

RESOLUTION NO. 25944

A RESOLUTION AUTHORIZING ROGER A. CURTIS TO USE TEMPORARILY 129 WALNUT STREET FOR INSTALLATION OF A SIGN, OUTDOOR SEATING, AND PLANTERS, AS SHOWN ON THE MAP AND 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 Roger A. Curtis (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 129 Walnut Street for installation of a sign, outdoor seating, and planters, as shown on the map and 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. No permanently attached items shall be installed to the existing pavement/surface within said right-of-way.
2. The elevation from the existing right-of-way surface to the base of the proposed sign shall be a minimum of eight feet (8').
3. 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.
4. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
5. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: June 2, 2009

/add

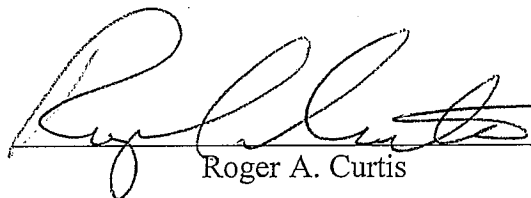
INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ROGER A. CURTIS (hereinafter "Temporary User"), this 2nd day of JUNE, 2009.

For and in consideration of the granting of the temporary usage of 129 Walnut Street for installation of a sign, outdoor seating, and planters, as shown on the map and drawings attached hereto and made a part hereof by reference, Temporary User agrees as follows:

1. No permanently attached items shall be installed to the existing pavement/surface within said right-of-way.
2. The elevation from the existing right-of-way surface to the base of the proposed sign shall be a minimum of eight feet (8').
3. 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.
4. 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.
5. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

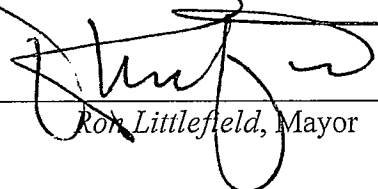
June 9, 2009
Date



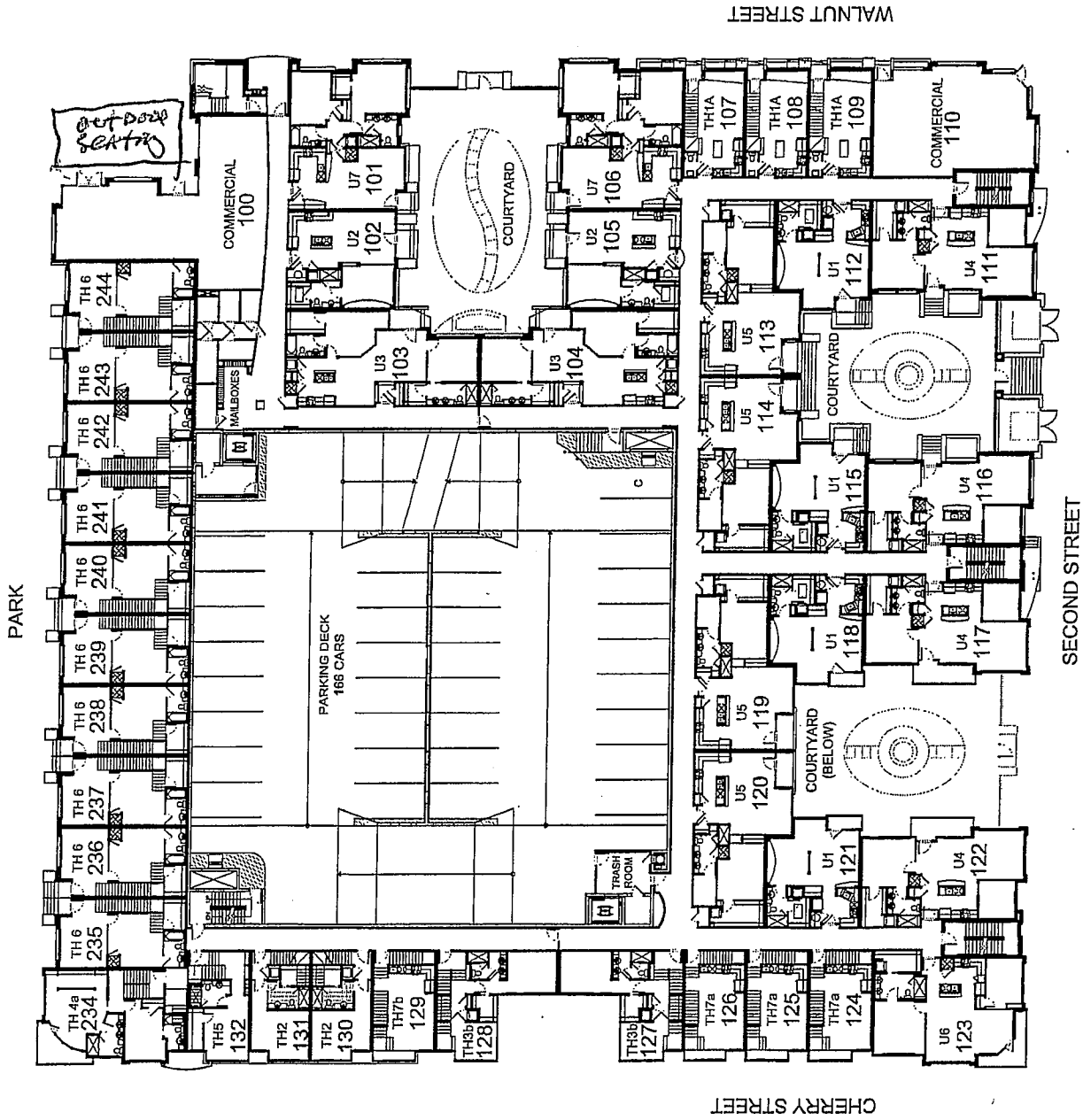
Roger A. Curtis

CITY OF CHATTANOOGA, TENNESSEE

June 5, 2009
Date

BY: 

Ron Littlefield, Mayor



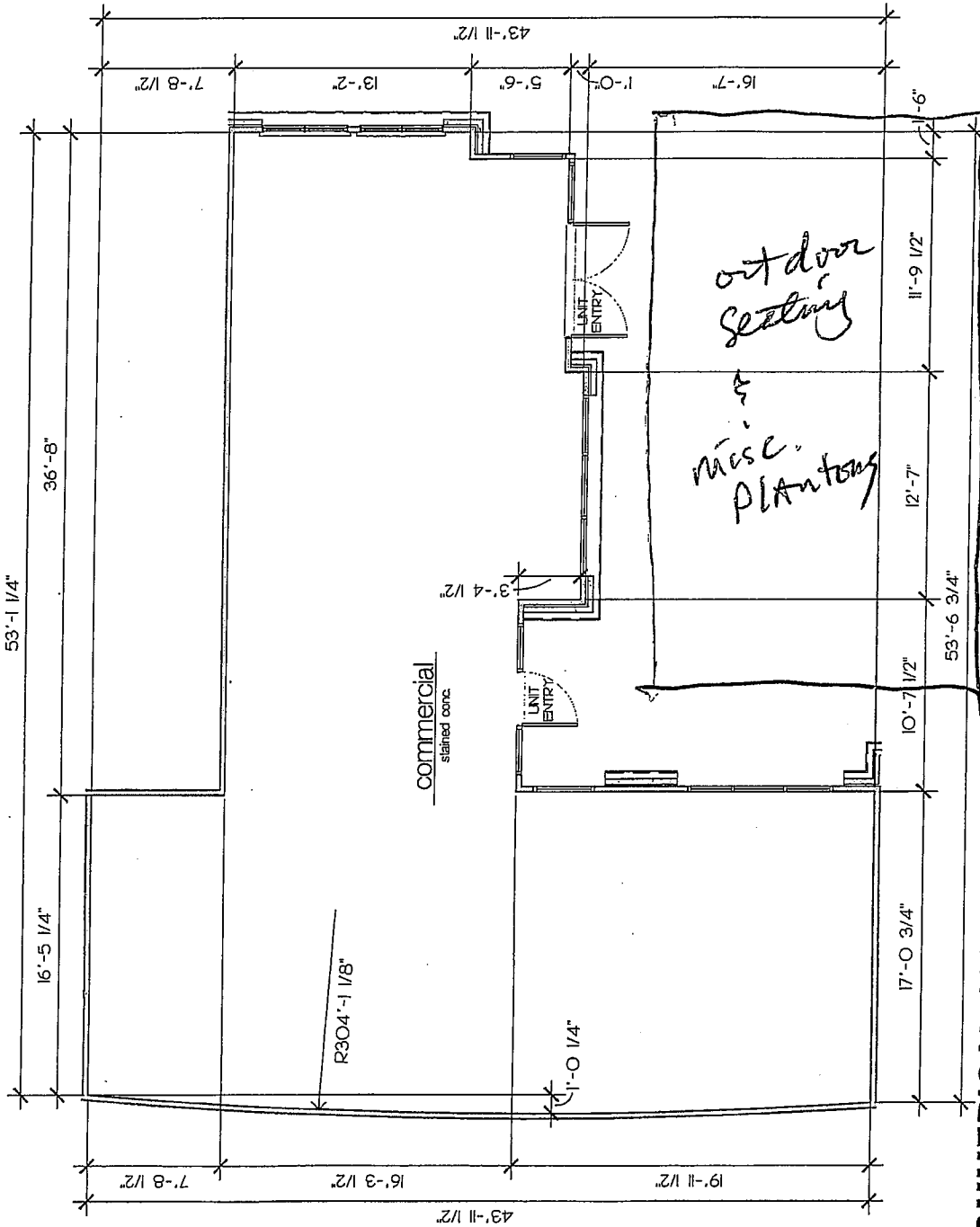
Level 1
 Scale: 1"=40'-0"



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WINDSOR
AULCHRY
COMPANY
NOTE: Drawings are based on preliminary plans and are subject to change



COMMERCIAL 100

Floor Plan COMM-100
1480 SQ. FT. (heated)

Scale: 1/8"=1'-0"