

RESOLUTION NO. 24832

A RESOLUTION AUTHORIZING THE JIM BERRY COMPANY TO USE TEMPORARILY THE 800 BLOCKS OF CHERRY STREET AND GEORGIA AVENUE TO INSTALL TWO (2) DECKS, AS SHOWN ON THE DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Jim Berry Company (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the 800 blocks of Cherry Street and Georgia Avenue to install two (2) decks, as shown on the drawings 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. Temporary User or subsequent owner shall maintain a structurally sound deck slab (HS-20 loading) for sidewalk use.
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: August 1, 2006

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and the JIM BERRY COMPANY (hereinafter "Temporary User"), this 1st day of August, 2006.

For and in consideration of the granting of the temporary usage of the 800 blocks of Cherry Street and Georgia Avenue to install two (2) decks, as shown on the drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User or subsequent owner shall maintain a structurally sound deck slab (HS-20 loading) for sidewalk use

2. 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.

3. 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.

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

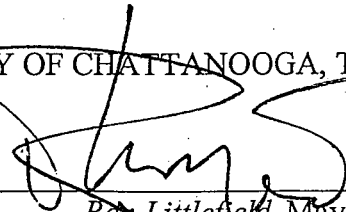
JIM BERRY COMPANY

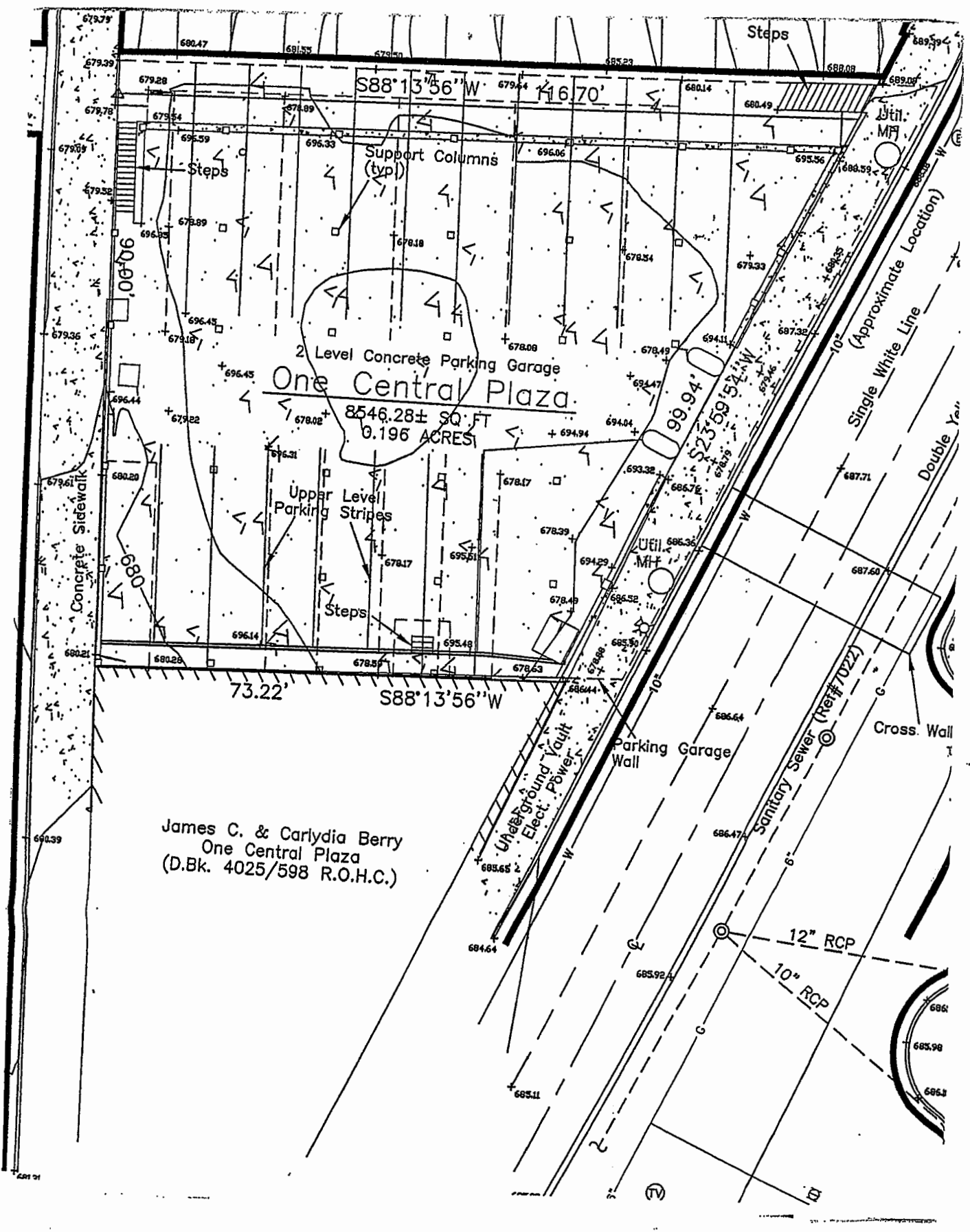
Aug 16, 2006
Date

BY: Ronald G. Williams

_____, 2006
Date

CITY OF CHATTANOOGA, TENNESSEE

BY: 
Ron Littlefield, Mayor



James C. & Carlydia Berry
 One Central Plaza
 (D.Bk. 4025/598 R.O.H.C.)

2 Level Concrete Parking Garage
One Central Plaza
 8546.28± SQ. FT.
 0.196 ACRES

S88°13'56" W 16.70'

S88°13'56" W 73.22'

S23°59'54" W 99.94'

10' (Approximate Location)
 Single White Line
 Double Yellow

Steps

Steps

Support Columns (typ)

Upper Level Parking Stripes

Steps

Parking Garage Wall

Underground Vault
 Elect. Power

Sanitary Sewer (Ref # 1022)

12" RCP

10" RCP

Cross. Wall

686.8
 685.98
 685.3

Util. M.F.

Util. M.F.

Concrete Sidewalk

0.06

680

73.22'

10'

6'

Double Yellow

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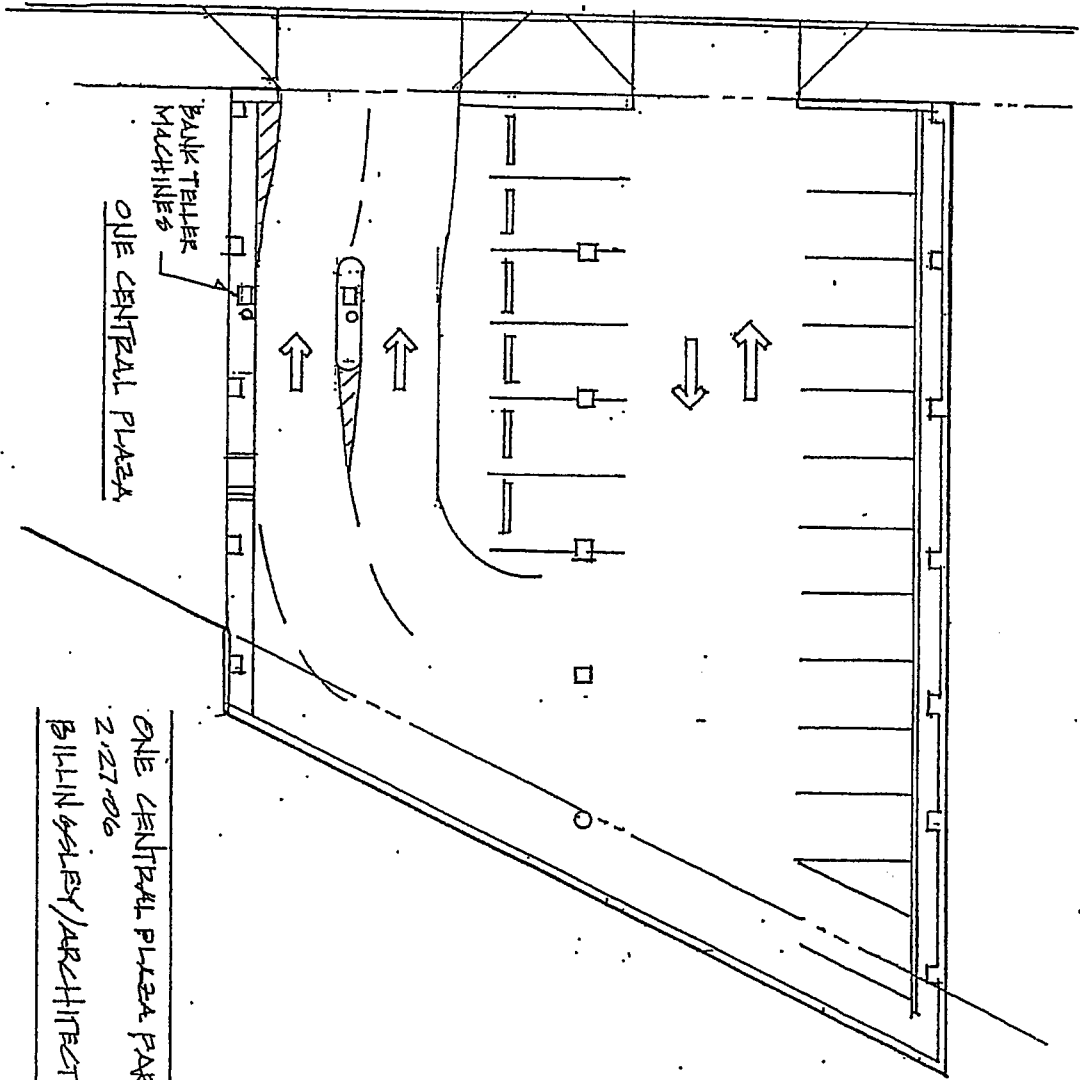
Concrete Sidewalk

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73.2

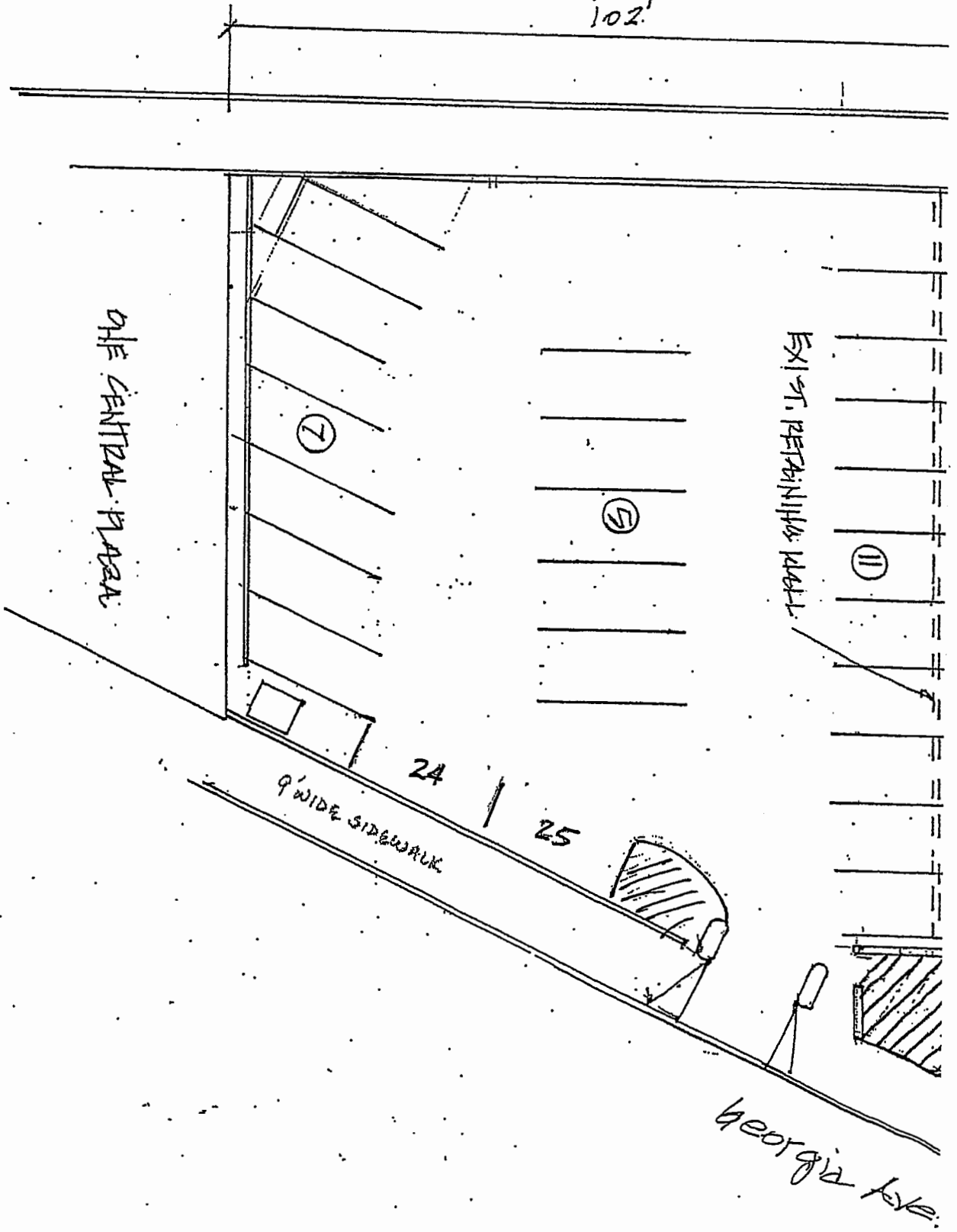
CHERRY STREET



LOWER LEVEL PLAN
11.20.01

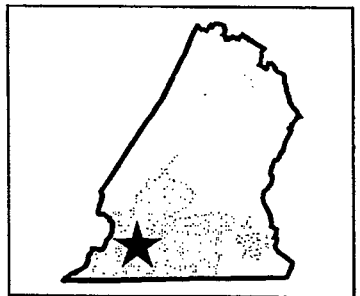
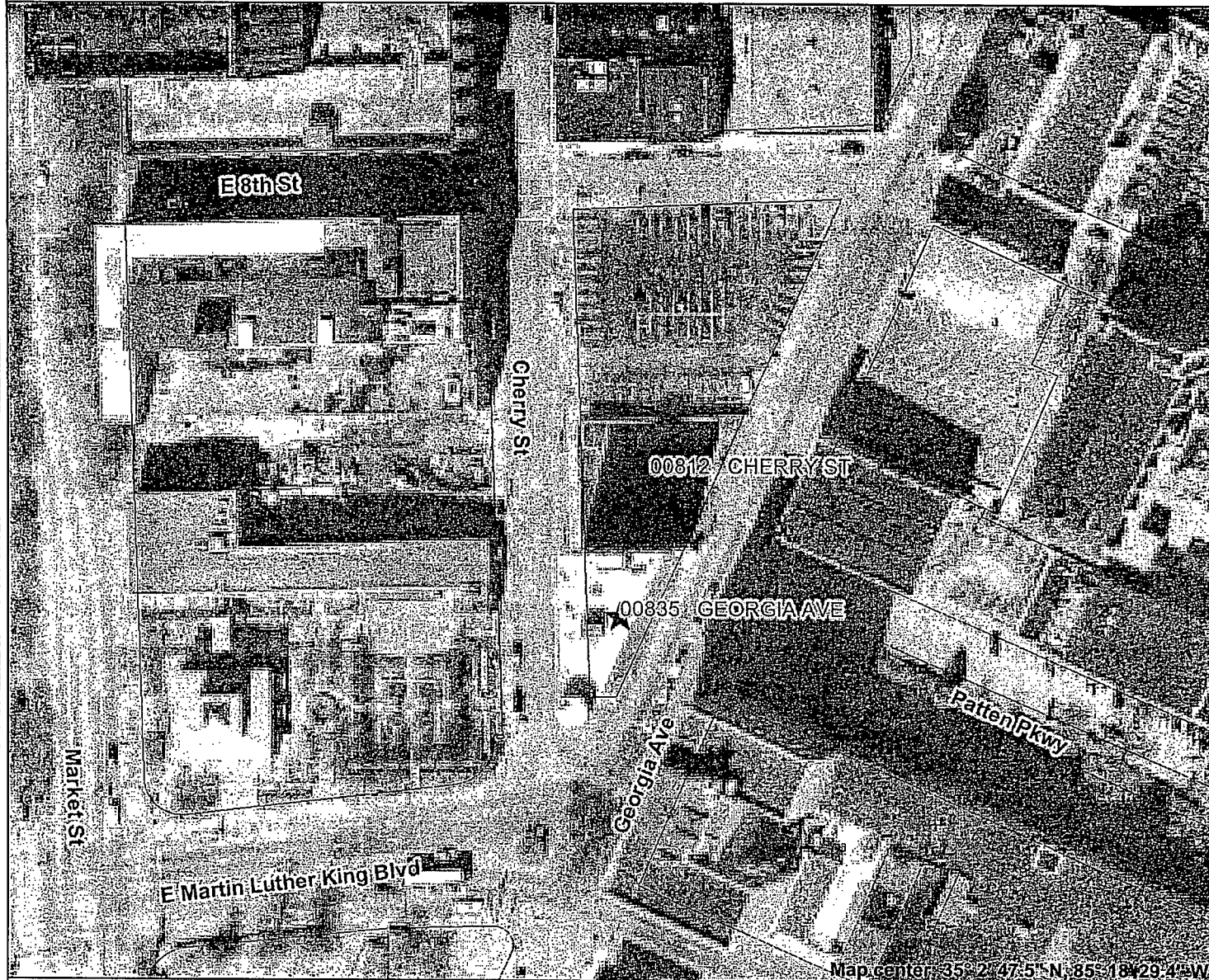
ONE CENTRAL PLAZA PARKING DECK
2.27.06
BILLY GALEY ARCHITECTURE

Cherry Street
102'



PROPOSED UPPER LEVEL
1" = 20'-0"
25 SPACES

812 Cherry & 835 Georgia



Legend

LEGEND

Roads

- ✕ Railroad Tracks
- Parcels
- ▭ County Boundary
- Water Polygons

Map center: 35° 2' 47.5" N, 85° 18' 29.4" W

Scale: 1:1,251

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