

ORDINANCE NO.: 2007-038

Granting encroachment to Chris LaCaruba for installation and maintenance of a wood fence at 425 South Ravenel Street

WHEREAS, Chris LaCaruba (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to his property at 425 South Ravenel Street for installation and maintenance of a wood fence approximately sixty (60') feet in length and three and one-half (3.5') feet in height as shown in the attached pictures; 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 27th day of June, 2007, that Grantee, its successors and assigns, is hereby granted the right to use a portion of the right of way area adjacent to his property at 425 South Ravenel Street for installation and maintenance of a wood fence approximately sixty (60') feet in length and three and one-half (3.5') feet in height as shown in the attached pictures.

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 a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of \$600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and 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

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STAMPED IN RED

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:



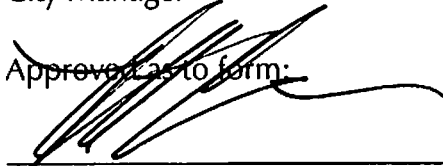
MAYOR

Approved by:



City Manager

Approved as to form:



Interim City Attorney

ATTEST:



City Clerk, Interim

Introduced: 6/20/2007

Final Reading: 6/27/2007

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Matter No.: 090504416
Attorney: KEG/du
Date In: 5/19/07
File No.: 2007-038
Date Out: 5/22/07

To: Shari Lynn Ardis

I am requesting permission to erect a fence in front of my house on 425 S. Ravenel St.

Because of two large Oak trees and their roots, it was imperative to encroach city property in order to dig holes for my post.

Dimensions: fence - 60 ft.

Post - 12 in in ground 38 in above ground. I did not use cement to support the post
length of fence - approx. 60 ft.
Distance between post and road - approx 5 ft.

Distance between fence and my property approx. 5 ft.



Chris LaCaruba

