

ORDINANCE NO.: 2007-051

Authorizing execution of a Lease Agreement between the City of Columbia and Columbia Carriage Works, LLC for the Washington Street Tunnel and adjoining unpaved area

BE IT ORDAINED by the Mayor and Council of the City of Columbia, South Carolina, this 27th day of June, 2007, that the City Manager is hereby authorized to execute the attached Lease Agreement between the City of Columbia and Columbia Carriage Works, LLC for the lease of the Washington Street Tunnel and adjoining unpaved area bordered by Lady Street to the south, Lincoln Street southbound to the west, Lincoln Street northbound to the east and no more than 100 feet into the tunnel under Washington Street.

Requested by:



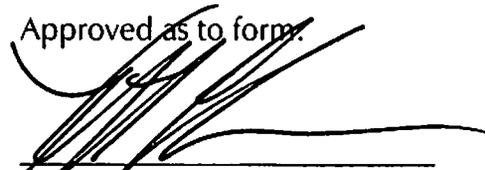
MAYOR

Approved by:



City Manager

Approved as to form:



Interim City Attorney

ATTEST:



City Clerk, Interim

Introduced: 6/20/2007
Final Reading: 6/27/2007

ORIGINAL
STAMPED IN REC

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

LEASE

This Lease entered into this 1st day of September 2007 between COLUMBIA CARRIAGE WORKS, LLC, 105 Burmaster Drive, Columbia, South Carolina 29229, ("Lessee") and the CITY OF COLUMBIA, Post Office Box 147, Columbia, South Carolina 29217, ("Lessor") for the lease of the property known as the Washington Street Tunnel and adjoining unpaved area bordered by Lady Street to the south, Lincoln Street southbound to the west, Lincoln Street northbound to the east and can extend no more than 100 feet into the tunnel under Washington Street to the north ("Premises").

The premises shall be utilized for the temporary storage of equipment used by the Lessee in the course of conducting horse drawn carriage services. Animals may not be kept on the premises overnight. Lessee shall insure that premises are kept in sanitary and secure conditions at all times. Lessee shall cause all solid horse waste to be removed from the premises daily. Lessee will implement measures to reduce or eliminate odor from the premises if requested to do so by the Lessor.

Lessee shall be required to make all improvements necessary to utilize this area for the purpose intended by this Lease. Any improvements made to the premises by Lessee will remain the property of Lessee and may be removed if this Lease is terminated. The premises shall be returned to the Lessor in the same or similar condition as existed prior to possession, reasonable wear and tear excepted. Access to the Washington Street Tunnel shall be a minimum of twelve (12') feet by twelve (12') feet and shall allow access to the City or its designee for annual bridge inspection.

Lessee shall remit the sum of Fifty and 00/100 (\$50.00) Dollars per month in advance for the use of the premises.

Lessee shall provide appropriate insurance coverage listing the City of Columbia as an additional insured.

Lessee shall comply with all applicable provisions of the City of Columbia Code of Ordinances and particularly Sections 24-171 through 24-175.

The initial term of this Lease shall be for twelve (12) months from the date of approval and may, upon sixty (60) days written notice prior to the expiration of the initial term or any renewals hereof by the Lessee, be renewed for five (5) additional one (1) year terms each. The Lease may be terminated at any time by the Lessor upon thirty (30) days written notice to Lessee.

WITNESSES:

CITY OF COLUMBIA

Valerie R. Smith
[Signature]

BY: [Signature]
Charles P. Austin, Sr.
ITS: City Manager

Jeffrey C. Page
[Signature]

COLUMBIA CARRIAGE WORKS, LLC

BY: [Signature]
Don Purcell
(Print or Type Name)
ITS: Gen. Partner

MEMORANDUM
Office of the City Attorney

*Privileged Attorney-Client communication exempt from disclosure under South Carolina
Freedom of Information Act pursuant to § 30-4-40(a)(4)&(7), 1976 S.C. Code Ann.*

TO: Erika D. Salley, City Clerk
FROM: Jennifer L. Hendrix, Paralegal 
DATE: August 30, 2007
RE: Lease Agreement between the City of Columbia and
Columbia Carriage Works, LLC

Please find enclosed the original lease agreement between the City of Columbia and Columbia Carriage Works, LLC. The execution of this lease was authorized by Ordinance No.: 2007-051.

Please let me know if I can be of additional assistance.

/jlh
Enclosure(s) as Stated

cc: File 07-RP-016

