

RESOLUTION NO. 28840

A RESOLUTION AUTHORIZING DARWIN SAWYER ON BEHALF OF MICHAEL BORODIMOS (RESTAURANT OWNER) AND R. L. WILLIAMS (PROPERTY OWNER) TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 249 RIVER STREET (FRAZIER AVENUE) FOR THE PURPOSE OF HAVING DOUBLE DOORS SWING OPEN OVER THE FRAZIER AVENUE SIDEWALK, AND FOR POTTED PLANTS TO BE PLACED ON THE FRAZIER AVENUE SIDEWALK TO ALERT PEDESTRIANS TO THE SWINGING DOORS, AS SHOWN ON THE MAPS 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 DARWIN SAWYER ON BEHALF OF MICHAEL BORODIMOS (RESTAURANT OWNER) AND R. L. WILLIAMS (PROPERTY OWNER), (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 249 River Street (Frazier Avenue) for the purpose of having double doors swing open over the Frazier Avenue sidewalk, and for potted plants to be placed on the Frazier Avenue sidewalk to alert pedestrians to the swinging doors, 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.

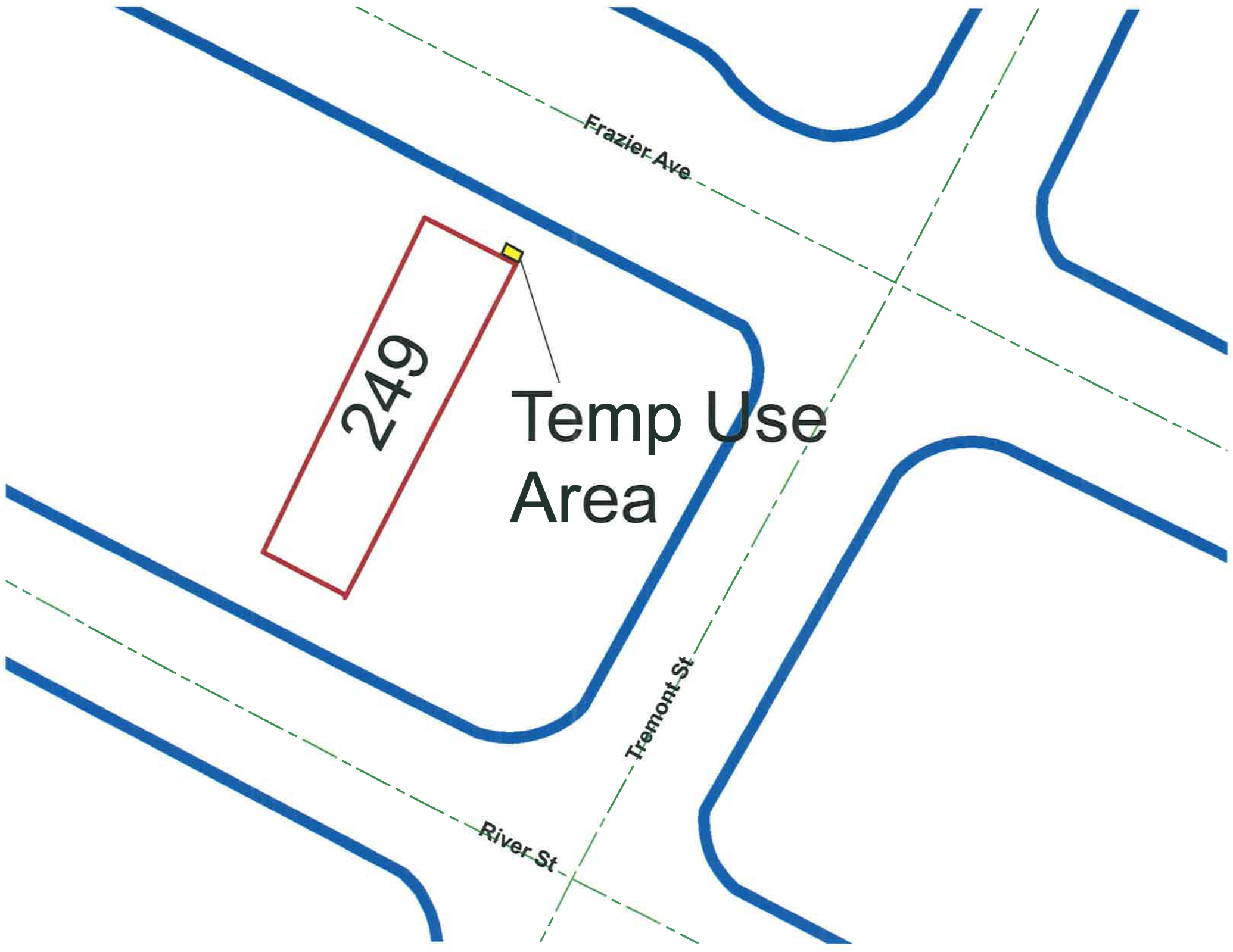
3. There shall be a minimum of six (6) feet clear sidewalk area between apogee of opening doors/potted plants and the curb.

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

5. 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: November 8, 2016

/mem



Frazier Ave

249

Temp Use Area

Tremont St

River St