

ORDINANCE NO.: 2008-002

Authorizing the closing and transfer of a portion of Kirkwood Road adjacent to Richland County TMS No. 13804-13-02 and 13804-14-10 to Lutheran Church of the Incarnation and Dandy Lion, Inc.

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WHEREAS, the South Carolina Department of Transportation has removed Kirkwood Road from the State Highway System and transferred ownership and maintenance of same to the City of Columbia; and,

WHEREAS, Lutheran Church of the Incarnation and Dandy Lion, Inc. are the owners of properties abutting a portion of Kirkwood Road, respectively known as 3005 Devine Street, Richland County TMS No. 13804-13-02 and 3101 Devine Street, Richland County TMS No. 13804-14-10, as shown on the attached tax map sheet; and

WHEREAS, Lutheran Church of the Incarnation's plans for expansion of their building and parking lot and Dandy Lion, Inc.'s continued access to its parking area at the rear of its property would require the closing and transfer of a portion of Kirkwood Road adjacent to 3005 Devine Street, Richland County TMS No. 13804-13-02 and 3101 Devine Street, Richland County TMS No. 13804-14-10; and,

WHEREAS, Lutheran Church of the Incarnation and Dandy Lion, Inc. have requested that the City close and convey the right of way of that portion of Kirkwood Road adjacent to 3005 Devine Street, Richland County TMS No. 13804-13-02 and 3101 Devine Street, Richland County TMS No. 13804-14-10, equally to them; and,

WHEREAS, the City deems it advisable and in the best interests of the public to close and convey the right of way of that portion of Kirkwood Road adjacent to 3005 Devine Street, Richland County TMS No. 13804-13-02 and 3101 Devine Street, Richland County TMS No. 13804-14-10 to Lutheran Church of the Incarnation and Dandy Lion, Inc.; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 23rd day of January, 2008, that from and after the passage of this ordinance, the street right of way of the portion of Kirkwood Road adjacent to 3005 Devine Street, Richland County TMS No. 13804-13-02 and 3101 Devine Street, Richland County TMS No. 13804-14-10, as shown on the attached tax map sheet shall be closed for the use of the general public and the right of way shall be conveyed equally to Lutheran Church of the Incarnation and Dandy Lion, Inc. for One and No/100 (\$1.00) Dollar. The closing and conveyance of the right of way of that portion of Kirkwood Road adjacent to 3005 Devine Street, Richland County TMS No.

13804-13-02 and 3101 Devine Street, Richland County TMS No. 13804-14-10 shall not affect any easements or existing public or private utilities located within the right of way being closed. The City reserves its right to access for maintenance and repair of any utilities located within the rights of way areas.

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Requested by:



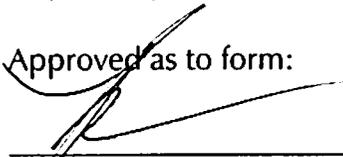
MAYOR

Approved by:



City Manager

Approved as to form:

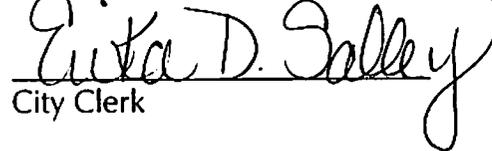


Interim City Attorney

Introduced: 1/9/2008

Final Reading: 1/23/2008

ATTEST:



City Clerk