

RESOLUTION NO.: R-2015-086

Release and Abandonment of Portions of the City's Existing Water and Sanitary Sewer Easements along a portion of Richland County TMS#09010-16-33, identified as 113 Arsenal Academy Place, Lot 7, The Battery at Arsenal Hill; CF#293-10 & CF#293-10A

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RED

WHEREAS, the City of Columbia obtained water and sanitary sewer easements from Arsenal Hill Associates, LLC in the easement for utilities and public services, dated April 26, 2007 and recorded on September 20, 2007 in the Office of the Register of Deeds for Richland County in Record Book R1359 at Page 3036; also, water easements were obtained from Arsenal Hill Associates, LLC in the deed to water lines for The Battery at Arsenal Hill, dated October 13, 2008 and recorded on October 24, 2008 in the Office of the Register of Deeds for Richland County in Record Book R1472 at Page 882; also, sanitary sewer easements were obtained from Arsenal Hill Associates, LLC in the deed to sanitary sewer lines for The Battery at Arsenal Hill, dated October 13, 2008 and recorded on October 24, 2008 in the Office of the Register of Deeds for Richland County in Record Book R1472 at Page 876 and shown on record drawings on file in the office of the Department of Utilities and Engineering under CF#293-10; and,

WHEREAS, it was recently discovered that the structure on the subject property encroaches within portions of the City's existing water and sanitary sewer easements. Upon review of the encroachments by the Department of Utilities and Engineering it was determined that the release of portions of the water and sanitary sewer easements would not hinder operation and maintenance of the City's existing water and sanitary sewer mains; and,

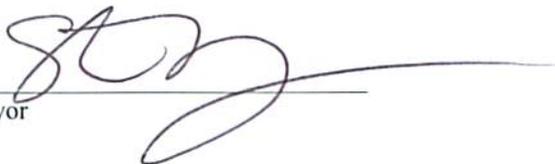
WHEREAS, a request has been made for release and abandonment of portions of the original easements obtained on the subject property that would eliminate the encroachments; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council this 15th day of September, 2015, for and in consideration of the sum of One and No/100 (\$1.00) Dollar, each to the other paid, the receipt of which is 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 **JAMES DRIVER & DEVON DRIVER**, their heirs, personal representatives, successors and assigns, the portions of the City of Columbia's existing water and sanitary sewer easements along the subject property, being more clearly shown by a cross-hatch pattern on a plat of 113 Arsenal Academy Place, dated July 15, 2015, prepared by Inman Land Surveying Company, Inc. 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 CF#293-10A.

Requested by:

Missy S. Gentry, ACM for Operations



Mayor

Approved by:

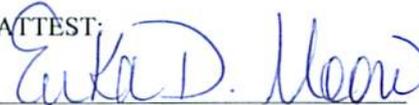


City Manager

Approved as to form:



City Attorney

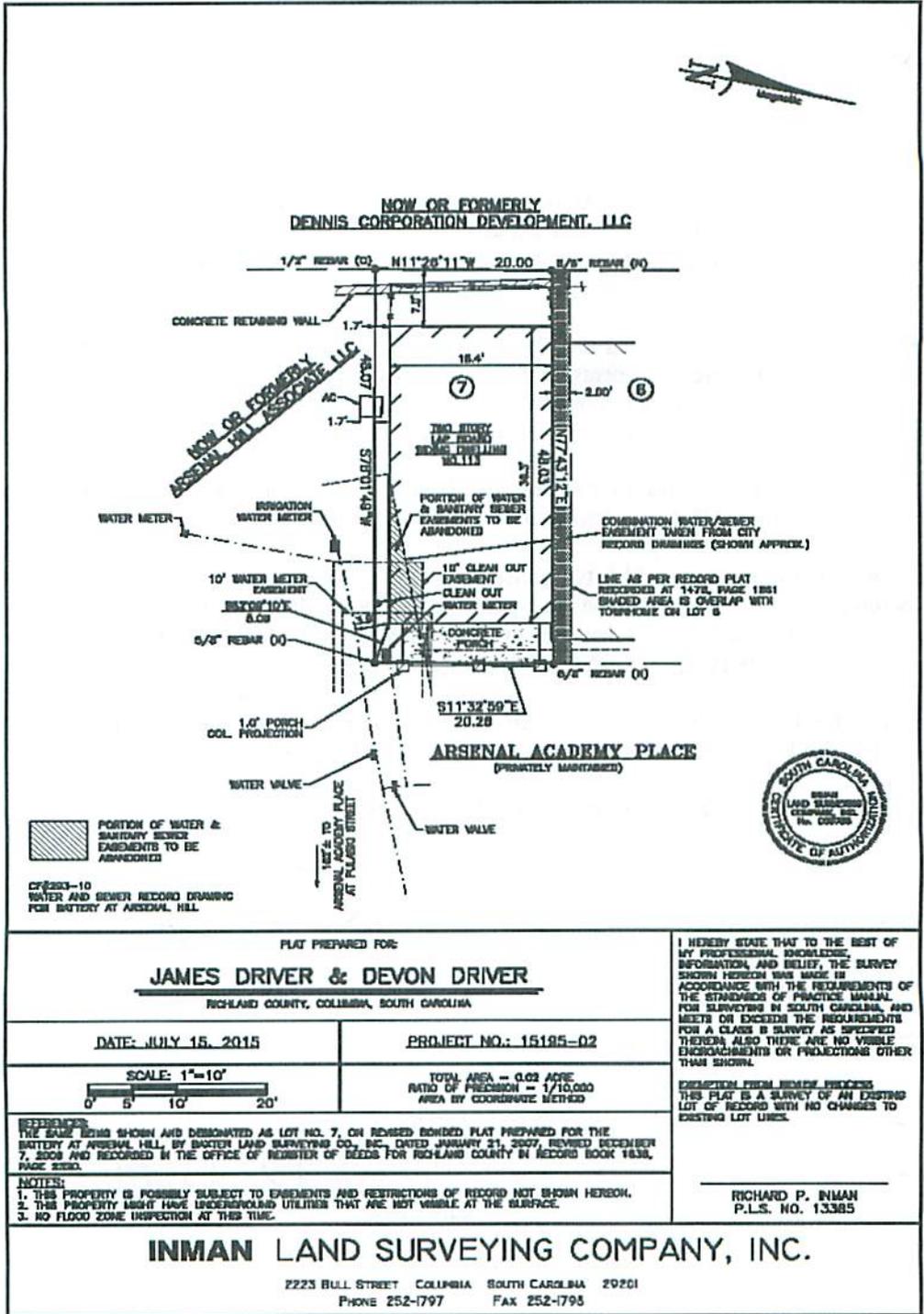
ATTEST:


City Clerk

Introduced: 9/15/2015
Final Reading: 9/15/2015

EXHIBIT "A"
RESOLUTION NO.: R-2015-086

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|--|-----------------------|---|
| PLAT PREPARED FOR JAMES DRIVER & DEVON DRIVER RICHLAND COUNTY, COLUMBIA, SOUTH CAROLINA | | I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. |
| DATE: JULY 15, 2015 | PROJECT NO.: 15185-02 | |
| SCALE: 1"=10' | | CREATION FROM RECORD PROCEEDS THIS PLAT IS A SURVEY OF AN EXISTING LOT OF RECORD WITH NO CHANGES TO EXISTING LOT LINES. |
| TOTAL AREA = 0.02 ACRES RATIO OF PRECISION = 1/10,000 AREA BY COORDINATE METHOD | | |
| REFERENCES: THE SAME BEING SHOWN AND DESIGNATED AS LOT NO. 7, ON REVISED BONDED PLAT PREPARED FOR THE BATTERY AT ARSENAL HILL, BY INMAN LAND SURVEYING CO., INC. DATED JANUARY 21, 2009, REVISED DECEMBER 7, 2008 AND RECORDED IN THE OFFICE OF REGISTER OF DEEDS FOR RICHLAND COUNTY IN RECORD BOOK 1838, PAGE 2820. | | |
| NOTES: 1. THIS PROPERTY IS POSSIBLY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD NOT SHOWN HEREON. 2. THIS PROPERTY MIGHT HAVE UNDERGROUND UTILITIES THAT ARE NOT VISIBLE AT THE SURFACE. 3. NO FLOOD ZONE INSPECTION AT THIS TIME. | | RICHARD P. INMAN P.L.S. NO. 13385 |

BOOK 331-42

T.M.S. 08010-18-33

S.F. 164 No. 16