

RESOLUTION NO. 28861

A RESOLUTION AUTHORIZING MICHAEL E. PHILLIPS, PROPERTY OWNER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT THE UNOPENED ALLEY EXTENDING BEYOND LANOKA STREET FOR THE PURPOSE OF IMPROVING THE UNOPENED ALLEY FOR PUBLIC USE, 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 MICHAEL E. PHILLIPS, PROPERTY OWNER, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at the unopened alley extending beyond Lanoka Street for the purpose of improving the unopened alley for public use, 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:

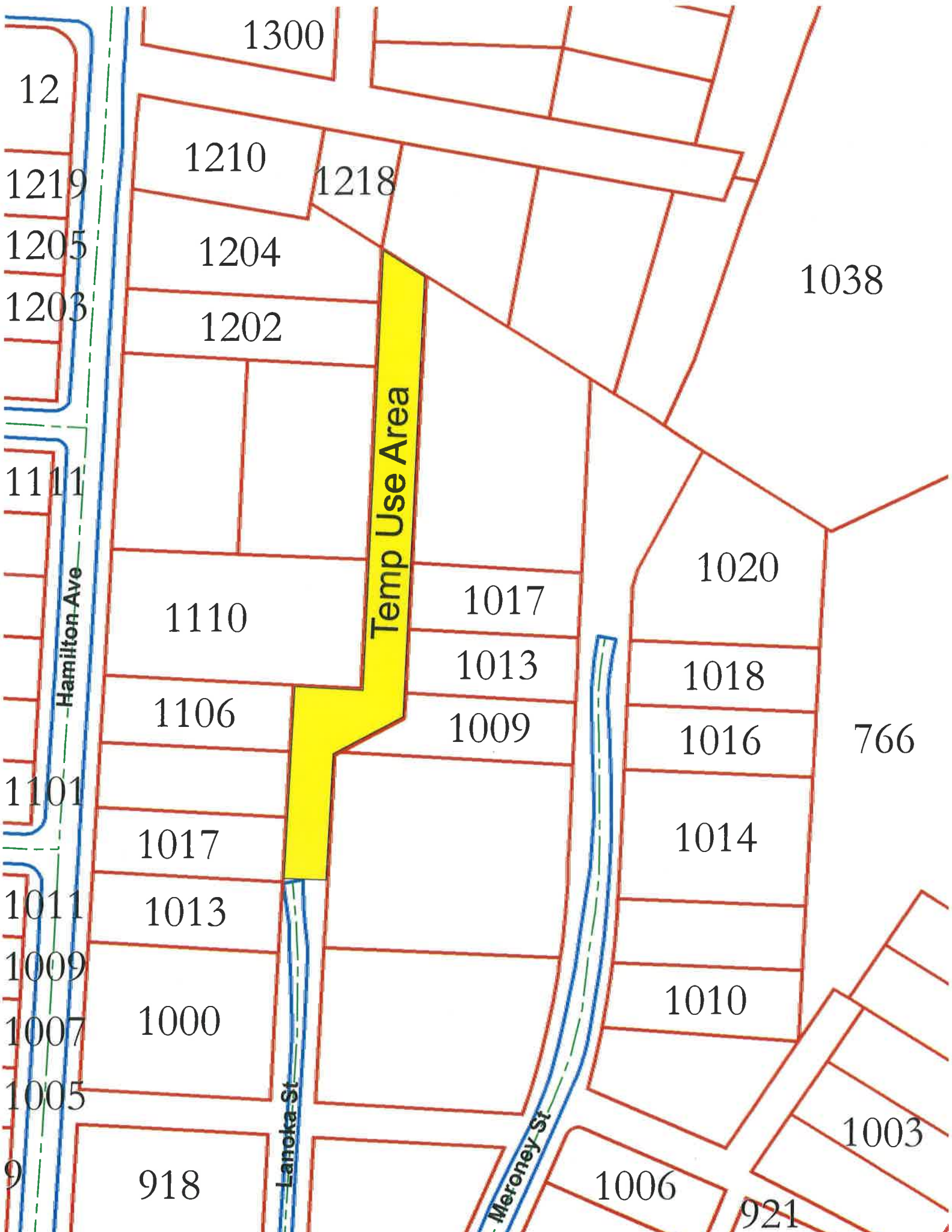
1. Temporary User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property 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 alleyway shall be improved for public access.
4. The alleyway shall be paved for the first twenty (20') feet behind the driveway apron.
5. The driveway apron shall follow the latest City standards.
6. Installation must meet all City of Chattanooga codes and standards.
7. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.
8. 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: December 6, 2016

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1300

12

1210

1218

1219

1205

1204

1203

1202

1038

1111

Temp Use Area

1110

1017

1020

Hamilton Ave

1013

1018

1106

1009

1016

766

1101

1017

1014

1011

1013

1010

1009

1000

1007

1005

Lanoka St

Meroney St

918

1006

1003

9

921

