

No. _____

AN ORDINANCE**TO AUTHORIZE AND APPROVE THE TRANSFER OF OWNERSHIP AND OPERATION OF POINSETT PARK, GATEWAY PARK, AND TRAILBLAZER PARK TO THE CITY OF TRAVELERS REST, AND TO AUTHORIZE THE EXECUTION OF DEEDS AND ANY OTHER DOCUMENTS AND AGREEMENTS RELATED THERETO.**

WHEREAS, in 1998, the Greenville County Recreation District acquired a 4.5-acre tract of land by deed recorded in Deed Book 1758, Page 646 of the Greenville County Register of Deeds Office (Greenville County Tax Parcel Number 0487000101400) upon which has been constructed a picnic shelter, a playground, and a walking path (“Poinsett Park”); and

WHEREAS, in 1999, the Greenville County Recreation District acquired a 13.4-acre tract of land by deed recorded in Deed Book 1820, Page 655 of the Greenville County Register of Deeds Office (Greenville County Tax Parcel Number 0495000104000) upon which has been constructed a football field, a baseball field, a basketball court, two tennis courts, a playground, bike trails, a pump track, restrooms, and a concession stand (“Gateway Park”); and

WHEREAS, in 2008, the Greenville County Recreation District acquired a 38-acre tract of land by deed recorded in Deed Book 2320, Page 646 of the Greenville County Register of Deeds Office (Greenville County Tax Parcel Numbers 0484000100800, 0484000100804, 0484000100805, and 0484000100806) upon which has been constructed football fields, a walking track, community gardens, trails, restrooms, and a concession stand (“Trailblazer Park”); and

WHEREAS, Poinsett Park, Gateway Park, and Trailblazer Park (collectively, the “Parks”) have been continuously operated and maintained by either the Greenville County Recreation District or Greenville County; and

WHEREAS, Greenville County Council finds that the City of Travelers Rest’s growth and recreational programming have positioned it strategically to continue developing and managing the Parks for the enjoyment of all residents; and

WHEREAS, the City of Travelers Rest has offered to take over the ownership, maintenance, and future development of the Parks (including the land, existing park improvements, equipment, and inventory), along with all associated obligations, duties, responsibilities, and liabilities; and

WHEREAS, the City of Travelers Rest has agreed to continue the current recreational programs offered or facilitated by Greenville County at the Parks for a period of two years. After the two-year period, the City of Travelers Rest will be responsible for its own recreational programs at the Parks and will ensure that the Parks and the programs offered at the Parks will be made available to Greenville County residents at the same rates that the City of Travelers Rest charges residents of the City of Travelers Rest; and

WHEREAS, Greenville County Council finds that the general public would best be served by transferring ownership and operation of the Parks to the municipal government of the City of Travelers Rest; and

WHEREAS, the Parks will be maintained and used for recreational purposes only and that the deeds conveying Park property will contain restrictions to ensure such use.

NOW, THEREFORE, be it ordained by Greenville County Council:

Section 1. Approve Conveyance, Transfers, and Agreement. Greenville County Council approves the conveyance and transfer of ownership, operation, maintenance, and future development of the Parks (excluding the portion of Trailblazer Park containing the North Greenville Summary Court and parking area surrounding the Summary Court, which the County will retain), along with all of the obligations, duties, responsibilities, and liabilities associated therewith; the transfer of the assets; and the transfer of recreation operations, all as set forth in the Agreement (as defined below) to the City of Travelers Rest without monetary consideration under the terms and conditions contained in the Intergovernmental Agreement for Transfer of Park Property and Operational Responsibilities (the “Agreement”) attached to this Ordinance as an Exhibit.

Section 2. Authorize Execution of Agreement and Other Necessary Documents. The Chairman of County Council and the County Administrator are authorized to execute the Agreement and any other documents, including, but not limited to, quit claim deeds and all other documents necessary to affect the transfer of ownership, operation, maintenance, and future development of the Parks (including the land described above, and the existing park improvements, equipment, and inventory on the land) along with all of the obligations, duties, responsibilities, and liabilities associated therewith to the City of Travelers Rest for that purpose and under the conditions stated in this Ordinance.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance or inconsistent with its provisions are repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2024.

Dan Tripp, Chairman
Greenville County Council

ATTEST:

Jessica Stone
Deputy Clerk to Council

Joseph M. Kernell
County Administrator