

ORDINANCE NO. 2013-109

Granting encroachment to Noble 1/HY Columbia, LLC for demolition and removal of existing sidewalks, curbing, guttering, two parking meters, two parking stalls and two trees and for installation and maintenance of a driveway, sidewalks, curbing, guttering, landscaping and an irrigation system within the right of way areas of the 800 block of Lady Street and installation and maintenance of a sidewalk, handicap ramp, pavers, curbing, guttering, catch basin, two junction boxes, and HDPE and RCP pipe within the right of way area of the 800 block of Gervais Street adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04

ORIGINAL
STAMPED IN RED

WHEREAS, Noble 1/HY Columbia, LLC (hereinafter "Grantee") desires to demolish and remove the existing sidewalks, curbing and guttering within the right of way area of the 800 block of Gervais Street and to demolish and remove the existing sidewalks, curbing and guttering, two parking meters and associated parking stalls, and two trees in existing curb islands within the right of way area of the 800 block of Lady Street, adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04; and,

WHEREAS, Grantee desires to use a portion of the right of way areas of the 800 block of Gervais Street and 800 block of Lady Street adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04 for installation and maintenance of a new driveway in the 800 block of Lady Street approximately thirty-seven and one-half (37.5') feet in length and twenty-three (23') feet in width, landscaping and an irrigation system, and installation and maintenance of a sidewalk approximately eighty-eight (88') feet in length, with a handicap ramp, pavers, curbing and guttering, a catch basin; two (2) junction boxes; fifty-three (53') feet of fifteen (15") inch HDPE pipe and fifteen (15') feet of fifteen (15") inch RCP pipe within the right of way area of the 800 block of Gervais Street, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians 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 12th day of November, 2013, that Grantee is hereby granted the right to demolish and remove the existing sidewalks, curbing and guttering within the right of way area of the 800 block of Gervais Street and to demolish and remove the existing sidewalks, curbing and guttering, two parking meters and associated parking stalls, and two trees in existing curb islands within the right of way area of the 800 block of Lady Street adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04; and,

BE IT FURTHER ORDAINED that Grantee is hereby granted the right to use a portion of the right of way areas of the 800 block of Gervais Street and 800 block of Lady Street adjacent to its building at 819 Gervais Street, Richland County TMS #08916-01-04 for installation and maintenance of a new driveway in the 800 block of Lady Street approximately thirty-seven and one-half (37.5') feet in length and twenty-three (23') feet in width, landscaping and an irrigation system, and installation and maintenance of a sidewalk approximately eighty-eight (88') feet in length, with a handicap ramp, pavers, curbing and guttering, a catch basin; two (2) junction boxes; fifty-three (53') feet of fifteen (15") inch HDPE pipe and fifteen (15') feet of fifteen (15") inch RCP pipe within the right of way area of the 800 block of Gervais Street, 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 FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.

2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.

3. Landscaping to be maintained by property owner.

4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.

5. All trees shall be protected and no large tree roots shall be removed from any existing trees.

6. Tree species must be reviewed and approved by Forestry and Beautification.

7. Sidewalk along Lady Street as it crosses the driveway must be scored and detailed like the sidewalk and not the driveway approach.

8. Remove the existing curb west of the Lady Street driveway and expand the existing planting area.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his 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, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

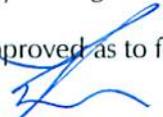
Noble 1/HY Columbia, LLC


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:

City Clerk

Introduced: 10/15/2013
Final Reading: 11/12/2013

ORIGINAL
STAMPED IN RED

APPROVED
11/12/2013



**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-109**

**ADJACENT TO HYATT HOTEL
800 BLOCKS OF GERVAIS AND LADY STREETS
ADJACENT TO 819 GERVAIS STREET
DRIVEWAY, LANDSCAPING, IRRIGATION, SIDEWALK,
PAVERS AND HANDICAP RAMP**

Subject Property:	Right-of-way adjacent to 800 Blocks of Gervais and Lady Street, TMS#08916-02-06
Council District:	2
Proposal:	Request approval for installation and maintenance of a new driveway, landscaping, irrigation system, catch basin, two junction boxes, RCP pipe, HDPE pipe, sidewalk, pavers and handicap ramp
Applicant:	Noble 1/HY Columbia, LLC
Staff Recommendation:	Approve

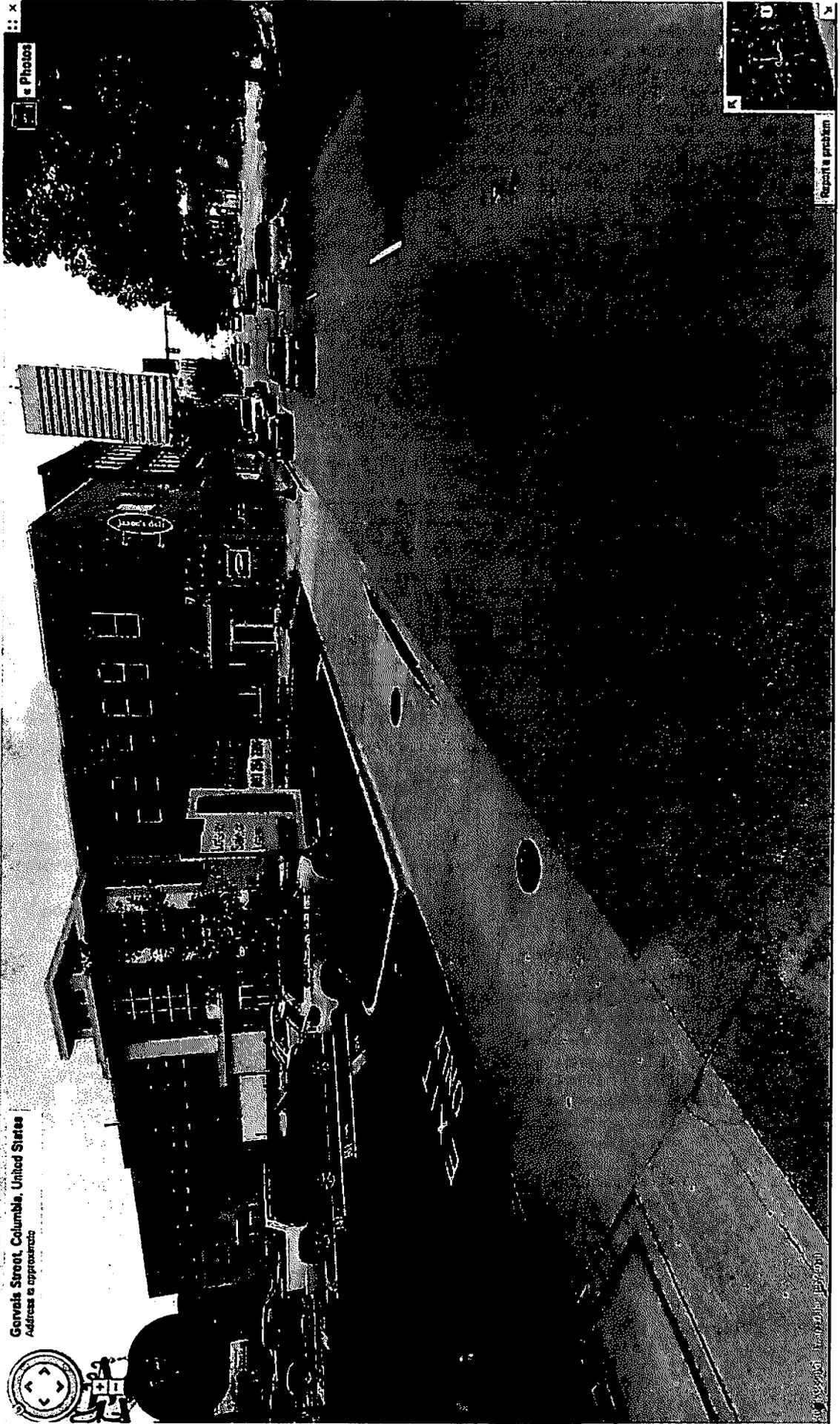
Detail:	<p>The applicant is requesting an encroachment to construct a new driveway, landscaping, irrigation system, catch basin, two junction boxes, RCP pipe, HDPE pipe, sidewalk, pavers and handicap ramp in conjunction with the Hyatt Hotel.</p> <p>This request entails the demolition and removal of the existing sidewalks, curbing and guttering, two parking meters and associated parking stalls, and two trees in existing curb islands within the right of way. After the demolition phase the applicant will install and maintain a new driveway in the 800 block of Lady Street approximately thirty-seven and one-half (37.5') feet in length and twenty-three (23') feet in width, landscaping and an irrigation system, and installation and maintenance of a sidewalk with pavers approximately eighty-eight (88') feet in length with a handicap ramp, pavers, curbing and guttering, a catch basin; two (2) junction boxes; fifty-three (53') feet of fifteen (15") inch HDPE pipe and fifteen (15') feet of fifteen (15") inch RCP pipe within the right of way area of the 800 block of Gervais Street, as shown on the attached drawings.</p> <p>The applicant has worked with staff and revised the proposed plan to as requested by Design Development Review Commission (D/DRC) staff. This encroachment will not interfere with vehicular or pedestrian safety.</p>
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning & Development Services	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Fire	Recommend approval.
Parking Services	Recommend approval.







Genevra Street, Columbia, United States
Address is approximate



Photos

Report a problem

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REQUEST FOR AN ENCROACHMENT ORDINANCE

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) *Business signs are NOT permitted via an encroachment. An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.*

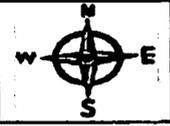
Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 8/16/13 Property Owner: Noble 1/HY Columbia, LLC
 Applicant's Name if different from Property Owner: Dustin Smith (Project Manager, Evergreen Construction)
 Contact Information: Telephone Number: 678-244-6504 Fax Number: 678-244-6565
 Mailing address: 3200 Cobb Galleria Pkwy #240, Atlanta GA 30339 E-mail address: dsmith@evergreencorp.com
 Encroachment Location (Address): 819 Lady Street, Columbia SC 29201
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)
 Tax Map Number for Encroachment Location: R08916-01-04

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: See attached.
 Dimensions (height/width/length): See attached.

(i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)
 Construction material: See attached.
 Please provide photographs and drawing or site plan *drawn to scale* - no larger than 8-1/2 x 11.

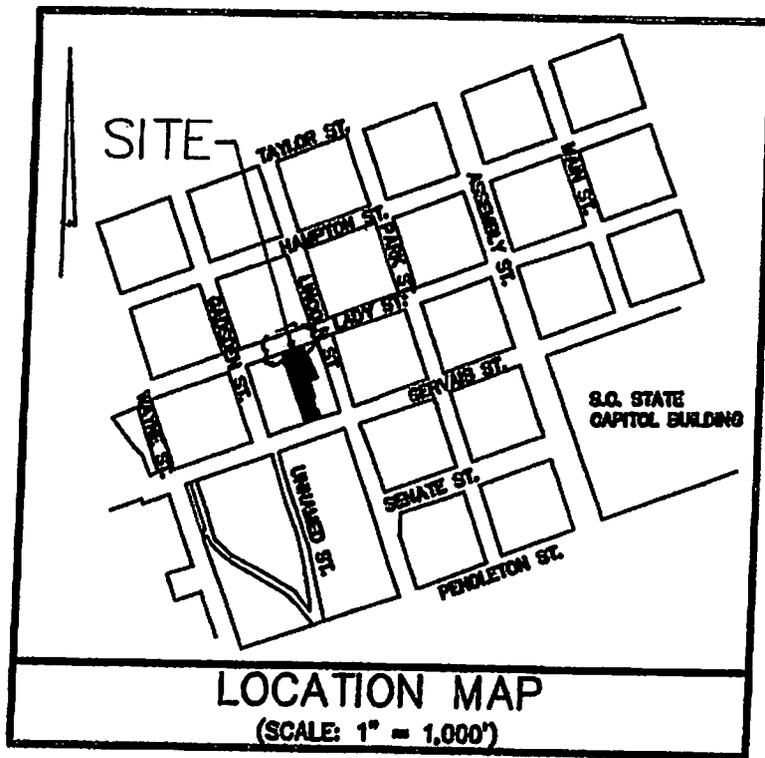
Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material) _____
 Other: _____ (or complete applicable 'Encroachment type' section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

Contact	Department	Telephone Number	Fax Number
Joey Jaco	Utilities & Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647



1. Request permission to:

- a. **Remove two metered parking stalls and associated parking meters;**
- b. **Remove approximately 79' of existing sidewalk and replace with approximately 86' of new sidewalk;**
- c. **Remove approximately 90' of existing curb & gutter and replace with approximately 107' of new curb & gutter;**
- d. **Remove two trees in the existing curb islands;**
- e. **Install new asphalt drive from Lady Street with associated stop bar, directional arrows and stop sign. A pedestrian crosswalk with accessible ramps to the sidewalks on either side of the new drive are included.**

2. Property is located adjacent to 823 Lady Street on Lady Street and Gervais Street. Work beginning approximately 145' west of Lincoln Street and ending approximately 233' west of Lincoln Street.

Lesby Street, Columbia, United States
Address is approximate

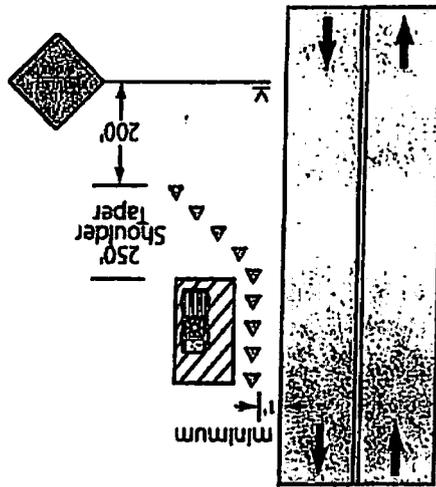


Report a problem



1. For intermediate speed conditions (40 to 50 MPH), a 350-foot sign spacing may be used, and for high speed conditions (55 to 60 MPH), use a 500-foot sign spacing.
2. For short-term stationary work zones in a shoulder area, an array of advance warning signs is required. Install these advance warning sign arrays as follows:
 - a. Low Speed Conditions (35 MPH or less) – this sign array will include "Shoulder Work";
 - b. Intermediate Speed Conditions (40 to 50 MPH) – this sign array will include "Road Work Ahead", "Right (Left) Shoulder Closed Ahead", and "Shoulder Work";
 - c. High Speed Conditions (55 to 60 MPH) – this sign array will include "Road Work 1500 FT", "Right (Left) Shoulder Closed 1000 FT", and "Right (Left) Shoulder Closed 500 FT".
3. "Utility Work Ahead" or "Workers" symbol signs may be used instead of the "Shoulder Work" sign.

Notes:



Shoulder Work
 (1' - 15' From the Edge of Pavement)
 (Short-Term Stationary — 1 to 2 Hours)



167929

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/6/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Commercial Lines - (972) 588-6456 Wells Fargo Insurance Services USA, Inc. 5151 Belt Line Road, Suite 200 Dallas, TX 75254	CONTACT NAME: Rita Cannon PHONE (A/C, No, Ext): 972-588-6474 E-MAIL ADDRESS: rita.cannon@wellsfargo.com	FAX (A/C, No): 855-605-8264
	INSURER(S) AFFORDING COVERAGE	
INSURED Noble Investment Group, LLC 1100 Monarch Tower 3424 Peachtree Road NE Atlanta, GA 30326	INSURER A: Evanston Insurance Company	NAIC # 35378
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 6556830** **REVISION NUMBER: See below**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			3C51065	9/5/2013	9/5/2014	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ excluded
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ excluded
							\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
							\$
							\$
	<input type="checkbox"/> UMBRELLA LIAB						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						OTH-FR
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Certificate holder is added as an additional insured when required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

City of Columbia Attn: Legal Department P O Box 147 Columbia, SC 29217	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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Application for Encroachment Permit

540-13-153174
Permit Number: _____

Applicant: <u>NOBLE I/HY COLUMBIA</u>		County: <u>Richland</u>	
Street:	<u>1100 Monarch Tower</u>	Road / Route	Road Name
	<u>3224 Peachtree Road, N.E.</u>	1. <u>US Hwy. #1 2-378</u>	<u>Gervais Street</u>
City:	<u>Atlanta</u>	2. _____	<u>0.710-0.720</u>
State & Zip:	<u>Georgia 30326</u>	3. _____	_____
Phone:	<u>(404) 262-9660</u> Fax: _____	4. _____	_____
Contact:	<u>Kevin Grass</u>	5. _____	_____

1. Type of Encroachment: See attached.

2. Description of Location: See attached.

(Attach sketch indicating roadway features such as: pavement width, shoulder width, sidewalk and curb and gutter location, significant drainage structure, north arrow, right of way width, and location of the proposed encroachment with respect to the roadway centerline and the nearest intersecting road on the State system.)

3. The undersigned applicant hereby requests the SCDOT to permit encroachment on the SCDOT right of way as described herein. It is expressly understood that the encroachment, if and when constructed, shall be installed in accordance with the sketch attached hereto and made a part hereof.

The applicant agrees to comply with and be bound by the SCDOT's "A Policy for Accommodating Utilities on Highways Rights of way", "Standard Specifications for Highway Construction", the "General Provisions" and "Special Provisions", attached hereto or made a part hereof by reference, during the installation, operation and maintenance of said encroachment within the SCDOT's Right of Way.

DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit(s) issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. The encroachment permit will not be issued until the applicant has received an NPDES construction permit from SC Department of Health and Environmental Control.

The applicant agrees to comply with all current SCDOT Standards Specifications for Highway Construction including all Supplemental Technical Specifications. The applicant hereby further agrees, and binds his/hers/its heirs, personal representatives, successors, assigns, to assume any and all liability for accidents or injuries to persons, or damage to property, including the highway, that may be caused by the construction, maintenance, use, moving or removing of the physical appurtenances contemplated herein, and the applicant agrees to indemnify and hold SCDOT harmless from and against any and all claims for personal injury and/or property damage which may be sustained by any person by reason of the construction, maintenance or existence of said encroachment on the SCDOT's right of way.

Applicant's Name: KEVIN V. GRASS Date: 4/30/2013
(Please print or type)

Applicant's Sig: [Signature] Title: EVP DEVELOPMENT - NOBLE DEVELOPMENT
OR DEVELOPER OF NOBLE I/HY COLUMBIA

In accordance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application and the general and special provisions attached hereto, the SCDOT hereby approves your application for an encroachment permit. This permit shall become null and void unless the work contemplated herein shall have been completed prior to: 6/10/14

See Attached Special Provisions and/or Permit Requirements

NPDES Permit Number _____

(Date received by Res. Maint. Engr.) 7/10/13 (Date)

Resident Maintenance Engineer Deputy Secretary for Engineering

District Engineering Administrator District Maint./Constr. Engineer

SCDOT boring & open cut provisions are attached to this permit.

Go To Encroachment Permit

Application for Encroachment Permit

Go to Help

General Provisions

Permit Nbr: 540-B-15374

1. **DEFINITIONS:** The word "Permittee" used herein shall mean the name of the person, firm, or corporation to whom this permit is addressed; his, her, its, heirs, personal representatives, successors and assigns. The word "DEPARTMENT" shall mean the South Carolina Department of Transportation.
2. **NOTICE PRIOR TO STARTING WORK:** Before starting the work contemplated herein within the limits of the highway right of way, the Department's Resident Maintenance Engineer in the county in which the proposed work is located shall be notified 24 hours in advance so that he may be present while the work is under way.
3. **PERMIT SUBJECT TO INSPECTION:** This permit shall be kept at the site of the work at all times while said work is under way and must be shown to any representative of the Department or law enforcement officer on demand.
4. **PROTECTION OF HIGHWAY TRAFFIC:** The applicant shall be responsible for the protection of the highway traffic at all times during the construction, maintenance, removing or moving of the encroachment permitted herein. Detours, barricades, warning signs and flagmen, as necessary, shall be provided by and at the expense of the Permittee and shall be in accordance with the "Manual on Uniform Traffic Control Devices" (MUTCD). The work shall be planned and carried out so that there will be the least possible inconvenience to the motoring public. The Permittee agrees to observe all rules and regulations of the Department while carrying on the work contemplated herein and take all other precautions that circumstances warrant.
5. **STANDARDS OF CONSTRUCTION:** All work shall conform to the Department's standards of construction and shall be performed in a workman-like manner. The applicant shall make adequate provisions for maintaining the proper drainage of the highway as it may be affected by the encroachment permitted herein. All work shall be subject to the supervision and satisfaction of the Department.
6. **FUTURE MOVING OF PHYSICAL APPURTENANCES:** If, in the opinion of the State Highway Engineer, it should ever become necessary to move or remove the physical appurtenances, or any part thereof contemplated herein, on account of change in location of the highway, widening of the highway, or for any other sufficient reason, such moving shall be done on demand of the Department at the expense of the Permittee.
7. **RESTORATION OF HIGHWAY FACILITIES UPON MOVING OR REMOVING OF PHYSICAL APPURTENANCES:** If, and when, the physical appurtenances contemplated herein shall be moved or removed, either on the demand of the Department or at the option of the Permittee, the highway and facilities shall immediately be restored to their original condition at the expense of the Permittee.
8. **COSTS:** All work in connection with the construction, maintenance, moving or removing of the physical appurtenances contemplated herein shall be done by and at the expense of the Permittee.
9. **ADDITIONAL PERMISSIONS:**
 - (a) It is distinctly understood that this permit does not in any way grant or release any rights lawfully possessed by the abutting property owners. The Permittee shall secure any such rights, as necessary, from said abutting property owners.
 - (b) The Permittee shall be responsible for obtaining all other approvals or permits necessary for installation of the encroachment from other government entities.
 - (c) There shall be no excavation of soil nearer than two feet to any public utility line or appurtenant facility except with the consent of the owner thereof, or except upon special permission of this Department after an opportunity to be heard is given the owner of such line or appurtenant facility.
10. **ADDITIONAL WORK PERFORMANCE:**
 - (a) All crossings over the highway shall be constructed in accordance with "Specifications for Overhead Crossings of Light and Power Transmission Lines and Telegraph Lines over each other and over Highway Rights of Way in South Carolina," as approved by the Public Service Commission of South Carolina and effective as of date of this permit.
 - (b) All turning, boring, or jacking shall be done in such a way as not to disturb the highway surfacing.
 - (c) No pavement shall be cut unless specifically authorized herein.
 - (d) No excavation shall be nearer than three feet to the edge of pavement unless specifically authorized herein.
 - (e) Underground facilities will be located at minimum depths as defined in the "Utility Accommodations Manual" for the transmittant, generally as follows: 4 feet minimum for hazardous or dangerous transmittant, 3 feet minimum for other lines. The Department may approve shallower depths if adequate protection is provided. Such approval must be obtained in writing.
 - (f) Service and other small diameter pipes shall be jacked, driven, or otherwise forced underneath the pavement on any surfaced road without disturbing the pavement. The section under the highway pavement and within a distance of three (3) feet on either side shall be continuous without joints.
11. **ACCESS:**
 - (a) Permittee is responsible for maintaining reasonable access to private driveways during construction.
 - (b) It is expressly provided that, with respect to any limited access highway, the Permittee shall not have or gain access from the main traveled way of the highway, or the on or off ramps to such facility, except upon approval by the Department.
12. **DRIVEWAYS:**
 - (a) The existing crown of the highway shall be continued to the outside shoulder line of the highway.
 - (b) If the driveway or approach is concrete pavement, the pavement shall be constructed at least 6 inches thick and with a minimum of class 2500 concrete. There shall be a bituminous expansion joint, not less than 3/4 inches in thickness, placed between the highway paving and the paving of the approach for the full width of the approach.
13. **BEAUTIFICATION:**
 - (a) All trees, plants, flowers, etc. shall be placed in accordance with the provisions specifically stipulated herein.
 - (b) All trees, plants, flowers, etc. shall be maintained by, and at the expense of, the Permittee and the provisions of this permit shall become null and void, if and when said Permittee ceases to maintain said trees, plants, flowers, etc.
14. **AS-BUILT PLANS:**
 - (a) The applicant shall provide the Department with survey-quality as-built plans in accordance with the requirements set forth in the Department's "A Policy for Accommodating Utilities on Highway Rights of Way".

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
HIGHWAY MAINTENANCE MANAGEMENT SYSTEM
Encroachment Permit

Permit No: 153174

Permit Decision Date: July 10, 2013

Expiration Date: July 10, 2014

Special Provisions

- 109 - THE BORE SHALL BE MADE BY THE DRY BORE METHOD IN SUCH A MANNER AS NOT TO DISTURB THE PAVEMENT. THE BORE PIT MUST NOT BE CLOSER THAN FIVE (5) FEET FROM THE EDGE OF PAVEMENT. THE BORE DEPTH SHALL BE NOT LESS THAN 48" DEEP AT ANY POINT IN THE BORE. NOTICE SHALL BE GIVEN TO THE DEPARTMENT IMMEDIATELY IF THE BORE TURNS AND DAMAGES THE ROAD.
- 111 - OPEN CUTS AND/OR BELL HOLES WITHIN THE ROAD PAVEMENT SHALL BE CUT IN NEAT LINES AND REPAIRED.
- 112 - ALL WATER METERS, AIR VALVES, ELECTRIC TRANSFORMERS, CATV CONNECTION BOXES, TELEPHONE PEDESTALS, AND/OR OTHER UTILITY/SPLICE BOXES SHALL BE PLACED AT THE RIGHT-OF-WAY LINE.
- 113 - FIRE HYDRANTS SHALL BE PLACED A MINIMUM OF TEN (10) FEET FROM THE EDGE OF THE PAVEMENT AND/OR BEHIND DITCH LINES.
- 117 - OPEN TRENCHES SHALL BE COVERED WITH METAL PLATES WHEN THE PAVEMENT CANNOT BE RESTORED THE SAME DAY. PLATES SHALL BE MONITORED PERIODICALLY TO ENSURE THAT THE TRENCH IS PROPERLY COVERED.
- 120 - RESTORATION OF PAVEMENT, SHOULDERS, DITCHES, ETC., TO BE PERFORMED AS SOON AS POSSIBLE AFTER CONSTRUCTION, OR SCHEDULED SO THAT THE CONSTRUCTION IS NO FURTHER THAN 2,000 L.F. AHEAD OF COMPLETE RESTORATION.
- 123 - ALL WORK PERFORMED IN CONNECTION WITH THIS PERMIT SHALL CONFORM TO THE SCDOT "A POLICY FOR ACCOMODATING UTILITIES ON HIGHWAY RIGHT-OF-WAY" MOST CURRENT EDITION.
- 203 - ENTIRE WIDTH OF SIDEWALK TO BE REMOVED AND DISPOSED OF OFF RIGHT-OF-WAY. SIDEWALK TO BE REPLACED USING CLASS 2500 CONCRETE, 4" THICK, AND FINISHED TO SCDOT SPECIFICATIONS.
- 204 - SIDEWALK OR CURB AND GUTTER REMOVAL SHALL BE REPLACED FROM JOINT TO JOINT.
- 205 - WORK SHALL BE SCHEDULED SO THAT PERMANENT REPAIR OF THE ROAD WILL BE COMPLETED WITHIN 24 HOURS.
- 206 - DRIVEWAYS TO BE CONSTRUCTED OF CLASS 2500 CONCRETE, 6" THICK, AND IN ACCORDANCE WITH DETAILS FOR STREET INTERSECTIONS AND DRIVEWAYS-SCDOT.
- 207 - PIPE USED IN THIS INSTALLATION SHALL BE IN ACCORDANCE WITH SCDOT SPECIFICATION SC-M-714 AND COMPLY WITH CURRENT SCDOT POLICY.
- 209 - DISTURBED VEGETATION SHALL BE RESEED ACCORDING TO THE SPECIFICATION FOR HIGHWAY CONSTRUCTION.
- 210 - ALL SIDEWALKS TO INCLUDE AT DRIVEWAY RADIUS SHALL MEET (ADAAG) AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES.
- 301 - THE DITCHES AND/OR SHOULDERS DISTURBED DURING THE INSTALLATION SHALL BE RE-ESTABLISHED TO PROPER GRADE, ORIGINAL CROSS SECTION, STABILIZED, AND ALL DRAIN PIPES CLEARED.

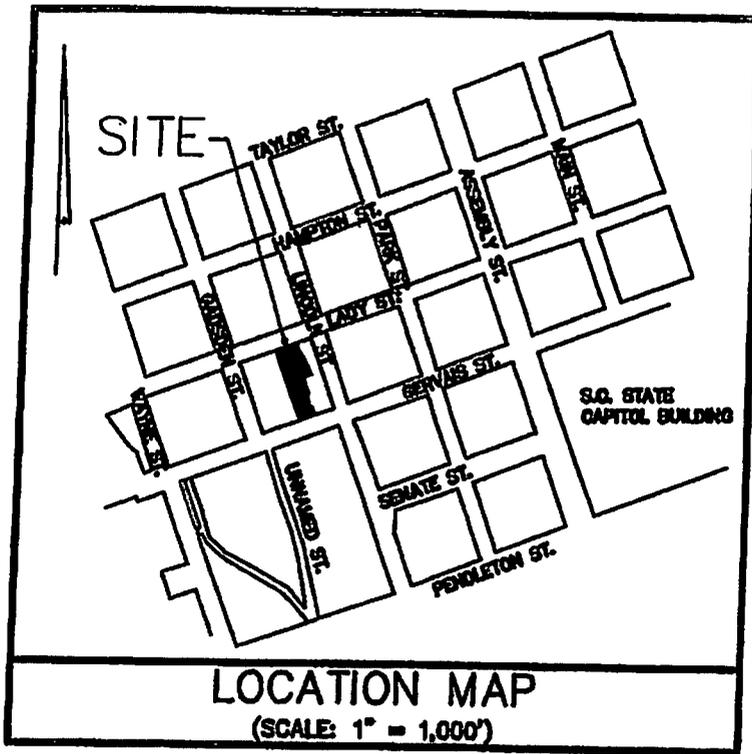
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SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
HIGHWAY MAINTENANCE MANAGEMENT SYSTEM
Encroachment Permit

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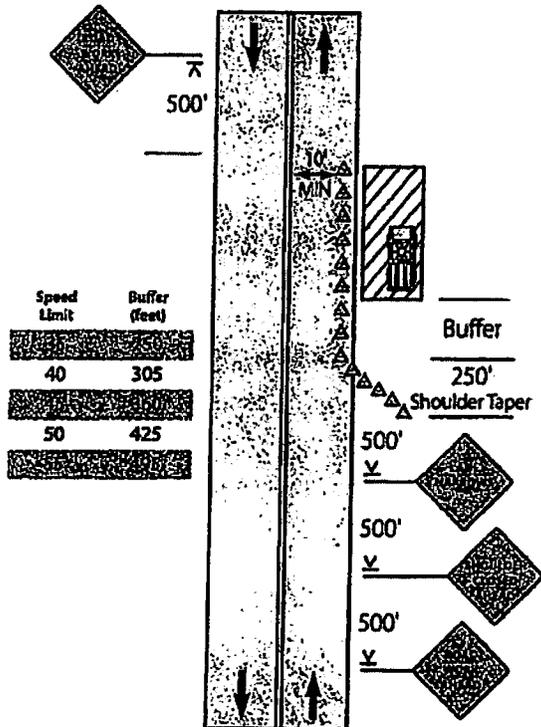
- 302 - NO EXCAVATION SHALL BE LEFT OPEN ALONG HIGHWAY.
- 305 - FLASHING ARROW BOARDS SHALL BE USED FOR ALL LANE CLOSURES ON PRIMARY ROUTES AND/OR ROADS WITH HIGH TRAFFIC VOLUMES.
- 310 - FIELD CHANGES, IF NECESSARY, MUST BE APPROVED IN WRITING BEFORE ACTUAL CONSTRUCTION OF PROPOSED CHANGES.
- 311 - SEDIMENT AND EROSION CONTROL DEVICES SHALL BE USED TO MINIMIZE THE MOVEMENT OF SEDIMENT.
- 312 - THE PERMITTEE SHALL HOLD THE DEPARTMENT HARMLESS FOR DAMAGES TO BOTH UPSTREAM AND DOWNSTREAM PROPERTIES.
- 316 - ALL NON-PERMITTED OBJECTS ON THE RIGHT-OF-WAY, WHICH MUST BE REMOVED, SHALL NOT BE REPLACED ON THE RIGHT-OF-WAY WITHOUT WRITTEN PERMISSION OF THE DEPARTMENT.
- 317 - THE APPLICANT IS TO PROVIDE ALL THE NECESSARY MAINTENANCE TO THE AREA BEAUTIFIED.
- 318 - THE APPLICANT SHALL BE RESPONSIBLE FOR IMMEDIATE REMOVAL OF SUCH TRAFFIC HAZARDS AS MUD, DEBRIS, LOOSE STONE, AND TRASH AS MAY BE WASHED OR SPILLED ON THE TRAVELED ROADWAY AS A RESULT OF THE PROPOSED WORK.
- 4 - SCDOT SHALL BE NOTIFIED WHEN WORK DEFINED IN THE PERMIT STARTS AS WELL AS WHEN THE WORK IS COMPLETED. REFERENCE SHALL BE MADE BY PERMIT NUMBER.
- 125 - ALL CROSSLINE PIPES ARE TO BE LOCATED AND FLAGGED PRIOR TO BEGINNING OPERATION.



LOCATION MAP
 (SCALE: 1" = 1,000')

LOCATION MAP

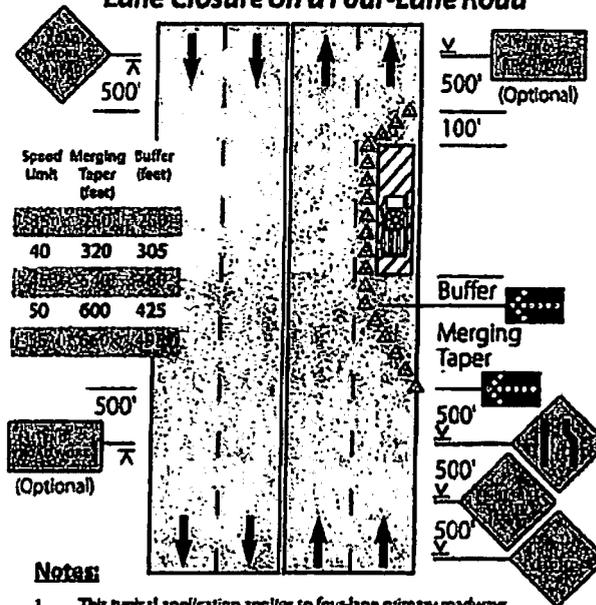
Shoulder Work with Minor Encroachment



Notes:

1. This typical application applies to roadways with posted speed limits of 55 MPH or less.
2. Maintain a minimum lane width of 10'; however, on a low volume roadway, a minimum lane width of 9' is acceptable if traffic does not include wide loads.
3. For low speed conditions (35 MPH or less), a 200-foot sign spacing may be used and for intermediate speed conditions (40 to 50 MPH), a 350-foot sign spacing may be used.
4. An array of 3 advance warning signs is required. This sign array will include "Road Work Ahead", "Right (Left) Shoulder Closed Ahead", and "Lane Narrows".

Lane Closure on a Four-Lane Road



Notes:

1. This typical application applies to four-lane primary roadways with speed limits of 60 MPH or less. This typical application is NOT applicable to Interstate routes.
2. Maintain a 500-foot sign spacing for all lane closures on a four-lane roadway.
3. An array of 3 advance warning signs is required. This sign array will include "Right (Left) Lane Closed 1500 FT", "Right (Left) Lane Closed 1000 FT", and "Lane Ends" symbol sign.
4. When the left lane on an undivided road is closed, channelizing devices must be placed along the centerline as well. Closure of the opposing adjacent interior lane may also be considered in order to provide access to the work space, room for vehicles and materials, and a lateral buffer from the opposing traffic flow.
5. Type C advance warning arrow panels are required. Place the arrow panel on the shoulder of the roadway at the beginning of the merging taper. On roadways with high speed conditions, place a second arrow panel at the downstream end of the merging taper.
6. Supplement the shadow vehicle and the work vehicle with a Type C advance warning arrow panel operating in the "Caution Mode" with the "Four Corners" display.
7. Generally, the use of "End Road Work" signs is optional for short duration work sites. However, if the work site itself is long or the beginning and end of the work site are not visible to a driver passing through it, the "End Road Work" signs should be used.



Pedestrian and Worker Safety

Pedestrian Safety

When pedestrian travel paths (sidewalks or footpaths) are closed or disrupted by a construction, maintenance, or utility operation, then pedestrian traffic control is needed. This includes the use of signs, channelizing devices, flags, suitable fencing, devices to make the path detectable and traversable by persons with disabilities, etc., to direct pedestrian movement through or around the work zone.

There are three major considerations in planning for pedestrian safety in work zones on streets and highways:

- Do not guide pedestrians into direct conflicts with work site vehicles, equipment, or operations.
- Do not guide pedestrians into direct conflicts with mainline traffic moving through or around the work zone.
- Provide pedestrians with a safe, convenient travel path that replicates as nearly as possible the most desirable characteristics of sidewalks or footpaths.

All pedestrians, including young, older and disabled, need protection from potential injury and a smooth, clearly defined travel path without abrupt changes in grade or terrain. Provide temporary facilities that are detectable and traversable by persons with disabilities and include accessibility features consistent with the features present in the existing or former pedestrian facility.

Worker Safety

The safety of workers in a work site is just as important as the safety of the public traveling through the work zone. The best protection for both is good work zone traffic control.

All workers should be trained in how to work next to traffic in a way that minimizes their vulnerability. In addition, workers with specific traffic control responsibilities should be trained in traffic control techniques, device usage, and placement.

Workers exposed to traffic shall be attired in bright, highly visible clothing such as vests, shirts, or jackets. For daytime work, these garments shall be fabricated with a fluorescent red-orange or a fluorescent yellow-green background material.

Work Safety Apparel – All persons on foot or on or within work equipment whose duties place them on highway right-of-way and expose them to potential risks of moving roadway traffic or construction equipment shall wear high-visibility safety apparel meeting the requirements of ISEA "American National Safety Standard for High-Visibility Safety Apparel," also referred to as ANSI / ISEA 107-2004, standard performance for Class 2 or 3 risk exposure or the latest revisions.

During nighttime flagging operations, flaggers shall wear properly retroreflectORIZED safety apparel in compliance with the requirements of ANSI / ISEA 107-2004 standard performance for Class 3 risk exposure or latest revisions and a hard hat. Performance Class 3 safety apparel includes but is not necessarily limited to safety vest / safety pants combination, coverall / jumpsuit, jacket / parka / rainwear, or short sleeved jacket.

To further improve worker safety, consider the use of shadow vehicles, temporary traffic barriers, police, and road closures.



THE PLANNING DESIGN PARTNERSHIP GROUP, INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, COLORADO 80202
 TEL: 303.733.8111
 FAX: 303.733.8112
 WWW: WWW.PDPGROUP.COM

OUR BEFORE YOU GO!
 Please read the following information carefully before starting the project. It is the responsibility of the contractor to ensure that all work is done in accordance with the approved plans and specifications. The contractor shall be responsible for obtaining all necessary permits and for ensuring that all work is done in accordance with all applicable laws and regulations.

PARKING PROVIDED:
 1 PER CAR SPACE
 1 PER TRUCK SPACE
 1 PER BUS SPACE

PARKING REQUIRED:
 1 PER CAR SPACE
 1 PER TRUCK SPACE
 1 PER BUS SPACE

NOTES REGARDING PARKING:
 ALL PARKING SPACES SHALL BE PROVIDED WITH CURBS AND PAVED SURFACES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

NOTES REGARDING STRIPING:
 ALL STRIPING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MUTCD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

NOTES REGARDING PAVING LOT DRAINAGE:
 ALL PAVING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MPCA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

LEGEND

- ASPHALT PAVING
- CONCRETE PAVING
- GRAVEL PAVING
- PAVED SURFACE
- UNPAVED SURFACE
- EXISTING CURB
- NEW CURB
- EXISTING DRIVEWAY
- NEW DRIVEWAY
- EXISTING SIDEWALK
- NEW SIDEWALK
- EXISTING LANDSCAPE
- NEW LANDSCAPE
- EXISTING TREES
- NEW TREES
- EXISTING UTILITIES
- NEW UTILITIES

CODED SITE NOTES (CONTINUED)

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MPCA AND MUTC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

3. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

GENERAL NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

2. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

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PERMIT/SET

HYATT PLACE

CITY OF COLORADO, SOUTH CAROLINA

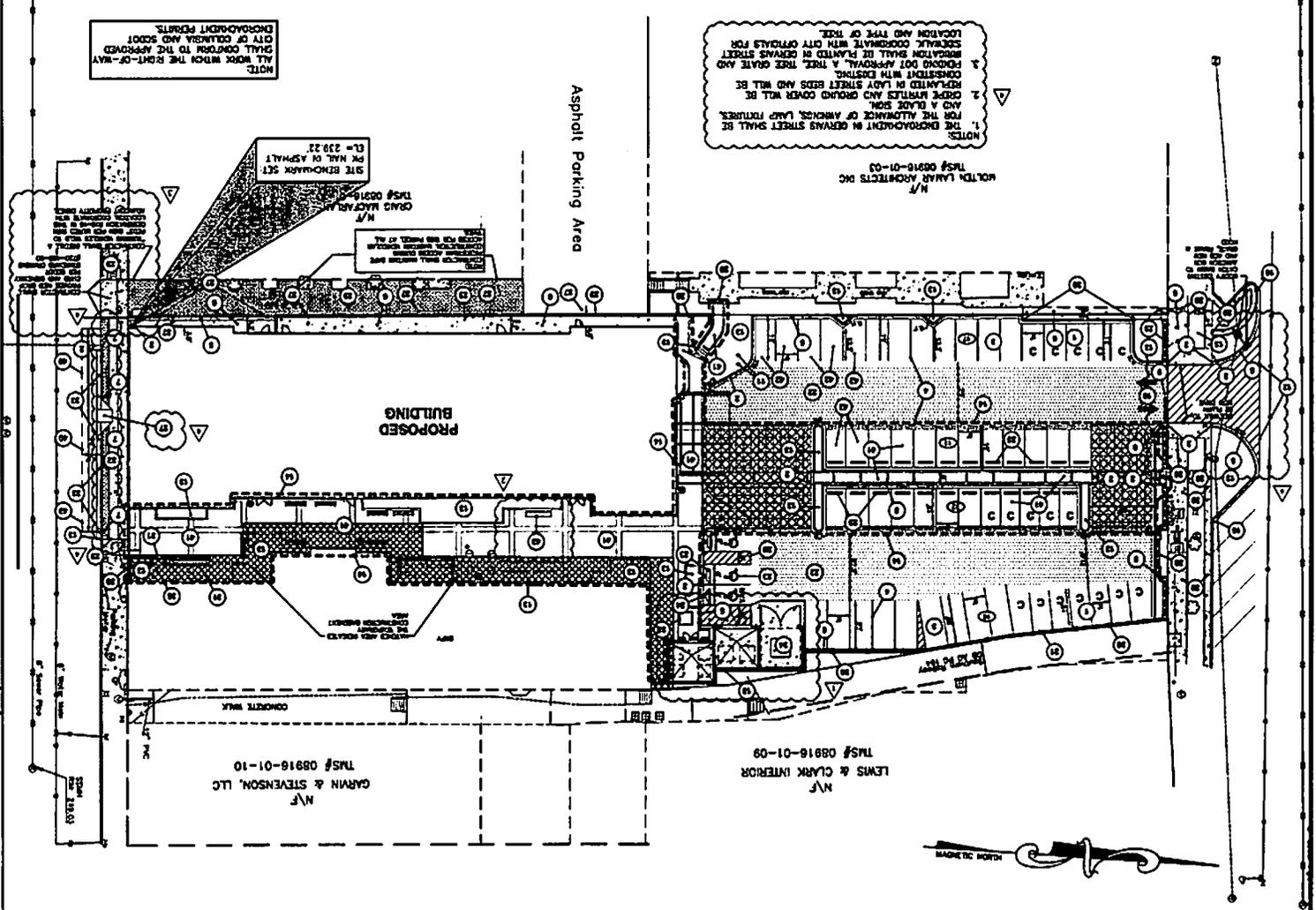
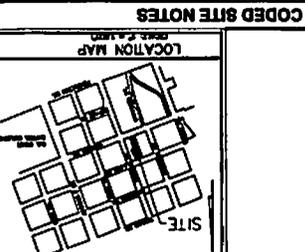
SITE PLAN

CODED SITE NOTES

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE MPCA AND MUTC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

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COX AND CHAPMAN

ARCHITECTS

1000 WEST 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.8111
FAX: 303.733.8112
WWW: WWW.COXANDCHAPMAN.COM

PERMIT/SET

HYATT PLACE

CITY OF COLORADO, SOUTH CAROLINA

SITE PLAN

REQUEST FOR AN ENCROACHMENT ORDINANCE

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) *Business signs are NOT permitted via an encroachment.* An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.

Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 8/16/13 Property Owner: Noble 1/HY Columbia, LLC
 Applicant's Name if different from Property Owner: Dustin Smith (Project Manager, Evergreen Construction)
 Contact Information: Telephone Number: 678-244-6504 Fax Number: 678-244-6565
 Mailing address: 3200 Cobb Galleria Pkwy #240, Atlanta GA 30339 E-mail address: dsmith@evergreencorp.com
 Encroachment Location (Address): 819 Gervais Street, Columbia SC 29201
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)
 Tax Map Number for Encroachment Location: R08916-01-04

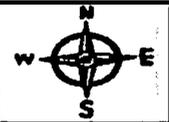
Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: See attached.
 Dimensions (height/width/length): See attached.

(i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)

Construction material: See attached.

Please provide photographs and drawing or site plan *drawn to scale* - no larger than 8-1/2 x 11.

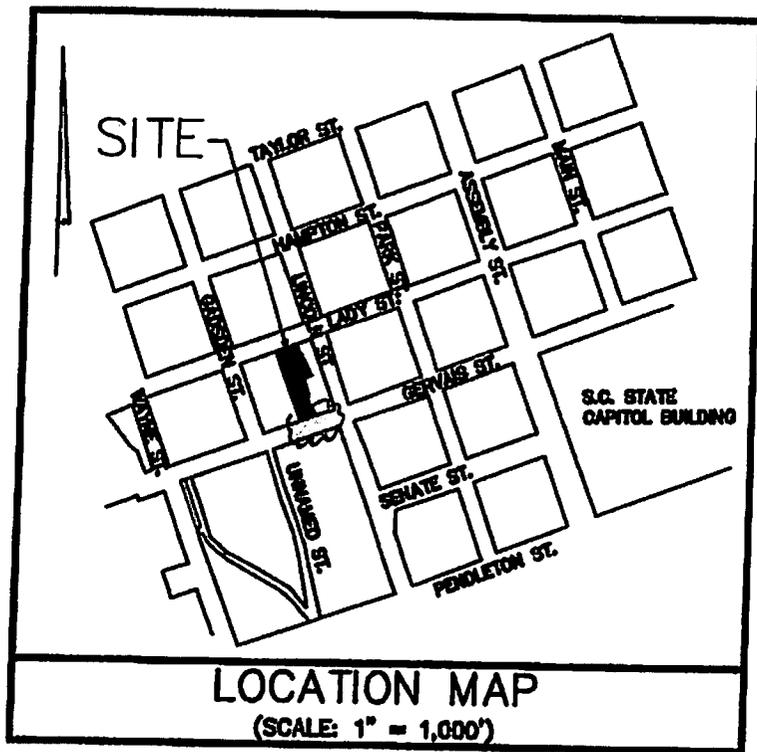
Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material) _____
 Other: _____ (or complete applicable 'Encroachment type' section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

Contact	Department	Telephone Number	Fax Number
Joey Jaco	Utilities & Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647



LOCATION MAP

DATE: APRIL 30, 2013

1. Request permission to demolish approximately 88' of sidewalk and curb and gutter; build approximately 88' of new sidewalk and curb and gutter; replace lid on type 17 catch basin; construct two new junction boxes, install 15' of 15" RCP, and 53' of 15" HDPE.

2. Property is located adjacent to 823 Lady Street on Lady Street and Gervais Street. Work beginning approximately 145' west of Lincoln Street and ending approximately 233' west of Lincoln Street.