

RESOLUTION R-2002-074

Release and Abandonment of a Portion of the City's Existing Sanitary Sewer Easement Along Richland County TMS # 03914-01-58 and Lexington County TMS#01999-02-037, 038, 045 & 051 (PORTION); LOTS 9, 10, 11, 12, 28, 29 & 38, Hamilton Park; CF#261-17 & CF#231-18

WHEREAS, heretofore on the 24th day of June, 1997, The Harbison Group granted a 15' sanitary sewer easement to the City of Columbia (also hereinafter referred to as "the City") in the deed to sanitary sewer lines for Clare Bridge of Columbia, LLC at Harbison (CF#231-18). Said instrument was recorded in the Office of the Register of Deeds for Richland County on July 15, 1997 in Deed Book D-1395, page 233; also being recorded in the Office of the Register of Deeds for Lexington County on October 20, 1997 in Record Book 4373, page 327; and

WHEREAS, Hamilton Park was developed from a portion of the subject property where the said sanitary sewer lines and easement are located. The development plans for Hamilton Park were approved with relocation of a portion of the existing sanitary sewer lines; and

WHEREAS, a new sanitary sewer line was constructed and conveyed to the City of Columbia by deed to sanitary sewer lines for Hamilton Park, Phase I from Centex Homes, recorded October 31, 2001 in the Office of Register Deeds for Richland County in Record Book 583, page 2278 and re-recorded on March 1, 2002 in Record Book 636, page 776; also, recorded in the Office of the Register of Deeds for Lexington County on 2/8/2002 in Record Book 6985, page 294 and re-recorded on 4/15/2002 in Record Book 7140, page 284. And deed to sanitary sewer lines for Hamilton Park, Phase II, recorded March 11, 2002 in the Office of the Register of Deeds for Richland County in Record Book 636, page 770; also, recorded in the Office of the Register of Deeds for Lexington County on April 15, 2002 in Record Book 7140, page 281; and

WHEREAS, the old sanitary sewer line is no longer in service and a request has been made for the City to release and abandon that portion of the existing sanitary sewer easement along the subject properties necessary to eliminate encroachments; Now, Therefore,

BE IT RESOLVED by the Mayor and City Council this 13th day of November, 2002, for and in consideration of the sum of One (\$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 to **CENTEX HOMES, a Nevada General Partnership (owner of Lots 9, 11, 12, 28, 29 and 38) and Derrick Anton Boston (owner of Lot 10)**, their heirs, successors and/or assigns, that portion of the City's existing sanitary sewer easement being more clearly shown on the drawing attached hereto and made a part hereof as Exhibit "A".

Said drawing also being on file in the Department of Engineering under file reference #261-17.

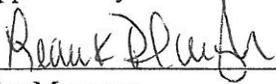
Requested by:

Engineering Department



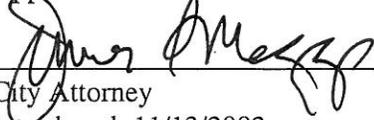
Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



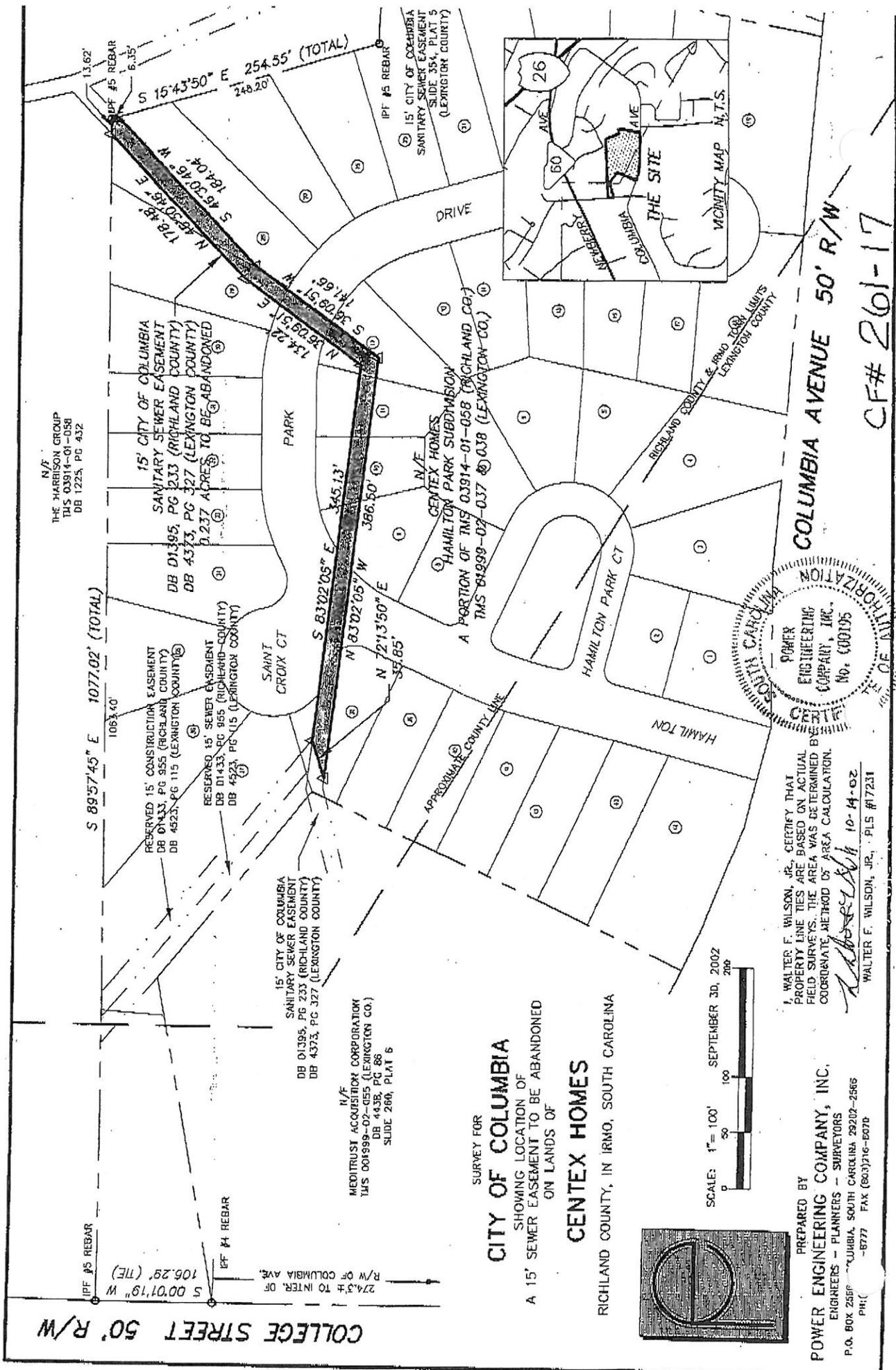
City Clerk

Introduced: 11/13/2002

Final Reading: 11/13/2002

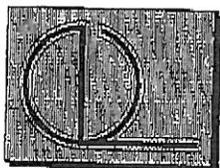
ORIGINAL
STAMPED IN RED

COLLEGE STREET 50' R/W



CITY OF COLUMBIA
 SHOWING LOCATION OF
 A 15' SEWER EASEMENT TO BE ABANDONED
 ON LANDS OF
CENTEX HOMES

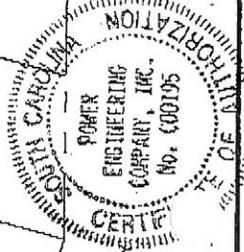
RICHLAND COUNTY, IN IRMO, SOUTH CAROLINA



SCALE: 1" = 100'
 0 50 100 200
 SEPTEMBER 30, 2002

PREPARED BY
POWER ENGINEERING COMPANY, INC.
 ENGINEERS - PLANNERS - SURVEYORS
 P.O. BOX 258F COLUMBIA, SOUTH CAROLINA 29202-2586
 PH: (803) 733-8674 FAX: (803) 716-6070

I, WALTER F. WILSON, JR., CERTIFY THAT
 PROPERTY LINE TIES ARE BASED ON ACTUAL
 FIELD SURVEYS. THE AREA WAS DETERMINED BY
 COORDINATE METHOD OF AREA CALCULATION.
 WALTER F. WILSON, JR., PLS #17231
 10-14-02



COLUMBIA AVENUE 50' R/W

CF# 261-17

N/E
 THE HARRISON GROUP
 TMS 03914-01-058
 DB 1225, PG 432

15' CITY OF COLUMBIA
 SANITARY SEWER EASEMENT
 DB 01395, PG 233 (RICHLAND COUNTY)
 DB 4373, PG 327 (LEXINGTON COUNTY)
 0.237 ACRES TO BE ABANDONED

RESERVED 15' CONSTRUCTION EASEMENT
 DB 01433, PG 955 (RICHLAND COUNTY)
 DB 4923, PG 115 (LEXINGTON COUNTY)

RESERVED 15' SEWER EASEMENT
 DB 01433, PG 955 (RICHLAND COUNTY)
 DB 4923, PG 115 (LEXINGTON COUNTY)

15' CITY OF COLUMBIA
 SANITARY SEWER EASEMENT
 DB 01395, PG 233 (RICHLAND COUNTY)
 DB 4373, PG 327 (LEXINGTON COUNTY)

N/E
 MEDITRUST ACQUISITION CORPORATION
 TMS 001998-02-055 (LEXINGTON CO.)
 DB 4438, PG 86
 SLIDE 26A, PLAT 6

N/E
 A PORTION OF TMS 03914-01-058 (RICHLAND CO.)
 TMS 84999-02-037 @ 038 (LEXINGTON CO.)

15' CITY OF COLUMBIA
 SANITARY SEWER EASEMENT
 SLIDE 354, PLAT 5
 (LEXINGTON COUNTY)

