

RESOLUTION NO. 28548

A RESOLUTION AUTHORIZING MILLER-MCCOY, INC. C/O RICHARD MCCOY, AGENT FOR THE PROPERTY OWNER, KOCH FOODS C/O LANCE BUCKERT, TO USE TEMPORARILY THE TWENTY-THREE (23') FOOT ALLEYWAY ALONG THE WEST SIDE OF PROPERTIES AT 1701 ROSSVILLE AVENUE AND 301 18TH STREET TO IMPROVE THE RE-GRADE OF THE ALLEYWAY FOR ACCESS AND STORAGE, 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 MILLER-MCCOY, INC. C/O RICHARD MCCOY, AGENT FOR THE PROPERTY OWNER, KOCH FOODS C/O LANCE BUCKERT (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the twenty-three (23') foot alleyway along the west side of properties at 1701 Rossville Avenue and 301 18th Street to improve the re-grade of the alleyway for access and storage, 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. Any fencing installed shall not be within the twenty-five (25') foot sight triangle.

4. The driveway will be paved for its first ten (10') feet behind the driveway apron.

5. The driveway apron shall follow the latest city standards.

6. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

7. 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: March 8, 2016

/mem

Temporary Usage Request # TU 2016-002
Richard McCoy (Miller-McCoy, Inc.) for Lance Buckert (Koch Foods)
1701 Rossville Avenue (District 7)

