

RESOLUTION R-2008-033

**RELEASE AND ABANDONMENT OF THE CITY'S EXISTING 15' WATER MAIN EASEMENT ALONG LEXINGTON COUNTY TMS#002898-04-001 & TMS#002898-04-033(PORTION); SPORTSMANS WAREHOUSE; CF#141-09 & CF#290-25**

WHEREAS, the City of Columbia was granted a portion of the existing 15' water main easement by Best Southern Inns, Inc. in the deed to water lines for the St. Andrews Travelodge, dated December 17, 1986 and recorded on February 17, 1987 in the office of the Register of Deeds for Richland County in Deed Book D-830, page 488. Said instrument also being recorded on August 23, 1991 in the office of the Register of Deeds for Lexington County in Record Book 1913, page 49; and

WHEREAS, the City of Columbia was granted a portion of the existing 15' water main easement by Spartan Food Systems, Inc., dated November 24, 1986 and recorded on February 17, 1987 in the office of the Register of Deeds for Richland County in Deed Book D-830, page 491. Said instrument also being recorded on March 18, 1987 in the office of the Register of Deeds for Lexington County in Record Book 878, page 276; and

WHEREAS, the City of Columbia was granted a portion of the existing 15' water main easement by Allan E. Emer, as Trustee, dated December 5, 1986 and recorded on February 17, 1987 in the office of the Register of Deeds for Richland County in Deed Book D-830, page 494. Said instrument also being recorded on March 18, 1987 in the office of the Register of Deeds for Lexington County in Record Book 878, page 281; and

WHEREAS, thereafter development plans for Sportsmans Warehouse were approved with relocation and abandonment of the City's existing water main and easement; and

WHEREAS, a new water main and easement were conveyed to the City of Columbia in the deed to water lines for Sportsmans Warehouse from Boise Spectrum, LLC, GRH Kaysville, LLC and MRH Venture Capital, LLC on November 21, 2007; and

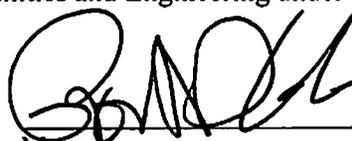
WHEREAS, a request has been made for the City to release and abandon the existing 15' water main easement along the subject parcel where no active water main is located and to eliminate any encroachments; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council this 9th day of July, 2008, for and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, and the conveyance of a new water main and easement 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 BOISE SPECTRUM, LLC, GRH KAYSVILLE, LLC AND MRH VENTURE CAPITAL, LLC or the current owner of said parcels, their successors, heirs and assigns, the City's existing 15' water main easement along the subject parcel as shown on the drawing 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 #290-25.

Requested by:

Utilities and Engineering Department

  
Mayor

Approved by:

  
City Manager

Approved as to form:

City Attorney

Introduced 7/9/2008

Final Reading 7/9/2008

08060995

6/17/2008

ATTEST:

  
City Clerk

ORIGINAL  
STAMPED  
INDEXED

