

RESOLUTION NO. 25681

A RESOLUTION AUTHORIZING BILLY J. WOODALL TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY TO 25 EAST MAIN STREET, AS SHOWN ON THE ATTACHED MAP, FOR EMERGENCY EGRESS FROM THE ADJACENT BUILDING TO THE EAST, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Billy J. Woodall (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a portion of the right-of-way to 25 East Main Street, as shown on the attached map, for emergency egress from the adjacent building to the east.

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

1. Temporary User shall not restrict adjoining property owners from accessing their properties from said alley.
2. Temporary User shall not restrict traffic flow through the alley.
3. Temporary User agrees that ramp and bollards shall not extend past the northwest corner of the building and shall be constructed as per City and ADA Standards.
4. Temporary User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
5. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
6. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: Sept. 30, 2008

## INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and BILLY J. WOODALL (hereinafter "Temporary User"), this the 30 day of September, 2008.

For and in consideration of the granting of the temporary usage of a portion of the right-of-way to 25 East Main Street, as shown on the attached map, for emergency egress from the adjacent building to the east, Temporary User agrees as follows:

1. Temporary User shall not restrict adjoining property owners from accessing their properties from said alley.

2. Temporary User shall not restrict traffic flow through the alley.

3. Temporary User agrees that ramp and bollards shall not extend past the northwest corner of the building and shall be constructed as per City and ADA Standards.

1. Temporary User will defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary User will 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 will restore the property to its original condition when it is returned to the City.

3. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

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BILLY J. WOODALL

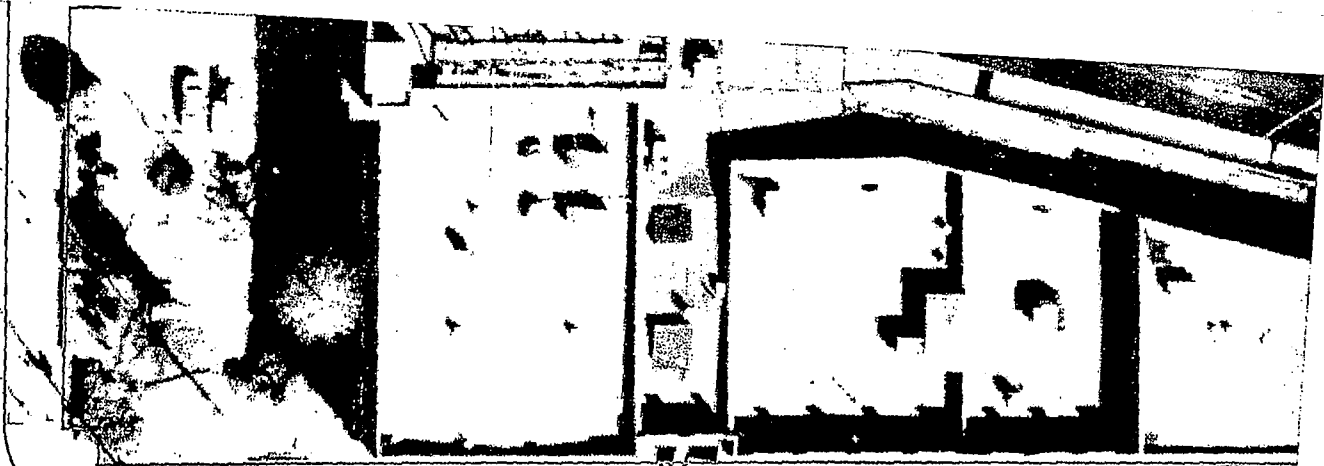
10/10/08, 2008  
Date

Billy Woodall

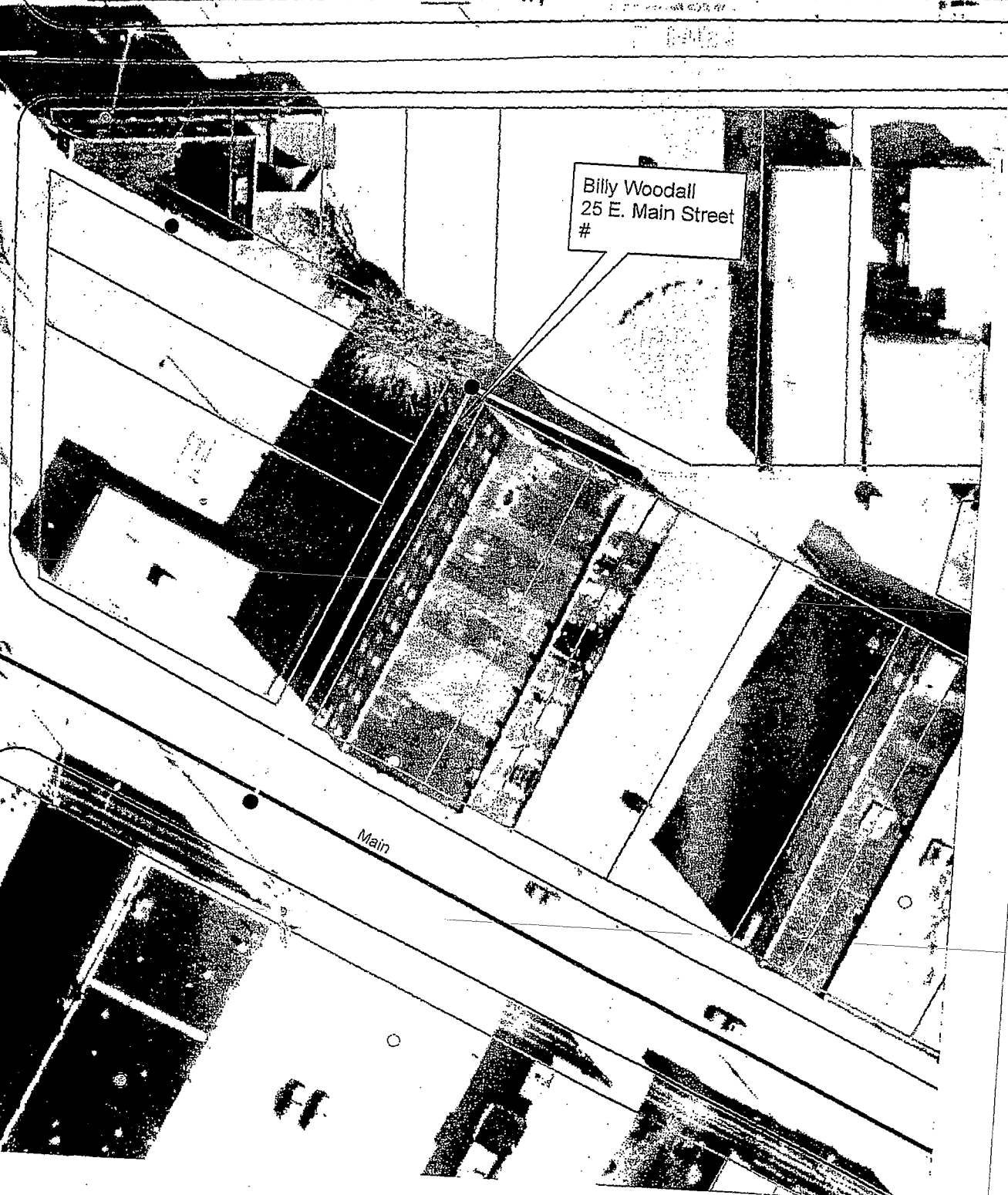
CITY OF CHATTANOOGA, TENNESSEE

10/3/08, 2008  
Date

BY: Ron Littlefield  
Ron Littlefield, Mayor



Billy Woodall  
25 E. Main Street  
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Main