

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING JAROSLAV TYMAN TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG A PORTION OF WOOLSON ROAD AND LLOYD STREET FOR ACCESS TO PRIVATE PROPERTY, LOT 1 AND LOT 577, JEFF DAVIS ADDITION TO MISSION RIDGE, PLAT BOOK 9, PAGE 36 ROHC, TAX MAP NOS. 137H-J-007 AND 137H-J-013, AS SHOWN ON THE MAPS AND DRAWINGS 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 JAROSLAV TYMAN, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located along a portion of Woolson Road and Lloyd Street for access to private property, Lot 1 and Lot 577, Jeff Davis Addition to Mission Ridge, Plat Book 9, Page 36 ROHC, Tax Map Nos. 137H-J-007 and 137H-J-013, 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 User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.
2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.
3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.
4. Temporary User shall obtain proper Land Disturbing Permits as per City Code and Standards.

5. Temporary User cannot restrict the neighboring property owner's access to the subject right-of-way, and Temporary User is responsible for maintaining the subject right-of-way in the condition equal to or better than the condition at the time the temporary use is granted.

ADOPTED: _____, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and JAROSLAV TYMAN (hereinafter “Temporary User”), this _____ day of _____, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located along a portion of Woolson Road and Lloyd Street for access to private property, Lot 1 and Lot 577, Jeff Davis Addition to Mission Ridge, Plat Book 9, Page 36 ROHC, Tax Map Nos. 137H-J-007 and 137H-J-013, as shown on the maps and drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. Temporary User shall vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that “reasonable notice” shall be deemed to be thirty (30) days. Temporary User shall restore the property to its original condition when it is returned to the City.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. Temporary User shall obtain proper Land Disturbing Permits as per City Code and Standards.

5. Temporary User cannot restrict the neighboring property owner's access to the subject right-of-way, and Temporary User is responsible for maintaining the subject right-of-way in the condition equal to or better than the condition at the time the temporary use is granted.

_____, 2012
Date

BY: _____
Jaroslav Tyman

CITY OF CHATTANOOGA, TENNESSEE

_____, 2012
Date

BY: _____
Ron Littlefield, Mayor

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: September 10, 2012

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 5

A City Council Action is requested to approve Temporary Usage No. 94263 for Jaroslav Tyman for the right of way along a portion of Woolson Road and Lloyd Street for access to his private ^{PROPERTY} Lot 1 and Lot 577, Jeff Davis addition to Mission Ridge, Plat Book 9, Page 36 ROHC, Tax Map 137H-J-007 and 137H-J-013, as shown on the attached drawing.

Name of Vendor/Contractor/Grant, etc.	N/A
Total project cost \$	N/A
Total City of Chattanooga Portion \$	N/A
City Amount Funded \$	N/A
New City Funding Required \$	N/A
City's Match Percentage %	N/A

New Contract/Project? (Yes or No)	N/A
Funds Budgeted? (YES or NO)	N/A
Provide Fund	N/A
Provide Cost Center	N/A
Proposed Funding Source if not budgeted	N/A
Grant Period (if applicable)	N/A

List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)

Agency Grant Number

CFDA Number if known

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by:

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Memorandum

To: Bill Payne
From: Bill Cannon
cc: Dennis Malone
Date: August 23, 2012
Re: Temporary Usage Request #94263
Jaroslav Tyman (Lloyd Street @ Woolson Rd)
320 High Street, Apt. 16
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Tyman's request for Temporary Usage of the right of way along a portion of Woolson Road and Lloyd Street for access to his private property. Lot 1 and Lot 57, Jeff Davis Addition to Mission Ridge, Plat Book 9, Page 36 ROHC, Tax Map 137H-J-007 and 013.01 Please refer to the attached map. My comments are as follows:

- The applicant is requesting temporary usage of the subject 40' in width rights of way for approximately 690' along a portion of Woolson Road and platted right of way of Lloyd Street, which is not constructed (plat book 9 page 36).
- The applicant met with Engineering and explained his plan to build his personal single family home on his above referenced lots which are addressed off of N. Crest Rd., but due to the topography of the land along N. Crest Rd he is asking to work in and on the subject rights of way to access his property and to begin construction. (see attached map).

After review, granting this Temporary Usage does not conflict with the Public's interest. Therefore, I recommend that the request for ***Temporary Usage be granted subject to the following condition.***

- ***Subject to the applicant obtaining proper Land Disturbing Permits as per City Code and Standards.***
- ***Applicant cannot restrict the neighboring property owner's access to the subject right of way and applicant is responsible for maintaining the subject right of way in the condition equal to or better than the condition at the time the temporary use is granted.***

Arno

Crest

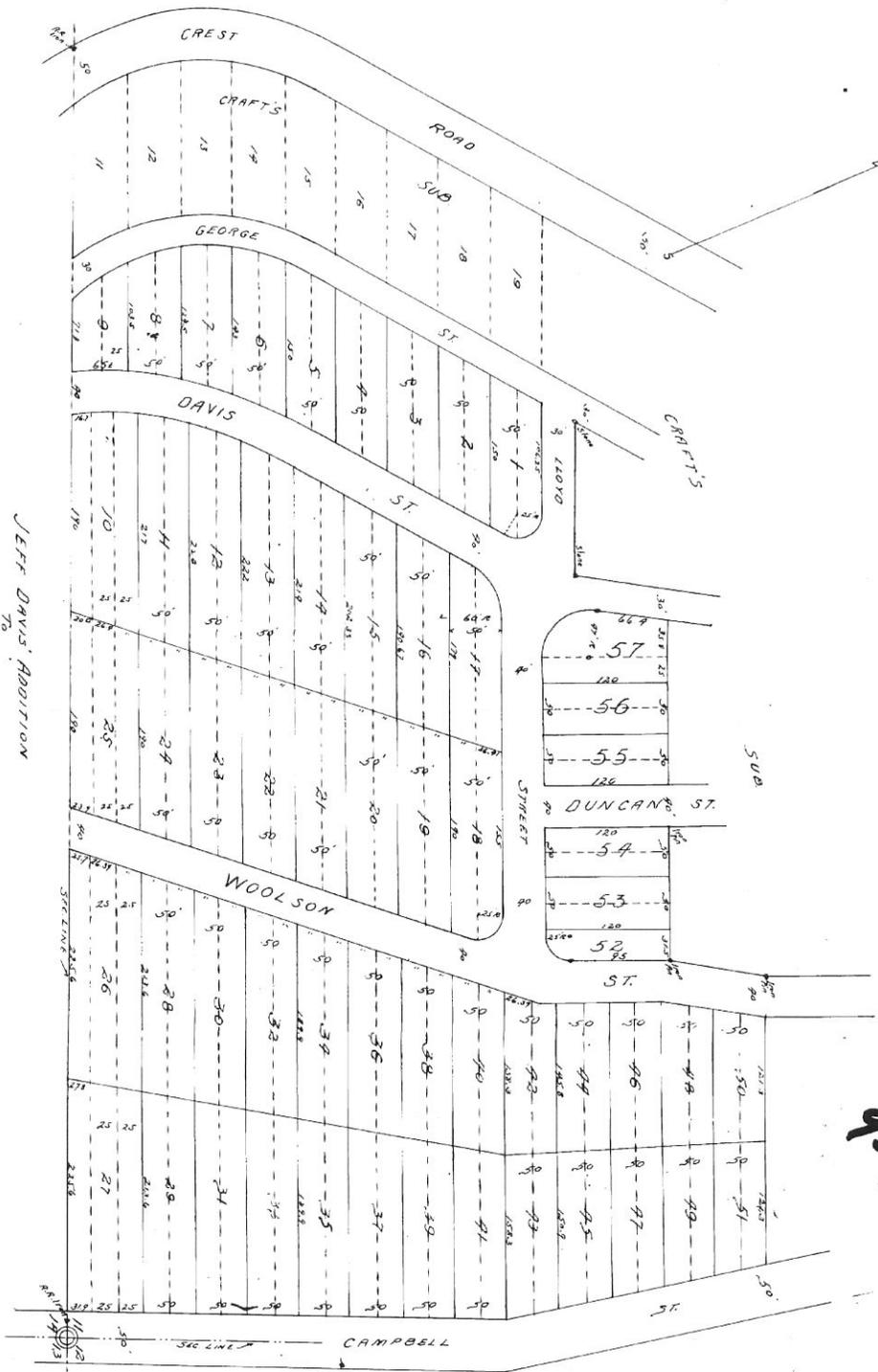
Tax Map #
137H J 007 & 013.01

Woolson

Greenwood

Temp Use 94263
Has no access to parcel
from N Crest Rd



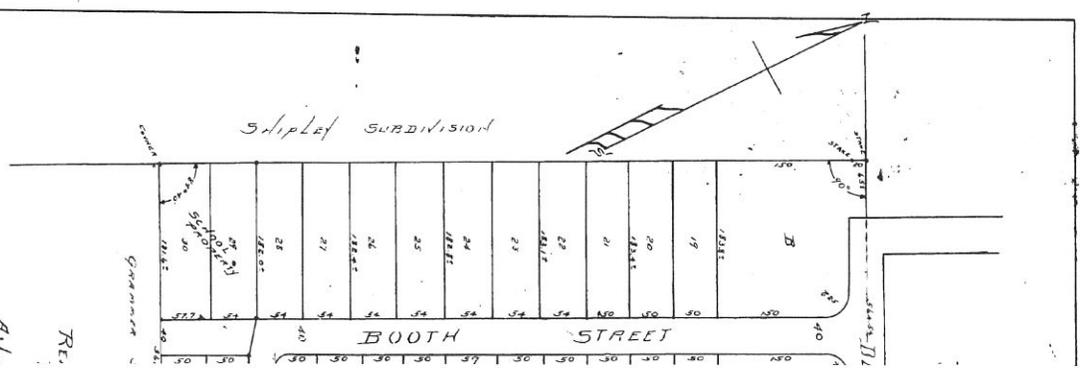


Filed for Registration 1st 21, 1925 at 11:35 A.M.

LEFT DAVIS' ADDITION
 TO
 MISSION RIDGE
 CHATTANOOGA, TENN.
 Subd. 1st 21, 1925 - Apr. 1925.
 Cashman-Parry & Co.

Approved by Planning Board.

9-310



RE.
 AMENDED
 IN S.
 ON THE GEN.
 MAPS.
 EDWARD L. BETTS REGISTER
 CHATTANOOGA



For Office Use Only
Jana Crabtree
 Technician Signature
 7/19/12
 Date

7/19/12
 (DATE)

William C. Payne, P. E.
 City Engineer
 Development Resource Center
 1250 Market Street, Suite 2100
 Chattanooga, Tennessee 37402

W/O# 94263 S/R# 632777

CLOSED
 7-19-2012
 Closed S/R

RECEIVED

JUL 19 2012

STORM WATER

Re: Request for Temporary Usage



Dear Mr. Payne:

This is a request for a temporary usage of providing entry to parcels
137H-J-007 and 137H-J-013.01 610 S CREST

The reason for this request is as follows:
Because of land locked

In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, and hold harmless the City of Chattanooga, Tennessee its officers, agents, and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.
2. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
3. Temporary User will provide full access for maintenance of any utilities located within the easement.
4. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
5. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
6. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number is as follows: 320 High Str., Apt. 16. Chattanooga
TN 37403

(email address) JAROSLAV@TYMAN.US

(Processing Fee of \$110.00 payable to: City of Chattanooga)

JAROSLAV TYMAN 07-19-2012
 (Print) Applicant Name Date

JAROSLAV TYMAN 07-19-2012
 (Print) Owner's Name Date

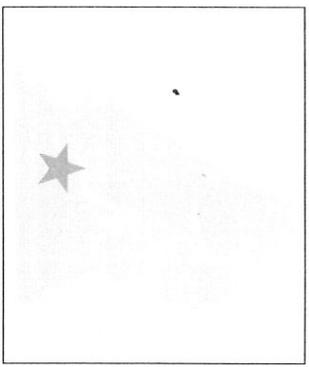
This application must include the owner's signature and a site map of the referenced location to complete processing.

HCGIS - Internet Mapping Service



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED AS A LEGAL DOCUMENT.

Map center: 35° 3' 42.9" N, 85° 14' 38.3" W

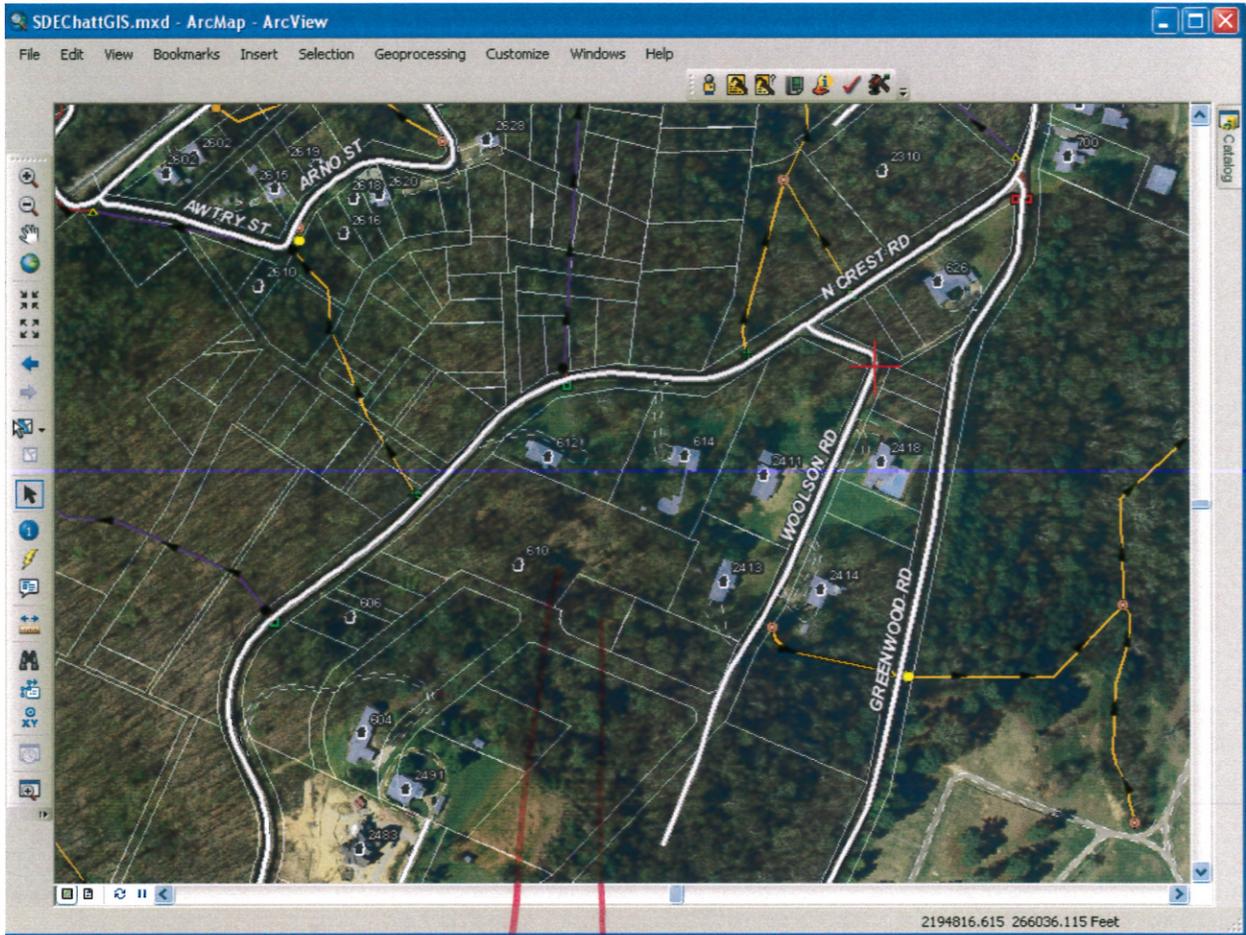


Legend

- Interstates
- Railways
- Roads
- Parcels
- Water Bodies
- Cities
- Chatanooga
- Collegedale
- East Ridge
- Lakesite
- Lookout Mountain
- Red Bank
- Ridgeside
- Signal Mountain
- Soddy Daisy
- Walden
- cover



Scale: 1:1,657



610
137H-J-007
137H-J-013.01



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 7/19/12 @ 3:20 PM

CityworksSR #: 632777

SR Type:	ENG - Temporary Right-of-Way Use		
Submitted to:	CANNON, WILLIAM E	Dispatched:	CANNON, WILLIAM E
Input By:	FISHER, CAROLYN C	Priority:	
Create Date:	7/19/2012 3:15:41 PM	Status:	CLOSED
District:	5	Due Date:	10/17/2012
Location:	610 S CREST ROAD 37404		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
JAROSLAV	TYMAN	320 HIGH STREET, APT 16		37403
Home Phone	Work Phone	Other Phone		

Additional Information

CSRID	
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Additional Details/Comments: REQUEST FOR TEMP USAGE BECAUSE OF LAND LOCKED PARCEL.137H-J-007 AND 137H - J - 013./01.



**CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
UNIFIED WORK ORDER**

Project/Funding:

Work Order Number: * 9 4 2 6 3 *



Address: 610 S CREST ROAD

Tax Map/Grid: 137H

Required Work Type: ENG - Temporary Use		Category: ADMIN		Date Needed: 9/17/2012
WO Initiated: 7/19/2012 3:16:55 PM	Initiated By: FISHER, CAROLYN C	Requested By: CANNON, WILLIAM E	Priority: 3	District: 5
			Transferred To/Submitted to: CANNON, WILLIAM E - 7/19/2012 3:17:10 PM	Status: UNDINV

Instructions:

Comments: From: Request ID: 632777, 7/19/2012 3:16:45 PM Problem Details: REQUEST FOR TEMP USAGE BECAUSE OF LAND LOCKED PARCEL.137H-J-007 AND 137H - J - 013./01.

By FISHER, CAROLYN C: 7/19/2012 3:17:30 PM

From: Request ID: 632777, 7/19/2012 3:16:45 PM Problem Details: REQUEST FOR TEMP USAGE BECAUSE OF LAND LOCKED PARCEL.137H-J-007 AND 137H - J - 013./01.

Date Completed:

Supervisor:

WO Closed :

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
632777	7/19/2012 3:15:41 PM		ENG - Temporary Right-of-Way Use	610 S CREST ROAD
Customer Name			Customer Work Phone	Customer Home Phone
TYMAN, JAROSLAV				37403

Work Comments/Results:

JAROSLAV TYMAN
320 HIGH STREET APT. 16
CHATTANOOGA, TN 37403

07-19-2012
Date

1007
87-8840/2613
01

Pay to the City of Chattanooga \$ 110.00
Order of one hundred and ten and no/100 Dollars

GOLD 50 CHECKING ACCOUNT

COMTRUST
Federal Credit Union
1020 Riverfront Parkway
Chattanooga, TN 37402

For Temp usage
MP
⑆ 251388406⑆ 101835820107⑆ 100⑆

Handland Clarke



CITY OF CHATTANOOGA

RECEIPT NO. 193602

DATE 7/19/12
Received from Jaroslav Tyman
Amount of one hundred and ten and no/100 Dollars and 00 Cents
For Temp usage - 210 N. Crest Rd

Cash \$ _____
 Check \$ 110.00 # 1007

TH
Department Division
Sarah Carter
Signature