

ORDINANCE NO. 2002-084

Granting encroachment to Larry E. Gates for installation and maintenance of sprinkler system in the tree zone area adjacent to 730 Whaley Street

WHEREAS, Larry E. Gates (hereinafter "Grantee") desires to utilize a portion of the tree zone right of way area adjacent to his residence at 730 Whaley Street for installation and maintenance of a sprinkler system; 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 16th day of October, 2002, that Grantee is hereby granted the right to use a portion of the tree zone right of way area adjacent to his residence at 730 Whaley Street for installation and maintenance of a sprinkler system.

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

ORIGINAL
STAMPED IN REC

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

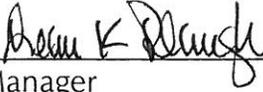
Requested by:



MAYOR

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Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 10/2/2002

Final Reading: 10/16/2002

Tuesday 84
Aug. 27, 2002

Dear Ms. Ardis,

- As discussed with you on Monday August 26, 2002, this is a request for Encroachment into the tree zone for sprinkler heads.

- I am presently putting a sprinkler system in my yard and want to put some heads in the tree zone in order to get the grass to grow, and help beautify the tree zone.

I live at 730 Whaley Street on the south west corner of Whaley and Gadsden Streets.

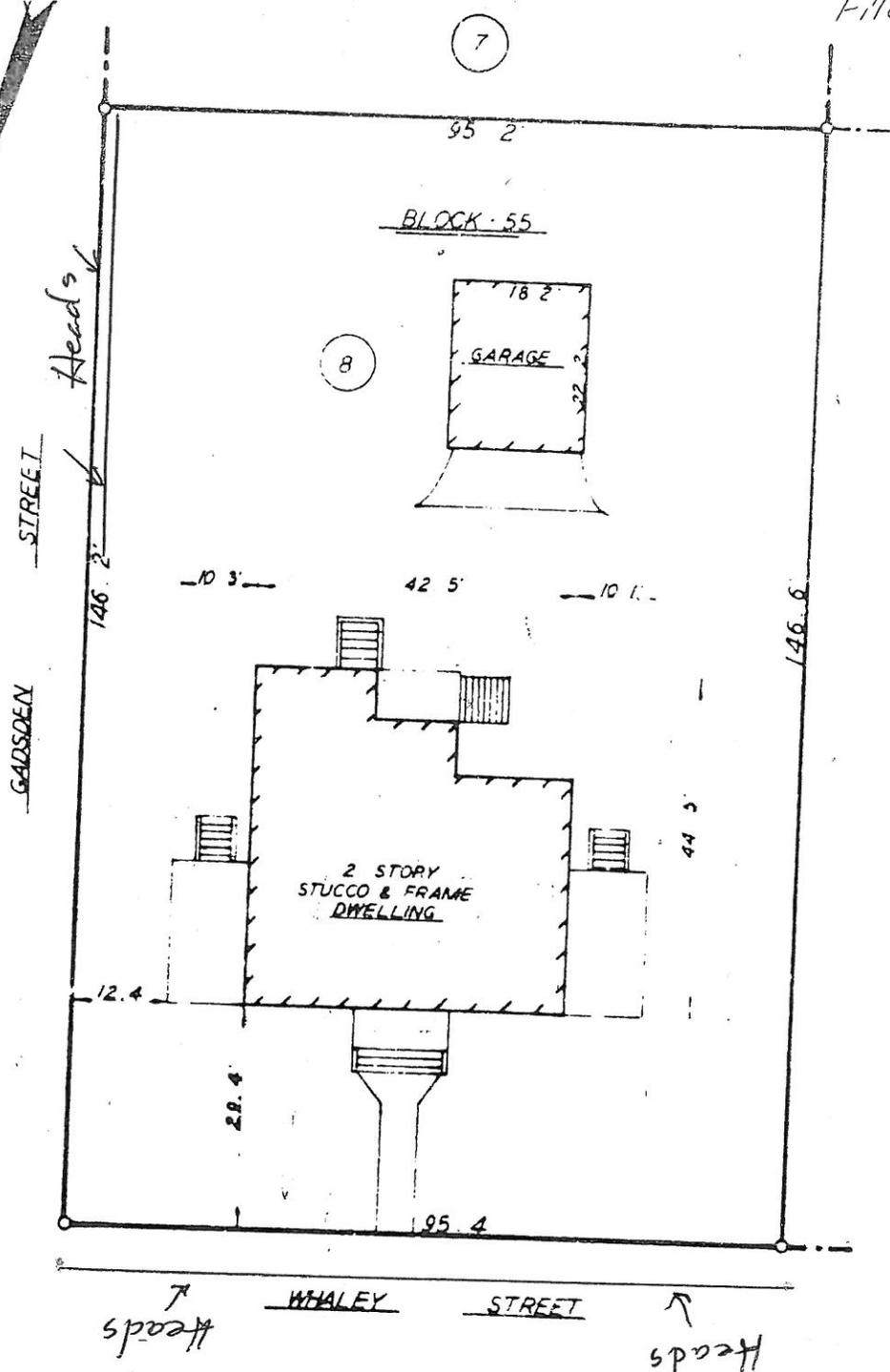
I have enclosed a plat with the area for the heads marked.

The heads will be on a timer and will run early in the morning and will not be a problem for pedestrian traffic.



Sincerely,
Larry E. Gales

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This property was bought from Otis & Annie Mills. My Inlaws. Feb.

PLAT PREPARED BY

OTIS T. MILLS & ANNIE B. MILLS

COLUMBIA, S C

THE SAME BEING ALSO SHOWN AS LOT 8 BLOCK 55 ON PLAT OF PROPERTY OF EBERT REALTY CO AND PACIFIC MILLS BY TOMLINSON ENGR CO DATED OCT 1939 AND RECORDED IN THE OFFICE OF THE CLERK OF COURT FOR RICHLAND COUNTY IN PLAT BOOK 8 AT PAGE 501

SCALE 1" = 20'

MARCH 2, 1962

MILMILAN ENGINEERING COMPANY

WE HEREBY CERTIFY THAT THE MEASUREMENTS AND SHOWINGS ON THIS PLAT AND THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN

Charles R. ...
REG ENGINEER AND LAND SURVEYOR