

A RESOLUTION AUTHORIZING TAMARA DILLARD TO USE TEMPORARILY THE RIGHTS-OF-WAY OF 401 MARKET STREET, SUITES A, B, AND C, TO INSTALL PERPENDICULAR SIGNS, AS SHOWN ON THE DRAWING 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 Tamara Dillard (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the rights-of-way of 401 Market Street, Suites A, B, and C to install perpendicular signs, as shown on the drawing attached hereto and made a part hereof by reference.

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

1. The comments on the Memorandum attached hereto and made a part hereof by reference.
2. 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.
3. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: December 9, 2008

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and TAMARA DILLARD (hereinafter "Temporary User"), this the 9<sup>th</sup> day of December, 2008.

For and in consideration of the granting of the temporary usage of rights-of-way of 401 Market Street, Suites A, B, and C to install perpendicular signs, as shown on the drawing attached hereto and made a part hereof by reference., Temporary User agrees as follows:

1. The comments on the Memorandum attached hereto and made a part hereof by reference.
2. 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.
3. 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.
4. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

TAMARA DILLARD

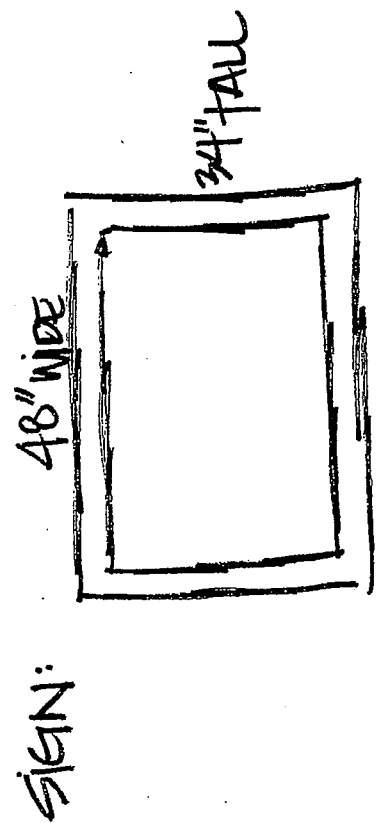
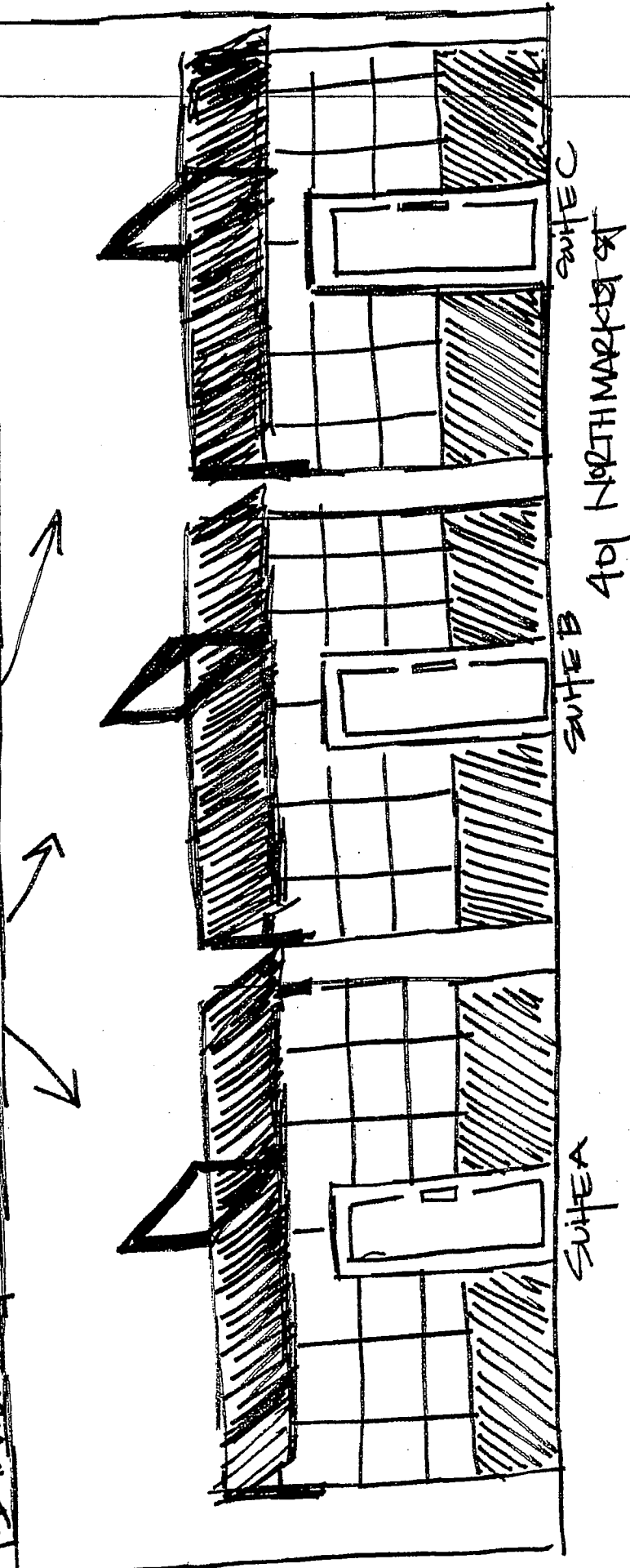
\_\_\_\_\_, 2008  
Date

\_\_\_\_\_  
CITY OF CHATTANOOGA, TENNESSEE

October 29, 2008  
Date

BY:   
\_\_\_\_\_  
Ron Littlefield, Mayor

401 BUILDING PERPENDICULAR SIGNS: ALL SAME SIZE 48" WIDE X 34" TALL



# Memorandum

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**To:** Bill Payne  
**From:** Bill Cannon  
**Date:** November 18, 2008  
**Re:** Temporary Usage Request #1503  
Ms. Tamara Dillard  
401 North Market Street, Suite C  
Recommendations for Temporary Usage

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I have completed the review of Ms. Tamara Dillard's request regarding Temporary Usage of the right-of-way at 401 Market Street for the placement of Signage only to project 48" into said right of way (Please refer to attachments). My comments are as follows:

- As per submitted drawings the sign's dimensions are 48" by 34" and from existing grade to the base of the sign, proposed height is 8 feet.
- The signage will not be a line of sight issue provided it is placed as per submitted plans.
- Signage should not impede any public or private utilities from being accessed.
- There appears to be no conflict with public interest.

Based on the comments above, I recommend that we **approve** this temporary use permit.