

RESOLUTION NO. 26562

A RESOLUTION AUTHORIZING ADRIAN LEWIS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT THE BEGINNING OF THE INTERSECTION IN THE 2600 BLOCK OF E. 19TH STREET FOR ACCESS TO CLEAN THE REAR OF THE PROPERTY LOCATED AT 2610 E. 19TH STREET, 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 ADRIAN LEWIS, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at the beginning of the intersection in the 2600 block of E. 19th Street for access to clean the rear of the property located at 2610 E. 19th Street, as shown in 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. The approved portion of said right-of-way for temporary use begins at its intersection within the 2600 block of E. 19th Street thence 141' South West to the corner of Temporary User's property.

ADOPTED: January 18, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ADRIAN LEWIS (hereinafter "Temporary User"), this 18th day of JANUARY, 2011.

For and in consideration of the granting of the temporary usage of the right-of-way located at the beginning of the intersection in the 2600 block of E. 19th Street for access to clean the rear of the property located at 2610 E. 19th Street, 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.

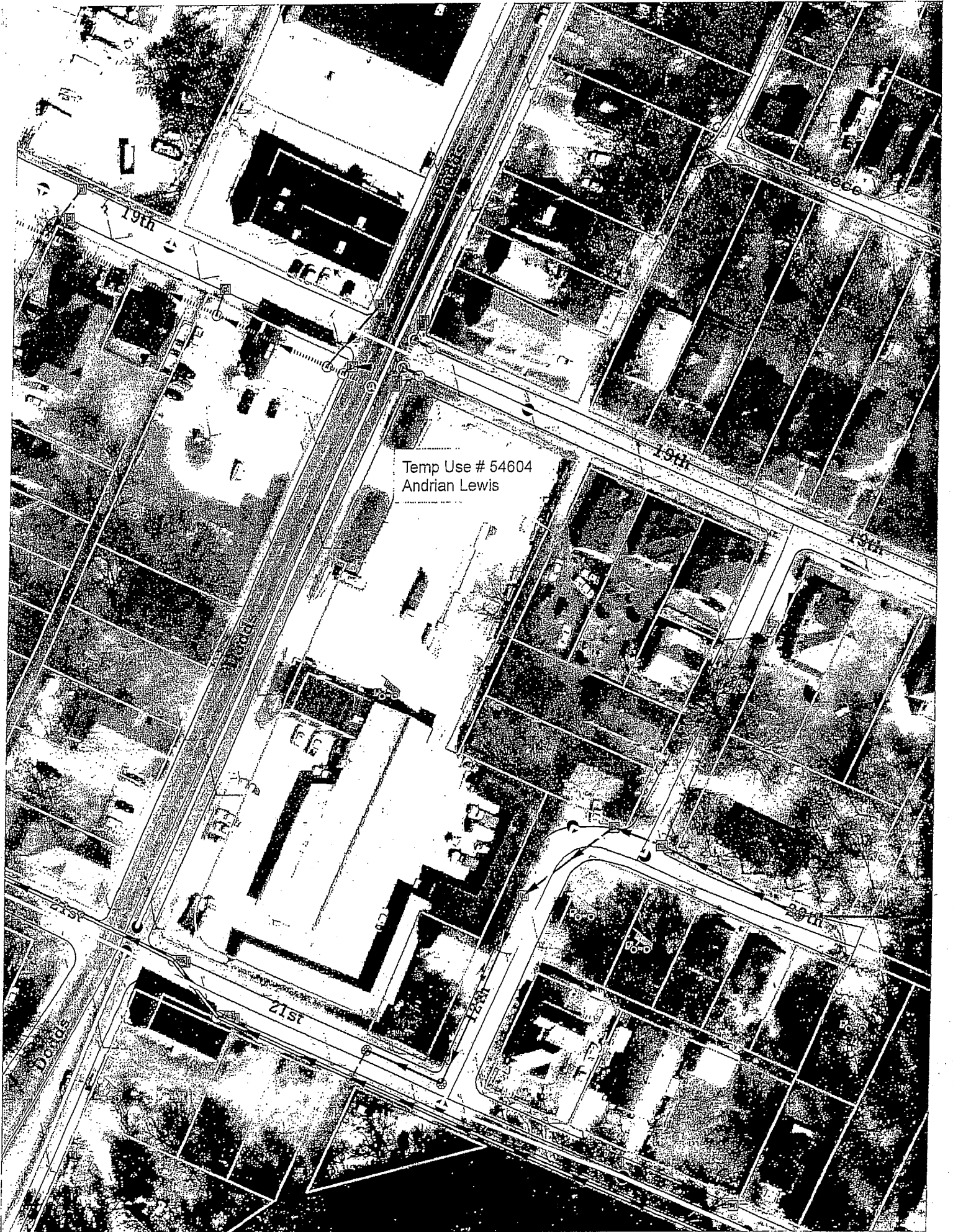
4. The approved portion of said right-of-way for temporary use begins at its intersection within the 2600 block of E. 19th Street thence 141' South West to the corner of Temporary User's property.

1/31/11, 2011
Date

BY: Adrian Lewis
Adrian Lewis

1/26, 2011
Date

CITY OF CHATTANOOGA, TENNESSEE
BY: Ron Littlefield
Ron Littlefield, Mayor



Temp Use # 54604
Andrian Lewis