

**ORDINANCE NO.: 2006-059**

*Granting encroachment to Wendy J. Bailey for installation and maintenance of a driveway with turnaround, landscaping, irrigation system, privacy fence and brick retaining wall at 1630 Catawba Street*

WHEREAS, Wendy J. Bailey (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to her property at 1630 Catawba Street for installation and maintenance of a driveway with turnaround, landscaping, irrigation system, a brick privacy wall approximately seven (7') feet in height and sixteen (16') feet in length and a brick retaining wall graduating from approximately one (1') foot in height to three (3') feet in height and forty-five (45') feet in length as shown on the attached drawings; 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 16th day of August, 2006, that Grantee, its successors and assigns, is hereby granted the right to use a portion of the right of way area adjacent to her property at 1630 Catawba Street for installation and maintenance of a driveway with turnaround, landscaping, irrigation system, a brick privacy wall approximately seven (7') feet in height and sixteen (16') feet in length and a brick retaining wall graduating from approximately one (1') foot in height to three (3') feet in height and forty-five (45') feet in length as shown on the attached drawings.

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.

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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.

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Requested by:

  
\_\_\_\_\_  
MAYOR

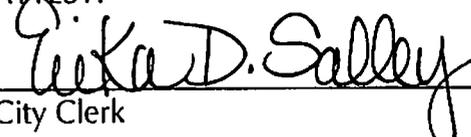
Approved by:

  
\_\_\_\_\_  
City Manager

Approved as to form:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Introduced: 8/9/2006  
Final Reading: 8/16/2006

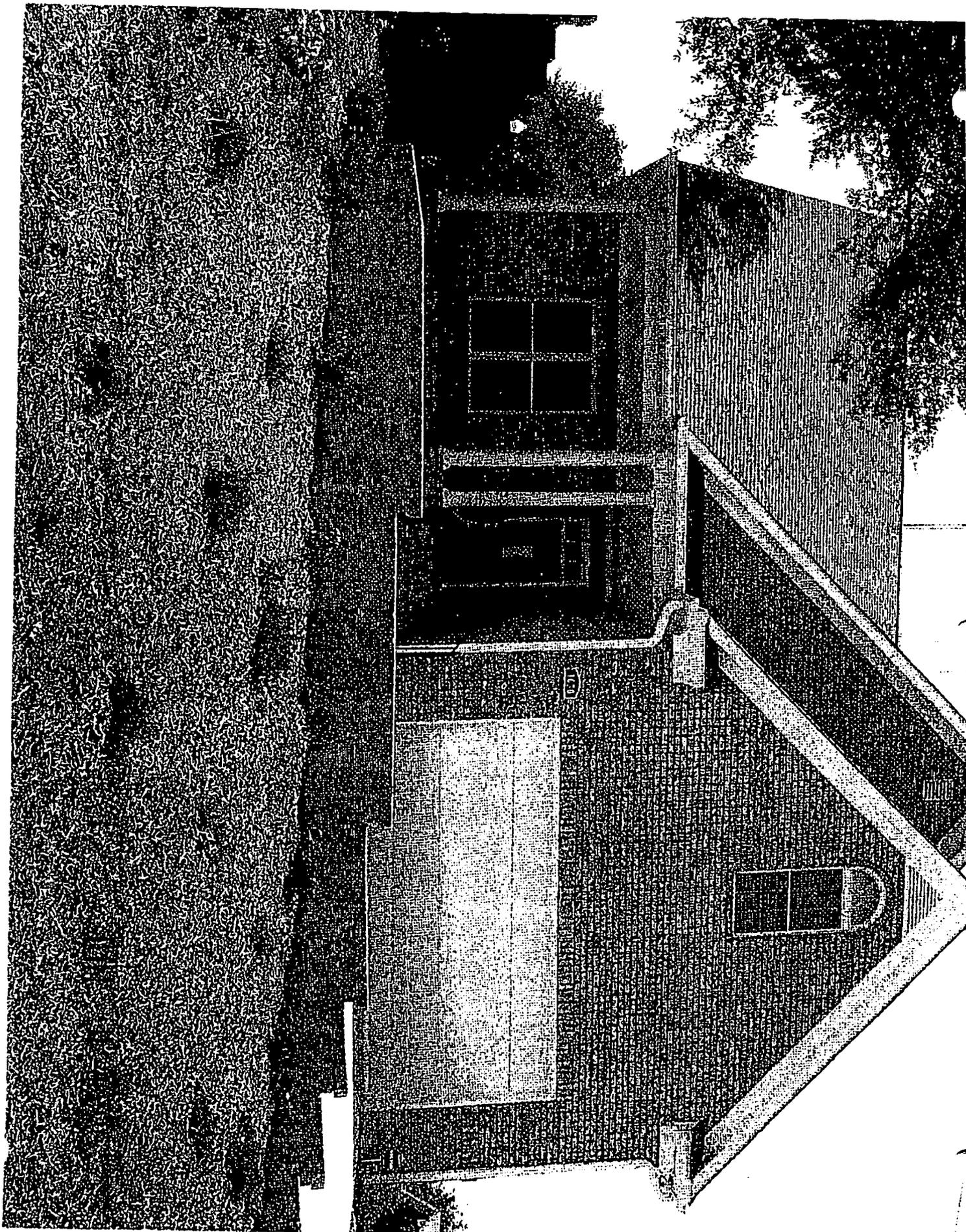
Matter No.: 06070511  
Attorney: WJ Bailey  
Date In: 7/19/06  
File No.: 06070511  
Date Out: 7/19/06

Request for Encroachment  
1630 Catawba Street  
Columbia, SC 29205  
(803) 251-3501  
baileywendy@bellsouth.net

I, Wendy J. Bailey, as the property owner, would like to request an encroachment to allow for driveway, landscaping, driveway turnaround and privacy fencing at 1630 Catawba Street. As depicted in the attached drawings, this encroachment would include an approximately 16 feet long by 7 foot high section of a brick privacy fence, a driveway turnaround section approximately 16 feet wide with retaining wall, a driveway, and a landscaped slope with sprinkler system.







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Date: 07/06/2006 11:20

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To:                   Name:                   Shari Ardis  
                          Department:            Legal Department  
                          Company:                City of Columbia

From:                Name:                    Wendy J Bailey  
                          TEL :                    251-3501  
                          E-Mail:                 baileywendy@bellsouth.net

Comment:

Shari,

Per our conversation earlier, here is a written encroachment request complete with drawings and picture. If you need more information, please feel free to call me at 251-3501 or email me at [baileywendy@bellsouth.net](mailto:baileywendy@bellsouth.net)  
You may also contact me at work (777-3058 or [wendy.bailey@moore.sc.edu](mailto:wendy.bailey@moore.sc.edu)).

Wendy Bailey

