

**ORDINANCE NO. 2002-110**

*Granting encroachment to First Presbyterian Church of Columbia  
for planting trees in the 1400 block of Washington Street*

WHEREAS, First Presbyterian Church of Columbia (hereinafter "Grantee") desires to utilize a portion of the tree zone right of way area adjacent to its building located at 1422 Washington Street for planting two 4-1/2" caliper Willow Oak trees; 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 15th day of January, 2003, that Grantee is hereby granted the right to use a portion of the tree zone right of way for planting two 4-1/2" caliper Willow Oaks trees.

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.

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 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: 1/8/2003

Final Reading: 1/15/2003

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# HAY HILL SERVICES, INC.

200 Hay Hill Farm Lane

St. Matthews SC 29135

(803) 874-3303

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October 31, 2002

Ms. Shari Ardis  
City of Columbia - *Legal Dept.*  
P.O. Box 147  
Columbia, SC 29217



Dear Ms. Ardis:

First Presbyterian Church of Columbia requests permission to plant 2 Willow Oaks along Washington Street. The trees are to be planted with the same consistency as the existing trees along Washington. The trees selected will be 4 1/2" caliper and specimen trees. They will provide shade and improve the esthetic value of the street. Hay Hill Services will be in charge of the installation of the trees.

Please call me if you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Fred Hay Gantt".

Fred Hay Gantt  
President  
Cell 238-8955