

RESOLUTION NO. 27567

A RESOLUTION AUTHORIZING TRON WILDER TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1207 HANOVER STREET TO BUILD A RETAINING WALL AND CREATE A LEVEL FRONT YARD, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That TRON WILDER, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 1207 Hanover Street to build a retaining wall and create a level front yard, 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. The proposed retaining wall must meet the minimum elevation requirements per City Codes and Standards.

5. The proposed retaining wall must be approved by the Land Development Office.

ADOPTED: July 16, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and TRON WILDER (hereinafter "Temporary User"), this 17th day of July, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 1207 Hanover Street to build a retaining wall and create a level front yard, 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. The proposed retaining wall must meet the minimum elevation requirements per City Codes and Standards.

5. The proposed retaining wall must be approved by the Land Development Office.

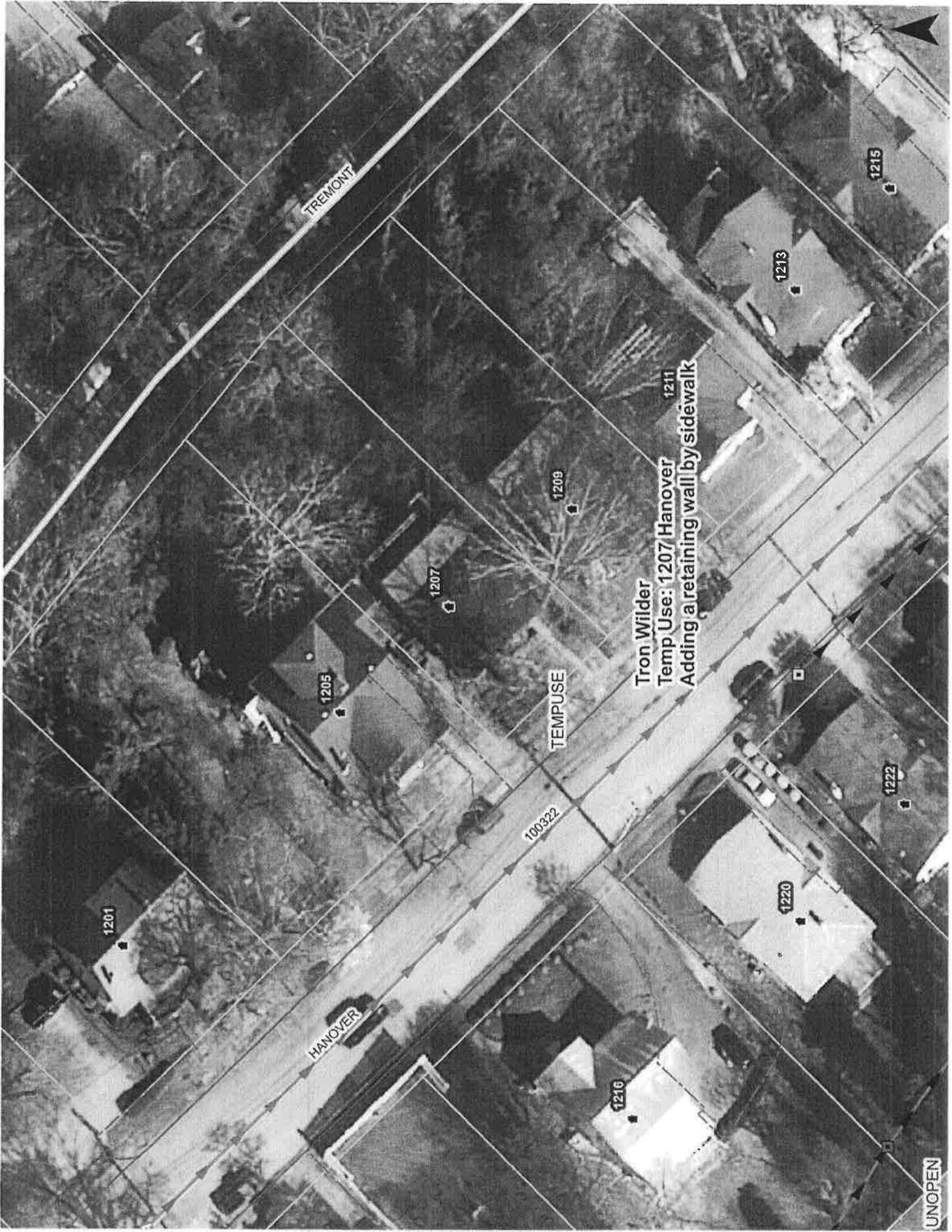
7/17, 2013  
Date

BY: Tron Wilder  
Tron Wilder

CITY OF CHATTANOOGA, TENNESSEE

7/22, 2013  
Date

BY: Andy Berke  
Andy Berke, Mayor



TREMONT

1215

1213

1211

Tron Wilder  
Temp Use: 1207 Hanover  
Adding a retaining wall by sidewalk

1209

1207

1205

TEMPUSE

100322

1222

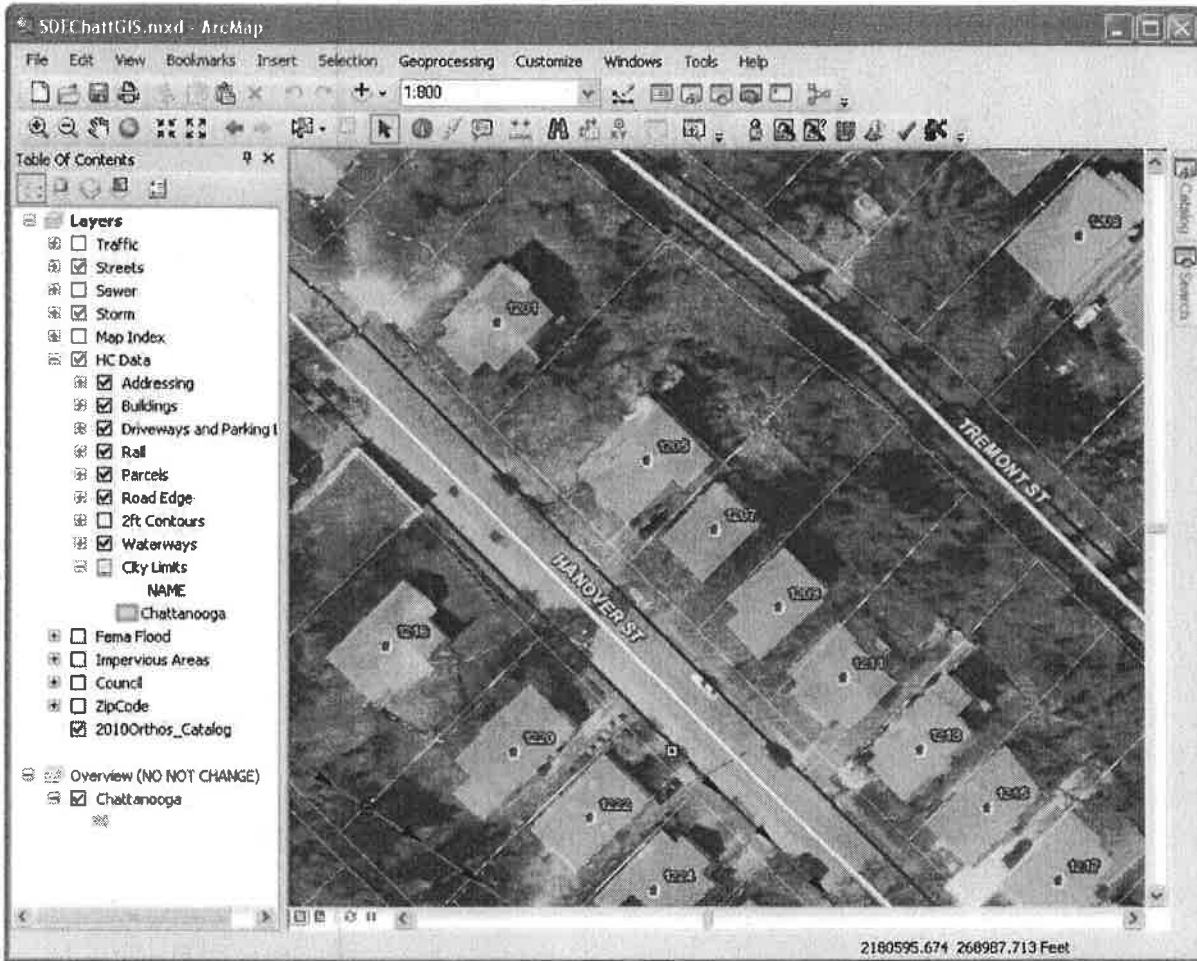
1201

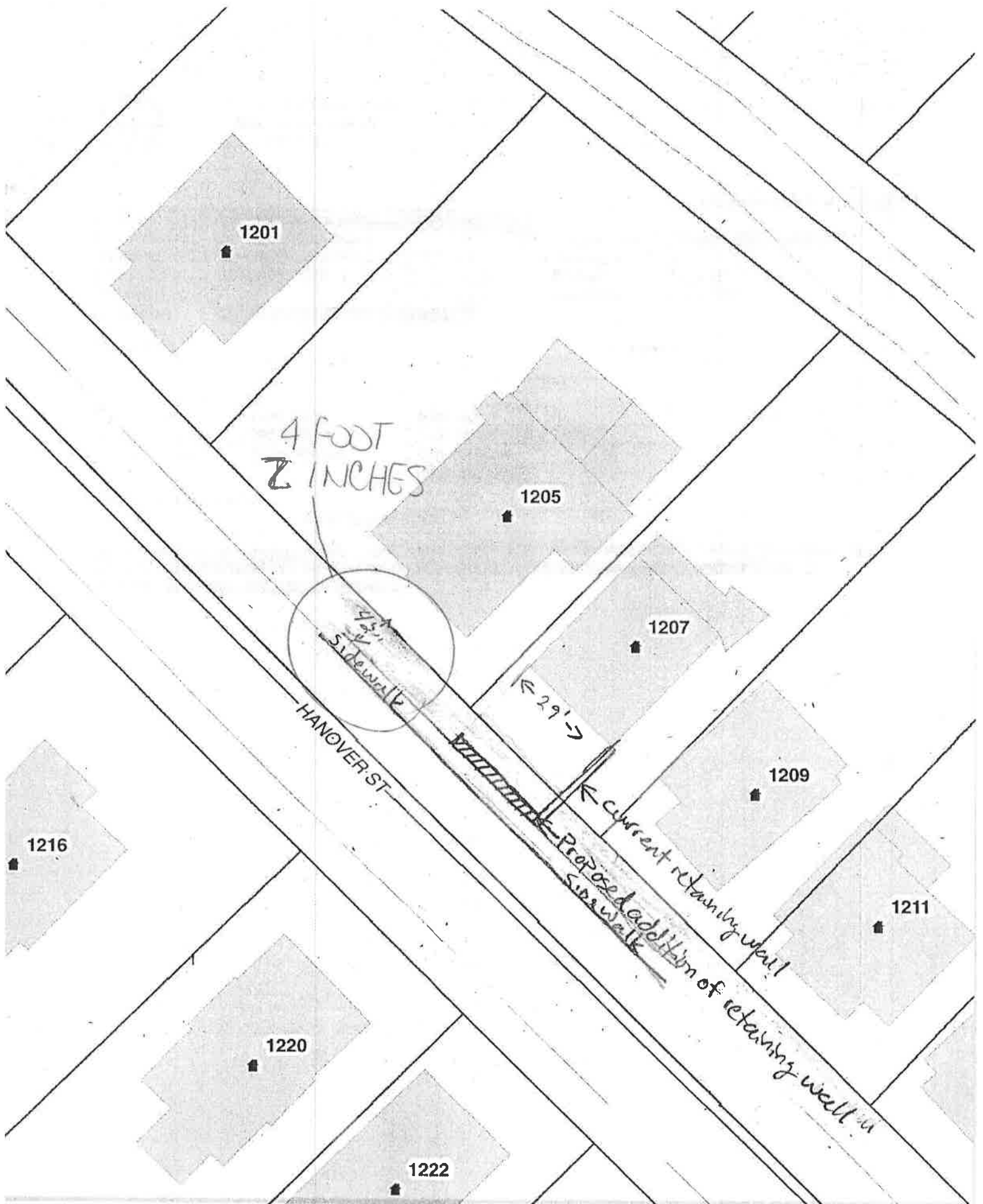
HANOVER

1220

1216

UNOPEN





1201

4 FOOT  
2 INCHES

1205

1207

1209

1211

1216

1220

1222

HANOVER ST

Sidewalk

← 29' →

← current retaining wall

Proposed addition of retaining wall