

RESOLUTION NO. 26548

A RESOLUTION AUTHORIZING JENNIFER WARD ON BEHALF OF CUSTOM DESIGN AWNING TO USE TEMPORARILY 1265 MARKET STREET FOR THE INSTALLATION OF AN AWNING GRAPHICS ABOVE THE MAIN ENTRANCE OF SOUTHSIDE SALON, 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 Jennifer Ward on behalf of Custom Design Awning, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 1265 Market Street for the installation of an awning graphics above the main entrance of Southside Salon, 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.
4. Temporary User must meet all current City of Chattanooga Standards and Regulations regarding minimum height and site distance requirements.
5. The subject awning/canopy will project approximately four feet into the right of way (sidewalk).

6. The subject awning/canopy will be approximately 8 feet 4 inches in elevation from the existing sidewalk to the base of the awning/canopy.

ADOPTED: January 4, 2011

/mms

## INDEMNIFICATION AGREEMENT

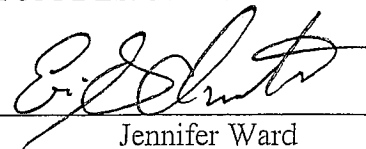
This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and Jennifer Ward on behalf of Custom Design Awning (hereinafter "Temporary User"), this 4th day of JANUARY, 2011.

For and in consideration of the granting of the temporary usage of 1265 Market Street for the installation of an awning graphics above the main entrance of Southside Salon, 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.
4. Temporary User must meet all current City of Chattanooga Standards and Regulations regarding minimum height and site distance requirements.
5. The subject awning/canopy will project approximately four feet into the right of way (sidewalk).
6. The subject awning/canopy will be approximately 8 feet 4 inches in elevation from the existing sidewalk to the base of the awning/canopy.

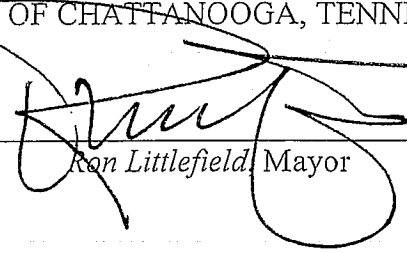
CUSTOM DESIGN AWNING

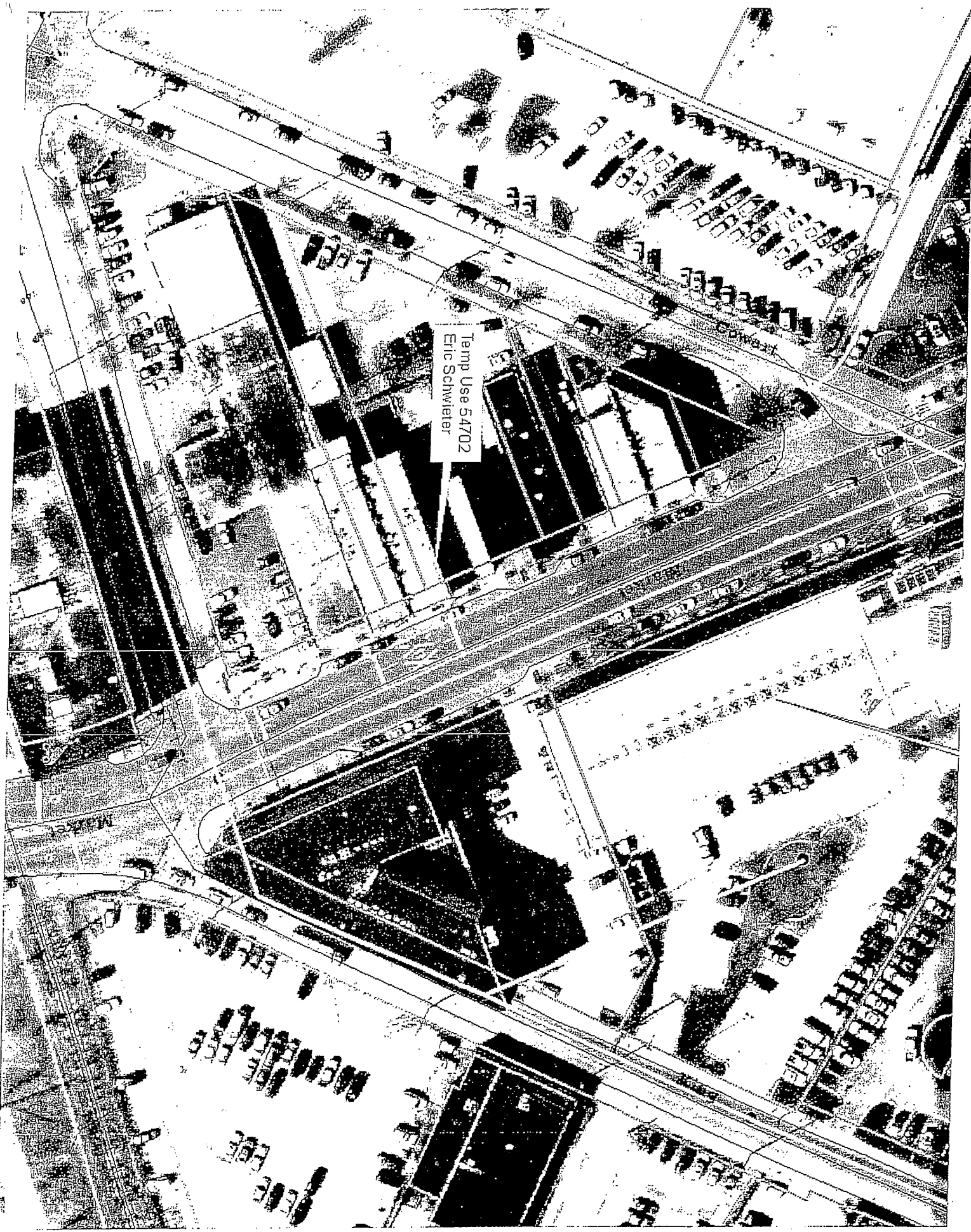
1/12, 2011  
Date

BY:   
Jennifer Ward

CITY OF CHATTANOOGA, TENNESSEE

1/5, 2011  
Date

BY:   
Ron Littlefield, Mayor



Temp Use 54702  
Eric Schwieter