

STATE OF SOUTH CAROLINA

UTILITY SERVICE ANNEXATION COVENANT

COUNTY OF CHARLESTON

GRANTOR: _____,

WHEREAS, the undersigned Grantor (hereinafter whether singular or plural the “undersigned”) own real property which is outside the present municipal limits of the Town of Mount Pleasant and have requested for such property to be served with Sewer service by Mount Pleasant Waterworks; and

WHEREAS, it is understood by the undersigned that the provision of sewer to the land and improvements of the owners must be consistent with the policies and ordinances of the Town of Mount Pleasant relative to such utility services and the annexation of properties served; and

WHEREAS, it is recognized that such land as will be served by sewer is presently intended ultimately to become part of the Town of Mount Pleasant through annexation when deemed feasible and proper by the Town:

NOW, THEREFORE, the undersigned warrant, agree and covenant as follows:

1. They are the sole owners and hold all legal and equitable interest in the property identified below and are fully authorized to execute this document and to forever bind themselves, their successors and assigns and the subject property to the Town of Mount Pleasant, South Carolina.
2. The terms of this covenant are intended as a covenant running with the land as a burden on the subject premises, commonly known as:

SITE ADDRESS: _____

LOT _____

TMS: _____

County of Charleston, State of South Carolina

The property is more is more fully described in **Exhibit A**, which is attached hereto.

3. In the event that the Mount Pleasant Waterworks, upon approval of the Town of Mount Pleasant, in its discretion, furnishes sewer service to the above-described land, then as a condition to receipt thereof and in consideration thereof, the undersigned and each of them, for him/herself and for his/her successors in interest, hereby covenant to the Town of Mount Pleasant and also to the present and future owners of any property affected by the furnishing of water and/or sewer provided for herein, that all or any of them shall, whenever so requested, sign any letter, notice, petition or other instrument that may be represented to them, addressed to the Town under applicable laws of the State of South Carolina, initiating, furthering, or accomplishing the annexation to the Town of Mount Pleasant of any area contiguous or which becomes contiguous to the Town in which the above-described land is located. The undersigned further covenant and agree that they will not protest the annexation in any way. The Town of Mount Pleasant has the right to initiate and complete annexation proceedings should the undersigned fail to cooperate.
4. It is understood that this covenant is made without regard to whether the annexation involves the assumption by the area to be annexed of the existing Town of Mount Pleasant indebtedness and/or whatever other conditions the Town may lawfully impose.

5. The undersigned understand and agree that extension of this utility service to their land would not be authorized by the Town without the undersigned's binding commitment to this covenant, on his/her own behalf and on behalf of his/her successors and assignees.
6. The undersigned further covenants and agrees to require execution and recording of a like covenant, including all of the terms hereof, by any party or parties to whom he/she conveys or transfers an interest in the above-described property.
7. If for any reason, any provision of this instrument is declared illegal or unenforceable, then the Town may cancel and terminate the utility service referred to herein and the undersigned agrees immediately to remove all connections to said utility service, or the Town of Mount Pleasant Waterworks may do so at its option and without further permission of the undersigned.
8. No obligation provided for herein by be waived by the Town except in writing. Failure to enforce any provision hereof in any instance shall not waive the Town's right to enforce it in any subsequent instance. The undersigned acknowledges that he/she has had an opportunity to consult with legal counsel regarding the provision hereof.

IN WITNESS WHEREOF, I, _____ **(Grantor's Name)**, state on oath that I am the person named in the document, and have acknowledged to the Notary Public that I am signing the document at my free and voluntary act and have executed this Utility Service Annexation Covenant under seal this ____ day of _____, 20____.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Witness #1

GRANTOR: _____ (PRINT NAME)

Witness #2

STATE OF SOUTH CAROLINA)
COUNTY OF _____)

I, the undersigned Notary Public for South Carolina, do hereby certify that **GRANTOR** personally appeared before me this day along with the witnesses and the witnesses and I acknowledged the due execution by the Grantor of the foregoing instrument.

Witness my hand and official seal
this ____ day of _____, 20____.

Notary Public for South Carolina
My Commission Expires:_____