

A RESOLUTION AUTHORIZING C&L RENTALS, LLC TO USE TEMPORARILY THE RIGHTS-OF-WAY AT THE INTERSECTIONS OF EAST 24TH STREET AND DODDS AVENUE AND 25TH STREET AND DODDS AVENUE, TO INSTALL TWO (2) CONTROL GATES TO RESTRICT DUMPING AND PREVENT OTHER ILLEGAL ACTIVITIES ON THE UNDEVELOPED AREA, AS SHOWN ON THE DRAWING AND SITE PLAN 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 C&L, Rentals, LLC (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the rights-of-way at the intersections of East 24th Street and Dodds Avenue and East 25th Street and Dodds Avenue to install two (2) control gates at construction entrances for future development to restrict dumping and prevent other illegal activities on the undeveloped area, as shown on the drawing and site plan 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. Temporary User shall construct control gates per submitted design plan and shall be setback a minimum of forty feet (40') from the back of the curb along the west side of Dodds Avenue to facilitate ingress of emergency vehicles.
2. Temporary User shall be responsible for communicating with the Fire Department and the Hamilton County School Service Center, insuring they have a key to the controlled area in the case of an emergency.

~~3. This Temporary Use Permit shall become null and void if formal design plans are not submitted to the City of Chattanooga Land Development Office within eighteen (18) months of granting temporary usage.~~

4. Temporary User shall be responsible for any damage to the existing roadway of East 25th Street, 10th Avenue, and East 24th Street related to this temporary usage and/or site development for the areas highlighted in yellow on the drawing attached hereto and made a part hereof by reference.

5. The comments on the Memorandum attached hereto and made a part hereof by reference.

6. 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.

7. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

8. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: December 16, 2008

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and C&L RENTALS, LLC (hereinafter "Temporary User"), this the 16th day of December, 2008.

For and in consideration of the granting of the temporary usage of the rights-of-way at the intersections of East 24th Street and Dodds Avenue and East 25th Street and Dodds Avenue to install two (2) control gates at construction entrances for future development to restrict dumping and prevent other illegal activities on the undeveloped area, as shown on the drawing and site plan attached hereto and made a part hereof by reference, Temporary User agrees as follows:

1. Temporary User shall construct control gates per submitted design plan and shall be setback a minimum of forty feet (40') from the back of the curb along the west side of Dodds Avenue to facilitate ingress of emergency vehicles.
2. Temporary User shall be responsible for communicating with the Fire Department and the Hamilton County School Service Center, insuring they have a key to the controlled area in the case of an emergency.
3. This Temporary Use Permit shall become null and void if formal design plans are not submitted to the City of Chattanooga Land Development Office within eighteen (18) months of granting temporary usage.
4. Temporary User shall be responsible for any damage to the existing roadway of East 25th Street, 10th Avenue, and East 24th Street related to this temporary usage and/or site development for the areas highlighted in yellow on the drawing attached hereto and made a part hereof by reference.
5. The comments on the Memorandum attached hereto and made a part hereof by reference.

6. 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.

7. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

8. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

C&L RENTALS, LLC

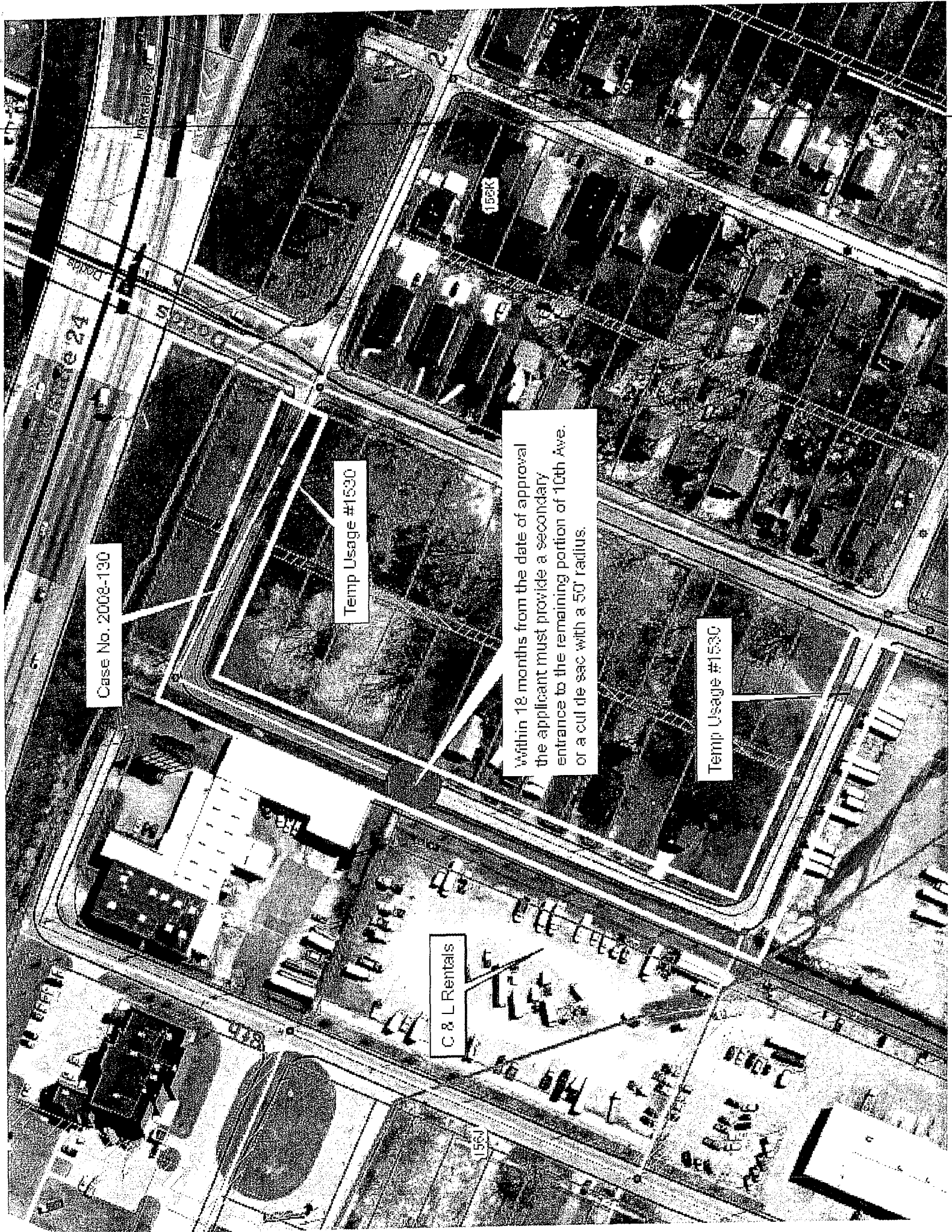
JANUARY 19th, 2009, 2008
Date

BY: [Signature]

CITY OF CHATTANOOGA, TENNESSEE

Dec 19, 2008
Date

BY: [Signature]
Ron Littlefield, Mayor



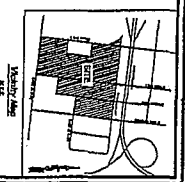
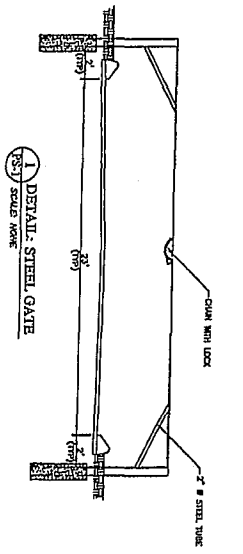
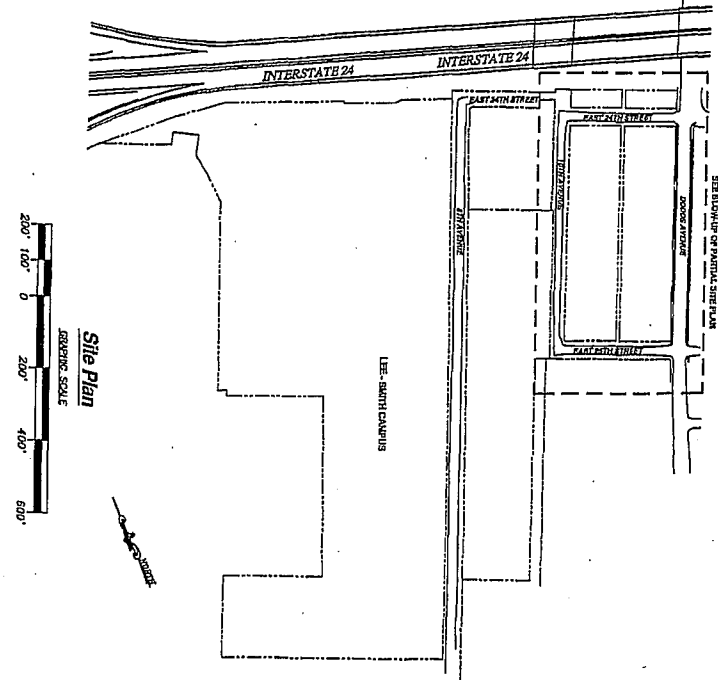
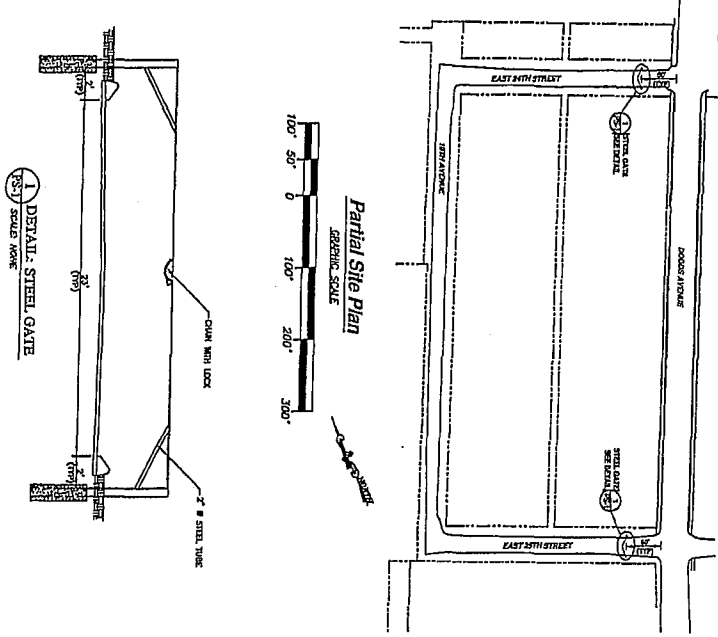
Case No. 2008-130

Temp Usage #1530

C & L Rentals

Temp Usage #1530

Within 18 months from the date of approval the applicant must provide a secondary entrance to the remaining portion of 10th Ave. or a cul de sac with a 50' radius.



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NO.	DATE	BY	REVISIONS

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DATE PLOTTED: 05/11/08
 DATE PRINTED: 05/11/08
 DATE: 11-11-08
 DRAWN BY: SWS
 CHECKED BY: SWS
 PLOT NUMBER: 06-184
 SHEET NUMBER: P-5-1

LEE - SMITH CAMPUS EXPANSION
 PRELIMINARY SITE PLAN
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