

RESOLUTION NO. 27044

A RESOLUTION AUTHORIZING FAIRFAX BAGWELL NEIGHBORHOOD ASSOCIATION C/O DEBORAH MAYNARD TO USE TEMPORARILY THE RIGHTS-OF-WAY LOCATED AT THREE (3) LOCATIONS AROUND THE COMMUNITY TO INSTALL MARKERS TO INDICATE THE ASSOCIATION'S BOUNDARIES, AS SHOWN IN THE PHOTOS 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 FAIRFAX BAGWELL NEIGHBORHOOD ASSOCIATION C/O DEBORAH MAYNARD, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the rights-of-way located at three (3) locations around the community to install markers to indicate the Association's boundaries, as shown in the photos 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 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.
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. The dimensions and placement of markers must be coordinated with and approved by the City of Chattanooga's Traffic Engineering Department.

5. Any encroachment onto private property requires the approval of the property owner.

ADOPTED: March 27, 2012

/mms

## INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and FAIRFAX BAGWELL NEIGHBORHOOD ASSOCIATION C/O DEBORAH MAYNARD (hereinafter "Temporary User"), this 27 day of March, 2012.

For and in consideration of the granting of the temporary usage of the rights-of-way located at three (3) locations around the community to install markers to indicate the Association's boundaries, as shown in the photos attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User shall 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 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. The dimensions and placement of markers must be coordinated with and approved by the City of Chattanooga's Traffic Engineering Department.

5. Any encroachment onto private property requires the approval of the property owner.

FAIRFAX BAGWELL NEIGHBORHOOD  
ASSOCIATION

4-12, 2012  
Date

BY: Deborah Maynard  
Deborah Maynard

CITY OF CHATTANOOGA, TENNESSEE

4, 2012  
Date

BY: Ron Littlefield  
Ron Littlefield, Mayor



Hixson

Norcross

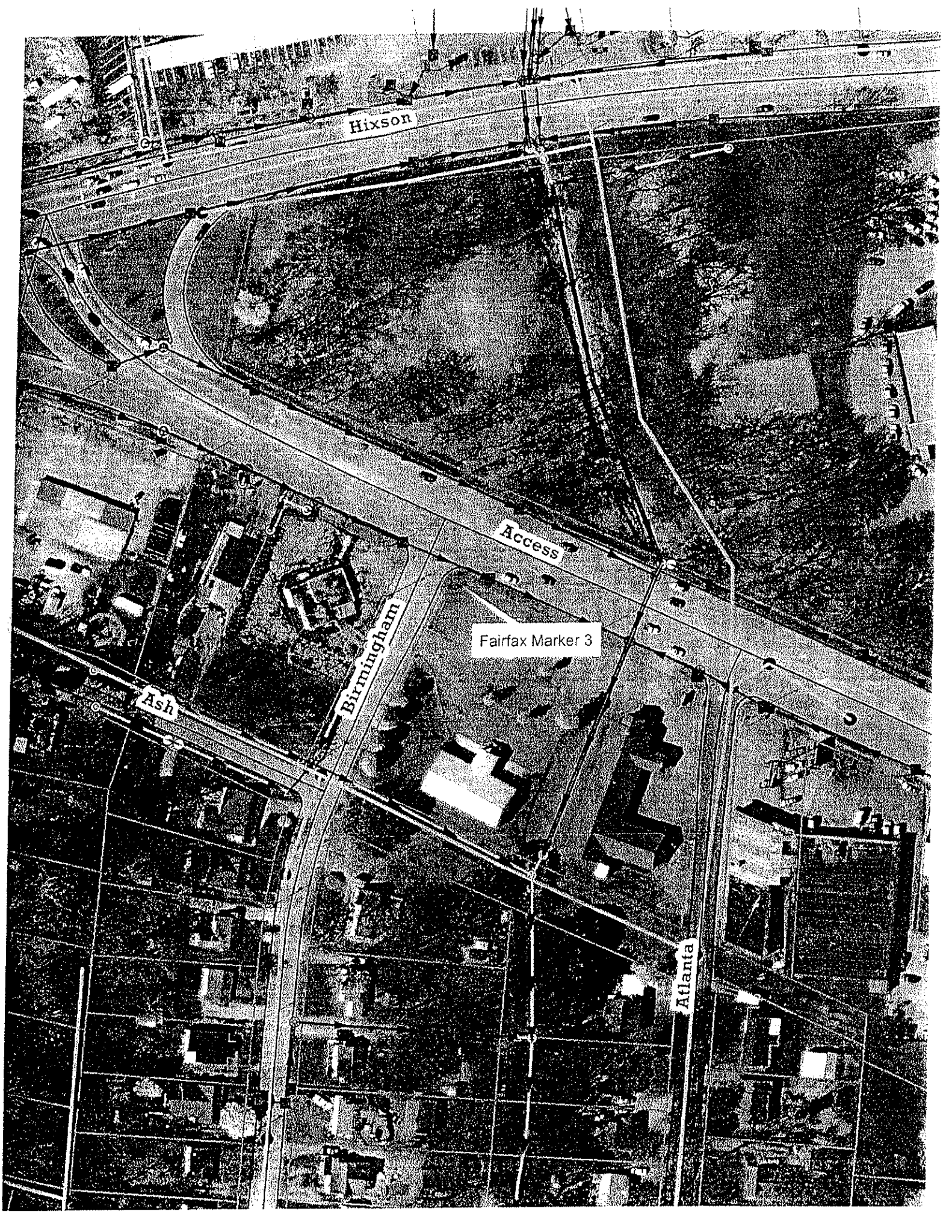
Hixson

Fairfax Marker 2

Kensington

Clermont

Kensington



Hixson

Access

Fairfax Marker 3

Ash

Birmingham

Atlanta