

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LANCASTER )

ORDINANCE NO. 2017-1466

FILED  
OFFICE OF CLERK  
OF COURT  
2017 SEP 27 AM 10:29  
CLERK OF COURT  
LANCASTER, SC

**AN ORDINANCE**

**TO CONVEY TO THE STATE OF SOUTH CAROLINA THAT ROAD IDENTIFIED AS FISH HATCHERY ROAD THAT IS UTILIZED BY THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES (DNR) IN CONJUNCTION WITH ITS OPERATION AND MANAGEMENT OF SPRING STEVENS FISH HATCHERY.**

**WHEREAS**, at present, Lancaster County is the accepted owner of a roadway located near Health Springs and known as Fish Hatchery Road; and

**WHEREAS**, Lancaster County's ownership of the roadway has been established through a prescriptive easement, the roadway's boundaries having no defined right of way; and

**WHEREAS**, the roadway winds in a southwesterly direction through real properties owned principally by the State, Fish Hatchery Road serving as the DNR's access to the Spring Stevens Fish Hatchery. Further, although the roadway has been maintained periodically by Lancaster County, it is in disrepair. The State has agreed to undertake necessary repairs and upgrades to Fish Hatchery Road upon ownership being transferred to the State.

**NOW, THEREFORE**, by the power and authority granted to the Lancaster County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

**Section 1.** The Lancaster County Administrator hereby is authorized to convey via Quit Claim deed to the State of South Carolina all of its right, title and interest in and to Fish Hatchery Road.

**Section 2. Severability.**

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

**Section 3.     Conflicting Provisions.**

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

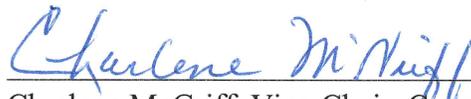
**Section 4.     Effective Date.**

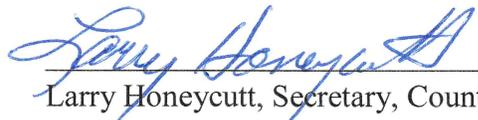
This ordinance is effective upon Third Reading.

**AND IT IS SO ORDAINED**

Dated this 25<sup>th</sup> day of September, 2017.

LANCASTER COUNTY, SOUTH CAROLINA

  
\_\_\_\_\_  
Charlene McGriff, Vice-Chair, County Council

  
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Larry Honeycutt, Secretary, County Council

Attest:

  
\_\_\_\_\_  
Sherrie Simpson, Clerk to Council

First Reading:       8-28-2017  
Second Reading:    9-12-2017  
Public Hearing:      9-25-2017  
Third Reading:      9-25-2017