

ORDINANCE NO.: 2008-077

Granting an encroachment to Gretchen Roepke for installation and maintenance of landscaping within the right of way area adjacent to her property at 5100 Holmes Avenue

WHEREAS, Gretchen Roepke, (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to her property located at 5100 Holmes Avenue for installation and maintenance of landscaping as shown on the attached drawing; 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 October, 2008, that Grantee, its successors and assigns, is hereby granted the right to utilize a portion of the right of way area adjacent to her property at 5100 Holmes Avenue for installation and maintenance of landscaping as shown on the attached drawing.

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 or maintenance shall be repaired to the satisfaction of the City Manager. Improvements constructed within the encroachment by or on behalf of Grantee 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 is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. Shrubs shall be kept at a point which ensures good visibility at the intersection of Cravens Street and Holmes Avenue and for persons entering or exiting any proximate driveways. The City of Columbia reserves the right to cut and trim the shrubs as needed.

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.

ORIGINAL
STAMPED IN REC.

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, its successors and assigns.

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

ORIGINAL
STAMPED IN RED

Requested by:

Gretchen Roepke _____

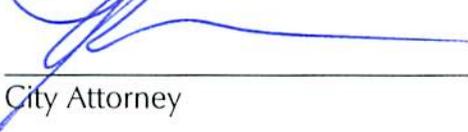


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 10/1/2008

Final Reading: 10/15/2008

Matter No.: 18071269
 Attorney: KEG/86
 Date In: 7/29/08
 File No.: 2008-D-17
 Date Out: 8/6/08

Message

Ardis, Shari

m: gretchenr [gretchenr@shtc.net]
nt: Tuesday, July 29, 2008 11:01 AM
To: Ardis, Shari
Cc: Hollar, Sara
Subject: RE: Encroachment Ordinance
Attachments: privet 004.jpg; privet 003.jpg

Shari,

I am requesting an encroachment ordinance for the shrubs I planted on the right of way. Please see the attached pictures. I planted 22 variegated privet hedges approximately 4 feet in from the street. Let me know if you need more information.

Regards,

Gretchen Roepke
 5100 Holmes Avenue
 Columbia, SC 29203

803-463-2270

-----Original Message-----
From: Ardis, Shari [mailto:slardis@columbiasc.net]
Sent: Wednesday, July 16, 2008 11:32 AM
To: gretchenr@shtc.net
Cc: Hollar, Sara
Subject: Encroachment Ordinance

Once I have the information, I'll prepare a draft and send it to you for review and approval before forwarding for scheduling.

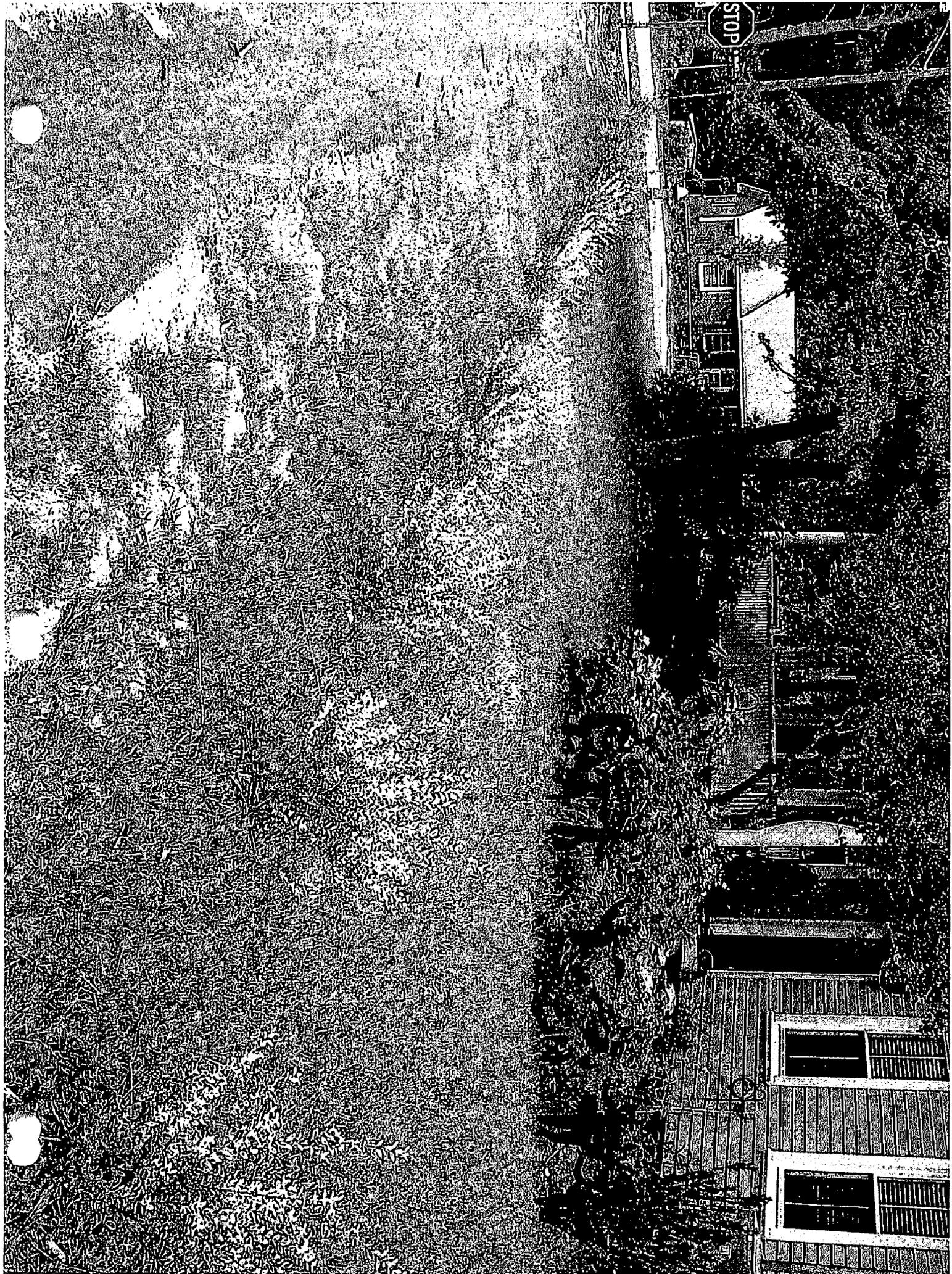
Please let me know if you have any questions.

Shari Lynn Ardis
 Legal Administrative Coordinator
 City Attorney's Office
 Post Office Box 667
 Columbia, South Carolina 29202
 (p) 803-737-4242
 (f) 803-737-4250
 slardis@columbiasc.net

 Think before you print

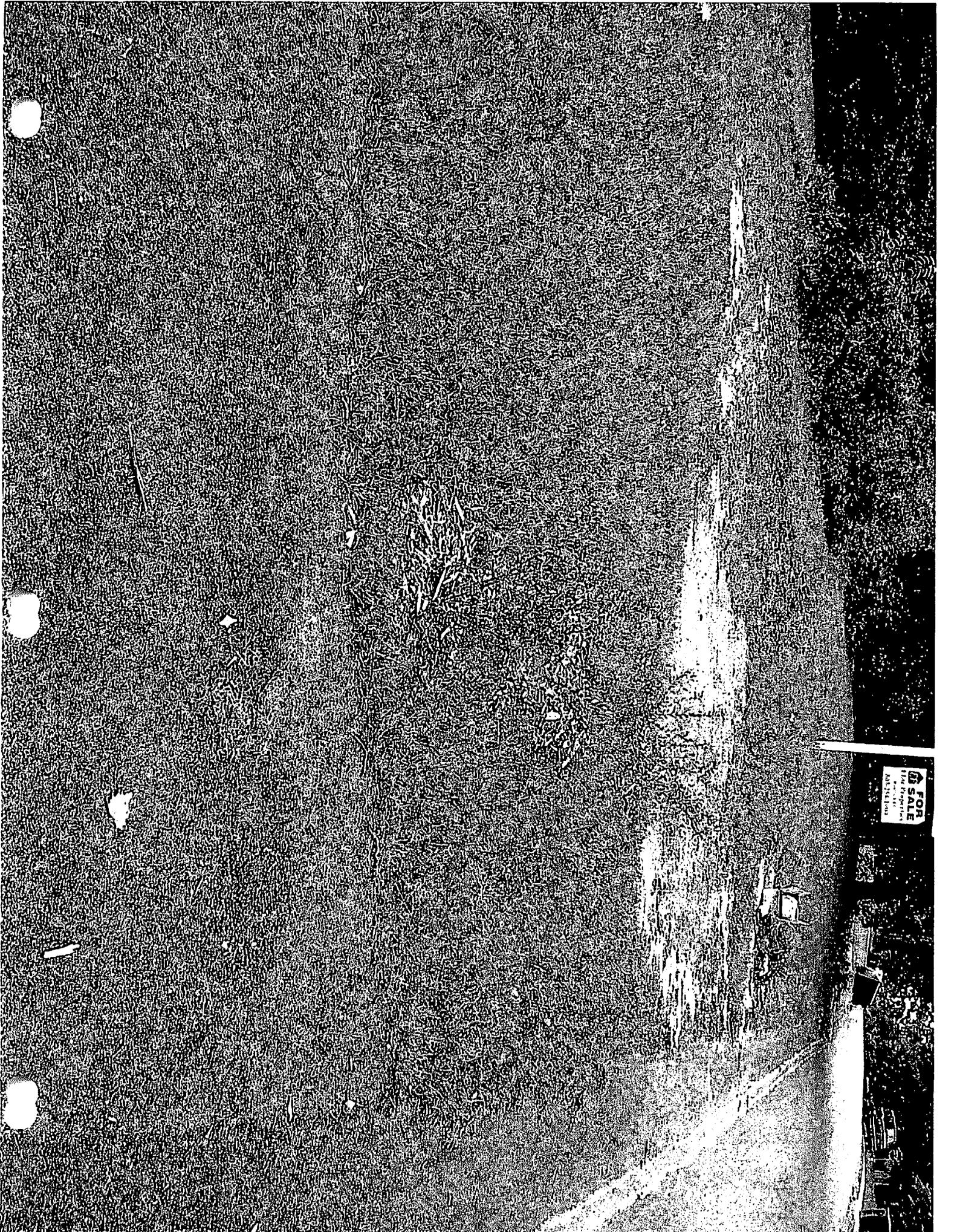
Confidential and Privileged:

Unless otherwise indicated or obvious from the nature of the communication, the information contained herein



STOP

Two windows with shutters on a building with horizontal siding.



 **FOR SALE**
11111 Highway 101
MAYFIELD