

RESOLUTION NO. 26552

A RESOLUTION AUTHORIZING FRANKLIN ASSOCIATES ARCHITECTS, INC. ON BEHALF OF ELECTRIC POWER BOARD (EPB) TO USE TEMPORARILY BAILEY AVENUE BETWEEN CENTRAL AVENUE AND THE NORFOLK SOUTHERN RAILROAD FOR STORM WATER MANAGEMENT, PAVING AND OTHER IMPROVEMENTS THAT WILL INCLUDE ALSO OUTDOOR STORAGE OF NON-COMBUSTIBLE MATERIALS, 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 Associates Architects, Inc. on behalf of Electric Power Board (EPB) (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily Bailey Avenue between Central Avenue and the Norfolk Southern Railroad for storm water management paving and other improvements that will include also outdoor storage of non-combustible materials, 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 shall be subject to any reconditioning along the subject right-of-way and building must comply with City of Chattanooga Codes and Regulations, in particular obstructions to visibility at intersections.

5. Any site improvements must be constructed as per the City of Chattanooga Codes and Regulations.

ADOPTED: January 4, 2011

/mms

INDEMNIFICATION AGREEMENT

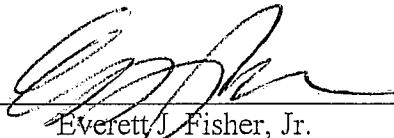
This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and FRANKLIN ASSOCIATES ARCHITECTS, INC. on behalf of the ELECTRIC POWER BOARD (EPB) (hereinafter "Temporary User"), this 4th day of JANUARY, 2011.

For and in consideration of the granting of the temporary usage of Bailey Avenue between Central Avenue and the Norfolk Southern Railroad for storm water management paving and other improvements that will include also outdoor storage of non-combustible materials, 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 shall be subject to any reconditioning along the subject right-of-way and building must comply with City of Chattanooga Codes and Regulations, in particular obstructions to visibility at intersections.
5. Any site improvements must be constructed as per the City of Chattanooga Codes and Regulations.

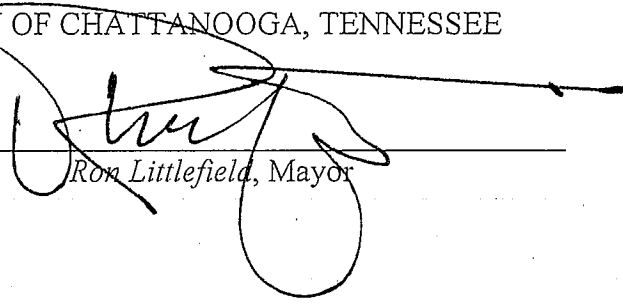
FRANKLIN ASSOCIATES ARCHITECTS, INC.

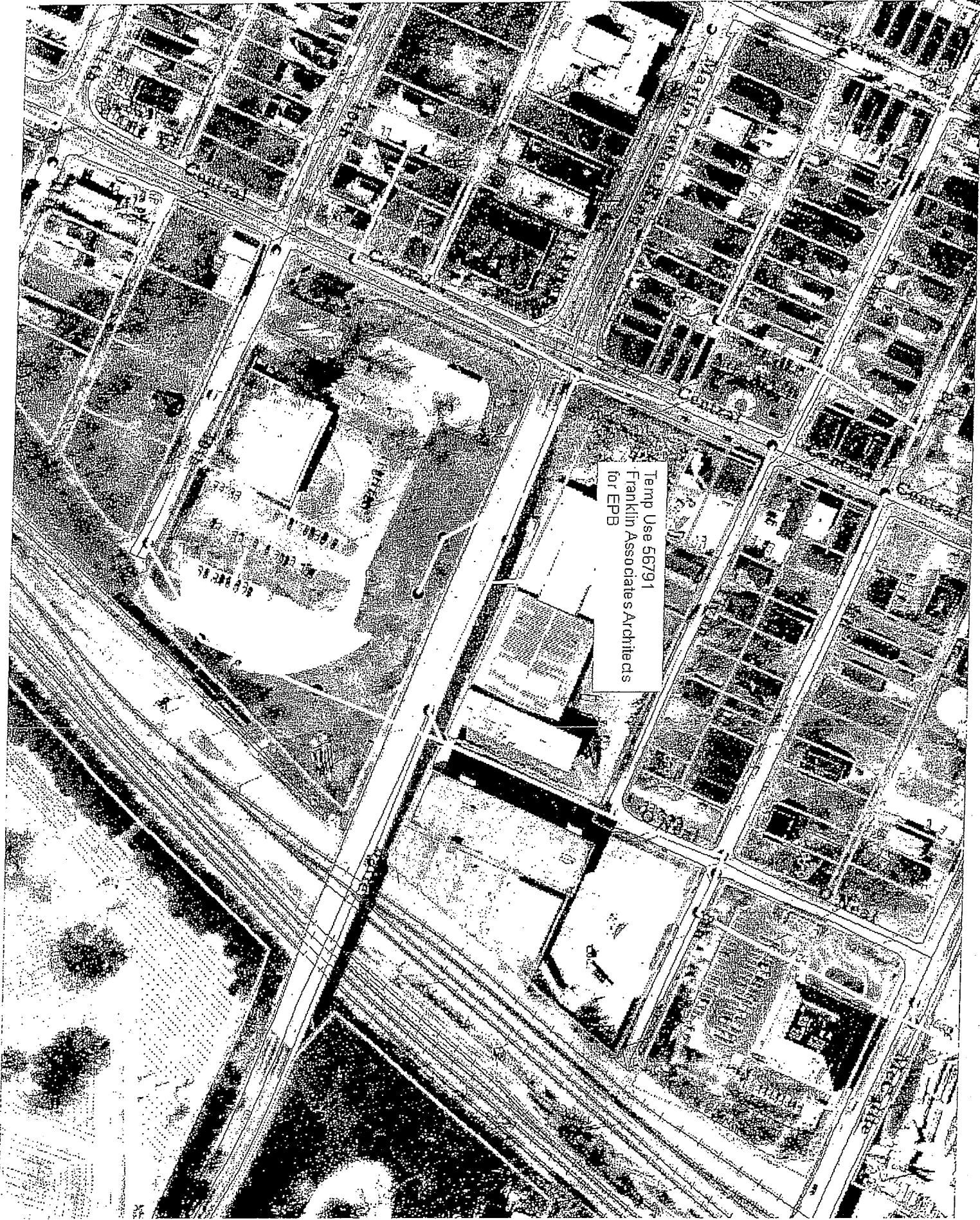
Date 1/5, 2011

BY: 
Everett J. Fisher, Jr.

CITY OF CHATTANOOGA, TENNESSEE

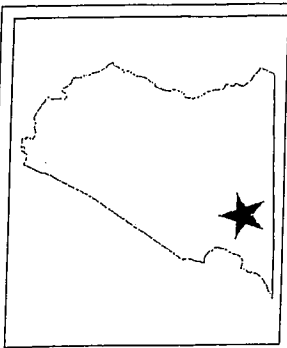
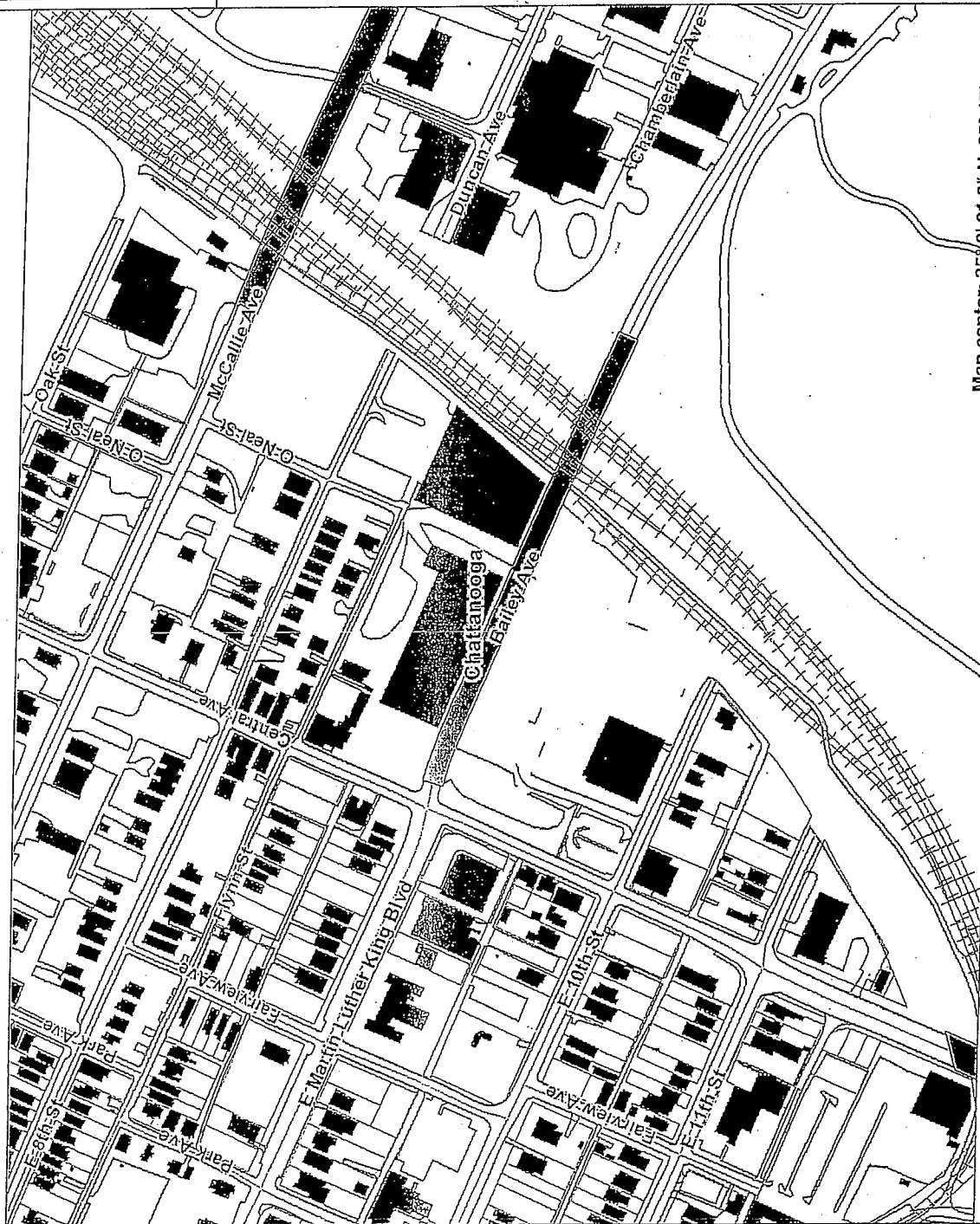
Date 1/5, 2011

BY: 
Ron Littlefield, Mayor



Temp Use 56791
Franklin Associates Architects
for EPP

EPB Cavalier



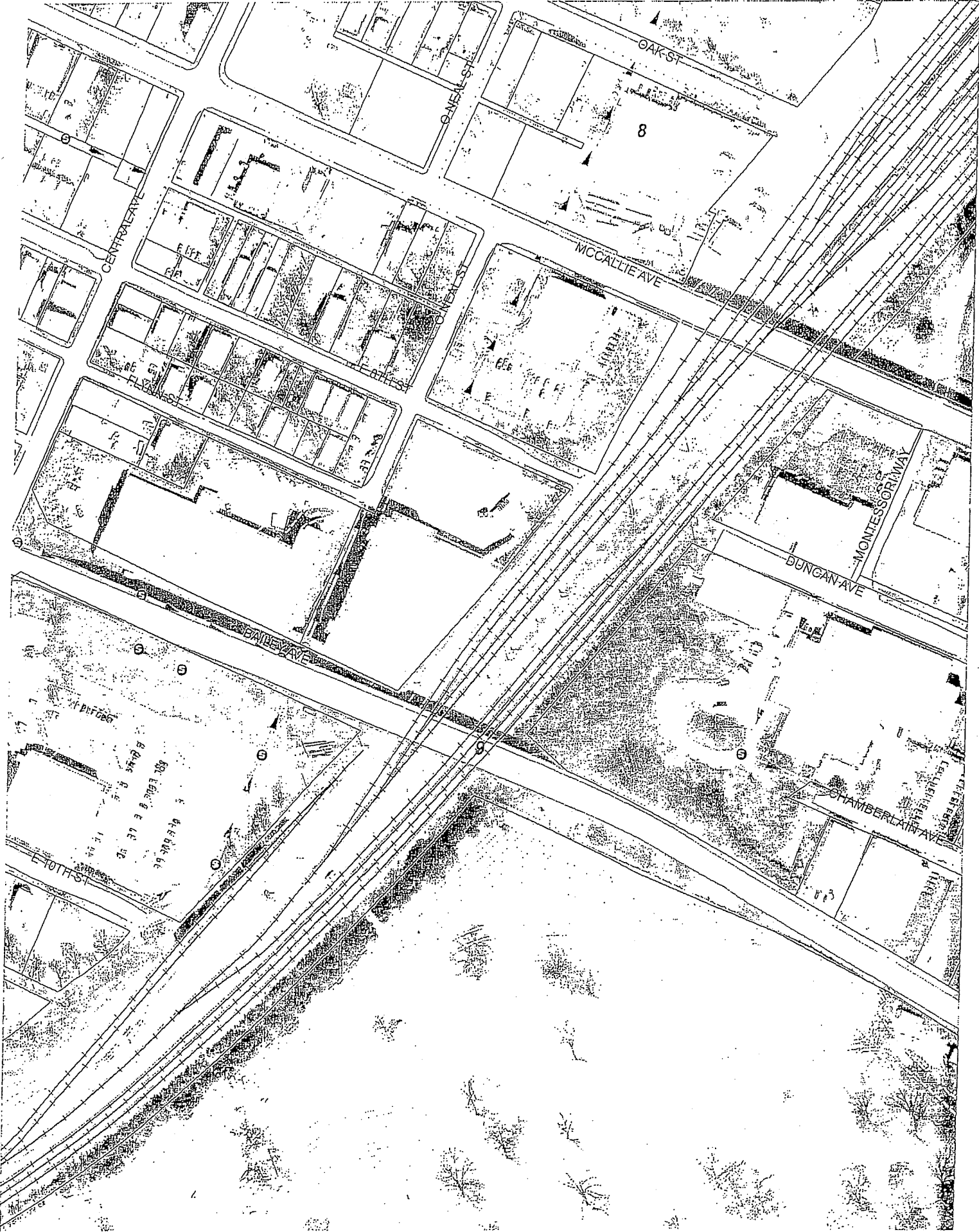
Legend

- ▣ Buildings
- ▣ Interstates
- ▣ Driveways and Parking Lots
- ▣ Railways
- ▣ Bridges
- ▣ Roads
- ▣ Edge of Road Surface
- ▣ Parcels
- ▣ Water Bodies
- ▣ Cities
- ▣ Chattanooga
- ▣ Collegedale
- ▣ East Ridge
- ▣ Lakesite
- ▣ Lookout Mountain
- ▣ Red Bank
- ▣ Ridgside
- ▣ Signal Mountain
- ▣ Soddy Daisy
- ▣ Walden
- ▣ cover

Scale: 1:4,109

Map center: 35° 2' 21.8" N, 85° 17' 26.4" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED AS A LEGAL DOCUMENT.



OAK ST

CENTRAL AVE

GENEAL ST

8

MCCALLIE AVE

BATTLE ST

MONTESSORI WAY

DUNCAN AVE

BATTLE AVE

CHAMBERLAIN AVE

E 10TH ST