

RESOLUTION NO. 26395

A RESOLUTION AUTHORIZING TERESA JOHNSON ON BEHALF OF SLUGGO'S NORTH VEGETARIAN CAFE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 501 CHEROKEE BOULEVARD FOR REPLACEMENT OF OUTDOOR SEATING TO INCLUDE TABLES AND CHAIRS, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Teresa Johnson on behalf of Sluggo's North Vegetarian Cafe, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 501 Cherokee Boulevard for replacement of outdoor seating to include tables and chairs, 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.

ADOPTED: August 10, 2010

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and TERESA JOHNSON on behalf of SLUGGO'S NORTH VEGETARIAN CAFE (hereinafter "Temporary User"), this 10th day of August, 2010.

For and in consideration of the granting of the temporary usage of the right-of-way located at 501 Cherokee Boulevard for replacement of outdoor seating to include tables and chairs, 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:

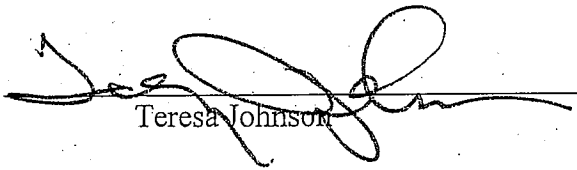
1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

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.

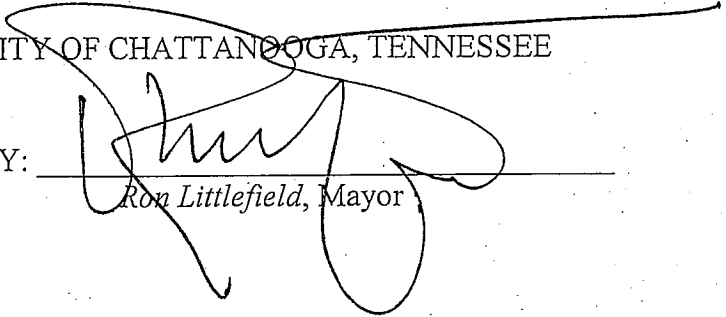
SLUGGO'S NORTH VEGETARIAN CAFE

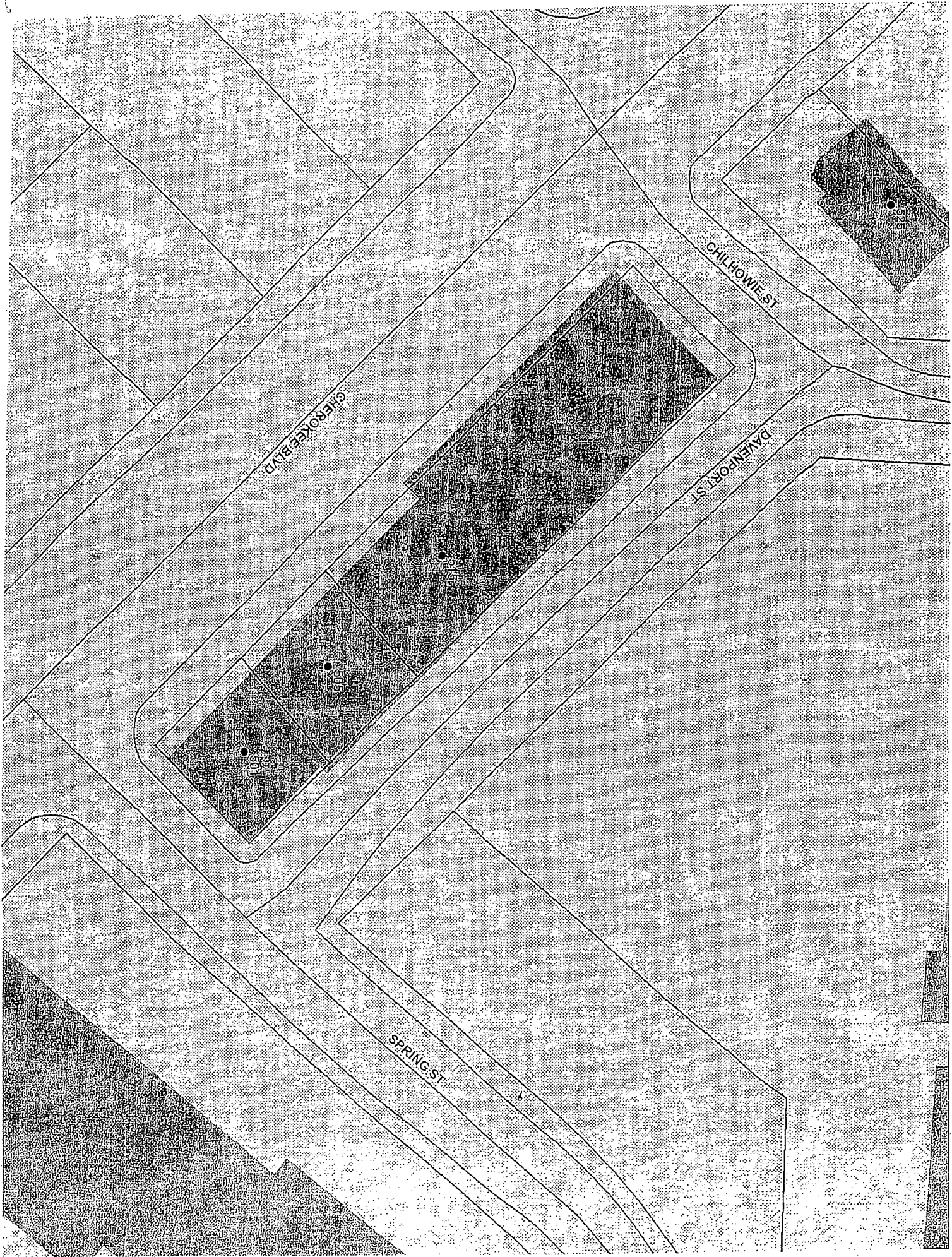
\_\_\_\_\_, 2010  
Date

BY:   
Teresa Johnson

CITY OF CHATTANOOGA, TENNESSEE

\_\_\_\_\_, 2010  
Date

BY:   
Ron Littlefield, Mayor



GILFLORE BLVD

CHILHOWIE ST

BALENPORT ST

SPRING ST