

ORDINANCE NO. 2003-090

*Granting encroachment to Hyatt Park Neighborhood Association
for landscaping, irrigation, signs and lighting*

WHEREAS, Hyatt Park Neighborhood Association (hereinafter "Grantee") desires to utilize a portion of the right of way areas of the north and south corners of Duke Avenue at Monticello Avenue for installation and maintenance of an irrigation system and 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, 2003, that Grantee is hereby granted the right to utilize a portion of the right of way areas of the north and south corners of Duke Avenue and Monticello Avenue for installation and maintenance of an irrigation system and 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 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.

ORIGINAL
STAMPED IN RED

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: 10/1/2003

Final Reading: 10/15/2003

ORIGINAL
STAMPED IN REC

90

Hyatt Park
Neighborhood
Association
A great community for neighbors

Officers:
Keith McIver, *President*
William "Bill" Manley, *Vice President*
Diane Sutton, *Secretary*
Zenobia Coleman, *Treasurer*
Leroy Moss, *President Emeritus*

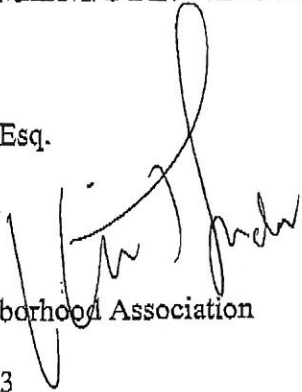
MEMORANDUM

To: James S. Meggs, Esq.
Attorney for the
City of Columbia

Fr: Keith McIver
Hyatt Park Neighborhood Association

Date: September 3, 2003

Re: **Encroachment Permit**



With a CANDO grant from the City's Community Development Department, the Hyatt Park Neighborhood Association is requesting an encroachment permit to enhance its beautification program.

Attached please find a sketch of the area, which represents the rights-of-way on the north and south corners of Duke Avenue and Monticello Road. We currently have a "Hyatt Park Community" entrance on the north-side corner.

The grant covers the purchase of irrigation and planting material. We have a volunteer committee—made up of members of the Association and residents—who are committed to the plans.

Thanks you and we look forward to hearing from you.



Convenient Stone (A-1)

sketch

grass area
with poles &
grey wire
just cut grass
to maintain

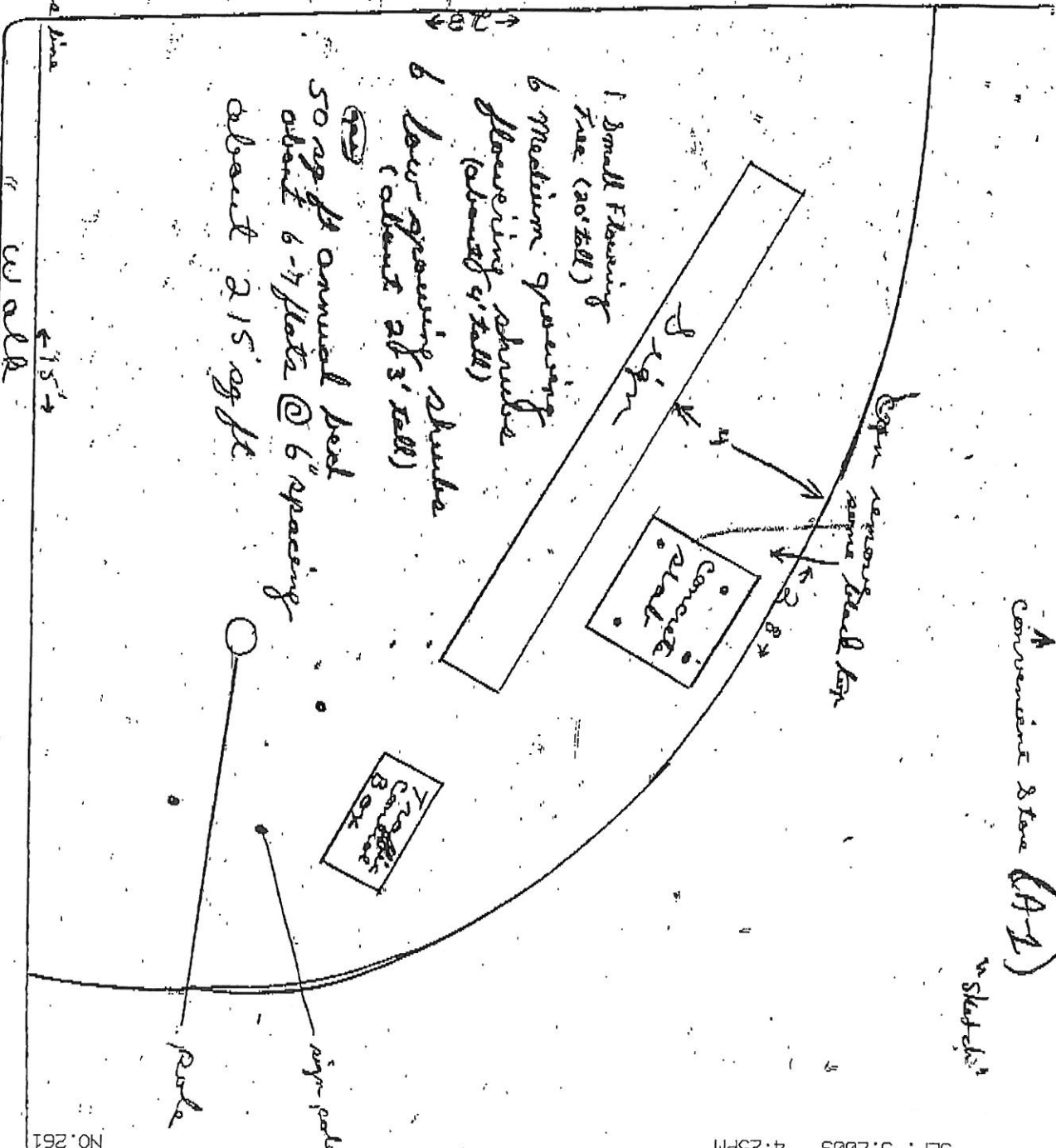
Plant this area
same BlackTop

1 small flowering
tree (20' tall) ← 7' →
5 low - med
growing shrubs
(2-4' tall) ← 7' →

30 sq ft annual
bed (about 4 flats)
② 6" spacing
about 185 sq ft
← 8' →

wall

Duke
Ave



Montecello Road