along Cordillo Pkwy, thence easterly 0.13 miles along S Forest Beach Drive, thence southerly 0.15 miles along Unnamed Line, thence northwesterly 10.63 miles along Unnamed Boundary, thence northeasterly 0.70 miles along Unnamed Shoreline, thence easterly 0.16 miles along Unnamed Boundary, thence northeasterly 2.50 miles along Unnamed Shoreline, thence easterly 0.46 miles along Unnamed Line, thence northerly 0.05 miles along Spruce Court, thence easterly 0.06 miles along Tide Pointe Road, thence southerly 0.05 miles along Tide Point Way, thence easterly 0.06 miles along Unnamed Line, thence northerly 0.27 miles along Bay Pines Drive to the aforementioned point of beginning.

(6) Ward No. 6. Beginning at the most northerly point of Ward 6, thence southeasterly 9.53 miles along Unnamed Boundary, thence northwesterly 0.16 miles along Folly Field Road, thence northwesterly 0.05 miles along Grasslawn Ave, thence southwestly 0.43 miles along Wimbledon Court, thence southwestly 0.37 miles along Unnamed Boundary, thence northwesterly 0.26 miles along Beachwood Drive, thence northerly 0.39 miles along William Hilton Pkwy, thence northerly 0.96 miles along Union Cemetery Road, thence northerly 1.14 miles along Dillon Road, thence southwestly 1.64 miles along Beach City Road, thence northwesterly 0.14 miles along Hospital Center Blvd, thence southwestly 0.35 miles along N Main St, thence westerly 0.16 miles along Main St, thence westerly 0.03 miles along Unnamed Local Road, thence northerly 1.99 miles along Whooping Crane Way, thence easterly 0.23 miles along High Bluff Road, thence northeasterly 0.99 miles along Myrtle Bank Road, thence northwesterly 0.89 miles along High Bluff Road, thence northerly 0.88 miles along Dolphin Head Drive, thence northerly 0.07 miles along Dolphin Head Lane, thence northeasterly 0.53 miles along Unnamed Boundary to the aforementioned point of beginning.

Section 2. Applicability. Subject to compliance with the Voting Rights Act of 1965, as amended, this Ordinance shall become applicable to, and shall govern the election for the Mayor and Town Council in November 2022, and all subsequent elections, unless and until changed.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, illegal or invalid for any reason, it shall be construed to have been the legislative intent of the Town Council of the Town of Hilton Head Island, South Carolina to pass this Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed and held to be valid as if such portion had not been included. If this Ordinance, or any provision thereof, is held to

be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall become effective upon:

- 1) Adoption hereof by the Town Council of the Town of Hilton Head Island, South Carolina; and
- 2) Indication of compliance with the Voting Rights Act of 1965.

PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA ON THIS _____ DAY OF __, 2022.

John J. McCann, Mayor

Krista M. Wiedmeyer, Town Clerk

First Reading: _____

Second Reading: _____

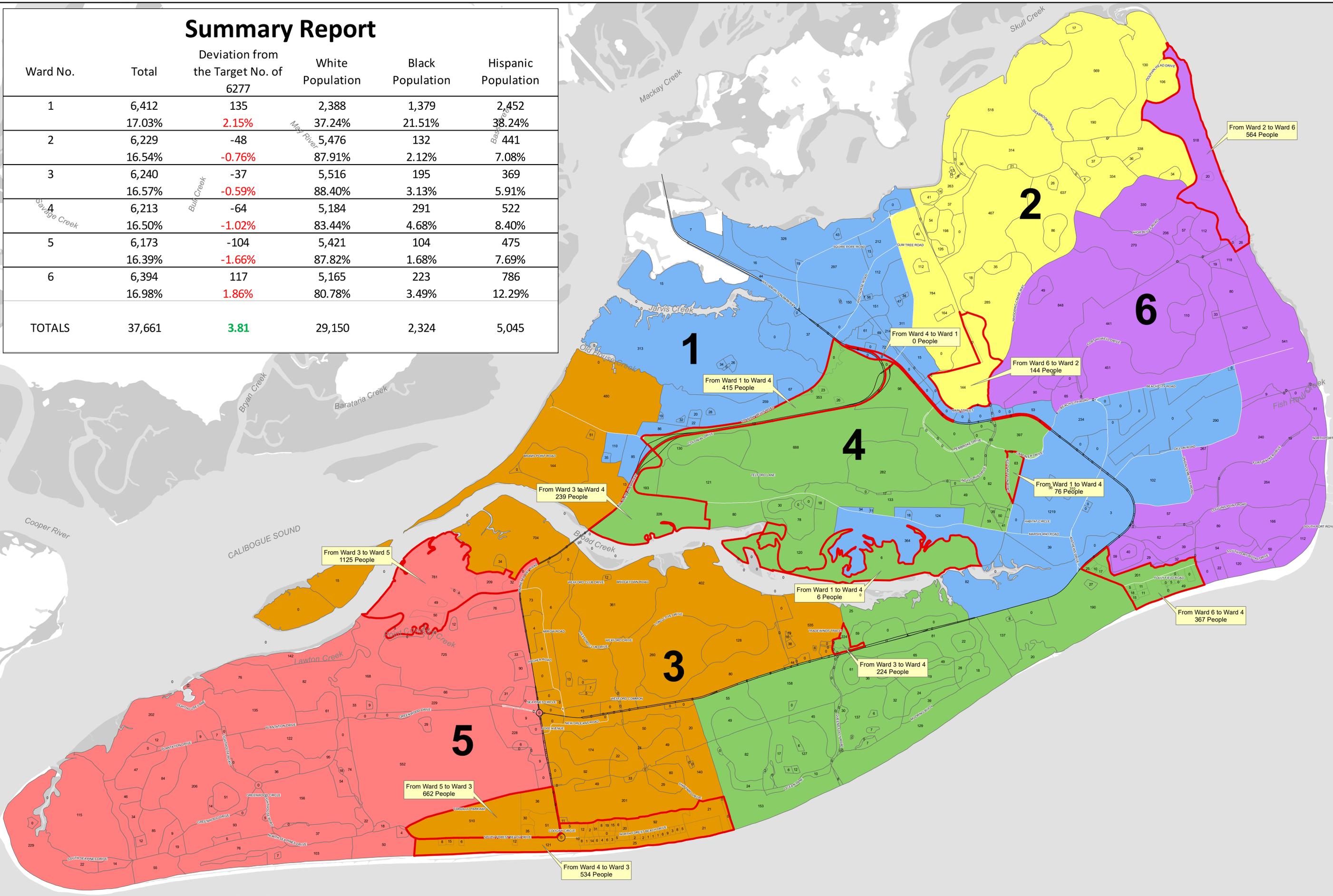
APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Summary Report

| Ward No. | Total | Deviation from the Target No. of 6277 | White Population | Black Population | Hispanic Population |
|---------------|-----------------|---------------------------------------|------------------|------------------|---------------------|
| 1 | 6,412 17.03% | 135 2.15% | 2,388 37.24% | 1,379 21.51% | 2,452 38.24% |
| 2 | 6,229 16.54% | -48 -0.76% | 5,476 87.91% | 132 2.12% | 441 7.08% |
| 3 | 6,240 16.57% | -37 -0.59% | 5,516 88.40% | 195 3.13% | 369 5.91% |
| 4 | 6,213 16.50% | -64 -1.02% | 5,184 83.44% | 291 4.68% | 522 8.40% |
| 5 | 6,173 16.39% | -104 -1.66% | 5,421 87.82% | 104 1.68% | 475 7.69% |
| 6 | 6,394 16.98% | 117 1.86% | 5,165 80.78% | 223 3.49% | 786 12.29% |
| TOTALS | 37,661 | 3.81 | 29,150 | 2,324 | 5,045 |



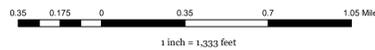
Town of Hilton Head Island

Alternative 5 - Consolidated Map

February 10, 2022



TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT
HILTON HEAD ISLAND, S.C. 29928
PHONE (843) 341-4600
Date Created: February 17, 2022
Project - Alternative 5 - Consolidated Map



Areas of Change



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion or for any losses arising from the use of the map.



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Town Council
FROM: Joshua A. Gruber, Deputy Town Manager
VIA: Marc Orlando, Town Manager

DATE: January 12, 2022
SUBJECT: Consideration of Proposed Ordinance 2022-04, Amending Chapter 5 of Title 2 (Meetings of Council and Rules of Procedure), Section 2-5-70 (Appearance by Citizens) of the Municipal Code of the Town of Hilton Head Island

Recommendation:

Staff recommends approval of Proposed Ordinance 2022-04, amending Chapter 5 of Title 2 (Meetings of Council and Rules of Procedure), Section 2-7-70 (Appearance by Citizens) to allow any interested party to appear before Town Council.

Summary:

The current language of Section 2-7-70 (Appearance by Citizens) of the Municipal Code of the Town of Hilton Head Island limits public comments to only citizens of the Town of Hilton Head Island. This is not an accurate reflection of the current practices of the Town in allowing any individual to speak so long as they have signed up to do so in advance of the meeting.

Proposed Ordinance 2022-04 amends Section 2-7-70 to authorize any interested party to appear before Town Council at any regular meeting during the appearance by citizens. Furthermore, any interested party shall be entitled to address Town Council on a specific agenda item during the old business or new business portions of the agenda after Town Council has conclude its discussion.

Background:

In order to ensure that the Town's practices accurately reflect the language contained within its Code, Proposed Ordinance 2022-04 should be adopted to allow any interested party to appear and speak before Town Council.

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

ORDINANCE NO.

PROPOSED ORDINANCE NO. 2022-04

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 5 OF TITLE 2 (MEETINGS OF COUNCIL AND RULES OF PROCEDURE), OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 2-5-70, APPEARANCE BY CITIZENS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town Council originally adopted Chapter 5 of Title 2 on September 26, 1983 and subsequently amended Section 2-5-70, Appearance by Citizens, on May 2, 1994 and January 15, 2019; and

WHEREAS, Section 2-5-70 currently provides that only citizens of the Town of Hilton Head Island shall be entitled to appear before Town Council at any regular meeting; and

WHEREAS, Town Council has not been enforcing this requirement and has been allowing any interested party to appear before Town Council; and

WHEREAS, Town Council now desires to amend Section 2-5-70 to formally adopt its actual practice of allowing any interested party to appear before Town Council.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS HEREBY ORDERED AND ORDAINED BY AND UNDER AUTHORITY OF SAID TOWN COUNCIL, AS FOLLOWS:

NOTE: Underlined and bold-face typed portions indicate additions to the municipal code. ~~Stricken~~ portions indicate deletions to the municipal code.

Section 1: Amendment. That Section 2-5-70 (Appearance by Citizens) of the Municipal Code of The Town of Hilton Head Island, South Carolina, is hereby amended as follows:

“Section 2-5-70. Appearance by Citizens.”

- (a) Any ~~citizen of the town~~ **interested party** shall be entitled to appear before the council at any regular meeting during the appearance by citizens portion of the agenda to present any matters pertaining to the town.
- (b) ~~Citizens~~ **Interested parties** shall be entitled to address council on a specific agenda item during the old business or new business portions of the agenda after council has concluded its discussion on such item, but prior to a council vote.
- (c) ~~Citizens~~ **Interested parties** desiring to present a matter at a regular meeting must notify the town receptionist or the presiding officer by twelve o'clock (12:00) noon on the date of such

meeting. Notice must be given prior to each separate meeting at which they desire to address council. Citizens desiring to address council on an agenda item during the old business or new business portions of the agenda need not provide notification. No person shall address the council without first being recognized by the mayor.

(d) Each person addressing the council during the appearance by citizens portion on the agenda, or during the specific agenda discussion, shall step up to the place provided for the use of the public and give his name and address in an audible tone of voice for the records, state the subject he wishes to discuss, state whom he is representing and if he represents an organization or other persons, present the authority for such right to speak on the subject matter on behalf of an organization or other persons.

(e) Unless further time is granted by majority vote of the council, he shall limit his remarks to three (3) minutes. All remarks shall be addressed to the council as a whole and not to any member thereof.

(f) No person other than members of the council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the mayor.

(g) No question may be asked a council member without the permission of the mayor.

(h) Public hearings may be a part of a regular meeting when appropriate or can be the sole subject of a called special meeting.

(i) Those persons desiring to make presentations at publicly noticed hearings at either regular or special meetings may so indicate by completing and presenting to the clerk, prior to the start of a hearing, a request to be heard. Such presentations must deal only with the subject of the hearing as indicated in the agenda. Deviation from this will not be permitted. Where time permits, following the appearance of those who have filed requests to be heard, others desiring to be heard may so indicate by raising their hands and being recognized by the chair.

(j) In order to expedite matters at any public hearing and to avoid repetitious presentations, whenever any group of persons wishes to address the council on the same subject matter, it shall be proper for the mayor to request that a spokesman be chosen by the group to address the council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the council.

(k) After a motion has been made or a public hearing has been closed, no member of the public shall address the council from the audience on the matter under consideration without first securing permission to do so by majority vote of the council.

Section 2: Severability. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3: Effective Date. This ordinance shall be effective upon adopting by the Town Council of the Town of Hilton Head Island, South Carolina.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL OF THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2022.

By: _____
John J. McCann, Mayor

ATTEST:

By: _____
Krista Wiedmeyer, Town Clerk

First Reading: _____, 2022

Revised First Reading _____, 2022

Second Reading: _____

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Marc Orlando, ICMA~CM, *Town Manager*
FROM: Jayme Lopko, AICP, *Senior Planner*
VIA: Shawn Colin, AICP, *Senior Advisor to the Town Manager*
VIA: Anne Cyran, AICP, *Interim Comprehensive Planning Manager*
DATE: March 1, 2022
SUBJECT: Fords Shell Ring Joint Ownership & Operating Agreement

Recommendation: The Community Services and Public Safety Committee recommends that Town Council authorize the execution of a Joint Ownership and Operating Agreement with Beaufort County related to development and operation of the Fords Shell Ring property.

The Community Services and Public Safety Committee met on February 28, 2022 and voted unanimously to forward a recommendation to Town Council authorizing the execution of a Joint Ownership and Operating Agreement with Beaufort County related to development and operation of the Fords Shell Ring property.

Summary: The execution of a Joint Ownership and Operating Agreement will allow for public access to, and interpretation of the Ford Shell Ring property located at 273 Squire Pope Road.

Background: The Fords Shell Ring property was purchased jointly by the Town and Beaufort County in 2003.

Beaufort County allocated \$250k in Rural and Critical Lands Preservation bond funds for use toward capital improvements on the Ford Shell Ring property. The anticipated cost for planning for this project is \$50k with the remaining \$200k available for permitting and construction of improvements to the property.

The proposed improvements to the property are minor and contain only pervious materials. The entrance off Squire Pope Road will be widened to accommodate two-way traffic, which will include improvements to the existing drainage. The entrance will include a swing gate and a park sign similar in design to existing Town Park signs. A small, gravel parking area lined with a split-rail fence will be installed upon entry to the property. A pedestrian access point with an information kiosk will be located at the trail head near the parking area. There is an existing trail around the Fords Shell Ring that will be brushed-back to allow for a 10-foot-wide walking trail loop with interpretive and wayfinding signage along the trail.

As proposed in the Joint Ownership and Operating Agreement, Beaufort County will be responsible for all costs related to planning, as well as construction or repair of capital improvements on the property. The Town will be responsible for general maintenance including mowing and clearing of the trail and the open/close of the gate on the property.

Beaufort County indicated that any improvements beyond the current scope shall be at the sole expense of the Town, including the overlook as proposed by town Council.

Attachments:

1. Presentation
2. Resolution
3. Joint Ownership and Operating Agreement
4. Joint Ownership and Operating Agreement Exhibit A – Legal Description
5. Joint Ownership and Operating Agreement Exhibit B – Site Plan



Town of Hilton Head Island

Fords Shell Ring Joint Ownership & Operating Agreement

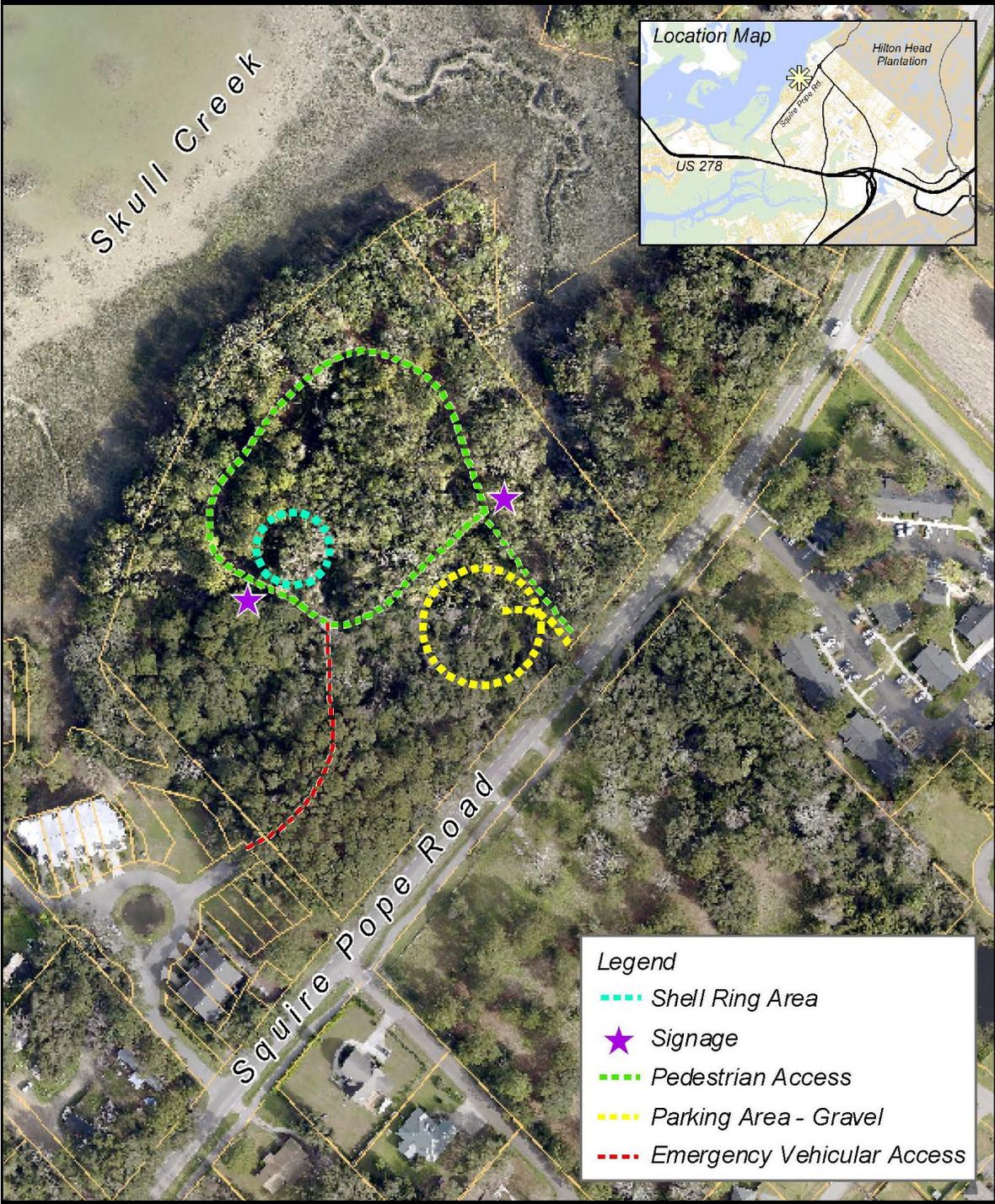
Town Council
March 15, 2022



Agenda

- ▶ Location & Current Conditions
- ▶ Joint Ownership & Operating Agreement
- ▶ Financial and Maintenance Responsibilities
- ▶ Next Steps

Location & Current Conditions





Joint Ownership & Operating Agreement

- ▶ Town and Beaufort County jointly purchased the Fords Shell Ring property and entered in an Intergovernmental Agreement in 2003.
- ▶ Beaufort County Council approved the Joint Ownership & Operating Agreement in April of 2021.
- ▶ Option to enter into Agreement with Archaeological Society for tours, inspections, clean-up and minor maintenance.



Financial & Maintenance Responsibilities

- ▶ Agreement details responsibilities of Town and County related to the development and maintenance of the Park.
- ▶ Beaufort County responsible for major alterations and capital improvements.
- ▶ Town responsible for routine maintenance.



Next Steps

If Approved by Town Council:

- ▶ Execution of Joint Ownership & Operating Agreement with Beaufort County.
- ▶ Continue to work with Beaufort County on permitting and construction of the Park.
- ▶ Additional Town Council suggested elements pursued through Town CIP Program.



Town of Hilton Head Island

Fords Shell Ring Joint Ownership & Operating Agreement

Town Council
March 15, 2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A JOINT OWNERSHIP AND OPERATING AGREEMENT WITH BEAUFORT COUNTY, SOUTH CAROLINA, RELATED TO THE DEVELOPMENT AND OPERATION OF THE FORDS SHELL RING PROPERTY.

WHEREAS, in 2003, the Town of Hilton Head Island, South Carolina, and Beaufort County, South Carolina, jointly purchased parcel R511 003 000 0222 000, located at 273 Squire Pope Road and commonly referred to as Fords Shell Ring; and

WHEREAS, the Town of Hilton Head Island, South Carolina, and Beaufort County, South Carolina, provide parks and recreation facilities on the Island; and

WHEREAS, parks and recreation are recognized as important to the health, well-being, and quality of life for Island residents and visitors;

WHEREAS, having high quality parks and recreation is an important part of the Town of Hilton Head Island's interest and investment for the Island community;

WHEREAS, on October 20, 2020, Town Council adopted Our Plan 2020–2040, the Town of Hilton Head Island Comprehensive Plan; and

WHEREAS, Our Plan Parks and Recreation Goal 3 is to celebrate the unique natural amenities and cultural assets of the Island through education facilities and programs in public parks Inclusive Goal 2 is to identify and re-imagine historic places and venues so that they are inviting and accessible, and Regional Tactic 4.3.2 is to coordinate conservation of regional environmental assets and plans for natural resource and habitat preservation by acquiring conservation and park land to preserve natural and cultural resources for education, interpretive, and passive recreation uses; and

WHEREAS, on March 2, 2021, Town Council approved the concept of entering into a Joint Ownership and Operating Agreement; however, requested more information regarding possibly tying of the Skull Creek to the shell ring; and

WHEREAS, the Community Services and Public Safety Committee held a public meeting on February 28, 2022, at which time a presentation was made by Staff and an opportunity was given for the public to comment on the proposed Joint Ownership and Operating Agreement; and

WHEREAS, after consideration of the Staff presentation and public comments, the Community Services and Public Safety Committee voted unanimously to recommend Town Council authorize the execution of a Joint Ownership and Operating Agreement with Beaufort County related to development and operation of the Fords Shell Ring property; and

WHEREAS, the Town Council of the Town of Hilton Head Island, South Carolina has determined that it is in the best interest of the Town of Hilton Head Island, South Carolina, to

authorize the execution of a Joint Ownership and Operating Agreement with Beaufort County related to the development and operation of the Fords Shell Ring property; and

NOW, THEREFORE, BE IT, AND HEREBY IT IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA:

1. The Mayor and Town Manager are hereby authorized to execute and deliver that certain “Agreement”, a copy of which is attached hereto as Attachment “A”.
2. The Mayor and Town Manager are hereby authorized to take such other and further action as may be necessary to complete the actions authorized by this Resolution.

MOVED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2022.

THE TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

John J. McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

4. TERM

The term of this Agreement shall cover a period of twenty-five (25) years, commencing on the Effective Date, unless terminated sooner pursuant to the provisions in this Agreement. The term of this Agreement may be extended for three (3) additional twenty-five (25) year terms upon the mutual agreement and written approval of both the County and Town.

5. USE OF PROPERTY

The Property shall be used as a passive park and open space for passive recreation open to the public; and subject to all applicable Town and County rules and regulations. If any applicable Town or County rule or regulation are in conflict, the Town's rules and regulations shall be followed unless the County's regulation is more restrictive and then the County's regulation shall be followed.

a. **Access to Property.** The Property shall be open to the public seven (7) days a week from dawn to dusk and operating hours shall be posted at the Property's designated entrance.

b. **Recreation Plan.** The Parties agree to develop the Property according to the passive recreation conceptual site plan, attached hereto and incorporated by reference as "Exhibit B". The plan shall include a future phase for a physical connection to Skull Creek, which may be in the form of a platform, deck or other similar structure. The Parties shall mutually agree on the planning, construction and funding of the future phase for a physical connection to Skull Creek.

c. **Visual Connection.** The Parties agree the development of the Property shall include visual connections to Skull Creek via view corridors. The Parties shall mutually agree on the location of the view corridors. The Town will implement any necessary vegetation removal, management, maintenance and permitting associated with the view corridors.

d. **Archaeological Society of South Carolina Hilton Head Chapter.** The County and Town may enter into a Use Agreement with the Archaeological Society of South Carolina Hilton Head Chapter ("ASSC-HH") whereby ASSC-HH may provide interpretive tours of the Property, monthly site inspections, litter pickups and minor trail maintenance.

6. ROUTINE AND MAJOR MAINTENANCE

County shall be responsible for major maintenance of the Property. Major maintenance shall include but not be limited to repair of the fences, gates, entrance drive, parking area and interpretive signage now or hereinafter erected on the Property. The Town shall notify the County within five (5) days of notice of any need for major maintenance on the Property. The County shall make the repairs within sixty (60) days of notice or notify the Town of additional time needed in the event the County approval process and procedures require such additional time.

Town shall be responsible for routine maintenance of the Property. Routine maintenance shall include trail mowing and trimming, blowing off the entrance drive and parking area, sign and bench cleaning and opening/closing the entrance gate. Other routine maintenance tasks may be added if major alterations or capital improvements are mutually agreed upon and constructed in the future.

There will be no utilities on the property, other than those permitted by an easement encumbering the property as recorded in the Beaufort County Register of Deeds in Book ____ Page ____.

7. MAJOR ALTERATIONS AND CAPITAL IMPROVEMENTS

Any major alterations or capital improvements on the Property shall be mutually agreed to by both Parties. The cost of such major repairs or capital improvements shall be mutually agreed to by the Parties. For purposes of this Agreement the term “major alteration” or “capital improvement” shall be deemed to be any alteration or capital improvement having a cost or expense including all labor, materials, permits, and related items totaling in excess of \$2,500.00. Items listed in Section 5 under Routine and Major Maintenance do not apply as “major alterations” or “capital improvements”.

8. INSURANCE

County and Town each shall at all times maintain a policy of tort and/or general liability insurance with limits of liability of at least \$1,000,000.00 per occurrence and in accordance with the policies and requirements of the South Carolina State Tort Claims Act.

9. SECURITY AND INSPECTIONS

It shall be the duty of County to assure adequate security is maintained on the Property through the maintenance of the fences and gates. It shall be the duty of Town to adhere to the security plan and measures, as mutually agreed upon by the Parties, and to assure that gates and secured areas remain locked when the Property is not in use.

10. NOTICE

Each party shall give the other notice of any adverse circumstances or situations arising in connection with the use of the Property including notice of any claim or dispute arising from its use. Any such notice including and any other notice necessary or appropriate under this Agreement shall be given as follows:

| | |
|----------|---|
| To Town: | Town of Hilton Head Island Attn: Town Manager One Town Center Court Hilton Head Island, SC 29928 |
|----------|---|

| | |
|------------|--|
| To County: | Beaufort County Attn: County Administrator P.O. Box 1228 Beaufort, SC 29901 |
|------------|--|

11. BREACH OF CONTRACT

If a party to this Agreement determines that the other party is in breach of the terms of this Agreement, the claiming party shall notify the other party of the breach with a First Notice and request voluntary compliance. In the event that voluntary cure is not agreed upon within sixty (60) days of receipt of First Notice, the claiming party shall give written notice to the other party of such breach with a Second Notice and demand corrective action. If the noticed party fails to cure the breach within sixty (60) days after receipt of the Second Notice, the parties shall submit the issue to a mediator as set forth herein below for resolution.

a. **Disputes.** All claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this Agreement, including but not limited to breach thereof, shall be first submitted to an agreed upon mediator. The Parties shall equally share in the cost of mediation. Any agreement resulting from said mediation shall be binding on the Parties.

12. TERMINATION

Either party shall have the right to terminate this Agreement for any reason upon six (6) months' prior written notice beginning with the delivery to and acceptance of the designated authority of the other party.

13. OTHER PROVISIONS

a. **Definition of Terms.** For the purpose of this Agreement, the terms "passive park" and "passive recreation" shall be defined pursuant to Beaufort County Ordinance 2018-53; all other terms shall be defined pursuant to the Town's Ordinance, and if not defined by the Town's Ordinance, then by the County's Ordinance.

b. **Mutual Cooperation.** The Parties shall cooperate with each other and will use all reasonable efforts to cause the fulfillment of the terms and conditions of this Agreement.

c. **Entire Agreement.** This Agreement contains the entire agreement between the Parties pertaining to the subject matter contained herein. All prior agreements by or between the Parties shall be deemed terminated as of the effective date of this Agreement.

d. **Amendment or Modification.** This Agreement cannot be amended or modified orally or by a single party. No amendment or modification to this Agreement shall be valid unless in writing and signed by both Parties to this Agreement.

e. **Binding Nature and Assignment.** This Agreement shall bind the Parties and their respective successors in interest as may be permitted by law. Neither party to this Agreement may assign their rights or obligations arising under this Agreement without the prior written consent of the other party.

f. **No Third Party Beneficiaries.** This Agreement is intended solely for the benefit of the Parties and not for the benefit of any other person or entity.

g. **Counterparts.** This Agreement may be executed in multiple counterparts, and all such executed counterparts shall constitute the same agreement. The Parties agree that this Agreement may be communicated by use of a fax or other electronic means, such as electronic mail and the internet, and that the signatures, initials and handwritten or typewritten modifications to any of the foregoing shall be deemed valid and binding upon the Parties as if the original signatures, initials and handwritten or typewritten modifications were present on the documents.

h. **Captions.** The section headings appearing in this Agreement are for convenience of reference only and are not intended to any extent for the purpose, to limit or define the test of any section or any subsection hereof.

i. **Severability.** If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

j. **Waiver.** No waiver of any provision of this Agreement shall be effective unless in writing and signed by the party waiving its rights. No delay or omission by either party to exercise any right or remedy it has under this Agreement shall impair or be construed as a waiver of such right or remedy. A waiver by either party of any covenant or breach of this Agreement shall not constitute or operate as a waiver of any

succeeding breach of the covenant or of any other covenant.

k. **Applicable Law.** This Agreement is enforceable in the State of South Carolina and shall in all respects be governed by, and constructed in accordance with, the substantive Federal laws of the United States and the laws of the State of South Carolina. Any claims for default, non-performance or other breach shall be filed in Beaufort County, South Carolina.

IN WITNESS WHEREOF, and in acknowledgement that the Parties hereto have read and understood each and every provision hereof, the Parties have caused this Agreement to be executed on the Effective Date.

WITNESSES:

BEAUFORT COUNTY

By: _____
Name: Eric L. Greenway
Title: County Administrator

WITNESSES:

TOWN OF HILTON HEAD ISLAND

By: _____
Name: Marc A. Orlando
Title: Town Manager

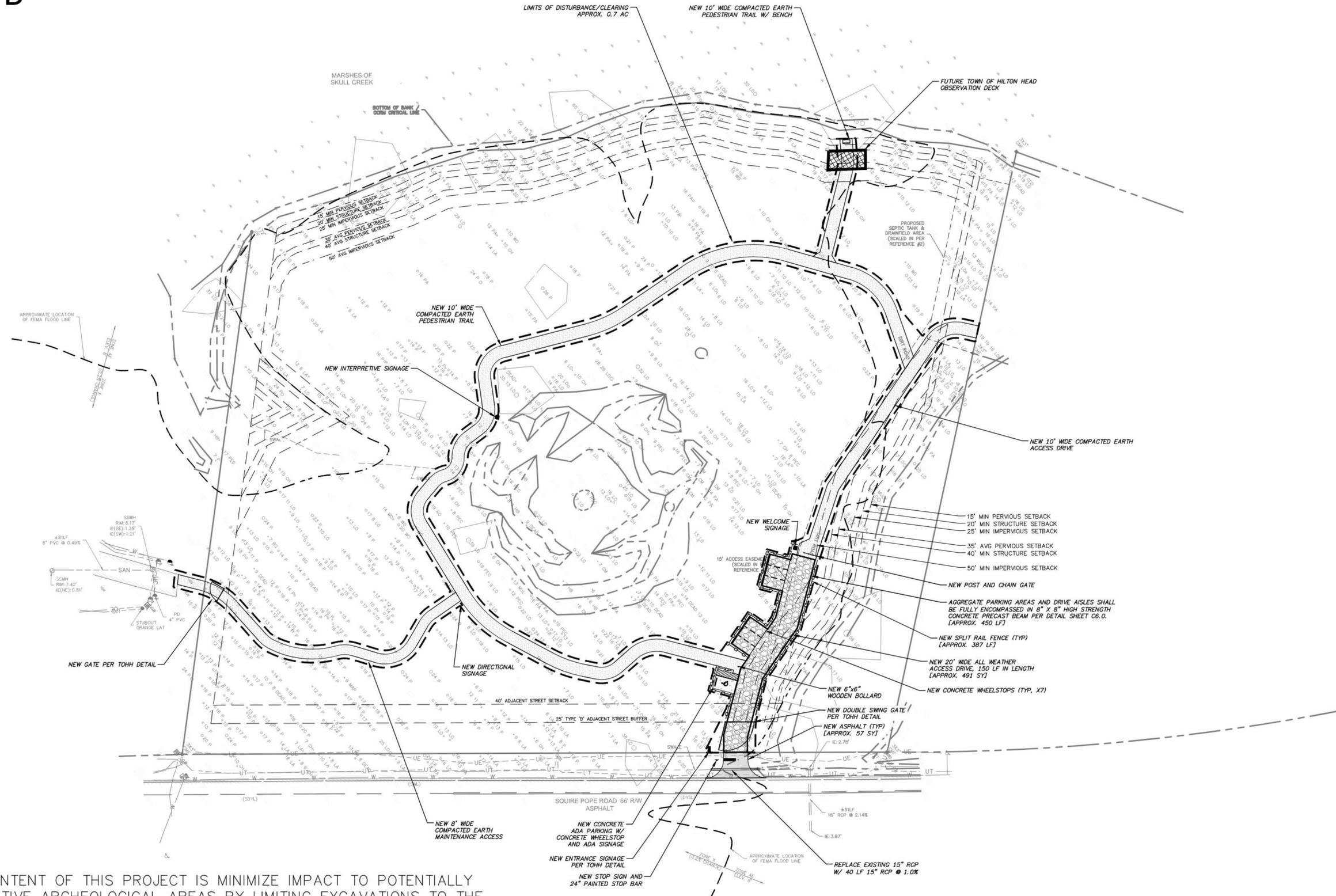
EXHIBIT A

Legal Description

All that certain piece, parcel and lot of land, situate, lying and being in the Town of Hilton Head Island, Beaufort County, South Carolina, containing 6.909 acres, more or less, and being shown and designated as "6.885 Acres" on that certain Plat entitled "PROPERTY OF THE HEIRS OF HENRY FORD, PORTIONS OF LOTS 57, 58, 59, & 60, COTTON HOPE PLANTATION, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA"* prepared by Niels Christensen, IV, R.L.S. No. 13162, dated October 13, 1992. It is further bounded and described as follows: commencing at a concrete monument along the right of way of Squire Pope Road and thence running along a curve having a chord length of 114.64 feet, a chord bearing of S 39° 51' 11" W, and having a radius of 7832.60 feet, to the point; and thence running N 39° 35' 06" E for a distance of 462.79 feet to a concrete monument; and thence running N 42° 32' 47" W for a distance of 429.92 feet to an iron pin; and thence running N 17° 36' 50" E for a distance of 193.91 feet to a point; and thence running S 27° 02' 26" W for a distance of 188.77 feet to a point; and, thence running S 50° 34' 04" W for a distance of 267.04 feet to a concrete monument; and, thence, running N 37° 56' 18" W for a distance of 168.07 feet to a concrete monument, and thence, running N 37° 55' 22" W for a distance of 332.75 feet to the initial concrete monument.

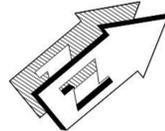
*Property ID (PIN): R511 003 000 0222 0000

Exhibit B



THE INTENT OF THIS PROJECT IS MINIMIZE IMPACT TO POTENTIALLY SENSITIVE ARCHEOLOGICAL AREAS BY LIMITING EXCAVATIONS TO THE MAXIMUM EXTENT PRACTICABLE. CONTRACTOR SHALL SUBMIT LOW IMPACT DEVELOPMENT CONSTRUCTION PLAN WITH BID FOR REVIEW AND APPROVAL BY BEAUFORT COUNTY, TOWN OF HILTON HEAD AND ENGINEER.

PLAN
HORIZONTAL SCALE 1"=40'



CRANSTON

PRELIMINARY
NOT FOR CONSTRUCTION

| REV # | DATE | DESCRIPTION |
|-------|------|-------------|
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FORDS SHELL RING
SITE IMPROVEMENTS PLAN

| | |
|--------------|------------|
| DRAWN BY: | NLS |
| CHECKED BY: | MER |
| APPROVED BY: | MER |
| DATE: | 10/12/2021 |
| SCALE: | 1" = 40' |
| JOB No. | 2021-0236 |
| DRAWING No. | C4.0 |

G:\AAA-ACTIVE JOBS\2021\2021-0236_FORDS SHELL RING.LID CIVIL DESIGN\AAA - DRAWINGS\CIVIL\2021-0236 CIVIL PLAN SET.DWG 9/28/2021 1:01 PM



TOWN OF HILTON HEAD ISLAND

Staff Report Memo

TO: Marc Orlando, ICMA~CM, *Town Manager*
FROM: Jayme Lopko, AICP, *Senior Planner*
VIA: Shawn Colin, AICP, *Senior Advisor to the Town Manager*
VIA: Anne Cyran, AICP, *Interim Comprehensive Planning Manager*
DATE: March 1, 2022
SUBJECT: Fords Shell Ring Easements

Recommendation: The Community Services and Public Safety Committee recommends that Town Council authorize the execution of a Termination of Easements and granting of an Access and Utility Easement on the Fords Shell Ring property.

The Community Services and Public Safety Committee met on February 28, 2022 and voted unanimously to forward a recommendation to Town Council authorizing the execution of a Termination of Easements and granting of an Access and Utility Easement on the Fords Shell Ring property.

Summary: The Termination of Easements will eliminate the current access easement and the proposed septic tank and drain field area near Skull Creek.

The granting of an Access and Utility Easement will provide a relocated access and new utility easement to the landlocked property located along Skull Creek, addressed as 293 Squire Pope Road, and owned by Susan Carter Barnwell.

Background: The Fords Shell Ring property was purchased jointly by the Town and Beaufort County in 2003. As part of the purchase of this property, the Town agreed to continue to provide access to the landlocked property located at 293 Squire Pope Road through the Fords Shell Ring property.

In 2021, Beaufort County allocated \$250k in Rural and Critical Lands Preservation bond funds for use toward capital improvements on the Ford Shell Ring property. As part of the development process, a survey was ordered for the property that revealed the location of the existing access easement and septic tank and drain field area.

During the design phase of the project, Town and County staff discussed the desire to relocate and expand the existing access to the property. In addition, there was a desire to eliminate the possibility that a septic tank and drain field could be located in proximity to Skull Creek.

Town and County staff worked to draft new legal documents to terminate the existing easements and create new easement that would still serve the needs of the adjacent property owner and have as little impact on the development of the Fords Shell Ring property as possible. The drafted easement documents have been shared with the adjacent property owner, Susan Carter Barnwell, and she is not opposed to the proposed changes.

Attachments:

1. Presentation
2. Ordinance
3. Ordinance Exhibit A: Termination of Easements
4. Ordinance Exhibit A, Attachment A: Easement Plat
5. Ordinance Exhibit B: Access and Utility Easement Agreement



Town of Hilton Head Island

Fords Shell Ring Easements

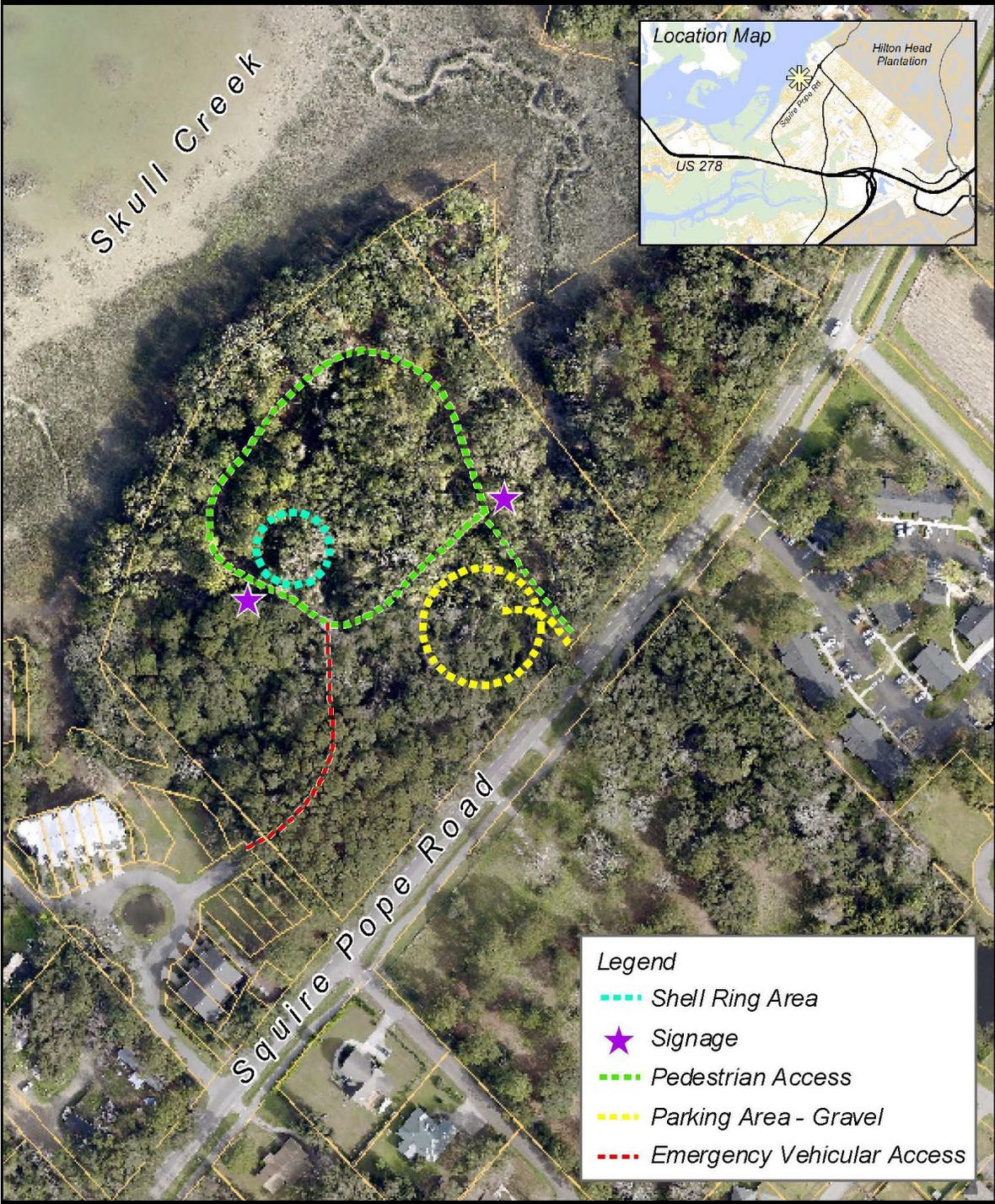
Town Council
March 15, 2022



Agenda

- ▶ Location & Current Conditions
- ▶ Termination of Easement
- ▶ Access & Utility Easement
- ▶ Next Steps

Location & Current Conditions





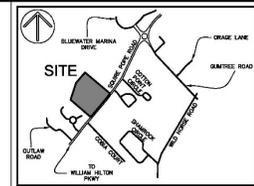
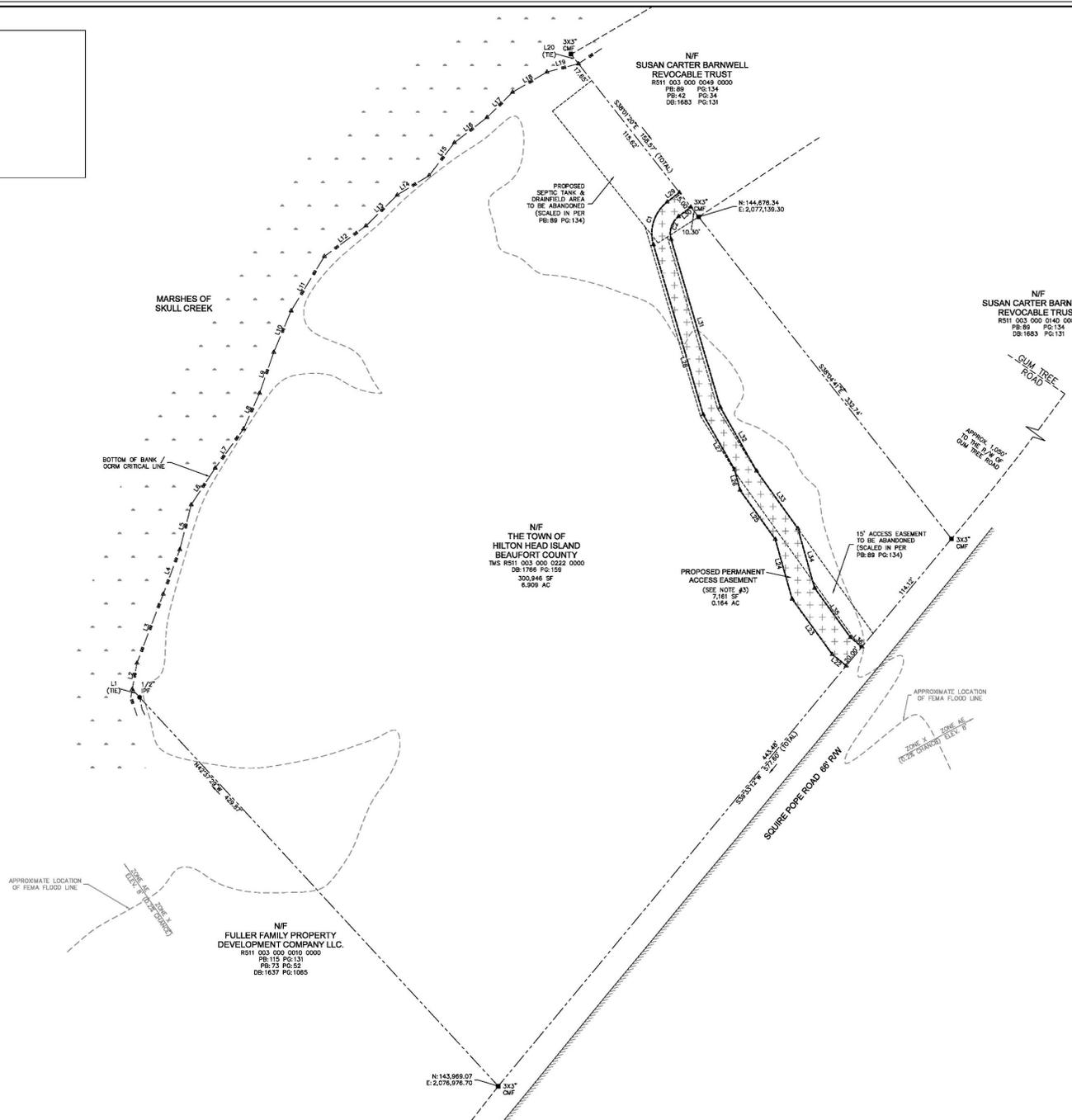
Termination of Easements

- ▶ Town & County purchased property in 2003 with an existing access easement and septic and drainfield area.
- ▶ With the proposed development of the Park, the existing access will be relocated.
- ▶ Sewer is available to this area. The desire is to eliminate the septic and drainfield area.



Access & Utility Easement

- ▶ New access will be relocated away from marsh and widened for two-way traffic.
- ▶ Vehicle access beyond the parking area will be permitted to the Barnwell family.
- ▶ Town and County not responsible for preventing public access to Barnwell property.
- ▶ Utility easement included to allow for elimination of septic.



VICINITY MAP NOT TO SCALE

- LEGEND
- ▲ CALC POINT - CORNER NOT SET
 - CONC. MONUMENT FOUND
 - IRON PIPE FOUND
 - ▨ MARSHGRASS
 - OCRM OCEAN & COASTAL RESOURCE MANAGEMENT
 - BOTTOM OF BANK
 - PROPOSED PERMANENT ACCESS EASEMENT
 - ////// EDGE OF PAVEMENT

- NOTES
1. THIS PARCEL APPEARS TO LIE IN DUAL FLOOD ZONES, X (0.2% CHANCE) AND AE (ELEVATION 8'). COMMUNITY 45020, MAP NUMBERS 45013C040305 AND 45013C040510.
 2. HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLUMB GRID (NAD 83).
 3. PROPOSED PERMANENT ACCESS EASEMENT TO BE GRANTED TO "BARNWELL SUSAN CARTER TRUSTEE, SUSAN CARTER BARNWELL REVOCABLE TRUST" TO GAIN ACCESS TO TMS# RS11 003 000 0049 0000.

PREPARED FOR:
THE TOWN OF HILTON HEAD
 A PROPOSED PERMANENT ACCESS EASEMENT PLAT OF
#273 SQUIRE POPE ROAD
FORD SHELL RING PARK
 TAX PARCEL No. RS11 003 000 0222 0000
 HILTON HEAD ISLAND
 BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK: LJK
 FIELD CHECK: JWF
 DRAWN BY: JWF
 DATE: 12-09-2023
 SCALE: 1"=40'
 PROJECT No: BFT-21209
 FILE: BFT-21209_EASE1.DWG

ATLAS SURVEYING, INC.

48 BROWN'S COVE ROAD, SUITE #5
 REDLANDS, SC 29936
 PHONE: (843) 945-9277
 WEBSITE: WWW.ATLASSURVEYING.COM



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

JONATHAN W. REEDER
 S.C. P.L.S. No. 28119
 NOT VALID UNLESS COMPARED WITH SEAL





Next Steps

If Approved by both the Town and County:

- ▶ Execution and recording of Termination of Easement with Beaufort County and Susan Carter Barnwell.
- ▶ Execution and recording of Access & Utility Easement with Beaufort County and Susan Carter Barnwell.



Town of Hilton Head Island

Fords Shell Ring Easements

Town Council
March 15, 2022

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A TERMINATION OF EASEMENTS AND GRANTING OF AN ACCESS AND UTILITY EASEMENT ENCUMBERING REAL PROPERTY JOINTLY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND BEAUFORT COUNTY, SOUTH CAROLINA, LOCATED AT 273 SQUIRE POPE ROAD, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. 5-7-40 (SUPP. 2010) AND 2-7-20, CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, (1983, AS AMENDED); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Town of Hilton Head Island, South Carolina (“Town”) and Beaufort County (“County”), jointly own real property located at 273 Squire Pope Road on Hilton Head Island, South Carolina, which is more particularly known and described as Beaufort County TMS#R511 003 000 0222 000, commonly referred to as Ford’s Shell Ring (“Ford’s Shell Ring); and

WHEREAS, Susan Carter Barnwell owns real property located along Skull Creek on Hilton Head Island, South Carolina, which is more particularly known and described as Beaufort County TMS#R511 003 000 0049 0000 (“Barnwell Property”); and

WHEREAS, a Proposed Septic Tank & Drainfield Area Easement and a 15-foot Access Easement currently exist on the Ford’s Shell Ring for the benefit of the Barnwell Property; and

WHEREAS, it is the desire of the Town, County and Susan Carter Barnwell to terminate the existing easements and grant a new Access and Utility Easement across the Ford’s Shell Ring property for the benefit of the Barnwell Property; and

WHEREAS, the Town Council of the Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town of Hilton Head Island, South Carolina, to authorize the execution and delivery of the Termination of Easements and the granting of an Access and Utility Easement in favor of Susan Carter Barnwell; and

WHEREAS, under the authority of S.C. Code Ann. 5-7-40 (Supp 2012), and 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983 As Amended), the termination or granting of an interest in real property owned by the Town of Hilton Head Island, South Carolina, must be authorized by the adoption of an ordinance by the Town Council for the Town of Hilton Head Island, South Carolina.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL:

Section 1 - Execution, Delivery and Performance of a Termination of Easement and Granting of Easement encumbering Town-Owned Property.

- (a) The Mayor and Town Manager are hereby authorized to execute and deliver a Termination of the existing Easements encumbering Ford's Shell Ring in a form substantially similar to that which is attached here to as Exhibit "A"; and
- (b) The Mayor and Town Manager are hereby authorized to execute and deliver the Access and Utility Easement in favor of Susan Carter Barnwell in a form substantially similar to that which is attached here to as Exhibit "B"; and
- (c) The Mayor and Town Manager is hereby authorized to take such other and further actions as may be necessary to complete the performance of the Town's obligations authorized by this Ordinance.

Section 2 - Severability.

If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3 - Effective Date.

This Ordinance shall be effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

PASSED AND APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS ____ DAY OF _____, 2022.

John J. McCann, Mayor

ATTEST:

Krista M. Wiedmeyer, Town Clerk

First Reading: _____, 2022

Second Reading: _____, 2022

Approved as to form: _____
Curtis L. Coltrane, Town Attorney

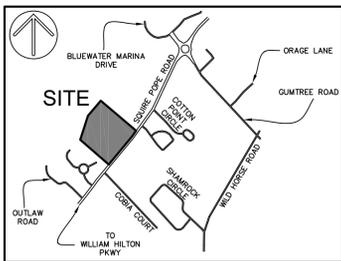
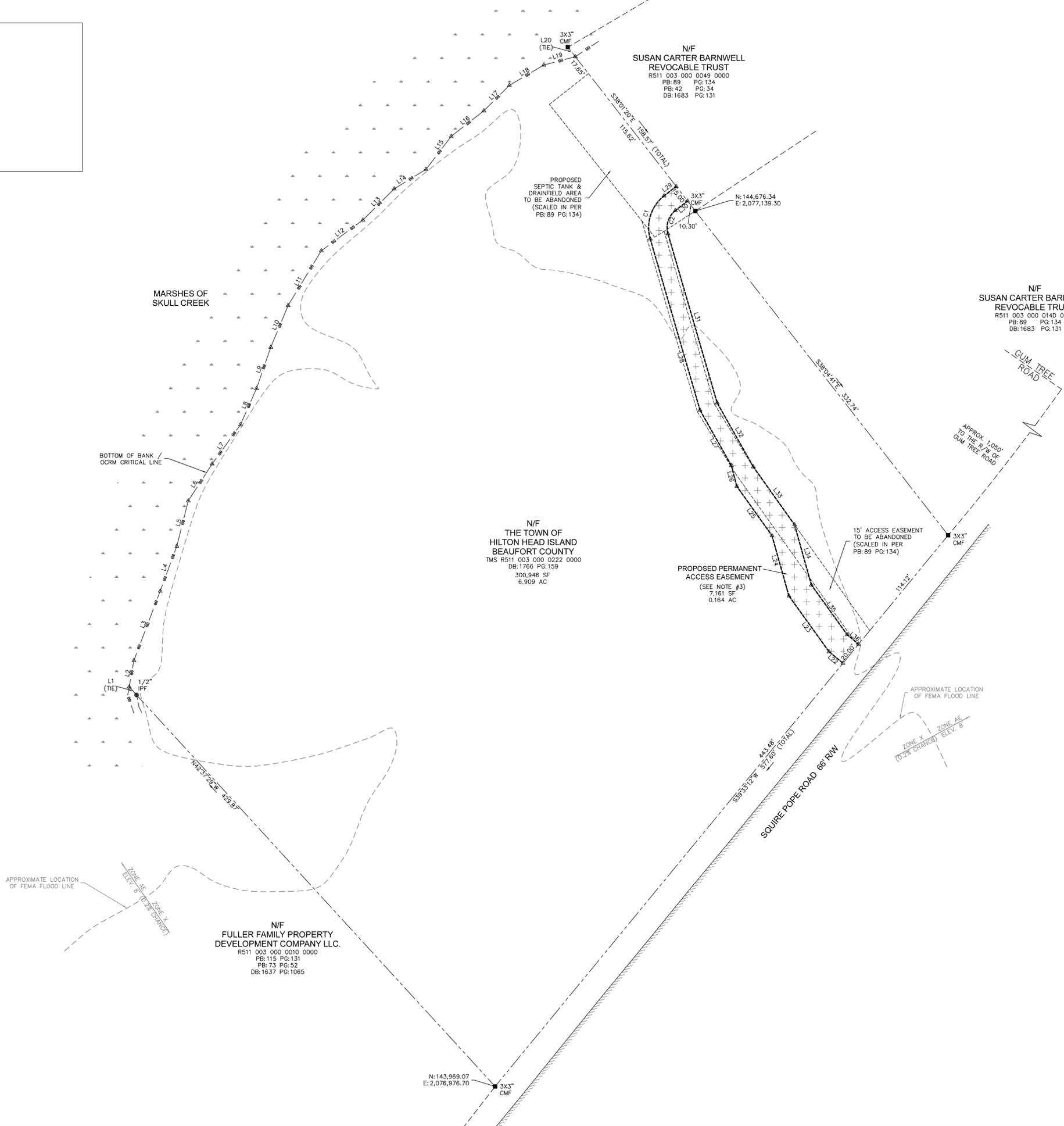
Introduced by Council Member: _____

3. Miscellaneous.

- a. *Incorporation of Recitals.* The recitals to this Termination are incorporated as if fully set forth herein.
- b. *Remedies.* In the event either party fails to perform any of the covenants and agreements set forth in this Termination, the offended party shall be entitled to enforce its rights hereunder by any remedy available at law or in equity.
- c. *Governing Law; Venue.* This Termination shall be governed by and construed in accordance with the laws of the State of South Carolina without regard to principles of conflicts of laws. Venue for any action under this Termination shall be in Beaufort County, South Carolina.
- d. *Binding Effect.* This Termination shall run with the land and shall be binding upon and inure to the benefit of Property Owner, its successors and assigns, and Barnwell, its successors and assigns.
- e. *Counterparts.* This Termination may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, and in acknowledgement that the Parties hereto have read and understood each and every provision hereof, the Parties have caused this Termination Of Easement to be executed on the date first written above.

NORTH
SC GRID (NAD 83)



VICINITY MAP NOT TO SCALE

- LEGEND
- △ CALC POINT - CORNER NOT SET
 - CMF ■ CONC. MONUMENT FOUND
 - IPF ● IRON PIPE FOUND
 - ▨ MARSHGRASS
 - OCRM OCEAN & COASTAL RESOURCE MANAGEMENT
 - BOTTOM OF BANK
 - +++++ PROPOSED PERMANENT ACCESS EASEMENT
 - ////// EDGE OF PAVEMENT

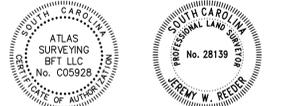
- NOTES
1. THIS PARCEL APPEARS TO LIE IN DUAL FLOOD ZONES, X (0.2% CHANCE) AND AE (ELEVATION 8'), COMMUNITY 450250, MAP NUMBERS 45013C0432G AND 45013C0451G.
 2. HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE GRID (NAD 83).
 3. PROPOSED PERMANENT ACCESS EASEMENT TO BE GRANTED TO "BARNWELL SUSAN CARTER TRUSTEE, SUSAN CARTER BARNWELL REVOCABLE TRUST" TO GAIN ACCESS TO TMS# R511 003 000 0049 0000.

PREPARED FOR:
THE TOWN OF HILTON HEAD
A PROPOSED PERMANENT ACCESS
EASEMENT PLAT OF
#273 SQUIRE POPE ROAD
FORD SHELL RING PARK

TAX PARCEL No. R511 003 000 0222 0000
HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA
FIELD WORK: LKW
FIELD CHECK: JWR
DRAWN BY: KWF
DATE: 12-09-2021
SCALE: 1"=40'
PROJECT No.: BFT-21209
FILE: BFT-21209 EASE1.DWG

ATLAS
SURVEYING, INC.

49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
WEBSITE: WWW.ATLASSURVEYING.COM



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

JEREMY W. REEDER
S.C.P.L.S. No. 28139
NOT VALID UNLESS CRIMPED WITH SEAL



3. No Obligation to Pay Rent, Occupancy Changes or Taxes. No party hereto shall be obligated to pay any rent, taxes, operating expenses or other occupancy or use charges for the rights created by this Easement.
4. Grantors' Property. The Grantee acknowledges the Property is open to the general public, and this Easement does not create any obligation on the Grantors to restrict public access to the Grantee's Adjacent Property, and the Grantors shall never be obligated to install or construct a fence or fence-like structure between all or any part of the Adjacent Property and the Property.
5. Miscellaneous.
 - a. *Incorporation of Recitals.* The recitals to this Easement are incorporated as if fully set forth herein.
 - b. *Remedies.* In the event either Party fails to perform any of the covenants and agreements set forth in this Easement on its part to be performed within the time or times specified herein, the other Party shall be entitled to enforce its rights hereunder by any remedy available at law or in equity.
 - c. *Governing Law; Venue.* This Easement shall be governed by and construed in accordance with the laws of the State of South Carolina without regard to principles of conflicts of laws. Venue for any action under this Easement shall be in Beaufort County, South Carolina.
 - d. *Amendments.* This Easement may not be amended, modified, altered or terminated except by written agreement signed by both Grantors and the Grantee.
 - e. *Binding Effect.* This Easement shall run with the land and shall be binding upon and inure to the benefit of Grantors and their successors and assigns, and Grantee and its successors in trust and assigns.
 - f. *Counterparts.* This Easement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.
 - g. *Termination.* Notwithstanding any other remedy provided by law or otherwise provided for in this Easement, this Easement may only be terminated by written agreement signed by all of the Parties.

IN WITNESS WHEREOF, and in acknowledgement that the **Parties** hereto have read and understood each and every provision hereof, the **Parties** have caused this Easement to be executed on the date first written above.

