ORDINANCE NO.: 2004-087

Granting encroachment to the University of South Carolina
for installation and maintenance of a bus shelter adjacent to Barnwell Street Lot Z13

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to its Barnwell Street Parking Lot Z13 in the 1300 block of Barnwell Street for installation and maintenance of a bus shelter approximately nine (9') feet in width, fifteen (15') feet in length and nine (9') feet in height to be constructed of aluminum and plexiglass on a concrete pad 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 September, 2004, that Grantee, its successors and assigns, is hereby granted the right to use a portion of the right of way area adjacent to its Barnwell Street Parking Lot Z13 in the 1300 block of Barnwell Street for installation and maintenance of a bus shelter approximately nine (9') feet in width, fifteen (15') feet in length and nine (9') feet in height to be constructed of aluminum and plexiglass on a concrete pad 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.

Last Revised: 8/17/2004

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: 9/8/2004
Final Reading: 9/15/2004

ORIGINAL STAMPED IN RED

City of Columbia
Memorandum

To: Shari Ardis, Legal
From: John David Spade, General Services
Subject: Encroachment Request from USC

Init: (signature)
Date: 29 July 04

Attached you will find a copy of a request for an encroachment from the University of South Carolina for a bus shelter. Please let me know if you need any additional information. Thanks.

UNIVERSITY OF SOUTH CAROLINA

MEMORANDUM

TO: John Spade

FROM: Derrick Huggins, Director of
            Vehicle Management and Parking Services

DATE: July 28, 2004

SUBJECT: ENCROACHMENT PERMIT

Vehicle Management and Parking Services would like to request that the City of Columbia allow USC to place a bus shelter on the west side of the 1300 block of Barnwell Street. The shelter will be placed on a concrete pad located right of the driveway into the parking lot. I have attached a map to help indicate the location of the shelter. At this time Vehicle Management and Parking Services does not plan to place additional landscaping in that area.

Attachment

RECEIVED
JUL 2 9 2004
LEGAL DEPARTMENT

29

29b

29a

U1

U2

NEW SHELTER

1300 BARNWELL

BARNWELL
LOT
Z13
(see parking
regulations)

NORTH