Temp Usage No. 109474

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING JENNIFER A. RIZZO C/O HABITAT FOR HUMANITY GREATER CHATTANOOGA AREA, ATTENTION DENNIS NEAL, TO USE TEMPORARILY AN UNOPENED RIGHT-OF-WAY ON MORGAN LANE TO HAVE A DRIVEWAY ACCESS TO ACCOMMODATE A NEW HOUSE BEING BUILT ON THE CORNER, 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 JENNIFER A. RIZZO C/O HABITAT FOR HUMANITY GREATER CHATTANOOGA AREA, ATTENTION DENNIS NEAL, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily an unopened right-of-way on Morgan Lane to have a driveway access to accommodate a new house being built on the corner, 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. The proposed road is on the corner of a blind curve, and safety should be considered.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and JENNIFER A. RIZZO C/O HABITAT FOR HUMANITY GREATER CHATTANOOGA AREA, ATTENTION DENNIS NEAL (hereinafter "Temporary User"), this _____ day of _____, 2013.

For and in consideration of the granting of the temporary usage of an unopened right-of-way on Morgan Lane to have a driveway access to accommodate a new house being built on the corner, 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. The proposed road is on the corner of a blind curve, and safety should be considered.

HABITAT FOR HUMANITY GREATER CHATTANOOGA AREA

_____, 2013 BY: _____
Date Dennis Neal

_____, 2013 BY: _____
Date Jennifer A. Rizzo

CITY OF CHATTANOOGA, TENNESSEE

_____, 2013 BY: _____
Date Andy Berke, Mayor

City of Chattanooga

Resolution Request Form

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

Date: August 9, 2013

Preparer: William C. Payne **Department:** Public Works - Engineering

Brief Description of Purpose for Resolution: Resolution Number (if approved by Council):

A City Council Action is requested to approve the request of Temporary Usage No. 109474 for Jennifer A. Rizzo, c/o Habitat for Humanity Greater Chattanooga Area, Attn: Dennis Neal for the unopened right of way Morgan Lane to have driveway access to accommodate a new house being built on the corner. The proposed road is on the corner of a blind curve, and safety should be considered. Please refer to the attached map and drawings.

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:

Reviewed by: FINANCE OFFICE DESIGNATED OFFICIAL/ADMINISTRATOR

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

Questions? Contact Finance Department . 423.757.5232

Memorandum

To: Bill Payne

From: Ed Bowen

cc: Dennis Malone

Date: August 7, 2013

Re: Temporary Usage Request #109474
Dennis Neal/HFHGCA
5664 Old Dayton Pike
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Neal's request regarding the Temporary Usage of the right of way at 5664 Old Dayton Pike to have driveway access from the proposed private road to accommodate a new house being built on the corner. The proposed road is on the corner of a blind curve, and safety should be considered. Please refer to the attached map and drawings. My comments are as follows:

- The City of Chattanooga has sanitary sewer infrastructure in the east end of the subject temporary use area, a proposed private road.
- The said proposed private road is in a blind curve of Old Dayton Pike.

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:***

- ***Temporary use will be granted to Jennifer A. Rizzo, c/o Habitat for Humanity Greater Chattanooga Area.***

Dennis Neal/Habitat for Humanity
WO: 109474 23
Temp Use-5664 Old Dayton Pike
OLD DAYTON
TEMPUSE
DAYDREAM
24
26
30
N

ENTERED DCF

RECEIVED
FEB 26 2013

For Office Use Only
Technician Signature
Date

2/20/2013 (Date)

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

WO# 109474

Re: Request for Temporary Usage

SR# 696023

CLOSED 2-27-2013

RECEIVED
FEB 27 2013

Dear Mr. Payne:

This is a request for a temporary usage of City Right-of-way currently referred to as Morgan Lane.

STORM WATER

The reason for this request is as follows;
Need to have driveway access from proposed private road to new house being built on corner of Old Dayton Pike and proposed road for safety considerations - corner on blind curve

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:
Habitat for Humanity Greater Chattanooga Area
1201 E. Main Street
Chattanooga TN 37408

(Processing Fee $110.00)

HFHGCA — 2/20/2013
Print **Applicant** Name — Date

Dennis Neal / Agent — 2/20/2013
Print **Owner's** Name — Date

Agent HFHGC
Owner's Signature (Required)

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

* property currently addressed as 5664 Old Dayton Pike is deeded to Habitat for Humanity Greater Chattanooga Area while house is under construction. Upon completion, will be deeded to Jenniter A. Rizzo w/sale of the house/property

GRESTVIEW DR
BRANDYWINE LN
LYNNBROOK CIR
ABELIA LN
BOHR DR
N MORGAN LN
N ELM ST
HETZEL LN
E MORGAN LN
WILD GINGER TRL
YOTHER LN
OLD DAYTON PIKE
DAYTON BLVD
MIMOSA DR
MCABEE LN
WEBB CIR
UBSY LN
ANGE TRL

CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
UNIFIED WORK ORDER

Project/Funding:

Work Order Number: *109474*

Address: 5664 OLD DAYTON PK **Tax Map/Grid:** 099C

Required Work Type: ENG - Temporary Use **Category:** ADMIN **Date Needed:** 4/28/2013

WO Initiated:	Initiated By:	Requested By:	Priority:	District:	Transferred To/Submitted to:	Status:
2/27/2013 2:46:15 PM	FISHER, CAROLYN C	CANNON, WILLIAM E	3	1	CANNON, WILLIAM E - 2/27/2013 2:49:55 PM	UNDINV

Instructions:

Comments:

From: Request ID: 696023, 2/27/2013 2:46:04 PMProblem Details: HABITAT FOR HUNAMITY GREATER CHATTANOOGA AREA
1201 EAST MAIN STREET
CHATTANOOGA, TN 37408
DENNIS VEAL - AGENT
APPLICANT: HFHGCA
** PROPERTY CURRENTLY ADDRESSED AS 5664 OLD DAYTON PIKE IS DEEDED TO HABITAT FOR HUMANITY, GREATER CHATTANOOGA AREA

By FISHER, CAROLYN C: 2/27/2013 2:49:48 PM
** PROPERTY IS CURRENTLY ADDRESSED AS 5664 OLD DAYTON PIKE IS DEEDED TO HABITAT FOR HUMANITY OF GREATER CHATTANOOGA AREA. WHILE HOUSE IS UNDER CONSTRUCTION. UPONCOMPLETION, WILL BE DEEDED TO JENNIFER A. RIZZO W/SALE OF THE HOUSE/PROPERTY.

Date Completed:	Supervisor:	WO Closed :

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
696023	2/27/2013 2:42:56 PM	3	ENG - Temporary Right-of-Way Use	5664 OLD DAYTON PK

Customer Name	Customer Work Phone	Customer Home Phone	Customer Zip

SR#	Date/Time Init.	Priority	Description	Problem Address
696023	2/27/2013 2:42:56 PM	3	ENG - Temporary Right-of-Way Use	5664 OLD DAYTON PK
GREATER CHATTA AREA, HABITAT FOR HUMANITY			(423) 756-0507	37408

Work Comments/Results: _____

CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 2/27/13 @ 2:44 PM

CityworksSR #: 696023

SR Type:	**ENG - Temporary Right-of-Way Use**		
Submitted to:	**CANNON, WILLIAM E**	**Dispatched:**	**CANNON, WILLIAM E**
Input By:	FISHER, CAROLYN C	**Priority:**	3
Create Date:	2/27/2013 2:42:56 PM	**Status:**	~~O-OPEN~~ Closed
District:	1	**Due Date:**	5/28/2013 2:41:00 PM
Location:	**5664 OLD DAYTON PK 37415**		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
HABITAT FOR HUMANITY	GREATER CHATTA AREA	1201 EAST MAIN STREET		37408

Home Phone	Work Phone	Other Phone
(423) 756-0507		

Additional Information

CSRID	

Additional Details/Comments: HABITAT FOR HUNAMITY GREATER CHATTANOOGA AREA
1201 EAST MAIN STREET
CHATTANOOGA, TN 37408
DENNIS VEAL - AGENT
APPLICANT: HFHGCA
** PROPERTY CURRENTLY ADDRESSED AS 5664 OLD DAYTON PIKE IS DEEDED TO HABITAT FOR HUMANITY, GREATER CHATTANOOGA AREA

By FISHER, CAROLYN C: 2/27/2013 2:43:52 PM
HABITAT FOR HUNAMITY GREATER CHATTANOOGA AREA
1201 EAST MAIN STREET
CHATTANOOGA, TN 37408
DENNIS VEAL - AGENT
APPLICANT: HFHGCA
** PROPERTY CURRENTLY ADDRESSED AS 5664 OLD DAYTON PIKE IS DEEDED TO HABITAT FOR HUMANITY, GREATER CHATTANOOGA AREA WHILE HOUSE IS UNDER CONSTRUCTION, UPON COMPLETION, WILL BE DEEDED TO JENNIFER A. RIZZO W/SALE OF THE HOUSE/PROPERTY.

CITY OF CHATTANOOGA

DATE 2/27/13 RECEIPT NO. 193629

Received from Habitat for Humanity

Amount of One Hundred Ten & no/100 Dollars and Cents

For Old Dayton Pike & Morgan Ln

☐ Cash $

☑ Check $ 110.00 #24105

FC
Department/Division

Signature

24105

Habitat for Humanity® of Greater Chattanooga

1201 EAST MAIN STREET
CHATTANOOGA, TN 37408
(423) 756-0507

SUNTRUST ACH RT 061000104
87-4-640

EZShield™ Check Fraud Protection for Business

Memo: 5664 Old Dayton Pike - driveway

Feb 21, 2013 *****$110.00

One Hundred Ten and 00/100 Dollars

PAY

DATE AMOUNT

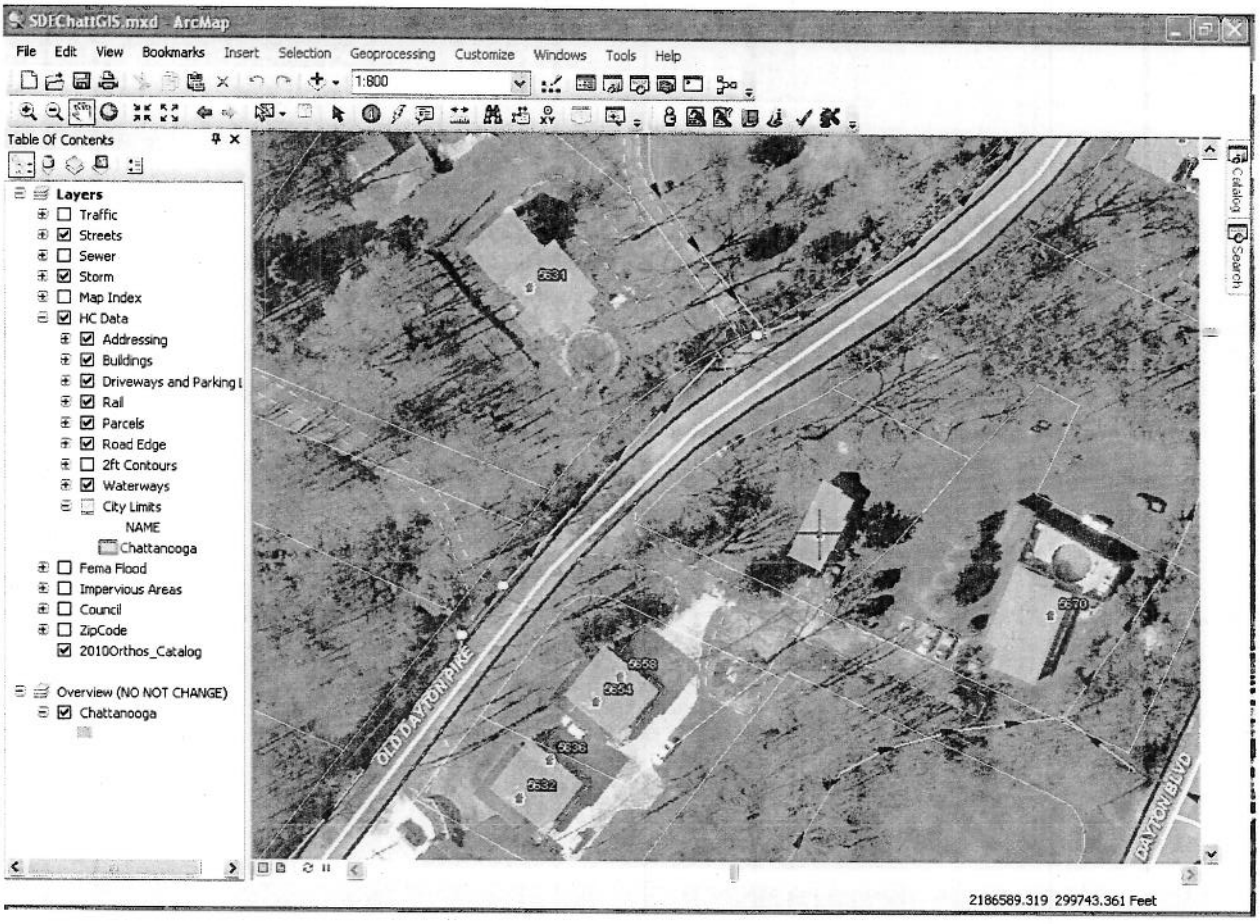
CITY OF CHATTANOOGA

TO THE ORDER OF

AUTHORIZED SIGNATURE

Security features. Details on back.

⑈00024105⑈ ⑆064000046⑆0000000152942⑈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File Edit View Bookmarks Insert Selection Geoprocessing Customize Windows Tools Help
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Fema Flood
Impervious Areas
Council
ZipCode
2010Orthos_Catalog
Overview (NO NOT CHANGE)
Chattanooga
OLD DAYTON PIKE
DAYTON BLVD
Catalog
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