

RESOLUTION NO. 3-2026

MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA)

TOWN OF ATLANTIC BEACH)

Road/Route: US 17 (North Kings Highway) from MP 24.0 (Conway Street) to MP 26.0 (20th Ave S)

Project ID: P037887

Project: US 17 Corridor Safety Improvements from Conway Street to 20th Ave South

WHEREAS, the South Carolina Department of Transportation (SCDOT) proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the Town of Atlantic Beach (hereinafter, “the Town”).

WHEREAS, the Town wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by or for SCDOT (“the Project Plans”).

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1991), the Town does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans. The foregoing consent shall be the sole approval necessary from the Town to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the Town’s limits. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the Town shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED that the Town will assist in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company’s expense, except where the utility can demonstrate a prior right of occupancy. To the extent that Town-owned utilities are to be relocated, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall bear no liability for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the Town or its contractors. Future utility installations by the Town within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT’s “A Policy for Accommodating Utilities on Highway Rights-of-Way.”

BE IT FURTHER RESOLVED, that the Town hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without

having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this 21st day April, 2026 and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Town of Atlantic Beach, South Carolina
Municipality

Jake Evans, Mayor

John W. David, Jr., Mayor Pro Tem

Jacqueline Gore, Council Member

Edward Campbell, Council Member

Carla Y. Taylor, Council Member

ATTEST:

Town Clerk

Town Manager