

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING DANIELLE MITCHELL TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 4206 NORTH ACCESS FOR THE UPDATING OF TEXT ON AN EXISTING SIGN THAT HAS BEEN “GRANDFATHERED” INTO USE, 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 DANIELLE MITCHELL, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 4206 North Access for the updating of text on an existing sign that has been “grandfathered” into use, 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 approval of the sign variance.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and DANIELLE MITCHELL (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 4206 North Access for the updating of text on an existing sign that has been “grandfathered” into use, 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 approval of the sign variance.

_____, 2013
Date

BY: _____
Danielle Mitchell

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: November 7, 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 Temporary Usage No. 121543 for Danielle Mitchell for the right-of-way of 4206 North Access for the updating of text on an existing sign that has been 'grandfathered' into use as shown on the attached map and drawings. Also subject to the following condition on the attached Memorandum.

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: November 5, 2013
Re: Temporary Usage Request #121543
Danielle Mitchell
4206 North Access Road
Recommendations Regarding Temporary Usage Request

I have completed my review of Ms. Mitchell's request regarding the Temporary Usage of the right-of-way of 4206 North Access Road for the updating of text on an existing sign that has been "grandfathered" into use as shown on the attached map and drawings. My comments are as follows:

- Ms. Mitchell is the owner of a new business and wants to update the sign's text with new information and an electronic message board that requires a sign variance application with this application for temporary use.

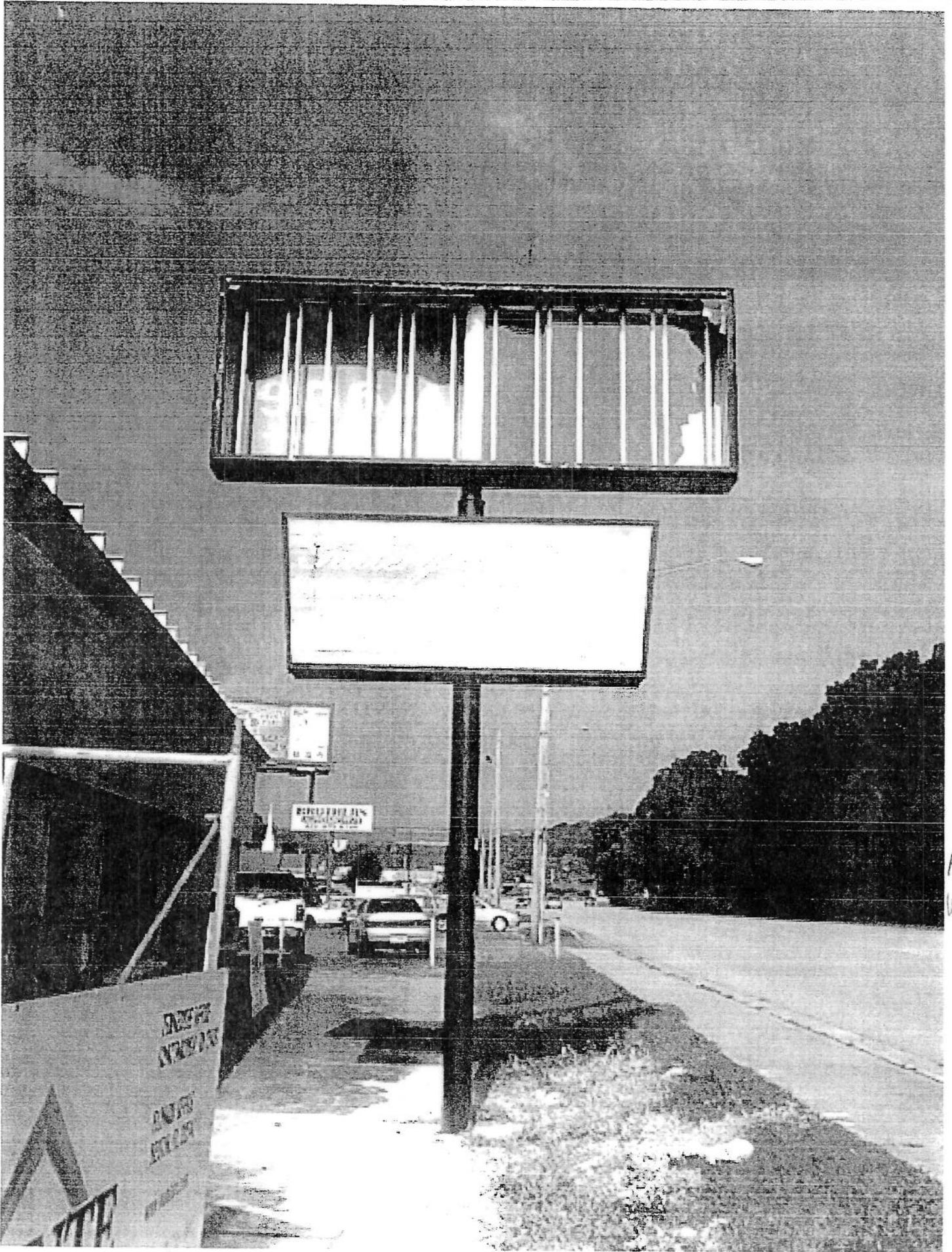
After review, granting this Temporary Usage does not conflict with the public's interest. Therefore, I recommend that the request for ***Temporary Usage be granted subject to the following condition:***

- Subject to the approval of the sign variance.

Danielle Mitchell

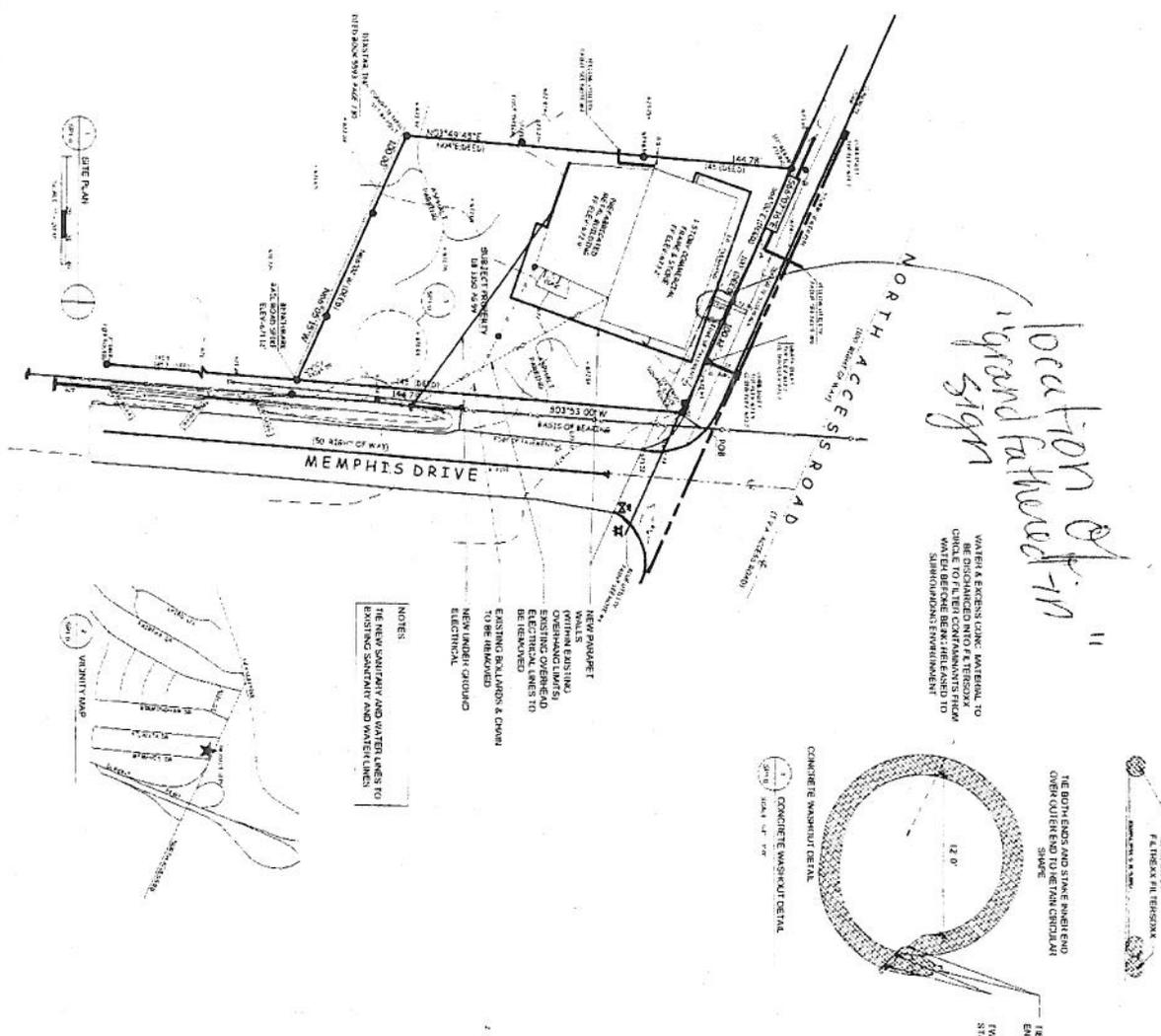
**Temp Usage: 4206 N Access Rd
Modifying existing sign in ROW**





H20
W14

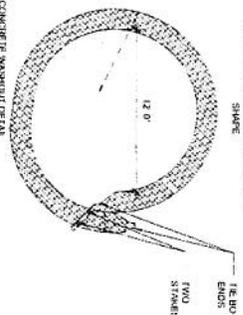
- Current location of signage (I am only looking to update the sign information and put in an electronic message board).



location of "1\"/>

WATER & EXCESS LIQUID MATERIAL TO BE DISCHARGED INTO FLEETWORK CIRCLE TO FILTER CONTAMINANTS FROM WATER BEFORE BEING REUSE TO SURROUNDING ENVIRONMENT

- NOTES
- 1) THE NEW SANITARY AND WATER LINES TO BE INSTALLED TO SERVE THE EXISTING BUILDING AND WATER LINES TO BE REMOVED
 - 2) EXISTING BACKLASH & CHECK VALVES TO BE REMOVED
 - 3) EXISTING OVERHEAD ELECTRICAL LINES TO BE REMOVED
 - 4) NEW PAVEMENT WITHIN EXISTING CURBS TO BE INSTALLED
 - 5) EXISTING OVERHEAD ELECTRICAL LINES TO BE REMOVED
 - 6) NEW LANDSCAPE TO BE INSTALLED
 - 7) EXISTING ELECTRICAL TO BE REMOVED



1) 12\"/>

GENERAL NOTES:

- 1) AREA SURVEYED: 13,611 SQFT
- 2) 1/2\"/>
- 3) PRESENT ZONING: M-1 (PER HAMILTON COUNTY 615)
- 4) TAX MAP PARCEL: 1984-A-004
- 5) THIS PROPERTY DOES NOT LIE IN THE 1% SPECIAL FLOOD HAZARD BOUNDARY PER FEMA# 47065-0313F DATED NOVEMBER 07, 2002
- 6) VERTICAL DATUM: NAVD 89 US FOOT
- 7) THIS SURVEY IS SUBJECT TO TCA 080-3-012(2) WHICH STATES: ELEVATIONS SHALL BE SHOWN AS SPOT ELEVATIONS AND/OR CONTOURS. THE CONTOUR INTERVAL SHALL BE NOTED. NINETY PERCENT (90%) OF THE CONTOURS SHALL BE ACCURATE TO WITHIN 1/2 THE CONTOUR INTERVAL.
- 8) VERTICAL INFORMATION DERIVED FROM RANDOM RADIAL AND REALTIME KINEMATIC SURVEYING METHODS.
- 9) ANY LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVEGROUND UTILITY RECORDS AND FIELD SURVEY. UNLOCATED UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES FOR INFORMATION RECORD PURPOSES. THE APPROPRIATE AGENCIES (SEE APPVA) UNIFORM COLOR CODE CHART FOR DESCRIPTION OF LOCATED COLOR FLAGS AND/OR PAINT.

NOTES

- 1) PARKING IS EXISTING TO REMAIN.

	CHATTANOOGA SPORTS INSTITUTE RENOVATION <small>608 NORTH ACES BLVD CHATTANOOGA, TN</small>	<p>NEUHOFF TAYLOR ARCHITECTS PROFESSIONAL CORPORATION</p> <p>690 DALLAS ROAD CHATTANOOGA, TN 37405 (423) 265-3272 FAX (423) 266-5610</p>
	PROJECT NO: 13-16 DATE: 07-18-13 SHEET: SP1.0	

SR # 775391

10/2/13 (Date)

NO # 121543

For Office Use Only
<i>Rannith Dodson</i>
Technician Signature
10/4/13
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 the "right of way" at 4206 N. Access Rd, Chattanooga, TN 37415.

The reason for this request is as follows:

There is currently an existing sign present in the "right of way" that has been "grandfathered" in. As the new business owner I am looking to update the signs with new information and a message center reader board which requires a sign variance application and, per Randy Ridge, this application for temporary usage of the right of way.

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:

Home Address: 1205 Highland Dr. Chattanooga, TN 37405
Cell: 801-3890-8375

Business Address: The Chattanooga Sports Institute and Center for Health 4206 N. Access Rd Chattanooga, TN 37415
Ph: 423-875-1005

(Non-Refundable Processing Fee \$110.00)

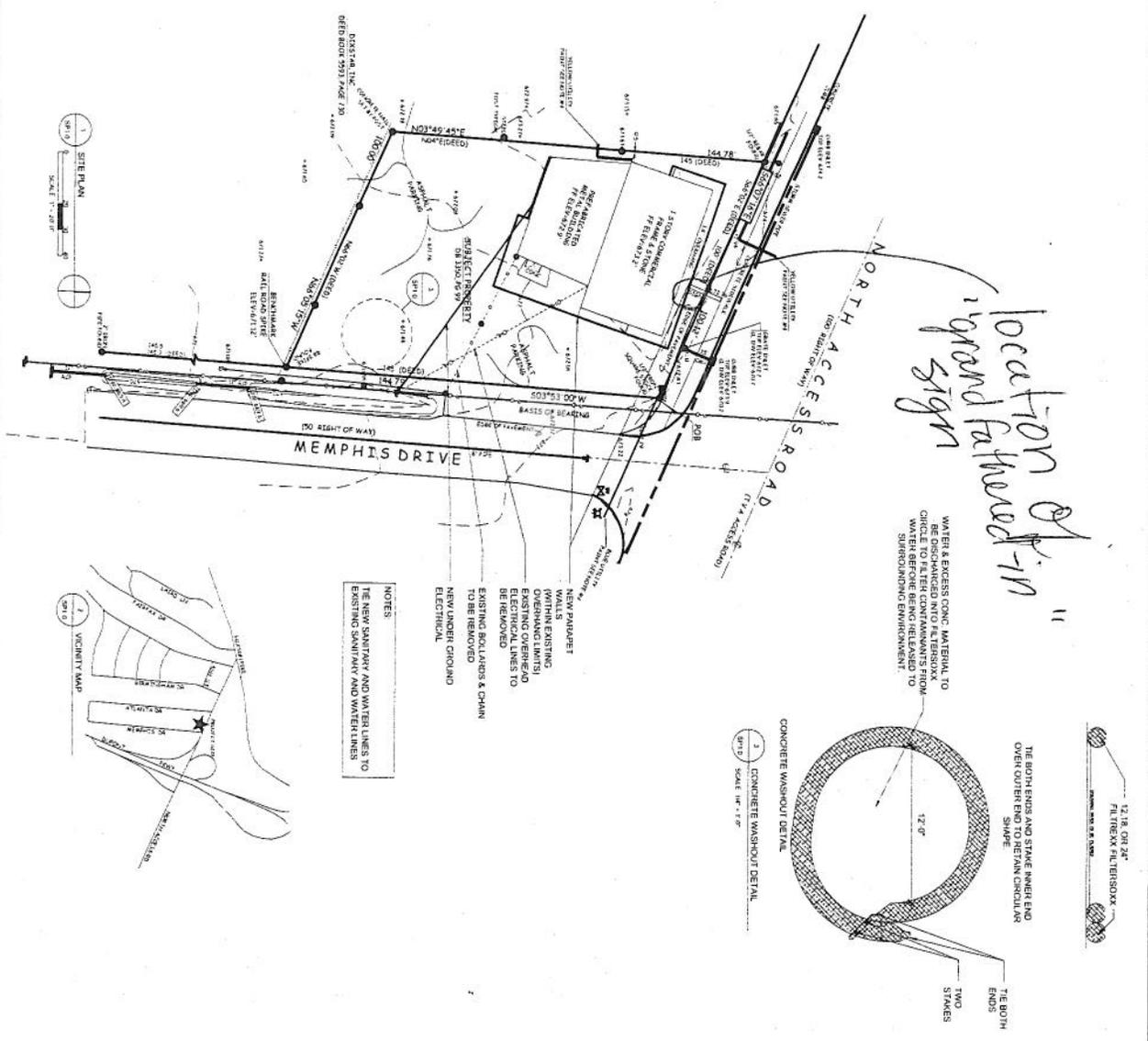
Danielle Mitchell 10/2/13
Print Applicant Name Date

Danielle Mitchell 10/2/13
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.

Best number to reach me.



location of "1 Grand Fatherwood sign"

WATER & EXCESS CONC. MATERIAL TO BE REMOVED BEFORE CONCRETE IS PLACED. WATER BEING RELEASED TO SURROUNDING ENVIRONMENT.

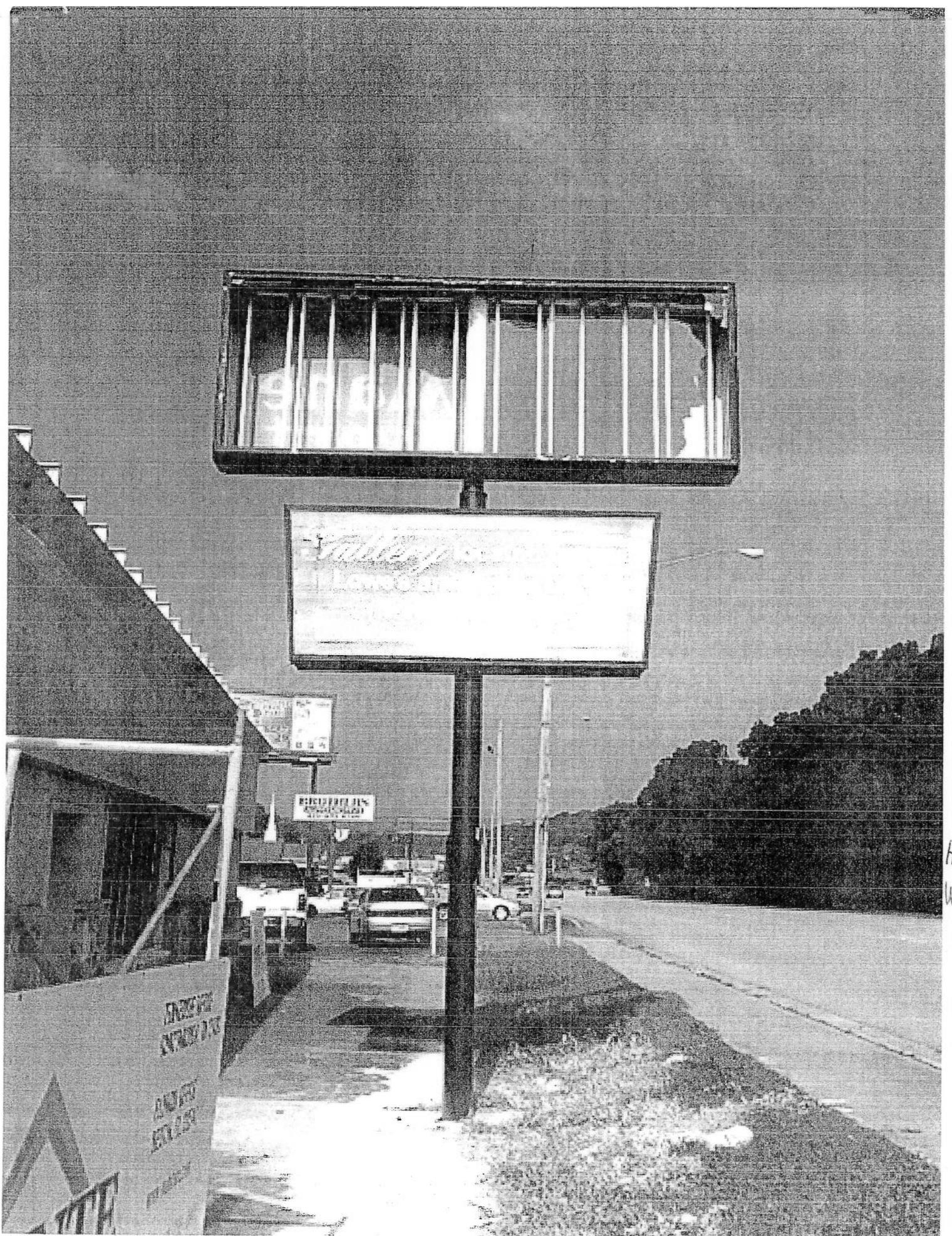
THE BOTH ENDS AND STAKE INNER END OPEN OUTER END TO RETAIN CIRCULAR SHAPE

NOTES:
 1) THE NEW SANITARY AND WATERLINES TO EXISTING SANITARY AND WATERLINES

NOTES:
 1) PARKING IS EXISTING TO REMAIN

- GENERAL NOTES:**
- 1) AREA SURVEYED: 13.611 SQFT
 - 2) 1/2" REBAR WITH A YELLOW PLASTIC CAP LABELED UNLESS SURVEYING PLACES AT ALL CORNERS UNLESS OTHERWISE NOTED
 - 3) PRESENT ZONING: M-1 (PER HAMILTON COUNTY GIS)
 - 4) TAX MAP PARCEL: 138A-A-004
 - 5) THIS PROPERTY DOES NOT LIE IN THE 1% SPECIAL FLOOD HAZARD BOUNDARY PER FIRM# 470503032P DATED NOVEMBER 07, 2002
 - 6) VERTICAL DATUM: NAVD 29 US FOOT
 - 7) THIS SURVEY IS SUBJECT TO TCA 0820-3-.07(G) WHICH STATES: ELEVATIONS SHALL BE SHOWN AS SPOT ELEVATIONS AND/OR CONTOURS. THE CONTOUR INTERVAL SHALL BE NOTED ON THE CHART. (80%) OF THE CONTOUR SHALL BE CALLED TO WITHIN 1/2 THE CONTOUR INTERVAL.
 - 8) VERTICAL INFORMATION DERIVED FROM RANDOM RADIAL AND REALTIME KINEMATIC SURVEYING METHODS.
 - 9) ANY LOCATIONS OF UNDERGROUND UTILITIES ARE SHOWN AS APPROXIMATE LOCATIONS. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. FOR INFORMATION REGARDING THESE UTILITIES, PLEASE CONTACT THE UTILITY PROVIDER. THE SURVEYOR HAS PROVIDED A UNIFORM COLOR CODE CHART FOR DESCRIPTION OF LOCATED COLOR FLAGS AND/OR PAINT.

<p>SP1.0</p>	<p>DATE: 07-18-13</p>	<p>PROJECT NO: 13-16</p>	<p>CHATTANOOGA SPORTS INSTITUTE RENOVATION</p> <p>626 NORTH ACCESS ROAD CHATTANOOGA, TN</p>		<p>NEUHOFF TAYLOR ARCHITECTS</p> <p>PROFESSIONAL CORPORATION</p> <p>699 DALLAS ROAD CHATTANOOGA, TN 37405 (423) 266-3272 FAX (423) 266-5502</p>
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H20
W19

- Current location of signage (I am only looking to update the sign, not relocate it)

Danielle Mitchell

Temp Usage: 4206 N Access Rd
Modifying existing sign in ROW





CITY OF CHATTANOOGA

64-720/611

1031

1713

DANIELLE E MITCHELL 0511
1205 HIGHLAND DR.
CHATTANOOGA, TN 37405

DATE

10/2/13

00

PAY TO THE ORDER OF

The City of Chattanooga \$ 110.00
One hundred ten dollars & 00/100 DOLLARS



COHUTTA BANKING COMPANY
a division of SYNOVUS BANK

MEMO

App fee Temporary User for

[Signature]

⑆06⑆⑆0720⑆⑆1002⑆9036⑆⑆

1031



CITY OF CHATTANOOGA

DATE

10/4/13

RECEIPT NO.

221714

Received from

DANIELLE E MITCHELL

Amount of

ONE HUNDRED

Dollars and

TEN

Cents

00

For

TEMP USAGE 4206 N ACCESS RD

Cash

\$

#1031

Collection Report No.

TIC

Department/Division

Check

\$ 110⁰⁰

BONNIE

Signature



CITY OF CHATTANOOGA

DATE

RECEIPT NO.

221715

Received from

Amount of

Dollars and

Cents

For

Cash

\$

Department/Division

Check

\$

Signature



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 10/4/13 @ 12:10 PM

CityworksSR #: 775391

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:	10/4/2013 11:58:14 AM	Status:	O-OPEN
District:	2	Due Date:	1/2/2014
Location:	4206 NORTH ACCESS ROAD 37415		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
DANIELLE	MITCHELL	1205 HIGHLAND DRIVE		37405
Home Phone	Work Phone	Other Phone		
	(423) 875-1005	(801) 889-8375		

Additional Information

CSRID	13-00118155
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Additional Details/Comments:



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

Project/Funding:

Work Order Number: * 121543 *

Address: 4206 NORTH ACCESS ROAD

Tax Map/Grid: 118D

Required Work Type: ENG - Temporary Use	Category: ADMIN	Date Needed: 12/3/2013	Status: UNFINV
WO Initiated: 10/4/2013 11:59:45 AM	Initiated By: KING, CAROL A	Requested By: KING, CAROL A	Priority: 3
	Priority: 3	District: 2	Transferred To/Submitted to: BOWEN, EDWARD L - 10/4/2013 11:59:51 AM

Instructions:

Comments: By KING, CAROL A: 10/4/2013 12:01:45 PM WANTS TO UPDATE EXISTING SIGNAGE ON RIGHT-OF-WAY

Date Completed: Supervisor: WO Closed :

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
775391	10/4/2013 11:58:14 AM	3	ENG - Temporary Right-of-Way Use	4206 NORTH ACCESS ROAD
Customer Name	Customer Work Phone	Customer Home Phone	Customer Zip	
MITCHELL, DANIELLE	(423) 875-1005		37405	

Work Comments/Results: