

ORDINANCE NO.: 2008-079

Granting an encroachment to First Calvary Baptist Church for installation and maintenance of steps within the right of way area adjacent to 1401 Pine Street

WHEREAS, First Calvary Baptist Church, (hereinafter "Grantee") desires to utilize a portion of the right of way area adjacent to its property located at 1401 Pine Street for installation and maintenance of steps 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, 2008, that Grantee, its successors and assigns, is hereby granted the right to utilize a portion of the right of way area adjacent to its property at 1401 Pine Street for installation and maintenance of steps 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 or maintenance shall be repaired to the satisfaction of the City Manager. Improvements constructed within the encroachment by or on behalf of Grantee 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 is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. Work on steps may not begin until the City has removed two large trees from the right of way.
2. To prevent future tree root damage, the sidewalk to be installed beside the new trees shall not be any wider than forty-eight (48") inches.

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 at its expense provide for protection and, if necessary, relocation of all utilities that might be within this area to the satisfaction of the City Manager.

ORIGINAL
STAMPED IN RED

Requested by:

First Calvary Baptist Church



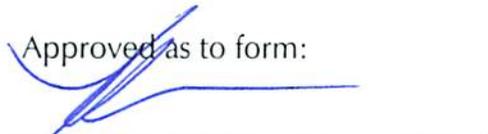
MAYOR

Approved by:



City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 10/1/2008

Final Reading: 10/15/2008

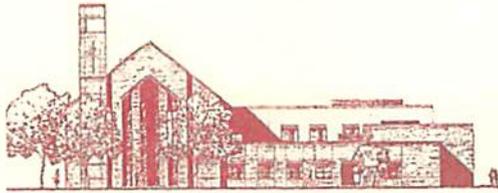
FIRST CALVARY BAPTIST CHU

Matter No.: 08081288
Attorney: [Signature]
Date In: 7/13/08
File No.: 2008-217
Date Out: 9/21/08

JASPER SALMOND
CHAIRMAN DEACON MINISTRY

CHRISTOPHER COCHRAN, JR.
CHAIRMAN TRUSTEE MINISTRY

KING B.L. JEFFCOAT
TREASURER



1401 PINE STREET
COLUMBIA, SC 29204
P.O. BOX 157, COLUMBIA, SC 29202
(803) 256-3670
REV. SAMUEL K. LEWIS PASTOR

L. WELDON HAMMOND
CLERK
JULIETTE BYNOE
SECRETARY



TO: City of Columbia Legal Department

FROM: Christopher Cochran, Jr. Chair, Trustee Ministry
First Calvary Baptist Church *Christopher Cochran*

SUBJ: Request for Encroachment on City of Columbia Tree Zone at 1401 Pine Street, Columbia, SC 29204

DATE: July 18, 2004

On behalf of First Calvary Baptist Church, as Chair of the Trustee Ministry I request permission to encroach on the City Tree Zone at 1401 Pine Street, Columbia, SC 29204. The church would like a handicap entry cut on the curb directly in front of the church entrance or the steps replaced in the tree zone to allow safe and easy access to the front entrance of First Calvary Baptist Church from Pine Street.

The term replace is used due to the fact that prior to the rebuilding of our church at the same location there were steps leading to the sidewalk along the front entrance of First Calvary Baptist Church. During construction the side walk was damaged and ultimately the city removed the steps.

In order to access the church pedestrians have to walk up the tree zone embankment. This area is slippery and when it rains it is muddy thus creating a safety hazard. The alternatives are to enter the sidewalk through the driveway to the pastors parking area or use the sidewalk handicap entry way on the street at the corner of Pine and Washington Streets. None of these options allow direct access in front of the church. These options are really not feasible when carrying a casket to or from the hearse during a funeral.

Pictures are enclosed to show the location of the area in the tree zone for which permission to encroach is requested. Should you have questions please call me at 803-513-2964.

Your approval of this request will be greatly appreciated.

cc: Councilman E. W. Cromartie, II

fax 781-9648

Area marked
is where
handicap cut
is needed.





Areas marked
is where steps
or handicap cut
is needed.

