

NEWBERRY COUNTY COUNCIL

RESOLUTION #13-08

AUTHORIZING THE EXECUTION OF A CORRECTIVE DEED AND GRANTING OF AN EASEMENT FROM NEWBERRY COUNTY, SOUTH CAROLINA, AND NEWBERRY COUNTY HOSPITAL BOARD OF TRUSTEES, TO NEWBERRY ATRIUM PROFESSIONAL CENTER, LLC (THE "LLC") FOR THE PURPOSE OF CONSTRUCTING A MEDICAL OFFICE BUILDING; AND OTHER MATTERS RELATING THERETO AND THE ACQUISITION BY NEWBERRY COUNTY HOSPITAL BOARD OF TRUSTEES (THE "BOARD") OF APARTMENT UNIT 1 FROM THE LLC.

WHEREAS, the Board has previously authorized the sale of 1.80 acres on Kinard Road (the "Property") to the LLC; and

WHEREAS, the Board's Attorneys have advised that the Newberry County Council (the "Council") should join in executing a deed to the Property in favor of the LLC; and

WHEREAS, a Corrective Deed to the Property needs to be executed by both the Board and the Council and delivered to the LLC; and

WHEREAS, both the Board and Council need to authorize and grant an easement across certain land adjacent to the Property to provide for ingress and egress to required parking for the medical office building constructed on the Property by the LLC (the "Building"); and

WHEREAS, both the Board and Council desire to authorize the Board to acquire Apartment Unit 1 in the Building for use as additional hospital facilities for the benefit of Newberry County and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Council approves the execution and delivery of the Corrective Deed to the Property which is attached as Exhibit A hereto.

Section 2. The Council approves the purchase in the name of Newberry County Hospital Board of Trustees of Apartment Unit 1 in the Building for use as additional hospital facilities. The Council further authorizes the granting of an easement to the LLC, across adjacent land owned by the Council, for ingress and egress to parking required by the LLC and its tenants in the medical office building constructed on the Property.

Section 3. The Chairman and Secretary of the Council are hereby authorized and directed to take all such other action, including without limitation, the preparation, execution, acknowledgement, delivery and filing of said Corrective Deed and easement and other documents and take such action with appropriate persons or entities as they may deem necessary or advisable in order to carry out and effectuate the intent of this resolution.

Section 4. The Council will cause the notice required by law to be timely published in a newspaper of general circulation in the County not less than ten nor more than twenty days prior to final action by the Council to effectuate these Resolutions.


Section 5. All resolutions, actions of the Council or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 6. Section 9. This resolution is effective this 15 day of September, 2008.

NEWBERRY COUNTY COUNCIL

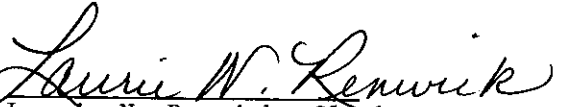
BY:

ITS:


Chairman

(SEAL)

Attest:


Laurie N. Renwick, Clerk to Council