

ORDINANCE NO.: 2006-010

ORIGINAL  
STAMPED IN REC

*Granting encroachment to Shealy Development for installation and maintenance of landscaping adjacent to its building at 1735 Taylor Street and along the 1600 block of Barnwell Street*

WHEREAS, Shealy Development (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to its building at 1735 Taylor Street and along the 1600 block of Barnwell Street for installation and maintenance of landscaping as 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 April, 2006, that Grantee, its successors and assigns, is hereby granted the right to use a portion of the right of way area adjacent to its building at 1735 Taylor Street and along the 1600 block of Barnwell Street for installation and maintenance of landscaping as 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 a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of \$600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and 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:



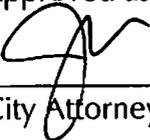
MAYOR

Approved by:



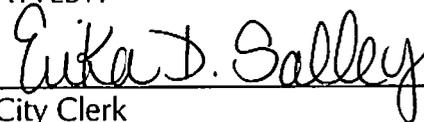
City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 3/8/2006

Final Reading: 4/5/2006

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Matter No: 06010050  
Attorney: ADK/PLG  
Date In: 12/20/05  
File No: 0002-010  
Date Out: 2/1/06

January 23, 2006

To whom it may concern:

In recent months we have had problems with our property at 1735 Taylor St. We have contacted the city about the removal of an acorn tree located in the parking lot between 1735 Taylor and 1615 Barnwell St. We are writing to inform you of our intentions once the tree has been removed. We will be replacing the acorn tree with a Japanese Myrtle in the same location. The Japanese Myrtle will be surrounded by 12 boxed holly bushes and five additional boxed holly bushes along the railing of the handicap accessible ramp of 1735 Taylor St. I have enclosed a diagram of the property with our proposed changes. We appreciate your assistance and cooperation in the matter. Please feel free to contact me or Robert Nance (803-760-2515) if you have any questions. Thank you.

Sincerely,



Zach Minton  
Shealy Development  
(803) 422-3551

Attachment



TAYLOR ST

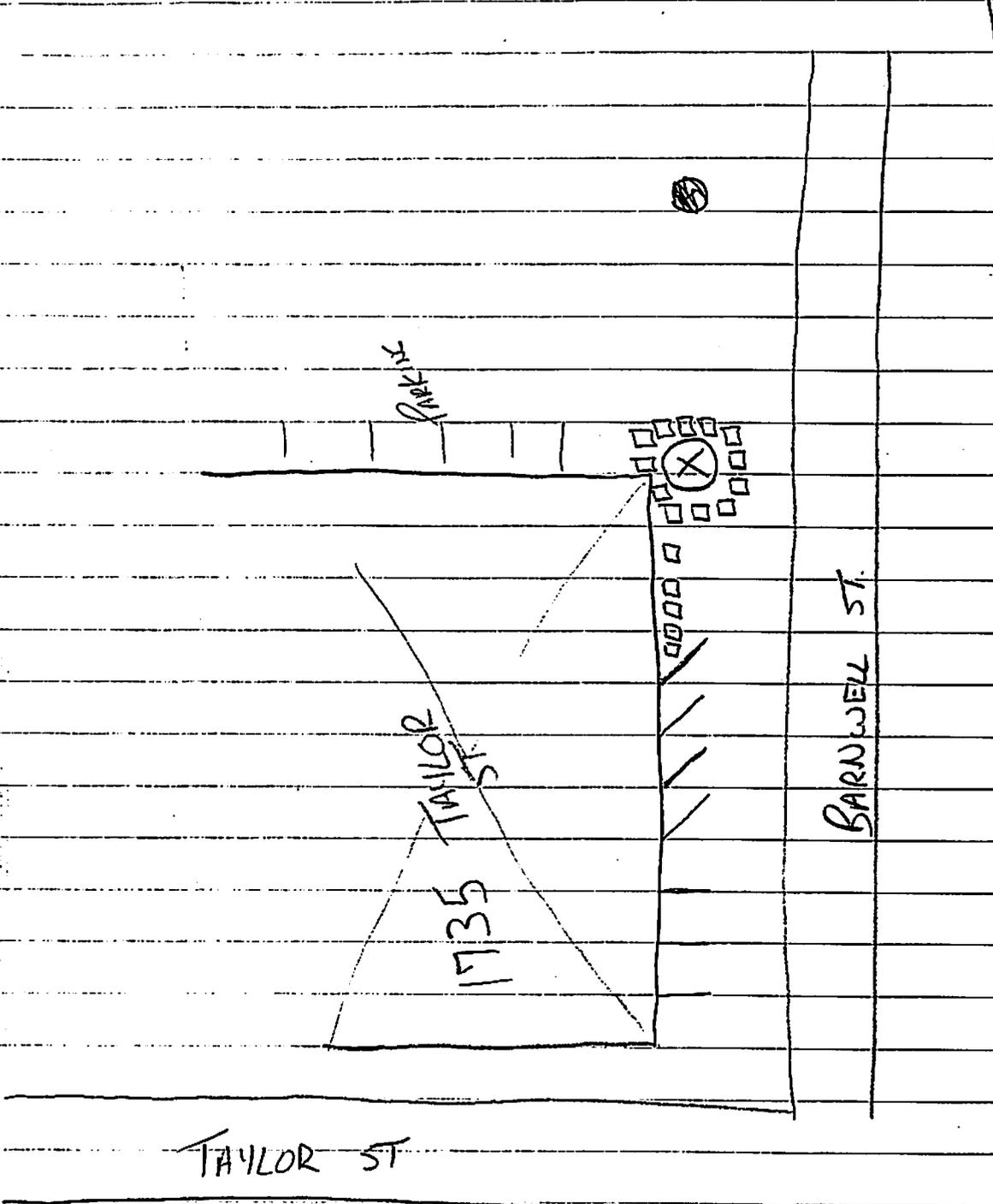
1735 TAYLOR ST

PARK

BARNWELL ST.

Key

- ⊗ Japanese
- Myrtle
- Boxed H.



TAYLOR ST

1735 TAYLOR ST

Maple

BARNWELL ST

Key  
⊗ Japanese Myrtle  
□ Boxed Holly

