

ORDINANCE NO. 2002-003

Granting encroachment to Estates, Inc. for construction and maintenance of porches, steps, walkway and retaining walls along the 1400 block of Gadsden Street and 800 block of Hampton Street

WHEREAS, Estates, Inc. (hereinafter "Grantee") desires to utilize the tree zone right of way area adjacent to its property located at the 1400 block of Gadsden Street and 800 block of Hampton Street for construction and maintenance of porches, steps, walkway and retaining walls approximately one hundred eighty (180') feet in length and seventeen (17') feet in depth along Gadsden Street and approximately ninety (90') feet in length and fifteen (15') feet in depth along Hampton Street; 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 6th day of February, 2002, that Grantee is hereby granted the right to construct and maintain adjacent to its property located at the 1400 block of Gadsden Street and 800 block of Hampton Street, porches, steps, walkway and retaining walls approximately one hundred eighty (180') feet in length and seventeen (17') feet in depth along Gadsden Street and approximately ninety (90') feet in length and fifteen (15') feet in depth along Hampton Street

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.

ORIGINAL
STAMPED IN RED

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:

Economic Development



MAYOR

Approved by:



City Manager

Approved as to form:



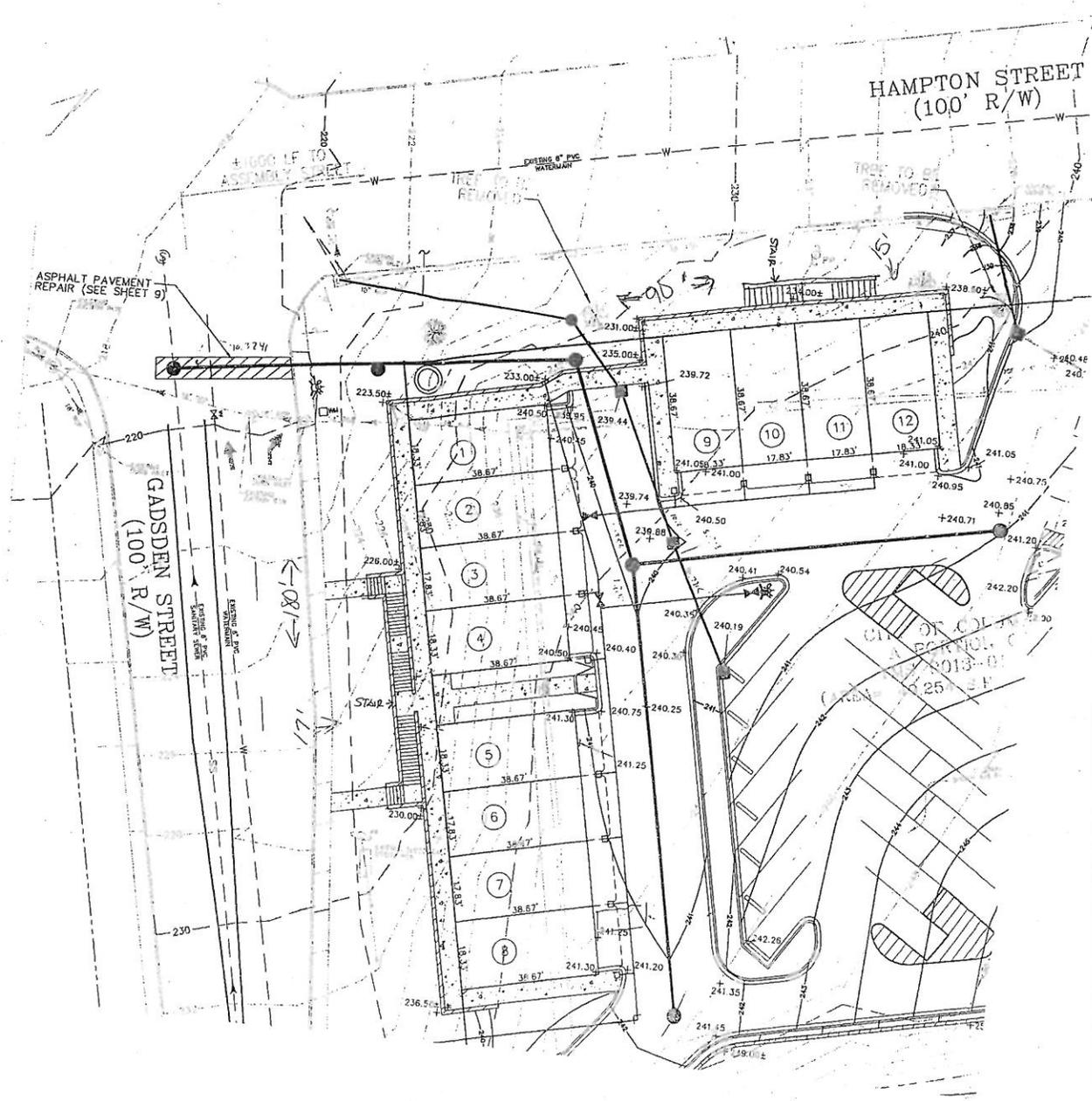
City Attorney

ATTEST:


City Clerk

Introduced: 1/16/2002
Final Reading: 2/6/2002

ORIGINAL
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HAMPTON STREET
(100' R/W)

ASPHALT PAVEMENT
REPAIR (SEE SHEET 9)

GADSDEN STREET
(100' R/W)

CL. OF COL. ...
2013-01
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