

A RESOLUTION AUTHORIZING FRANKLIN ARCHITECTS TO USE TEMPORARILY THE RIGHT-OF-WAY THAT ADJOINS TAX MAP NO. 127L-A-023.01 ALONG THE EASTERN MOST PROPERTY LINE FOR A REDESIGN OF SITE POINT INGRESS AND EGRESS AND TO COMPLY WITH THE FOUR-FOOT (4') SIDE YARD LANDSCAPE ORDINANCE REQUIREMENT, 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 Franklin Architects, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way that adjoins Tax Map No. 127L-A-023.01 along the eastern most property line for a redesign of site point ingress and egress and to comply with the 4' side yard landscape ordinance requirement, as shown on the drawing attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, 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, 2010.

/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and FRANKLIN ARCHITECTS (hereinafter "Temporary User"), this 28th day of September, 2010.

For and in consideration of the granting of the temporary usage of the right-of-way that adjoins Tax Map No. 127L-A-023.01 along the eastern most property line for a redesign of site point ingress and egress and to comply with the 4' side yard landscape ordinance requirement, 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:

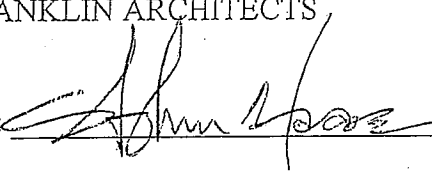
1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

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

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

FRANKLIN ARCHITECTS

BY: _____

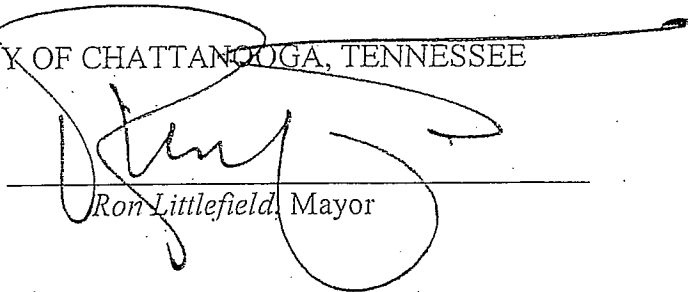


Oct. 19th, 2010

Date

CITY OF CHATTANOOGA, TENNESSEE

BY: _____

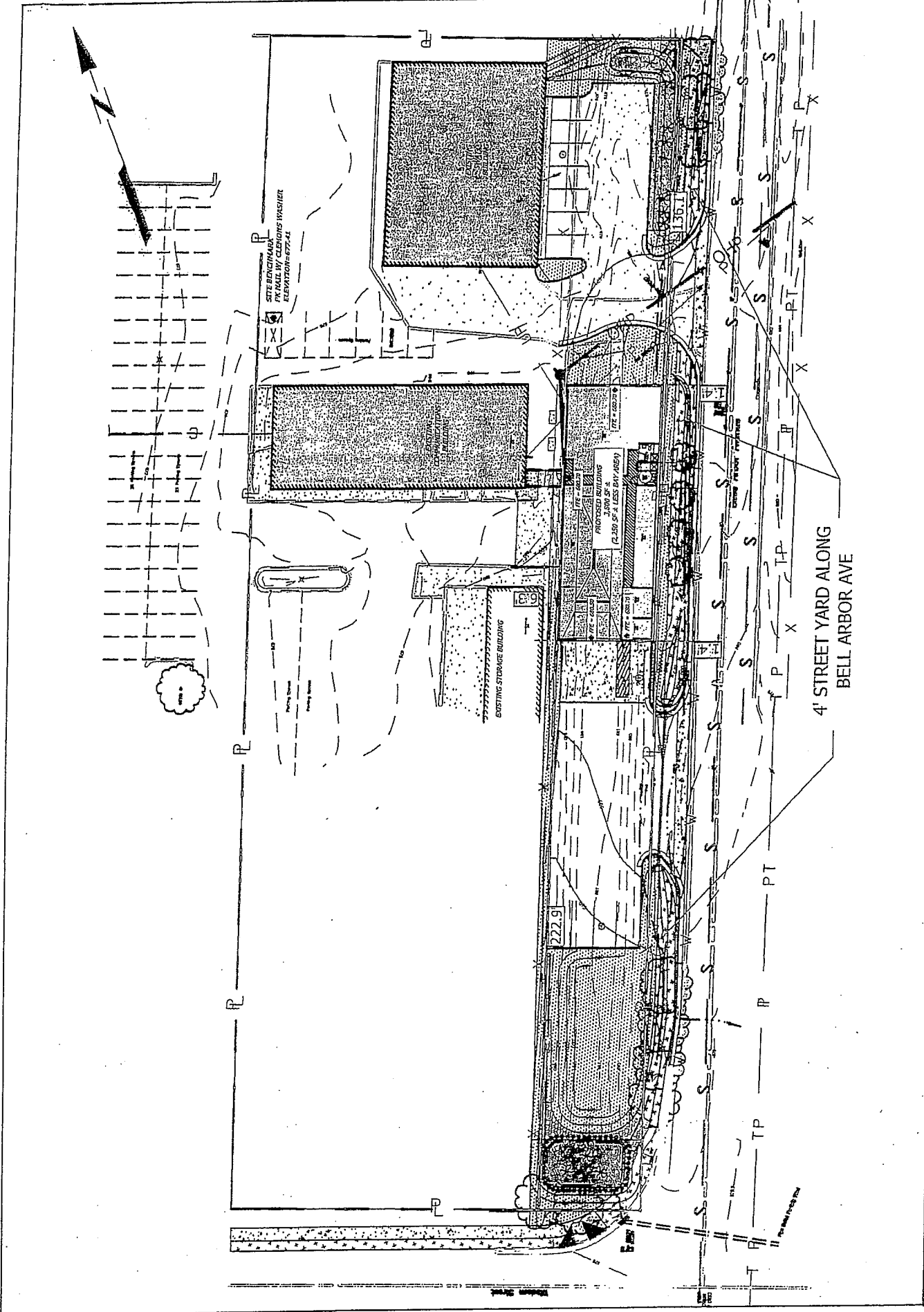


Ron Littlefield, Mayor

10/11, 2010

Date

Temp Use #52542
Tax Map #127L A 023.01
Stephen Haase, Franklin Architects



CHATTANOOGA MOBILE COMMUNICATIONS EXPANSION
 3420 AMNICOLA HWY

SHEET NUMBER	DWG. NO. 10018.dwg	DRAWN: MLD
	DATE: 08-11-2010	DESIGN:
	SCALE: 1"=50'	APPROVED:
PROJ. NO. 10-018		