

RESOLUTION NO. 24509

A RESOLUTION AUTHORIZING AARON SMITH TRUCKING TO USE TEMPORARILY THE CITY'S RIGHT-OF-WAY AT 1201 CRUTCHFIELD STREET TO INSTALL STREET YARD TREES, AS SHOWN ON THE DRAWING ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Aaron Smith Trucking (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the City's right-of-way at 1201 Crutchfield Street to install street yard trees, as shown on the drawing attached hereto and made a part hereof by reference.

BE IT FURTHER ORDAINED, That said temporary usage shall be subject to the following additional 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: July 12, 2005

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and AARON SMITH TRUCKING (hereinafter "Temporary User"), this 12th day of July, 2005.

For and in consideration of the granting of the temporary usage of the City's right-of-way at 1201 Crutchfield Street to install street yard trees, as shown on the 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 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.

AARON SMITH TRUCKING

July, 26, 2005  
Date

BY: 

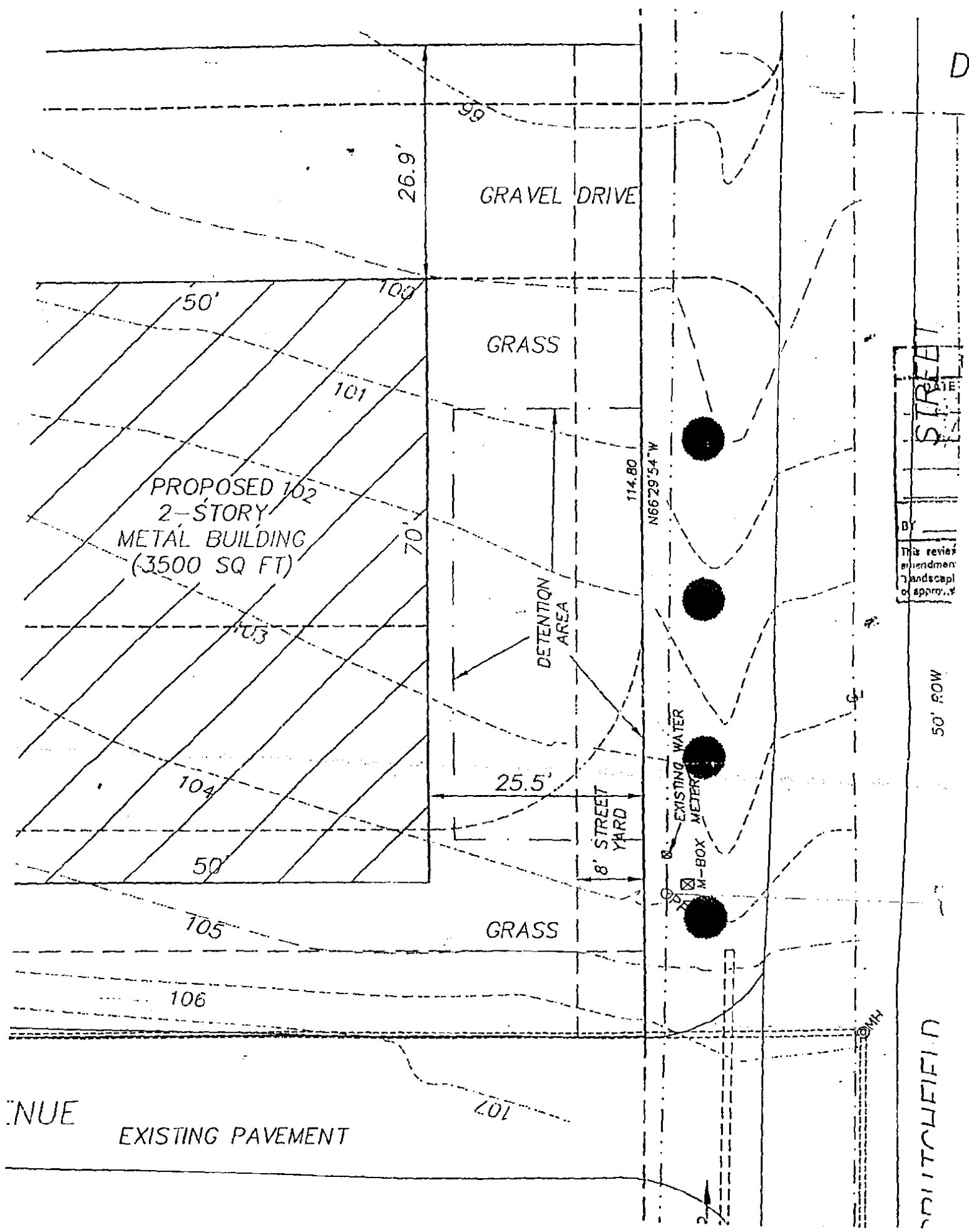
CITY OF CHATTANOOGA, TENNESSEE

July 14, 2005  
Date

BY: 

Ron Littlefield, Mayor

/add



By \_\_\_\_\_  
 This review  
 amendment  
 landscap  
 or approv.

D.

50' ROW

SPITCLOFIELD

INUE

EXISTING PAVEMENT