

RESOLUTION NO. 25832

A RESOLUTION AUTHORIZING GREGORY A. ROSS TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY AT 63 EAST MAIN STREET TO INSTALL A CANOPY, PLANTER, AND SIGN, AS SHOWN ON THE MAP AND 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 Gregory A. Ross (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a portion of the right-of-way at 63 East Main Street to install a canopy, a planter with wood timber, and a sign, as shown on the map and drawings 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 must provide unrestricted pedestrian traffic with a minimum width of five feet (5') along said right-of-way/sidewalk.
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: February 17, 2009

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and GREGORY A. ROSS (hereinafter "Temporary User"), this 17th day of FEBRUARY, 2009.

For and in consideration of the granting of the temporary usage of a portion of the right-of-way at 63 East Main Street to install a canopy, a planter with wood timber, and a sign, as shown on the map and drawings attached hereto and made a part hereof by reference, Temporary User agrees as follows:

1. Temporary User must provide unrestricted pedestrian traffic with a minimum width of five feet (5') along said right-of-way/sidewalk.
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.

GREGORY A. ROSS

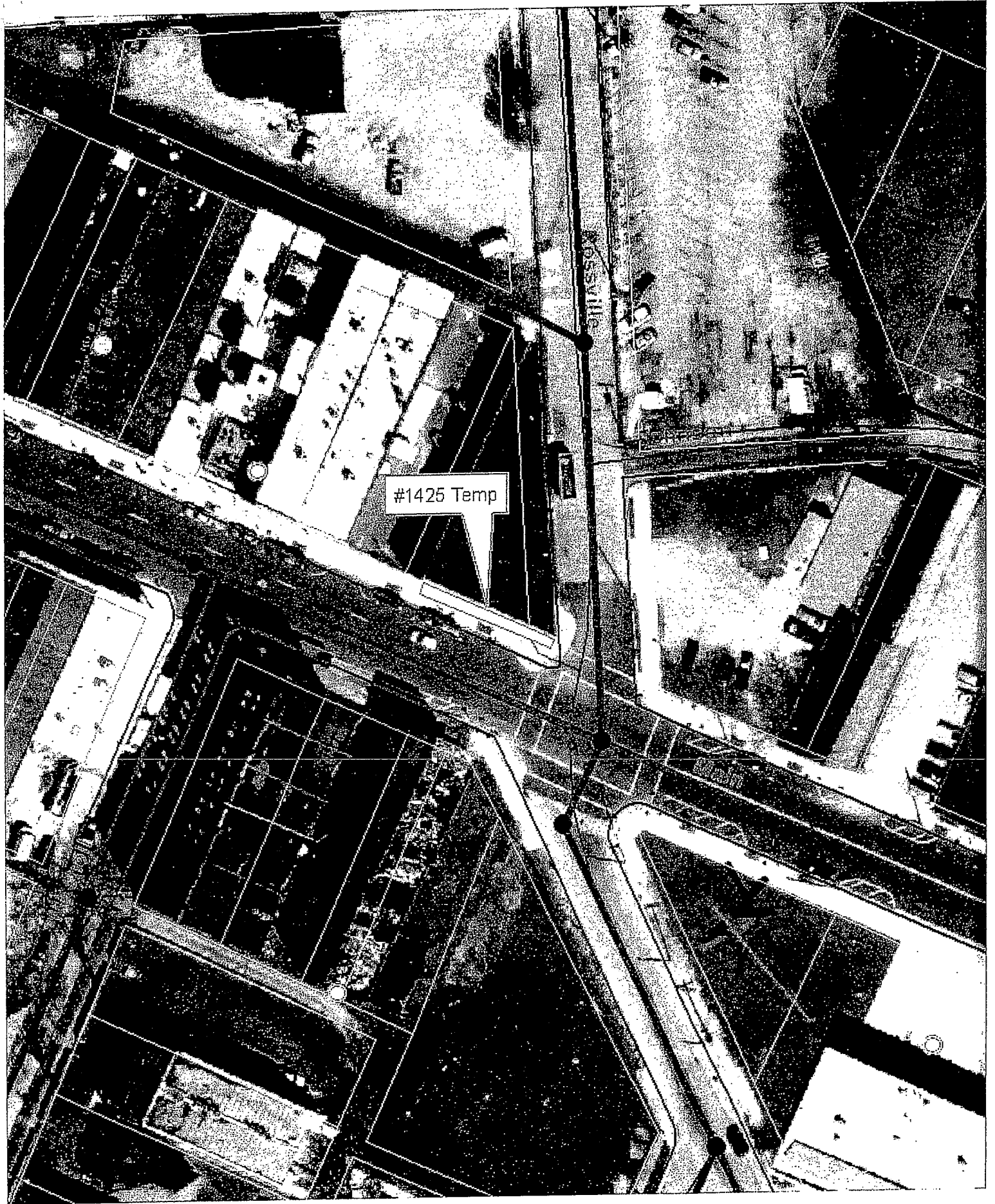
3.5.9, 2009
Date

BY: Gregory A. Ross

CITY OF CHATTANOOGA, TENNESSEE

_____, 2009
Date

BY: Ron Littlefield
Ron Littlefield, Mayor



#1425 Temp

