

ORDINANCE NO.: 2006-016

*Granting encroachment to Jeff Caswell for installation and maintenance of landscaping and a wrought iron fence with brick columns adjacent to his property at 1828 Green Street*

WHEREAS, Jeff Caswell (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to his property at 1828 Green Street for installation and maintenance of landscaping and a wrought iron fence approximately fifty-eight (58') feet in length with brick columns approximately four feet ten inches (4' 10") in height 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 10th day of May, 2006, that Grantee, its successors and assigns, is hereby granted the right to use a portion of the right of way area adjacent to his property at 1828 Green Street for installation and maintenance of landscaping and a wrought iron fence approximately fifty-eight (58') feet in length with brick columns approximately four foot ten inches (4' 10") in height 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

ORIGINAL  
STAMPED IN RED

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:



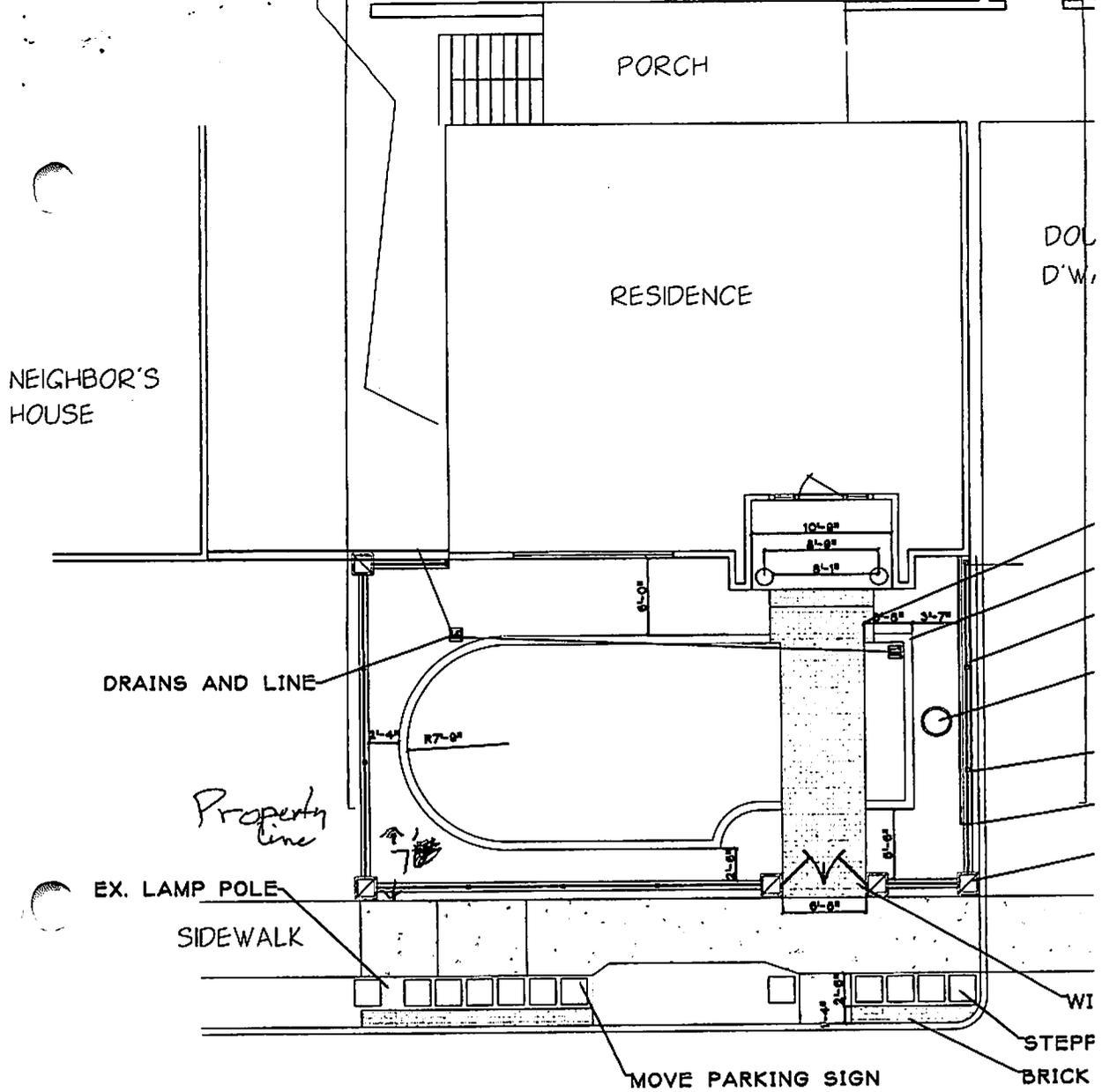
City Clerk

Introduced: 5/3/2006

Final Reading: 5/10/2006

ORIGINAL  
STAMPED IN RED

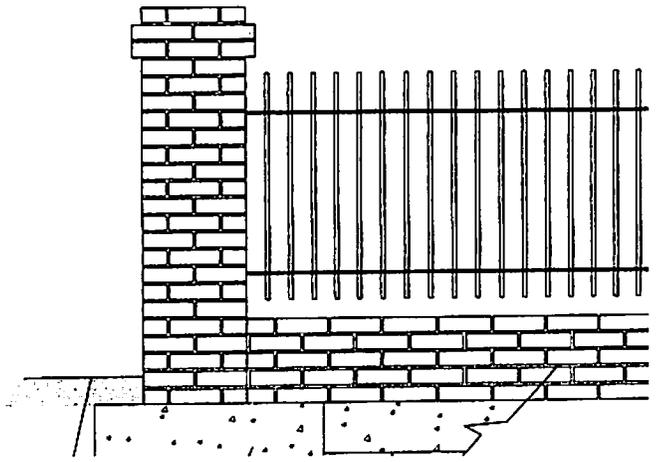
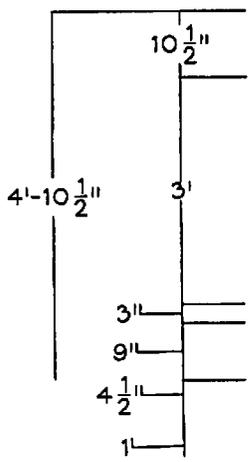
Matter No: 06030185  
 Assessor: [unclear]  
 Date In: 3/14/06  
 File No: 2012-116  
 Date Out: 3/14/06



1828 GREEN STREET

BRICK-WROUGHT IRON FENCE:  
NTS

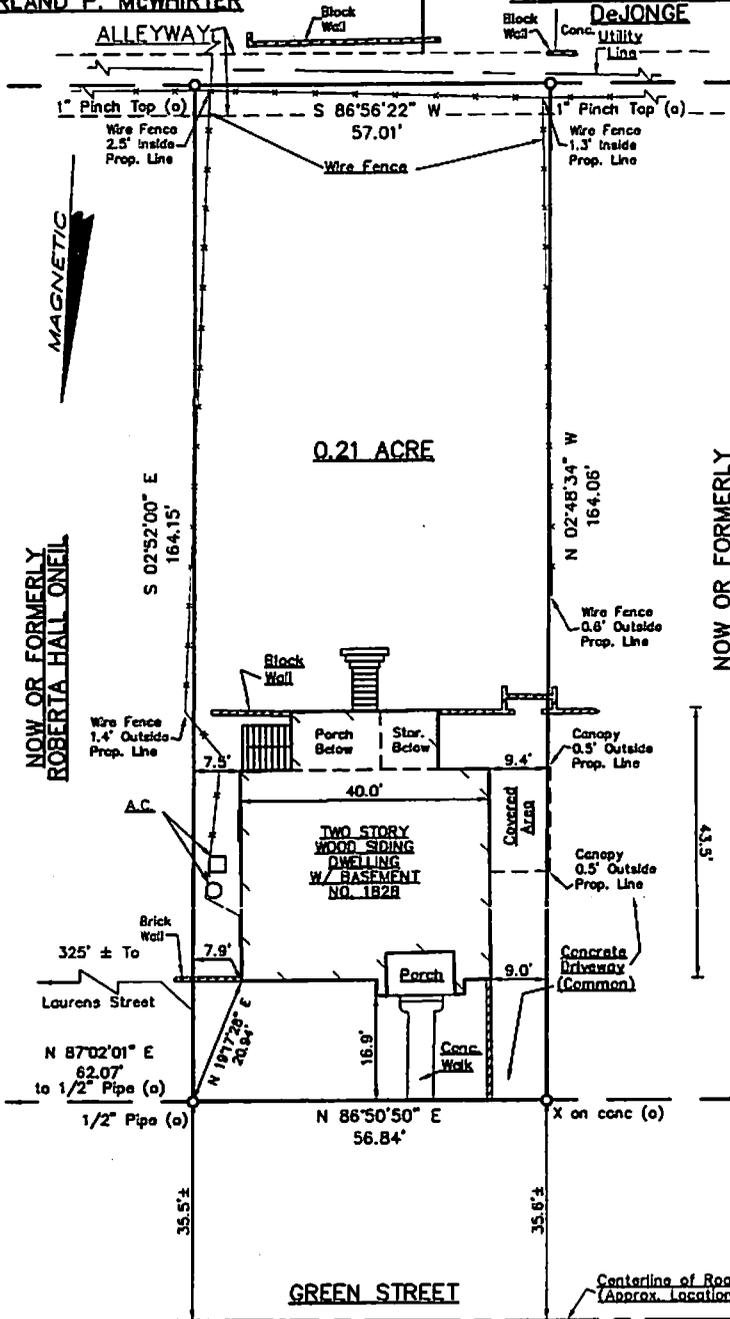
Height  
from  
Grade



**RECEIVED**  
**MAR 14 2006**  
 LEGAL  
 DEPARTMENT

NOW OR FORMERLY  
GARLAND P. McWHIRTER

NOW OR FORMERLY  
FRITZ & KATHERINE F.  
DeJONGE



NOW OR FORMERLY  
ROBERTA HALL O'NEIL

NOW OR FORMERLY  
BERNARD MANNING

NO. DRAWER



PLAT  
PREPARED FOR  
**BERNARD MANNING**  
RICHLAND COUNTY, COLUMBIA, S.C.

THE SAME BEING DESCRIBED IN RICHLAND COUNTY VOLUME BOOK 298, PAGE 173 AND RECORDED IN THE OFFICE OF THE R.O.D. FOR RICHLAND COUNTY. REFERENCE IS ALSO MADE TO PLAT PREPARED FOR JOHN J. O'NEIL & ROBERTA HALL O'NEIL, BY COX AND DINKINS, INC., DATED MAY 7, 1988 AND RECORDED IN PLAT BOOK 50, PAGE 8930.

NOVEMBER 5, 2004

1" = 20'



COX AND DINKINS, INC.  
724 BELTLINE BLVD.  
COLUMBIA, SOUTH CAROLINA 29205  
803-254-0518 Fax: 803-765-0593  
Email: cdinc@coxanddinkins.com

I hereby state that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or imperfections other than shown.

*Ronald W. Fisher*  
PROF. LAND SURVEYOR NO. 17928  
RONALD W. FISHER



*Everybody Counts; Everybody Contributes; and Everybody Benefits*

**CITY OF COLUMBIA  
RISK MANAGEMENT  
MEMORANDUM**

**TO:** Erika Salley, City Clerk

**FROM:** Judy Edwards, Risk Manager *JE*

**SUBJECT:** Proof of Insurance for Encroachment Ordinance

**DATE:** May 15, 2006

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Attached is the certificate of proof of insurance, which needs to be filed with Encroachment Ordinance NO.: 2006-016 for Jeff Caswell.

If you have any questions, please let me know. Thank you.

**RECEIVED**

MAY 16 2006

CITY OF COLUMBIA  
CITY CLERK



**CERTIFICATE OF INSURANCE**

This certifies that

- STATE FARM FIRE AND CASUALTY COMPANY, Bloomington, Illinois
- STATE FARM GENERAL INSURANCE COMPANY, Bloomington, Illinois
- STATE FARM FIRE AND CASUALTY COMPANY, Scarborough, Ontario
- STATE FARM FLORIDA INSURANCE COMPANY, Winter Haven, Florida
- STATE FARM LLOYDS, Dallas, Texas

insures the following policyholder for the coverages indicated below:

Policyholder Jeff Caswell  
 Address of policyholder 1828 Greene Street Columbia Sc 29201  
 Location of operations SAVE  
 Description of operations \_\_\_\_\_

The policies listed below have been issued to the policyholder for the policy periods shown. The insurance described in these policies is subject to all the terms, exclusions, and conditions of those policies. The limits of liability shown may have been reduced by any paid claims.

POLICY NUMBER	TYPE OF INSURANCE	POLICY PERIOD		LIMITS OF LIABILITY (at beginning of policy period)
		Effective Date	Expiration Date	
This insurance includes:	Comprehensive Business Liability			BODILY INJURY AND PROPERTY DAMAGE
	<input type="checkbox"/> Products - Completed Operations <input type="checkbox"/> Contractual Liability <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Advertising Injury <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			Each Occurrence \$ 1MM General Aggregate \$ Products - Completed Operations Aggregate \$
401375	EXCESS LIABILITY <input checked="" type="checkbox"/> Umbrella <input type="checkbox"/> Other	03/22/06	03/22/07	BODILY INJURY AND PROPERTY DAMAGE (Combined Single Limit) Each Occurrence \$ 1MM Aggregate \$
	Workers' Compensation and Employers Liability			Part I - Workers Compensation - Statutory
				Part II - Employers Liability Each Accident \$ Disease - Each Employee \$ Disease - Policy Limit \$
POLICY NUMBER	TYPE OF INSURANCE	POLICY PERIOD		LIMITS OF LIABILITY (at beginning of policy period)
40eq44574f	HOME	03/22/06	03/22/07	1MM

THE CERTIFICATE OF INSURANCE IS NOT A CONTRACT OF INSURANCE AND NEITHER AFFIRMATIVELY NOR NEGATIVELY AMENDS, EXTENDS OR ALTERS THE COVERAGE APPROVED BY ANY POLICY DESCRIBED HEREIN.

Name and Address of Certificate Holder

THE City Of Columbia  
 Risk Management  
 Po Box 147  
 Columbia, SC 29217

If any of the described policies are canceled before their expiration date, State Farm will try to mail a written notice to the certificate holder 30 days before cancellation. If however, we fail to mail such notice, no obligation or liability will be imposed on State Farm or its agents or representatives.

*[Signature]*  
 Signature of Authorized Representative agent 03/21/06  
 Title Date  
 Gus Syvan  
 Agent Name  
 Telephone Number 803 787 3329

Agent's Code Stamp  
 Agent Code 401375  
 AFO Code 2344