

RESOLUTION NO. 27582

A RESOLUTION AUTHORIZING UTC ONE LLC C/O EDWARD MARTIN TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 418 VINE STREET TO REPLACE EXISTING WINDOW SASHES THAT EXTEND INTO THE CITY RIGHT-OF-WAY, 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 UTC ONE LLC C/O EDWARD MARTIN, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 418 Vine Street to replace existing window sashes that extend into the City right-of-way, 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 proposed window sashes must meet the minimum elevation requirements per City Codes and Standards.

ADOPTED: July 23, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and UTC ONE LLC C/O EDWARD MARTIN (hereinafter "Temporary User"), this 23rd day of JULY, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 418 Vine Street to replace existing window sashes that extend into the City right-of-way, 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 proposed window sashes must meet the minimum elevation requirements per City Codes and Standards.

UTC ONE LLC

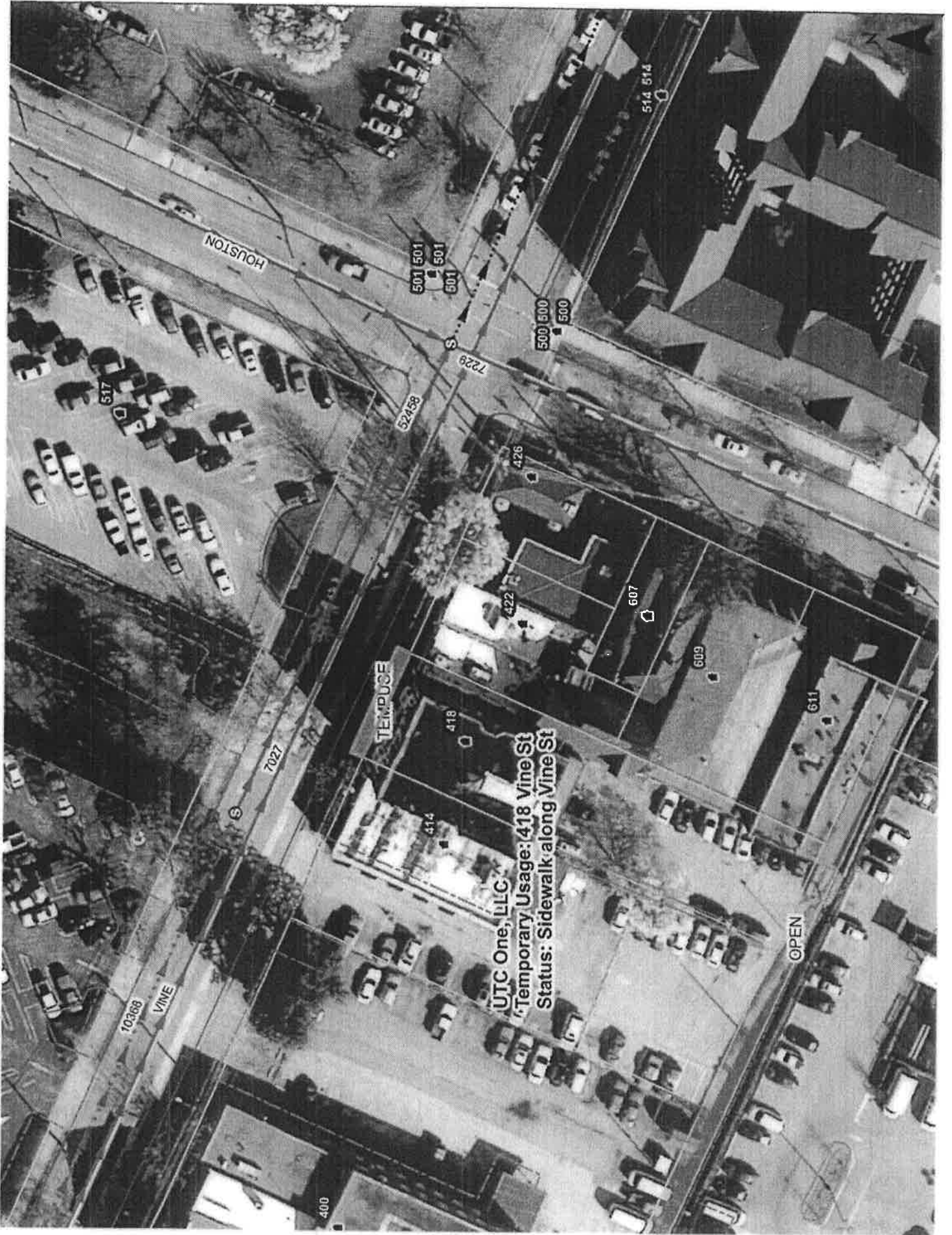
July 23, 2013
Date

BY: [Signature]
Edward Martin

CITY OF CHATTANOOGA, TENNESSEE

7/23/13, 2013
Date

BY: [Signature]
Andy Berke, Mayor



UTC One, LLC
Temporary Usage: 418 Vine St
Status: Sidewalk along Vine St

HOUSTON

10368 VINE

7027

TEMPUCE

524-98

7229

501 501 501

500 500

514 514

426

422

607

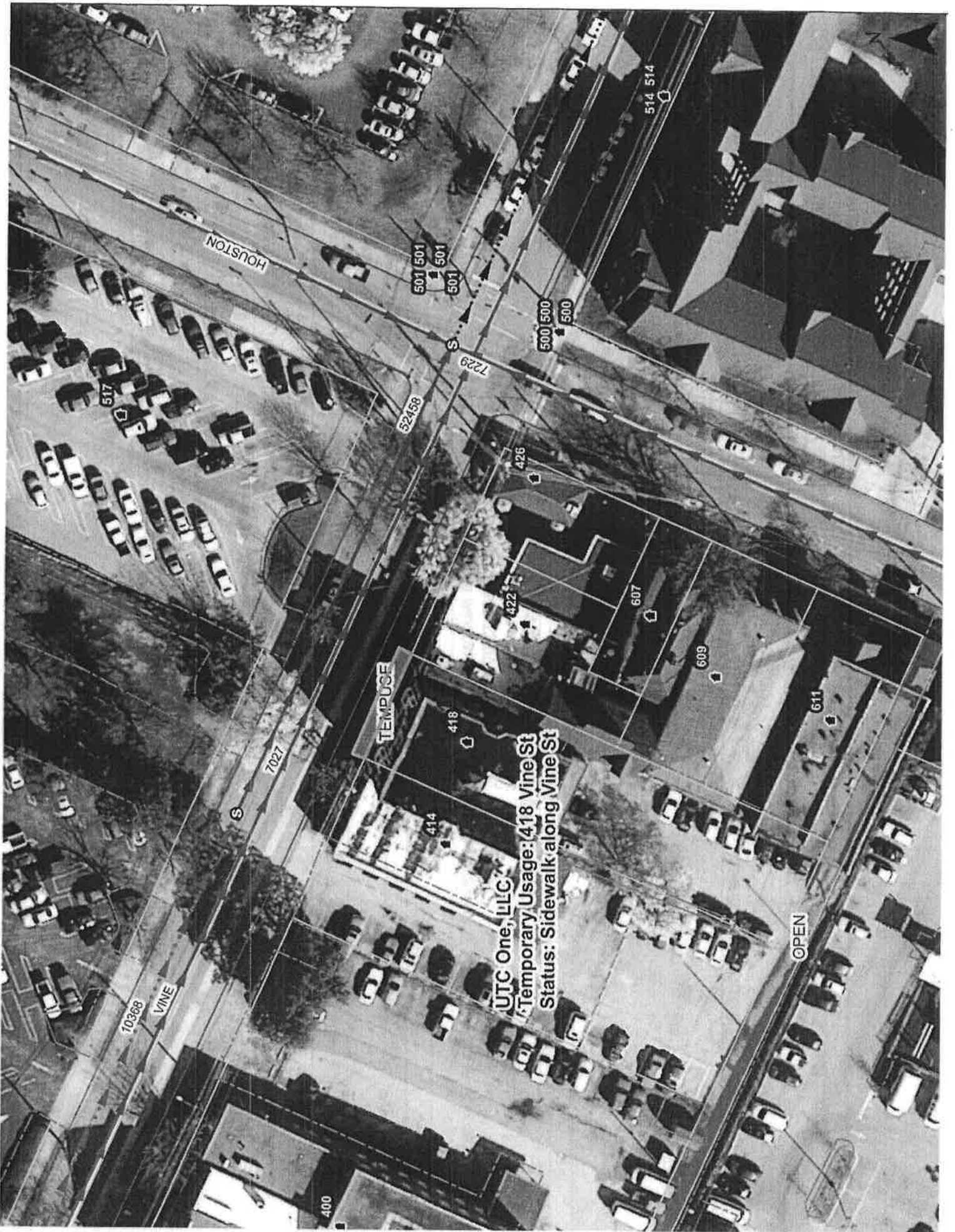
609

611

619

600

OPEN



UTC One, LLC
Temporary Usage: 418 Vine St
Status: Sidewalk along Vine St

HOUSTON

VINE

TEMPUSE

OPEN

10368

7027

52458

501 501
501

500 500
500

514 514

7229

426

422

607

609

611

418

414

400