

RESOLUTION NO. 27275

A RESOLUTION AUTHORIZING FORK & PIE C/O MIKE ROBINSON TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED IN THE 800 BLOCK OF MARKET STREET FOR THE INSTALLATION OF AWNINGS, AS SHOWN ON 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 FORK & PIE C/O MIKE ROBINSON, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located in the 800 block of Market Street for the installation of awnings, as shown on 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. The proposed Awnings must meet the minimum elevation requirements as per City Codes and Standards.

ADOPTED: October 9, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and FORK & PIE C/O MIKE ROBINSON (hereinafter "Temporary User"), this 9th day of OCTOBER, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located in the 800 block of Market Street for the installation of awnings, as shown on 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. The proposed Awnings must meet the minimum elevation requirements as per City Codes and Standards.

FORK & PIE

10/19, 2012
Date

BY:

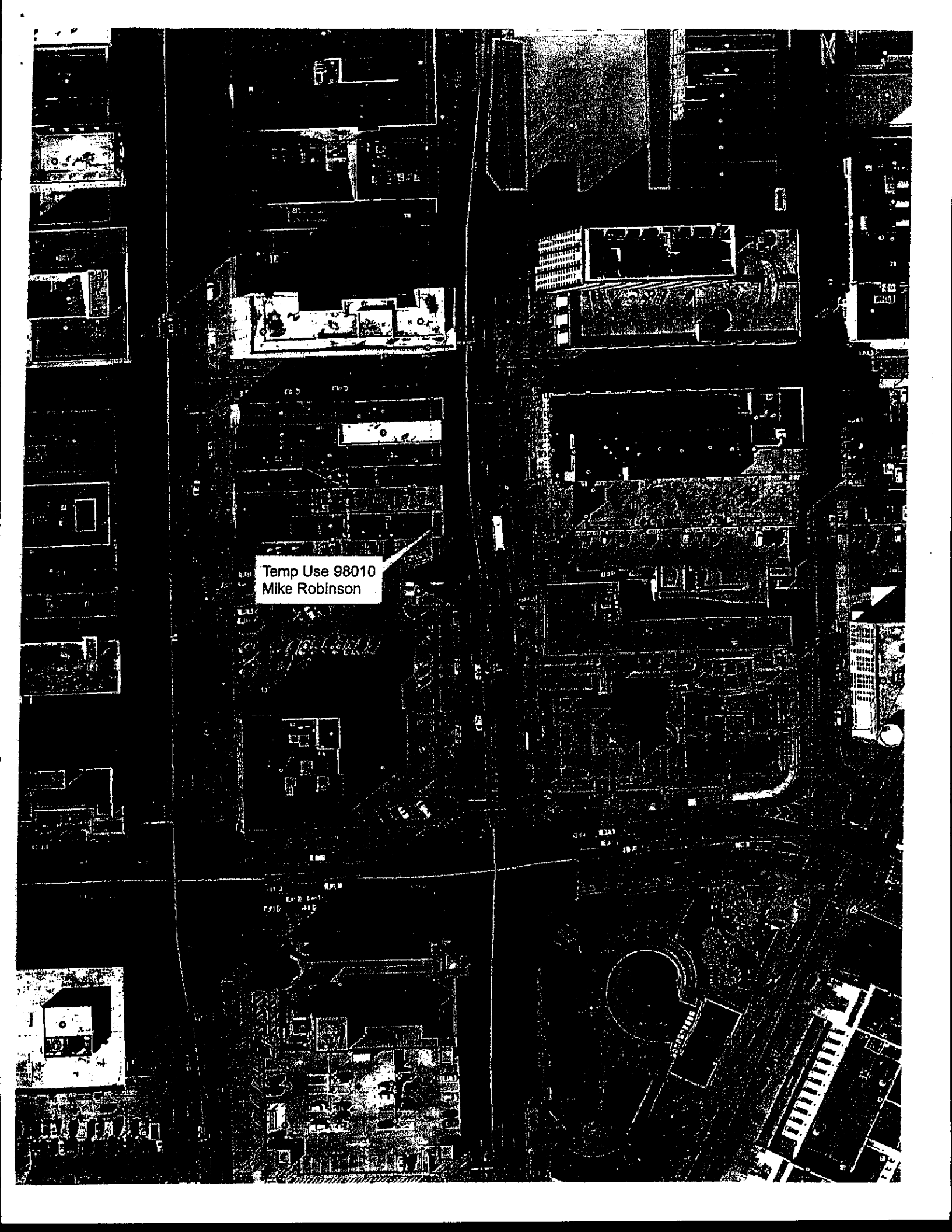

for Mike Robinson (JIM WILLIAMSON)

CITY OF CHATTANOOGA, TENNESSEE

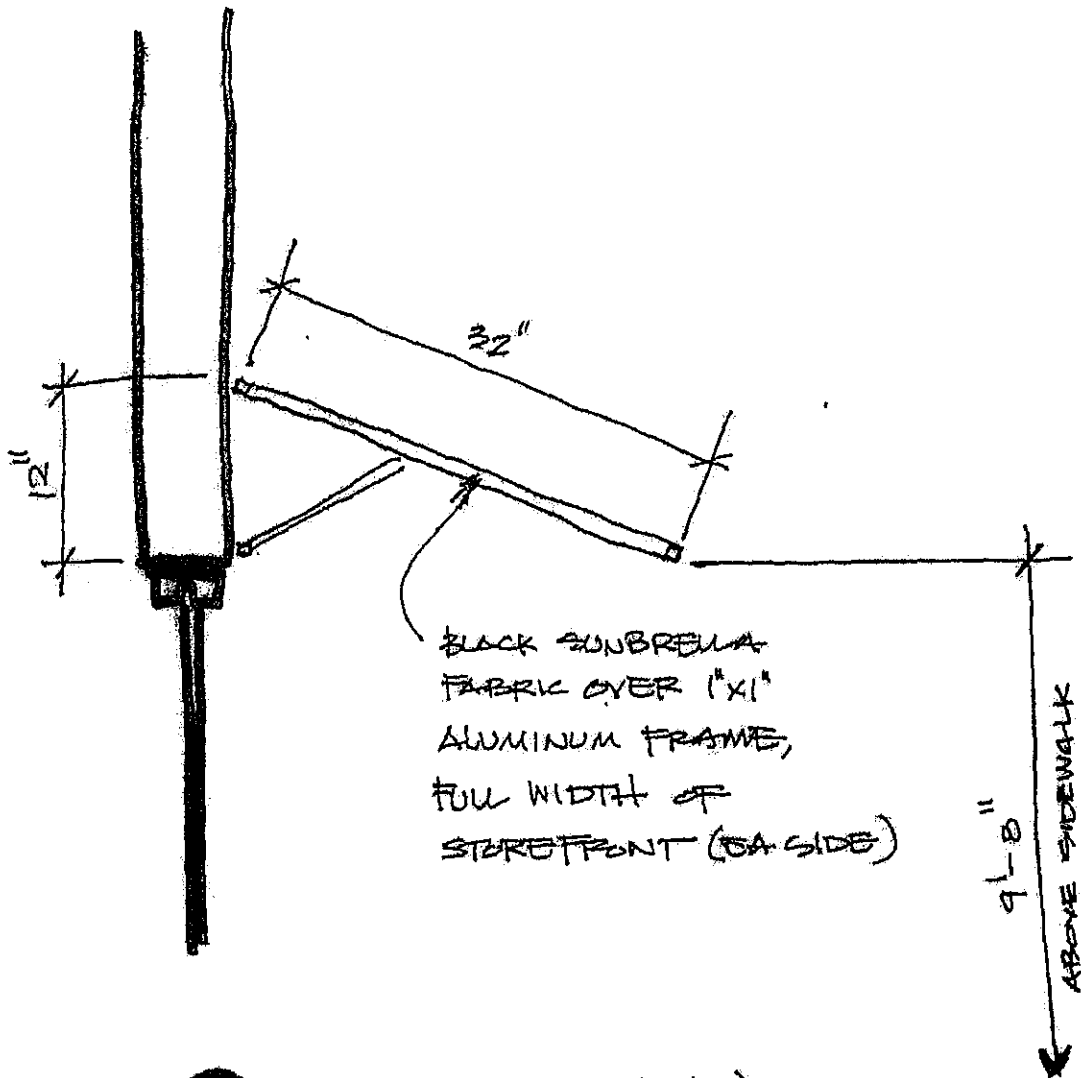
10/12, 2012
Date

BY:


Ron Littlefield, Mayor

An aerial photograph of an urban area, showing a grid of streets and various buildings. A white text box is overlaid on the image, pointing to a specific location. The text inside the box reads "Temp Use 98010" and "Mike Robinson". The photograph is high-contrast, with dark shadows and bright highlights, making it difficult to discern fine details. The text box is located in the middle-left portion of the image. The overall scene depicts a dense urban environment with a mix of residential and commercial structures.

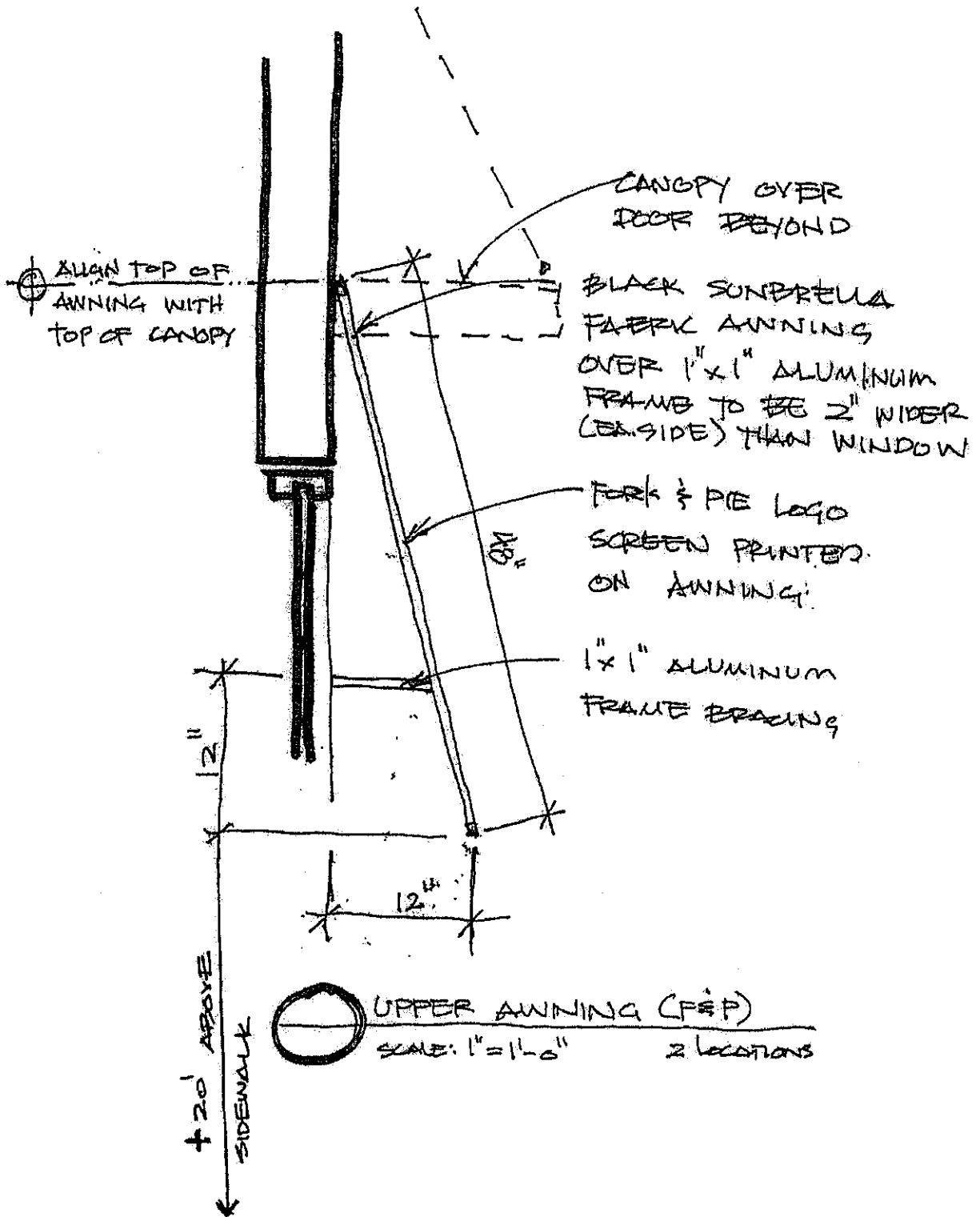
Temp Use 98010
Mike Robinson



LOWER AWNING (F&P)

SCALE: 1" = 1'-0"

2 LOCATIONS





For Office Use Only
[Signature]
 Technician Signature
 8/22/12
 Date

AUGUST 22, 2012
 (DATE)

WO# 98010

ENTERED
 1006

William C. Payne, P. E.
 City Engineer
 Development Resource Center
 1250 Market Street, Suite 2100
 Chattanooga, Tennessee 37402

SR# 651017

RECEIVED

SEP - 4 2012

Re: Request for Temporary Usage

CLOSED
SR. 9-6-2012

STORM WATER

Dear Mr. Payne:

This is a request for a temporary usage of (4) FABRIC AWNINGS OVER WINDOWS AND CITY SIDEWALK @ 811 MARKET STREET (FORK & PIE) APPROXIMATELY 32" INTO R.O.W.

The reason for this request is as follows:

BUILDING IS BUILT UP TO PROPERTY LINE AND CITY SIDEWALK (PER ZONING ALLOWANCE); THEREFORE, PLACEMENT OF AWNINGS WILL PROTRUDE OVER CITY SIDEWALK AND RIGHT OF WAY.

In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, 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 will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
3. Temporary User will provide full access for maintenance of any utilities located within the easement.
4. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
5. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
6. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number is as follows:

850 MARKET STREET, CHATTANOOGA, TN 37402 (423) 265-3700

(Processing Fee of \$110.00 payable to: City of Chattanooga)

(email address) jwilliamson@rivercitycompany.com

JIM WILLIAMSON
 (Print) Applicant Name

AUGUST 22, 2012
 Date

MIKE ROBINSON
 (Print) Owner's Name

AUGUST 22, 2012
 Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

Delivered to AMP
 9-6-12