

RESOLUTION NO. 25694

A RESOLUTION AUTHORIZING TIMOTHY DUNN TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY BEGINNING AT THE INTERSECTION OF LAUREL LANE AND OCHS HIGHWAY, AS SHOWN ON THE ATTACHED MAPS, TO USE AS A PRIVATE DRIVEWAY INTO THE BACK OF APPLICANT'S PROPERTY, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Timothy Dunn (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way beginning at the intersection of Laurel Lane and Ochs Highway, as shown on the attached maps, to use as a private driveway into the back of Temporary User's property.

BE IT FURTHER ORDAINED, That said temporary usage shall be subject to the following 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: October 14, 2008

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and TIMOTHY DUNN (hereinafter "Temporary User"), this the 14th day of OCTOBER, 2008.

For and in consideration of the granting of the temporary usage of the right-of-way beginning at the intersection of Laurel Lane and Ochs Highway, as shown on the attached maps, to use as a private driveway into the back of Temporary User's property, 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.

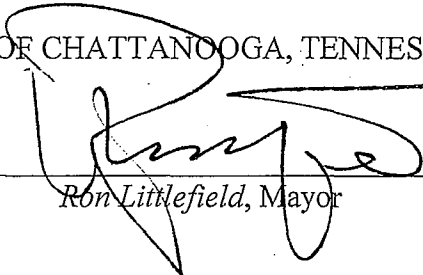
TIMOTHY DUNN

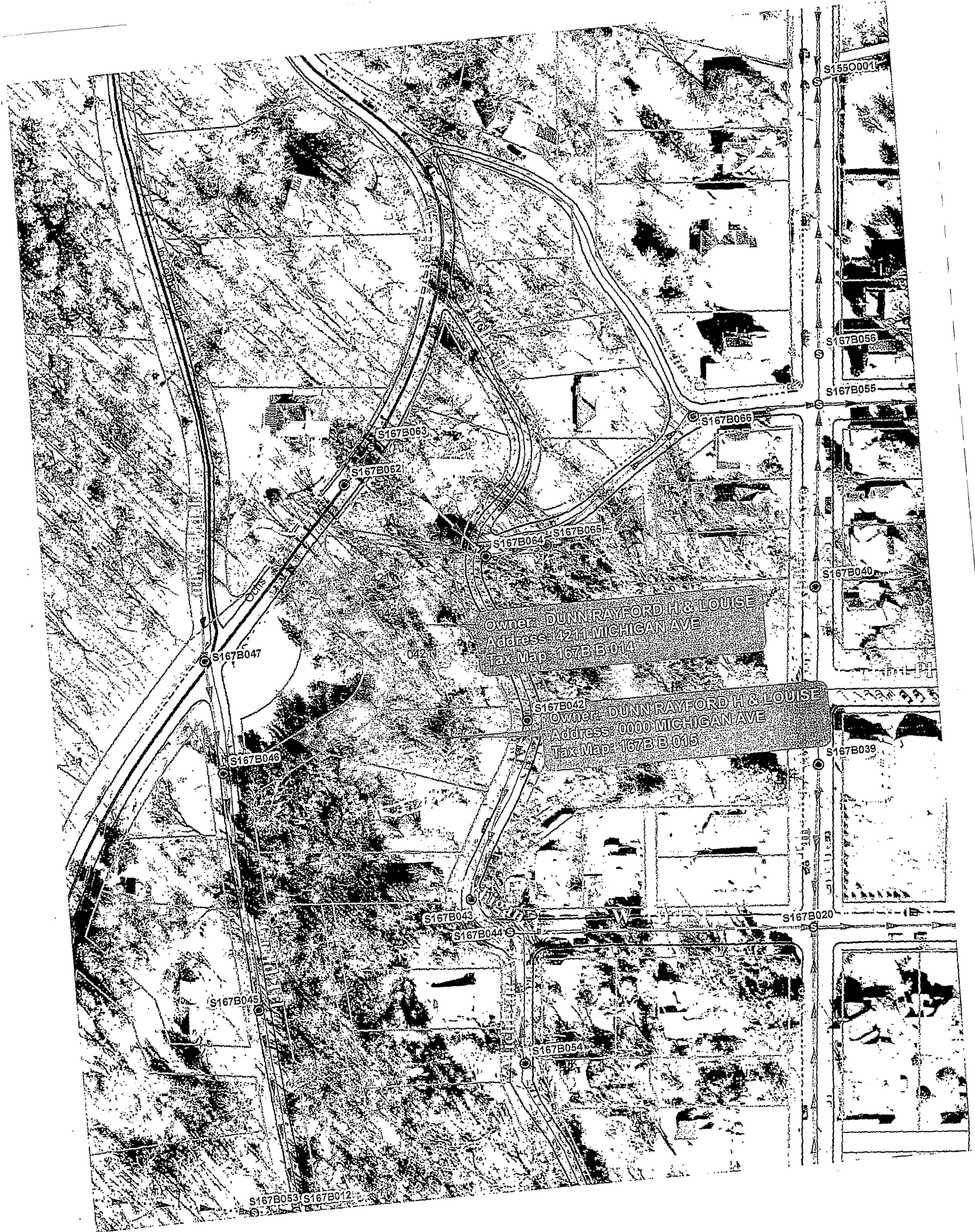
_____, 2008
Date

CITY OF CHATTANOOGA, TENNESSEE

10-29, 2008
Date

BY: _____

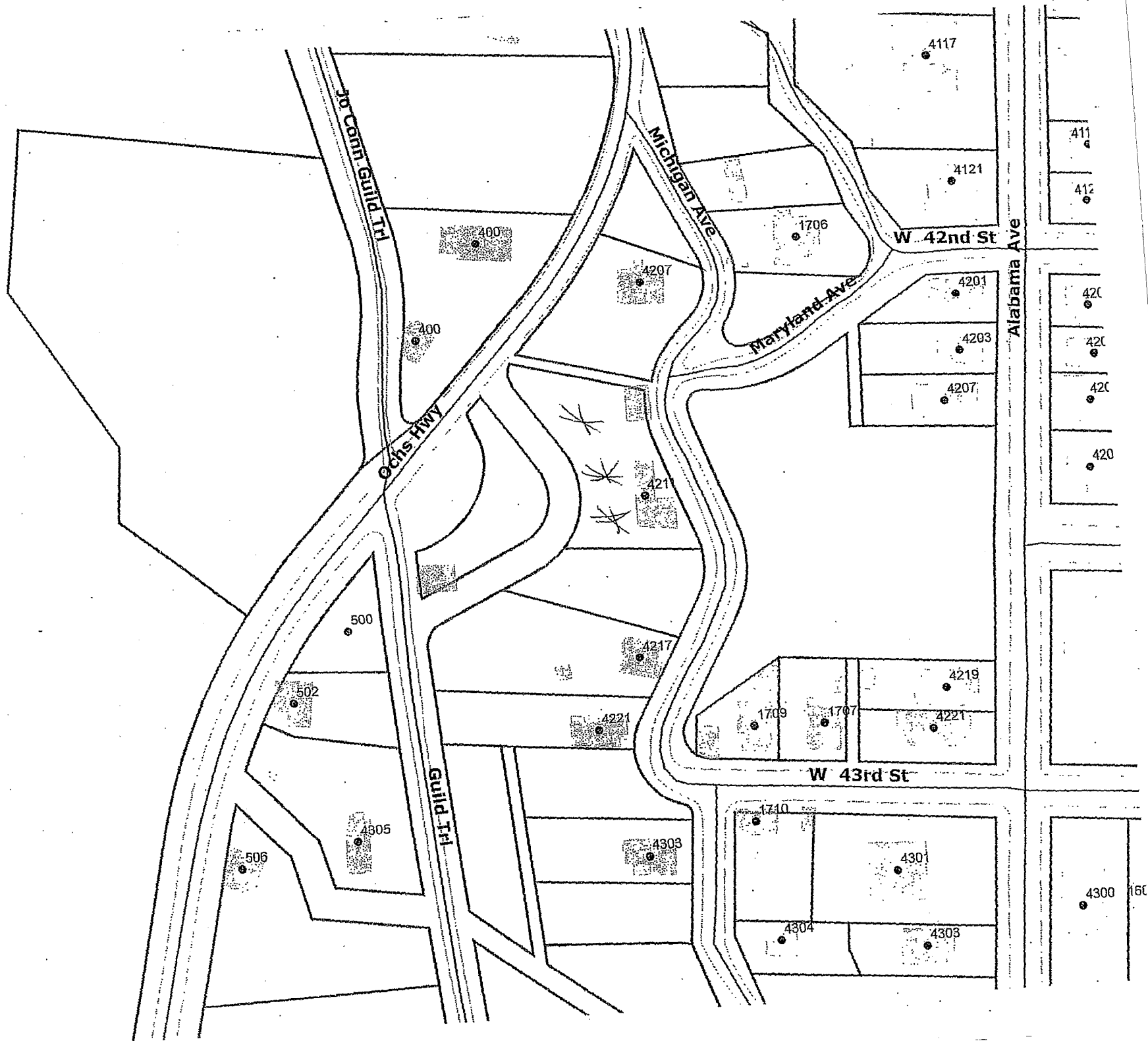

Ron Littlefield, Mayor



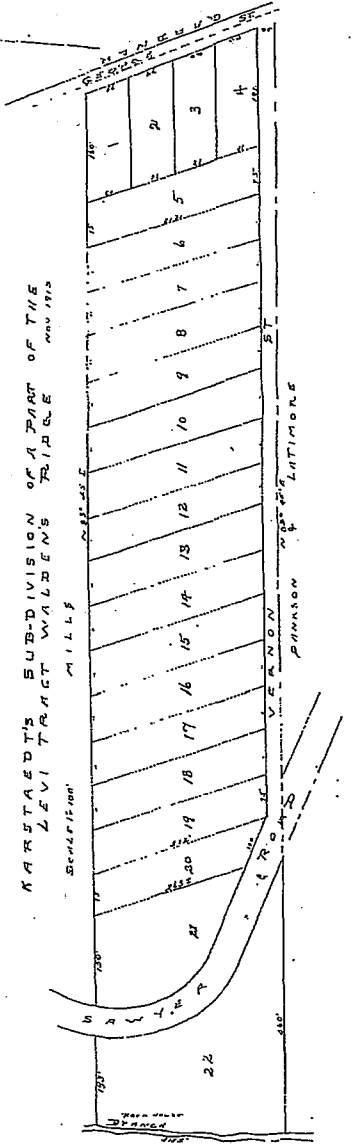
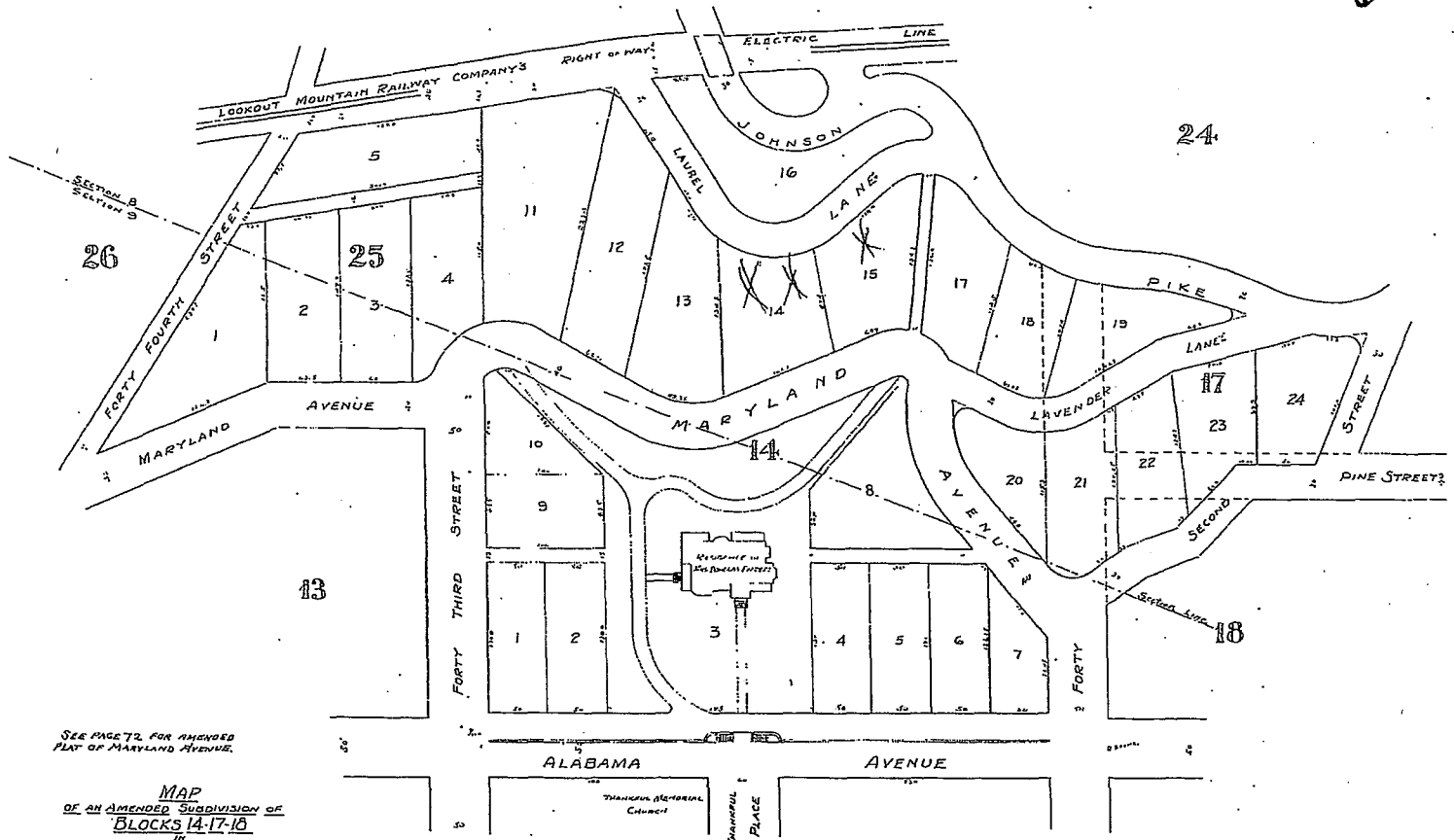
Owner: DUNN RAYFORD H & LOUISE
Address: 7211 MICHIGAN AVE
Tax Map: 167B B-014

Owner: DUNN RAYFORD H & LOUISE
Address: 0000 MICHIGAN AVE
Tax Map: 167B B-015

S167B053 S167B012



6-68



SEE PAGE 72 FOR AMENDED
PLAT OF MARYLAND AVENUE.

MAP
OF AN AMENDED SUBDIVISION OF
BLOCKS 14-17-18
IN
A.M. JOHNSON'S REVISED SUBDIVISION
AND BLOCK 25 IN
A.M. JOHNSON'S NEWER SUBDIVISION

ST. ELMO
HAMILTON COUNTY, TENN.

PROPERTY OF
MRS. DOUGLAS EVERETT.

EDW. E. BETTS ENGINEERING CO.
Chattanooga, Tenn. March 6, 1914.

FILED FOR REGISTRATION MARCH 20, 1914 - AT 3 PM.