## RESOLUTION NO. 251100

A RESOLUTION AUTHORIZING RICHARD DILLARD TO USE TEMPORARILY AN UNNAMED ALLEY LOCATED AT THE REAR OF 2010 EAST 13<sup>TH</sup> STREET, AS REFERENCED IN CASE NO. 2007-004 AND SHOWN ON THE DRAWING 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 Richard Dillard (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily an unnamed alley located at the rear of 2010 East 13<sup>th</sup> Street, as referenced in Case No. 2007-004 and shown on the drawing attached hereto and made a part hereof by reference.

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

- 1. 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.
- 2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
- 3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED:	May 1	, 2007

## INDEMNIFICATION AGREEMENT

	This	Indemni	fication	Agree	ment	is	ente	red	into	by	and	between	THE	CITY	OF
	TANC		TENNE	SSEE	(here	ina	fter	the	"Ci	ty"),	and	d RICH	ARD	DILLA	RD
(hereir	ıafter '	'Tempora	ary User'	'), this _	lst	da	y of _		May	7	_, 20	07.			

For and in consideration of the granting of the temporary usage of an unnamed alley located at the rear of 2010 East 13<sup>th</sup> Street, as referenced in Case No. 2007-004 and shown on the drawing attached hereto and made a part hereof by reference, 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.

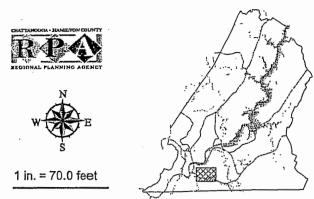
## Date Pate RICHARD DILLARD BY: CITY OF CHATTANOOGA, TENNESSEE Ron Littlefield, Mayor /add

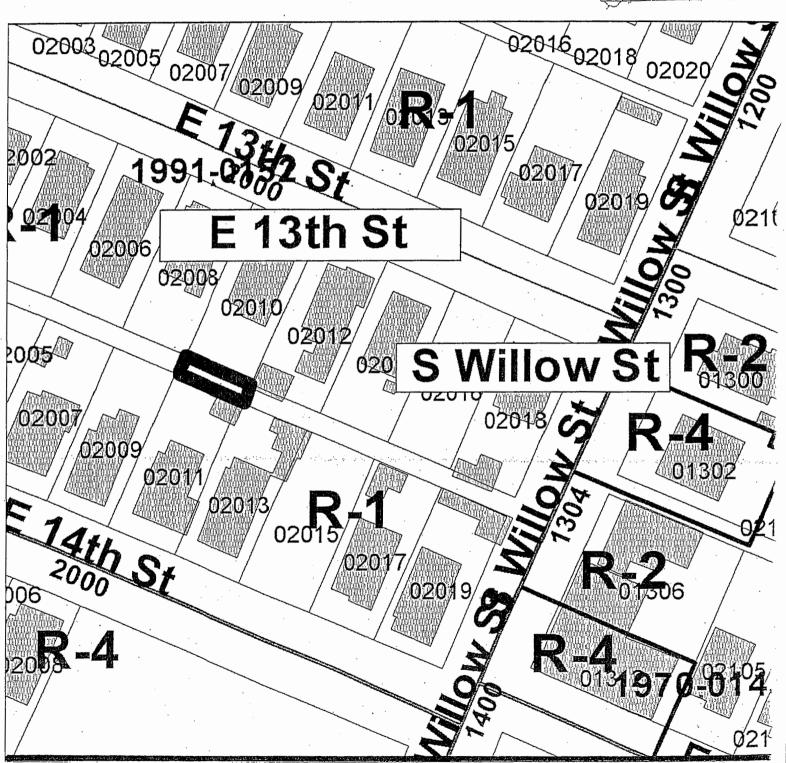
CHATTANOOGA - HAMILTON COUNTY REGIONAL PLANNING AGENCY

**CHATTANOOGA** 

CASE NO: 2007-0004

PC MEETING DATE: 1/8/2007 MR ABANDON ALLEY R-O-W





PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2007-004: Deny abandonment, but recommend they obtain a Temporary Use Permit from the City Public Works Department.