

RESOLUTION NO. 28061

A RESOLUTION AUTHORIZING OAK HILLS NEIGHBORHOOD ASSOCIATION C/O TERRY MCCULLOUGH TO USE TEMPORARILY 4221 GRAND AVENUE FOR A BUS SHELTER, AS SHOWN ON THE MAPS, DRAWINGS, AND PHOTOS 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 OAK HILLS NEIGHBORHOOD ASSOCIATION C/O TERRY MCCULLOUGH, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 4221 Grand Avenue for a bus shelter, as shown on the maps, drawings, and photos 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. Temporary User shall obtain necessary building permits and approvals from the City of Chattanooga Land Development Office.

ADOPTED: November 11, 2014

/mem

Memorandum

To: Brandon Sutton
From: Ed Bowen
cc: Bertran Kuyrkendall
Date: October 29, 2014
Re: Temporary Usage Request #139037
4221 Grand Avenue (District 7)
Terry McCullough, President, Oak Hills Neighborhood Association

Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. McCullough's request for Temporary Usage at 4221 Grand Avenue for a bus shelter as shown on the attached maps, drawings, and photos. My comments are as follows:

- The 8' x 10' concrete slab will be adjacent to the back of the sidewalk.
- The city of Chattanooga has no sanitary sewer infrastructure in the subject area.
- The shelter's roof edge is 2' within the right-of-way.
- Refer to the attached color photos showing the proposed shelter.

After review, granting this Temporary Usage does not conflict with the public's interest. Therefore, I recommend that the request for *Temporary Usage be approved with this condition:*

- The applicant shall obtain necessary building permits and approvals from the city of Chattanooga Land Development Office.



SR# 895476
WO# 139037

For Office Use Only
[Signature]
Technician Signature 10/1/14

10/1/14

(DATE)

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of 4221 GRAND AVE CHATT, TN 37410

The reason for this request is as follows:
Place a bus Shelter. on Location. 4221 Grand Ave

In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, 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 agrees to comply with any and all conditions recommended by the City Transportation Engineer and/or City Transportation Department and approved by the Chattanooga City Council during the review of this application. The failure to comply with any condition approved by the City Council may be grounds for revocation of this temporary use at any time after its approval
3. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
7. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number is as follows:
P.O. Box 2311 CHATT. TN. 37409 - 423-227-6972

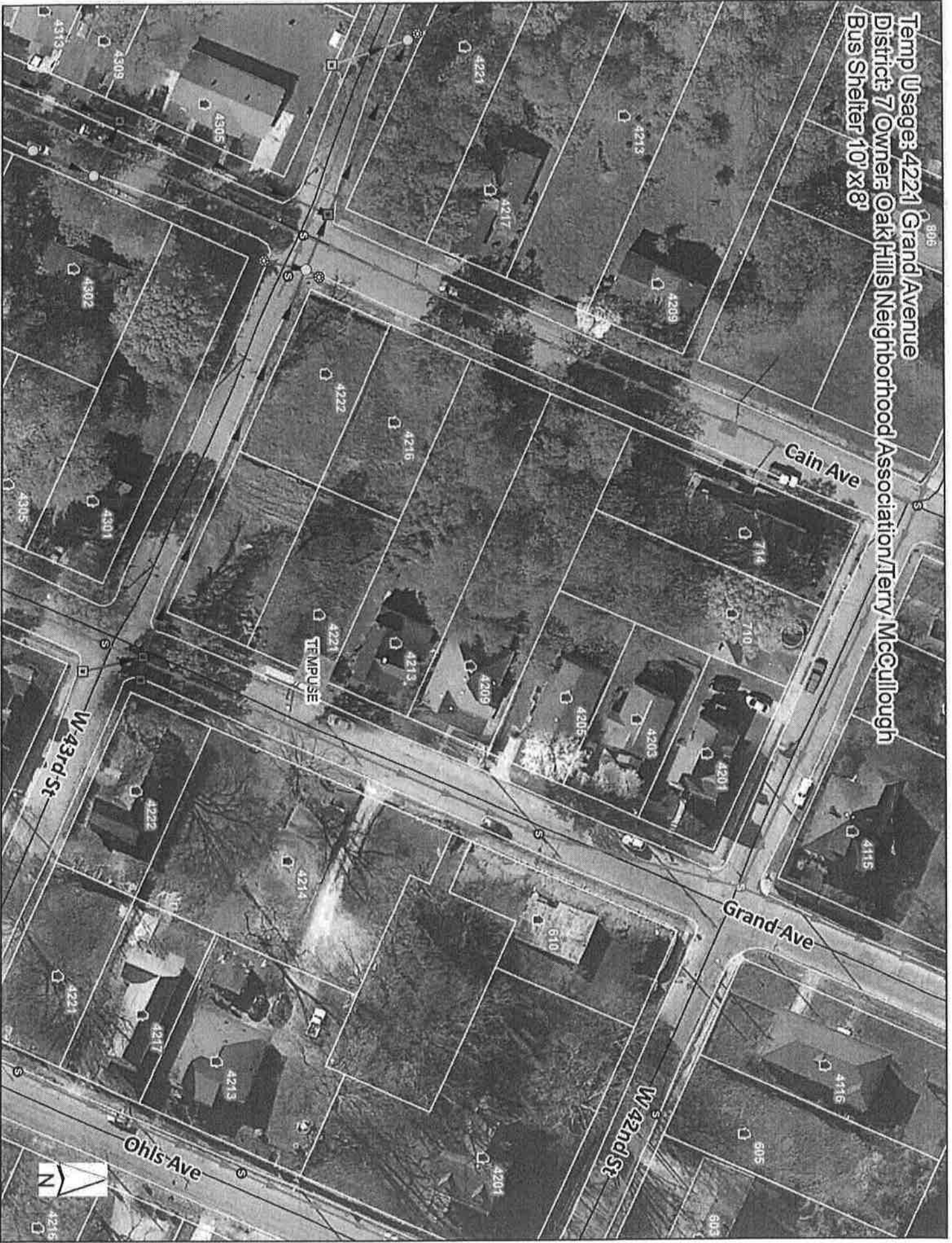
(email address)

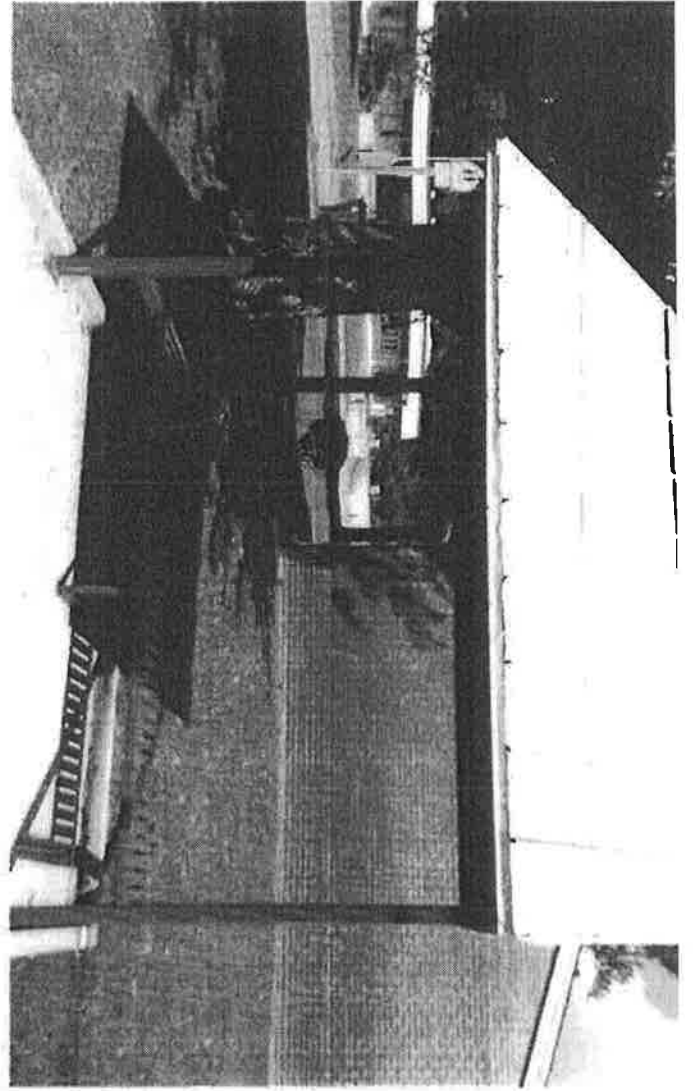
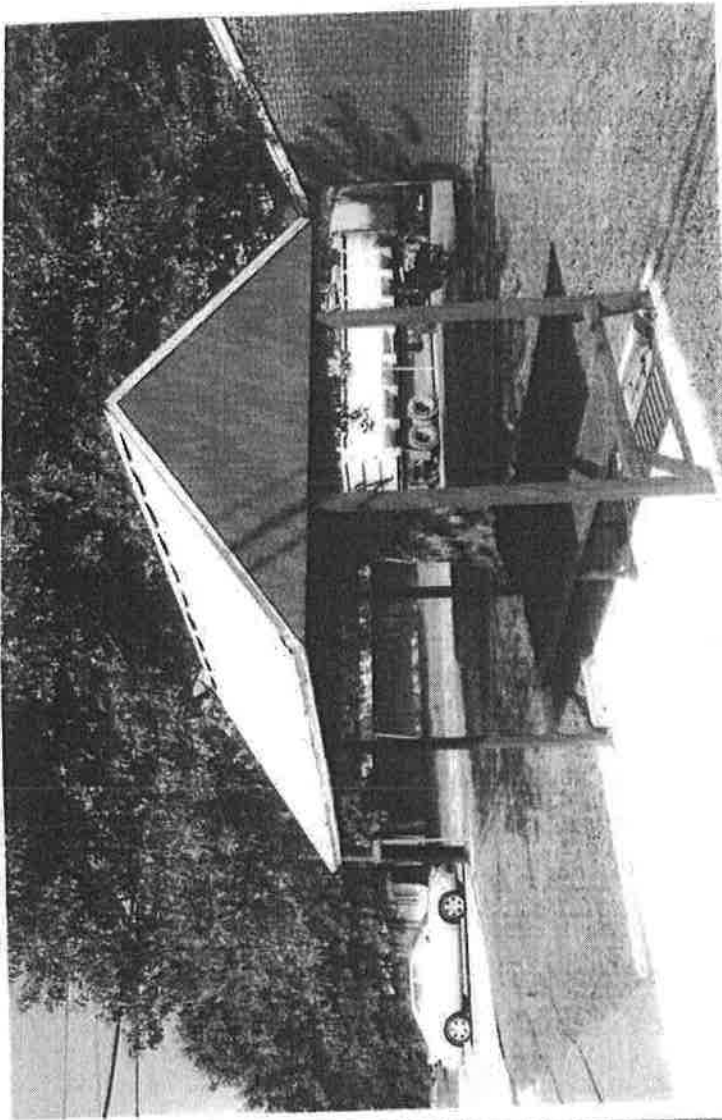
<u>Terry McCullough</u> (Print) Applicant Name	<u>Terry M. Culler</u> (Sign) Applicant Name	<u>10-1-14</u> Date
<u>South Chattanooga Oak Hills Neq.</u> (Print) Owner's Name	<u>President. Terry McCullough</u> (Sign) Owner's Name	<u>10-1-2014</u> Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

(Processing Fee of \$110.00 payable to: City of Chattanooga)

Temp Usage: 4221 Grand Avenue
District: 7 Owners Oak Hills Neighborhood Association/Terry McCullough
Bus Shelter 10' x 8'





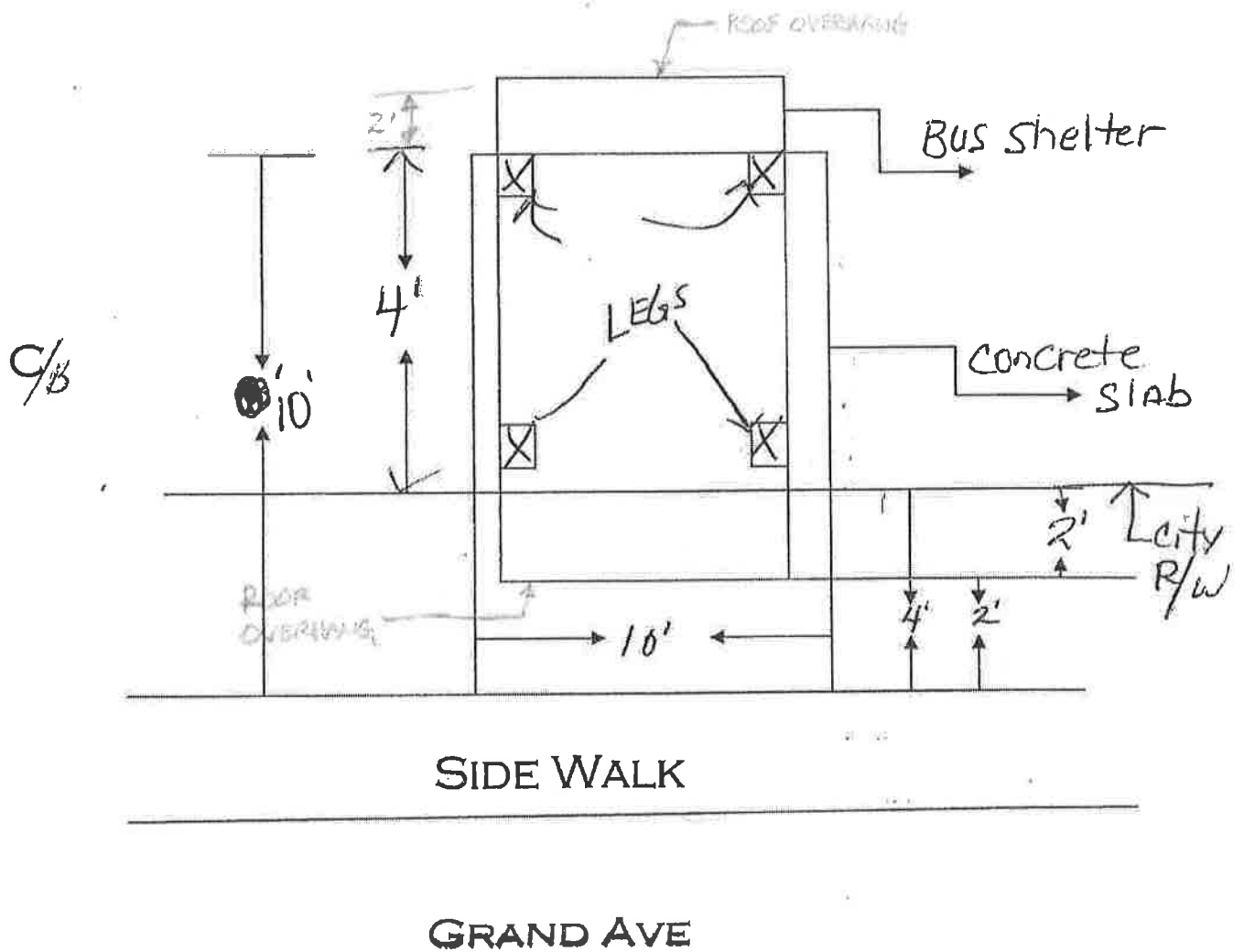
4221 GRAND AVE

8" 10 X 8 ' CONCRETE SLAB

SHELTER SIZE 10' X 10'

4' ON THE CITY RIGHT AWAY

4' ON THE OWNER PROPERTY



Southside Chattanooga Oak Hills Neighborhood Association

P.O. Box 2311 Chattanooga ,Tn. 37409

Owner Name: Marlene Strickland

Property Address

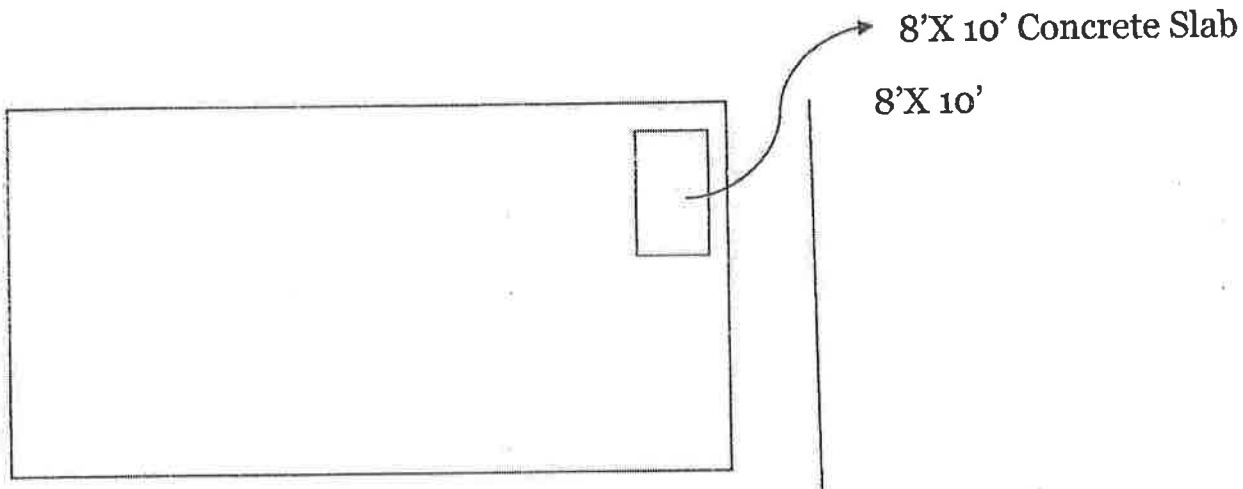
4221 Grand Ave

Chattanooga, Tn .374010

Map # 167c-A-021

Size use 8' X10'

We are asking Marlene Strickland permission to use 8'X10 size of her Property to put a Bus Shelter for kids in the Community of Oak Hills.



I, Marlene Strickland give Oak Hills Permission to put their Bus shelter in front of my property at 4212 Grand Ave Chattanooga, Tn. 37410

X Marlene Strickland²¹
X Jean McCullough Oak Hills

9/2/2014