

ORDINANCE NO. 2003-066

Granting encroachment to the Windemere Springs Neighborhood Association for installation and maintenance of an underground irrigation system and for landscaping on the medians located at the 1200 block of Hyatt Avenue between North Main Street and Windemere Avenue and the 4500 block of Windemere Avenue between Hyatt Avenue and Muller Avenue

WHEREAS, the Windemere Springs Neighborhood Association (hereinafter "Grantee") desires to utilize the median areas located at the 1200 block of Hyatt Avenue between North Main Street and Windemere Avenue and the 4500 block of Windemere Avenue between Hyatt Avenue and Muller Avenue for installation and maintenance of an underground irrigation system and for landscaping; 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 17th day of September, 2003, that Grantee is hereby granted the right to use the median areas located at the 1200 block of Hyatt Avenue between North Main Street and Windemere Avenue and the 4500 block of Windemere Avenue between Hyatt Avenue and Muller Avenue for installation and maintenance of an underground irrigation system and for landscaping.

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

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STAMPED IN REC

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 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: 9/10/2003

Final Reading: 9/17/2003

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**WINDEMERE SPRINGS NEIGHBORHOOD ASSOCIATION
(WSNA)**

1211 Hyatt Avenue Columbia, SC 29203 803.414.2461

July 25, 2003

Ms. Shari Ardis
City of Columbia Legal Department
Post Office Box 667
Columbia, SC 29202

Re: Windemere Springs Neighborhood Association

Dear Ms. Ardis:

This letter serves as a request for an encroachment permit for the Windemere Springs Neighborhood Association to do improvements to the medians in the 1200 Block of Hyatt Avenue (between N. Main Street and Windemere Avenue) and 4500 Block of Windemere Avenue (between Hyatt Avenue and Muller Avenue).

The improvements will consist of the installation of an underground sprinkler system, soil and sod, and various plantings of perennials and annual. These improvements are part of our CANDO grant award for 2003-2004. We have already spoken with, and signed agreements with, the City of Columbia Forestry and Beautification department. Debbie Price was the person we spoke with.

Attached is a copy of the landscapers drawing of how the basic installation of the sprinkler system and plantings will be done. Please forward the permit to me at the following address:

Phyllis Coleman, President
Windemere Springs Neighborhood Association
1211 Hyatt Avenue
Columbia, SC 29203

If you have any questions, please contact me at 414-2461. Thank you for your assistance.

Sincerely,



Phyllis A. Coleman
President

Enclosure



FROM : DAWSON

FAX NO. : 803 782 2474

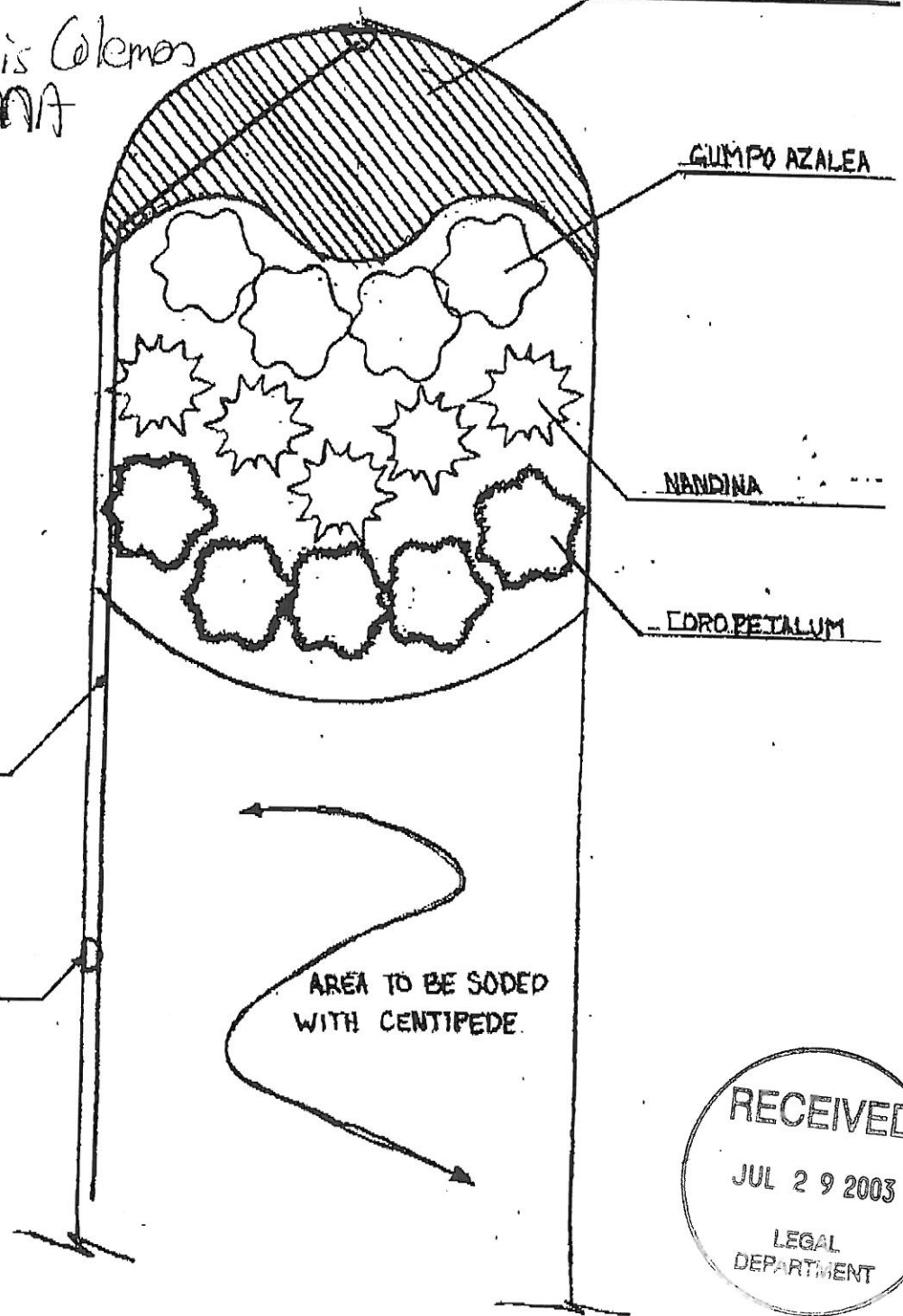
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7/29/03

To: Ms. Shari Ardis
City of Columbia
Legal Dept
737-4250

Windemere Springs
Neighborhood
1200 Block Hyatt Ave
+ 4500 Block Windemer
DAYLILLY Au

From: Phyllis Coleman
WSMA



1" SCHEDULE 40 PVC

RAIN BIRD 1800 POP
UP SPRAY HEAD

AREA TO BE SODED
WITH CENTIPEDE

RECEIVED
JUL 29 2003
LEGAL
DEPARTMENT