

RESOLUTION NO. 26601

A RESOLUTION AUTHORIZING HICKORY CREEK TOWNHOMES ASSOCIATION TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED IN THE 6700 BLOCK OF HICKORY VALLEY ROAD FOR PLACEMENT OF A SIGN AND MESSAGE CENTER, AS WELL AS FOR LANDSCAPING, AS SHOWN ON THE ATTACHED DRAWINGS MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That HICKORY CREEK TOWNHOMES ASSOCIATION, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located in the 6700 block of Hickory Valley Road for placement of a sign and message center, as well as for landscaping, as shown in the drawings attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to approval of Traffic Engineering and 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: March 1, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and HICKORY CREEK TOWNHOMES ASSOCIATION (hereinafter "Temporary User"), this 1st day of MARCH, 2011.

For and in consideration of the granting of the temporary usage of the right-of-way located in the 6700 block of Hickory Valley Road for placement of a sign and message center, as well as for landscaping, as shown in the drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, subject to approval of Traffic Engineering, 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.

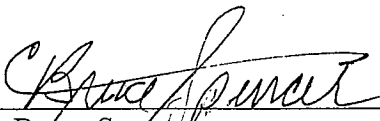
2. Temporary User shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.

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

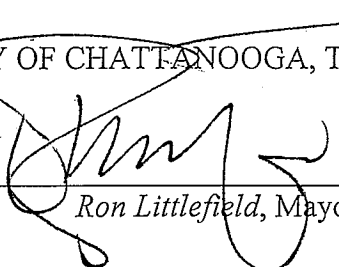
ASSOCIATION

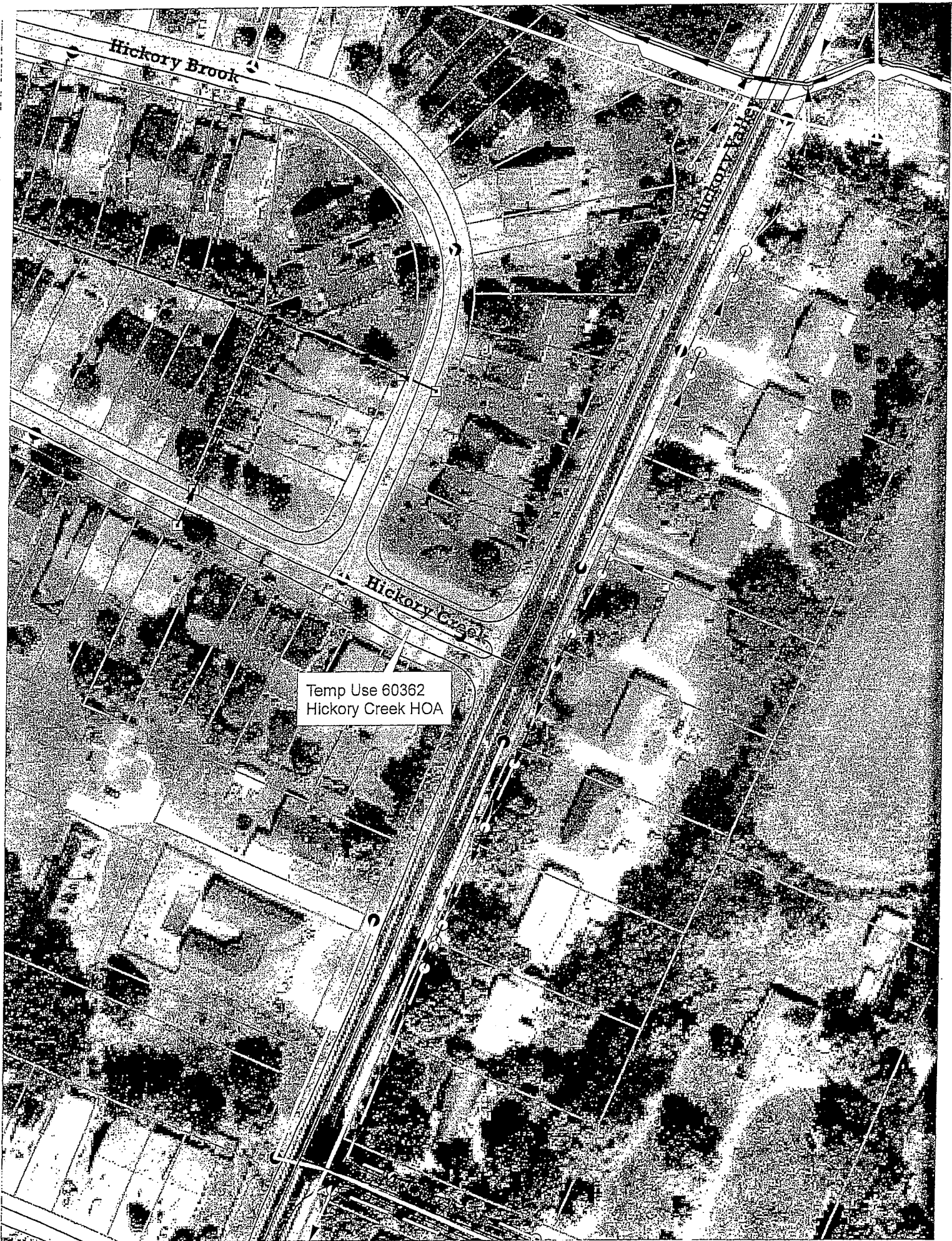
HICKORY CREEK TOWNHOMES

3/19/11, 2011
Date

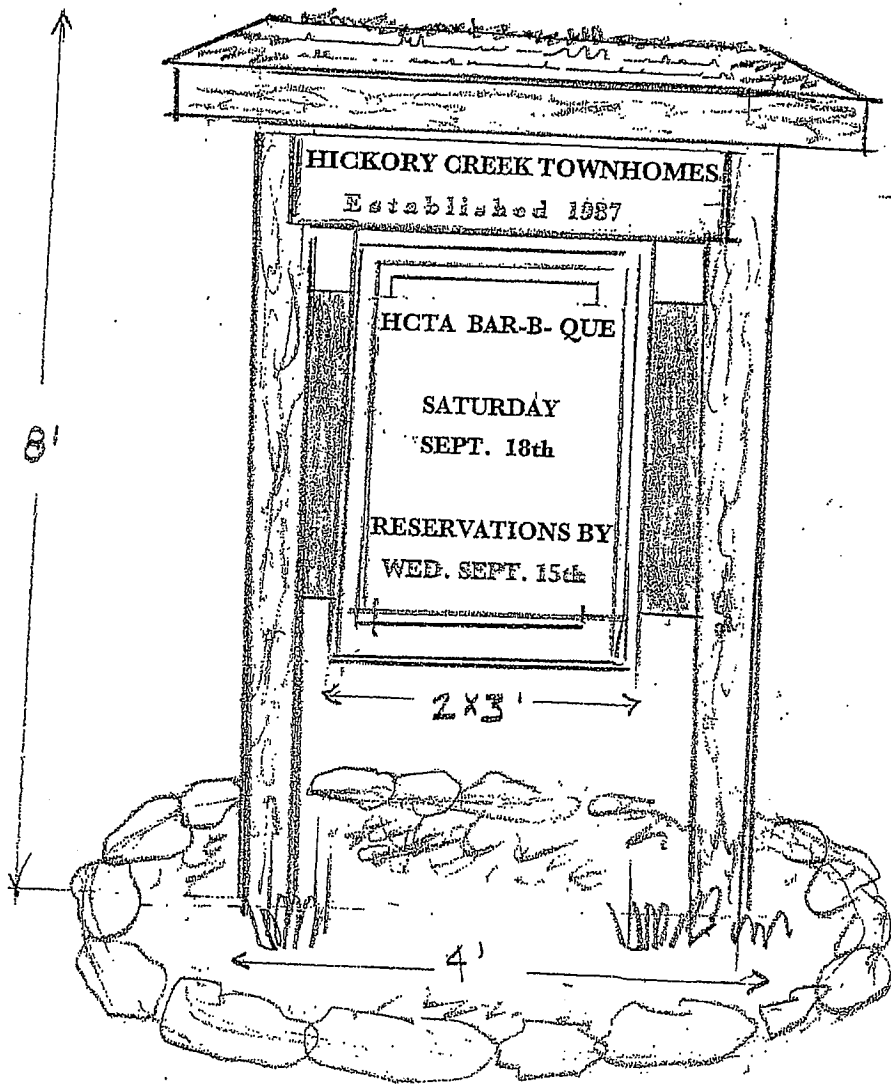
BY: 
Bruce Spencer

3/3, 2011
Date

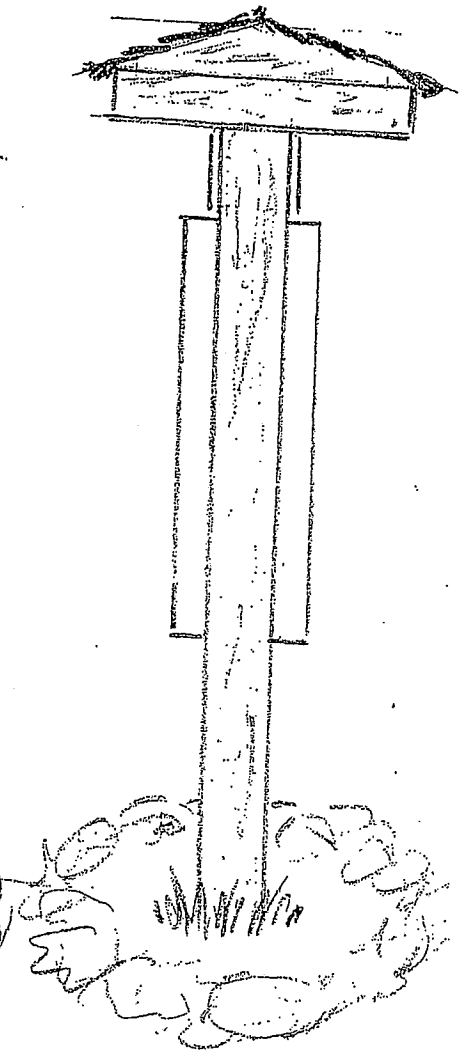
CITY OF CHATTANOOGA, TENNESSEE
BY: 
Ron Littlefield, Mayor



Temp Use 60362
Hickory Creek HOA



FRONT VIEW



SIDE VIEW

HICKORY VALLEY RD,

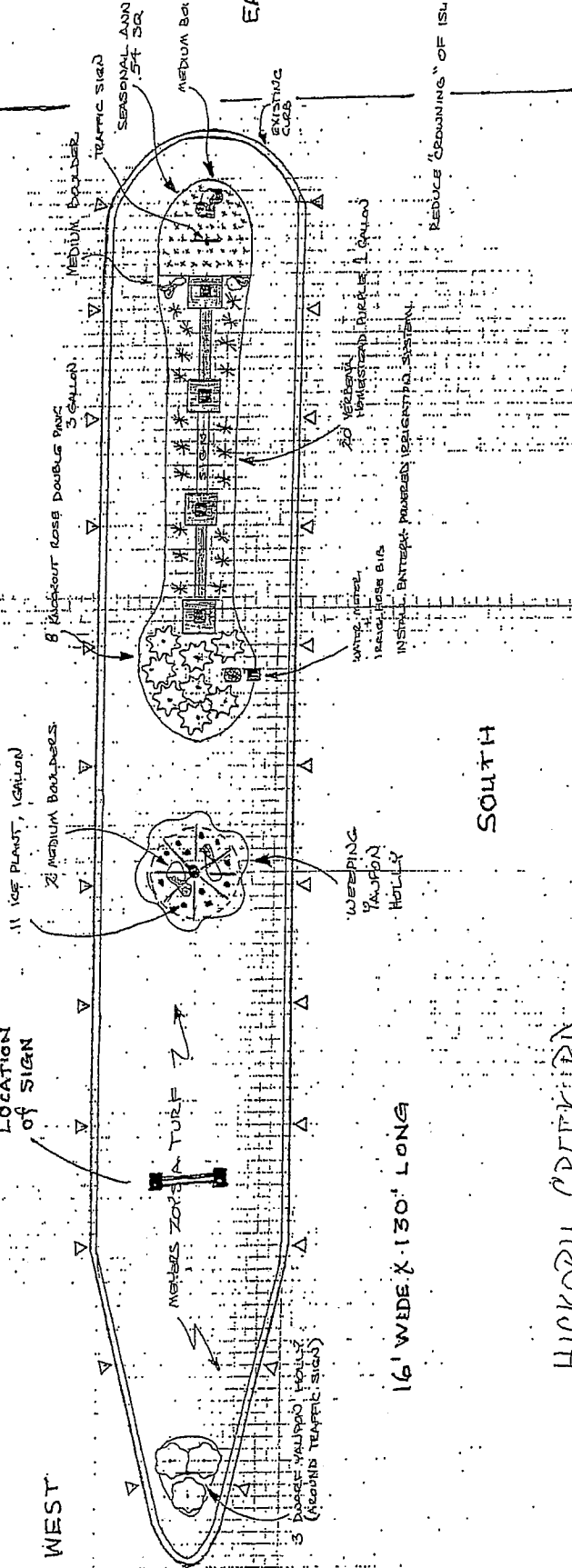
EAST

NORTH

SOUTH

LOCATION OF SIGN

WEST



16' WIDE X 130' LONG

HICKORY CREEK RD