

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE AMENDMENT OF RESOLUTION NO. 27630 TO REPLACE DOUG WILSON WITH JAMES W. ADAMS TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 306 CHEROKEE BOULEVARD TO INSTALL PLANTERS IN FRONT OF THE BUILDING WITH METAL FRAME CANVAS AWNINGS, AS SHOWN ON THE MAP 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 JAMES W. ADAMS, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 306 Cherokee Boulevard to install planters in front of the building with metal frame canvas awnings, as shown on the map 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 per City Codes and Standards.

5. The sidewalk space is to be left open for ADA accessibility.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and JAMES W. ADAMS (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 306 Cherokee Boulevard to install planters in front of the building with metal frame canvas awnings, as shown on the map 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 per City Codes and Standards.
5. The sidewalk space is to be left open for ADA accessibility.

_____, 2013
Date

BY: _____
James W. Adams

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: August 9, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 1

A City Council Action is requested to approve the request for Temporary Usage No. 109325 for Doug Wilson for the right of way of 306 Cherokee Boulevard to install planters in front of the building with metal frame canvas awnings, as shown on the attached map.

After conversations w/ applicant & owner, this resolution should be revised to grant Temporary Use to the applicant, James W. Adams, WCP, 8-28-13

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

Memorandum

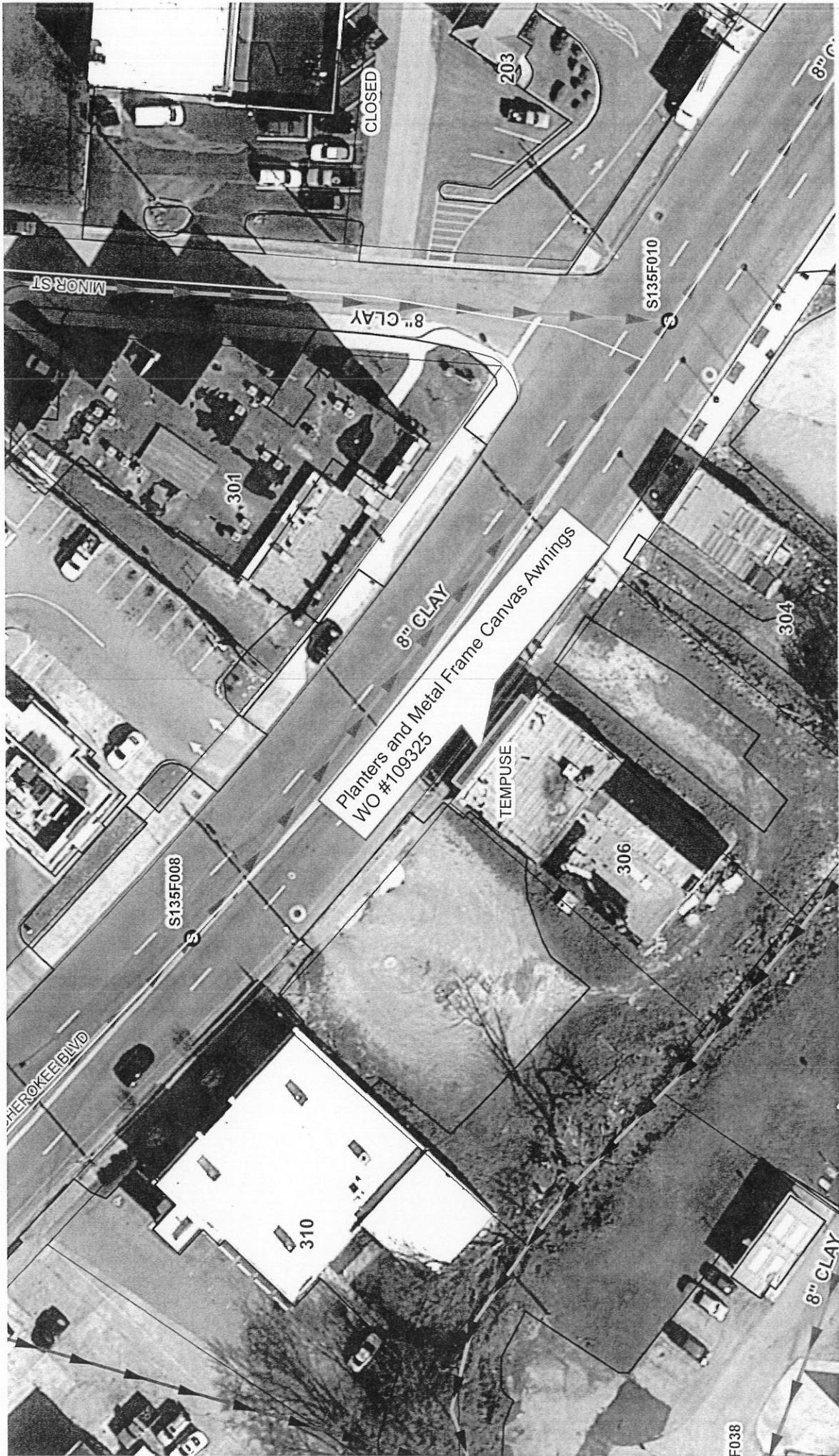
To: Bill Payne
From: Ed Bowen
cc: Dennis Malone
Date: August 7, 2013
Re: Temporary Usage Request #109325
James W. Adams/Mr. C. Doug Wilson
306 Cherokee Blvd.
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Adam's request regarding the Temporary Usage of the right of way at 306 Cherokee Blvd. to install planters in front of the building with metal frame canvas awnings, as shown on the attached map. My comments are as follows:

- Install planters for box woods in two existing planter boxes, one 13'-0" long and one 14'-0" long, with each being 1'-7" high and 1'-6" wide.
- Install 3 metal-frame canvas awnings. Two are to be 10'-6" long and 1'-3" wide, with the other being 13'-6" long and 4'-0" wide.
- It appears if placed per the submitted drawings the minimum height clearance will be met for the subject awnings.

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 conditions:***

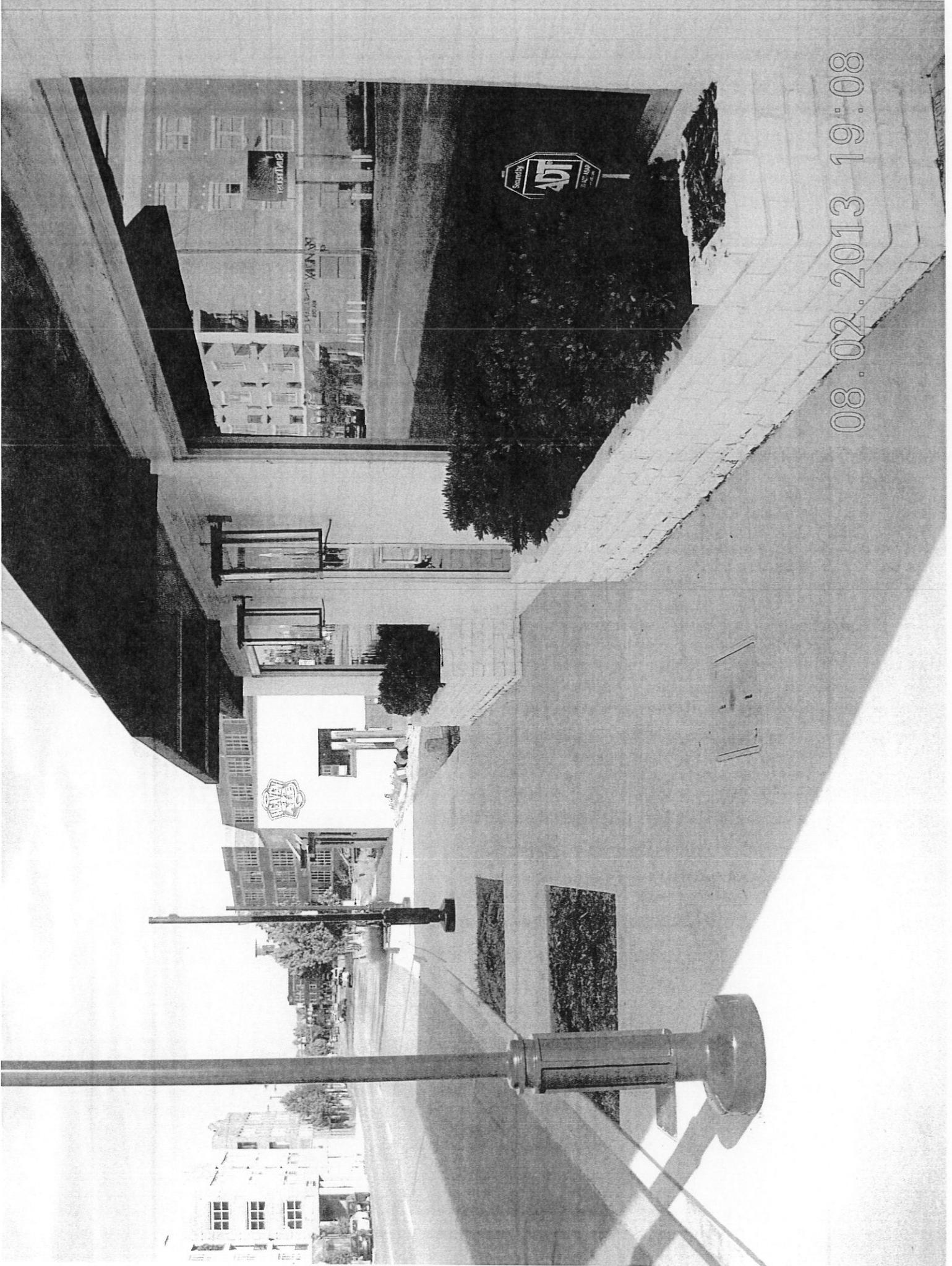
- ***The proposed awnings must meet the minimum elevation requirements per City Codes and Standards.***
- ***The sidewalk space is to be left open for ADA accessibility.***



Planters and Metal Frame Canvas Awnings
WO #109325

AN

F038



08.02.2013 19:08

2/21/13 (Date)

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

WO# 109325

For Office Use Only	
<i>Bonnie D. Dodson</i>	
Technician Signature	
2/26/13	
Date	



Re: Request for Temporary Usage

Dear Mr. Payne:

SR# 695655 → **CLOSED**
2-26-2013

RECEIVED
FEB 26 2013
STORM WATER

This is a request for a temporary usage of 306 CHEROKEE BLVD

The reason for this request is as follows:

temporary use of the planters on the front face of building along with METAL FRAME CANVAS AWINGS, as shown.

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:

320 N. MARQUET ST
CHATT TN 37405
423-899 9141

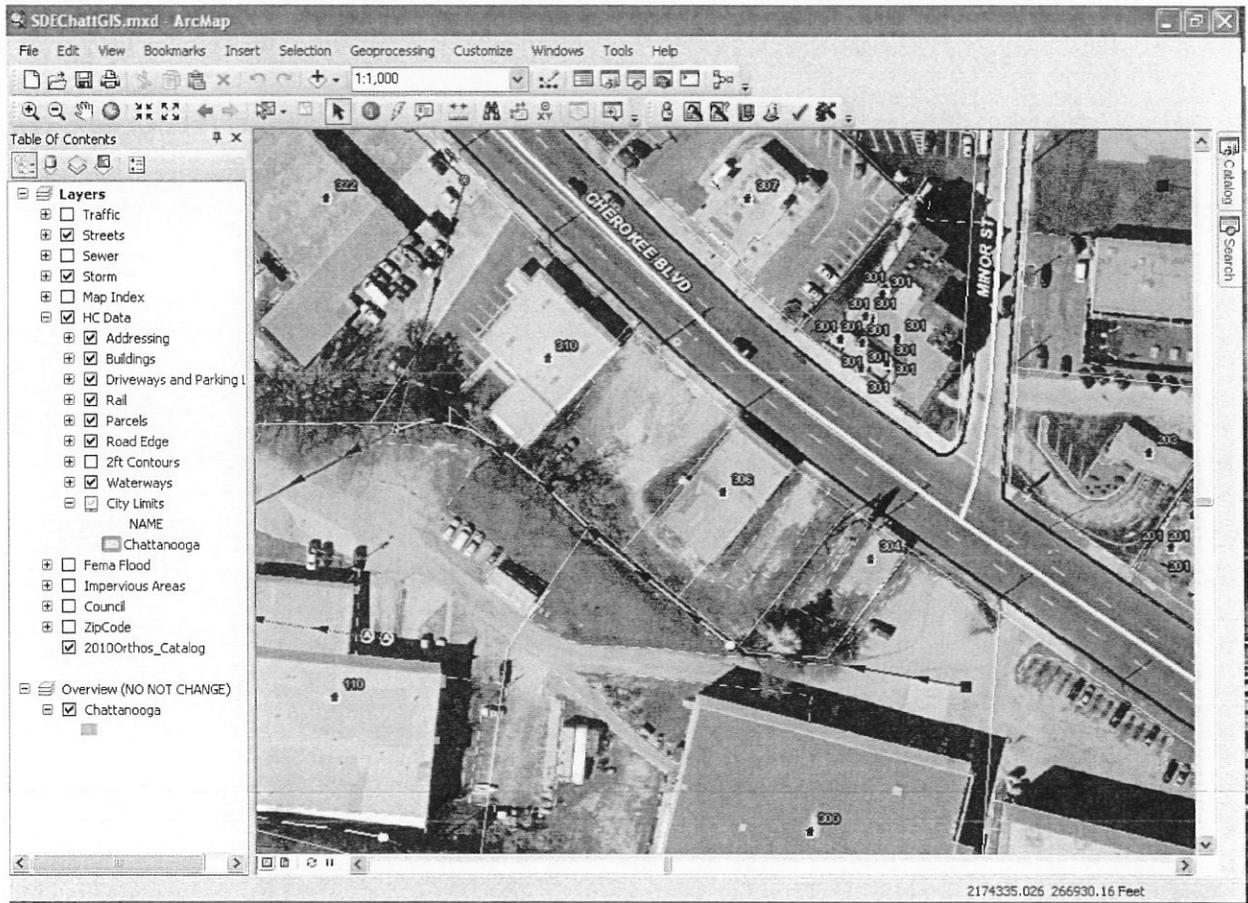
(Non-Refundable Processing Fee \$110.00)

James W. Adams 2/21/13
Print Applicant Name Date

MR. C DOUG WILSON 2/25/13
Print Owner's Name Date

[Signature]
Owner's Signature (Required)

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



Temp Use
306 Cherokee Blvd
SR# 695655
WO# 109325



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

Project/Funding:

Work Order Number: * 1 0 9 3 2 5 *



Address: 306 CHEROKEE BLVD

Tax Map/Grid:

Required Work Type: ENG - Temporary Use		Category: ADMIN		Date Needed: 4/27/2013	
WO Initiated: 2/26/2013 12:56:03 PM	Initiated By: FISHER, CAROLYN C	Requested By: CANNON, WILLIAM E	Priority: 3	District: CANNON, WILLIAM E - 2/26/2013	Status: UNDINV
			Transferred To/Submitted to: 12:57:50 PM		

Instructions:

Comments: From: Request ID: 695655, 2/26/2013 12:55:52 PMPProblem Details:

By FISHER, CAROLYN C: 2/26/2013 12:57:43 PM

REQUEST FOR TEMP USAGE. REASON: TEMPORARY USE OF THE PLANTERS ON THE FRONT FACE OF BUILDING WING WITH METAL FRAME CANVAS AWNINGS, AS SHOWN.

Date Completed:

Supervisor:

WO Closed :

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
695655	2/26/2013 12:54:31 PM	3	ENG - Temporary Right-of-Way Use	306 CHEROKEE BLVD
Customer Name			Customer Work Phone	Customer Zip
INTERIOR DESIGN, NELL'S HOME, GIFTS			(423) 899-9141	37405

Work Comments/Results:



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 2/26/13 @ 1:00 PM

CityworksSR #: 695655

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:	2/26/2013 12:54:31 PM	Status:	CLOSED
District:		Due Date:	5/27/2013
Location:	306 CHEROKEE BLVD 37405		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
NELL'S HOME, GIFTS	INTERIOR DESIGN	306 CHEROKEE BOULEVARD		37405
Home Phone	Work Phone	Other Phone		
(423) 899-9141				

Additional Information

CSRID	13-00018453
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Additional Details/Comments:

By FISHER, CAROLYN C: 2/26/2013 1:00:21 PM
 JAMES W. ADAMS MR. C. DOUG WILSON
 A & L PROPERTIES, LLC
 306 CHEROKEE BOULEVARD
 CHATTANOOGA, TN 37405
 423,899,9141

Nell's
A & L Properties Llc
306 Cherokee Boulevard
Chattanooga, TN 37405

5429

87-436/613

2/26 2013

Pay to the Order of City of Chattanooga \$ 110.-
One Hundred Ten dollars no/100 Dollars

Security features are included. Details on back.

CORNERSTONE COMMUNITY BANK
6401 Lee Highway #119
Chattanooga TN 37421

For Temp Use 306 Cherokee Blvd.

[Signature]

⑈005429⑈ ⑆061304363⑆ 10 3037868⑈



CITY OF CHATTANOOGA

DATE 2/26/13

RECEIPT NO. 193628

Received from NEELS A+L PROPERTIES

Amount of ONE HUNDRED Dollars and TEN Cents 00

For TEMP USAGE - 306 CHEROKEE BLVD

Cash \$ _____

Check \$ 110⁰⁰

#5429

TTC
Department/Division

BONNIE
Signature