

Alfonso Fuentes
Temp Usage No. 68498
District No. 8

RESOLUTION NO. 26798

A RESOLUTION AUTHORIZING ALFONSO FUENTES TO USE TEMPORARILY A PORTION OF THE RIGHT-OF-WAY LOCATED AT 314 WEST MAIN STREET ALONG THE FRONT OF THE BUSINESS FOR THE PLACEMENT OF A PATIO AREA, AS SHOWN ON THE MAPS 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 ALFONSO FUENTES, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a portion of the right-of-way located at 314 West Main Street along the front of the business for the placement of a patio area, as shown on the maps 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. Any items (tables, chairs, railing, posts) placed along the subject building and right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.

5. The seating area must be delineated with a railing system.
6. The seating area cannot impede motorist's views.

ADOPTED: August 2, 2011

/mms

INDEMNIFICATION AGREEMENT

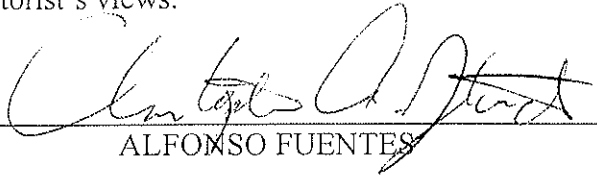
This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ALFONSO FUENTES (hereinafter "Temporary User"), this 2nd day of August, 2011.

For and in consideration of the granting of the temporary usage of a portion of the right-of-way located at 314 West Main Street along the front of the business for the placement of a patio area, as shown on the maps 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. Any items (tables, chairs, railing, posts) placed along the subject building and right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic within said right-of-way.
5. The seating area must be delineated with a railing system.

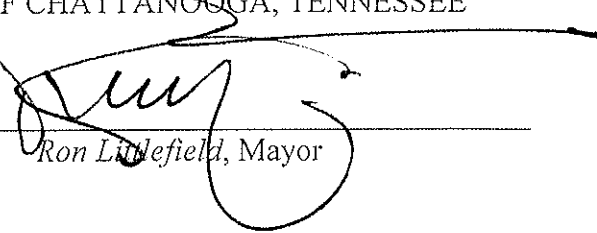
6. The seating area cannot impede motorist's views.

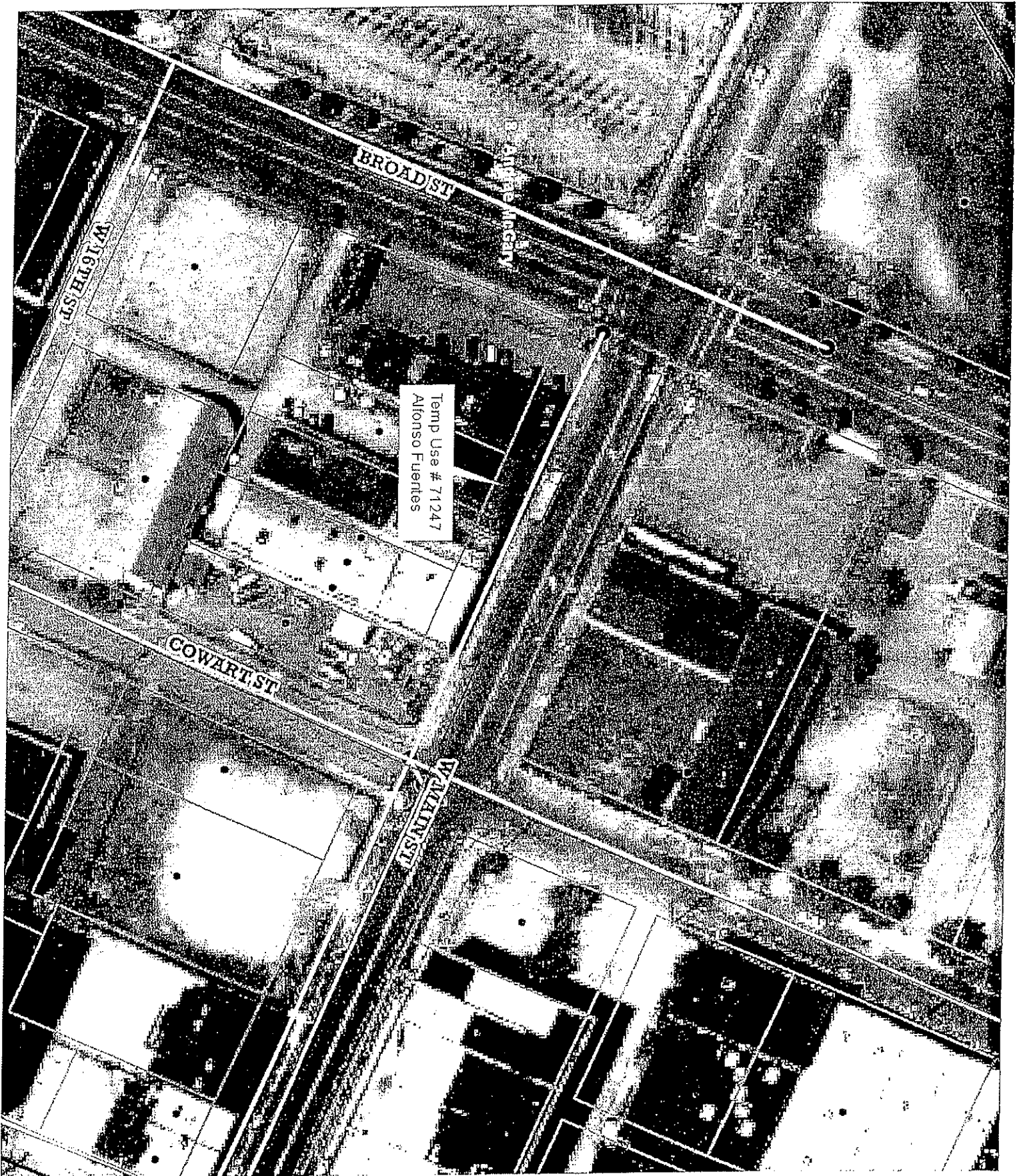
8/8/, 2011
Date

BY: 
ALFONSO FUENTES

CITY OF CHATTANOOGA, TENNESSEE

8/5, 2011
Date

BY: 
Ron Littlefield, Mayor



BROAD ST

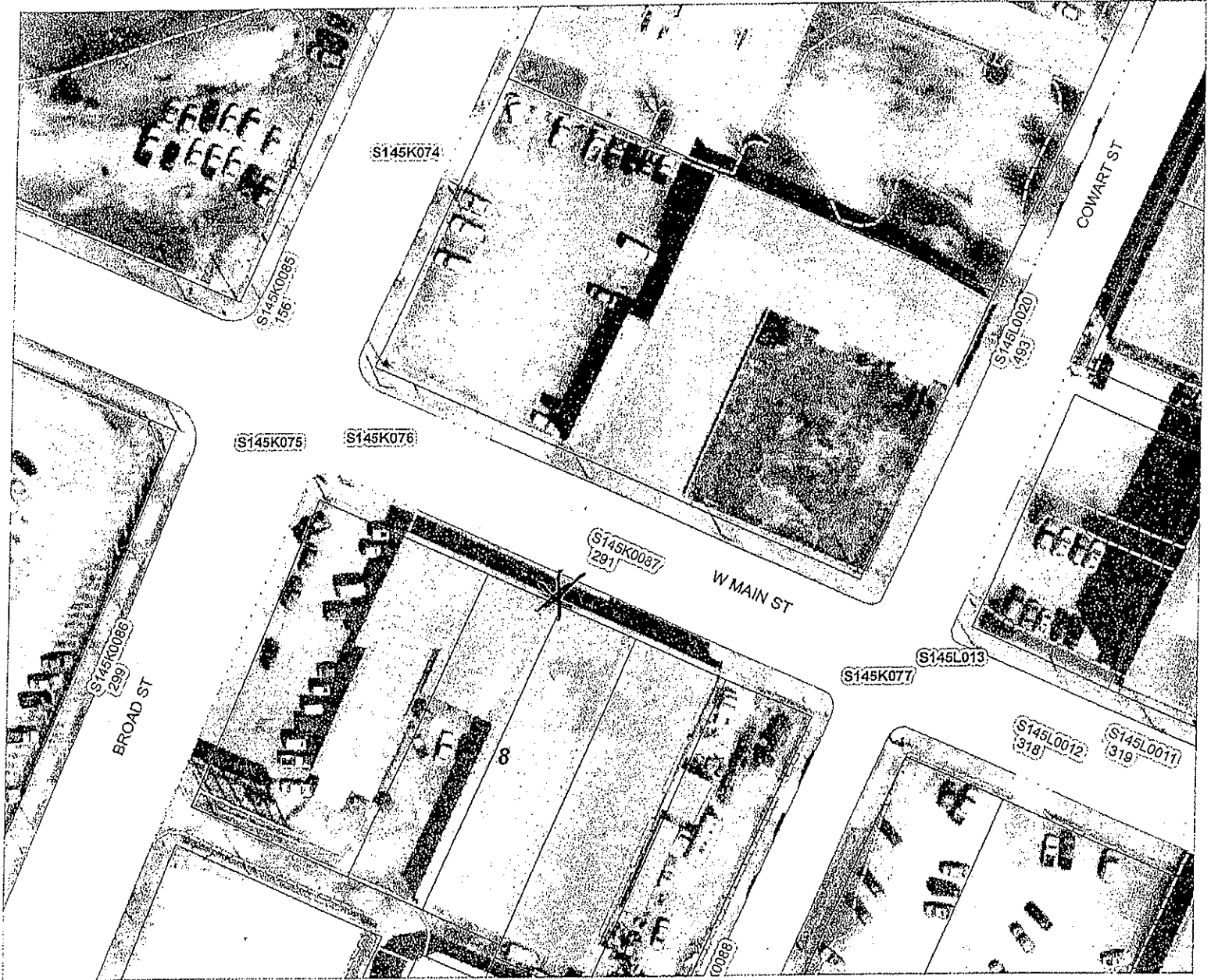
Alfonso Fuentes

W 16TH ST

Temp Use # 71247
Alfonso Fuentes

COWART ST

W 11TH ST



* La Altona
314 West Main Street

