

**ORDINANCE NO.: 2007-039**

*Repealing Ordinance 2007-008 and Authorizing the transfer of 0.120 acre of the unpaved portion of the Liberty Street Extension right of way area adjacent to Richland County Tax Map 09116-04-01 and 09116-05-01 to The Dutch Fork Trading Company, LLC*

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STAMPED IN REC

WHEREAS, on February 21, 2007 by Ordinance 2007-008, City Council authorized the City Manager to execute a Contract of Sale, Deed and any closing documents necessary for the conveyance of a 0.109 acre (4,750 square feet) of the unpaved portion of the Liberty Street Extension right of way area adjacent to Richland County Tax Map 09116-05-01 and 09116-05-02 to The Dutch Fork Trading Company, LLC for Fourteen Thousand Two Hundred Fifty and No/100 (\$14,250.00) Dollars; and,

WHEREAS, a revised survey prepared by Associated E & S, Inc. dated April 4, 2007 reflects that the property is 0.120 acre and adjacent to Richland County Tax Map 09116-04-01 and 09116-05-01; and,

WHEREAS, the sales price has been recalculated to Fifteen Thousand Six Hundred Eighty-eight and No/100 (\$15,688.00) Dollars; NOW THEREFORE,

*BE IT ORDAINED* by the Mayor and Council of the City of Columbia, South Carolina, this 20th day of June, 2007, that Ordinance 2007-008 is repealed and that the City Manager is hereby authorized to execute a Contract of Sale, Deed and any closing documents necessary to effect the conveyance of 0.120 acre of the unpaved portion of the Liberty Street Extension right of way area adjacent to Richland County Tax Map 09116-04-01 and 09116-05-01 to The

Dutch Fork Trading Company, LLC for Fifteen Thousand Six Hundred Eighty-eight and No/100 (\$15,688.00) Dollars.

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Requested by:

Steven A. Gantt, Senior Assistant City Manager



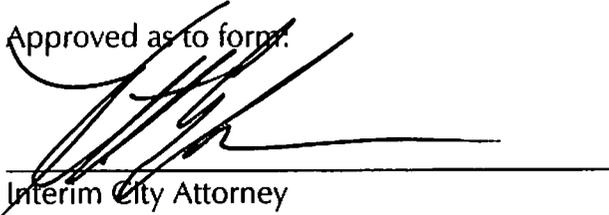
MAYOR

Approved by:



City Manager

Approved as to form:



Interim City Attorney

ATTEST:



City Clerk, Interim

Introduced: 6/6/2007

Final Reading: 6/20/2007

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

**LIMITED WARRANTY DEED**  
Office of the City Attorney  
Columbia, South Carolina

KNOW ALL MEN BY THESE PRESENTS, THAT, the City of Columbia, South Carolina in consideration of the sum of **Fifteen Thousand Six Hundred Eighty-eight and 00/100 (\$15,688.00) Dollars** to it in hand paid at and before the sealing of these presents by **The Dutch Fork Trading Company, LLC, 9 Richland Medical Park Drive, Columbia, South Carolina 29203**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release, subject to the easements, restrictions, reservations and conditions ("Exceptions") set forth below unto the said **The Dutch Fork Trading Company, LLC**, subject to the below stated Exceptions, its successors and assigns, the following described real estate, to wit:

**THIS CONVEYANCE IS MADE SUBJECT TO:** Any governmental statutes or ordinances, zoning ordinances and regulations, building restrictions and conditions, restrictions, covenants, and easements of record, including any shown on a recorded plat; also, any state of facts that an accurate survey would show.

All that piece, parcel or lot of land, with any improvements thereon, if any, situate, lying and being in Richland County, being a portion of the Liberty Street Extension right of way, containing 0.120 acre, more or less, and being bounded on the East by the right of way of West Street; on the North by property designated as Richland County TMS # 09116-04-01; on the South by property designated as Richland County TMS # 09116-05-01; and, on the Northwest by the right of way of S.C. Route 277 (Northeastern Freeway).

DERIVATION: This being a portion of the property conveyed to the City of Columbia by deed of Mitchell Barkoot, dated July 19, 1957, recorded in the Office of the Register of Deeds for Richland County on August 28, 1957 in Book 213 at page 376.

TOGETHER with, subject to the above Exceptions, all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD, subject to the above Exceptions, all and singular, the said Premises before mentioned unto the said **The Dutch Fork Trading Company, LLC**, its successors and assigns forever.

And the City of Columbia does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto the said **The Dutch Fork Trading Company, LLC** and **The Dutch Fork Trading Company, LLC's** successors and assigns against the City of Columbia and the City of Columbia's successors and assigns and every person claiming by or through the City of Columbia, but not otherwise.

WITNESS City of Columbia's hand and seal by Charles P. Austin, Sr., its City Manager this 10 day of July, in the year of our Lord Two Thousand Seven.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

CITY OF COLUMBIA

Rebecca J. Payton  
[Signature]

By: [Signature]  
Charles P. Austin, Sr.  
Its: City Manager

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

PROBATE

Personally appeared before me Rebecca F. Byrnes a witness and made oath that s/he saw the within named City of Columbia, South Carolina by Charles P. Austin, Sr., its City Manager sign, seal and as its act and deed, deliver the within written Deed; and that s/he with James J. Conroy, the other witness, was present and witnessed the execution thereof.

SWORN to before me this  
10 day of July, 2007  
Valerie R. Smith  
Notary Public For South Carolina  
My commission expires: 12/15/10

Rebecca F. Byrnes