



ORDINANCE NO. 2024-03

ACCEPTING A PORTION OF GOFF AVENUE FROM CLARK STREET TO MAGNOLIA STREET FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION; CLOSING GOFF AVENUE FROM CLARK STREET TO MAGNOLIA STREET; TRANSFERRING SUCH ROAD TO CLAFLIN UNIVERSITY; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council ("Council") of the City of Orangeburg ("City") finds:

- (a) On or about January 19, 2023, the South Carolina Department of Transportation removed a portion of state road 38-106 from the State Highway System, as indicated in the attached Exhibit A;
- (b) The City intends for this Ordinance to represent the City's acceptance into the City's municipal road system so much of that portion of state road 38-106 removed from the State Highway System;
- (c) According to South Carolina Code Annotated section 5-27-150, the city council of any city containing more than five thousand inhabitants may close or alter streets in the city when, in the city council's judgment, the closure or alteration may be necessary for the improvement of the city;
- (d) According to the 2020 Decennial Census, as of April 1, 2020, the City's population is 13,240;
- (e) The Council has received and reviewed (i) numerous reports from the City's Department of Public Safety as well as the Claflin University Department of Public Safety raising significant concerns regarding the health and safety of residents of the City and students of Claflin University, (ii) video footage regarding the same, (iii) written and oral information from the President of Claflin University, and (iv) additional similar information;
- (f) The Council has reviewed and considered the proposed area for closure of Goff Avenue and abandonment of the same in favor of Claflin University, such that, (a) no traffic would be permitted to exit from Goff Avenue onto Magnolia Street or to exit from Magnolia Street onto Goff Avenue and (b) no traffic would be permitted to exit from Goff Avenue to the southeast of Clark Street left onto Clark Street or from Clark Street to the right onto Goff Avenue, but traffic would be permitted from the northeast of Clark Street on Goff Avenue to turn right onto Clark Street, as more fully depicted in the crosshatched area on Exhibit B ("Closure Area," which does not include any public right of way or other areas extending beyond the actual paved portion of the existing public street);
- (g) The Council has considered that, to the best of the Council's knowledge after inquiry, all other intersections with Goff Avenue in the Closure Area are for properties owned or operated by Claflin University; and
- (h) After weighing the information received and considering the health and safety impacts and the necessity for the closure and abandonment to ensure the City's continued improvement;

NOW, THEREFORE, the Council ordains as follows:

**Section 1.** The City hereby accepts as a municipal road only so much of that portion of state road 38-106 removed from the State Highway System as indicated in the attached Exhibit A.

**Section 2.** The City hereby closes and abandons, in favor of Claflin University, the Closure Area and quits any claim the City may have in the Closure Area in favor of Claflin University, provided, however, the City reserves any and all easements and all other existing public uses, including legal access rights for any real property owners, other than Claflin University, whose property abuts Goff Avenue and including the City's ability to repair, maintain, and expand and/or extend such uses, of the Closure Area, including, for example, public utilities, and authorizes the City Administrator to execute a quit claim deed in favor of Claflin University with such reservations and such other and further documents as may be necessary and prudent to effect this Ordinance's intent, provided that by accepting the deed from City, Claflin University is required to simultaneously convey individual, perpetual access and utilities easements to, and for the

benefit of, any real property owners whose property abuts Goff Avenue, which easements shall be in recordable form.

**Section 3.** Nothing in this Ordinance shall be construed to impact any proceeding inchoate or pending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

**Section 4.** All Ordinances, resolutions, orders, and parts thereof in conflict with this Ordinance, are to the extent of that conflict, repealed.

**Section 5.** This Ordinance shall take effect and be in full force upon enactment by the Council.

ENACTED BY the City Council on April 16, 2024, and effective immediately.

Mayor

Michael C. Butt

Members of Council

[Signature]  
[Signature]  
Richard A. Spence



Attest: Riida McDaniel  
City Clerk

First Reading: February 20, 2024  
Second Reading: March 5, 2024  
Third Reading: April 16, 2024

**EXHIBIT A**  
**SCDOT LETTER OF JANUARY 23, 2023**  
**PARTIAL REMOVING OF S-38-106 FROM THE STATE HIGHWAY SYSTEM**



January 20, 2023

Mr. Sidney Evering II  
City Administrator  
City of Orangeburg  
Post Office Box 387  
Orangeburg, South Carolina 29116

JAN 27 2023

11:08 AM

RE: Partial Removal of S-38-106 from the State Highway System

Dear Mr. Evering II:

At the January 2023 Commission meeting, the road listed above was partially removed from the State Highway System. The following pages include a copy of the Commission minutes describing the road as well as a copy of the transfer of maintenance responsibility form. SCDOT forces will remove any signs designating this as a Secondary Route as soon as scheduling permits.

If you have any questions, please feel free to contact this office at 803-737-3103.

Sincerely,

Yelena Kalashnikova  
Road Data Services, Director

YK:tlh

ec: Ted Creech, Director, Governmental Affairs, SCDOT  
Michael Barbee, Director, Rights-of-Way, SCDOT  
Jeffrey S. Terry, District Engineering Administrator, District 7, SCDOT  
Ethem S. Dantzler, District Maintenance Engineer, District 7, SCDOT

File: Pln/RDS

Post Office Box 191  
955 Park Street  
Columbia, SC 29202-0191



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**Orangeburg County**

**REMOVAL OF ROADS ON THE STATE HIGHWAY SECONDARY SYSTEM**

**Route Number:** S-106  
**Description:** Goff Avenue, In the City of Orangeburg, From  
S-918 (Clark Street) Southwest and West to US-21 (Magnolia Street).  
**Approximate Length:** 0.35 miles  
**Addition:** Portion of 106  
**Added to System:** 6/27/1947  
**Mileage:** -0.35 miles

**Notes:** The above road removal is being requested by the City of  
Orangeburg and they will accept maintenance responsibility for  
this section of road. It qualifies under the law (SC Code 57-5-80)  
that allows SCDOT to transfer roads from the Secondary System

REQUEST FOR TRANSFER OF ROAD FROM STATE SECONDARY

SYSTEM TO ANOTHER GOVERNMENTAL AGENCY

REVISED 07/2010

DESCRIPTION OF SECTION OF ROAD TO BE TRANSFERRED

COUNTY: Orangeburg ROAD NUMBER: S-38-106 ROAD NAME: Golf Avenue  
LENGTH TO BE TRANSFERRED: 0.35 MILES  
BEGINNING POINT: 1.34 ENDING POINT: 1.69

DESCRIPTION (PLEASE ATTACH LOCATION MAP)

Section of Golf Avenue from Clark Street to Magnolia Street

ACCEPTANCE OF MAINTENANCE RESPONSIBILITY

IT IS REQUESTED THAT THE ABOVE DESCRIBED ROAD BE REMOVED FROM THE STATE HIGHWAY SYSTEM. OWNERSHIP AND MAINTENANCE OF THIS ROAD WILL BECOME THE RESPONSIBILITY OF THE ENTITY LISTED BELOW. BY SIGNING BELOW, THE ENTITY ACKNOWLEDGES THAT THE ROAD MUST REMAIN OPEN TO THE PUBLIC UNLESS CLOSED PURSUANT TO APPROPRIATE LOCAL ROAD CLOSING PROCEDURES OR THE STATUTORY ROAD CLOSING PROCESS FOUND IN S. C. CODE SECTION 57-9-10, et seq.

GOVERNMENTAL AGENCY: City of Orangeburg

PLEASE TYPE OR PRINT

NAME: Sidney Eving, II

PLEASE TYPE OR PRINT

TITLE: City Administrator

PLEASE TYPE OR PRINT

SIGNED: [Signature] DATE: 11/2/22

NOTE TO DISTRICT ENGINEERING ADMINISTRATOR:

THIS COMPLETED FORM AND MAP SHOULD BE FORWARDED TO:

SCDOT DIRECTOR OF ROAD DATA SERVICES

1177 PARK STREET, ROOM 518, P.O. BOX 1611

COLUMBIA, S.C. 29202

BASIS FOR TRANSFER  
(TO BE COMPLETED BY SCDOT)

CHECK ONE OF THE (2) TWO OPTIONS BELOW AND COMPLETE

1.  TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (SWAP MILES ONLY)

ENTER DETAILS OF ROADS TO BE TRANSFERRED INTO THE ROAD SWAP DETAILS SPREADSHEET. PRINT AND ATTACH THE SPREADSHEET TO THIS FORM. IF THE SWAP INVOLVES MORE THAN ONE STATE ROUTE, ON PAGE 1 ENTER "ROAD SWAP" FOR THE ROAD NUMBER AND "SEE ATTACHED" FOR THE ROAD NAME. THE NUMBER OF LANE MILES ADDED TO THE STATE SYSTEM SHOULD NOT EXCEED THOSE REMOVED

2.  TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (NO SWAP MILES)

TRANSFER CHECKLIST (CHECK APPROPRIATE BOXES BELOW)

- ROAD IS NOT REQUIRED FOR DEPARTMENT PURPOSES  
 ROAD IS OF LOW TRAFFIC IMPORTANCE. LIST FUNCTIONAL CLASSIFICATION: Urban Major Collector

THE RIGHT OF WAY LIMITS RETAINED AT THE INTERSECTING ROADS WILL BE ESTABLISHED AS FOLLOWS:

Maintain right of way along Magnolia and Clark Street.

ADDITIONAL COMMENTS:

A COPY OF THE PLAN SHEET WITH THE NEW RIGHT OF WAY LIMITS SHOULD BE INCLUDED AS NEEDED.

REQUEST SUBMITTED BY: [Signature] DATE: 11/16/22

CONCURRENCE BY: [Signature] DATE: 11/16/22

SIGNATURE REQUIRED BELOW ONLY FOR ROUTES ABOVE MAJOR COLLECTOR OR IF SOME PART OF ROAD IS ADDED TO THE STATE SYSTEM

APPROVED \_\_\_\_\_ DATE: \_\_\_\_\_  
DIRECTOR OF ROAD DATA SERVICES OR DESIGNEE

**EXHIBIT B**  
**DEPICTION OF AREA CLOSED TO PUBLIC TRAFFIC**  
**AND**  
**ABANDONED IN FAVOR OF CLAFLIN UNIVERSITY**

