

RESOLUTION NO. 28692

A RESOLUTION AUTHORIZING JAMES FLEMING TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE ALLEY ADJACENT TO 912 ENDICOTT STREET TO INSTALL FENCING, LANDSCAPING, AND PROPOSED DRIVEWAY MODIFICATIONS, 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 JAMES FLEMING, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way of the alley adjacent to 912 Endicott Street to install fencing, landscaping, and proposed driveway modifications, 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. The fence located within the right-of-way shall be placed per the attached map.

4. Adjustment to the existing driveway shall include a minimum of twenty (20') feet paved surface measured from the edge of Endicott Street.

5. Adjustment to the existing driveway apron shall follow the latest city standards.

6. Any and all landscaping shall be maintained to provide adequate sight distance along Endicott Street.

7. The alleyway from Endicott Street to the proposed fence line must remain clear and fully accessible at all times.

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

9. 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: July 12, 2016

/mem

Temporary Usage Request # TU 2016-004
James Fleming
912 Endicott Street (District 2)

