

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING JEANNE P. ELLIS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1807 TERRY LYNN DRIVE TO INSTALL A DRIVEWAY TO GAIN ACCESS TO RESIDENTIAL PROPERTY, 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 JEANNE P. ELLIS, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 1807 Terry Lynn Drive to install a driveway to gain access to residential property, 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 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 be subject to Land Development Office approval.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and JEANNE P. ELLIS (hereinafter “Temporary User”), this ____ day of _____, 2013.

For and in consideration of the granting of the temporary usage of the right-of-way located at 1807 Terry Lynn Drive to install a driveway to gain access to residential property, as shown on the maps 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 be subject to Land Development Office approval.

_____, 2013
Date

BY: _____
Jeanne P. Ellis

CITY OF CHATTANOOGA, TENNESSEE

_____, 2013
Date

BY: _____
Andy Berke, Mayor

City of Chattanooga



Resolution Request Form

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

Date: July 10, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 4

A City Council Action is requested to approve the request for Temporary Usage No. for Jeanne P. Ellis for the right-of-way 1807 Terry Lynn Drive to install a driveway to gain access to the property residential, as shown on the attached map.

Name of Vendor/Contractor/Grant, etc.	N/A	New Contract/Project? (Yes or No)	N/A
Total project cost \$	N/A	Funds Budgeted? (YES or NO)	N/A
Total City of Chattanooga Portion \$	N/A	Provide Fund	N/A
City Amount Funded \$	N/A	Provide Cost Center	N/A
New City Funding Required \$	N/A	Proposed Funding Source if not budgeted	N/A
City's Match Percentage %	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: 
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Memorandum

To: Bill Payne
From: Ed Bowen
cc: Dennis Malone
Date: July 9, 2013
Re: Temporary Usage Request #115791
Jeanne P. Ellis
1807 Terry Lynn Drive
Recommendations Regarding Temporary Usage Request

I have completed my review of Ms. Ellis' request regarding the Temporary Usage of the right of way at 1807 Terry Lynn Drive to build a private drive-way to gain access to a proposed residential home. Please refer to the attached map . My comments are as follows:

- The applicant is requesting usage of the subject right of way to gain access to the site where she plans to build a house.
- The City of Chattanooga has sanitary sewer infrastructure in the subject portion of the right of way.

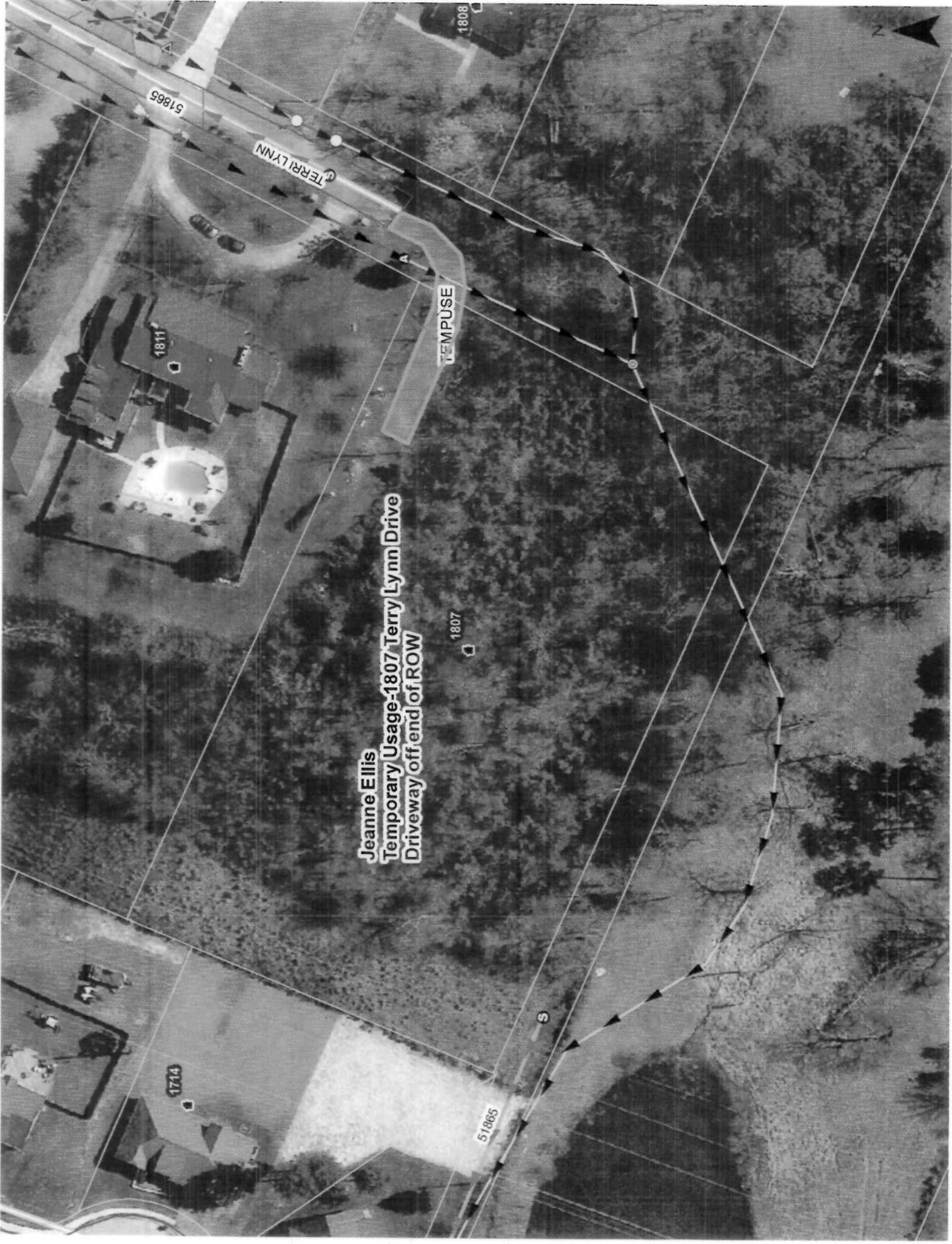
After review, granting this Temporary Usage does not conflict with the Public's interest. Therefore, I recommend that the request for **Temporary Usage be granted subject to the following condition.**

- **Condition : Subject to retention of the sanitary sewer infrastructure for the City of Chattanooga.**

Land Development office approval.

*WCF
07-11-13*

**Jeanne Ellis
Temporary Usage-1807 Terry Lynn Drive
Driveway off end of ROW**



For Office Use Only

Raymond Dodson

Technician Signature

6/24/13

Date

6-24-2013 (Date)

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

SR# 736771

WO# 115791

Re: Request for Temporary Usage

Dear Mr. Payne:

This is a request for a temporary usage of *Joni Lynn D. (Deed and)*

159A-D-010
1807 TERRY LYNN DR

The reason for this request is as follows:

Build a drive-way to
get access to the house, I will build.

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 are as follows:

Jeanne P. Ellis Phone *706-858-8273*
115 Rock Creek Trail

(Processing Fee \$110.00)

Jeanne P. Ellis
Print Applicant Name

6-24-2013
Date

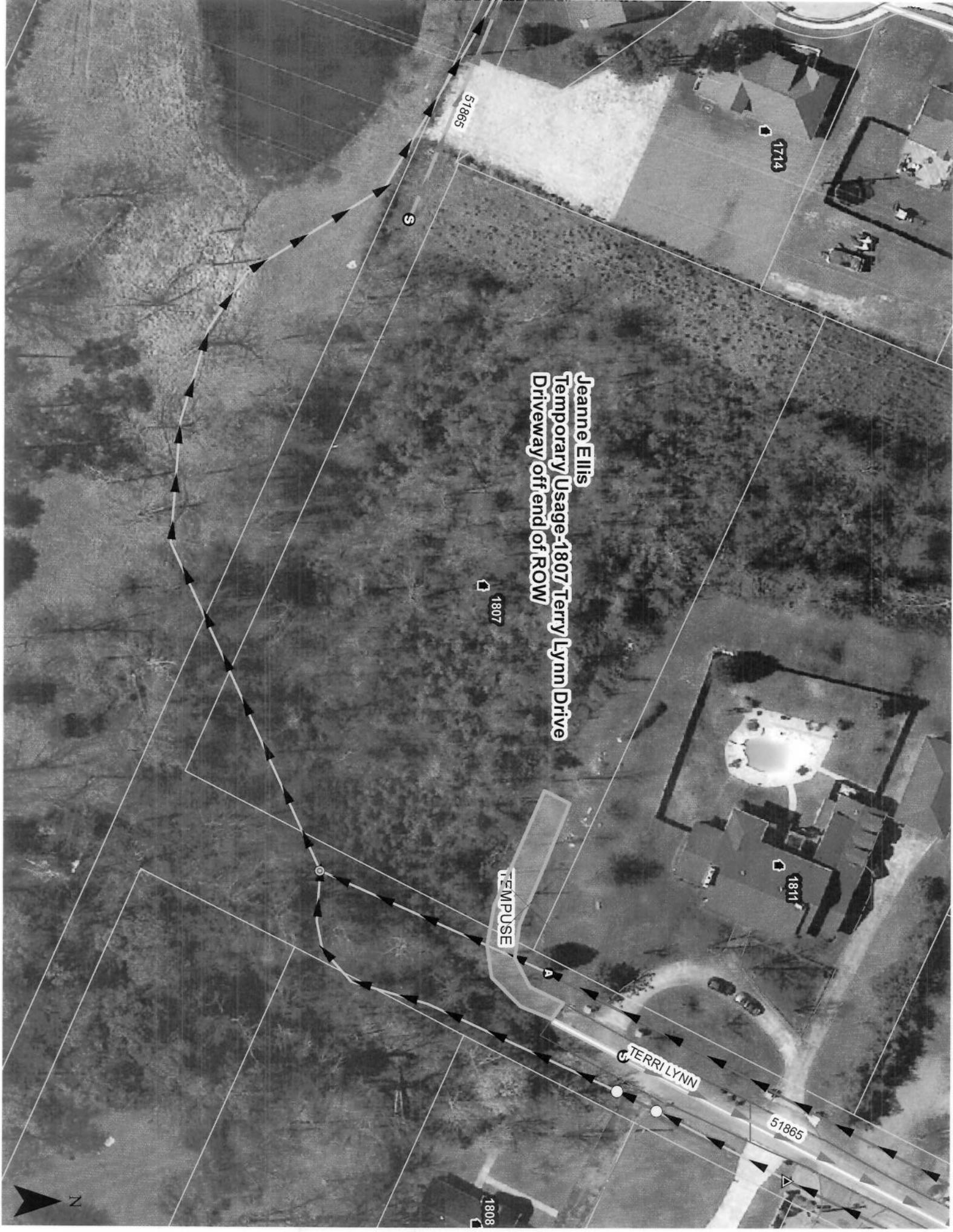
Jeanne P. Ellis
Print Owner's Name

6-24-2013
Date

Jeanne P. Ellis
Owner's Signature (Required)

District: *4*

NOTE: This application will not be processed without the owner's signature and a site map/drawing of the location.



51865

1714

Jeanne Ellis
Temporary Usage-1807 Terry Lynn Drive
Driveway off end of ROW

1807

1811

TEMPUSE

TERRI LYNN

51865

1808





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

Project/Funding:

Work Order Number: * I I 5 7 9 I *

Address: 1807 TERRY LYNN DRIVE

Tax Map/Grid: 159A

Required Work Type: ENG - Temporary Use	Category: ADMIN	Date Needed: 8/23/2013	Status: UNDNV
WO Initiated: 6/24/2013 2:59:27 PM	Initiated By: KING, CAROL A	Requested By: KING, CAROL A	Priority: 3
		District: 4	Transferred To/Submitted to: CANNON, WILLIAM E - 6/24/2013
			Date Needed: 3:06:10 PM

Instructions:

Comments: From: Request ID: 736771, 6/24/2013 2:58:49 PM
Problem Details: By KING, CAROL A: 6/24/2013 3:01:43 PM
To build a driveway to get access to the house. I will build,

Date Completed:

Supervisor:

WO Closed :

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Customer Work Phone	Customer Home Phone	Problem Address	Customer Zip
736771	6/24/2013 2:58:17 PM	3	ENG - Temporary Right-of-Way Use		(706) 858-8273	1807 TERRY LYNN DRIVE	30736
Customer Name				Customer Work Phone	Customer Home Phone	Customer Zip	
ELLIS, JEANNE					(706) 858-8273	30736	

Work Comments/Results:

Patton Angela

From: Payne Bill
Sent: Monday, July 08, 2013 2:44 PM
To: Patton Angela; Bowen Ed
Cc: Malone Dennis
Subject: RE: Message from Jean Ellis, (706)858-8273

Ed and I discussed last week and it is in process along with several others. I cannot in good conscience put her ahead of others that have been waiting when I told her myself that it takes 4-6 weeks for Council approval. It has been two weeks and we still have time to get it ready before the 6 week window is up.

Please inform her that we will send it forward for inclusion on the agenda before the end of July with Council action no later than the second Tuesday in August. If we are able to get to it sooner than that we will.

Thanks,
Bill

William C. Payne, PE
City Engineer

*Called Mrs. Ellis and
advised her of the above
information per Bill Payne.
AMP
7-8-13*

From: Patton Angela
Sent: Monday, July 8, 2013 12:28 PM
To: Payne Bill; Malone Dennis; Bowen Ed
Subject: Message from Jean Ellis, (706)858-8273

Mrs. Ellis submitted on 6/24 a temp usage was advised per Mayor Office that the request would be sent through as priority to be place on the agenda.

Please advise as she would like to get information today.

Thanks,

Angela R. Patton
Support Assistant 2

City of Chattanooga
Public Works Department
1250 Market Street
Chattanooga, TN 37402

☎ Phone: 423.643.6160

☎ Fax: 423.643.6008

✉ Email: patton_a@chattanooga.gov



CITY OF CHATTANOOGA

DATE 6/19/13

RECEIPT NO. 221704

Received from TOWER CONSTRUCTION

Amount of ONE HUNDRED Dollars and TEN Cents NO

For TEMP USAGE 318 KEITH ST.

Cash \$ _____

Check \$ 110⁰⁰

#11632
Collection Report No.

TIC
Department/Division
BONNIE
Signature



JEANNE P ELLIS
PH.706-858-8273
115 ROCK CREEK TRL
RINGGOLD, GA 30736-8094

1003
64-0112/0642

5

DATE 6/24/13

PAY TO THE ORDER OF City of Chattanooga \$ 110.00
One hundred ten dollars + no/100 DOLLARS



MEMO Permit

Jeanne P Ellis
MP

⑆064201120⑆ 1 561 504⑈ 1003



CITY OF CHATTANOOGA

DATE _____

RECEIPT NO. 221706

Received from _____

Amount of _____ Dollars and _____ Cents _____

For _____

Cash \$ _____

Check \$ _____

Department/Division

Signature