

RESOLUTION NO. 28782

A RESOLUTION AUTHORIZING RIVER CITY COMPANY C/O JIM WILLIAMSON, AGENT ON BEHALF OF PROPERTY OWNER, LARRY TORRENCE, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 736 E. MARTIN LUTHER KING BOULEVARD FOR THE PURPOSE OF INSTALLING A PARKLET PATIO, AS SHOWN ON THE MAPS 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 RIVER CITY COMPANY C/O JIM WILLIAMSON, AGENT ON BEHALF OF PROPERTY OWNER, LARRY TORRENCE, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 736 E. Martin Luther King Boulevard for the purpose of installing a parklet patio, as shown on the maps 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

5. Temporary User shall provide a Certificate of Liability Insurance naming the City of Chattanooga, 101 E. 11th Street, Chattanooga, TN 37402, as additional insured for at least \$1 million.

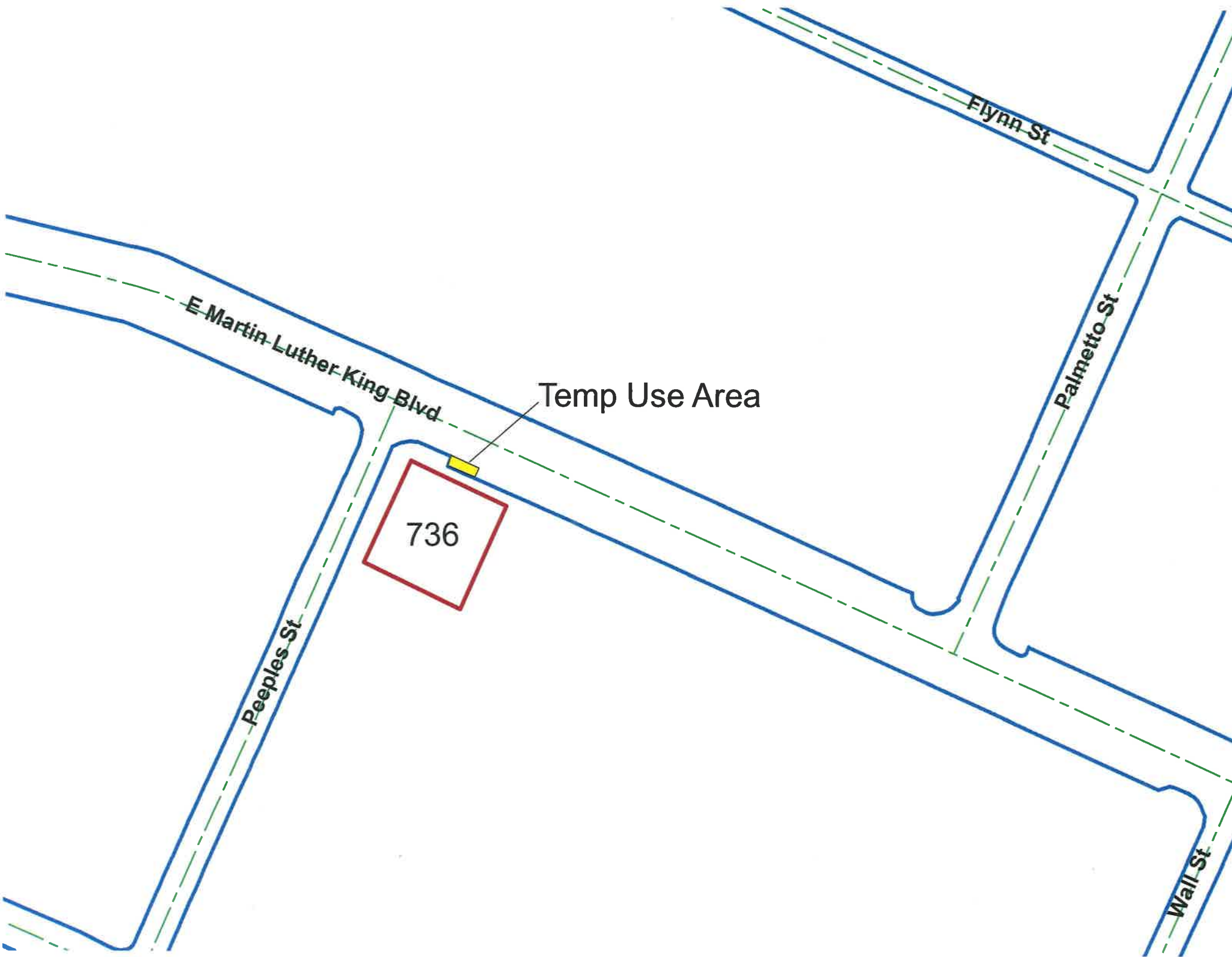
6. The parklet is to be open to the public.

7. Use of the parklet by Uncle Larry's Hot Fish to serve alcoholic beverages shall be regulated by Chattanooga Beer Board and TABC.

8. The parklet shall be contained within the first eastbound parking space east of Peeples Street, or from the tree well in front of 736 E. Martin Luther King Boulevard to twenty (20') feet east of the tree well.

ADOPTED: September 13, 2016

/mem



E Martin Luther King Blvd

Flynn St

Palmetto St

Peeples St

Wall St

Temp Use Area

736