

RESOLUTION NO. 27587

A RESOLUTION AUTHORIZING JEANNE P. ELLIS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1807 TERRY LYNN DRIVE TO INSTALL A DRIVEWAY TO GAIN ACCESS TO RESIDENTIAL PROPERTY, 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 JEANNE P. ELLIS, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 1807 Terry Lynn Drive to install a driveway to gain access to residential property, 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 be subject to Land Development Office approval.

ADOPTED: July 30, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JEANNE P. ELLIS (hereinafter "Temporary User"), this 30th day of July, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 1807 Terry Lynn Drive to install a driveway to gain access to residential property, 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 be subject to Land Development Office approval.

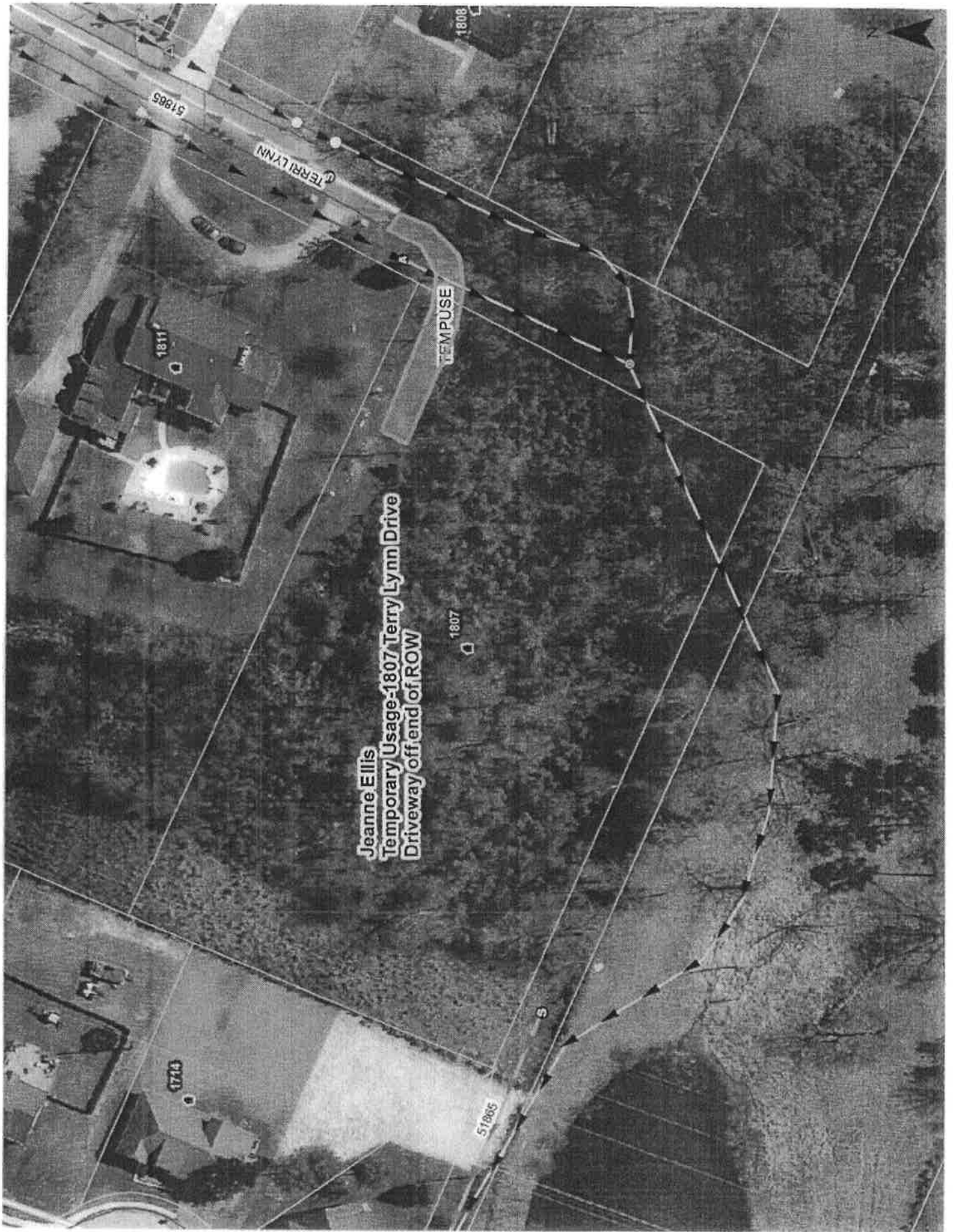
July 30, 2013
Date

BY: Jeanne P. Ellis
Jeanne P. Ellis

CITY OF CHATTANOOGA, TENNESSEE

July 31, 2013
Date

BY: Andy Berke
Andy Berke, Mayor



Jeanne Ellis
Temporary Usage-1807 Terry Lynn Drive
Driveway off end of ROW

51865

TERRY LYNN

TEMPUSE

1811

1807

1808

1713

51865