

ORDINANCE NO.: 2000-071

Granting encroachment to the University of South Carolina for a pedestrian overpass over Blossom Street and Park Street and a pedestrian overpass over Assembly Street at Wheat Street

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to utilize the right of way areas at the northwestern corner of Park Street and Blossom Street to the southeast corner of Park Street and Blossom Street; and, the northeastern corner of Wheat Street at Assembly Street, at an approximate forty-five (45°) degree angle across Assembly Street for construction, maintenance and use of pedestrian overpasses; and,

WHEREAS, it appears that the encroachments will not interfere with the use of the sidewalks or streets 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 13th day of September, 2000, that Grantee is hereby granted the right to construct, maintain and use a pedestrian overpass at the northwestern corner of Park Street and Blossom Street to the southeastern corner of Park Street and Blossom Street; and a pedestrian overpass at the northeastern corner of Wheat Street at Assembly Street, at an approximate forty-five (45°) degree angle across Assembly Street. Both overpasses shall be constructed as to allow underpass transit of trucks and other large vehicles.

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 and in the event the encroachment becomes in conflict with future municipal plans, said property shall be returned to the City by Grantee.

PROVIDED FURTHER that the evidence of public liability insurance naming the City as an insured in the minimum amount of \$500,000.00 for personal injury and property damage shall be 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

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at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:



MAYOR

Approved by:



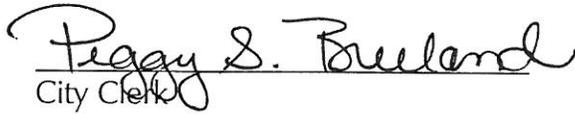
City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 9/6/2000

Final Reading: 9/13/2000

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