

ORDINANCE NO. 2003-055

*Granting encroachment to David Odom and Lynn Odom
for construction and maintenance of a brick retaining wall
adjacent to 2424 Terrace Way*

WHEREAS, David Odom and Lynn Odom (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to their property at 2424 Terrace Way, for construction and maintenance of a new brick retaining wall with a maximum height of thirty-three (33") inches, and approximately twelve (12") inches in width and forty (40') feet in length, to be located twenty-four (24") inches behind the existing curb, to replace the wall shown on the attached drawing; 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 5th day of November, 2003, that Grantee is hereby granted the right to use a portion of the right of way area adjacent to their property at 2424 Terrace Way for construction and maintenance of a new brick retaining wall with a maximum height of thirty-three (33") inches, and approximately twelve (12") inches in width and forty (40') feet in length, to be located twenty-four (24") inches behind the existing curb, to replace the wall shown on the attached drawing.

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.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

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 REC

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:



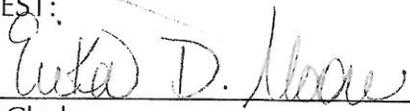
City Manager

Approved as to form:



City Attorney

ATTEST:

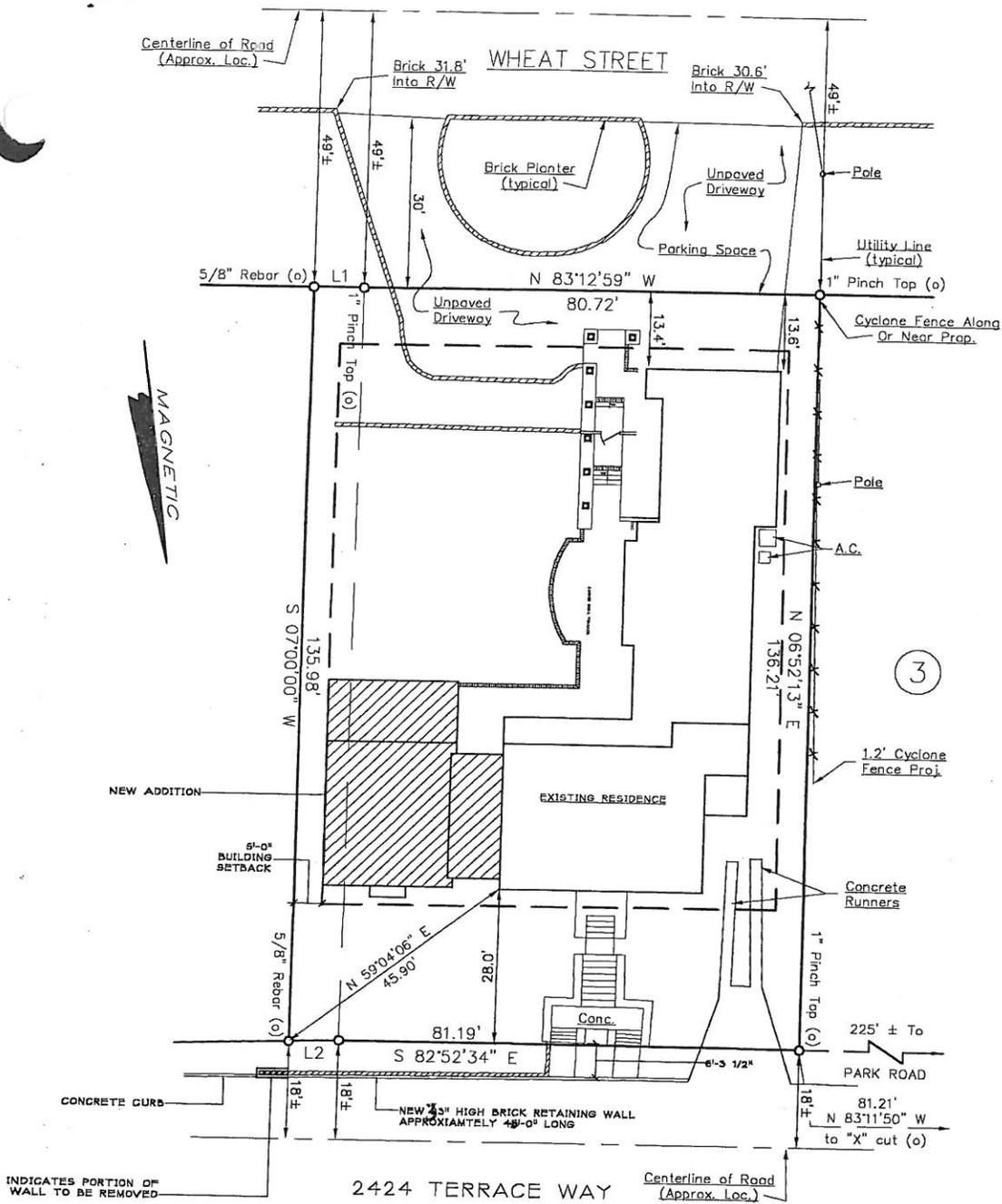


City Clerk

Introduced: 7/16/2003

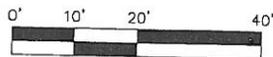
Final Reading: 11/5/2003

ORIGINAL
STAMPED IN RED



G. DAVID ODOM & LYNN A. ODOM

LINE TABLE		
LINE	LENGTH	BEARING
L1	9.00'	N 83°13'12" W
L2	8.83'	S 84°51'31" E



SCALE: 1" = 20'-0"