

RESOLUTION NO. 25856

A RESOLUTION AUTHORIZING ANN WEEKS, ON BEHALF OF SOUTH BROAD REDEVELOPMENT GROUP, INC., TO USE TEMPORARILY THE 2400 THROUGH 3500 BLOCKS OF BROAD STREET TO ATTACH BANNERS WITHIN 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 Ann Weeks, on behalf of South Broad Redevelopment Group, Inc. (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the 2400 through 3500 blocks of Broad Street to attach banners within the right-of-way, as shown on the drawings 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 must meet all requirements by EPB and AT&T Southeast for attachment of banners to their utility poles.
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: March 24, 2009

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ANN WEEKS, on behalf of SOUTH BROAD REDEVELOPMENT GROUP, INC. (hereinafter "Temporary User"), this 24th day of March, 2009.

For and in consideration of the granting of the temporary usage of the 2400 through 3500 blocks of Broad Street to attach banners within 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. Temporary User must meet all requirements by EPB and AT&T Southeast for attachment of banners to their utility poles.
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.

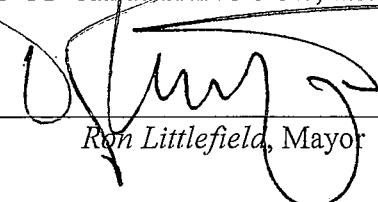
SOUTH BROAD REDEVELOPMENT GROUP, INC.

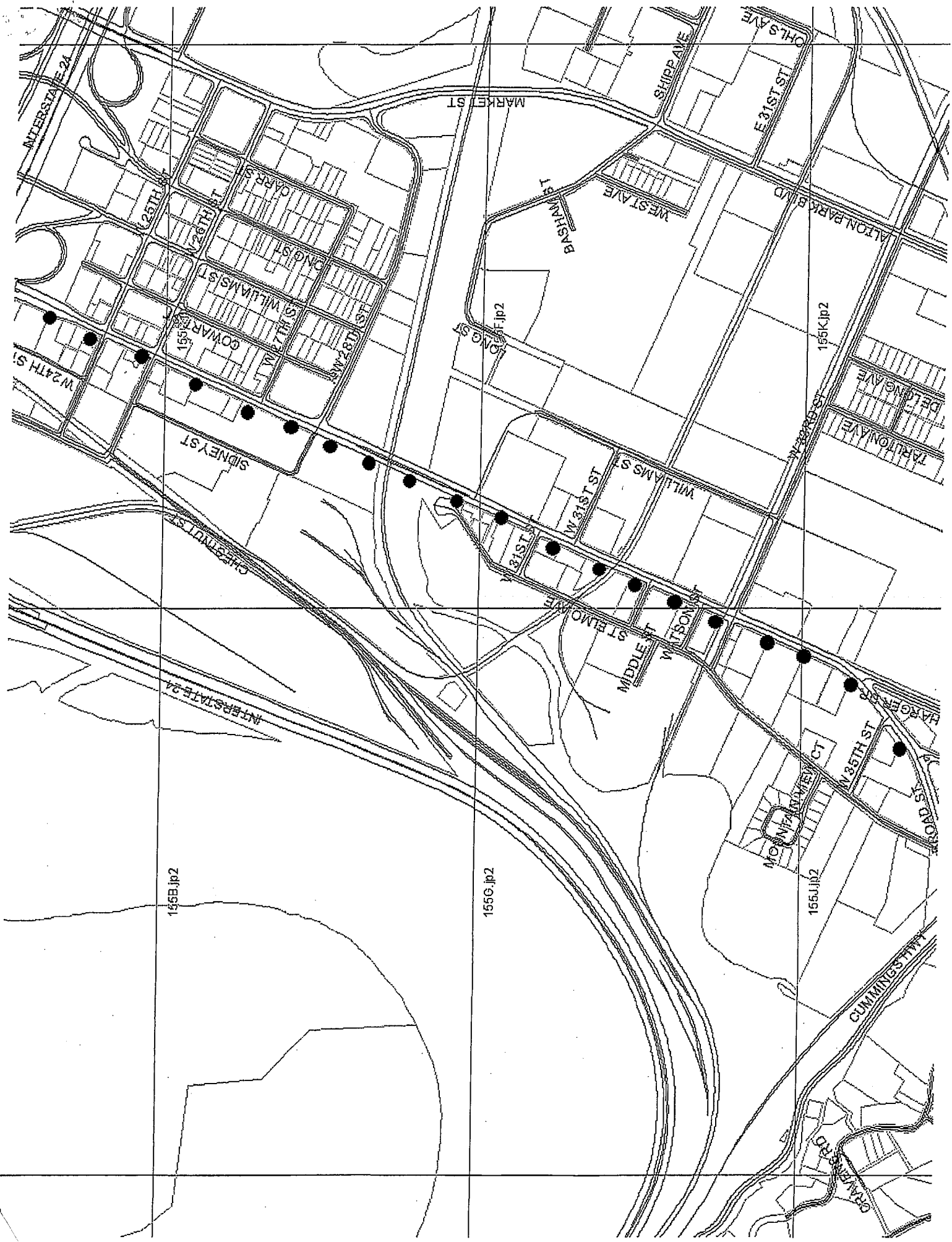
Date 3/24, 2009

By: 
ANN WEEKS

CITY OF CHATTANOOGA, TENNESSEE

Date 3/26, 2009

BY: 
Ron Littlefield, Mayor



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