

ORDINANCE NO. 2000-083

Granting encroachment to Sunset Construction Co., Inc. for installation of a 3' x 4' hand hole in the tree zone right of way of the 1500 block of Hampton Street

WHEREAS, Sunset Construction Co., Inc. (hereinafter "Grantee") desires to utilize the tree zone right of way area adjacent to the First Union Building in the 1500 block of Hampton Street for installation and maintenance of a 3' x 4' hand hole for installation of fiber cable for Palmetto Net; 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 8th day of November, 2000, that Grantee is hereby granted the right to install and maintain a three (3') x four (4') hand hole in the tree zone right of way area adjacent to the First Union Building in the 1500 block of Hampton Street for installation of fiber cable for Palmetto Net.

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 \$600,000.00 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: 11/1/2000

Final Reading: 11/9/2000

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