

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING STEPHEN R. DILLARD TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 1404 RIVERVIEW ROAD FOR THE INSTALLATION OF A LOW, STONE RETAINING WALL ALONG A PORTION OF SAID RIGHT-OF-WAY, 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 STEPHEN R. DILLARD, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 1404 Riverview Road for the installation of a low, stone retaining wall along a portion of said right-of-way, 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 wall must meet the minimum requirements per City Codes and Standards.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and STEPHEN R. DILLARD (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 1404 Riverview Road for the installation of a low, stone retaining wall along a portion of said right-of-way, 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 wall must meet the minimum requirements per City Codes and Standards.

_____, 2013
Date

BY: _____
Stephen R. Dillard

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: September 9, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): District 2

A City Council Action is requested to approve the request of Temporary Usage No. 114841 for Stephen R. Dillard 1404 Riverview Road for the installation of a low, stone retaining wall along a portion of said right-of-way. Also, subject to the condition stated on the attached Memorandum.

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

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

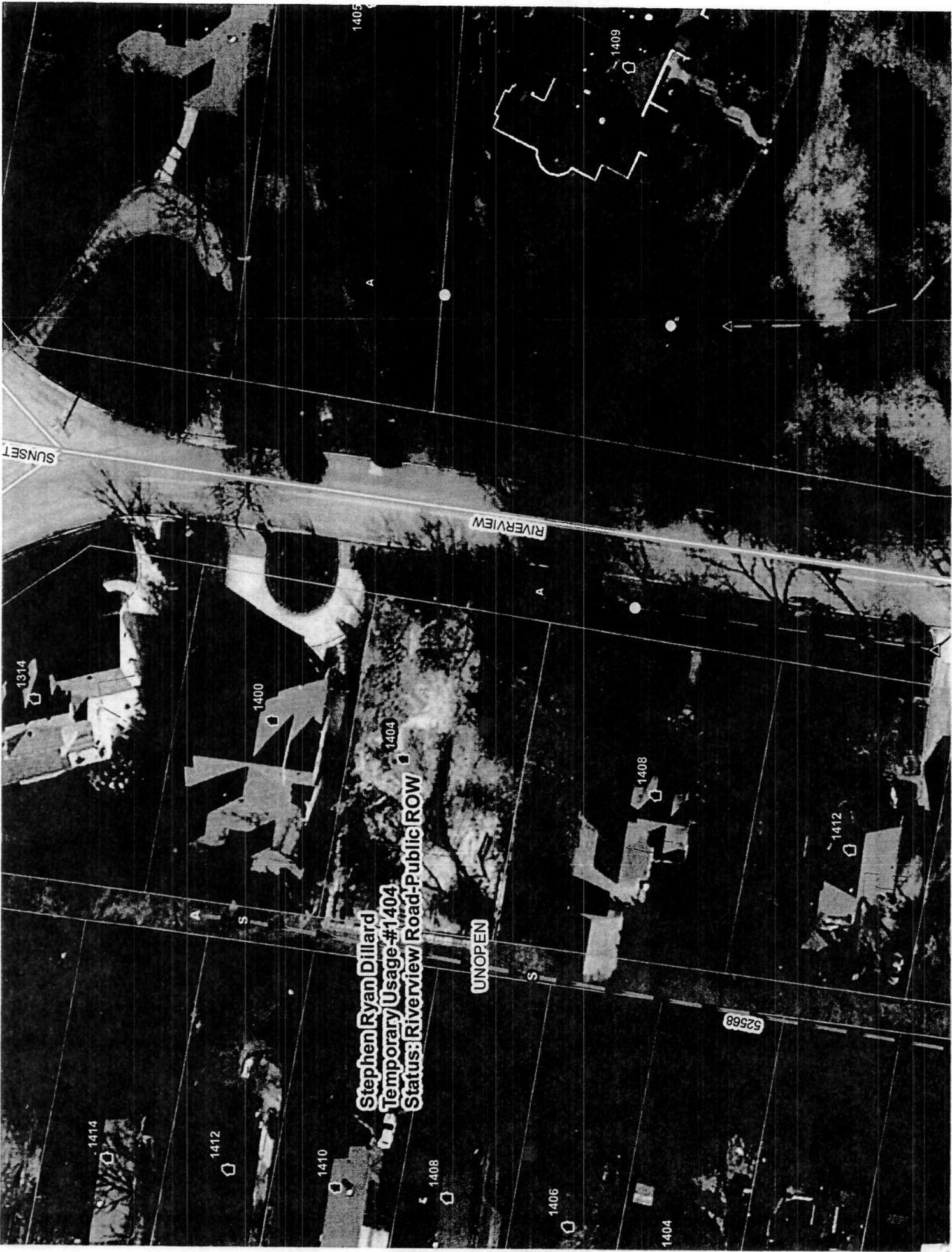
To: Bill Payne
From: Ed Bowen
cc: Dennis Malone
Date: September 6, 2013
Re: Temporary Usage Request #114841
Glen L. Craig for Stephen Ryan Dillard, Owner
1404 Riverview Road
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Craig's request regarding the Temporary Usage of the right of way at 1404 Riverview Road for the installation of a low, stone retaining wall along a portion of said right of way. Please refer to the attached map and drawing. My comments are as follows:

- It appears if placed per the submitted drawing, the face of the wall will be approximately 10' from the edge of the street.
- The wall will be installed in a steep road cut to retain the yard area and sidewalk.
- The wall is similar to other walls in this area.
- The area between the road and the wall should be enough to accommodate the utilities.
- The City of Chattanooga does not have 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:*

- *The proposed wall must meet the minimum requirements per City Codes and Standards.*



Stephen Ryan Dillard
Temporary Usage #1404
Status: Riverview Road-Public ROW

UNOPEN

RIVERVIEW

SUNSET

52568

1314

1400

1404

1408

1412

1414

1412

1410

1408

1406

1404

1409

1405

A

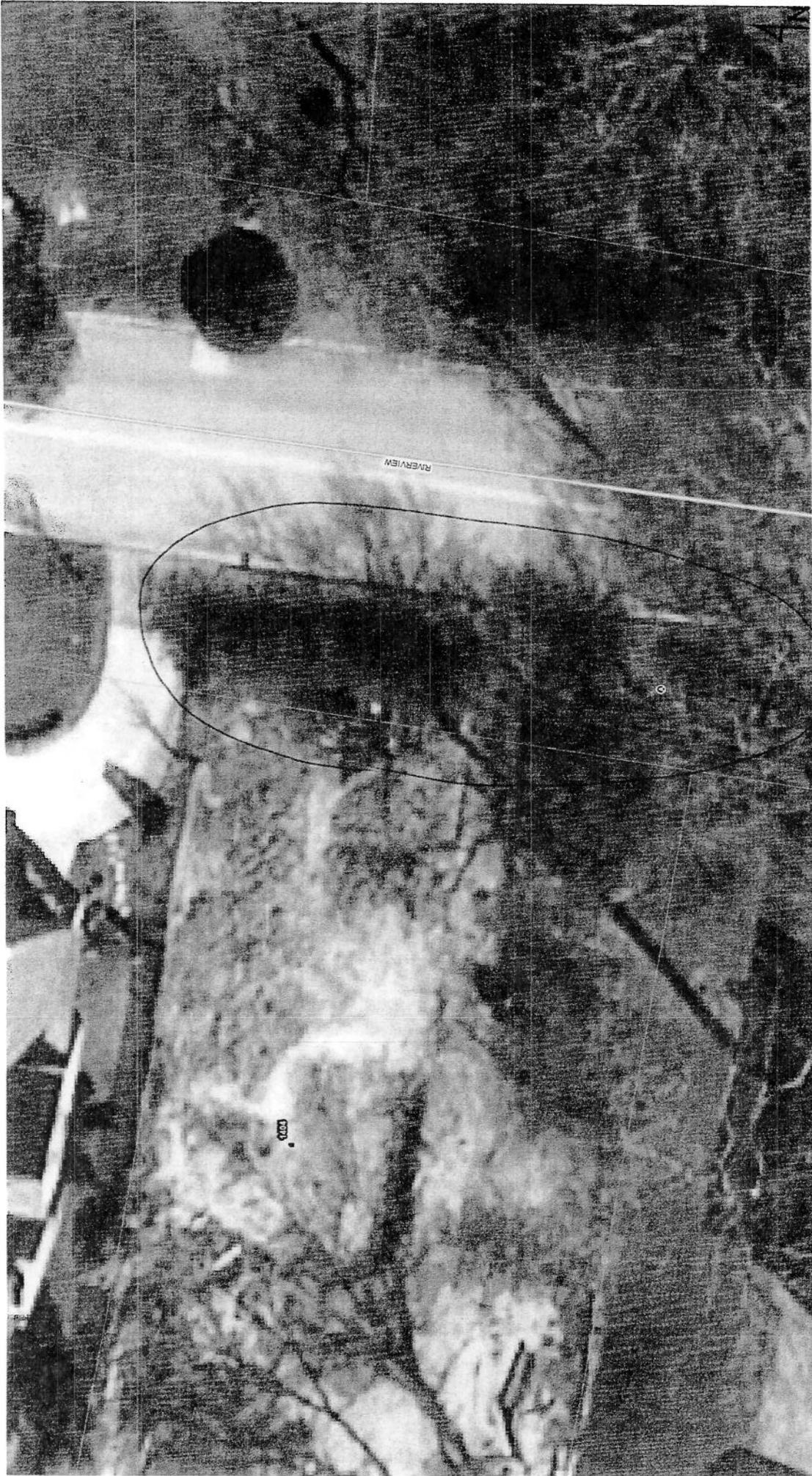
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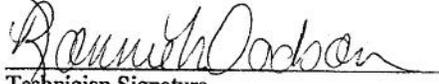
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RETAINING WALL BEHIND SIDEWALK

6-6-2013 (Date)

SR # 729558
WO # 114841

For Office Use Only

Technician Signature
6/6/13
Date

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

Re: Request for Temporary Usage

Dear Mr. Payne:

This is a request for a temporary usage of FRONTAGE STREET RIGHTS OF WAY
1404 RIVERVIEW RD, CHATT. TN 37405, TAX MAP # 1279T 004

The reason for this request is as follows:

LOW STONE RETAINING WALL INSTALLED AT STEEP ROAD CUT TO
RETAIN YARD AREA AND SIDEWALK. WALL IS SIMILAR TO OTHER
WALLS IN THIS AREA. WALL IS 10' OFF STREET EDGE, AREA BETWEEN STREET
AND WALL SHOULD ACCOMMODATE ALL UTILITIES. (SEE ENCLOSED SITE PLAN)
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:

(423) 595-1563

NON REFUNDABLE

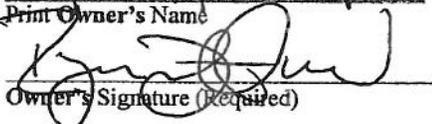
(Processing Fee \$110.00) CHGCK TO 'CITY OF CHATTANOOGA'

GLEN L. CRAIG
Print Applicant Name

6-6-2013
Date

STEPHEN RYAN DILLARD
Print Owner's Name

6-6-2013
Date


Owner's Signature (Required)

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

6-6-2013 (Date)

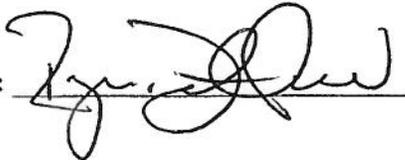
City of Chattanooga
City Engineer
Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, Tennessee 37402

Re: Acting Agent Letter - Temporary Usage of Right of Way

Dear City Engineer,

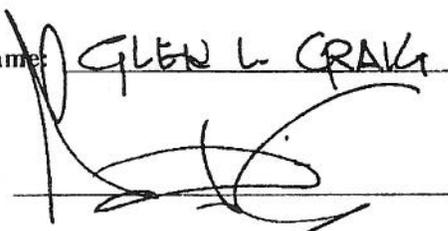
I am formally requesting the City of Chattanooga accept the attached Temporary Usage of Right of Way Application submitted by my Agent CRAIG DESIGN GROUP, on my behalf. GLEN CRAIG

Applicant Printed Name: STEPHEN RYAN DILLARD

Applicant Signature: 

Date: 6/6/2013

Agent Printed Name: GLEN L. CRAIG

Agent Signature: 

Date: 6-6-2013



CITY OF CHATTANOOGA

DATE 5/14/13

RECEIPT NO. 193648

Received from THOMPSON...

Amount of FIVE HUNDRED Dollars and 00 Cents

For 2013 PUBLIC WORKS...

Cash \$ _____

Department/Division _____

Check \$ 500

Collection Report No. _____

Signature _____



CITY OF CHATTANOOGA

DATE 5/21/2013

RECEIPT NO. 193649

Received from RIVER CITY COMPANY

Amount of ONE HUNDRED TEN Dollars and 00 Cents

For TEMP USE PERMIT 215 BROAD ST

Cash \$ _____

Department/Division _____

Check \$ 110

Collection Report No. _____

Signature _____



CITY OF CHATTANOOGA

DATE 6/6/13

RECEIPT NO. 193650

Received from ...

Amount of ONE HUNDRED Dollars and 00 Cents

For TEMP USE PERMIT

Cash \$ _____

Department/Division _____

Check \$ 110

Collection Report No. _____

Signature _____



CASHIER'S CHECK
06/06/2013

5006463762

Craig Design Group Inc / Dillard Residence
Purchaser / Purchased For

ONE HUNDRED TEN DOLLARS AND 00 CENTS

PAY TO THE ORDER OF: City of Chattanooga

\$110.00 Fee \$0.00

VOID

NOT NEGOTIABLE
CUSTOMER COPY

Regions Bank

Branch TN05369
CC369053



CASHIER'S CHECK
06/06/2013

61-1/620

5006463762

Craig Design Group Inc / Dillard Residence
Purchaser / Purchased For

ONE HUNDRED TEN DOLLARS AND 00 CENTS

PAY TO THE ORDER OF: City of Chattanooga

\$110.00



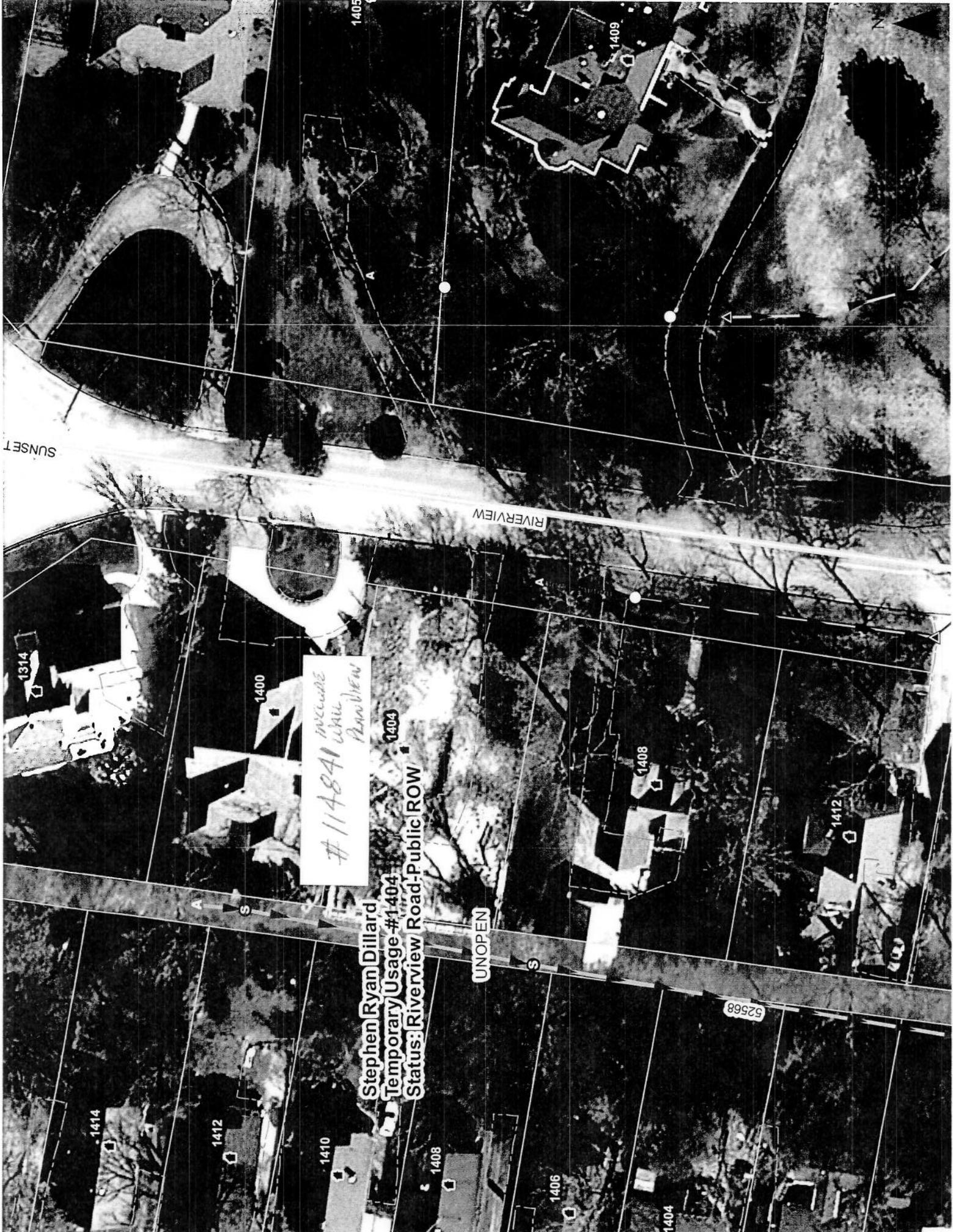
Regions Bank

[Handwritten Signature]

Authorized Signature

Branch TN05369
CC369053

⑈ 5006463762⑈ ⑆06200019⑆ 0000742651⑈



#11484 INCURRE WITH PLANVIEW

Stephen Ryan Dillard
Temporary Usage #1404
Status: Riverview Road-Public ROW

UNOPEN

SUNSET

RIVERVIEW

N

52568



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 6/7/13 @ 10:50 AM

CityworksSR #: 729558

SR Type:	ENG - Temporary Right-of-Way Use		
Submitted to:	CANNON, WILLIAM E	Dispatched:	CANNON, WILLIAM E
Input By:	KING, CAROL A	Priority:	3
Create Date:	6/7/2013 9:27:43 AM	Status:	CLOSED
District:	2	Due Date:	9/5/2013
Location:	1404 RIVERVIEW ROAD 37405		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
GLEN	CRAIG	1404 RIVERVIEW ROAD		37405
Home Phone	Work Phone	Other Phone		

Additional Information

CSRID	
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Additional Details/Comments:



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

Project/Funding:

Work Order Number: * 113665 *



Address: 4300-4400 BLOCKS OF SENECA AVENUE

Tax Map/Grid: 167B

Required Work Type: ENG - RPA Cases		Category: ADMIN		Date Needed: 5/26/2013		
WO Initiated: 5/16/2013 3:55:04 PM	Initiated By: KING, CAROL A	Requested By:	Priority: 3	District: 7	Transferred To/Submitted to: CANNON, WILLIAM E - 5/16/2013 3:55:20 PM	Status: UNDIRV

Instructions:

Comments:
By KING, CAROL A: 5/16/2013 3:59:39 PM
ABANDONMENT OF AN UNOPENED ALLEY PARALLEL TO THE 4300 & 4400 BLOCKS OF SENECA AVENUE

Date Completed: Supervisor: WO Closed :

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
Customer Name			Customer Work Phone	Customer Home Phone
SEEN CRAIG				
				1404 RIVERVIEW RD
				Customer Zip 37405

Work Comments/Results: