

RESOLUTION NO. 27674

A RESOLUTION AUTHORIZING JENNIFER MINGOLA/LINCOLN H. CHRISTENSEN TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ON 1110 MARKET STREET AT WAREHOUSE ROW FOR THE INSTALLATION OF NINE (9) NEW AWNINGS, 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 JENNIFER MINGOLA/LINCOLN H. CHRISTENSEN, (hereinafter referred to as "Temporary Users") be and are hereby permitted to use temporarily the right-of-way located on 1110 Market Street at Warehouse Row for the installation of nine (9) new awnings, 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 Users 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 Users agree to vacate the property and temporary use upon reasonable notice from the City to do so.
3. Temporary Users shall provide adequate access for maintenance of any utilities located within the easement.

4. The proposed awnings must meet the minimum elevation requirements per City Codes and Standards, as shown on the attached drawings.

ADOPTED: October 15, 2013

/mms

TENNESSEE AWNING CO.

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JENNIFER MINGOLA/LINCOLN H. CHRISTENSEN (hereinafter "Temporary Users"), this 15th day of October, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located on 1110 Market Street at Warehouse Row for the installation of nine (9) new awnings, as shown on the maps attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary Users agree as follows:

1. Temporary Users 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 Users 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 Users shall restore the property to its original condition when it is returned to the City.

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

4. The proposed awnings must meet the minimum elevation requirements per City Codes and Standards, as shown on the attached drawings.

October 15, 2013
Date

BY: J. Mingola
Jennifer Mingola

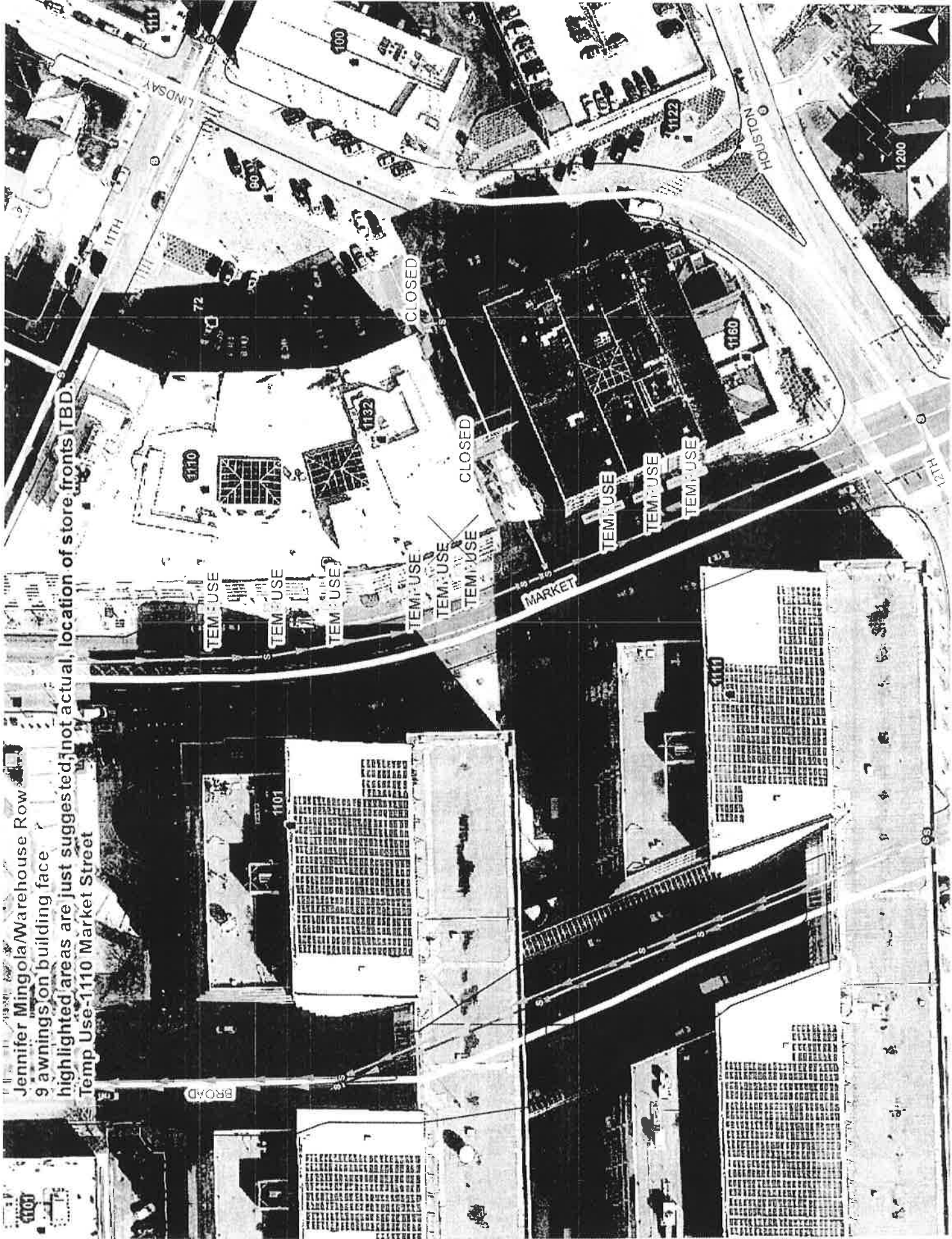
October 15, 2013
Date

BY: Lincoln H. Christensen
Lincoln H. Christensen

CITY OF CHATTANOOGA, TENNESSEE

October 15, 2013
Date

BY: Andy Berke
Andy Berke, Mayor



Jennifer Mingola/Warehouse Row
9 awnings on building face
highlighted areas are just suggested, not actual, location of store fronts TBD.
Temp Use-1110 Market Street

BROAD

CLOSED

CLOSED

MARKET

TEMP USE

TEMP USE

TEMP USE

TEMP USE

TEMP USE

TEMP USE

TEMP USE

TEMP USE

TEMP USE

1110

1132

1110

1101

111

100

1122

1200

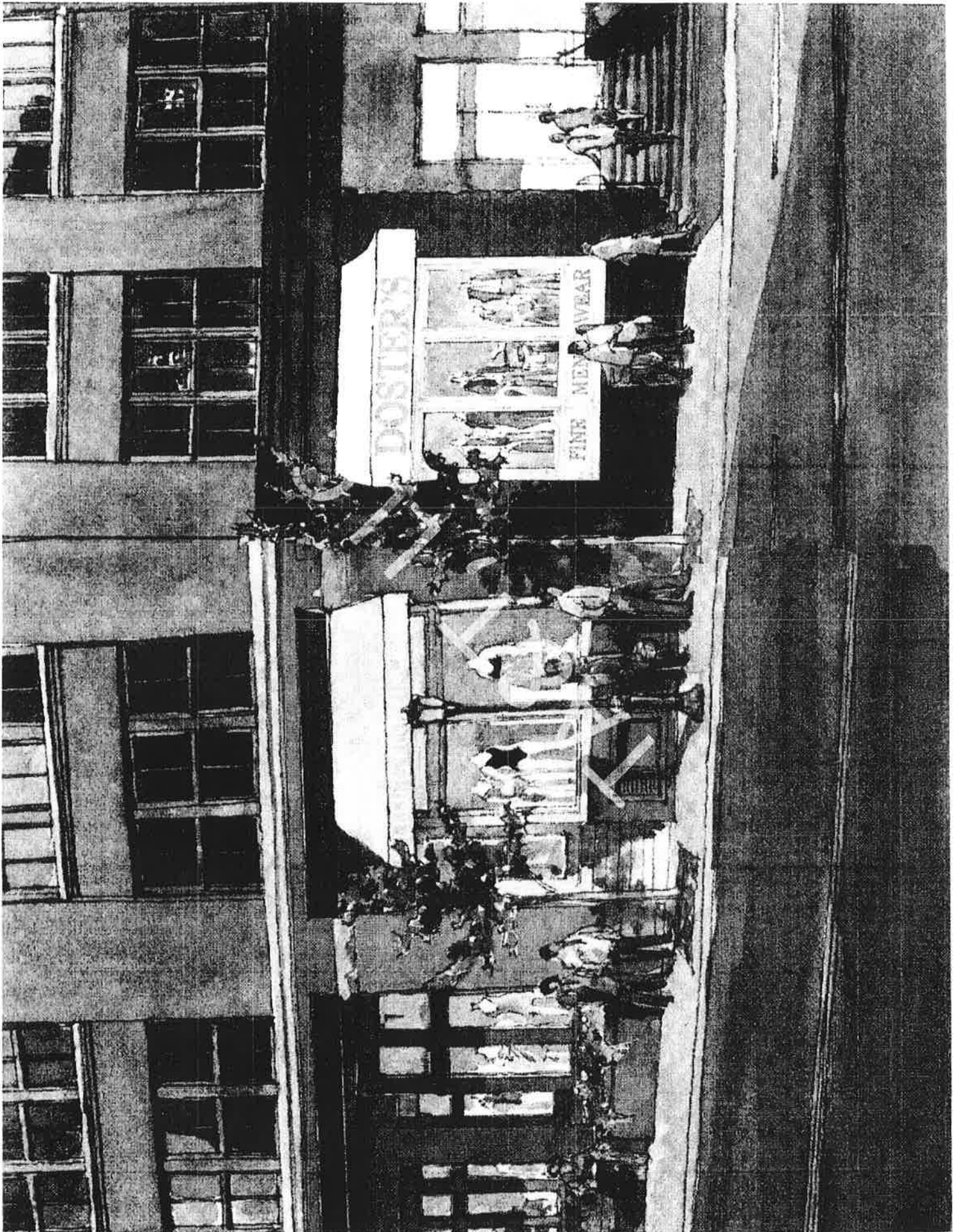
11TH

LINDSAY

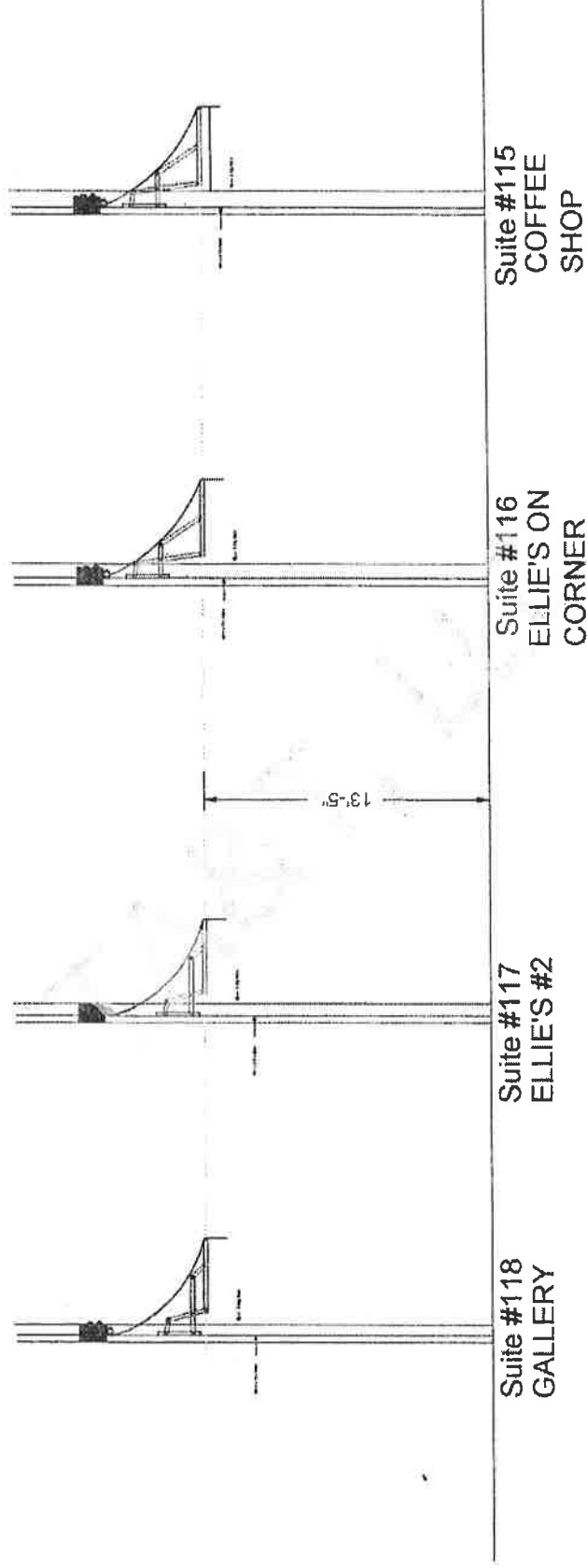
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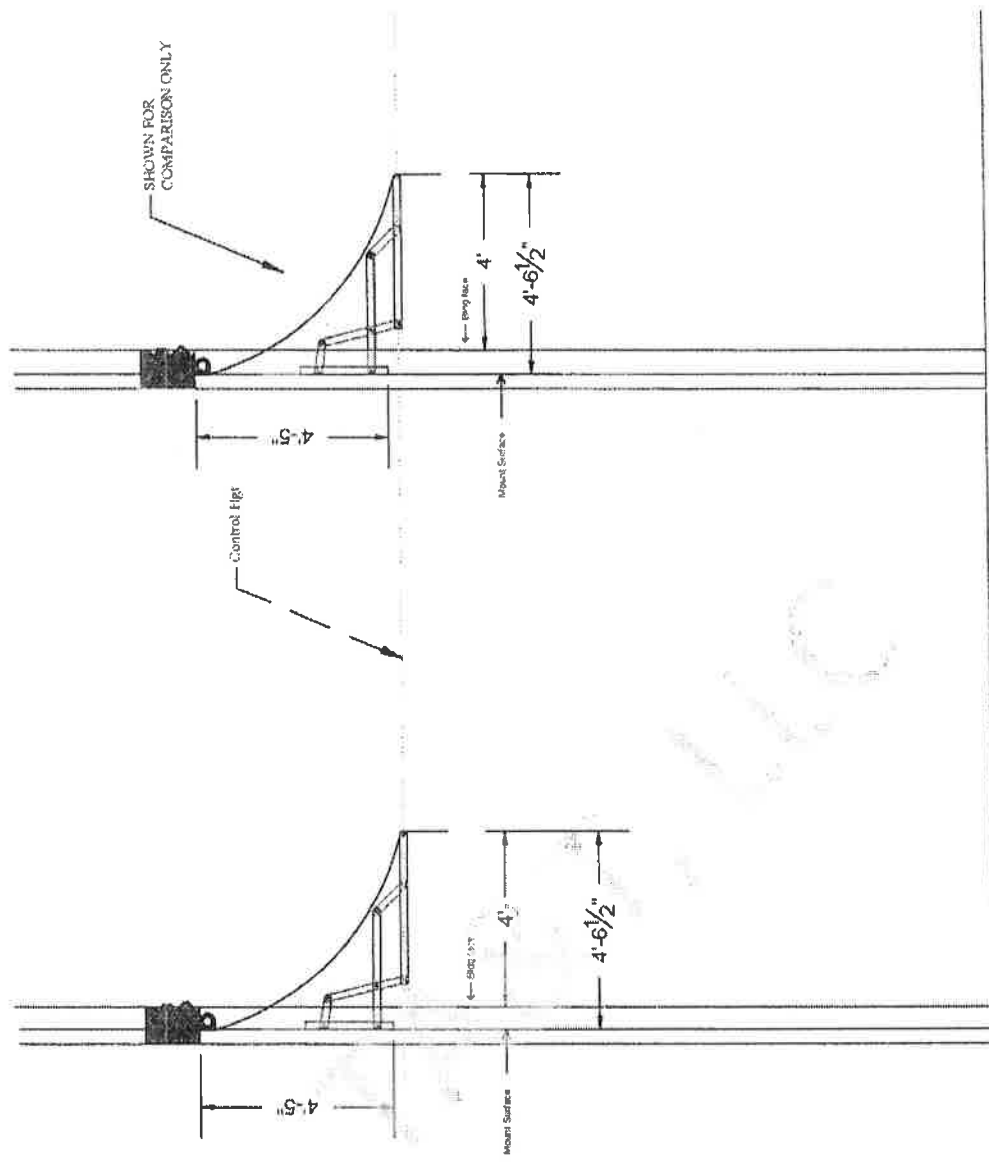




WAREHOUSE ROW - 1110 Market St, Chattanooga, TN



AWNING ELEVATIONS: All awnings project 4'-0" over the sidewalk right-of-way. Differences in projection create a standard height and projection of the awning front from location to location. Average height above grade is 13'-5"±. Street elevation at Suite #118 is higher than at the Suite #103 location.



Suite #117
 ELLIE'S #2

Suite #118
 GALLERY

WAREHOUSE ROW: Gallery and Ellie's #2 have the same outside structure at the same controlling height