

RESOLUTION NO. 28616

A RESOLUTION AUTHORIZING BENTON C. TORRENCE, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED PORTION LOCATED ON BELMONT AVENUE FOR SECONDARY ACCESS TO 1619 WEST 54<sup>TH</sup> STREET, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That BENTON C. TORRENCE, PROPERTY OWNER, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way of the unopened portion located on Belmont Avenue for secondary access to 1619 West 54<sup>th</sup> Street, as shown on the maps attached hereto and made a part hereof by reference, subject to certain conditions.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

ADOPTED: May 10, 2016

/mem



Printed: Mar 11, 2016

# The Map Title

## The Subtitle

Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. Parcel 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.



Temporary Usage Request # TU 2016-021  
Benton C. Torrence  
1619 W. 54<sup>th</sup> St. (District 7)

