

RESOLUTION NO. 26145

A RESOLUTION AUTHORIZING C. F. CAGLE TO USE TEMPORARILY 27 WEST MAIN STREET TO INSTALL A CANOPY, 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 C. F. Cagle, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 27 West Main Street to install a canopy, 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 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. Temporary User must meet with Traffic Engineering to insure canopies are placed as per City standards.
5. Any signage or banners attached to the structures must be permitted and approved by Traffic Engineering.

6. Temporary User must have legal agreement with property owner for the placement and installation of said support structures.

ADOPTED: December 1, 2009

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and C. F. CAGLE (hereinafter "Temporary User"), this 1st day of December, 2009.

For and in consideration of the granting of the temporary usage of 27 West Main Street to install a canopy, 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 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.

2. 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.

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

4. Temporary User must meet with Traffic Engineering to insure canopies are placed as per City standards.

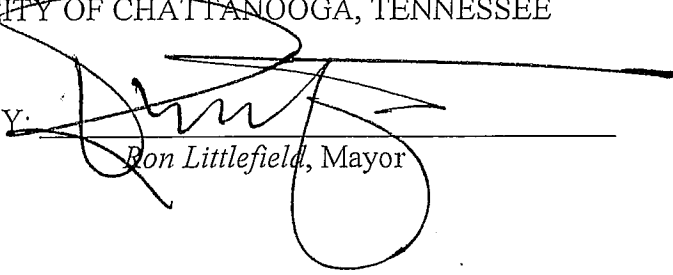
5. Any signage or banners attached to the structures must be permitted and approved by Traffic Engineering.

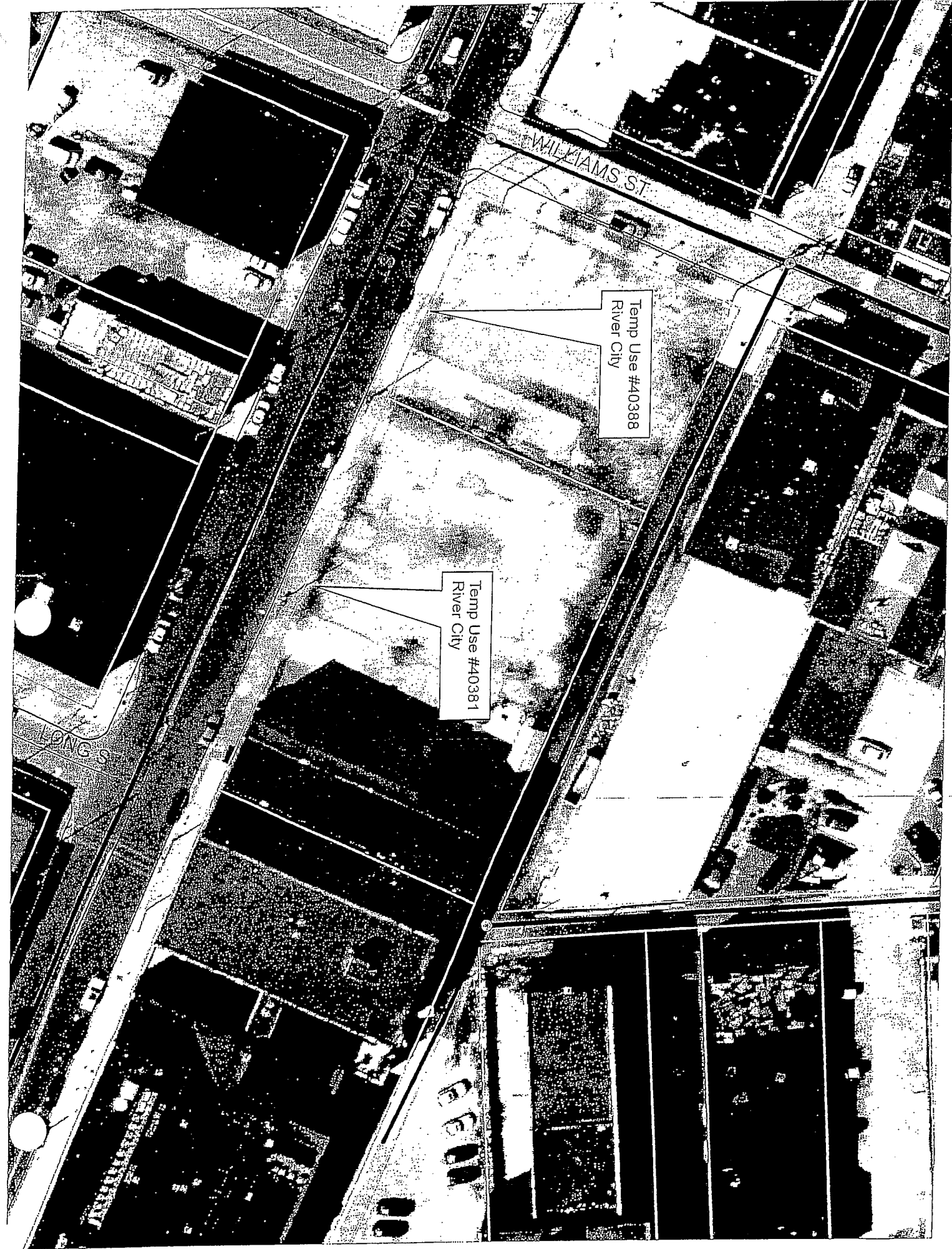
6. Temporary User must have legal agreement with property owner for the placement and installation of said support structures.

_____, 2009
Date

BY: _____
C. F. Cagle

12-4, 2009
Date

CITY OF CHATTANOOGA, TENNESSEE
BY: 
Don Littlefield, Mayor



WILLIAMS ST.

Temp Use #40388
River City

Temp Use #40381
River City

LONG ST.