

ORDINANCE 2016-001

Granting an easement to South Carolina Electric & Gas Company (SCE&G) along a portion of City-owned property identified as Richland County TMS#08915-05-07 (The Colonial Life Arena) for utilities to serve the Greene Street, Phase II/Foundation Square Streetscape Project; CF#250-385

WHEREAS, South Carolina Electric & Gas Company (SCE&G) made a request for an easement crossing the subject City-owned property for installation of a new pad mounted transformer, underground electric lines and appurtenances for improvements to serve the Greene Street, Phase I / Foundation Square Streetscape Project; and,

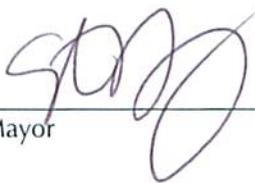
WHEREAS, the plans for the proposed utility installations have been reviewed and approved by the Department of Utilities & Engineering and there are no conflicts with existing nor planned City utilities; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this 19th day of January, 2016, for and in consideration of the sum of One and No/100 (\$1.00) Dollar, each to the other paid, the City Manager is hereby authorized to execute an easement on behalf of the City of Columbia to SOUTH CAROLINA ELECTRIC & GAS COMPANY for ingress, egress, installation and maintenance of a new pad mounted transformer, underground electric lines and appurtenances along the subject property.

The referenced easement is shown on a drawing prepared for "Green Street- Phase I/Foundation Square Streetscape", dated March 4, 2015, and being on file in the office of the Department of Utilities and Engineering under file reference #250-385. A copy said drawing being attached hereto and made a part hereof as Exhibit "A".

Requested by:

Assistant City Manager Gentry



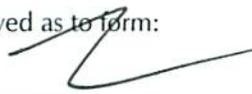
Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Introduced: 1/5/2016
Final Reading: 1/19/2016

ORIGINAL
STAMPED IN RED

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

Easement # 893850

INDENTURE, made this 23rd day of March, 2015 by and between CITY OF COLUMBIA of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and the SOUTH CAROLINA ELECTRIC & GAS COMPANY, a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor, being the owner of land situate in the County of Richland, State of South Carolina, hereby grants and conveys to Grantee, its successors and assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract or lot of land containing 2.74 acres, more or less, and being the same lands conveyed to Grantor by deed of Owen Steel Company Inc., recorded 3/3/2000, and filed in the Register of Deeds office for Richland County in Deed Book R0389 at Page 1317.

The Right of Way is as more fully shown on approved South Carolina Electric & Gas Company drawing #C-81563, and is by attachment made a part hereof.

TMS: R08915-05-07

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may deem necessary or desirable and the right to remove said line or any part thereof.

Together also with the right to lay, construct, maintain, operate, repair, alter, replace and remove pipe lines, together with valves, tieovers and appurtenant facilities for the transportation of gas, oil petroleum products or any other liquids, gases or substances which can be transported through a pipe line.

Together also with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through a strip of land ("Easement Space") extending Fifteen (15) feet on each side of any pole lines and Five (5) feet on each side of any underground wires or pipe lines and within, over, under or through a section of land extending Twelve (12) feet from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the property of Grantor (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee; provided further, however, that Grantors agree for themselves, their successors and assigns, not to build or allow any structure to be placed on the premises in such a manner that any part thereof will exist within the applicable above specified Easement Space, and in case such structure is built, then Grantor, or such successors and assigns as may be in possession and control of the premises at the time, will promptly remove the same upon demand of Grantee herein. Grantor further agrees to maintain minimum ground coverage of thirty six (36) inches and maximum ground coverage of fifty four (54) inches over all underground primary electric lines. Grantor further agrees to maintain minimum ground coverage of twenty four (24) inches and maximum ground coverage of forty two (42) inches over all underground pipe (gas) lines. Together also with the right of entry upon said lands of Grantor for all of the purposes aforesaid.

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

CITY OF COLUMBIA

Erika D. Moore

1st Witness

J. Daniels

2nd Witness

By: Teresa B. Wilson

Name: Teresa B. Wilson

Title: City Manager

APPROVED AS TO FORM

NRA 12.9.15

Legal Department City of Columbia, SC

RE: SCE&G Easement at the Colonial Arena; TMS#R08916-06-01



