

ORDINANCE NO. 2001-020

*Granting encroachment to the University of South Carolina  
for extension of utilities to the Wellness Center*

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to utilize a utility tunnel and vault in Main Street between Wheat Street and Blossom Street and Wheat Street between Main Street and Assembly Street as well as borings and casings under Assembly Street in order to extend chilled water supply and return lines to the Fitness Center; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 28th day of February, 2001, that Grantee is hereby granted the right to utilize a utility tunnel and vault in Main Street between Wheat Street and Blossom Street and Wheat Street between Main Street and Assembly Street as well as borings and casings under Assembly Street in order to extend chilled water supply and return lines to the Fitness Center.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, its successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment and in the event the encroachment becomes in conflict with future municipal plans, said property shall be returned to the City by Grantee.

PROVIDED FURTHER that the evidence of public liability insurance naming the City as an insured in the minimum amount of \$600,000.00 for personal injury and property damage shall be filed annually with the City Clerk by Grantee, its successors and assigns.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area

O. GINAL  
STAMPED IN RED

to the satisfaction of the City Manager.

Requested by:

  
\_\_\_\_\_  
MAYOR

Approved by:

  
\_\_\_\_\_  
City Manager

Approved as to form:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Introduced: 2/7/2001; 2/21/2001  
Final Reading: 2/28/2001

ORIGINAL  
STAMPED IN REC