

RESOLUTION NO. 29030

A RESOLUTION AUTHORIZING BRIAN WELCH, ON BEHALF OF PROPERTY OWNER, TYLER SMITH, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 115 MARYLAND STREET FOR THE PURPOSE OF ACCESSING THE PROPERTIES FOR CLEAN-UP, 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 BRIAN WELCH, ON BEHALF OF PROPERTY OWNER, TYLER SMITH, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 115 Maryland Street for the purpose of accessing the properties for clean-up, 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 complete work and vacate right-of-way within six (6) months of approval of Temporary Use Permit.

4. Any clearing of construction debris shall be removed from right-of-way.

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

6. 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.

ADOPTED: May 9, 2017

/mem

