

RESOLUTION NO. 26340

A RESOLUTION AUTHORIZING DREW LANCASTER TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 4529 BALCOMB STREET TO SUBDIVIDE PARCEL NO. 167G-M-013 FOR FOUR (4) HOUSES, AS SHOWN ON THE MAPS 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 Drew Lancaster, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 4529 Balcomb Street to subdivide Parcel No. 167G-M-013 for four (4) houses, as shown on the maps 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.

ADOPTED: June 22, 2010

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and DREW LANCASTER (hereinafter "Temporary User"), this 22 day of June, 2010.

For and in consideration of the granting of the temporary usage of the right-of-way located at 4529 Balcomb Street to subdivide Parcel No. 167G-M-013 for four (4) houses, as shown on the maps 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.

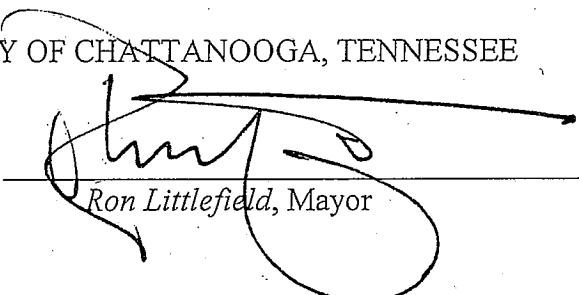
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

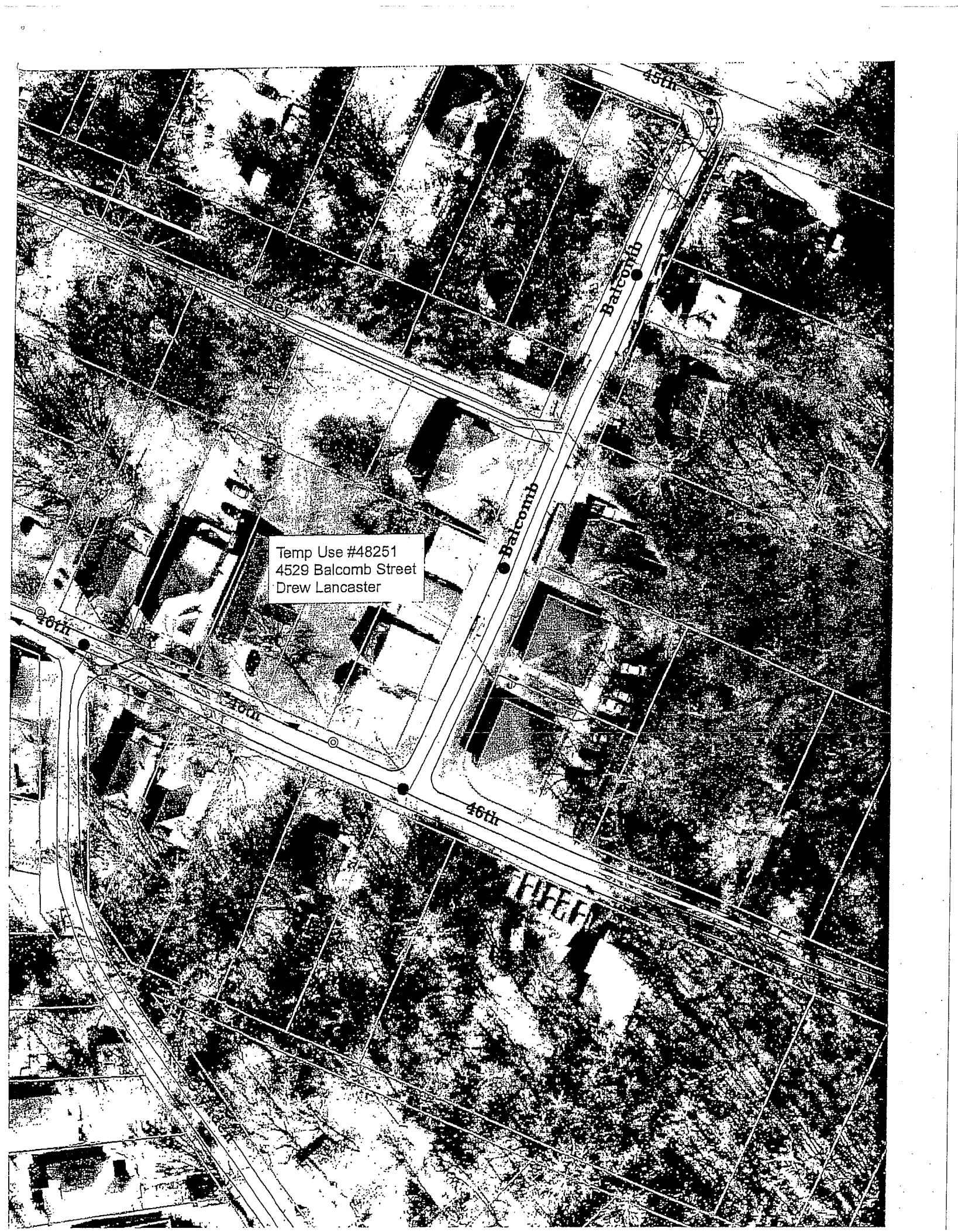
_____, 2010
Date

BY: _____
Drew Lancaster

CITY OF CHATTANOOGA, TENNESSEE

_____, 2010
Date

BY: 
Ron Littlefield, Mayor

An aerial photograph of a residential neighborhood with a street grid. The streets are labeled with text: '45th' at the top, '46th' at the bottom, and 'Balcomb' written vertically along a diagonal street. A central text box contains the following information: 'Temp Use #48251', '4529 Balcomb Street', and 'Drew Lancaster'. The map shows various buildings, trees, and utility lines.

Temp Use #48251
4529 Balcomb Street
Drew Lancaster

LINE	BEARING	DISTANCE
L1	N42°16'41"E	76.93'
L2	N42°16'41"E	34.78'
L3	N42°16'41"E	33.30'
L4	S42°16'41"W	34.74'
L5	S42°16'41"W	34.16'
L6	S42°16'41"W	51.51'
L7	S45°57'52"E	49.32'
L8	S47°41'23"E	49.32'

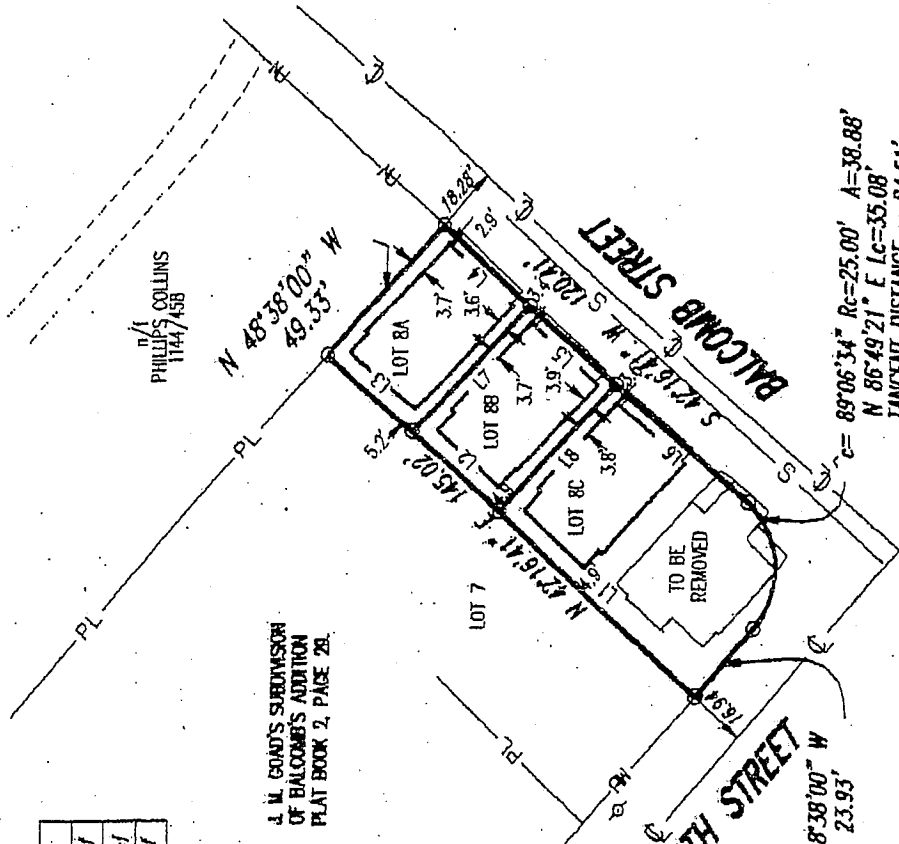
LEGEND

- L.P.F. 1/2" REBAR FOUND
- I.P.S. 1/2" REBAR SET
- M.F.P. METAL FENCE POST
- F.C. FENCE CORNER
- U.P. UTILITY POLE
- R/W RIGHT OF WAY
- C.M. CONCRETE MARKER
- R.O.W. RIGHT OF WAY
- P.L. PROPERTY LINE
- C.L. CENTERLINE ROAD
- F. FENCE
- A.U. ABOVE GROUND UTILITY
- S.O.D. STREAM OR DITCH
- L.L. LAND LOT LINE

SURVEY FOR:

STEVE BALCOMB

LOCATED IN THE CITY OF CHATTANOOGA TENNESSEE
 A RESUBDIVISION OF LOT 8
 J. M. GOAD'S S/D OF BALCOMBS ADDITION
 RECORDED IN PLAT BOOK 2, PAGE 29
 HAMILTON COUNTY, TENNESSEE
 SCALE: 1" = 50' JOB NO. 8-221A



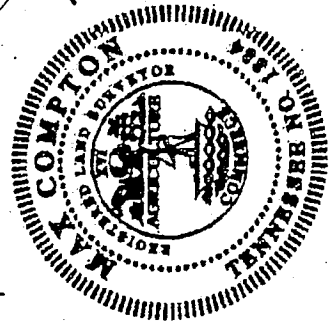
GRAPHIC SCALE 1" = 50'



LOT AREA TABLE

LOT NUMBER	AREA
8A	1,577.8sf
8B	1,700.1sf
8C	3,645.1sf

MAGNETIC OCT. 29, 2008



I HEREBY CERTIFY THAT THIS IS A SURVEY CATEGORY 1 AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1: 53,535 AS SHOWN HEREON

SURVEY DATE: 10-23-08	DEED REF.: 8182/230
CORNERS SET:	PLAT REF.:
CREW: RB DM	REVISED: 3-29-10 S/BACKS
COMPUTED BY: RWB	
DRAWN BY: REB	
DATE DRAWN: 10-30-08	

COMPTON SURVEYING INC.
 104 CRITTENDEN AVENUE
 P.O. BOX 539 CHICKAMAUGA, GA 30707
 PHONE 706-375-3153 FAX NO. 706-375-2679
 SURVEYING GEORGIA, TENNESSEE, ALABAMA