

RESOLUTION NO. 26449

A RESOLUTION AUTHORIZING RAECHEL CRUMLEY ON BEHALF OF BENCHMARK PHYSICAL THERAPY TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 8823 PRODUCTION LANE AT ITS INTERSECTION WITH MOUNTAIN VIEW ROAD FOR THE PLACEMENT OF SIGNAGE, AS SHOWN ON THE DRAWINGS 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 Raechel Crumley on behalf of BenchMark Physical Therapy, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 8823 Production Lane at its intersection with Mountain View Road for placement of signage, 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 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's signage must not obscure the sight lines for motorists or otherwise endanger the public safety.

ADOPTED: September 21, 2010.

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and RAEHEL CRUMLEY on behalf of BENCHMARK PHYSICAL THERAPY (hereinafter "Temporary User"), this 21st day of SEPTEMBER, 2010.

For and in consideration of the granting of the temporary usage of the right-of-way located at 8823 Production Lane at its intersection with Mountain View Road for placement of signage, as shown on the drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

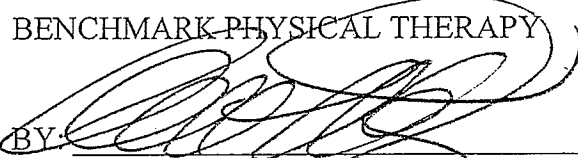
1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

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.

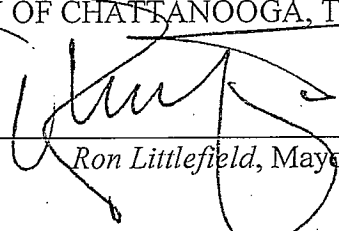
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

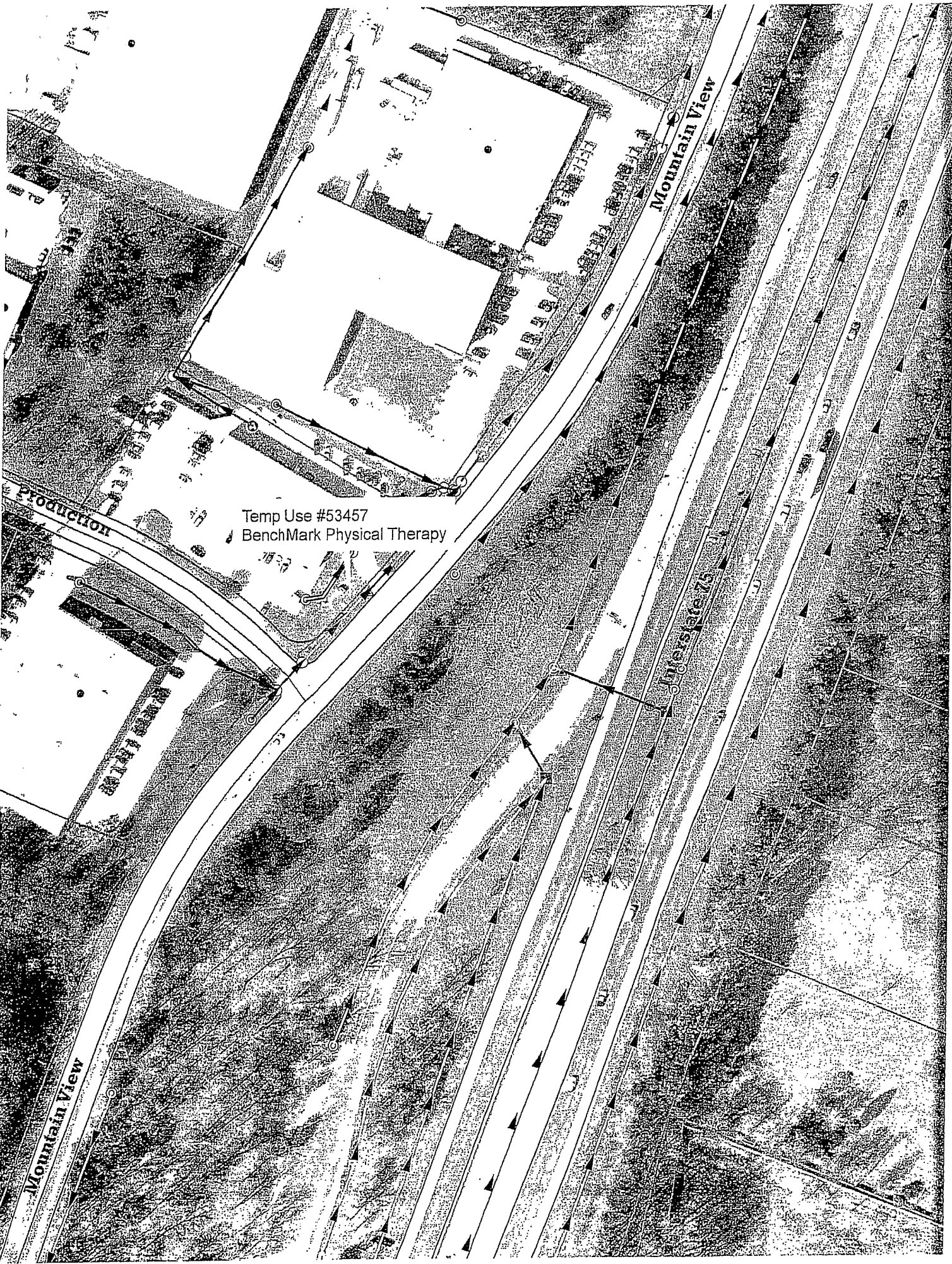
4. Temporary User's signage must not obscure the sight lines for motorists or otherwise endanger the public safety.

10/07, 2010  
Date

BENCHMARK PHYSICAL THERAPY  
BY:   
Raechel Crumley

9/27, 2010  
Date

CITY OF CHATTANOOGA, TENNESSEE  
BY:   
Ron Littlefield, Mayor



Temp Use #53457  
Benchmark Physical Therapy

Mountain View

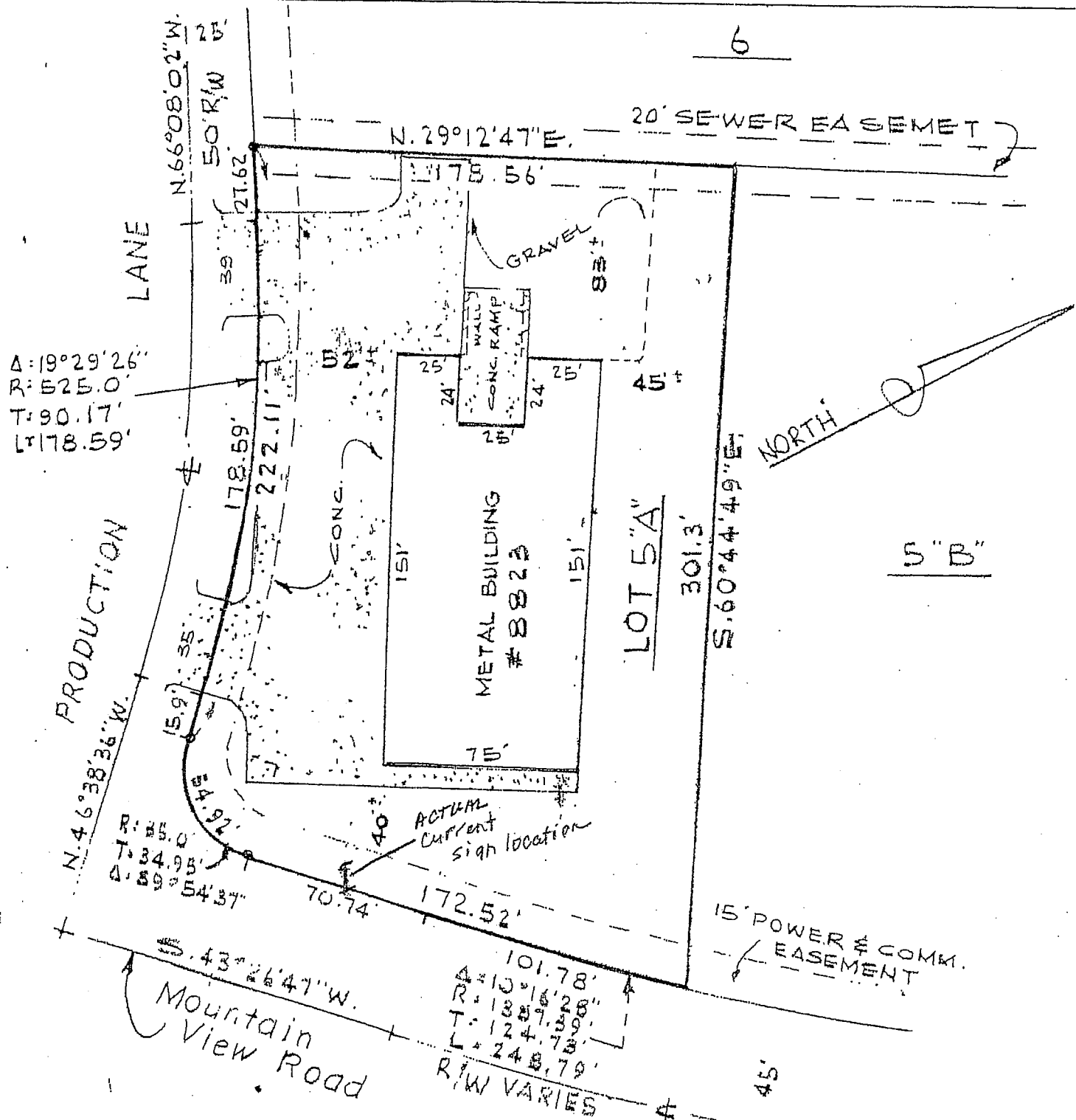
Interstate 75

Production

Mountain View

- NOTE: 1. This survey does not constitute a boundary line survey, is not made to be relied upon by the owners, and does not set or establish corners.
2. This lot is "OUTSIDE" THE 100 year flood zone.

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MORTGAGE SURVEY

State of TENNESSEE Date MAY 22, 2001

County of HAMILTON Scale 1" equals 50 feet

For: INDEPENDENT PHYSICAL THERAPY, LLC DBA BENCHMARK PHYSICAL THERAPY

ORDERED BY: MILLIGAN REYNOLDS GUARANTY TITLE AGENCY, INC.

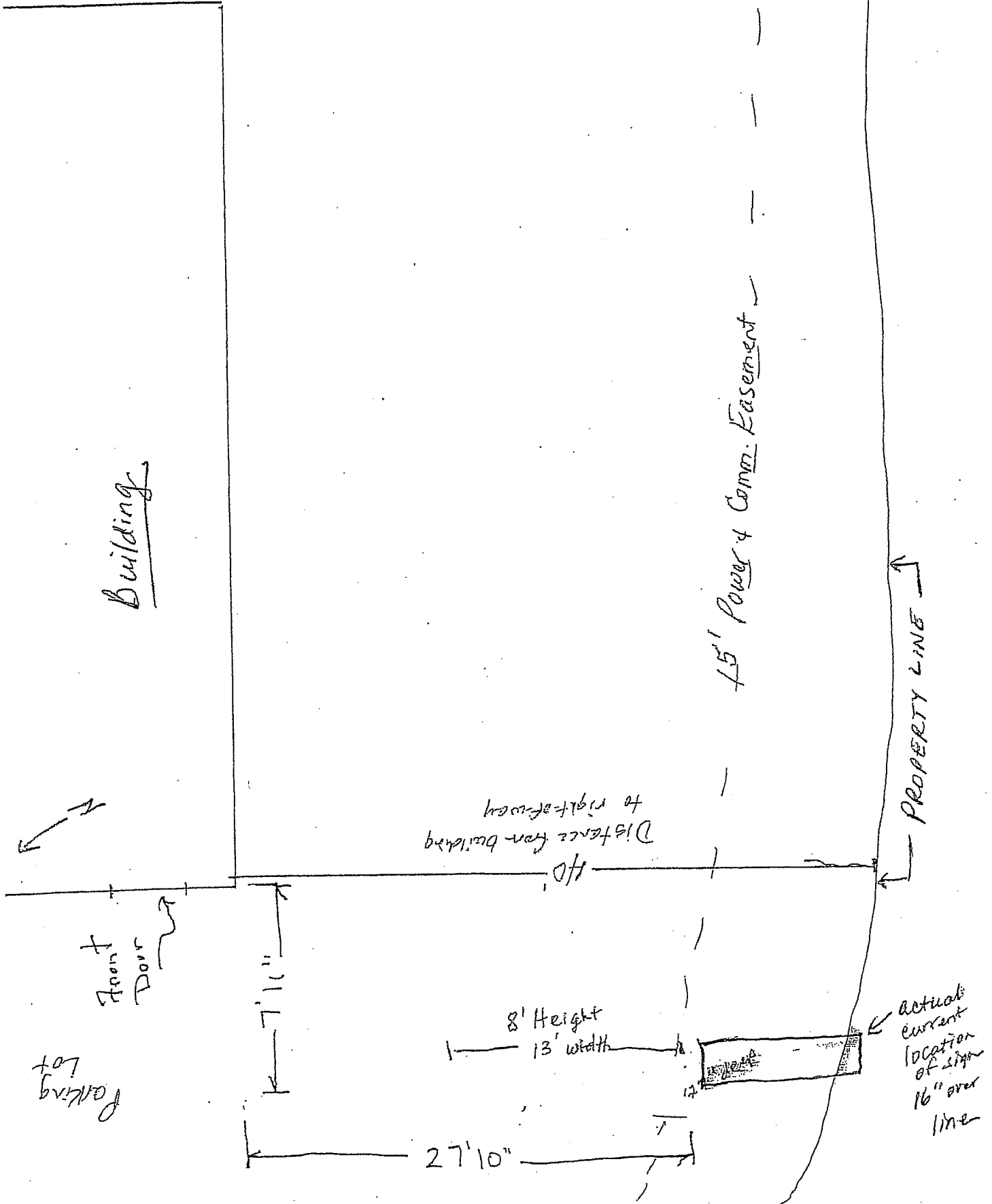
TO SECURE: FIRST TENNESSEE BANK, NATIONAL ASSOCIATION

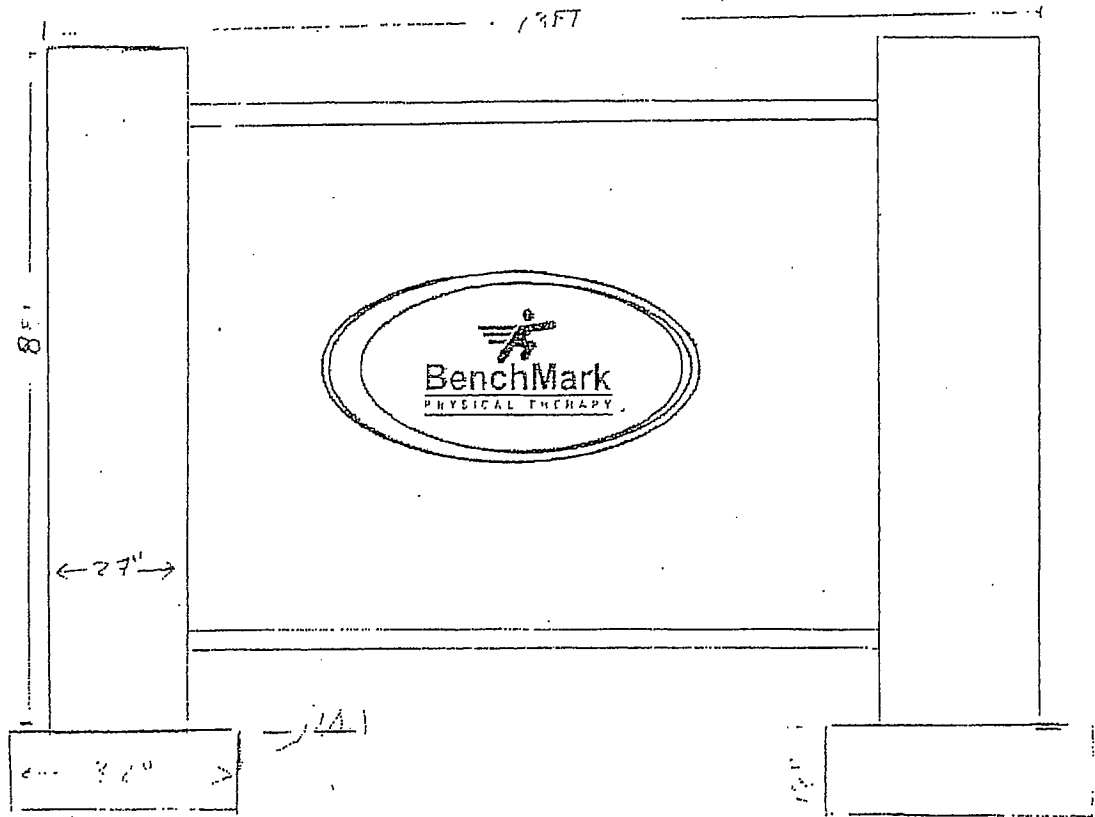
This is to certify that this plat of survey meets the requirements set forth in Instrument executed in

Benchmark  
Physical Therapy

8823 Production Lane, Ooltewah, TN.

Sign Variance Request Application ORIGINAL





marker  
 3/4" x 3/4" x 1/8" deep

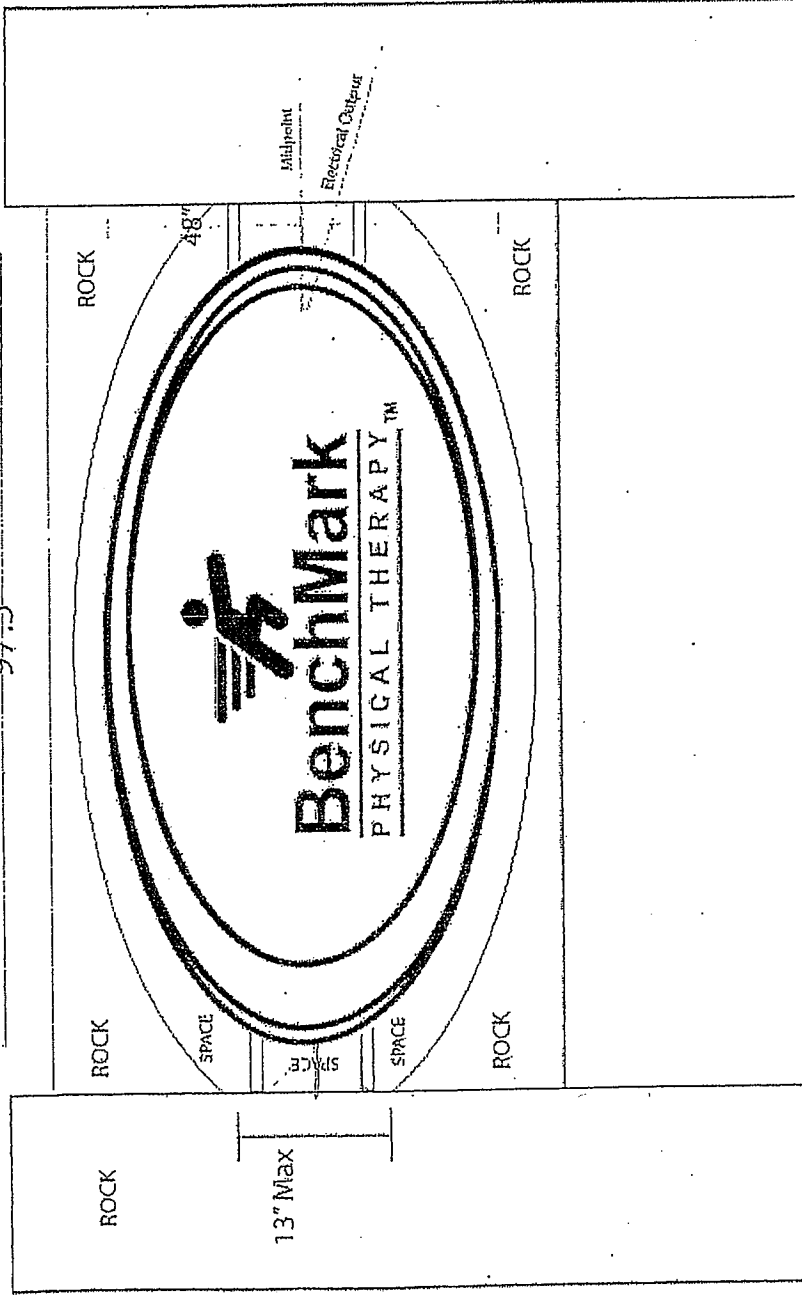
1. foundation depth 12" min

EXHIBIT "A"

CURRENT SIGN

102"

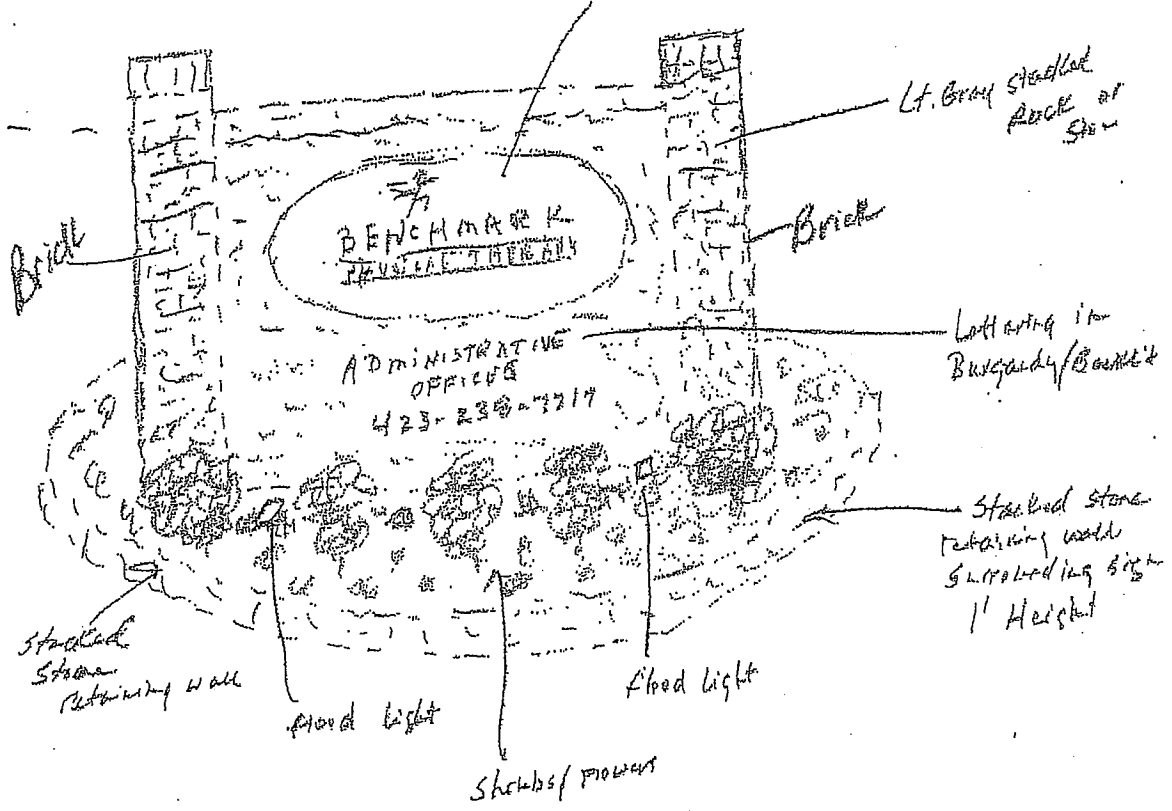
97.5"



8

Height

Log for Burgundy/white/gray  
stacks



Brick

BENCHMARK  
PHYSICAL THERAPY

ADMINISTRATIVE  
OFFICES  
423-238-7217

Brick

Lt. Gray stacked  
Rock or  
Stone

Lettering in  
Burgundy/Black

Stacked stone  
retaining wall  
surrounding sign  
1' Height

Stacked  
Stone  
retaining wall

flood light

flood light

Shrubs/plants