

READING 9-18-12  
9-25-12

ORDINANCE NO. 12649

AN ORDINANCE GRANTING UNTO TENNESSEE TEMPLE UNIVERSITY C/O STEVEN ECHOLS A FRANCHISE FOR THE CONSTRUCTION OF ENTRY FEATURES ALONG THE 600-900 BLOCKS OF SOUTH ORCHARD KNOB AVENUE, (CASE NO. 2012-114), AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby granted unto Tennessee Temple University c/o Steven Echols (hereinafter "Grantee") a franchise for the construction of entry features along the 600-900 blocks of South Orchard Knob Avenue (Case No. 2012-114), in the City of Chattanooga, as shown on the maps attached hereto and made a part hereof by reference.

SECTION 2. BE IT FURTHER ORDAINED, That this franchise is granted upon the conditions as set forth below:

1. All underground City utilities must maintain their respective easements;
2. Tennessee-American Water Company, Chattanooga Gas Company, AT&T, and Comcast to retain their respective easements;
3. Grantee will comply with all applicable City ordinances and state laws;
4. Grantee will comply with any special requirements by City Engineer or City Traffic Engineer with respect to the specific location of the entry features;
5. Engineering design for the entry features prepared by a competent engineering group and installation will be performed by a competent contractor;
6. Construction and placement of the entry features will have no adverse effect on any adjacent properties;

7. Grantee will assume full and complete responsibility for maintenance of the entry features and permanently maintain said entry features in a safe condition;

8. City of Chattanooga will suffer no costs of any kind as a result of granting this franchise;

9. Grantee will defend, indemnify and hold harmless the City of Chattanooga, Tennessee, its officers, employees, successors, and assigns from any and all actions or claims for damages arising out of or related to the installation or maintenance of the entry features; and

10. Grantee provides for approval of evidence of insurance to further indemnify the City against losses whatever kind and nature during construction and as a result of the entry features being constructed and placed in the right-of-way.

11. Grantee shall pay a one-time administrative fee of \$1,000.00.

SECTION 3. BE IT FURTHER ORDAINED, That the term of this franchise shall be for a period of forty (40) years.

SECTION 4. BE IT FURTHER ORDAINED, That this ordinance shall not be operative, as distinguished from its effectiveness, unless and until the franchise herein granted is accepted by the Grantee by due execution of the acceptance attached hereto.

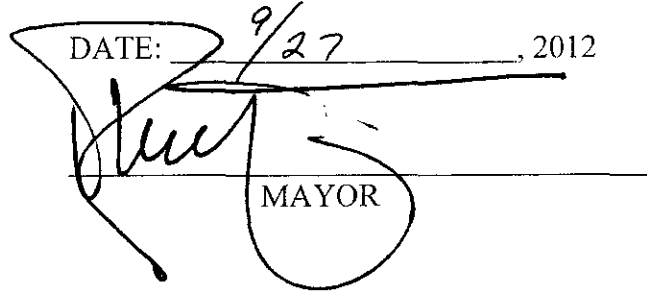
SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

September 25, 2012.

  
CHAIRPERSON

APPROVED:  DISAPPROVED:

DATE: 9/27, 2012  
  
MAYOR

MAM/mms

ACCEPTANCE

The foregoing franchise and its terms and conditions are hereby accepted.

This the \_\_\_\_ day of \_\_\_\_\_, 2012.

TENNESSEE TEMPLE UNIVERSITY

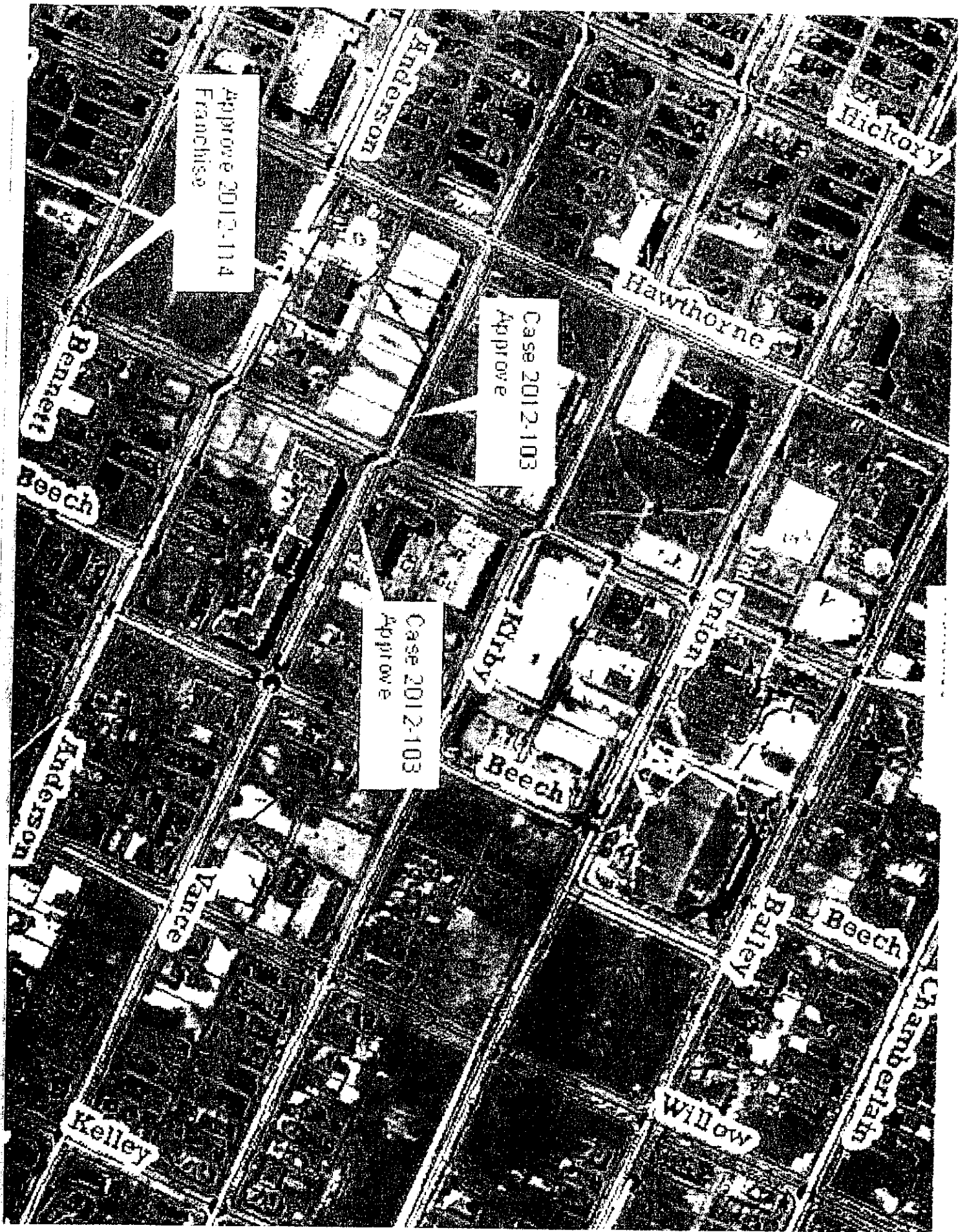
BY: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

WITNESS:

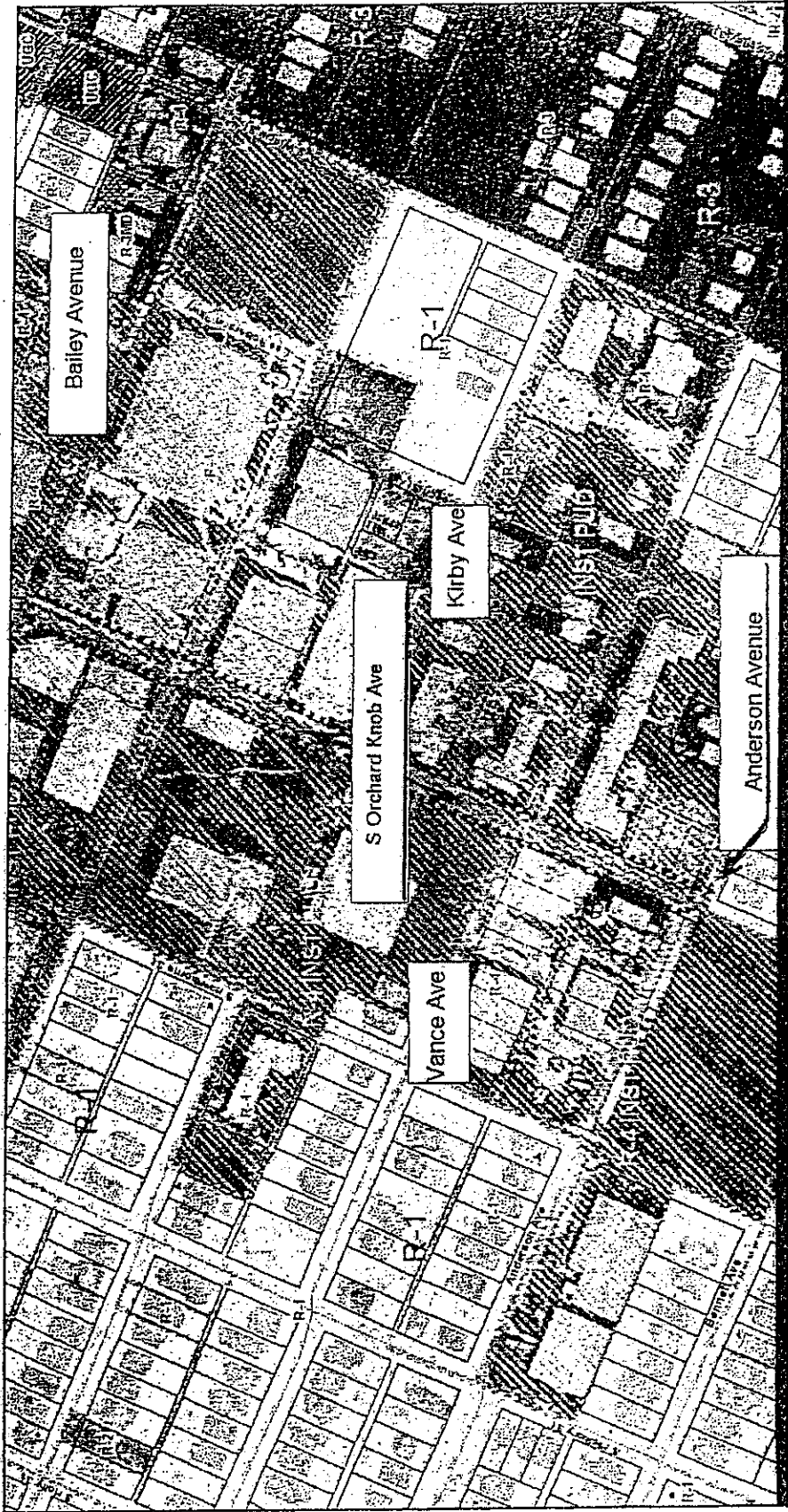
\_\_\_\_\_



Approve 2012-114  
Franchise

Case 2012-103  
Approve

Case 2012-103  
Approve

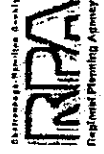


PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2012-114: Approve

MR-2012-0114 Franchise for entry features for S Orchard Knob Ave



260 ft



Chattanooga Hamilton County Regional Planning Agency