

RESOLUTION NO. 25581

A RESOLUTION AUTHORIZING JOHN A. FELLAS TO USE TEMPORARILY 1419 WILLIAMS STREET TO REPLACE AN EXISTING BALCONY THAT SITS IN THE RIGHT-OF-WAY, 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 John A. Fellas (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 1419 Williams Street to replace an existing balcony that sits in the right-of-way, 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 conditions:

1. The balcony is to be constructed as per submitted plans with a minimum of two feet (2') of distance from the back of the curb to the face of the balcony.
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: July 1, 2008

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JOHN A. FELLAS (hereinafter "Temporary User"), this the 1st day of July, 2008.

For and in consideration of the granting of the temporary usage of 1419 Williams Street to replace an existing balcony that sits in the right-of-way, 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. The balcony is to be constructed as per submitted plans with a minimum of two feet (2') of distance from the back of the curb to the face of the balcony.
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.

JOHN A. FELLAS

_____, 2008
Date

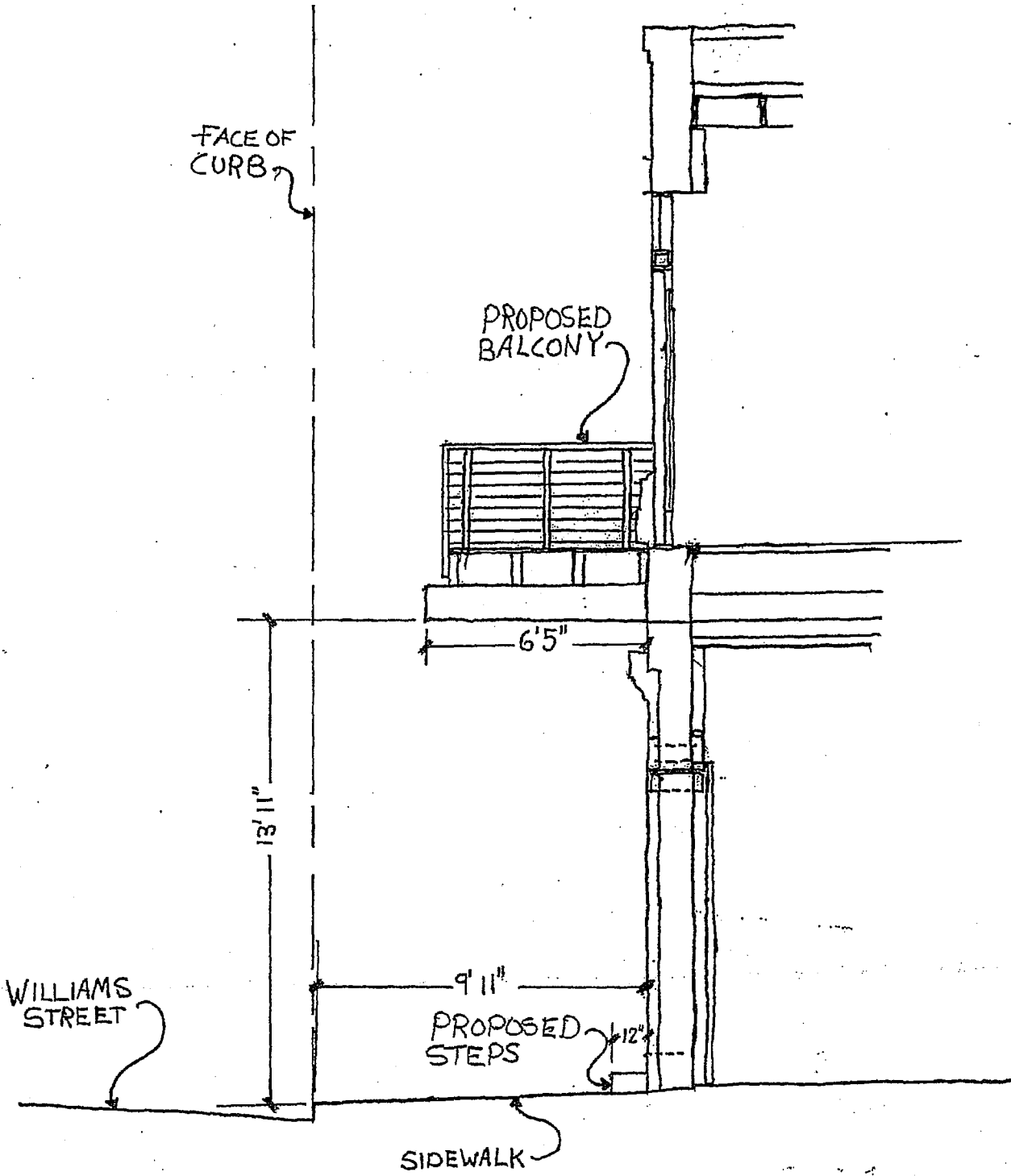
BY: _____

CITY OF CHATTANOOGA, TENNESSEE

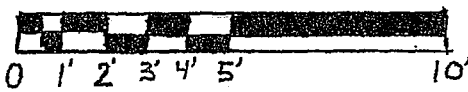
July 7, 2008
Date

BY: _____

Ron Littlefield, Mayor

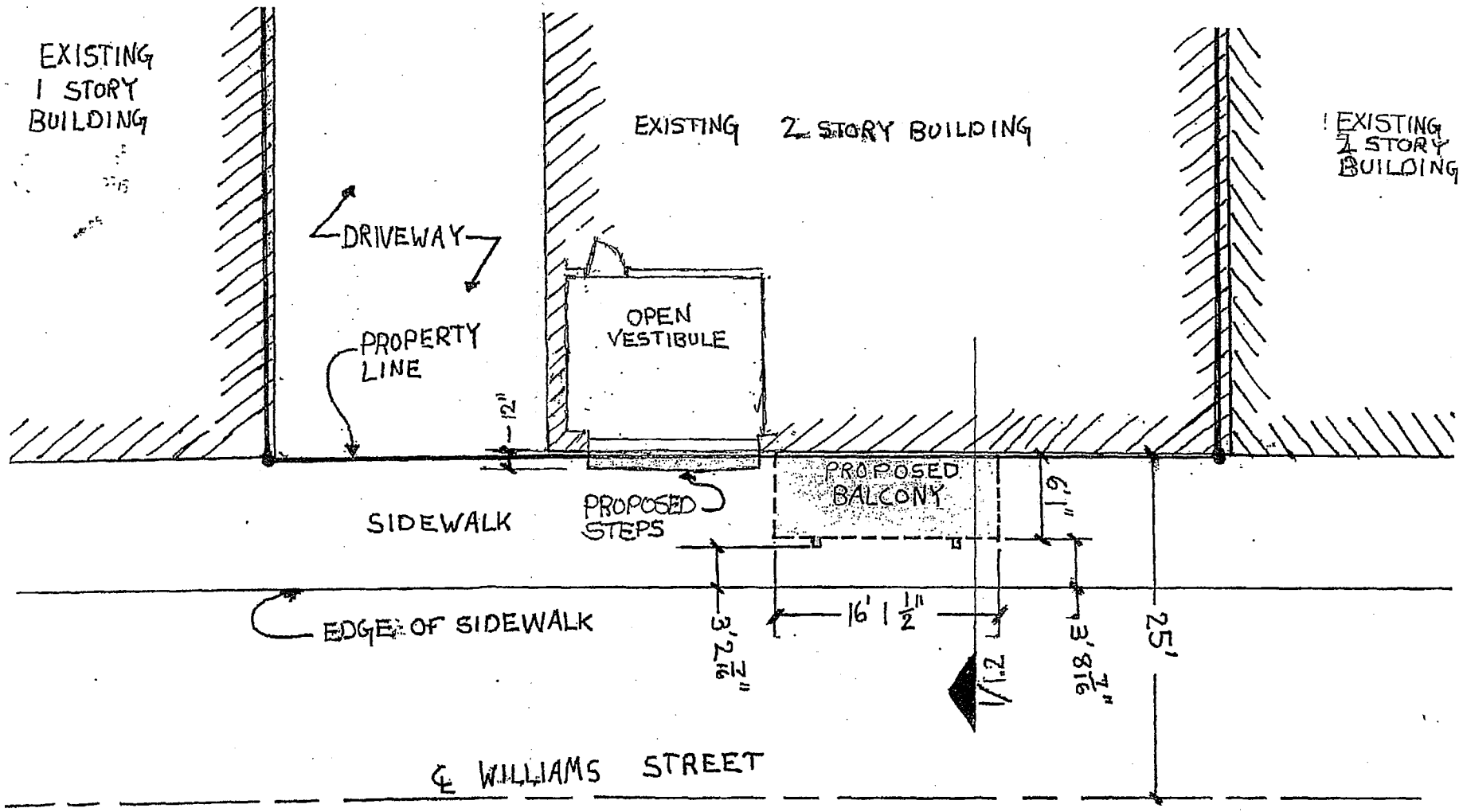


SCALE $\frac{1}{4}'' = 1'$



PROPOSED BALCONY SECTION

*America
Capital*



SCALE 1" = 10'



HK HEFFERLIN + KRONENBERG ARCHITECTS PLLC
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1.2 PROPOSED BALCONY PLAN