

RESOLUTION NO. 27803

A RESOLUTION AUTHORIZING W. DAVID JONES TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 505 CHEROKEE BOULEVARD TO INSTALL A SIGN ABOVE THE CANOPY AND TO INSTALL AND DISPLAY A SCULPTURE, AS SHOWN ON THE MAPS, DRAWING, PHOTOS, AND SKETCHES 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 W. DAVID JONES (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 505 Cherokee Boulevard to install a sign above the canopy and to install and display a sculpture, as shown on the maps, drawing, photos, and sketches 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. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. If the sculpture is to be removed at any time, Temporary User will be responsible for its removal followed by full repairs of the sidewalk within ten (10) days of removal of the art.

ADOPTED: March 4, 2014

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and W. DAVID JONES (hereinafter "Temporary User"), this 4th day of MARCH, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at located at 505 Cherokee Boulevard to install a sign above the canopy and to install and display a sculpture, as shown on the maps, drawing, photos, and sketches attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

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 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. If the sculpture is to be removed at any time, Temporary User will be responsible for its removal followed by full repairs of the sidewalk within ten (10) days of removal of the art.

MARCH 4, 2014
Date

BY: W. David Jones
W. David Jones

CITY OF CHATTANOOGA, TENNESSEE

MARCH 4, 2014
Date

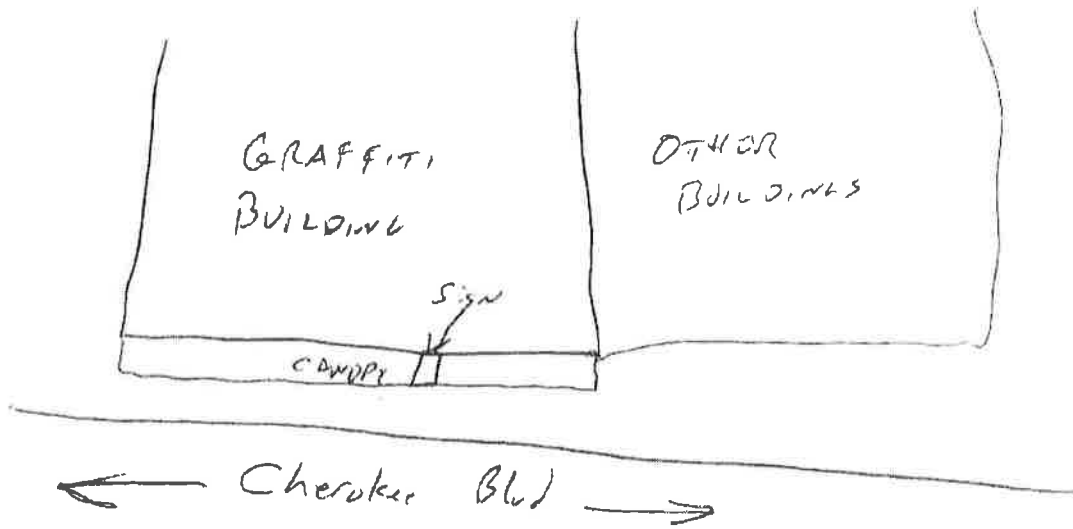
BY: Andy Berke
Andy Berke, Mayor

Certified Lighting Inc/William Reason
505 Cherokee Blvd

Temp Usage: Sign mounted to the side of the bldg.



505 Cherokee Blvd



24" x 50"

SITE MAP

SPAFFITI, A HILL CITY ART SCINT
(505 CHEPROKE BLVD)

EDGE
NEXT
DOOR

FRONT ENTRANCE
EMU (TYP)

EMU (TYP)

STEP UP

TECHNICAL
DRAWINGS
INC

PLANTERS

STEP FRONT PLANTERS

SWUBS

± 6" MINIMUM ANCHOR (ABOVE)

± 6" MIN EDGE
FOR 10" G
SCULPTURE

SIDEWALK

FRONT EDGE
OF SCULPTURE
BASE ALIGN
WITH FRONT OF
BIDS BEYOND

FRONT EDGE OF SCULPTURE
ALIGN WITH FRONT
EDGE OF SLUGS OUTCOR
SEATING BEYOND

SIDEWALK

UP B

STREET (CHEPROKE BLVD)

1000

W. David Jones/Graffiti
Temp Usage: 505 Cherokee Blvd
10' Statue in sidewalk

