

ORDINANCE NO. 2002-013

*Granting encroachment to the University of South Carolina
for construction and maintenance of a bus shelter on the West corner of
Sumter Street at Catawba Street*

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to utilize the tree zone right of way on the West corner of Sumter Street at Catawba Street for construction and maintenance of a bus shelter approximately five feet six inches (5'6") in width and ten (10') feet in length and a concrete pad approximately eleven (11') feet in width by thirteen (13') feet in length; 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 10th day of April, 2002, that Grantee is hereby granted the right to construct and maintain a bus shelter approximately five feet six inches (5'6") in width and ten (10') feet in length and a concrete pad approximately eleven (11') feet in width by thirteen (13') feet in length on the West corner of Sumter Street at Catawba Street.

The Grantee shall preserve the existing tree at the subject location and protect same from damage or injury.

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.

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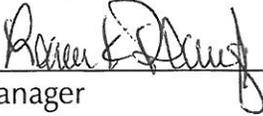
BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:



MAYOR

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 3/20/2002

Final Reading: 4/10/2002

LEGAL DEPARTMENT DRAFT

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UNIVERSITY OF
SOUTH CAROLINA

Facilities Planning and Construction
3rd Floor Thornwell Columbia, SC 29208
Phone: 777-7592 Fax: 777-0484

FAX TRANSMISSION COVER SHEET

Date: February 15, 2002
To: Shari Ardis, City of Columbia
Fax: 733-8247-8164
Re: Bus Stop Shelter at Northwest Corner of Sumter St. & Catawba St.
Sender: Ben Coonrod Proj. No. NA

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT
RECEIVE ALL OF THE PAGES, PLEASE CALL 777-7592.

Shari

Attached is a sketch of the proposed location for a bus shelter to be located on the west side of Sumter St. just north of the intersection with Catawba St. There is an existing bus stop there, but not a shelter. I would like to request that the Columbia City Council pass an ordinance to grant the University of South Carolina an encroachment permit for the bus shelter and its concrete pad. The bus shelter was removed from its original location on Sumter St. and Devine St. as part of the Streetscape Project in January of this year. Four new bus shelters are being installed in the Streetscape Project so this one is "extra". The shelter and bench are in good condition and identical to others within the city limits. Installation would be as per original manufacturer's recommendations.

Please do not hesitate to call me if you have any questions or need additional information.

Thank you.

Ben Coonrod



