

ORDINANCE NO.: 2008-043

Granting an encroachment to Carriage Place Horizontal Property Regime for installation and maintenance of landscaping, an irrigation system, lighting, curbs and gutters within the right of way area adjacent to its property on Davidson Street

WHEREAS, Carriage Place Horizontal Property Regime, (hereinafter "Grantee") desires to utilize a portion of the Davidson Street right of way area adjacent to its property for installation and maintenance of landscaping, an irrigation system, lighting, curbs and gutters 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 11th day of June, 2008, that Grantee, its successors and assigns, is hereby granted the right to utilize a portion of the Davidson Street right of way area adjacent to its property for installation and maintenance of landscaping, an irrigation system, lighting, curbs and gutters 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 or maintenance shall be repaired to the satisfaction of the City Manager. Improvements constructed within the encroachment by or on behalf of Grantee 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.

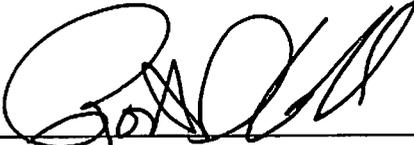
PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

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, if necessary, relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

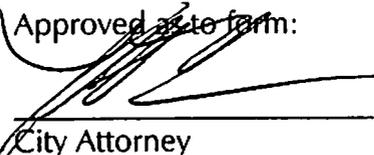
Carriage Place Horizontal Property Regime


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 6/4/2008

Final Reading: 6/11/2008

ORIGINAL
STAMPED IN RED

TODD & WARD, PC
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Matter No.: 08050817
Attorney: KEG/8a
Date In: 5/16/08
File No.: 2008-043
Date Out: 5/20/08

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May 6, 2008

HAND-DELIVERED

Ms. Sherry Ardis
Office of the City Attorney
1401 Main Street, 10th Floor
Columbia, South Carolina 29201

RE: Carriage Place Horizontal Property Regime
(Davidson Street Improvements)
Our File No.: 08-105

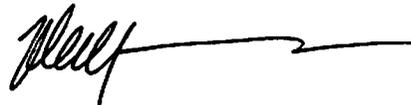
Dear Sherry:

As we discussed yesterday, included with this letter are three (3) separate renderings from our architect showing my client's plans to landscape and provide lighting and curb and gutter for the portion of Davidson Street contiguous to Carriage Place: one on the large enhanced color photograph of Davidson Street right-of-way; one on the small enhanced color photograph of Davidson Street right-of-way; and one on the enlargement of the tax map for this portion of Davidson Street. All these documents were generated by the City, and given to me by Steve Gantt prior to our work on them. After the proposed ordinance is prepared, you may e-mail a copy to fay@thw-law.com.

We are most anxious to be on the agenda for Council's meeting on Wednesday, May 7, 2008. If there is any problem with this, please let me know right away.

Sincerely,

TODD & WARD, PC



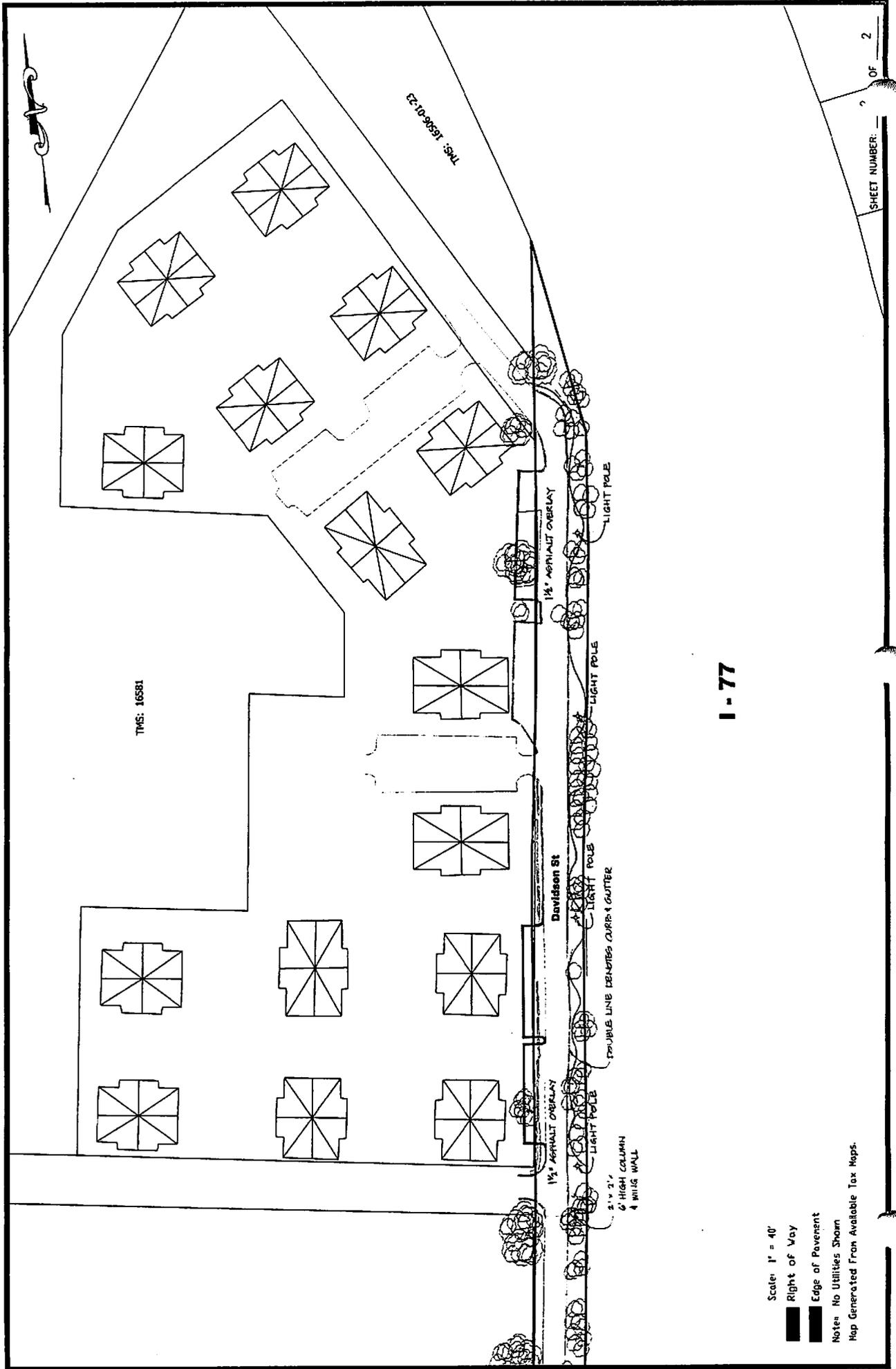
Walter B. Todd, Jr.

WBT,Jr.:fsc
Enclosures

cc: Mr. C. Michael Munson, w/o enclosures
CMM Realty, Inc.

Mr. Steve Gantt, w/o enclosures





Scale: 1" = 40'

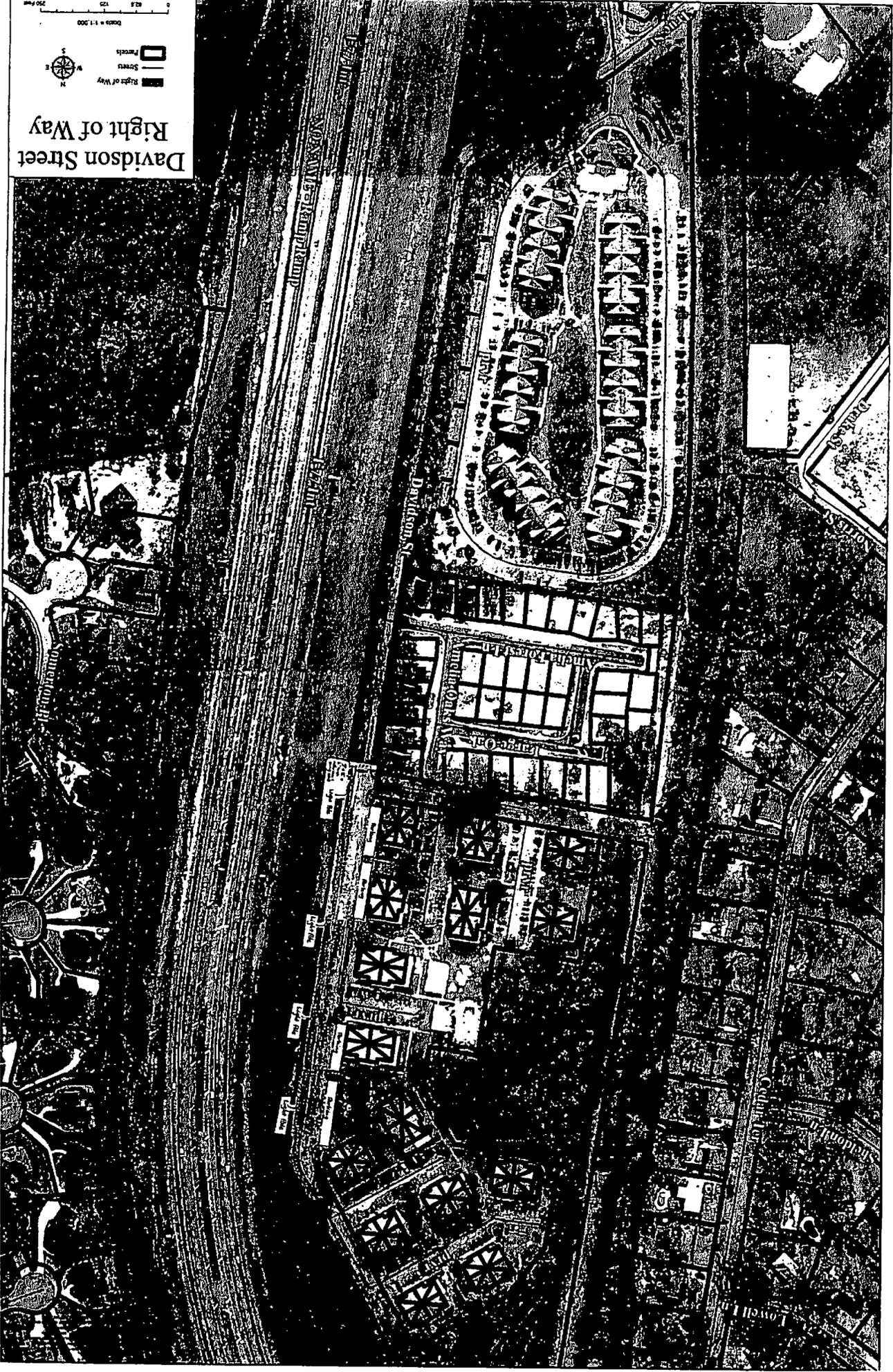
Right of Way

Edge of Pavement

Note: No Utilities Shown

Map Generated From Available Tax Maps.

1-77

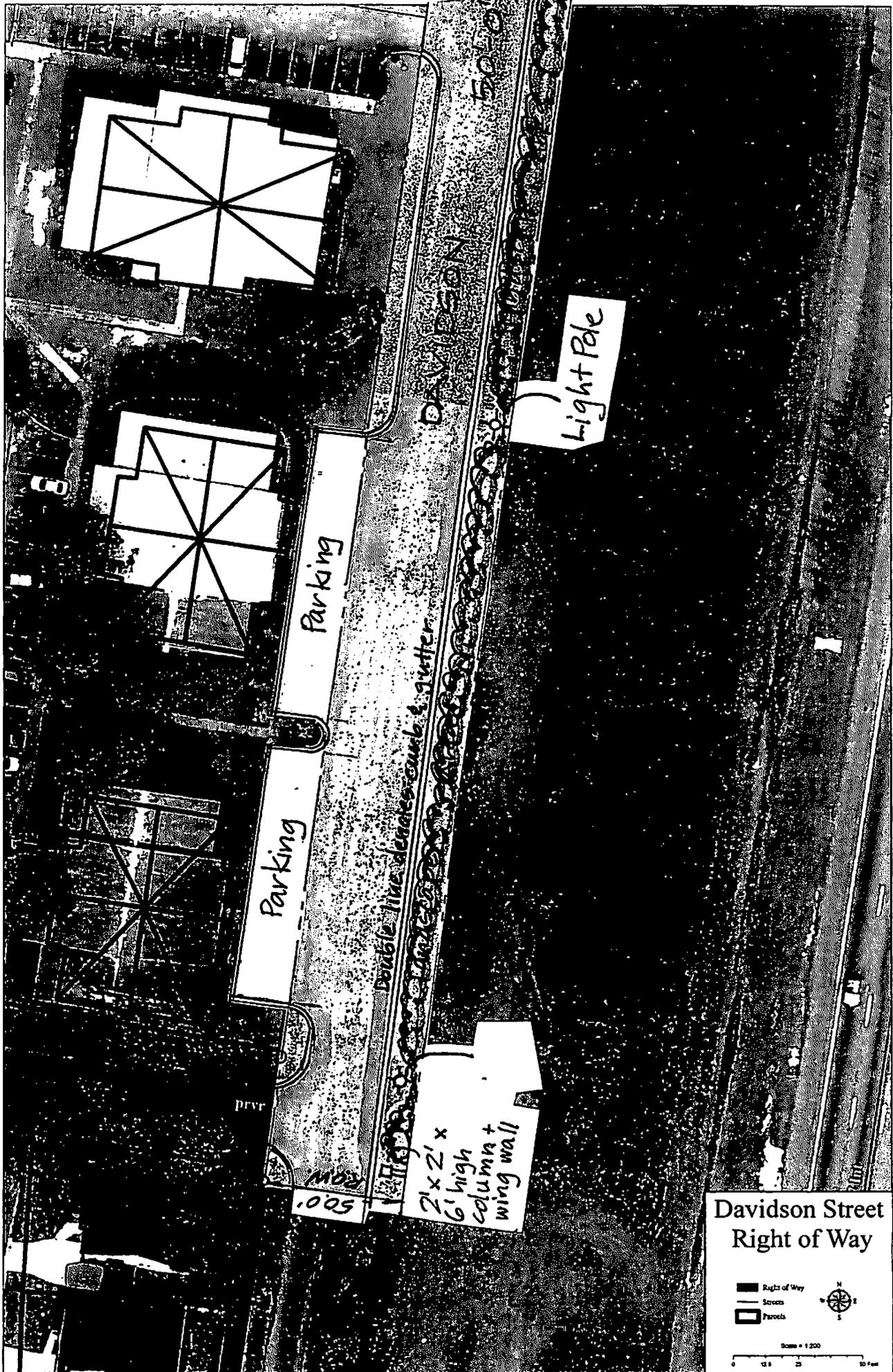


Right of Way Davidson Street



-  Right of Way
-  Streets
-  Fences

Scale 1:1,000
0 125 250 Feet



Parking

Parking

500

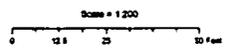
Double line drains curb & gutter

2' x 2' x 6' high column + wing wall

Light Pole

Davidson Street Right of Way

-  Right of Way
-  Screens
-  Parcels



ORDINANCE NO.: 2008-044

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,
Chapter 23, Utilities and Engineering, Article VII, Stormwater Management,
Sec. 23-208 Stormwater Service charge rates

BE IT ORDAINED by the Mayor and Council this 18th day of June, 2008, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article VII, Stormwater Management, Sec. 23-208, Stormwater service charges rates is amended to read as follows:

Sec. 23-208. Stormwater service charge rates.

(a) Stormwater service charge rates may be determined and modified from time to time by the Columbia City Council so that the total revenue generated by said charges and any other sources of revenues or other resources allocated to stormwater management by the city council to the stormwater management utility shall be sufficient to meet the cost of stormwater management services, systems, and facilities, including but not limited to the payment of principal and interest on debt obligations, operating expense, capital outlays, non-operating expense, provisions for prudent reserves, and other costs as deemed appropriate by the city council. The following stormwater service charge rates shall apply:

(1) *Detached single-family dwelling units.* Detached single-family dwelling units, as defined by this ordinance, shall be billed for one equivalent residential unit, as defined in this article.

(2) *Other developed lands.* All developed lands not classified as detached single-family dwelling units, as defined by this ordinance, shall be billed for one equivalent residential unit for each 2,454 square feet or fraction thereof of impervious area on the subject property. There will be no service charge for developed lands with fewer than 600 square feet of impervious area.

(b) The stormwater service charge rate per equivalent residential unit, as defined in this ordinance, shall be \$4.80 per month.

Requested by:

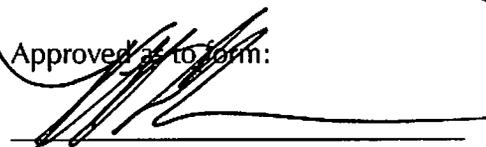
Utilities and Engineering


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

Public Hearing: 6/4/2008

Introduced: 6/11/2008

Final Reading: 6/18/2008

ATTEST:


City Clerk

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