

RESOLUTION NO. 27317

A RESOLUTION AUTHORIZING MAGNOLIA INVESTORS, LLC C/O MARCUS JONES TO USE TEMPORARILY A RIGHT-OF-WAY LOCATED ALONG MERONEY STREET FOR THE INSTALLATION OF A PRIVATE SANITARY SEWER LATERAL FOR A NEW RESIDENTIAL HOME, 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 MAGNOLIA INVESTORS, LLC C/O MARCUS JONES, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a right-of-way located along Meroney Street for the installation of a private sanitary sewer lateral for a new residential home, 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. Temporary User shall obtain excavation and restoration/street cut permits as per Section 32-63 of the City Code.

5. Temporary User cannot restrict the neighboring property owner's access to the subject right-of-way, and Temporary User is responsible for maintaining the subject right-of-way in the condition equal to or better than the condition at the time the temporary use is granted.

ADOPTED: November 20, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and MAGNOLIA INVESTORS, LLC C/O MARCUS JONES (hereinafter "Temporary User"), this 20th day of November, 2012.

For and in consideration of the granting of the temporary usage of a right-of-way located along Meroney Street for the installation of a private sanitary sewer lateral for a new residential home, 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.

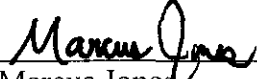
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Temporary User shall obtain excavation and restoration/street cut permits as per Section 32-63 of the City Code.

5. Temporary User cannot restrict the neighboring property owner's access to the subject right-of-way, and Temporary User is responsible for maintaining the subject right-of-way in the condition equal to or better than the condition at the time the temporary use is granted.

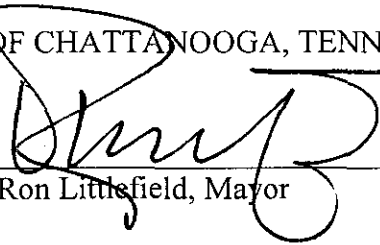
MAGNOLIA INVESTORS, LLC

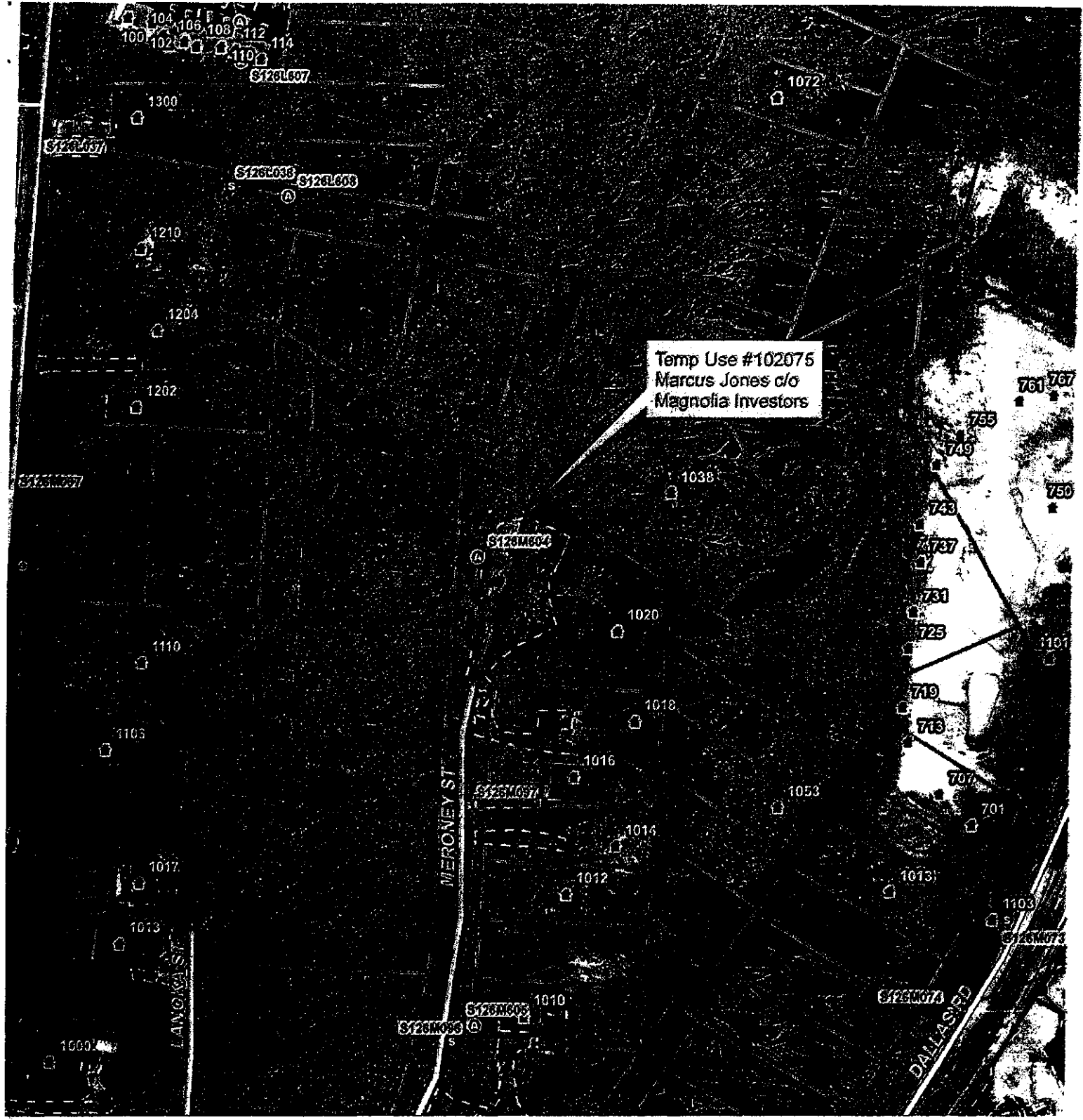
Nov. 30th, 2012
Date

BY: 
Marcus Jones

CITY OF CHATTANOOGA, TENNESSEE

12/5/, 2012
Date

BY: 
Ron Littlefield, Mayor



Temp Use #102075
Marcus Jones c/o
Magnolia Investors

MEROONEY ST

LANOVA ST

DALLAS ST

S126L607

S126L607

S126L608

S126L608

S126M604

S126M605

S126M605

S126M606

S126M607

S126M608

1000

1300

1210

1204

1202

1110

1105

1017

1013

1072

1038

1020

1018

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1053

1013

1103

761 767

755

749

750

743

737

731

725

719

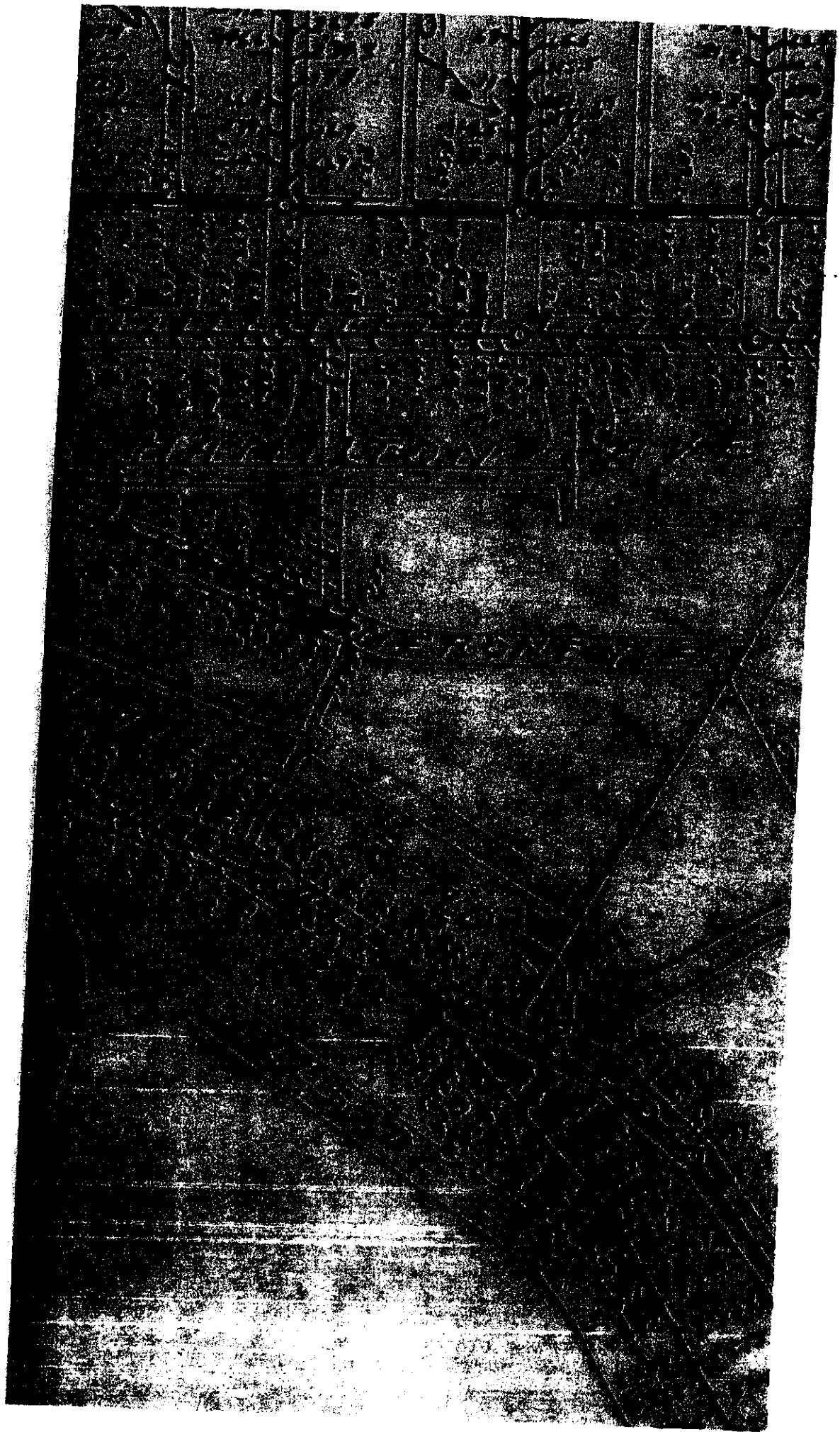
713

707

701

1101

1103



2003-0107

1233
2003-0107

highlight is
the area to
be replatted
into one lot

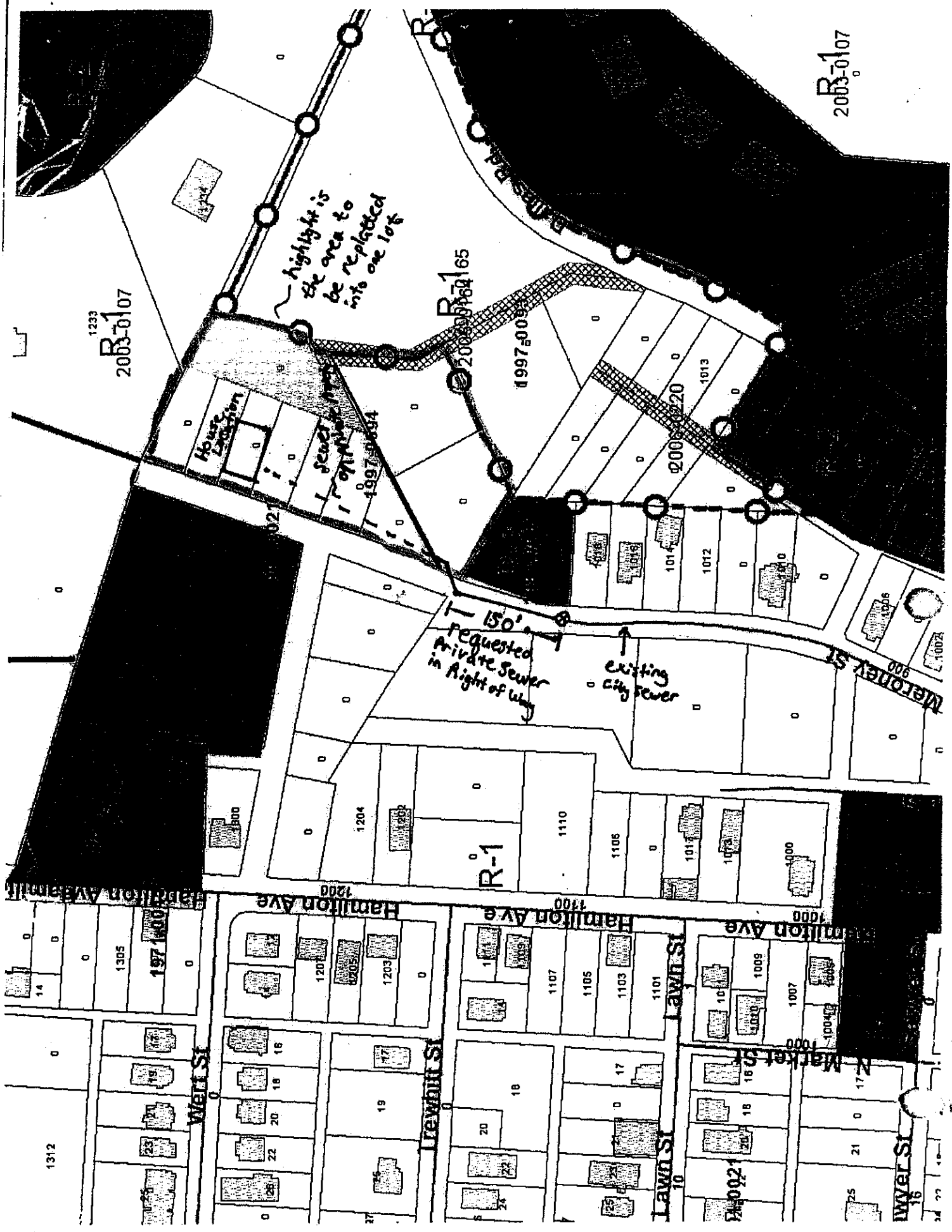
R-1
2003-0165

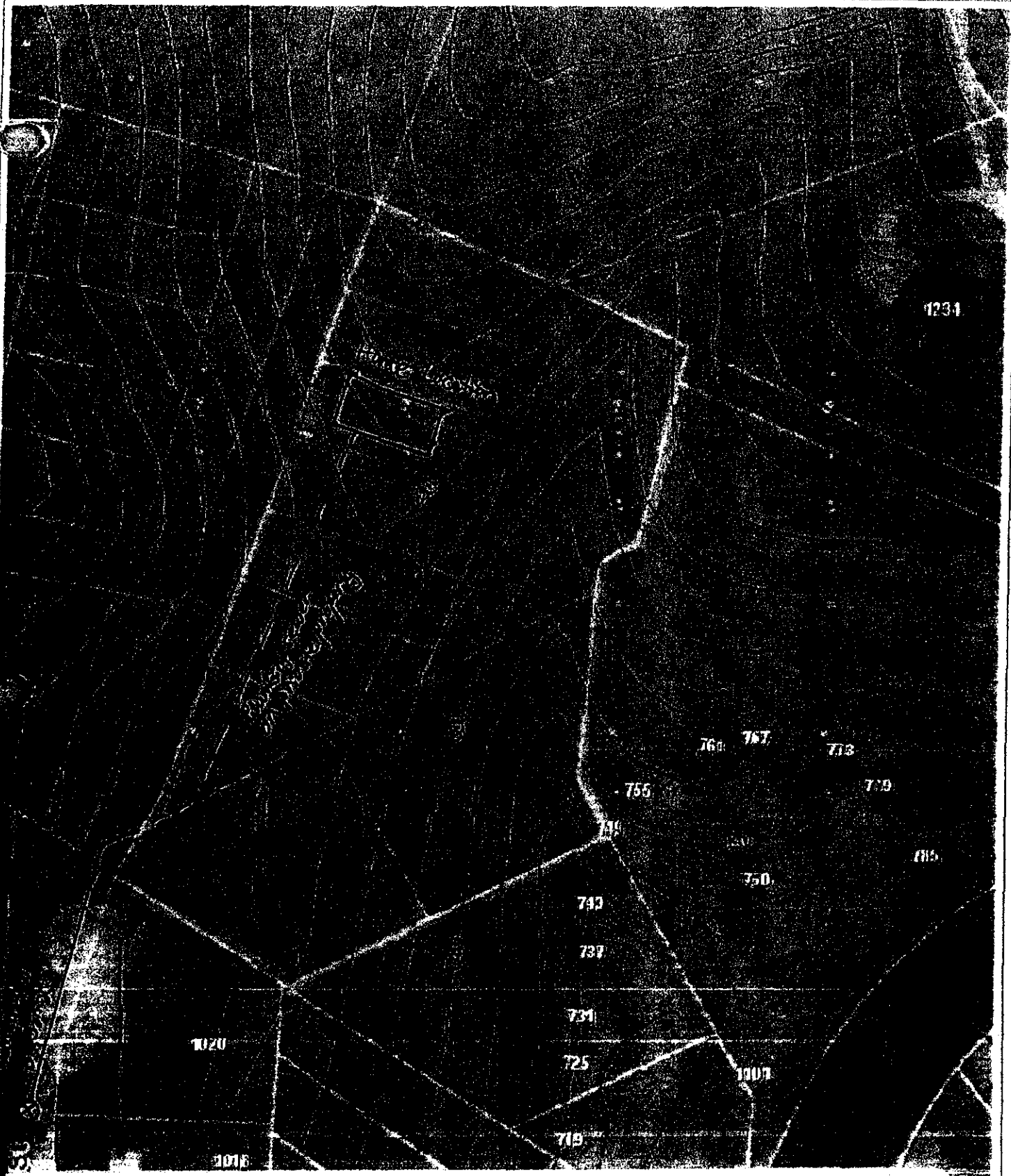
sewer
1997-0694

150'
requested
private sewer
in Right of Way

existing
city sewer

House
Foundation





HCGIS Mapping Online

Printed: Jun 21, 2011

Scale 1:1200