

RESOLUTION NO. 27229

A RESOLUTION AUTHORIZING HICKORY TRACE NEIGHBORHOOD ASSOCIATION C/O MARY ELLEN JACKSON TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG THE 1500 BLOCK OF HICKORY VALLEY ROAD TO INSTALL A COMMUNITY MARKER, AS SHOWN ON THE MAP 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 HICKORY TRACE NEIGHBORHOOD ASSOCIATION C/O MARY ELLEN JACKSON, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located along the 1500 block of Hickory Valley Road to install a community marker, as shown on the map 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. The dimensions and placement of markers must meet all applicable City of Chattanooga codes and standards and placement of said markers must be coordinated with the Traffic Engineering Department.

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and HICKORY TRACE NEIGHBORHOOD ASSOCIATION C/O MARY ELLEN JACKSON (hereinafter "Temporary User"), this 4th day of SEPTEMBER, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located along the 1500 block of Hickory Valley Road to install a community marker, as shown on the map 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. The dimensions and placement of markers must meet all applicable City of Chattanooga codes and standards and placement of said markers must be coordinated with the Traffic Engineering Department.

5. Any encroachment onto private property requires the approval of the property owner.

HICKORY TRACE NEIGHBORHOOD
ASSOCIATION

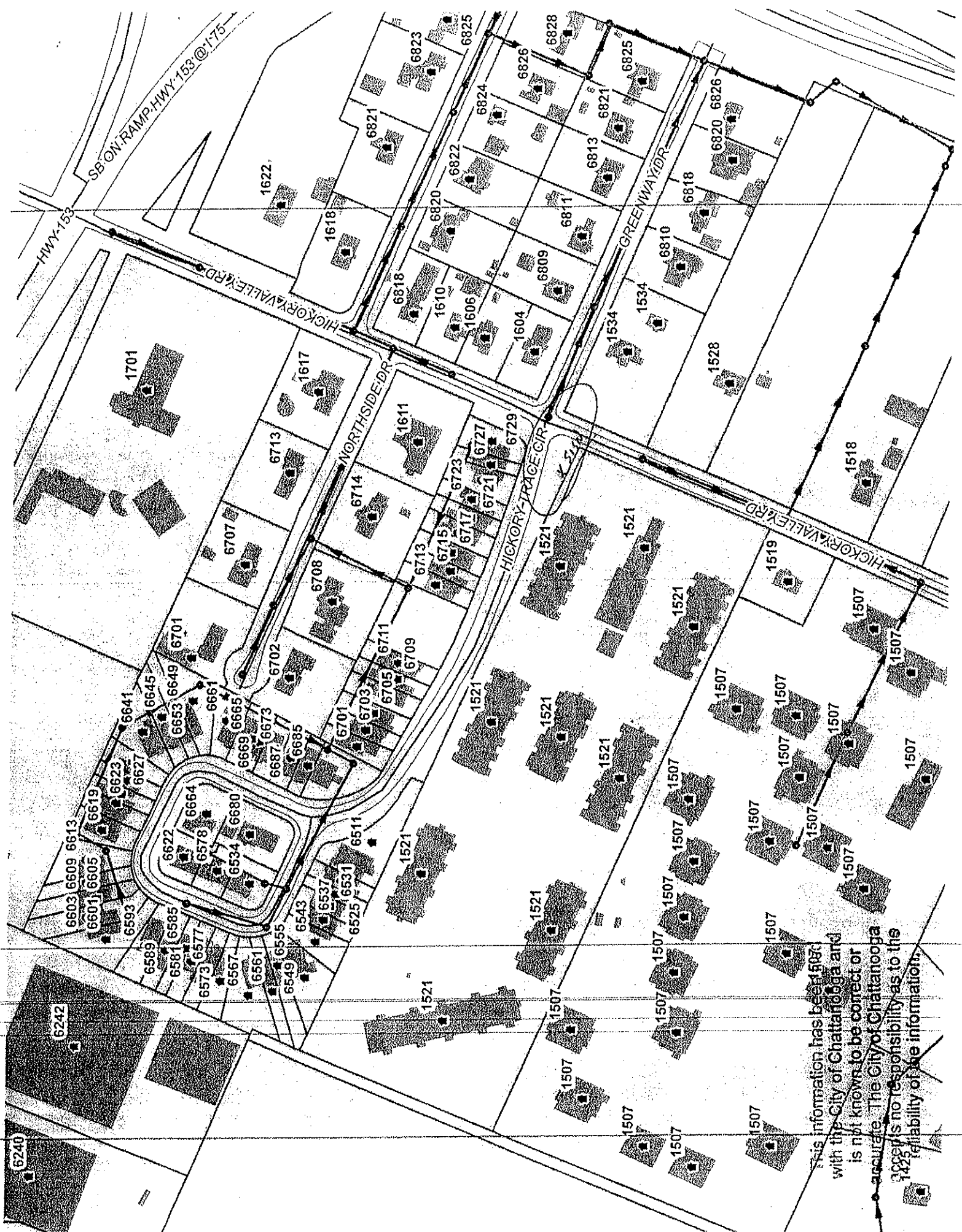
9/14, 2012
Date

BY: [Signature]
For Mary Ellen Jackson

CITY OF CHATTANOOGA, TENNESSEE

9/5, 2012
Date

BY: [Signature]
Ron Littlefield, Mayor



This information has been furnished to the City of Chattanooga and is not known to be correct or accurate. The City of Chattanooga accepts no responsibility as to the reliability of the information.