

RESOLUTION NO. 26432

A RESOLUTION AUTHORIZING RIVER STREET ARCHITECTURE ON BEHALF OF DAN ROSE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT THE 100 BLOCK OF E. 14<sup>TH</sup> STREET AND THE 100 BLOCK OF JOHNSON STREET, FOR THE PURPOSE OF PROVIDING PARKING, 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 River Street Architecture on behalf of Dan Rose, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at the 100 block of E. 14<sup>th</sup> Street and the 100 block of Johnson Street, for the purpose of providing parking, 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 is to combine parcels and record new plat with the County Assessor's Office.
5. Temporary User is responsible for obtaining a Land Disturbing Permit for the work/project, including all applicable City and State requirements and regulations.

6. Temporary User must meet the City of Chattanooga Standards for roadway construction or equivalent with respect to the drive lanes and parking area within the subject right-of-ways.

7. Temporary User must meet all parking, ingress and egress requirements as per City Standards, Traffic Engineering, and the Fire Department.

8. Temporary User must meet the requirements of the City of Chattanooga Landscape Ordinance.

9. Temporary User shall maintain insurance with the City as additional insured on portions of the City right-of-way being used for parking.

ADOPTED: September 7, 2010.

/mms

## INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and RIVER STREET ARCHITECTURE on behalf of DAN ROSE (hereinafter "Temporary User"), this 7<sup>th</sup> day of SEPTEMBER, 2010.

For and in consideration of the granting of the temporary usage of the right-of-way located at the 100 block of E. 14<sup>th</sup> Street and the 100 block of Johnson Street for the purpose of providing parking, the attached drawing 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 is to combine parcels and record new plat with the County Assessor's Office.
5. Temporary User is responsible for obtaining a Land Disturbing Permit for the work/project, including all applicable City and State requirements and regulations.
6. Temporary User must meet the City of Chattanooga Standards for roadway construction or equivalent with respect to the drive lanes and parking area within the subject right-of-ways.

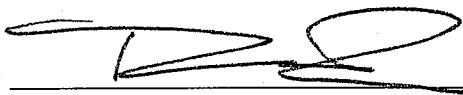
7. Temporary User must meet all parking, ingress and egress requirements as per City Standards, Traffic Engineering, and the Fire Department.

8. Temporary User must meet the requirements of the City of Chattanooga Landscape Ordinance.

9. Temporary User shall maintain insurance with the City as additional insured on portions of the City right-of-way being used for parking.

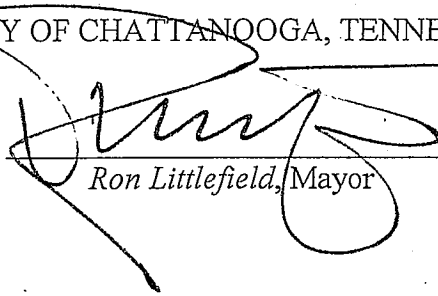
RIVER STREET ARCHITECTURE

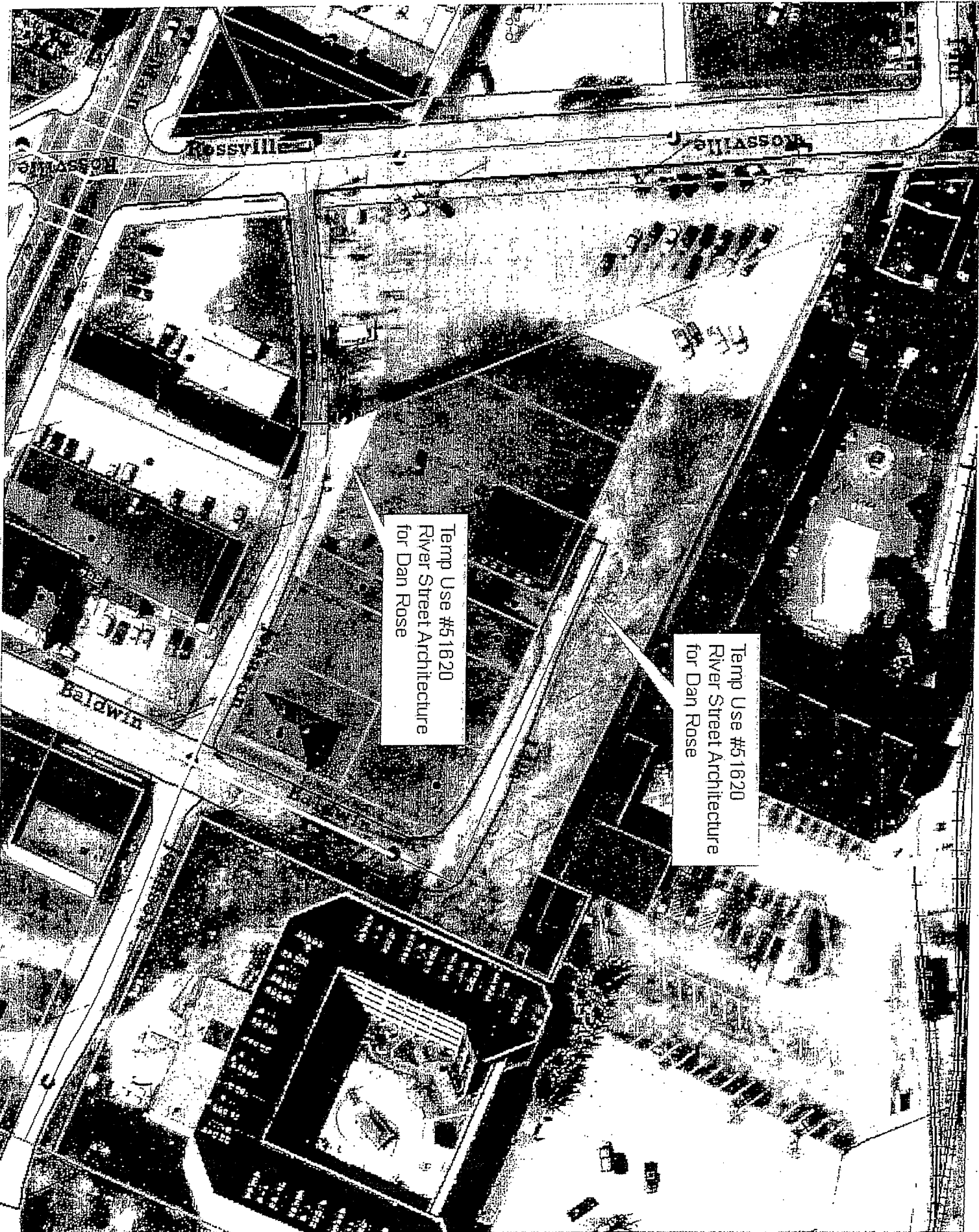
\_\_\_\_\_, 2010  
Date

BY:   
\_\_\_\_\_  
Dan Rose

CITY OF CHATTANOOGA, TENNESSEE

*Sept 9*, 2010  
Date

BY:   
\_\_\_\_\_  
Ron Littlefield, Mayor



Temp Use #51620  
River Street Architecture  
for Dan Rose

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River Street Architecture  
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