

RESOLUTION NO. 24214

A RESOLUTION AUTHORIZING GREG DAVICK TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY LOCATED AT 301 NORTH HOWELL AVENUE TO INSTALL A FENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, Greg Davick (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the City's right-of-way located at 301 North Howell Avenue to install a fence.

BE IT FURTHER ORDAINED, 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: September 28, 2004

/add

24214

9-28-04

## INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and GREG DAVICK (hereinafter "Temporary User"), this the 28<sup>th</sup> day of SEPTEMBER, 2004.

For and in consideration of the granting of the temporary usage of the City's right-of-way located at 301 North Howell Avenue to install a fence, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

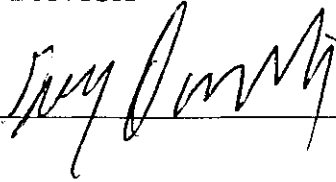
1. Temporary User will defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary User will 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 will restore the property to its original condition when it is returned to the City.

3. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

GREG DAVICK

10/5/04, 2004  
Date


BY: 

CITY OF CHATTANOOGA, TENNESSEE

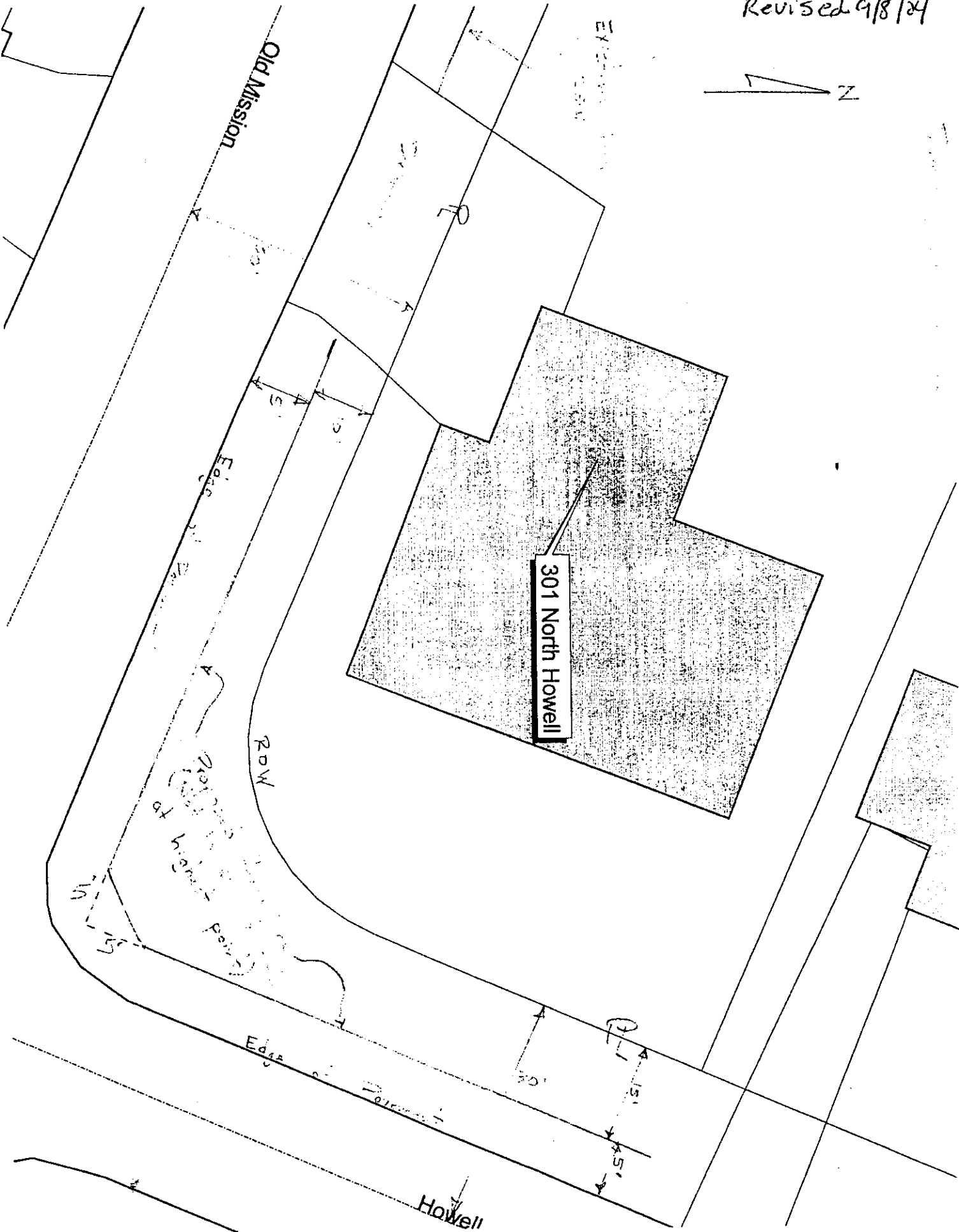
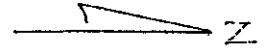
10/4, 2004  
Date

BY:   
Bob Corker, Mayor

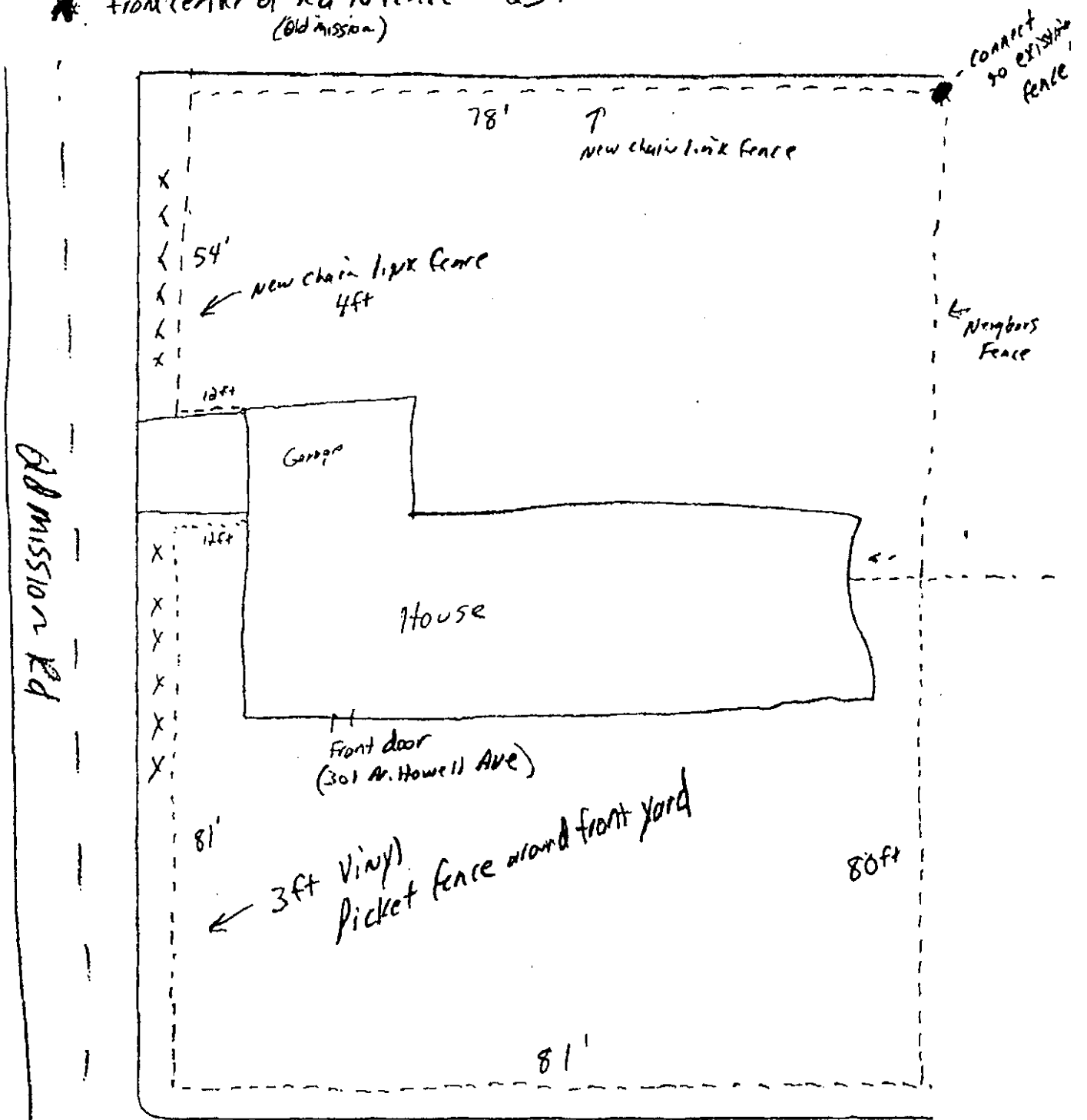
/add

Reviewed By:   
David Eichenhal

Revised 9/8/24



\* from center of Rd to fence - 23ft  
(Old Mission)



\* from center of Rd to fence - 19ft

N. Howell Ave