

RESOLUTION NO. 28786

A RESOLUTION AUTHORIZING TIMOTHY KELLY, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 900 RIVERFRONT PARKWAY FOR THE PURPOSE OF INSTALLING A CONCRETE PAD WITH TWO BENCHES AND A DRINKING FOUNTAIN AT THE CORNER OF RIVERFRONT PARKWAY AND W. MARTIN LUTHER KING BOULEVARD, 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 TIMOTHY KELLY, PROPERTY OWNER, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 900 Riverfront Parkway for the purpose of installing a concrete pad with two benches and a drinking fountain at the corner of Riverfront Parkway and W. Martin Luther King Boulevard, 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 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. The concrete pad will be installed on both privately owned land and public right-of-way, the drinking fountain, being a more permanent structure, shall be kept to the privately owned portion of the concrete pad.

4. There shall be no hedge, fence, shrubbery or other obstruction more than three (3) feet in height within the sight triangle formed by the intersection of the property lines at Riverfront Parkway and West M.L. King Boulevard and extending twenty-five (25) feet along the property lines.

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

6. 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: September 20, 2016

/mem



Riverfront Pkwy

Temp Use Area

900

Boynton Dr

W Martin Luther King Blvd

sight triangle

