

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

RESOLUTION NO. 722

City of Darlington
Grantor,

County of Darlington
Grantee,

**MEMORANDUM OF AGREEMENT
AND ROAD ACCEPTANCE OF
HEWITT STREET AND A
PORTION OF FOUNTAIN STREET**

WHEREAS, the City of Darlington desires to transfer Hewitt Street and the public portion of Fountain Street right of ways described below to the County of Darlington; and

WHEREAS, the County of Darlington is willing to accept the transfer of these road right of ways as set forth herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the City of Darlington and the County of Darlington, in the state aforesaid, for in consideration of the mutual covenants herein described, do hereby agree to the following:

That Darlington County has accepted the road right of way for Hewitt Street and the public portion of Fountain Street located in the City of Darlington, South Carolina, as shown on **EXHIBIT A** attached hereto.

Darlington County will not be responsible for any driveway installed by owners or contractors where materials are not South Carolina Department of Transportation standard specifications for highway construction approved, where improperly sized pipe is used, or where concrete or asphalt driveway swales are constructed without prior written approval.

Any such installations which have to be removed to correct drainage problems will not be the responsibility of Darlington County for replacement or payment.

SPECIAL CONDITIONS. Provided, further, that the Grantor herein understands and acknowledges that there will be no responsibility on the part of the County of Darlington for drainage of property adjoining said streets/roads herein conveyed/transferred, nor will the County of Darlington be responsible for any water standing or flowing onto adjoining property, or damage therefrom which arises out of or is caused by the original design or construction of said streets.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 7th day of December 2020.

Signed, Sealed, and Delivered
in the Presence of:

Samuel Bishop
Witness

Sophanie Shaw
Witness

DARLINGTON COUNTY

By: *Bobby Hudson*
Bobby Hudson, Chairman
Darlington County Council

Attest: *Marion C. Stewart*
Marion Charles Stewart, III
County Administrator

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AFFIDAVIT OR PROBATE

Personally appeared before me, the undersigned witness and made oath that (s)he saw the within named, **Bobby Hudson, Darlington County Council Chairman**, sign, seal, and as his act or deed, deliver the within **MEMORANDUM OF AGREEMENT AND ROAD ACCEPTANCE**, and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

Sophanie Shaw
Witness

SWORN TO before me this 7th day of December 2020.

Samuel Bishop
NOTARY PUBLIC FOR SOUTH CAROLINA

My Commission expires: 4/18/2029

EXHIBIT A

HEWITT STREET & Public Portion of FOUNTAIN STREET

Located within the City of Darlington, SC

