

RESOLUTION NO. 27901

A RESOLUTION AUTHORIZING DAN CANNON TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 7420 STANDIFER GAP ROAD TO TIE EXISTING RIGHT-OF-WAY GRADE INTO PROPOSED DEVELOPMENT GRADE AND TO IMPROVE RIGHT-OF-WAY BY FILLING IN AN EXISTING DROP-OFF AREA, AS SHOWN ON THE DRAWINGS 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 DAN CANNON, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 7420 Standifer Gap Road to tie existing right-of-way grade into proposed development grade and to improve right-of-way by filling in an existing drop-off area, as shown on the drawings 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.
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 slope and proposed ground are to be constructed as shown on the attached drawings and in conjunction with the grading plans approved by the Land Development Office.

ADOPTED: June 3, 2014

/mem

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and DAN CANNON (hereinafter "Temporary User"), this 14th day of May, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at 7420 Standifer Gap Road to tie existing right-of-way grade into proposed development grade and to improve right-of-way by filling in an existing drop-off area, as shown on the drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

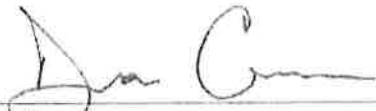
1. Temporary User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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.

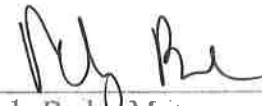
4. The slope and proposed ground are to be constructed as shown on the attached drawings and in conjunction with the grading plans approved by the Land Development Office.

14TH DAY OF MAY, 2014
Date

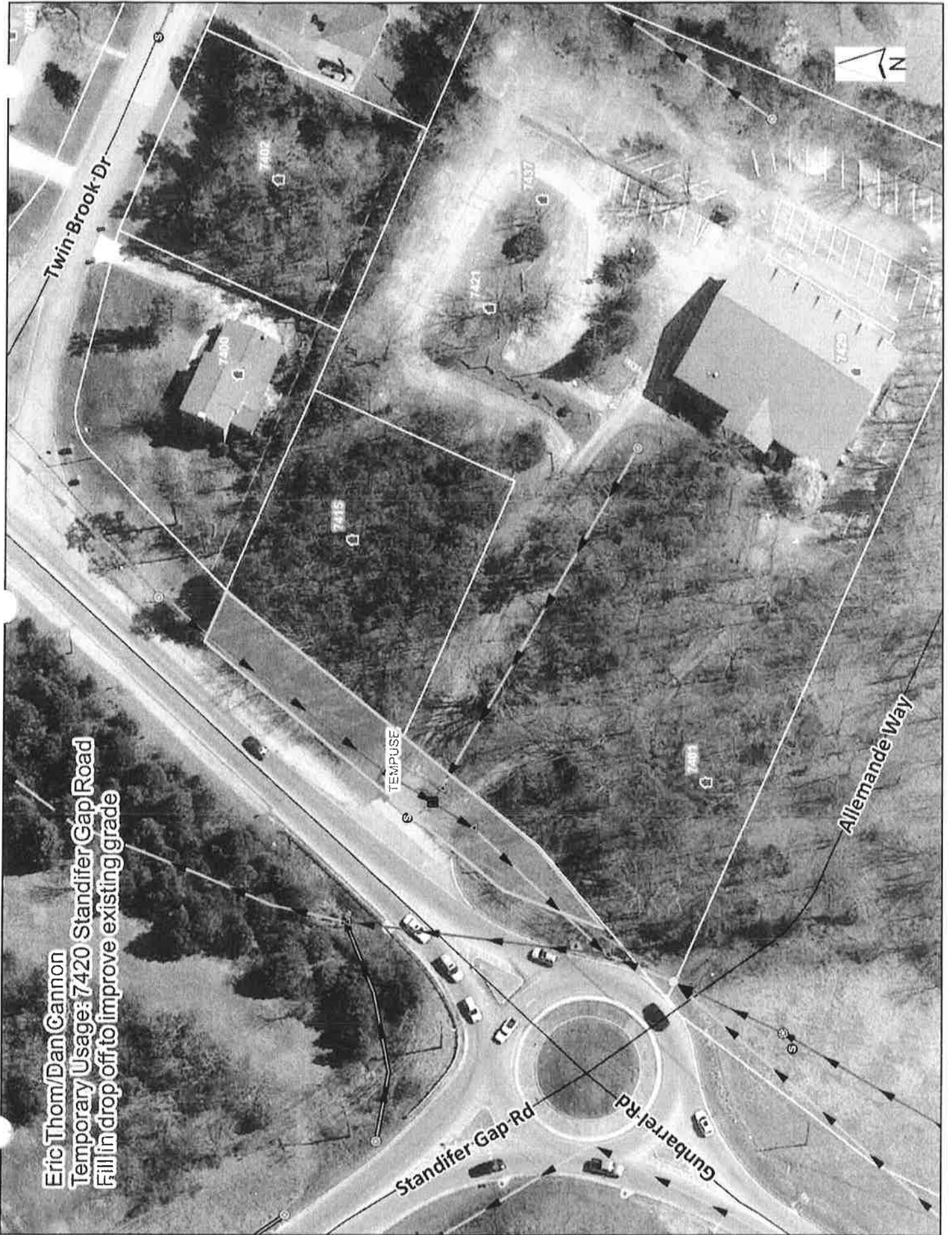
BY: 
Dan Cannon

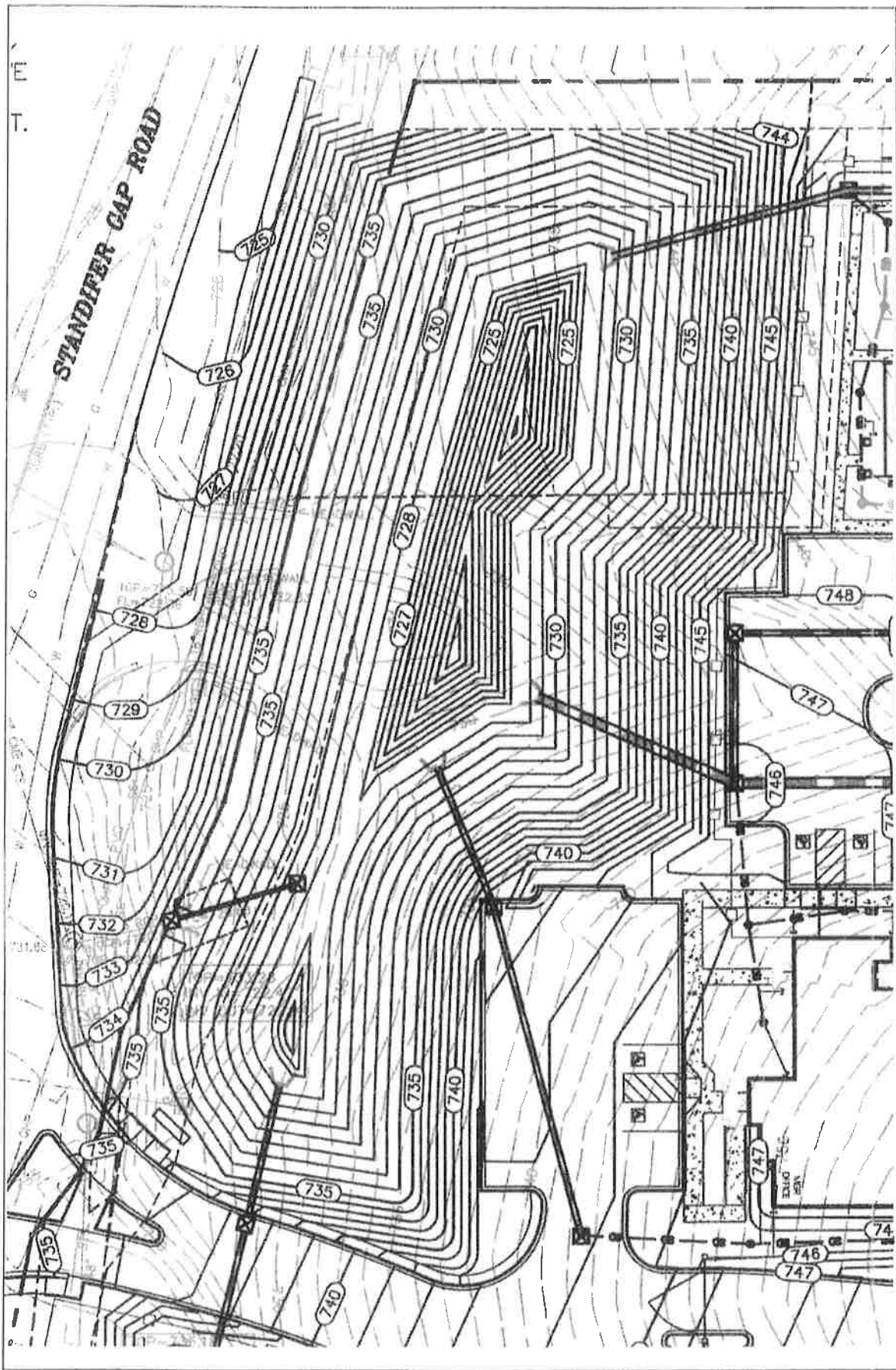
CITY OF CHATTANOOGA, TENNESSEE

6/5, 2014
Date

BY: 
Andy Berke, Mayor

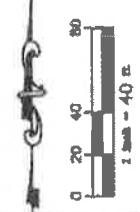
Eric Thom/Dan Cannon
Temporary Usage: 7420 Standifer Gap Road
Fill in drop off to improve existing grade





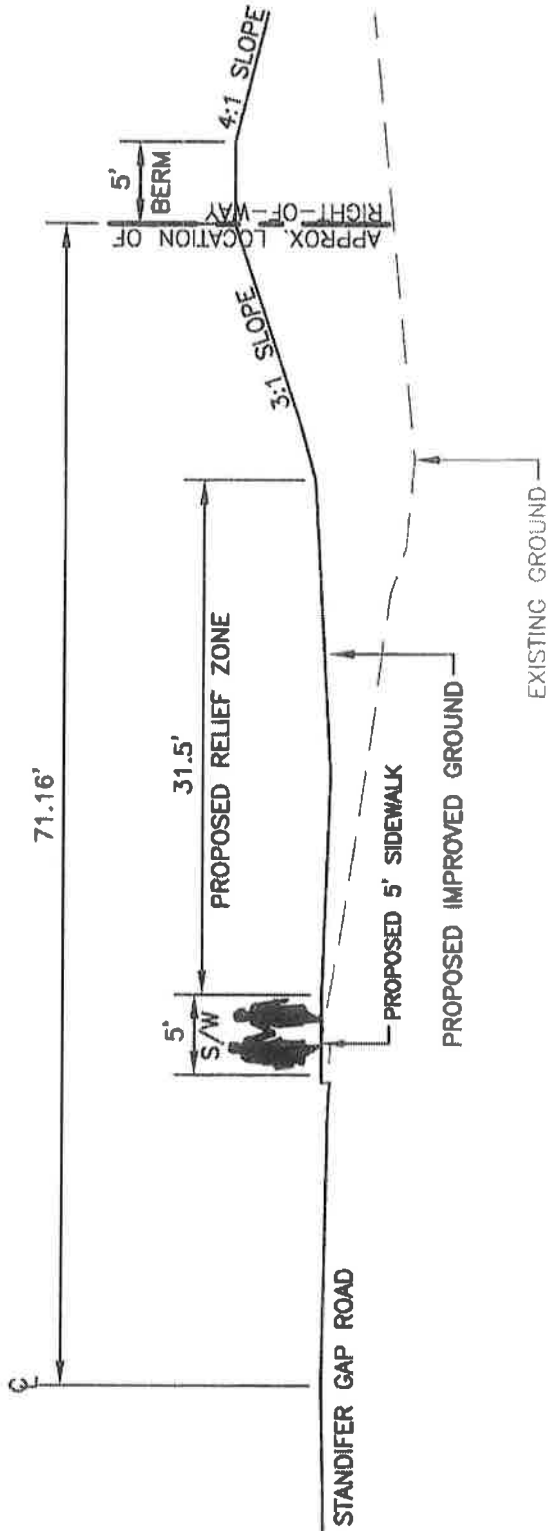
MILLER MCCOY, INC.
 CONSULTING ENGINEERS
 916 CHELSEA ROAD CHATTANOOGA, TENNESSEE 37408
 PHONE (423) 698-3461 FAX (423) 698-2864

DATE: 4/8/14
 DRAWN BY: DPC
 CHECKED BY: RWM
 PROJECT NUMBER: 13-057



SHEET NAME:
TEMPORARY USE EXHIBIT

PROJECT:
SPRINGS AT CHATTANOOGA
 7420 STANDIFER GAP ROAD
 CHATTANOOGA, TENNESSEE



DATE:	4/16/14
PROJECT NO.:	13-057
DRAWN BY:	DPC
CHECKED BY:	RWM

SHEET NAME:
 TEMPORARY USE PERMIT
 TYPICAL CROSS SECTION EXHIBIT
 SCALE: 3/32" = 1'-0"

PROJECT:
SPRINGS AT CHATTANOOGA
 7420 STANDIFER GAP ROAD
 CHATTANOOGA, TENNESSEE

MILLER MCCOY, INC.
 CONSULTING ENGINEERS
 916 CREEKSIDE ROAD CHATTANOOGA, TENNESSEE 37408
 PHONE (423) 698-2881 FAX (423) 698-2684