

RESOLUTION NO. 27771

A RESOLUTION AUTHORIZING MARY J. MCSEARS TO USE TEMPORARILY THE UNOPENED RIGHT-OF-WAY LOCATED ON PEARL STREET AND NEAR 2528 OLIVE STREET FOR USE OF A DRIVEWAY, AS SHOWN ON THE MAPS 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 MARY J. MCSEARS, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the unopened right-of-way located on Pearl Street and near 2528 Olive Street for use of a driveway, as shown on the maps 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: January 7, 2014

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and MARY J. MCSEARS (hereinafter "Temporary User"), this 8 day of January, 2014.


For and in consideration of the granting of the temporary usage of the unopened right-of-way located on Pearl Street and near 2528 Olive Street for use of a driveway, as shown on the maps 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.

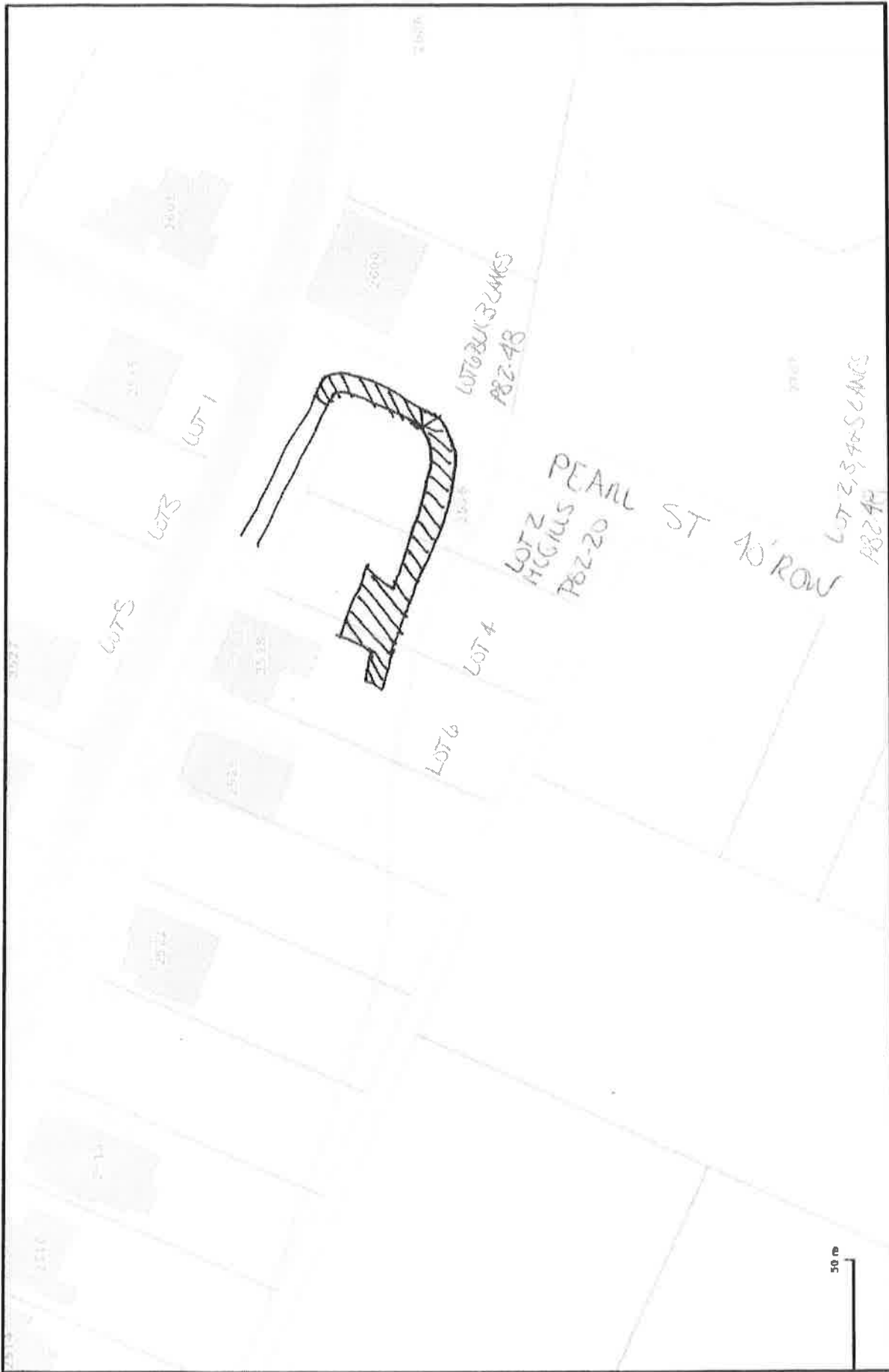
January 8, 2014

BY: 
Mary J. McSears

CITY OF CHATTANOOGA, TENNESSEE

January 21, 2014

BY: 
Andy Berke, Mayor



Printed: Nov 07, 2013

The Map Title

The Subtitle

Area Disturbed For New Drive

2528 Olive St
 permit 13-40478



Property owner Mary Shepherd McSears

Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. Partial lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.

HGGIS



Mary McSears

Temporary Usage: 2528 Olive Street

New driveway off unopened ROW

OLIVE

PEARL

2528

2526

TEMPUSE

UNOPEN



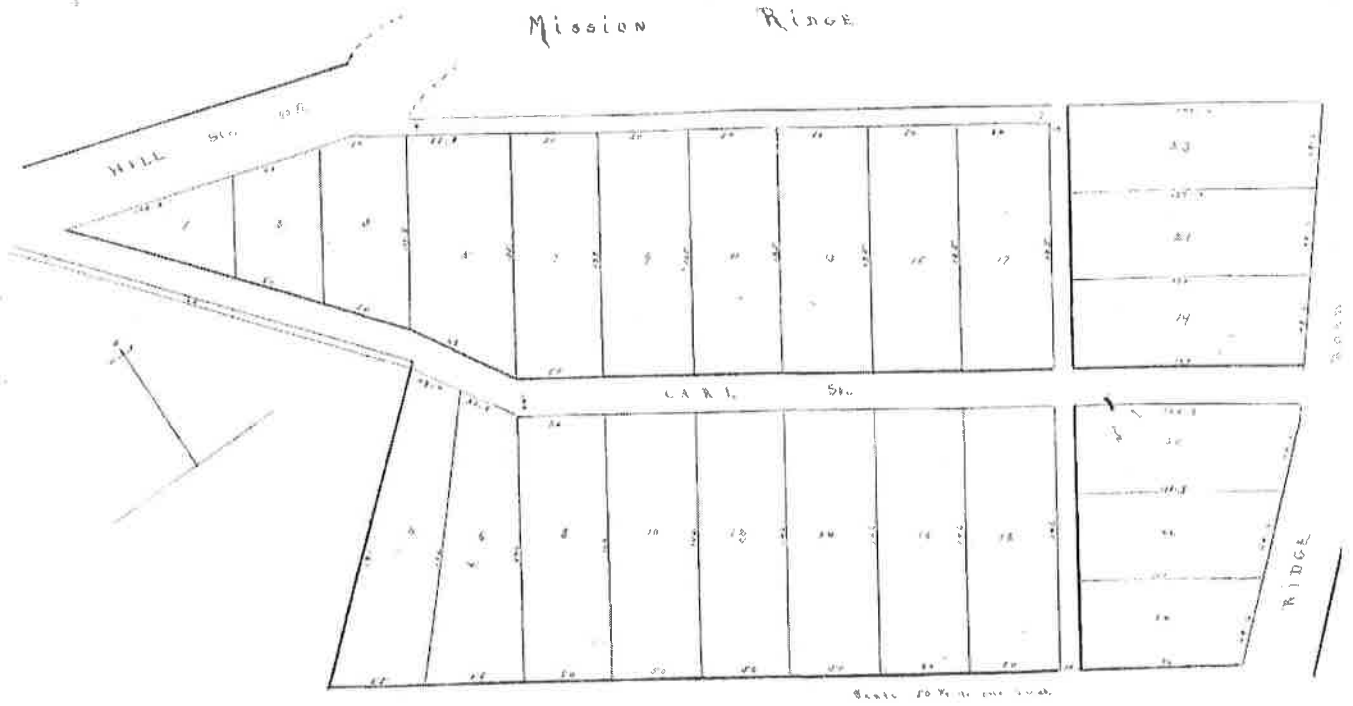
LANDS
NEW SUBDIVISION
BLOCKS 1, 2, AND 3



HARRIS' ADDITION
TO
OAK HILLS.
SCALE - 100 FT. = 1 IN.



PLAT OF
WOOLSON'S SUBDIVISION
Mission Ridge



D.F. SHAUFF'S ADDITION TO ST. L.

Scale: 1 in. to 100 ft. U.S.D.
FOR CORRECTED MAP SEE PLAT BOOK 4.

