

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CLIFF MCCORMICK TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 314 KEITH STREET FOR THE INSTALLATION OF A DRIVEWAY TO GAIN ACCESS TO THE PROPERTY AT 318 KEITH STREET, AS SHOWN ON THE MAP AND DRAWING 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 CLIFF MCCORMICK, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 314 Keith Street for the installation of a driveway to gain access to the property at 318 Keith Street, as shown on the map and drawing 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 driveway 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 CLIFF MCCORMICK (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 314 Keith Street for the installation of a driveway to gain access to the property at 318 Keith Street, as shown on the map and drawing 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 driveway must meet the minimum requirements per City Codes and Standards.

_____, 2013
Date

BY: _____
Cliff McCormick

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 5, 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 authorize Temporary Usage No. 115543 for Cliff McCormick for the right-of-way of 314 Keith Street for the installation of a driveway to gain access to the property at 318 Keith Street, as shown on the attached map and drawing. Also, subject to the condition recommended 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.

<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: Ed Bowen
cc: Dennis Malone
Date: August 29, 2013
Re: Temporary Usage Request #115543
Calvin Ball/Tower Construction Company, for Cliff McCormick
314 Keith Street
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Ball's request regarding the Temporary Usage of the right of way at 314 Keith Street for the installation of a driveway to gain access to the property at 318 Keith Street. Please refer to the attached map and drawing. My comments are as follows:

- The applicant plans to build a home at 318 Keith Street.
- The applicant also owns the property at 314 Keith Street.
- The applicant is requesting temporary usage of the portion of unpaved area in front of 314 Keith Street and adjacent to where the paving of Keith Street ends.
- As shown on the attached drawing, the applicant will build a driveway, approximately 30' wide, diagonally across the property at 314 Keith Street to gain access to the property at 318 Keith Street.

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 driveway must meet the minimum requirements per City Codes and Standards.*



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SULLIVAN ST

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S126M085

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06-18-13 _____ (Date)

WO# 115543
SR# 734686

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

For Office Use Only

Technician Signature
Date 6/19/13

Re: Request for Temporary Usage

Dear Mr. Payne:

This is a request for a temporary usage of the portion of unpaved area adjacent to where the paving at Keith Street ends.

The reason for this request is as follows:
We are building a new house at 318 Keith Street. The pavement on Keith Street ends at 310 Keith Street. Therefore, we are requesting temporary usage from where the pavement ends to gain access to the driveway to the new house.

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:
Tower Construction Co. - Calvin Ball
P.O. Box 3652, Chattanooga, TN 37404
423-421-4619

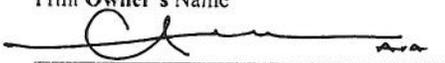
(Processing Fee \$110.00)

Calvin Ball
Print Applicant Name

06-18-13
Date

Clif McCormick
Print Owner's Name

06-18-13
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.

06-19-13 (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,

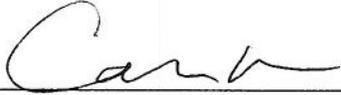
I am formally requesting the City of Chattanooga accept the attached Temporary Usage of Right of Way Application submitted by my Agent Calvin Ball, on my behalf.

Applicant Printed Name: Tracy Culver

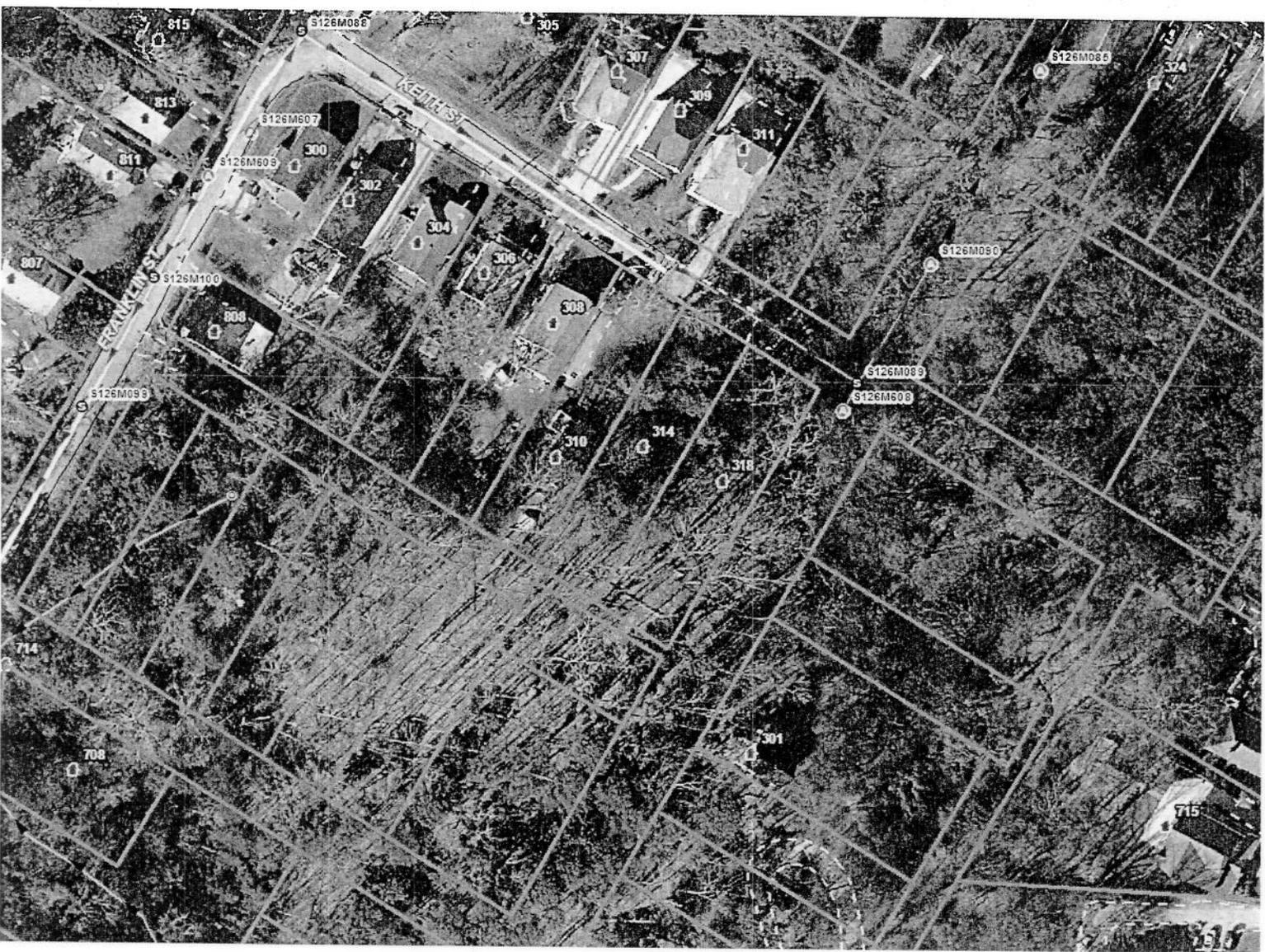
Applicant Signature: 

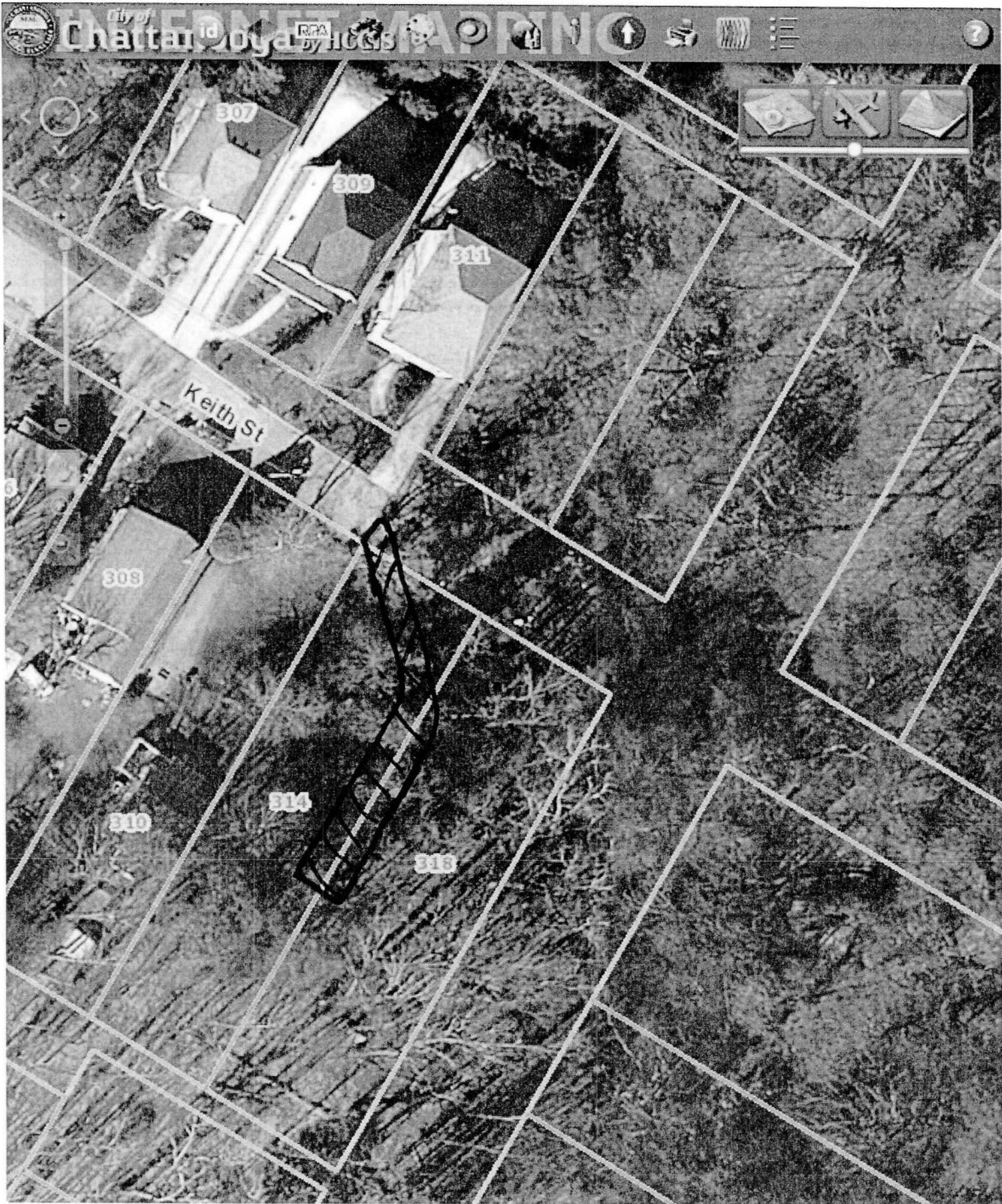
Date: 6/19/13

Agent Printed Name: Calvin Ball

Agent Signature: 

Date: 06-19-13







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
BONINTE
Signature

TOWER CONSTRUCTION CO
P O BOX 3652 423-629-2043
CHATTANOOGA, TN 37404

1632

87-334/613

DATE 06-19-13

PAY TO THE ORDER OF City of Chattanooga \$ 110⁰⁰

One Hundred Ten and ⁰⁰/₁₀₀ DOLLARS



Car Bell

FOR _____

⑈001632⑈ ⑆061303348⑆ 0101159632⑈



CITY OF CHATTANOOGA

DATE _____

RECEIPT NO. 221706

Received from _____

Amount of _____ Dollars and _____ Cents _____

For _____

Cash \$ _____

Check \$ _____

Department/Division

Signature



UNOPEN

UNOPEN

UNOPEN

UNOPEN

TEMP USE

KEITH

100323

Clif McCormick
Temp Use - driveway to 318 Keith St through unopened alley

UNOPEN



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 6/19/13 @ 2:14 PM

CityworksSR #: 734686

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:	6/19/2013 2:02:24 PM	Status:	O-OPEN
District:	2	Due Date:	9/17/2013
Location:	318 KEITH STREET 37405		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
CALVIN	BALL	P.O. BOX 3652		37404
Home Phone	Work Phone	Other Phone		
	(423) 421-4619			

Additional Information

CSRID	13-00068005
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Additional Details/Comments:



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

Project/Funding:

Work Order Number: * I I 5 5 4 3 *



Address: 318 KEITH STREET

Tax Map/Grid: 126M

Required Work Type: ENG - Temporary Use		Category: ADMIN	Date Needed: 8/18/2013	Status: UNDIV
WO Initiated: 6/19/2013 2:03:59 PM	Initiated By: KING, CAROLA	Requested By: CANNON, WILLIAM E	Priority: 3	Transferred To/Submitted to: BOWEN, EDWARD L - 6/19/2013 2:04:50 PM

Instructions:

Comments: From: Request ID: 734686, 6/19/2013 2:03:06 PM Problem Details:

By KING, CAROL A: 6/19/2013 2:08:47 PM
We are building a new house at 318 Keith Street. The pavement on Keith Street ends at 310 Keith Street. Therefore, we are requesting temporary usage from where the pavement ends to the driveway to the new house.

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 Zip
CALVIN BALL			(423) 421-4619	37404

Work Comments/Results: