

RESOLUTION NO.: R-2019-099

Authorizing the City Manager to execute a Right of Entry Agreement between the City of Columbia and The River Alliance for access during surveying and design of Phase II of the Saluda Riverwalk

ORIGINAL
STAMPED IN RED

BE IT RESOLVED by the Mayor and City Council this 25th day of November, 2019, that the City Manager is authorized to execute the attached Right of Entry Agreement, or on a form to be approved by the City Attorney, between the City of Columbia and The River Alliance for access during surveying and design of Phase II of the Saluda Riverwalk.

Requested by:

Assistant City Manager Gentry



Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:



City Clerk

Introduced: 11/25/2019

Final Reading: 11/25/2019

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

RIGHT OF ENTRY AGREEMENT

THIS RIGHT OF ENTRY AGREEMENT (the "Agreement") is made by and between the City of Columbia ("Grantor") and The River Alliance ("Grantee").

WITNESSETH:

WHEREAS, Grantor hereby grants to Grantee its successors or assigns, a Right of Entry as further described herein, together with the right of ingress and egress at all times necessary for the duration of the design, engineering and permitting necessary for construction of Phase II of the Saluda Riverwalk, a component of the Three Rivers Greenway.

This access includes the property, which Grantor owns, situate, lying and being referred to as TMS R09003-02-01 and TMS R07314-02-05 on the Broad River in Columbia, South Carolina. This is in accordance with the illustration attached as Exhibit "A", which will become a part of the City of Columbia's Three Rivers Greenway and complete the Saluda Riverwalk project.


Grantee and its engineers and consultants will enter the property to accomplish the design, engineering and permitting necessary to construct Phase II of the Saluda Riverwalk. This will include but not be limited to: topographical survey; wetland delineation; identification of protected species; permits for wetland or stream impacts; state navigable waterway permit; letter of map revision or conditional letter of map revision; archeological report; and design drawing.


This access will continue in effect for up to twenty-four (24) months from the date of approval.

TO HAVE AND TO HOLD the aforesaid rights to Grantee, its successors and assigns, as aforesaid.

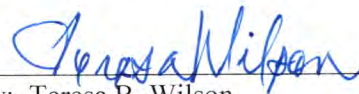
IN WITNESS WHEREOF, the parties have hereunto have executed this Right of Entry Agreement effective as of the day and year of the last signature hereinbelow.

WITNESSES:



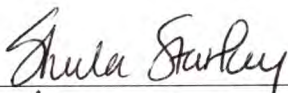


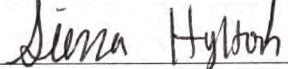
City of Columbia



By: Teresa B. Wilson
Its: City Manager
Date: 12-3-2019


The River Alliance



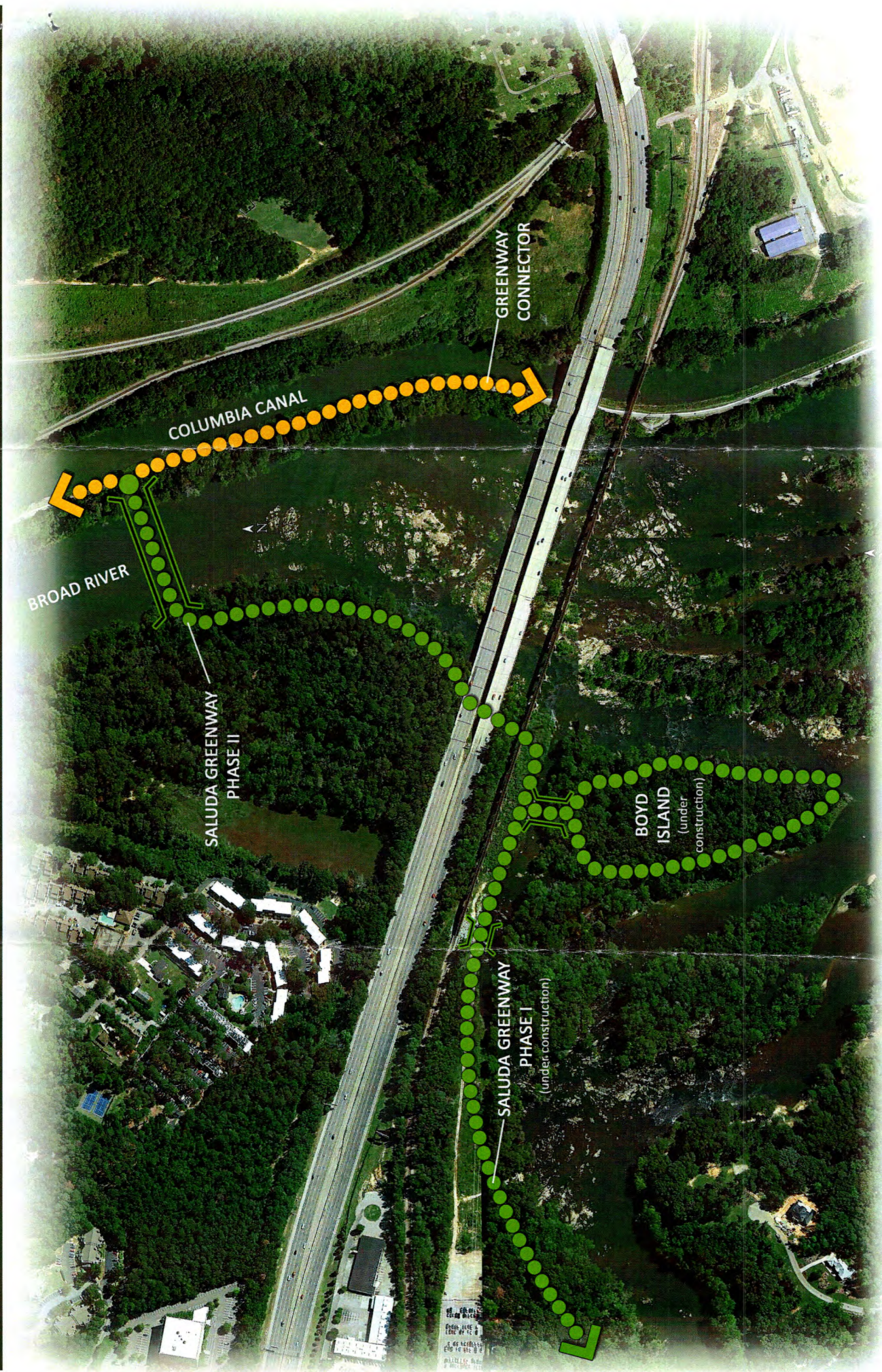




By: Michael T. Dawson
Its: Chief Executive Officer
Date: Dec 16, 2019

APPROVED AS TO FORM


Legal Department City of Columbia, SC



BROAD RIVER

COLUMBIA CANAL

GREENWAY
CONNECTOR

SALUDA GREENWAY
PHASE II

SALUDA GREENWAY
PHASE I
(under construction)

BOYD
ISLAND
(under
construction)

Exhibit A: Phase II - Saluda Riverwalk