

RESOLUTION NO. 24300

A RESOLUTION AUTHORIZING JAMES W. CUNNINGHAM TO USE TEMPORARILY AN ALLEY LOCATED AT THE INTERSECTION OF CHAMBERLAIN AVENUE AND BAILEY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, TO INSTALL A GATE AT THE END OF THE PROPERTY AT 1301 BAILEY AVENUE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That James W. Cunningham (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily an alley located at the intersection of Chamberlain Avenue and Bailey Avenue to install a gate at the end of the property at 1301 Bailey Avenue, as shown on the drawing attached hereto and made a part hereof by reference.

BE IT FURTHER ORDAINED, That said temporary usage shall be subject to the following additional conditions:

1. Approval of the final drawings by the City Engineer.
2. Temporary User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
3. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: January 11, 2005

/add

24300

1-11-05

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JAMES W. CUNNINGHAM (hereinafter "Temporary User"), this the 11th day of January, 2005.

For and in consideration of the granting of the temporary usage of an alley located at the intersection of Chamberlain Avenue and Bailey Avenue to install a gate at the end of the property at 1301 Bailey Avenue, as shown on the attached drawing, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User will defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User will restore the property to its original condition when it is returned to the City.

3. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

JAMES W. CUNNINGHAM

01-24-05, 2005
Date

BY: James W. Cunningham

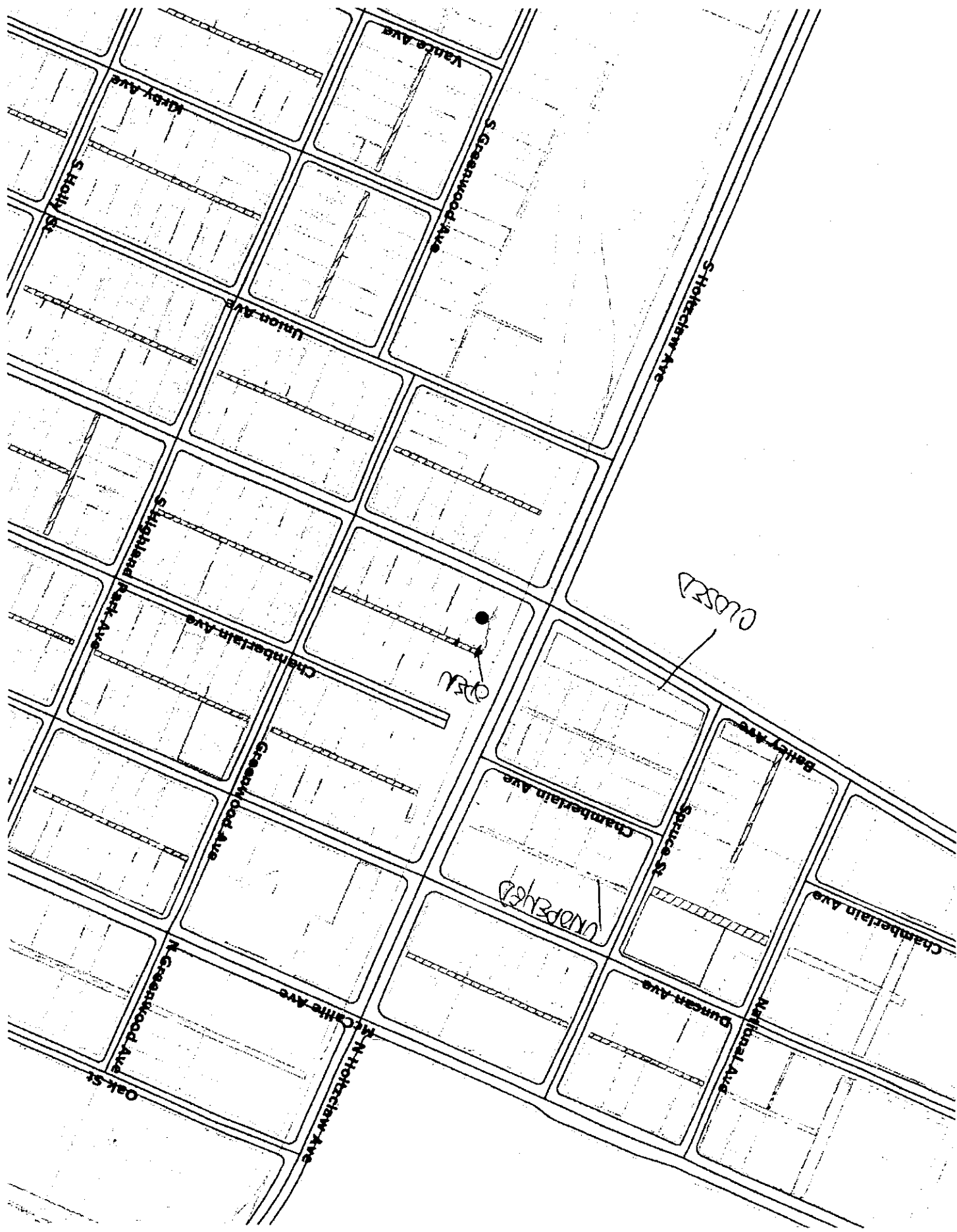
CITY OF CHATTANOOGA, TENNESSEE

1/17, 2005
Date

BY: Bob Corker
Bob Corker, Mayor

/add

Reviewed By: David Eichenthal
David Eichenthal



0251

CLOSED

UNDEVELOPED

Rozh: Pl. Check if this alley is open and paved.
 N/12/8/04

The City of Chattanooga
 accepts no responsibility as to
 reliability of the information.

Locobart (2182903.522359.256740.545937)

Field	Value
FID	88496
Shape	Polygon
GISLINK	033146J B 02400
OWNERNAME1	CUNNINGHAM JAMES
OWNERNAME2	WILLIAM & ANNIE DORIS
STNUM	01301
STNAME	BAILEY
TYPESFX	AVE
DIRPFX	1301 BAILEY AVE
ADDRESS	146J
MAP	B
GROUP	024
PARCEL	146J B 024
TAX_MAP_NO	03639
MASTNUM	RAE
MADIRPFX	TRL
MASTNAME	CHATT
MATYPESFX	TN
MALINE2	37406
MACITY	
MASTATE	
MAZIP	
LEGALDESC1	LT 14 BLK 3 HIGHLAND PARK
LEGALDESC2	ADDN NO 1 PB 1 PG 23
LEGALDESC3	
LEGALDESC4	
LEGALDESC5	
LEGALDESC6	
LEGALDESC7	
LEGALDESC8	
LOTDIM1	48x136
LOTDIM2	
CALCACES	0
MAPACES	0.16
DEEDACES	0
LUCODE	111
NEIGHCODE	1
LANDVALUE	4600
BUILDVALUE	22800
APPVALUE	27400
ASSVALUE	6850
DISTRICT	1
CONTROLMAP	146
ZONING	J
IMPCODE	0
PROPTYPE	22
EXEMPTCODE	

