

RESOLUTION NO. 25544

A RESOLUTION AUTHORIZING JAMES BALL TO USE TEMPORARILY THE 2500 BLOCK OF DOOLITTLE STREET TO INSTALL A DRIVEWAY, AS SHOWN ON THE DRAWINGS 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 James Ball (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the 2500 block of Doolittle Street to install a driveway, as shown on the drawings attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following additional conditions:

1. Temporary User shall provide access to any developed or undeveloped tracts bordering Doolittle Street where property owners do not have alternatives with respect to access.
2. Temporary User is required to construct a hammerhead turn around as approved by the City Engineer.
3. 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.
4. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
5. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: May 27, 2008

INDEMNIFICATION AGREEMENT

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

For and in consideration of the granting of the temporary usage of the 2500 block of Doolittle Street to install a driveway, as shown on the drawings 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 provide access to any developed or undeveloped tracts bordering Doolittle Street where property owners do not have alternatives with respect to access.
2. Temporary User is required to construct a hammerhead turn around as approved by the City Engineer.
3. 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.
4. 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.
5. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

JAMES BALL

6-6-08, 2008
Date

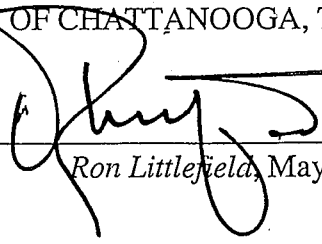
BY: James A. Ball

[Signatures continued on next page.]

CITY OF CHATTANOOGA, TENNESSEE

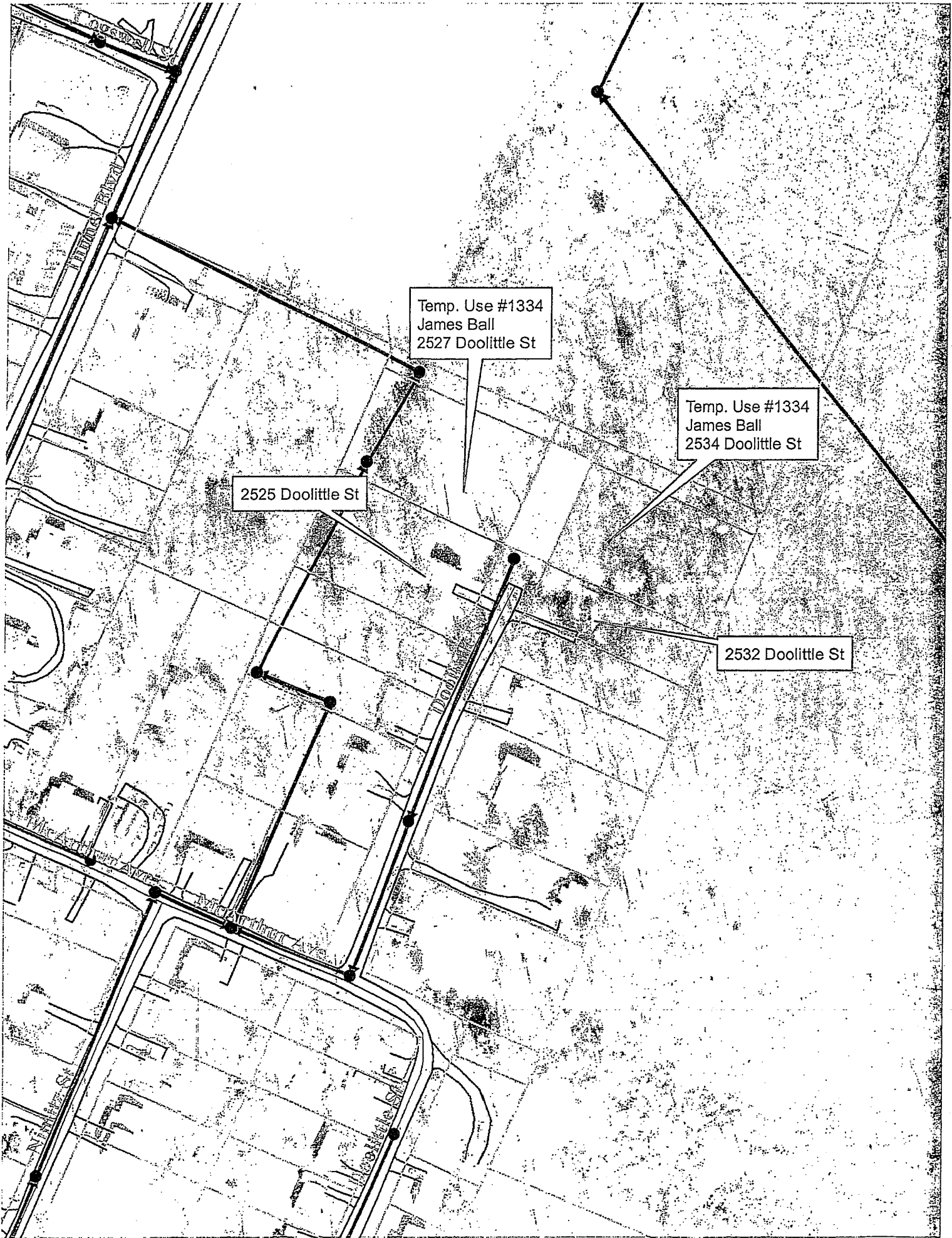
06/02/08, 2008
Date

BY:



Ron Littlefield, Mayor

/add



Temp. Use #1334
James Ball
2527 Doolittle St

Temp. Use #1334
James Ball
2534 Doolittle St

2525 Doolittle St

2532 Doolittle St

