

RESOLUTION NO. 28265

A RESOLUTION AUTHORIZING PASSPOINTE ENGINEERING C/O JAN PASS, AGENT FOR THE PROPERTY OWNER, SHAILESH PATEL, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT THE WEST SIDE OF 6804 SHALLOWFORD ROAD TO MAINTAIN THE TOP OF THE BANK OF AN EXISTING DETENTION POND, AS SHOWN ON THE MAPS AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That PASSPOINTE ENGINEERING C/O JAN PASS, AGENT FOR THE PROPERTY OWNER, SHAILESH PATEL (hereinafter referred to as “Temporary Users”) be and are hereby permitted to use temporarily the right-of-way located at the west side of 6804 Shallowford Road to maintain the top of the bank of an existing detention pond, as shown on the maps and 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 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. Temporary Users shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

5. The existing 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. Any and all landscaping and structures, including maintenance, demolition and/or removal as necessary, shall be the responsibility of the Temporary Users.

6. Temporary Users 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: June 9, 2015

/mem

Request for Temporary Usage # 148344 (District 6)  
Chattanooga Wine & Spirits (Shailesh Patel)  
6804 Shallowford Road

**6801**

148D E 009  
Cornerstone Auto  
Brokers LLC

148D E 008  
AMG International

148D D 019  
Speedway LLC

Temp Use Area

**6800**

148D G 001.04  
Dev Krupa Inc

**6812**

148D G 002  
Williams Michael  
Marks Sandra

**6816**

148D G 003  
Patel Shailesh & Dhaval

148D G 001.03  
Patel Shailesh

**6804**

**6808**

148D G 001.05  
Patel Shailesh

**6818**

148D G 001  
Bi-Lo

