

RESOLUTION NO.: R-2015-040

Release and Abandonment of a Portion of the City's Existing 10' Sanitary Sewer Main Easement along a portion of Richland County TMS# 11606-05-38, 37, 36 & 35, identified as 156, 162, 166 & 170 Burton Heights Circle; Common Area No. 3/Detention Pond and Lots 12, 13, & 14, Burton Heights Subdivision, Phase II, CF# 43-31 & CF# 90-16A

ORIGINAL
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WHEREAS, the City of Columbia obtained a 10' sanitary sewer easement along the subject property (formerly the site of Burton Elementary School) from the Board of School Commissioners for Richland County School District One, dated May 27, 1969 and recorded on October 16, 1970 in the Office of the Register of Deeds for Richland County in Deed Book D189, page 721 and shown on drawings on file in the office of the Department of Utilities and Engineering under CF#43-31; and,

WHEREAS, subsequently the school was closed and the property was developed for residential housing. The development plans for Burton Heights Subdivision, Phase II were approved with changes in sanitary sewer main locations thereby causing a portion of the existing 10' City sanitary sewer easement along said Common Area No. 3/Detention Pond, Lots 12, 13 and 14 to no longer be necessary; and,

WHEREAS, a request has been made for release and abandonment of that portion of the original easement obtained on the subject properties that is no longer necessary; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council this 5th day of May, 2015, for and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, and the granting of sanitary sewer mains and easements to the City of Columbia, the receipt of which are hereby acknowledged, the City Manager is hereby authorized to execute a release and abandonment instrument from the City of Columbia that remises, releases and forever quitclaims unto **BURTON HEIGHTS PROPERTY OWNERS ASSOCIATION (COMMON AREA NO. 3/DETENTION POND), MARY HARLEY (LOT 12), TAJANISE S. RIVERA (LOT 13) & CHERYL RENNE WARD (LOT 14)**, their heirs, personal representatives, successors and assigns, the relative portions of the City of Columbia's existing 10' sanitary sewer easement along the subject properties, identified as Common Area No. 3/Detention Pond, Lots 12, 13 and 14. The abandoned portions of the existing 10' sanitary sewer easement being more clearly shown with a dotted pattern on the record drawing for Layout & Staking Plan of Burton Heights Subdivision, Phase II, dated January 30, 2006 and being attached hereto and made a part hereof as Exhibit "A".

Said drawing also being on file in the Department of Utilities and Engineering under file reference #90-16A.

Requested by:

Assistant City Manager Gentry

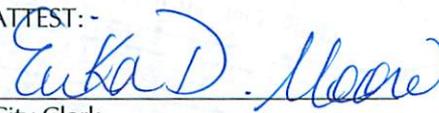

Mayor

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:-

City Clerk

Introduced: 5/5/2015
Final Reading: 5/5/2015

