

RESOLUTION NO. 28200

A RESOLUTION AUTHORIZING COGENT STUDIO LLC C/O THOMAS PALMER AGENT FOR PROPERTY OWNERS BYD BROAD AND KEVIN BOEHM TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE UNOPENED ALLEY IN THE REAR OF THE BUILDING LOCATED AT 1616 BROAD STREET TO PAVE THE ALLEY WITH CONCRETE AND PROVIDE A CHAIN LINK FENCE WITH A GATE FOR INGRESS AND EGRESS TO FACILITATE HAND TRUCK DELIVERIES FROM 17TH 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 COGENT STUDIO LLC C/O THOMAS PALMER AGENT FOR PROPERTY OWNERS BYD BROAD AND KEVIN BOEHM, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way of the unopened alley in the rear of the building located at 1616 Broad Street to pave the alley with concrete and provide a chain link fence with a gate for ingress and egress to facilitate hand truck deliveries from 17th 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 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 permits and approvals from the City of Chattanooga Land Development Office.

5. Temporary User must respect any and all existing streetscaping along 17th Street.

6. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

ADOPTED: April 7, 2015

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