

RESOLUTION NO. 27655

A RESOLUTION AUTHORIZING CLIFF MCCORMICK TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 314 KEITH STREET FOR THE INSTALLATION OF A DRIVEWAY TO GAIN ACCESS TO THE PROPERTY AT 318 KEITH STREET, AS SHOWN ON THE MAP AND 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 CLIFF MCCORMICK, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 314 Keith Street for the installation of a driveway to gain access to the property at 318 Keith Street, as shown on the map and 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 proposed driveway must meet the minimum requirements per City Codes and Standards.

ADOPTED: September 24, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and CLIFF MCCORMICK (hereinafter "Temporary User"), this 24th day of September, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 314 Keith Street for the installation of a driveway to gain access to the property at 318 Keith Street, as shown on the map and 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 proposed driveway must meet the minimum requirements per City Codes and Standards.

Sept. 24, 2013
Date

BY: 
Cliff McCormick

Sept. 24, 2013
Date

CITY OF CHATTANOOGA, TENNESSEE

BY: 
Andy Berke, Mayor



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 6/19/13 @ 2:14 PM

CityworksSR #: 734686

SR Type:	ENG - Temporary Right-of-Way Use		
Submitted to:	CANNON, WILLIAM E	Dispatched:	CANNON, WILLIAM E
Input By:	KING, CAROL A	Priority:	3
Create Date:	6/19/2013 2:02:24 PM	Status:	O-OPEN
District:	2	Due Date:	9/17/2013
Location:	318 KEITH STREET 37405		

Question	Answer

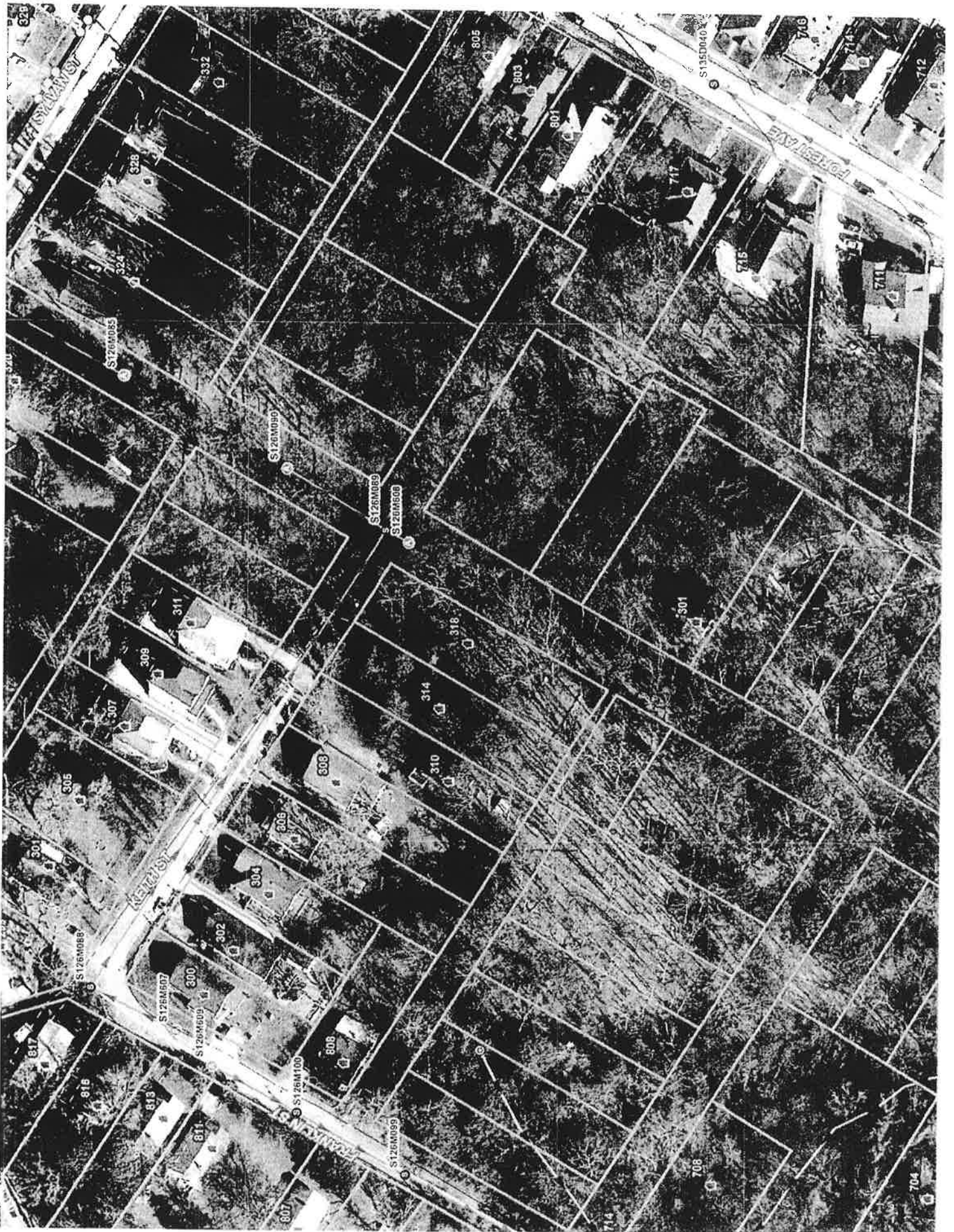
Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
CALVIN	BALL	P.O. BOX 3652		37404
Home Phone	Work Phone	Other Phone		
	(423) 421-4619			

Additional Information

CSRID	13-00068005
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Additional Details/Comments:



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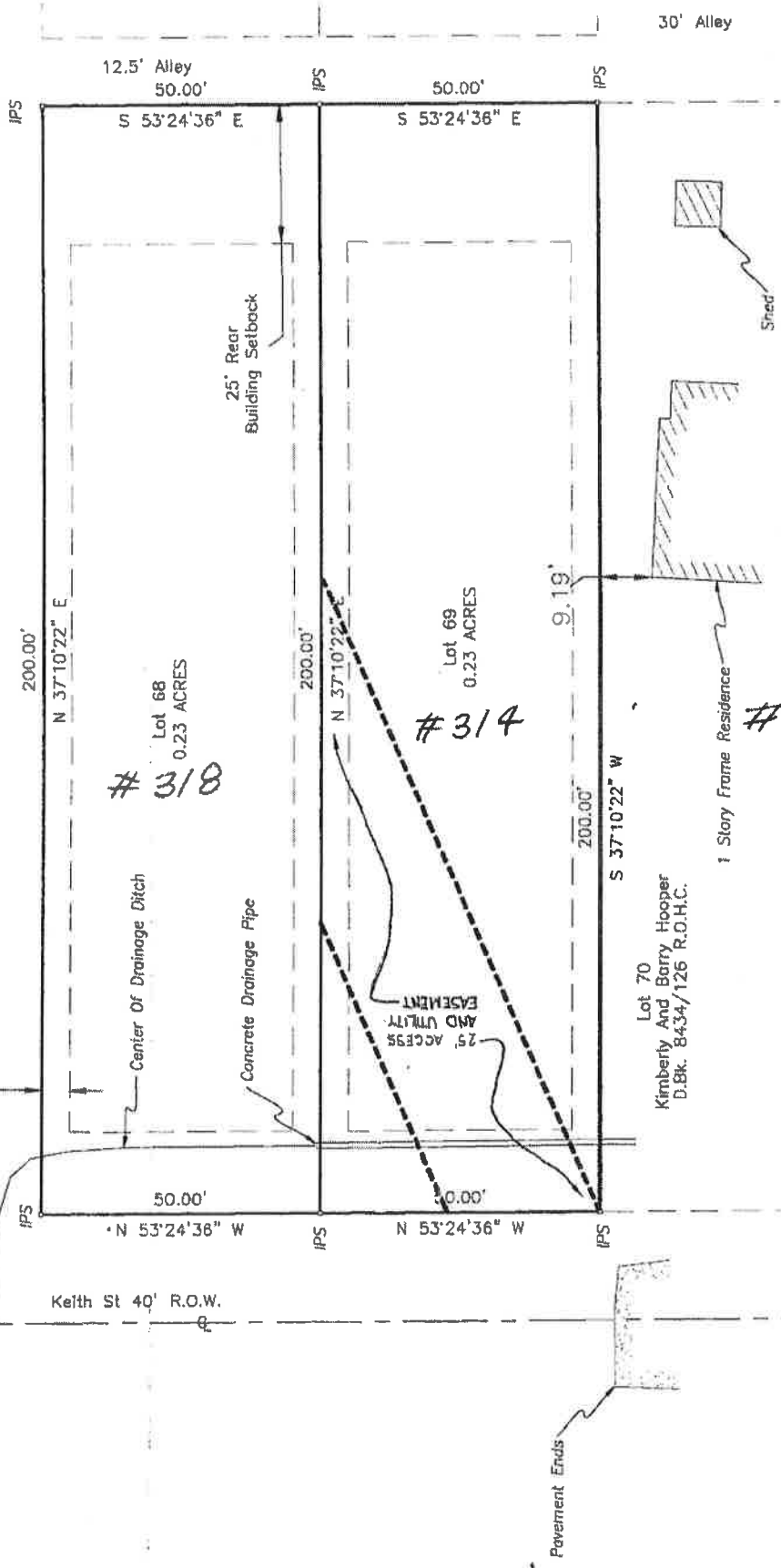
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Woodland Ave 50' R.O.W. (Unopened)

5' Side Building Setback



30' Alley

12.5' Alley
50.00'

50.00'

S 53°24'36" E

S 53°24'36" E

IPS

IPS

IPS

200.00'

N 37°10'22" E

Lot 68
0.23 ACRES

#318

200.00'

N 37°10'22" E

Lot 69
0.23 ACRES

#314

9.19'

200.00'

S 37°10'22" W

Lot 70

Kimberly And Barry Hooper
D.Bk. 84,34/126 R.O.H.C.

1 Story Frame Residence

#310

50.00'

N 53°24'36" W

IPS

IPS

IPS

50.00'

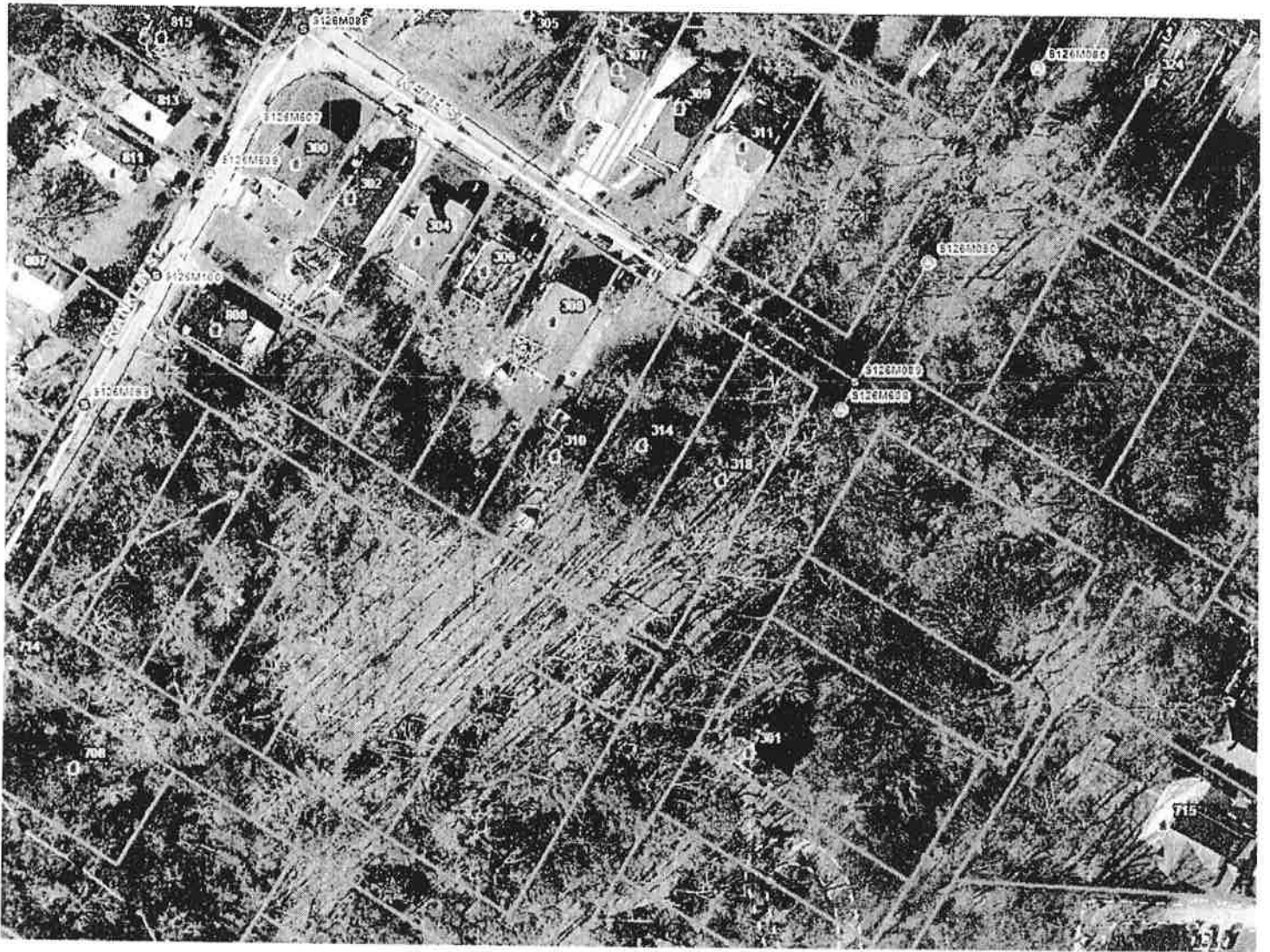
N 53°24'36" W

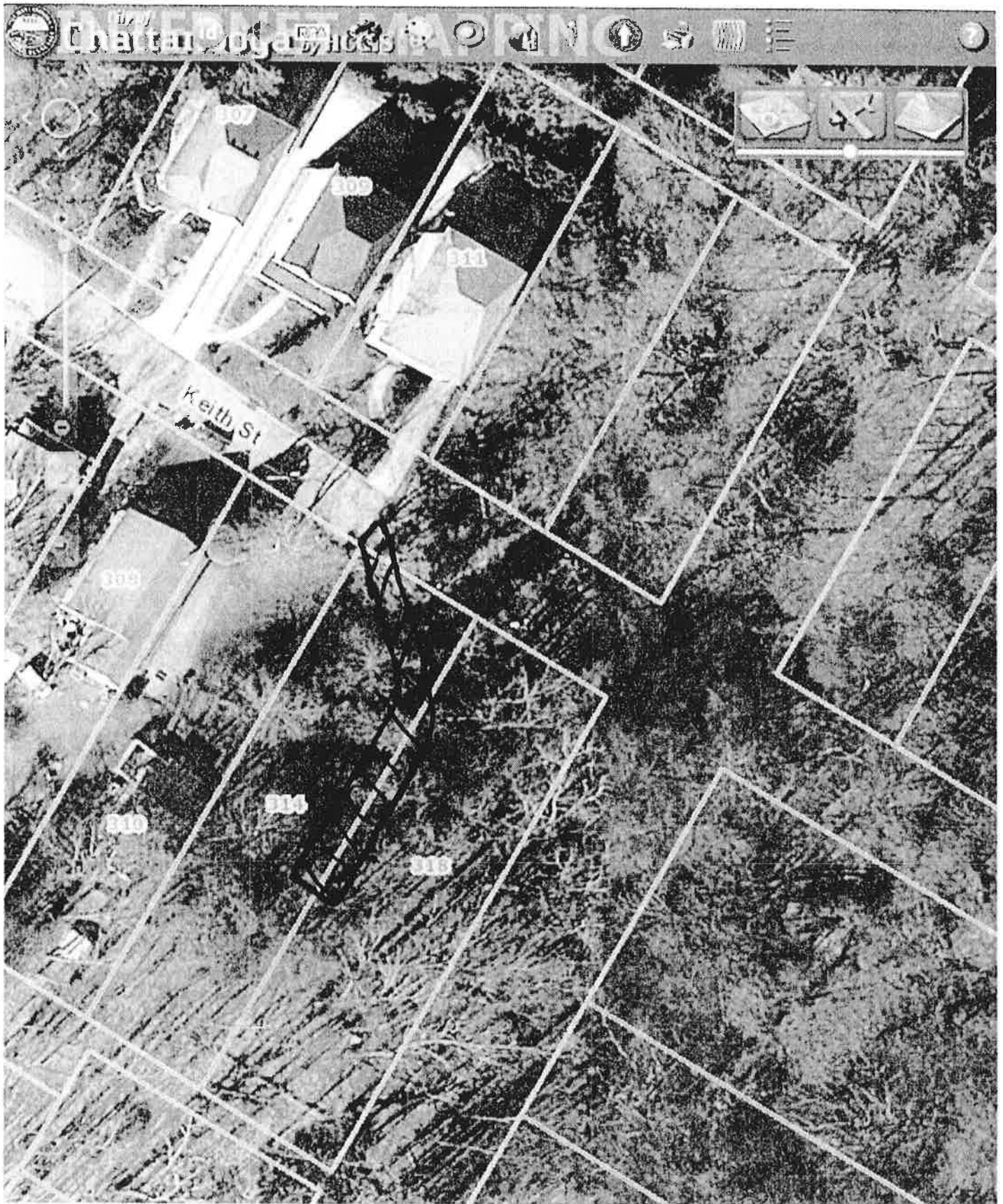
Keith St 40' R.O.W.

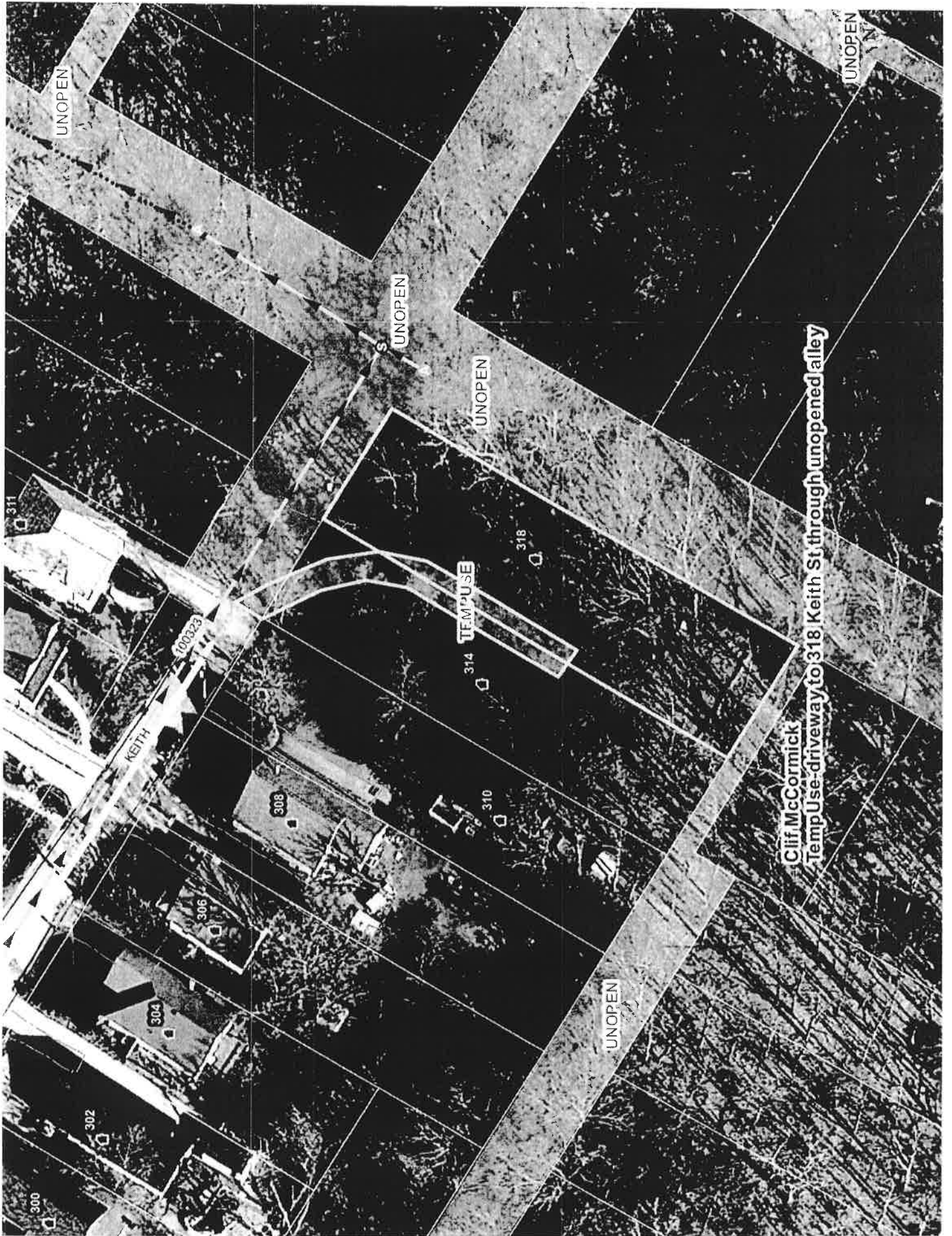
Pavement Ends

Shed

EXHIBIT "A"







UNOPEN

UNOPEN

UNOPEN

UNOPEN

TEMP USE

Cliff McCormick
Temp Use-driveway to 318 Keith St through unopened alley

UNOPEN

KEITH

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