

RESOLUTION NO. ~~26911~~

A RESOLUTION AUTHORIZING ROBERT R. BYRD TO USE TEMPORARILY THE RIGHT-OF-WAY ALONG THE 500 BLOCK OF DODDS AVENUE FOR THE PLACEMENT OF A HISTORICAL MARKER ALONG THE GRASS STRIP AREA, 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 ROBERT R. BYRD, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way along the 500 block of Dodds Avenue for placement of a historical marker along the grass strip area, 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.
4. Any items (markers or signs) placed along the subject right of way must comply with ADA Standards and minimum clearances for pedestrian traffic.
5. Applicant is responsible for contacting Tennessee One-Call to locate existing underground utilities prior to digging.

6. The marker must be placed a minimum of 18 inches off the back of the existing curb along Dodds Avenue and also a minimum of 18 inches off the existing sidewalk.

ADOPTED: December 6, 2011

/meb

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and Robert R. Byrd (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 along the 500 block of Dodds Avenue for placement of a historical marker along the grass strip area, 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.

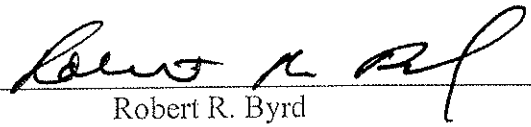
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Any items (markers or signs) placed along the subject right of way must comply with ADA Standards and minimum clearances for pedestrian traffic.

5. Applicant is responsible for contacting Tennessee One-Call to locate existing underground utilities prior to digging.

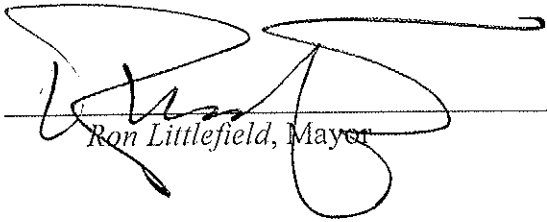
6. The marker must be placed a minimum of 18 inches off the back of the existing curb along Dodds Avenue and also a minimum of 18 inches off the existing sidewalk.

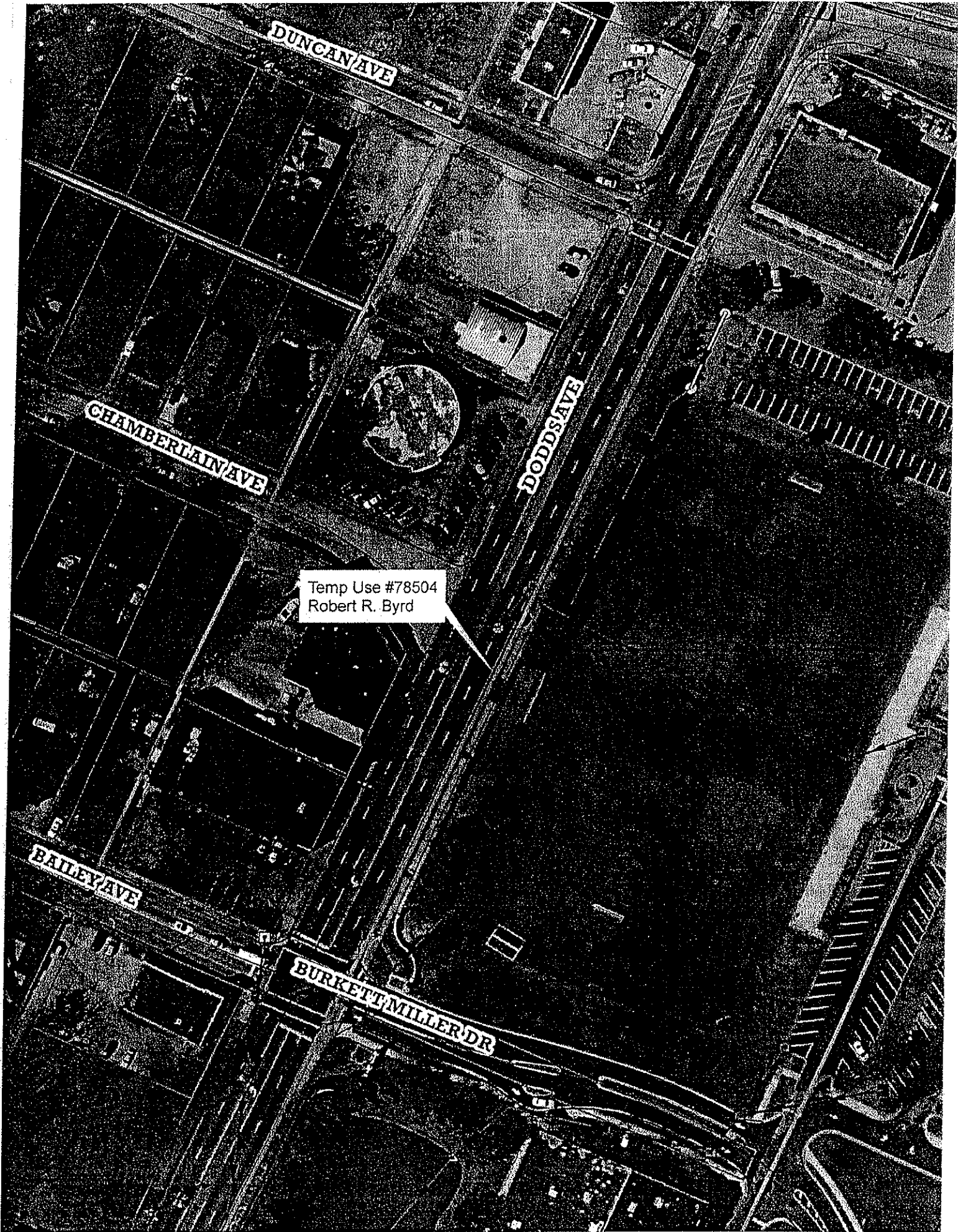
12/14, 2011
Date

BY: 
Robert R. Byrd

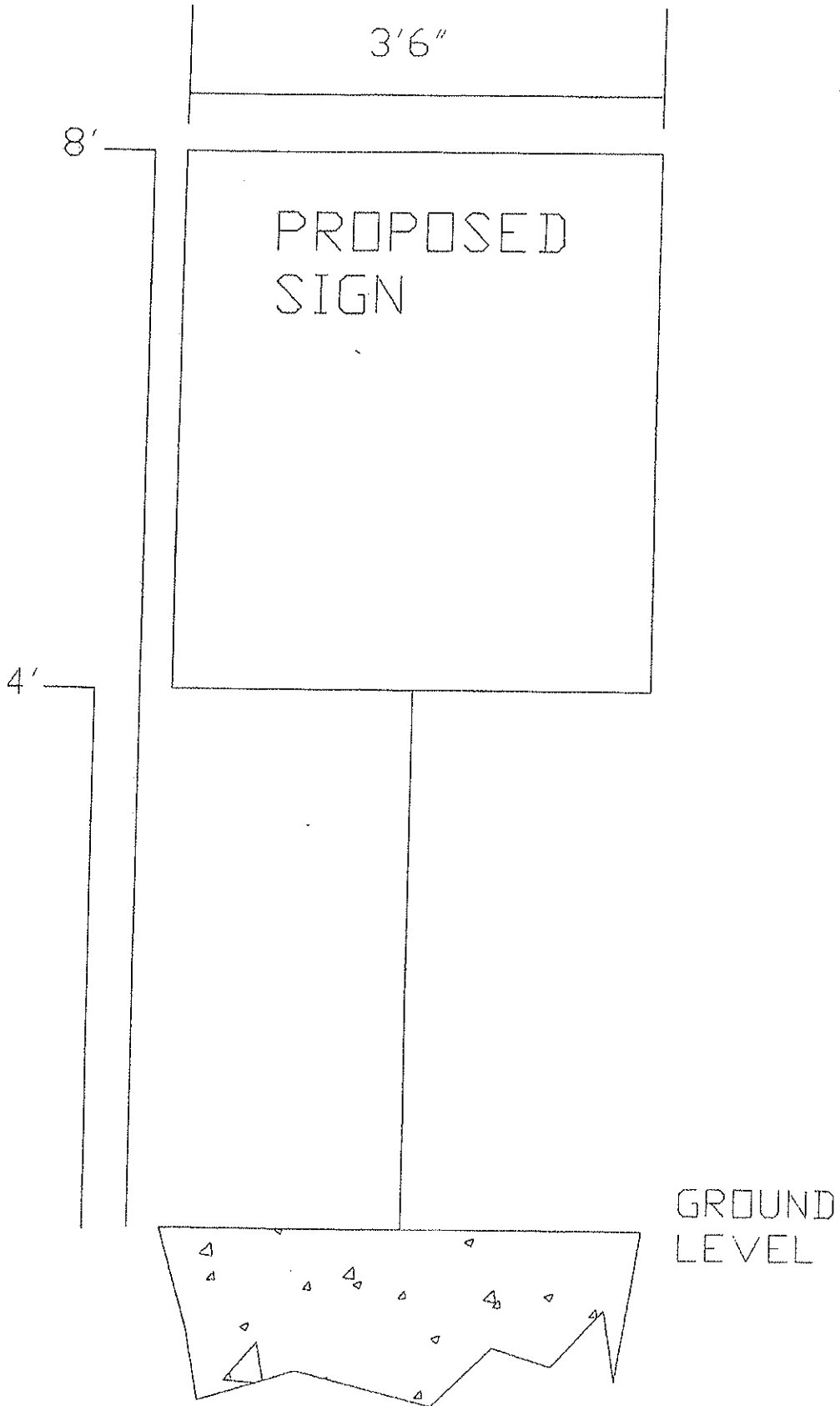
CITY OF CHATTANOOGA, TENNESSEE

Dec 7, 2011
Date

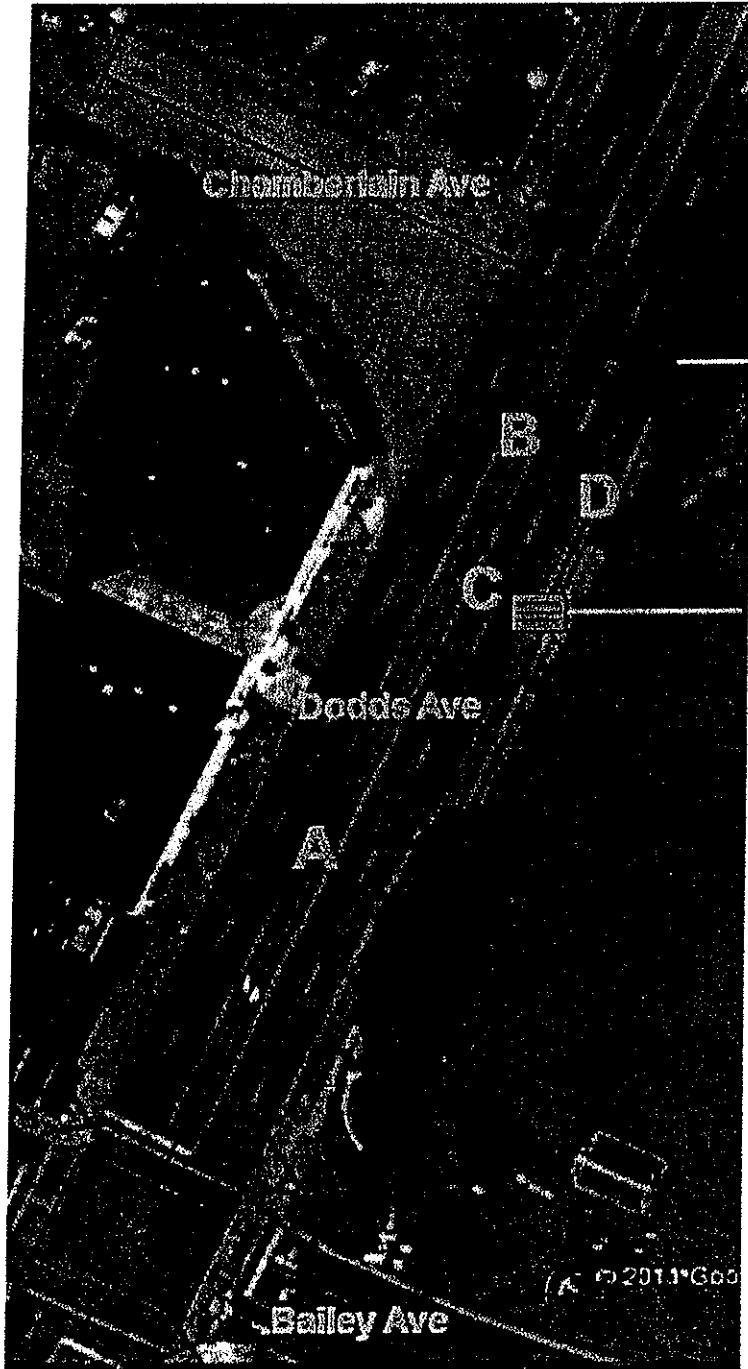
BY: 
Ron Littlefield, Mayor



Temp Use #78504
Robert R. Byrd



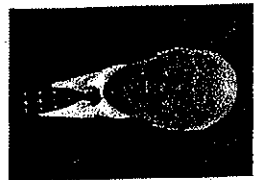
PROPOSED LOCATION



A= 234.95 feet
B= 97.65 feet
C= 31.00 feet
D= 87.75 feet

fireplug

historical marker



CRYE-LEIKE[®]

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