

RESOLUTION NO. 27796

A RESOLUTION AUTHORIZING DONNY GARNER TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 401 SOUTH SAINT MARKS AVENUE FOR TWO PARKING SPACES, 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 DONNY GARNER, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 401 South Saint Marks Avenue for two parking spaces, 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 sidewalk, curb, gutter, and driveway apron must be built to City of Chattanooga standards.

ADOPTED: February 18, 2014

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and DONNY GARNER (hereinafter "Temporary User"), this 18TH day of FEBRUARY, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at 401 South Saint Marks Avenue for two parking spaces, 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 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 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 sidewalk, curb, gutter, and driveway apron must be built to City of Chattanooga standards.

2-18-14, 2014
Date

BY: 
Donny Garner

2/24, 2014
Date

CITY OF CHATTANOOGA, TENNESSEE
BY: 
Andy Berke, Mayor

Donny Camer
401 S St Marks Ave
Temp Usage: Driveway and Parking for Office

EB ON RAMP 124 @ MOORE RD

S TERRACE

TEMP USE

ST MARKS

401

403

405

402

