

RESOLUTION NO. 29344

A RESOLUTION AUTHORIZING CORBIN AND CORTNEY GEARY, PROPERTY OWNERS, TO USE TEMPORARILY THE UNOPENED CITY RIGHT-OF-WAY BETWEEN 1210/1218 AND 1300 HAMILTON AVENUE FOR THE PURPOSE OF IMPROVING THE UNOPENED RIGHT-OF-WAY FOR PUBLIC ACCESS, 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 CORBIN AND CORTNEY GEARY, PROPERTY OWNERS (hereinafter referred to as “Temporary Users”) be and are hereby permitted to use temporarily the unopened City right-of-way between 1210/1218 and 1300 Hamilton Avenue for the purpose of improving the unopened right-of-way for public access, 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 Users 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 applicants by the Chattanooga City Council. Temporary Users agree 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 Users agree to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary Users shall provide adequate access for maintenance of any utilities located within the easement.

4. Improvements to the right-of-way shall be made for the purpose of public access.

5. Improvements to the right-of-way must meet all City of Chattanooga codes and standards.

6. If the first twenty (20') feet of existing earthen driveway is improved beyond the current condition, the right-of-way shall be paved for the first twenty (20') feet.

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

8. Temporary Users 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: February 27, 2018

/mem



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