

RESOLUTION NO. 25543

A RESOLUTION AUTHORIZING PEGGY H. BOWMAN TO USE TEMPORARILY THE RIGHT-OF-WAY FOR AN EXISTING PORTICO LOCATED BETWEEN EAST 33RD STREET AND THE 2800 BLOCK OF EAST 34TH STREET FOR A STRUCTURE THAT WAS BUILT ACROSS THE ALLEY IN 1977, AS SHOWN ON THE DRAWING 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 Peggy H. Bowman (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way for an existing portico located between East 33rd Street and the 2800 block of East 34th Street for a structure that was built across the alley in 1977, 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 conditions:

1. Temporary User shall not block ingress/egress and through access for said right-of-way.
2. 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.
3. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: May 27, 2008

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, -TENNESSEE (hereinafter the "City"), and PEGGY H. BOWMAN (hereinafter "Temporary User"), this the 27 day of May, 2008.

For and in consideration of the granting of the temporary usage of the right-of-way for an existing portico located between East 33rd Street and the 2800 block of East 34th Street for a structure that was built across the alley in 1977, 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 shall not block ingress/egress and through access for said right-of-way.
2. 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.
3. 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.
4. Temporary User will provide adequate access for maintenance of any utilities located within the easement.


PEGGY H. BOWMAN

_____, 2008
Date

BY: _____

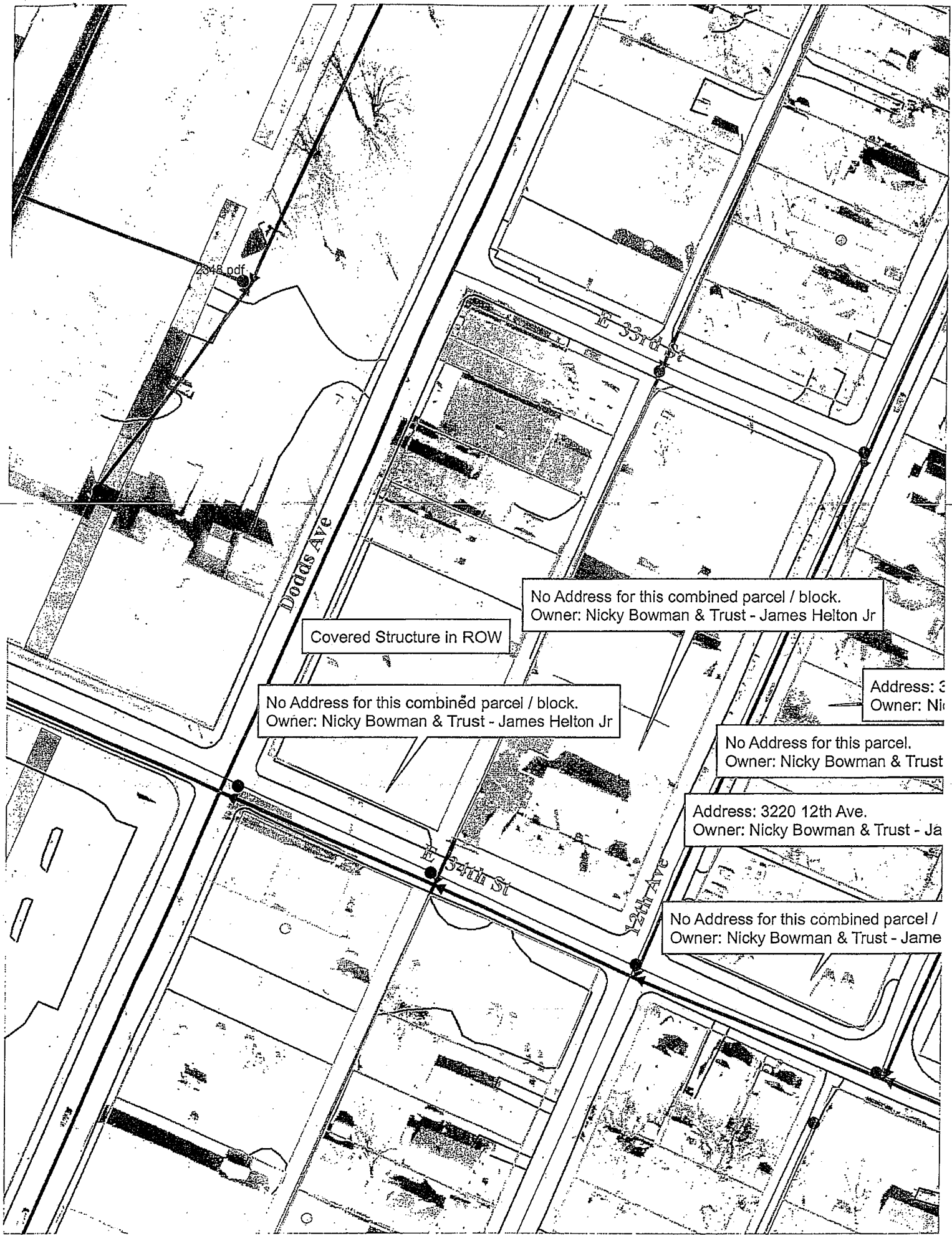
CITY OF CHATTANOOGA, TENNESSEE

06/02/08, 2008
Date

BY: 

Ron Littlefield, Mayor

/add



348.pdf

DODDS AVE

33rd St

No Address for this combined parcel / block.
Owner: Nicky Bowman & Trust - James Helton Jr

Covered Structure in ROW

No Address for this combined parcel / block.
Owner: Nicky Bowman & Trust - James Helton Jr

Address: 3
Owner: Ni

No Address for this parcel.
Owner: Nicky Bowman & Trust

Address: 3220 12th Ave.
Owner: Nicky Bowman & Trust - Ja

34th St

No Address for this combined parcel /
Owner: Nicky Bowman & Trust - Jame

12th AVE