

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CHRIS PATY C/O VIRGINIA C. LOVE TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 907 ALBANY STREET TO INSTALL A DRIVEWAY IN AN ALLEY, 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 CHRIS PATY C/O VIRGINIA C. LOVE, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 907 Albany Street to install a driveway in an alley, 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 the adjustment of any sanitary sewer manholes to match the finished grade.

ADOPTED: _____, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and CHRIS PATY C/O VIRGINIA C. LOVE (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 907 Albany Street to install a driveway in an alley, 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 the adjustment of any sanitary sewer manholes to match the finished grade.

_____, 2013
Date

BY: _____
Chris Paty

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. 117747 for Chris Paty c/o Virginia C. Love to install a driveway in an alley beside 907 Albany Street, as shown on the attached map and subject to the condition stated 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

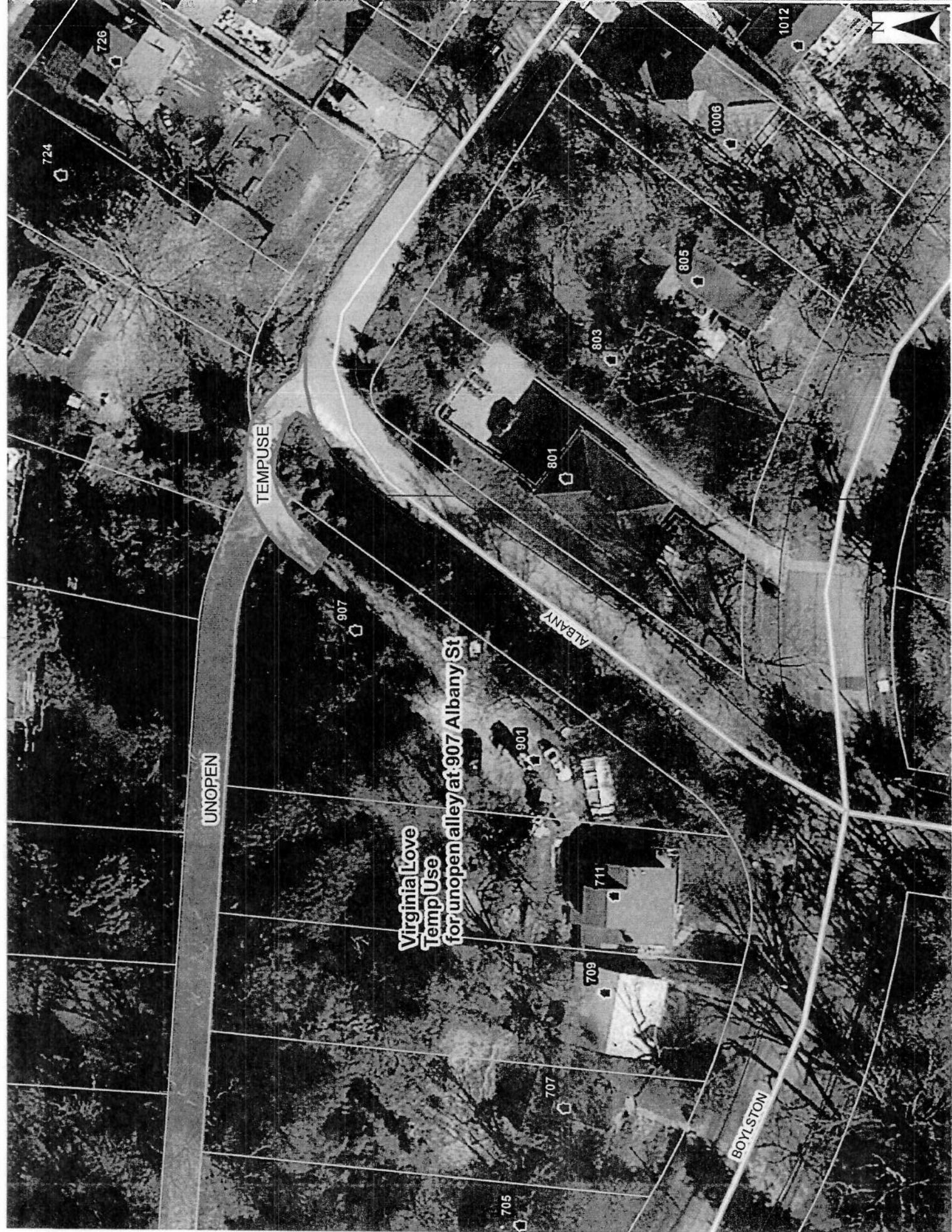
Re: Temporary Usage Request #117747
Chris Paty / Virginia C. Love
907 Albany Street
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Paty's request regarding the Temporary Usage of the right-of-way at 907 Albany Street for approximately the first 20 feet of the alley. Please refer to the attached map and drawing. My comments are as follows:

- The subject portion of the said alley has been used as access to the property for many years and is to be a driveway.
- The city of Chattanooga has sanitary sewer infrastructure in the subject portion of the said alley.

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 with the following condition:***

- Subject to the adjustment of any sanitary sewer manholes to match the finished grade.



UNOPEN

TEMPUSE

ALBANY

BOYLSTON

Virginia Love
Temp Use
for unopen alley at 907 Albany St

907

724

726

705

707

709

711

901

801

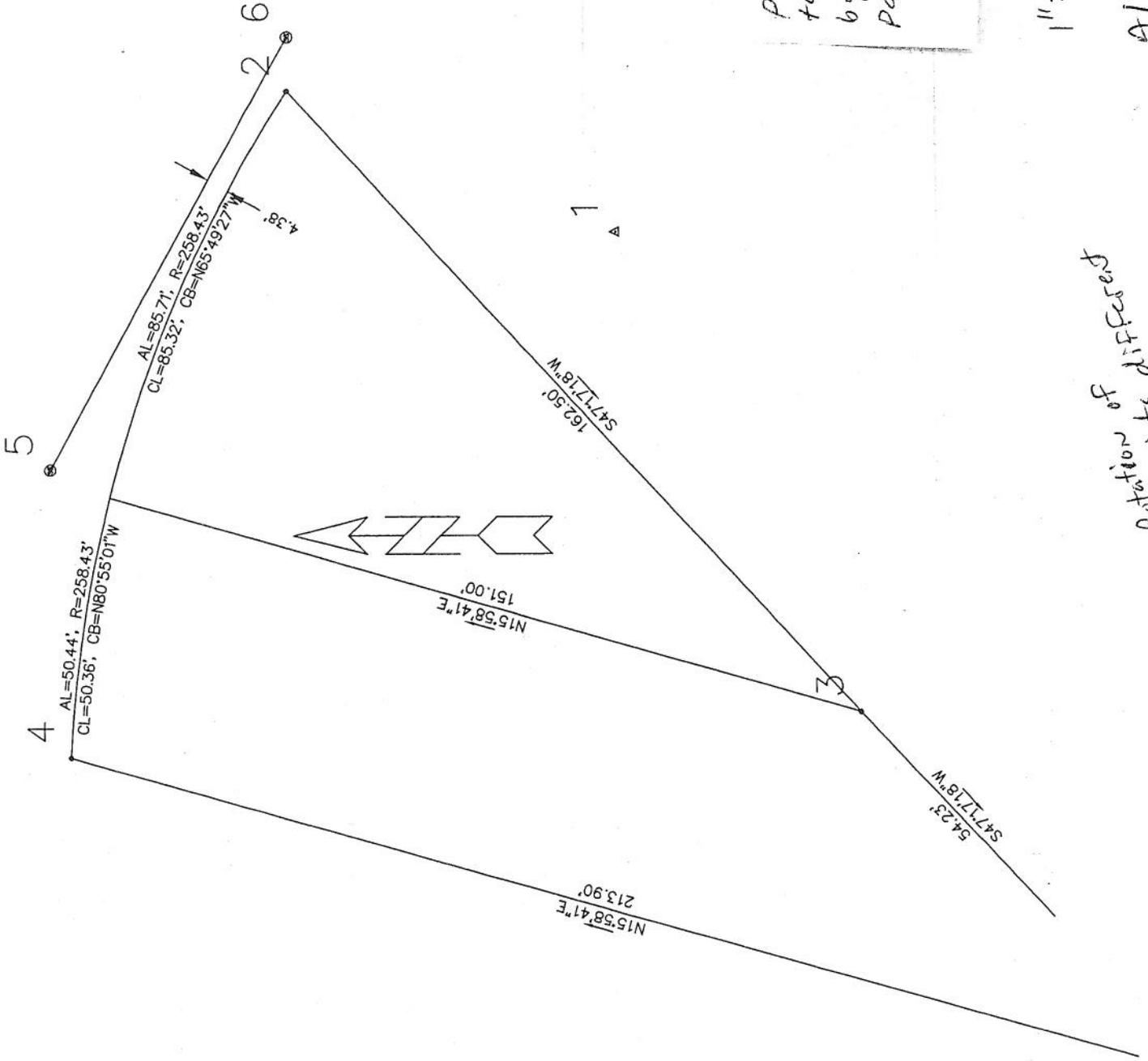
803

805

1006

1012





per Bill Payne,
 this was prepared
 by City Survey
 Party (9-13).

1" = 30'

ALBANY Lot 8

Rotation of points different



Handwritten signature: Samantha Dodson
7/25/13

7-23-13

(DATE)

SR# 750685

WO# 117747

Get original from Ed

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 unimproved Alley on the rear Lot Line behind 907 Albany St. north Chattanooga.

The reason for this request is as follows: Approximately the last 20 feet of Alley has been used as access to the property for many years. The access is already in place.

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 is as follows: 498 Druid Ln
Chattanooga, TN 37405
423-505-8971 (email address) samantha.payne@cityofchattanooga.com

Chris Paty 7-23-13
(Print) Applicant Name Date

VIRGINIA C. LOVE 7-23-13
(Print) Owner's Name Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

7-23-13 (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 Chris Paty on my behalf.

Applicant Printed Name: VIRGINIA C. LOVE

Applicant Signature: Virginia C. Love

Date: 7-23-13

Agent Printed Name: Chris Paty

Agent Signature: Chris Paty

Date: 7-23-13



MISSISSIPPI

FOREST

BOYLSTON

ALBANY

LIBERTY

AUBURN

701

707

711

713

715

717

719

721

723

725

702

706

708

710

714

716

722

724

726

728

730

1012

903

903

701

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705

707

709

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1018

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716

714

806

810



CITY OF CHATTANOOGA

DATE 7/25/13

RECEIPT NO. 221707

Received from CHRISTOPHER S PATY

Amount of ONE HUNDRED Dollars and TEN Cents NO

For TEMP USAGE 907 ALBANY ST

Cash \$ _____

Check \$ 11000

#4088
Collection Report No.

TIC
Department/Division
BONNIE
Signature



CITY OF CHATTANOOGA

DATE _____

RECEIPT NO. 221708

Receiver _____

Amount _____

For _____

CHRISTOPHER S PATY 498 DRUID LANE CHATTANOOGA, TN 37405	4088 87-36/613 1202
Pay to the Order of <u>City of Chattanooga</u>	Date <u>7-25-13</u>
<u>one hundred ten and 00/100</u>	\$ <u>110.00</u>
<input type="checkbox"/> C	Dollars
<input type="checkbox"/> C	
For <u>Temporary use</u>	<u>Ch Paty</u>
MP	
⑆061300367⑆4088 ⑆00818376⑆	



CITY OF CHATTANOOGA

DATE _____

RECEIPT NO. 221709

Received from _____

Amount of _____ Dollars and _____ Cents _____

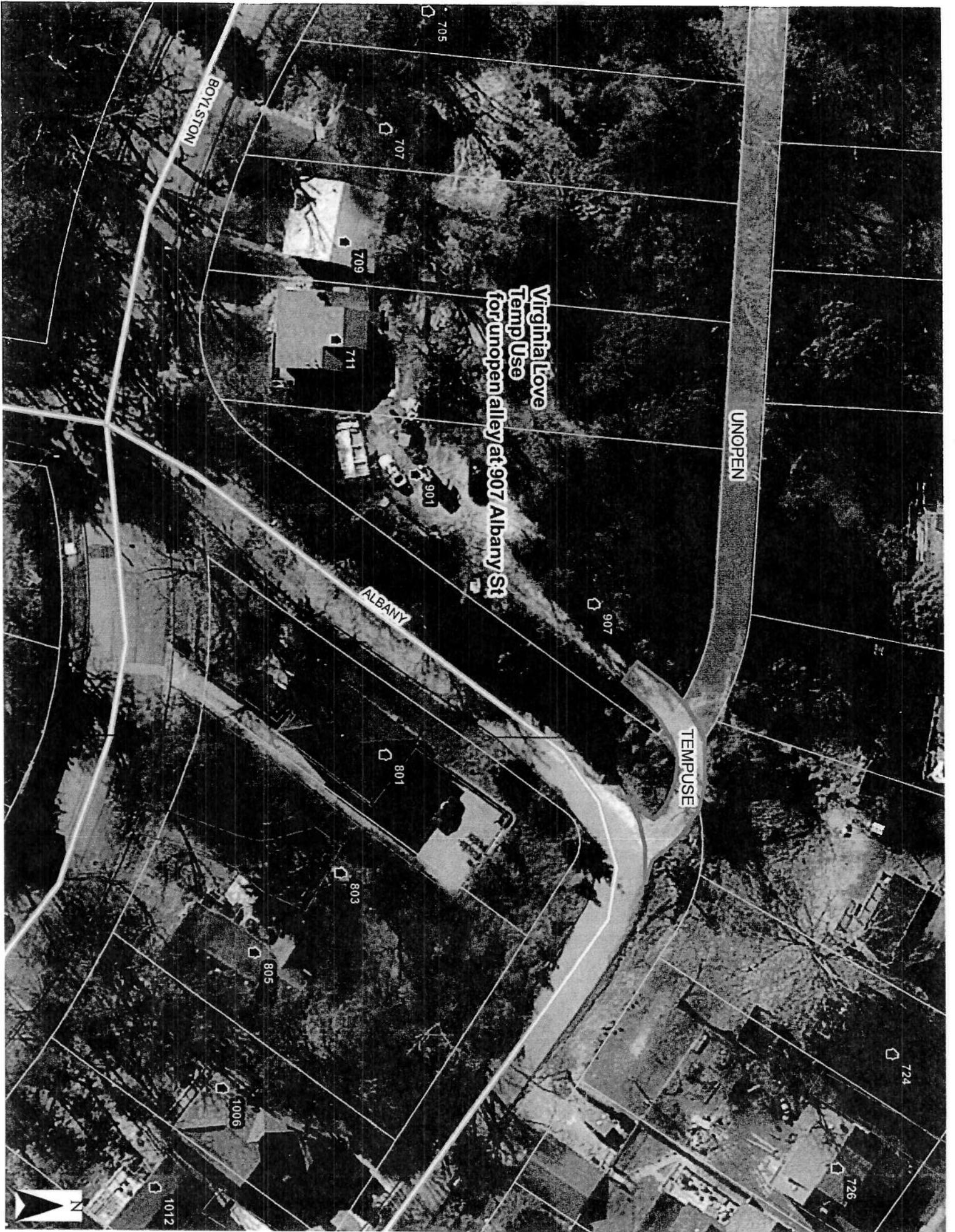
For _____

Cash \$ _____

Check \$ _____

Department/Division

Signature



Virginia Love
Temp Use
for unopen alley at 907 Albany St

BOYLSTON

UNOPEN

ALBANY

TEMPUSE

705

707

709

711

901

907

801

803

805

1006

1012

724

726





CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

Date/Time Printed: 7/29/13 @ 8:28 AM

CityworksSR #: 750685

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:	7/29/2013 8:23:17 AM		Status: O-OPEN
District:	2		Due Date: 10/27/2013
Location:	907 ALBANY STREET 37405		

Question	Answer

Callers/Complainants

First Name	Last Name	Address	Apt.	Zip
CHRIS	PATY	498 DRUID LANE		37405
Home Phone	Work Phone	Other Phone		
(423) 505-8971				

Additional Information

CSRID	13-00086970
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Additional Details/Comments:



CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
UNIFIED WORK ORDER

Project/Funding:

Work Order Number: * 1 1 7 7 4 7 *

Address: 907 ALBANY STREET

Tax Map/Grid: 126M

Required Work Type: ENG - Temporary Use		Category: ADMIN		Date Needed: 9/27/2013	
WO Initiated: 7/29/2013 8:26:51 AM	Initiated By: KING, CAROL A	Requested By: BOWEN, EDWARD L	Priority: 3	District: 2	Transferred To/Submitted to: BOWEN, EDWARD L - 7/29/2013 8:30:02 AM
					Status: UNDINV

Instructions:

Comments: From: Request ID: 750685, 7/29/2013 8:25:07 AM Problem Details:
 By KING, CAROL A: 7/29/2013 8:33:08 AM
 Approximately the 1st 20 feet of alley has been used as access to the property for many years. The access is already in place.

Date Completed: _____ **Supervisor:** _____ **WO Closed :** _____

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
750685	7/29/2013 8:23:17 AM	3	ENG - Temporary Right-of-Way Use	907 ALBANY STREET
Customer Name		Customer Work Phone		Customer Zip
PATY, CHRIS		(423) 505-8971		37405

Work Comments/Results: _____