

RESOLUTION NO. 27318

A RESOLUTION AUTHORIZING THE CRASH PAD C/O DAN ROSE TO USE TEMPORARILY A PORTION OF A RIGHT-OF-WAY LOCATED IN THE 100 BLOCK OF JOHNSON STREET FOR THE INSTALLATION OF A SPRINKLER FIRE PIT FOR A NEW COMMERCIAL DEVELOPMENT, AS SHOWN ON THE MAP AND 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 THE CRASH PAD C/O DAN ROSE, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a portion of a right-of-way located in the 100 block of Johnson Street for the installation of a sprinkler fire pit for a new commercial development, as shown on the map and drawing 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.

ADOPTED: November 20, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and THE CRASH PAD C/O DAN ROSE (hereinafter "Temporary User"), this 20th day of NOVEMBER, 2012.

For and in consideration of the granting of the temporary usage to use temporarily a portion of a right-of-way located in the 100 block of Johnson Street for the installation of a sprinkler fire pit for a new commercial development, as shown on the map and drawing 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.

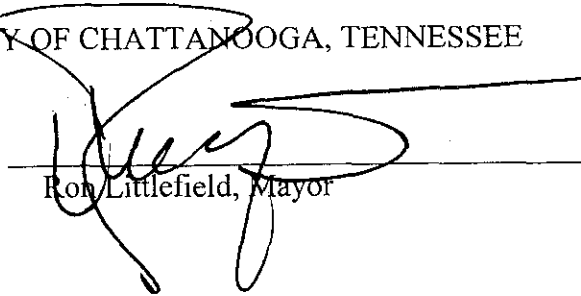
12.4.12, 2012
Date

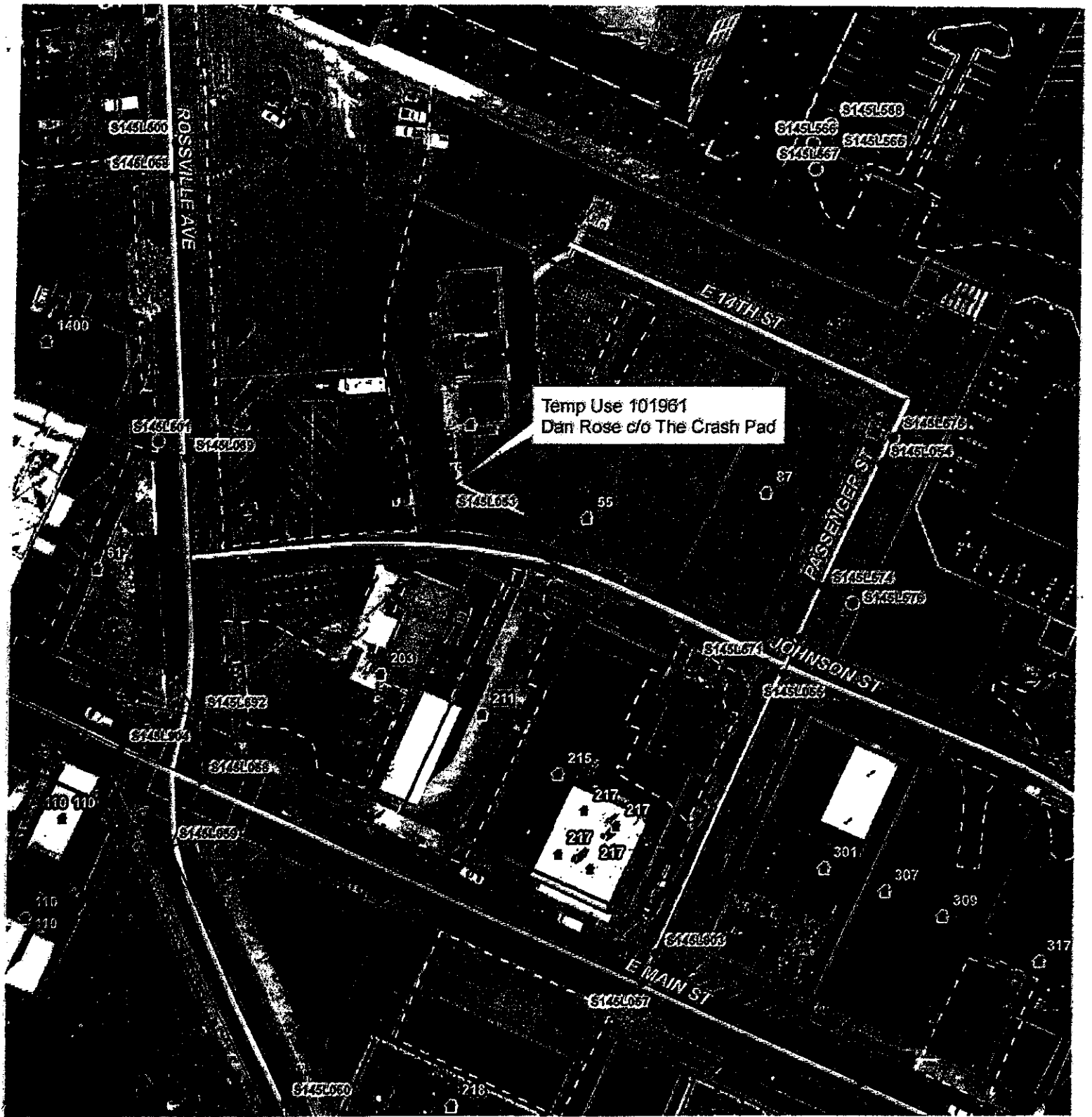
THE CRASH PAD

BY: 
Dan Rose

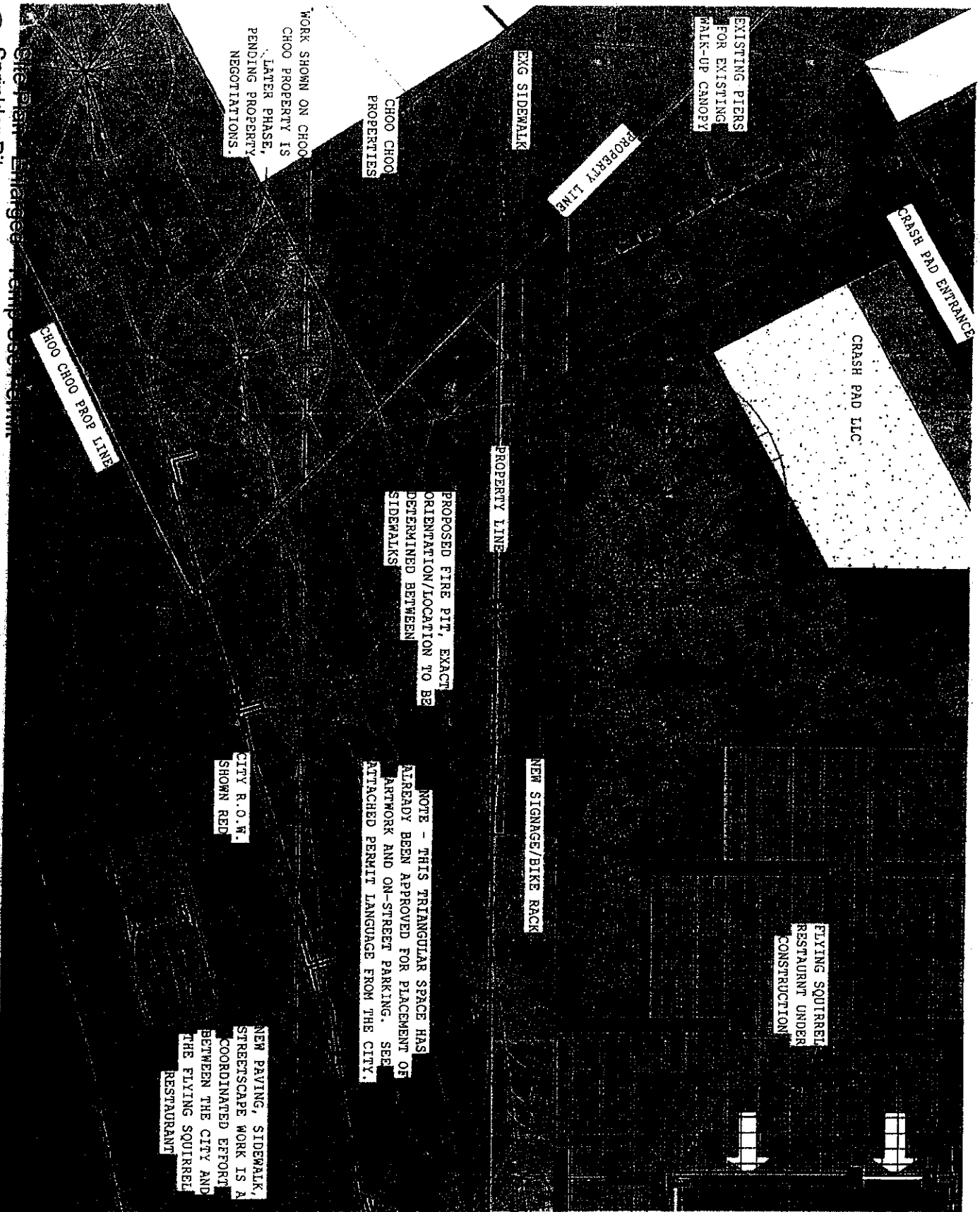
_____, 2012
Date

CITY OF CHATTANOOGA, TENNESSEE

BY: 
Ron Littlefield, Mayor



Temp Use 101961
Dan Rose c/o The Crash Pad



Temp Use Drawing

FLYING SQUIRREL



supp dwg

Date 11/01/12

Scale 1" = 10'-0"