

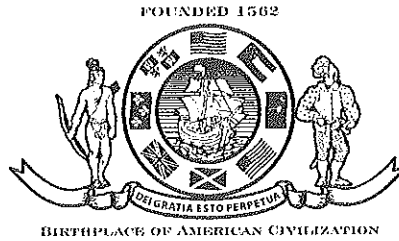
# Town of Port Royal, South Carolina

## Council

Samuel E. Murray  
Mayor

Vernon DeLoach  
Mayor Pro Tempore

Mary Beth Heyward  
Tom Klein  
Joe Lee



Van Willis  
Town Manager

James L. Cadlen  
Chief of Police

Jeffrey S. Coppinger  
Daniel G. Lemieux  
Operations

Linda Bridges  
Planning

## ORDINANCE 2012-2

### AN ORDINANCE TO AMEND ORDINANCE 2011-17 SO AS TO MODIFY THE EFFECTIVE DATE THEREOF.

**WHEREAS**, by Ordinance 2011-17, adopted on November 9, 2011, the Town Council of the Town of Port Royal rezoned approximately 317 acres in the Town of Port Royal generally lying along Battery Creek as delineated on that Plat entitled "Plat of 51.60 Acres of Highland at South Carolina State Ports Authority, Port Royal Terminal" prepared by Thomas and Hutton Engineering Co., dated December 20, 2006 and recorded in Plat Book 0122 at Pages 0032 through 0035 on October 17, 2007 in the Beaufort County RMC Office (herein "Property"); and

**WHEREAS**, at the time of the adoption of Ordinance 2011-17, the Port Royal Development Group, LLC had the Property under a Contract of Sale; and

**WHEREAS**, recognizing that unforeseen circumstances could affect the date of acquisition of the Property, Town Council timed the effective date of Ordinance 2011-17 to the anticipated date of acquisition of the Property by Port Royal Development Group, LLC of March 1, 2012, with the express provision that the acquisition date could be extended by Town Council by way of a duly adopted ordinance; and

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**WHEREAS**, Port Royal Development Group, LLC has diligently pursued acquisition of the Property , but circumstances beyond its control has prevented it from closing by March 1, 2012 ; and

**WHEREAS**, the Port Royal Development Group, LLC, still has the Property under contract, and is still diligently pursuing its acquisition; and

**WHEREAS**, the Town Council finds that the planned unit development for the Property as established by Ordinance 2011-17 constitutes sound planning for the development of the Property, and that it is in the best interest of the citizens of the Town of Port Royal that this planned unit development be preserved; and

**WHEREAS**, the Town Council further finds it in the best interest of the citizens of the Town of Port Royal to amend Ordinance 2011-17 by extending the date by which the acquisition of the Property may be accomplished and thus the date of Ordinance 2011-117 becoming effective.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Town of Port Royal, South Carolina, duly assembled and by authority of same:

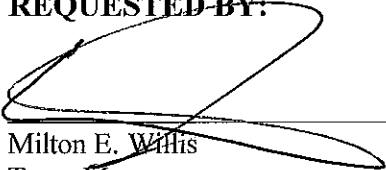
Section 1: Section 2 of Ordinance 2011-17 is hereby amended by deleting Section 2 thereof in its entirety and by substituting a new Section 2 in its place and stead, which new Section 2 shall read as follows:

Ordinance 2012-2

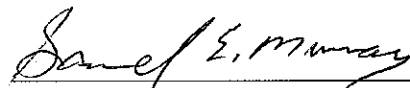
Section 2. This Ordinance 2011-17 shall become effective upon adoption by Town Council and the acquisition of title to the Property described in Section 1 of this Ordinance by the Port Royal Development Group, LLC (or an assign of it approved by the Town) or July 1 , 2012, whichever occurs first.

Section 2: This Ordinance shall become effective upon adoption by Town Council.

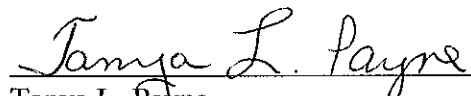
**REQUESTED BY:**

  
Milton E. Willis  
Town Manager

**APPROVED BY:**

  
Samuel E. Murray  
Mayor

**ATTEST:**

  
Tanya L. Payne  
Municipal Clerk

Introduced: 3-14-12

Final Reading: 4-11-12