

RESOLUTION NO. 27046

A RESOLUTION AUTHORIZING RAY DEBARGE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1617 ROSSVILLE AVENUE TO INSTALL TWO (2) AWNINGS FACING ROSSVILLE AVENUE, AS SHOWN IN THE PHOTO 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 RAY DEBARGE, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 1617 Rossville Avenue to install two (2) awnings facing Rossville Avenue, as shown in the photo 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 awnings must meet the minimum elevation requirements as per City Codes and Standards.

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 RAY DEBARGE (hereinafter "Temporary User"), this 27 day of March, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located at 1617 Rossville Avenue to install two (2) awnings facing Rossville Avenue, as shown in the photo 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 awnings must meet the minimum elevation requirements as per City Codes and Standards.

4/4, 2012
Date/

BY: Ray DeBarge
Ray DeBarge

CITY OF CHATTANOOGA, TENNESSEE

_____, 2012
Date

BY: Ron Littlefield
Ron Littlefield, Mayor

Temp Use 56728
Tom Marshall for Link 41

Main

Wilhoit

Rossville

Temp Use #84769
Interior Environments Inc.

17th

Read

Baldwin

