

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING FORK & PIE C/O MIKE ROBINSON TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED IN THE 800 BLOCK OF MARKET STREET FOR THE INSTALLATION OF AWNINGS, AS SHOWN ON THE MAP 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 FORK & PIE C/O MIKE ROBINSON, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located in the 800 block of Market Street for the installation of awnings, as shown on the map 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. The proposed Awnings must meet the minimum elevation requirements as per City Codes and Standards.

ADOPTED: _____, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and FORK & PIE C/O MIKE ROBINSON (hereinafter "Temporary User"), this _____ day of _____, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located in the 800 block of Market Street for the installation of awnings, as shown on the map 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. The proposed Awnings must meet the minimum elevation requirements as per City Codes and Standards.

FORK & PIE

_____, 2012
Date

BY: _____
Mike Robinson

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 21, 2012

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 8

A City Council Action is requested to approve Temporary Usage No. 98010 for Fork & Pie c/o Mike Robinson for the 800 block of Market Street to the installation of an awning, as shown on the attached drawing.

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

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

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>

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

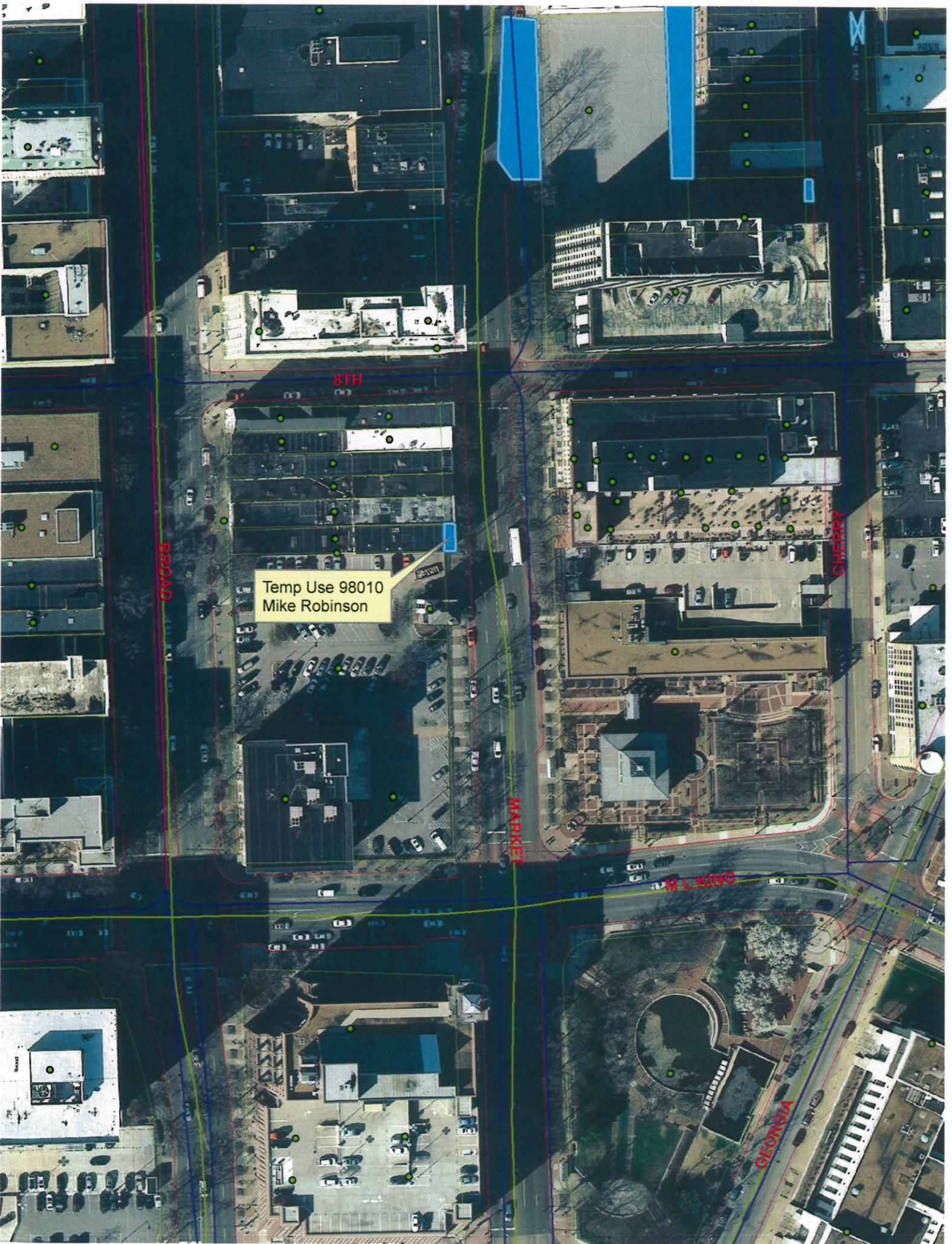
To: Bill Payne
From: Bill Cannon
cc: Dennis Malone
Date: September 19, 2012
Re: Temporary Usage Request #98010
(River City) Jim Williamson for Mike Robinson
811 Market St
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Robinson's request regarding the Temporary Usage of the right of way at 811 Market St. for the installation of awnings along a portion of said right-of-way. Please refer to the attached map. My comments are as follows:

- As per submitted sketch, the awnings will project approximately 32 inches into the subject ROW and is not a line of sight issue provided it is install as per submitted sketch.
- As per submitted sketch, the awnings will be 9 feet 8 inches above the existing sidewalk.

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.***

- ***The proposed Awnings must meet the minimum elevation requirements as per City Codes and Standards.***



Temp Use 98010
Mike Robinson

BROAD

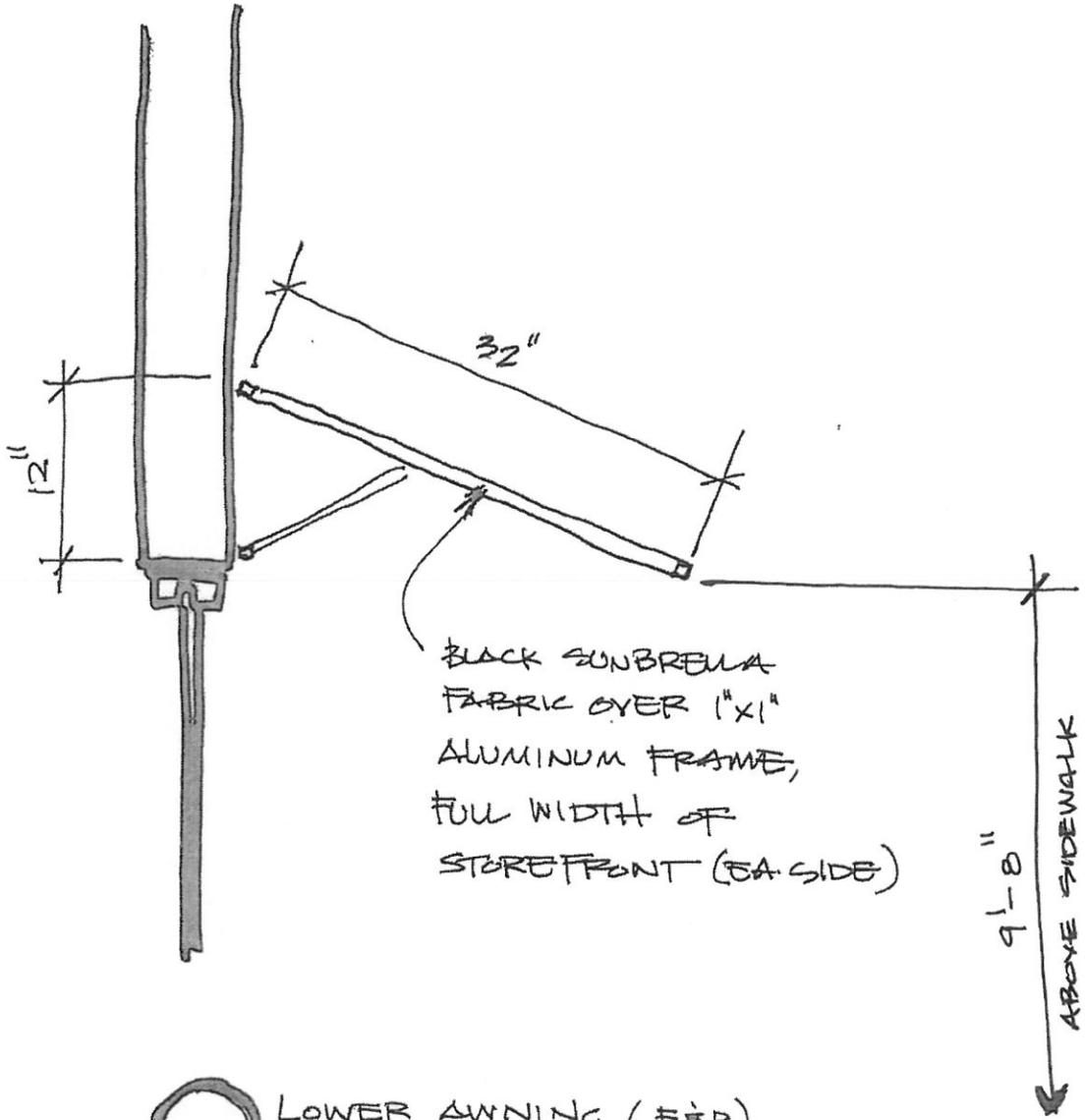
8TH

MARKET

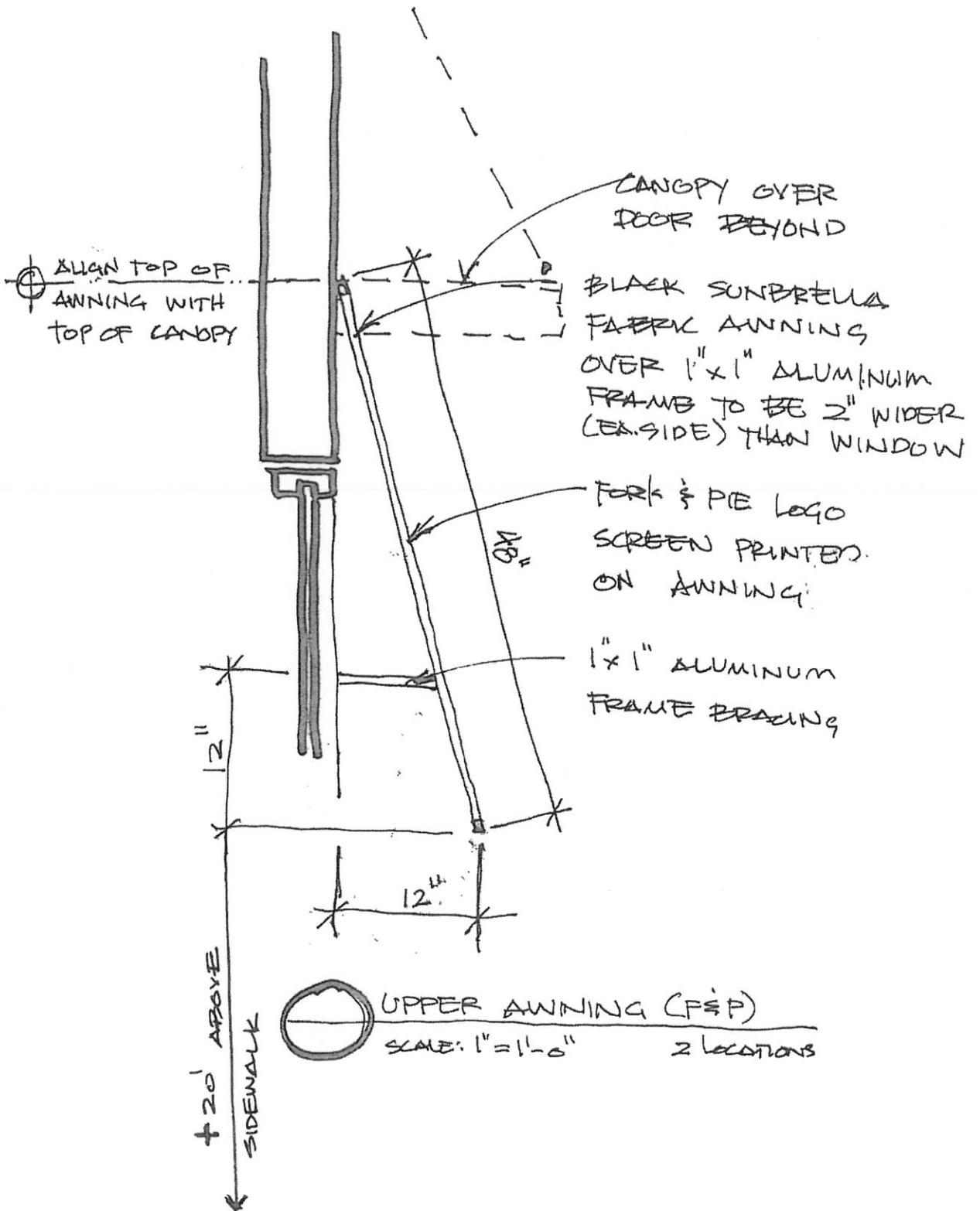
M L KING

CHERRY

GEORGIA



 LOWER AWNING (F&P)
 SCALE: 1" = 1'-0" 2 LOCATIONS





For Office Use Only
William D. ...
 Technician Signature
 8/22/12
 Date

AUGUST 22, 2012
 (DATE)

WO# 98010

ENTERED
CCF

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

SR# 651017

RECEIVED
 SEP - 4 2012

Re: Request for Temporary Usage

CLOSED
SR. 9-6-2012

STORM WATER

Dear Mr. Payne:

This is a request for a temporary usage of (4) FABRIC AWNINGS OVER WINDOWS AND CITY SIDEWALK @ 811 MARKET STREET (FORK & PIE) APPROXIMATELY 32" INTO R.O.W.

The reason for this request is as follows:

BUILDING IS BUILT UP TO PROPERTY LINE AND CITY SIDEWALK (PER ZONING ALLOWANCE); THEREFORE, PLACEMENT OF AWNINGS WILL PROTRUDE OVER CITY SIDEWALK AND RIGHT OF WAY.

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:

850 MARKET STREET, CHATTANOOGA, TN 37402 (423) 265-3700

(email address) jwilliamson@rivercitycompany.com
 (Processing Fee of \$110.00 payable to: City of Chattanooga)

JIM WILLIAMSON
 (Print) Applicant Name

AUGUST 22, 2012
 Date

MIKE ROBINSON
 (Print) Owner's Name

AUGUST 22, 2012
 Date

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

Delivered to AMP
 9-6-12



CITY OF CHATTANOOGA

DATE 8/22/12

RECEIPT NO. 193606

Received from RIVERCITY CO

Amount of ONE HUNDRED Dollars and TEN Cents 0

For TEMP USAGE - 811 MANIFEST

Cash \$ 110.00

Check \$ 110.00

#000174 TJC
Department/Division
BONNIE
Signature

RIVERCITY COMPANY
PH. 423.265.3700 FAX 423.265.6952

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8/20/2012	FORK/PIE	Fee - Temporary Usage	110.00	0.00	110.00
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Check: 000174 8/20/2012 CITY OF CHATTANOOGA 110.00

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

174

RIVERCITY COMPANY

850 MARKET ST FL 2
CHATTANOOGA, TN 37402
PH. 423.265.3700 FAX 423.265.6952

CORNERSTONE COMMUNITY BANK
CHATTANOOGA, TENNESSEE

87-436/613

NUMBER
000174

*ONE HUNDRED TEN AND XX / 100

DATE

8/20/2012

AMOUNT

*****110.00*

PAY
TO THE
ORDER
OF

CITY OF CHATTANOOGA
CHATTANOOGA, TN 37402

AMOUNTS IN EXCESS OF 20,000 REQUIRES TWO SIGNATURES.

[Signature]



THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

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