

RESOLUTION NO. 25870

A. RESOLUTION AUTHORIZING JAMES ELDRIDGE TO TEMPORARILY USE 336 TREMONT STREET TO INSTALL A FENCE, AS 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 James Eldridge (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 336 Tremont Street to install a fence, as 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.
4. The fence is to be placed across the right of way at any point along the northeast property line (105 feet ± in length) of 336 Tremont Street.
5. Temporary User must take precautions to assure no contact is made with said sanitary sewer in the right of way.
6. Temporary User must provide permanent access to the existing infrastructure (sanitary sewer).

ADOPTED: March 31, 2009

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JAMES ELDRIDGE (hereinafter "Temporary User"), this 31st day of March, 2009.

For and in consideration of the granting of the temporary usage of 336 Tremont Street to install a fence, as 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.
4. The fence is to be placed across the right of way at any point along the northeast property line (105 feet ± in length) of 336 Tremont Street.
5. Temporary User must take precautions to assure no contact is made with said sanitary sewer in the right of way.
6. Temporary User must provide permanent access to the existing infrastructure (sanitary sewer).

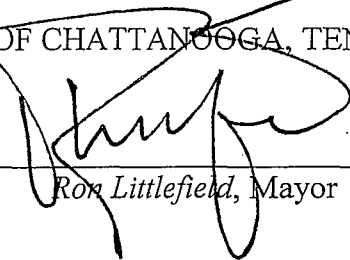
JAMES ELDRIDGE

April 13, 2009
Date



CITY OF CHATTANOOGA, TENNESSEE

4-3, 2009
Date

BY: 

Ron Littlefield, Mayor



Temp Use #1531

