

RESOLUTION NO. 26821

A RESOLUTION AUTHORIZING ARBOR CREEK APT. PROPERTY, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 7310 STANDIFER GAP ROAD TO INSTALL IDENTIFICATION SIGNS AND STONE WALLS, AS REFERENCED IN THE ATTACHED MAP AND DRAWING, MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That ARBOR CREEK APT. PROPERTY, LLC, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 7310 Standifer Gap Road to install identification signs and stone walls, as referenced in the attached map and drawing, 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: August 23, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ARBOR CREEK APT. PROPERTY, LLC (hereinafter "Temporary User"), this 23rd day of August, 2011.

For and in consideration of the granting of the temporary usage of the right-of-way located at 7310 Standifer Gap Road to install identification signs and stone walls, as referenced in the attached map and drawing, 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.

ARBOR CREEK APT. PROPERTY, LLC

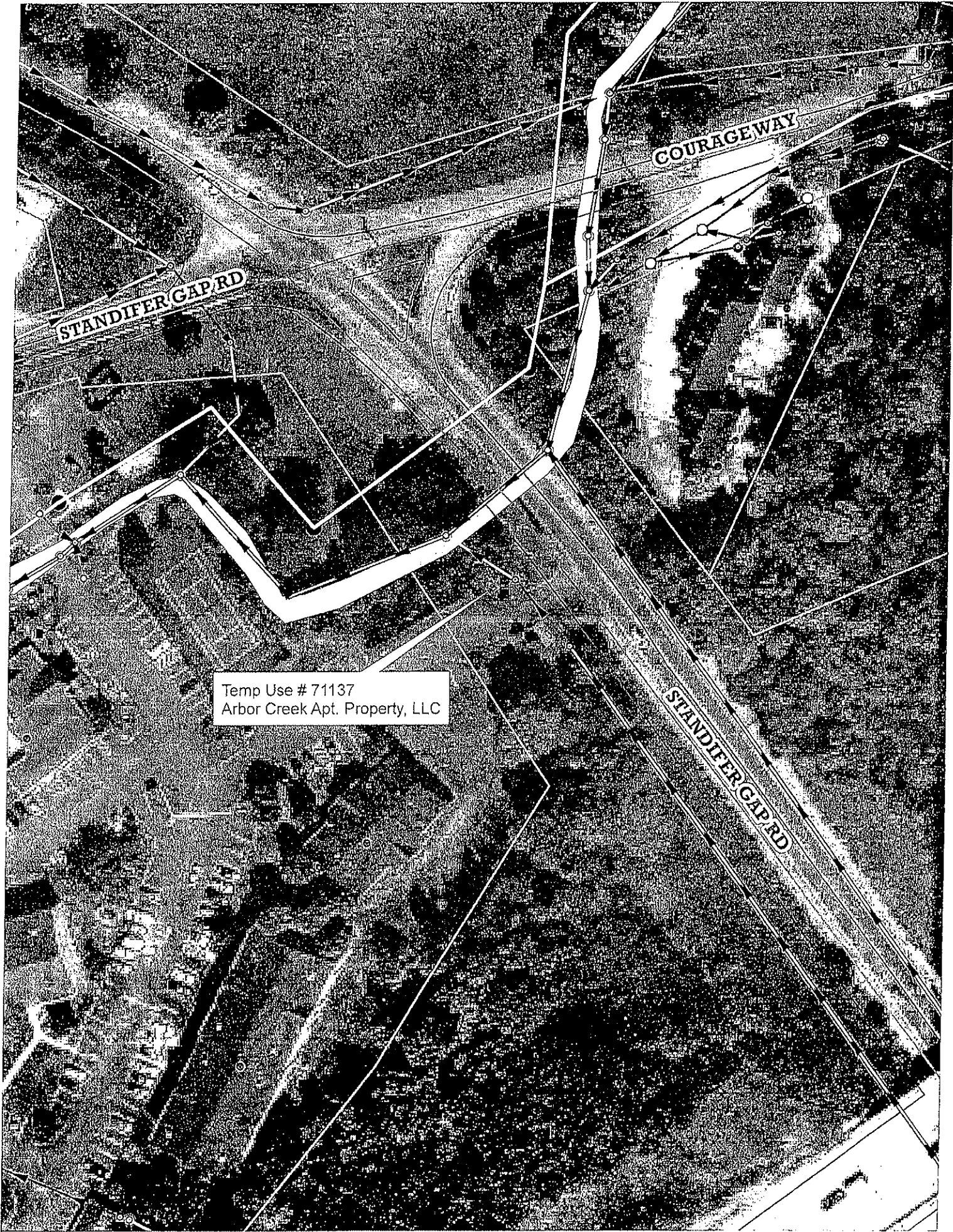
_____, 2011
Date

BY: Laura Hayworth Rep for
~~Gene McLaughlin~~
Laura Hayworth Bell Partners

CITY OF CHATTANOOGA, TENNESSEE

_____, 2011
Date

BY: Ron Littlefield
Ron Littlefield, Mayor

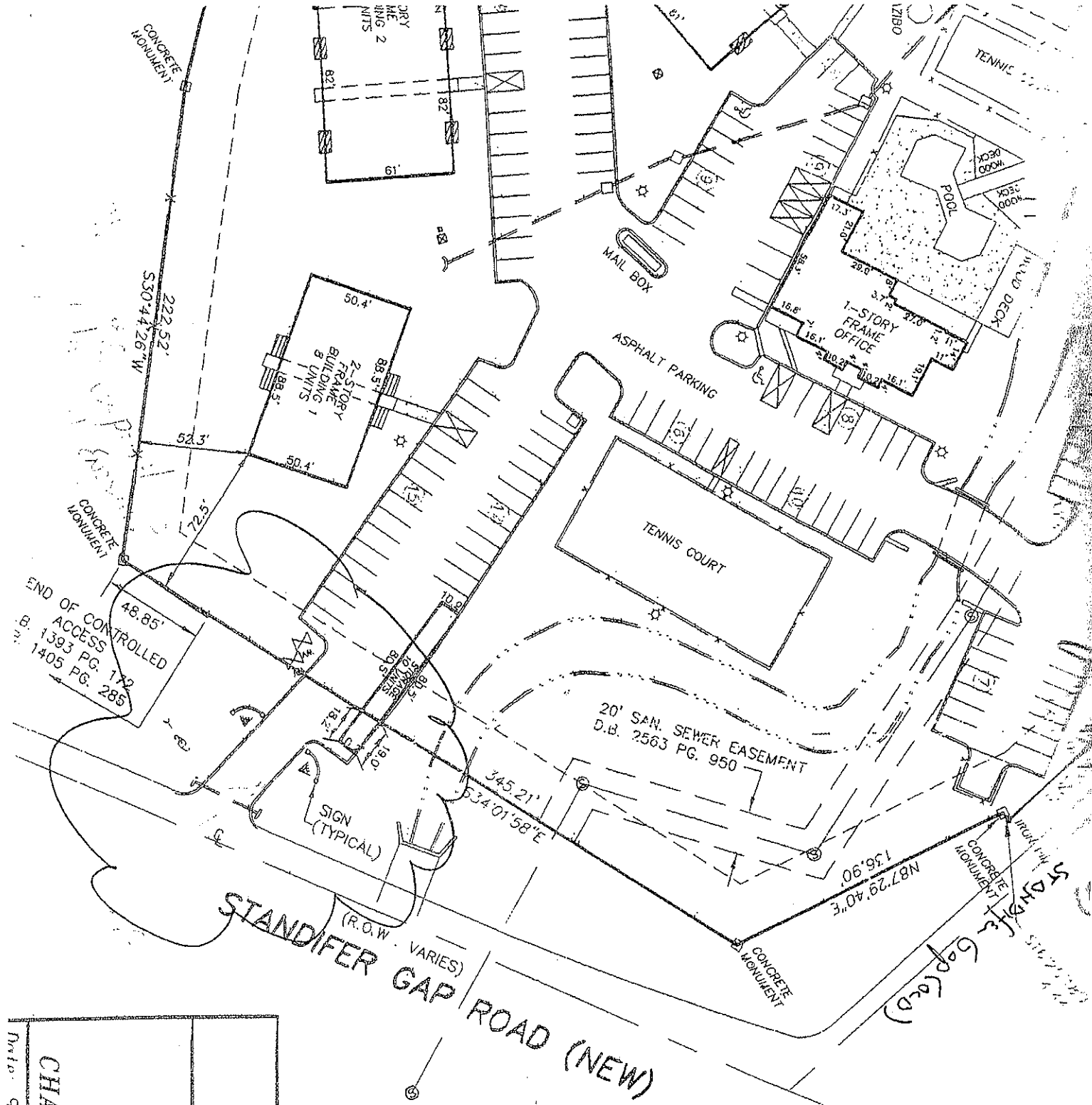


Temp Use # 71137
Arbor Creek Apt. Property, LLC

STANDIFER GAP RD

COURAGE WAY

STANDIFER GAP RD



ALTA	17.59
ARBOR CREEK	7310 STANDI
CHATTANOOGA, HAMILT	

Date: 9-20-2007
 Drawn: B