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RESOLUTION NO.: 2022-100

Authorizing the Construction and Improvements by the South Carolina Department of Transportation (SCDOT) of Harden Street (S-S-10), Blossom Street (US-21) and associated intersections for the Safety Improvements (RSA Implementation S-10 / US-21); Projects P039718 and P038027.

WHEREAS, the South Carolina Department of Transportation ("SCDOT") proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the City of Columbia (hereinafter, "the City"); and

WHEREAS, the City wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with the scope of work prepared by SCDOT ("the scope of work"); NOW THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Columbia this 17th day of day, 2023 that, pursuant to S.C. Code §57-5-820 (1976, as amended), the City does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the scope of work.

BE IT FURTHER RESOLVED, that the foregoing consent represents the sole approval necessary from the City for SCDOT to complete the project and constitutes a waiver of any and all other requirements with regard to construction within the City's limits. The foregoing waiver and consent shall extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the City shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED, that the City will assist SCDOT in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated under the plans, provided to the City after approval by SCDOT, in accordance with all applicable laws and Agreements between the Parties hereto. To the extent that City-owned utilities are to be relocated in accordance with the project plans, those utility pipes, lines, or hydrants may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT's project manager. SCDOT shall not be liable for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the City or its contractors. Future utility installations by the City within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT's "A Policy for Accommodating Utilities on Highway Rights-of-Way", March 2019, as revised.

BE IT FURTHER RESOLVED, that the City hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

BE IT FURTHER RESOLVED that an original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Requested by:

Assistant City Manager Shealy

Approved by:

Teresa B. Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

Introduced: 1/17/2023

Final Reading: 1/17/2023

[Signature]
Mayor

Attest:
Greta D. Hammond
City Clerk