

RESOLUTION NO. 27902

A RESOLUTION AUTHORIZING SHERRY CAGLE AND COLLEEN SMITH TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 918 EAST MAIN STREET FOR THE INSTALLATION OF A FENCE FACING MAIN STREET AND THE CORNER OF FAGAN STREET, 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 SHERRY CAGLE and COLLEEN SMITH, (hereinafter referred to as "Temporary Users") be and is hereby permitted to use temporarily the right-of-way located at 918 East Main Street for the installation of a fence facing Main Street and the corner of Fagan Street, 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 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 Users agree 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 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. All fence setbacks shall meet “minimum fence setbacks” plan.

5. Location and design of the fencing will need to be approved by Traffic Engineering before it is installed.

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 SHERRY CAGLE and COLLEEN SMITH (hereinafter "Temporary Users"), this 19th day of May, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at 918 East Main Street for the installation of a fence facing Main Street and the corner of Fagan Street, 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 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 Users agree 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 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. ~~Fencing will be outside of the twenty-five (25') foot sight triangle.~~ *SCS*


5. All fence setbacks shall meet "minimum fence setbacks" plan.

6. Location and design of the fencing will need to be approved by Traffic Engineering before it is installed.

5/19, 2014
Date

BY: 
Sherry Cagle

5/19, 2014
Date

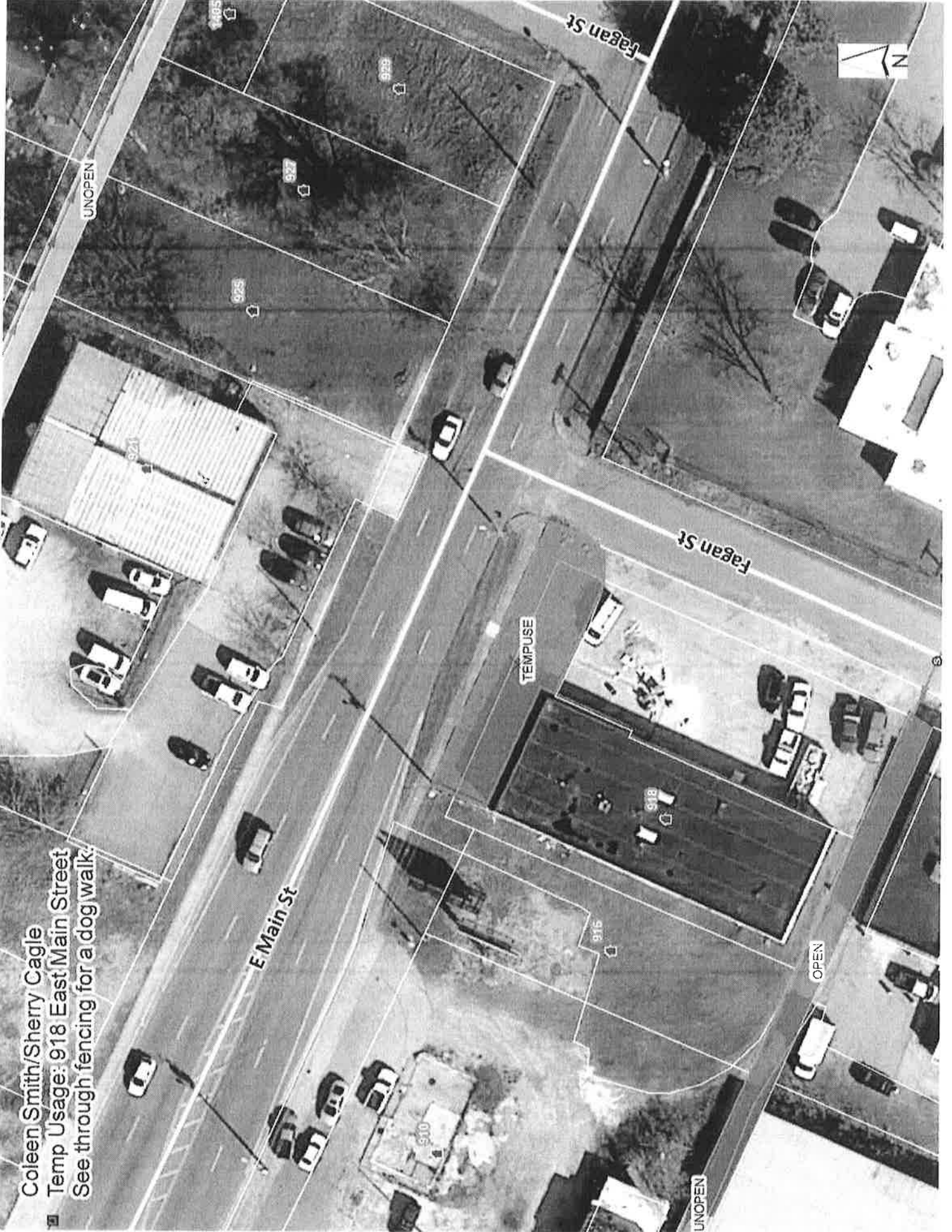
BY: 
Colleen Smith

6/5, 2014
Date

CITY OF CHATTANOOGA, TENNESSEE

BY: 
Andy Betts, Mayor

Coleen Smith/Sherry Cagle
Temp Usage: 918 East Main Street
See through fencing for a dog walk.





918 E. Main St

Chattanooga, TN

Printed: Mar 13, 2014

Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.

HCCGIS



MINIMUM FENCE SETBACKS

