

RESOLUTION NO. 26012

A RESOLUTION AUTHORIZING JAMES STINNETT TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT THE 3800 BLOCK OF CHURCH STREET TO USE THE EXISTING PAVED SURFACE OF THE ROADWAY FOR PARKING, 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 James Stinnett, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at the 3800 block of Church Street to use the existing paved surface of the roadway for parking, 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 shall not disturb the existing surface/soil (no cut or fill and no change in grade).
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.
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: July 28, 2009

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JAMES STINNETT (hereinafter "Temporary User"), this 28th day of JULY, 2009.

For and in consideration of the granting of the temporary usage of the right-of-way located at the 3800 block of Church Street to use the existing paved surface of the roadway for parking, as shown on the map attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

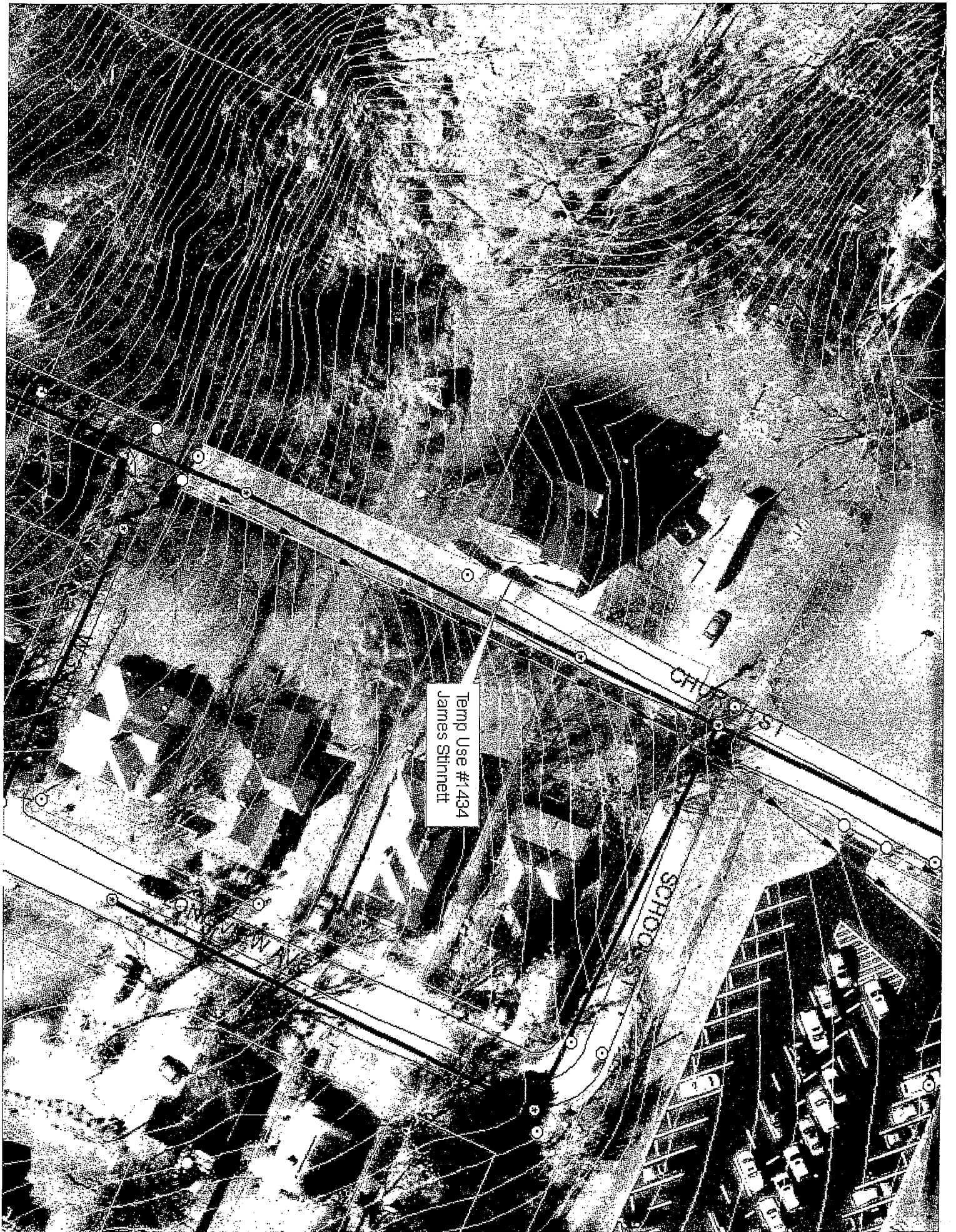
1. Temporary User shall not disturb the existing surface/soil (no cut or fill and no change in grade).
2. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.
3. Temporary User shall 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 shall restore the property to its original condition when it is returned to the City.
4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

_____, 2009
Date

BY: _____
James Stinnett

07/30/09, 2009
Date

CITY OF CHATTANOOGA, TENNESSEE
BY: _____
Ron Littlefield, Mayor



Temp Use #1434
James Stinnett



Jo Conn Guild Trl

W 37th St

W 38th St

Church St

School St

School St

Longview Ave

W 39th St

Pennsylvania Ave

Church St