

RESOLUTION NO. 28731

A RESOLUTION AUTHORIZING HAGAMAN CONSTRUCTION COMPANY C/O BENNETT HAGAMAN TO USE TEMPORARILY THE RIGHT-OF-WAY OF THE ALLEY LOCATED ADJACENT TO 910 AND 912 YOUNG AVENUE FOR SECONDARY ACCESS TO THE PROPERTIES, 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 HAGAMAN CONSTRUCTION COMPANY C/O BENNETT HAGAMAN, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way of the alley located adjacent to 910 and 912 Young Avenue for secondary access to the properties, 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. Preservation of the existing tree adjacent to the entrance from Terrace of the alley in question is strongly encouraged. Temporary User will consult with the City Forest to determine the overall health of the tree and also clarify appropriate tree protection practices. Temporary User is encouraged to reference the Forester's tree preservation best practices as well as the city's tree protection policies.

5. The driveway will be paved for a minimum of ten (10) feet behind the driveway apron.

6. The driveway apron, as well as all other new construction elements, shall follow the latest city requirements.

7. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office, including conforming to LDO inspection requirements.

8. 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: August 9, 2016

/mem

Temporary Usage Request # TU 2016-013
Hagaman Construction Co. (Bennett Hagaman)
910 & 912 Young Ave. (District 2)

