

ORDINANCE NO. 2001-100

*Granting temporary encroachment to Pam Harpootlian
at 1721 Enoree Avenue*

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WHEREAS, Pam Harpootlian (hereinafter "Grantee") desires to temporarily utilize a portion of the green area of the City Tennis Courts on Pickens Street which is adjacent to her residence at 1721 Enoree Avenue for placement of a dumpster and for construction crew parking during the renovation of her home; 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 14th day of November, 2001, that Grantee is hereby granted the right to utilize the green area of the City Tennis Courts on Pickens Street which is adjacent to her residence at 1721 Enoree Avenue for placement of a dumpster and for construction crew parking during the renovation of her home for six (6) months from the date of this ordinance.

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 to the satisfaction of the City Manager.

Requested by:



MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 11/7/2001

Final Reading: 11/14/2001

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Meggs**Carolina Exports International, Inc.**1721 Enoree Avenue
Columbia, South Carolina 29205
USA

(803) 799-2860 (803) 799-0259 FAX

Date: Friday, September 21, 2001

To: City of Columbia
Leona Plaugh
Phone: [1] 803-733-8223
Fax: [1] 803-733-8317From: Pam Harpootlian
Phone: [1] 803-799-0099
Fax: 1-803-799-0259

Dear Leona,

The backyard of my house at 1721 Enoree Ave. backs up to the City Tennis Courts off of Pickens St. Between the courts and my back yard is a green area that is prohibited to traffic. Barriers have been constructed to stop cars from driving in this area.

Dick and I are planning renovation to our home on Enoree. The contractor requests permission to use the above green area for parking of the crew and for the dumpster. There would be less disruption of street traffic and inconvenience to the neighbors on Enoree Ave. if he is allowed to use this area. It would be necessary to remove the barriers and replace them when the construction work is completed. The Contractor has also agreed to replace any grass damaged from use of this area.

Please advise if we can have permission to use this space for construction purposes. The construction is estimated to take between 4 and 6 months.

I have sent this fax through to Parks and Recreation and to the Streets Division. Parks and Rec. said we would need their permission to put a dumpster on their property, but they had no control over the barriers - that was the Street Division. I have made the same request to the Streets Division. Perhaps this is also a Zoning issue or a Council issue, I do not know. Please advise if I need to get some other permissions.

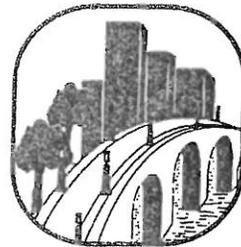
Thank you for your immediate attention to this matter.

Sincerely,

Pam Harpootlian

COLUMBIA

A Capital Place To Be



October 10, 2001

Ms. Pam Harpootlian
Carolina Exports International, Inc.
1721 Enoree Avenue
Columbia, SC 29205



Dear Ms. Harpootlian:

In response to your letter dated September 21, 2001, I have referred your request to Mr. Meggs in our legal department.

Mr. Meggs is aware of the your request and are investigating the possibility of obtaining the permit for the barriers in your area.

I trust this information is helpful.

Sincerely,

A handwritten signature in dark ink, appearing to read "Leona K. Plough".

Leona K. Plough
City Manager

Cc: Jim Meggs, City Attorney