

RESOLUTION NO. 26908

A RESOLUTION AUTHORIZING JOE DEGATAENO TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 50 FRAZIER AVENUE FOR THE PLACEMENT OF A SIGN OVER A PORTION OF THE RIGHT-OF-WAY (SIDEWALK), AS SHOWN IN THE MAP AND DRAWINGS 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 JOE DEGATAENO, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 50 Frazier Avenue for the placement of a sign over a portion of the right-of-way (sidewalk), as shown in the map and 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.

ADOPTED: December 6, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JOE DEGATAENO (hereinafter "Temporary User"), this 6th day of December, 2011.

For and in consideration of the granting of the temporary usage of the right-of-way located at 50 Frazier Avenue for the placement of a sign over a portion of the right-of-way (sidewalk), as shown in the map and 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.

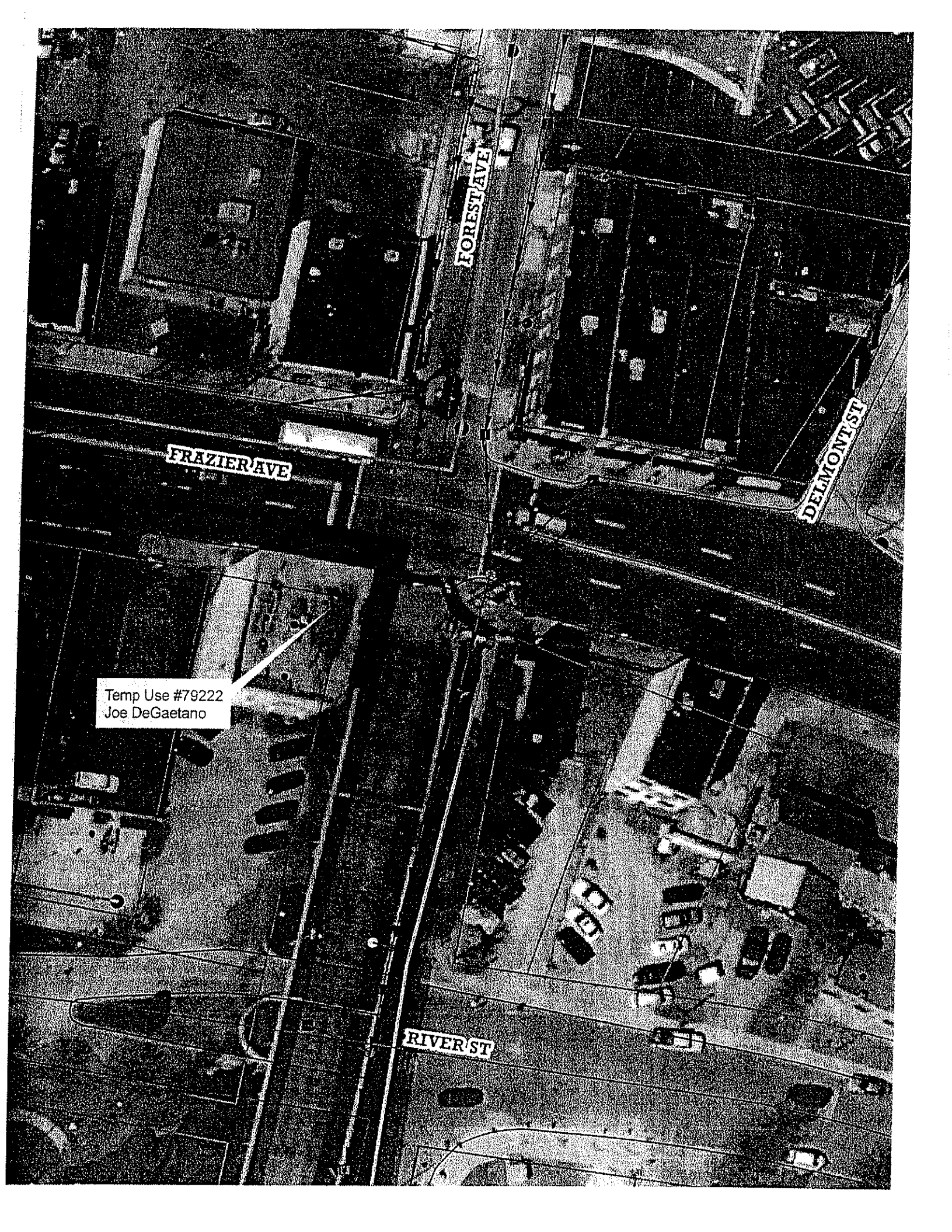
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

12/22/11, 2011
Date

BY: Joe DeGataeno
Joe DeGataeno

Dec 7, 2011
Date

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

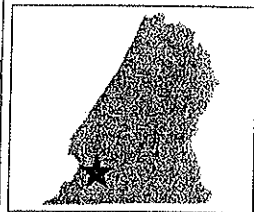


Temp Use #79222
Joe DeGaetano

LAW OFFICES OF
JOE DEGAETANO
50 FRASIER AVENUE
SUITE 300
4231 255-7542
WWW.DEFIRM.COM

CHATTANOOGA
423.994.0034

HCGIS - Internet Mapping Service



Legend

- Interstates
- Railways
- Roads
- Parcels
- Water Bodies
- Cities
- Chattanooga
- Collegedale
- East Ridge
- Cassite
- Lookout Mountain
- Red Bank
- Ridgeville
- Signal Mountain
- Boddy Daisy
- Walden
- cover

Map center: 35° 3' 44.0" N, 85° 18' 26.3" W



Scale: 1:1,602

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED AS A LEGAL DOCUMENT.