Temp Usage No. 127522

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING LARRY R. WALDREP, JR. TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 100 AND 102 LAWN STREET FOR USE OF THE ALLEY WAY TO BE CONSTRUCTED TO SERVICE PARKING FOR PROPOSED RESIDENCES, AS SHOWN ON THE PHOTO AND 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 LARRY R. WALDREP, JR., (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 100 and 102 Lawn Street for use of the alley way to be constructed to service parking for proposed residences, as shown on the photo and 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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.

ADOPTED: _____, 2014

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and LARRY R. WALDREP, JR. (hereinafter "Temporary User"), this _____ day of _____, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at 100 and 102 Lawn Street for use of the alley way to be constructed to service parking for proposed residences, as shown on the photo and 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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.

_____, 2014 BY: _____
Date Larry R. Waldrep, Jr.

CITY OF CHATTANOOGA, TENNESSEE

_____, 2014 BY: _____
Date Andy Berke, Mayor

City of Chattanooga

Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: March 10, 2014

Preparer: Fritz Brogdon 3/10/14 **Department:** Transporatation

Brief Description of Purpose for Resolution: Resolution Number (if approved by Council): **District 1**

A City Council Action is requested to authorize Temporary Usage No. 127522 for Larry R. Waldrep, Jr. for the right-of-way for use of the alley way to be constructed at 100 and 102 Lawn Street to service parking for proposed residences, as shown on the attached photo and map.

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: Fritz Brogdon

From: Ed Bowen

cc: Bill Payne; Dennis Malone

Date: March 5, 2014

Re: Temporary Usage Request #127522
100 and 102 Lawn Street
Larry R. Waldrep, Jr.
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Waldrep's request regarding the Temporary Usage of the right-of-way for use of the alley way to service parking for proposed residences as shown on the attached photo and map. My comments are as follows:

- Residences are to be constructed at 100 and 102 Lawn Street.
- The applicant would like to pave the alley way.
- The city of Chattanooga has no sanitary sewer infrastructure in the subject alley 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 with no conditions.***

Larry R Waldrep Jr
Temporary Usage: 100 and 102 Lawn Street
Driveways off alley for two residences
LAWN
SPEARS
UNOPEN
TEMPUSE
UNOPEN
111
105
101
29
27
112
110
108
104
102
100
28
26
1007
1005
111
107
N

Moonstone Rd
Lawn St
100323
Sawyer St
100323
Spears Ave
231
235
105
101
107
109
111
29
27
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23
112
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104
102
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111
107
1001
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Information has been filed
with the City of Chattanooga and
is not known to be correct or
accurate. The City of Chattanooga
accepts no responsibility or liability of the information

SR # 802403
WO # 127522

For Office Use Only
Kenneth Dodson
Technician Signature
1/28/14
Date

1/28/14
(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 CITY ALLEY THAT SERVICES 100 + 102 LAWN STREET

The reason for this request is as follows:
WE WOULD LIKE TO USE THE ALLEY WAY TO SERVICE PARKING FOR RESIDENCES TO BE CONSTRUCTED @ 100 + 102 LAWN RESPECTIVELY. WE WOULD LIKE TO PAVE THE ALLEY WAY.

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:
3070 TWISTED TWIG LANE APISON TN 37302 423 316 6475

(email address) waldrepconstruction@gmail.com

(Processing Fee of $110.00 payable to: City of Chattanooga)

LARRY R WALDREP JR
(Print) **Applicant** Name

1/28/14
Date

LARRY R WALDREP JR
(Print) **Owner's** Name

1/28/14
Date

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

CITY OF CHATTANOOGA

PUBLIC WORKS DEPARTMENT

WORK ORDER

Project/Funding:
Work Order Number: 127522

Address: 100 and 102 Lawn Street

Required Work Type: ENG - Temporary Use						
WO Initiated: 2/3/2014 9:52:38 AM	**Initiated By:** KING, CAROL A	**Requested By:** *ENGINEERING, ENGINEERING	**Priority:** ROUTINE	**District:**	**Transferred To/Submitted to:** BOWEN, EDWARD L	**Status:** Under Investigation

Instructions:	

Comments:	By KING, CAROL A: 2/3/2014 10:06:30 AM We would like to use the alley way to service parking for residences to be constructed at 100 and 102 Lawn Street respectively. We would like to pave the alley way.

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

Associated Service Requests(s), If Any:

Request ID	Problem Code	Request Description	Request Priority	Incident Address
802413	Tmp Right-of-Way Use	ENG - Temporary Right-of-Way Use	ROUTINE	100 and 102 Lawn Street

Customer Call #	Customer Title	First Name	Middle Initial	Last Name	Address	Apt. #
834254		LARRY R.		WALDREP JR.	3070 Twisted Twig Lane	

City	Zip	Address Type	Home Phone	Work Phone	Other Phone	Date & Time Of Call
Apison	37302	Streets	(423) 316-6475			2/3/2014 9:42:00 AM

CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
SERVICE REQUEST

CityworksSR #: 802413

SR Type: ENG - Temporary Right-of-Way Use	
Submitted to: BOWEN, EDWARD L	**Dispatched:** BOWEN, EDWARD L
Input By: KING, CAROL A	**Priority:** ROUTINE
Create Date: 2/3/2014 9:45:37 AM	**Status:** CLOSED
District:	**Due Date:** 5/4/2014 9:45:37 AM
Location: 100 and 102 Lawn Street	

Callers/Complaints

First Name	Last Name	Address	Apt.	Zip
LARRY R.	WALDREP JR.	3070 Twisted Twig Lane		37302
Home Phone	**Work Phone**	**Other Phone**		
(423) 316-6475				

Question	Answer
What type of usage are you requesting?	Opening Alley

Additional Details/Comments:

We would like to use the alley way to service parking for residences to be constructed @ 100 and 102 Lawn Street respectively. We would like to pave the alley way. By KING, CAROL A: 2/3/2014 9:45:38 AM ·
For a temporary usage of city alley that services 100 and 102 Lawn Street
Caller: UNKNOWN, :
Q: What type of usage are you requesting?
A: Opening Alley

Additional Information:

Custom Field Names	Custom Field Value		
CSRID	14-00009667		

CITY OF CHATTANOOGA

DATE 1/27/14 RECEIPT NO. 221728

Received from GREEN REAL ESTATE GROUP LLC

Amount of ONE HUNDRED Dollars and TEN Cents NO-

For TEMP USAGE - 324 VINE STREET

☐ Cash $ _____ TIC Department/Division

☒ Check $ 110.00 # 012023 Collection Report No. BONNIE Signature

CITY OF CHATTANOOGA

DATE 1/28/14 RECEIPT NO. 221729

Received from WALDREP CONSTRUCTION LLC

Amount of ONE HUNDRED Dollars and TEN Cents 00

For TEMP USAGE 100 + 102 LAWN ST

☐ Cash $ _____ TIC Department/Division

☒ Check $ 110.00 # 3581 Collection Report No. BONNIE Signature

WALDREP CONSTRUCTION,LLC
PH. 423-316-6475
3070 TWISTED TWIG LANE
APISON, TN 37302

64-110/611 3581

DATE 1/28/14

PAY TO THE ORDER OF CITY OF CHATTANOOGA $ 110.00 221730

ONE HUNDRED TEN AND 00/XX DOLLARS Security Features Included. Details on Back.

CapitalBank
Ringgold, GA 30736

Cents

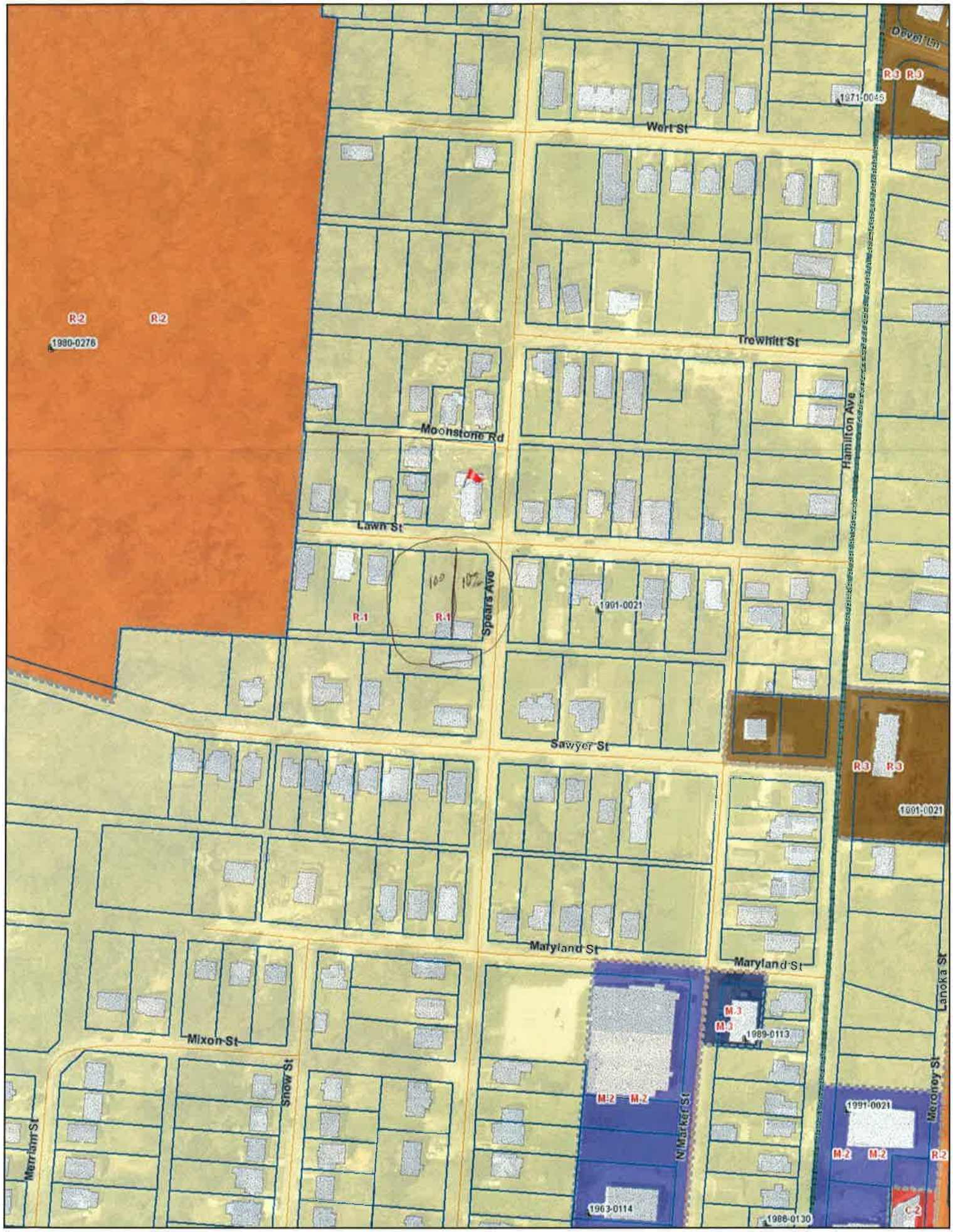
MEMO MP

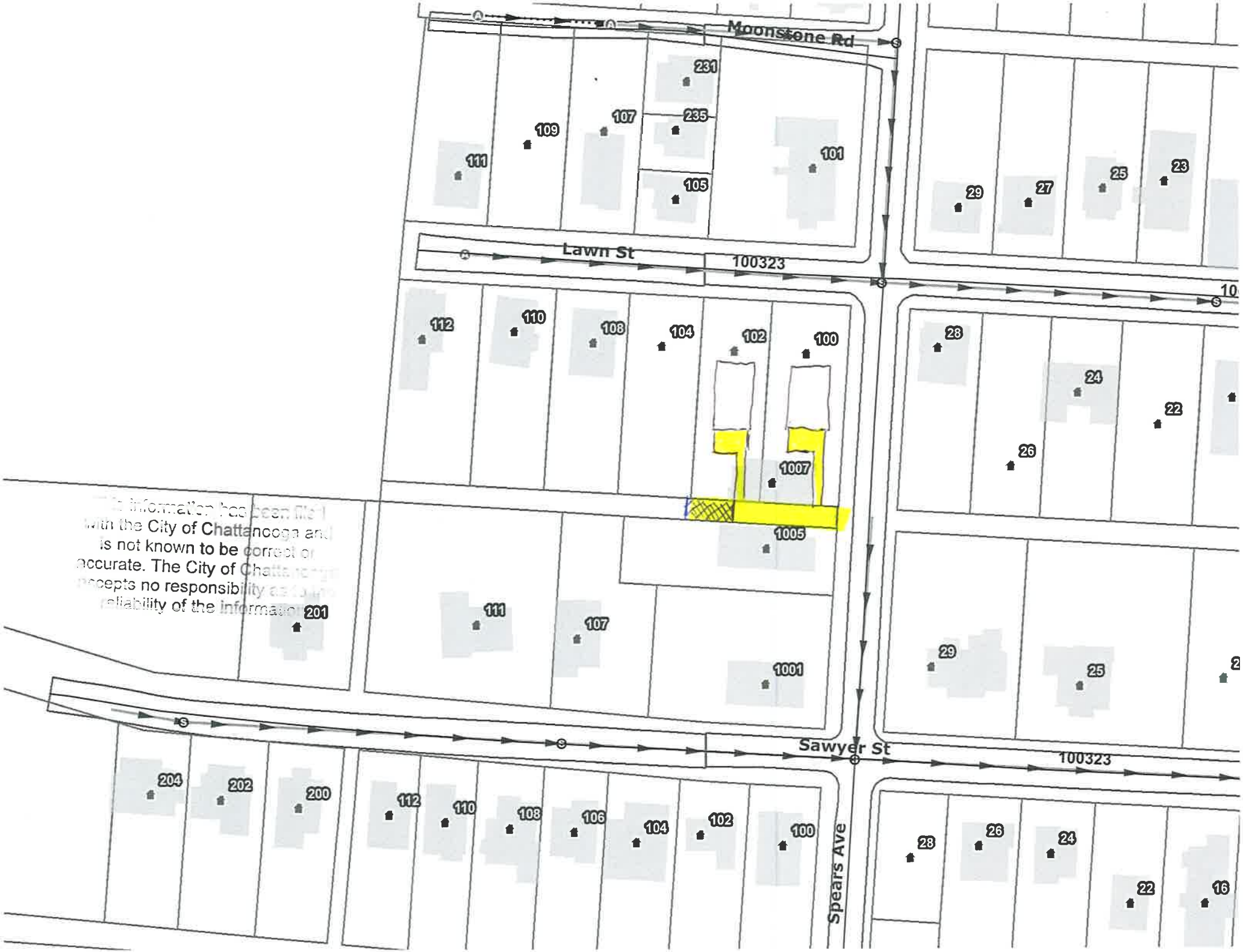
⑆061101100⑆ 6001 926 2⑈ 3581

SPECIALTY GRAY

Department/Division

☐ Check $ _____ Signature


Devel Ln
R-3 R-3
1971-0045
Wert St
R-2
R-2
1980-0276
Trewhitt St
Hamilton Ave
Moonstone Rd
Lawn St
100
10%
Spears Ave
R-1
R-1
1991-0021
Sawyer St
R-3 R-3
1991-0021
Maryland St
Maryland St
M-3
M-3
1989-0113
Lanoka St
Mixon St
Snow St
M-2 M-2
N Market St
1991-0021
Merconey St
M-2 M-2
R-2
Merriam St
1963-0114
1988-0130
C-2


Moonstone Rd
231
235
109
107
111
105
101
29
27
25
23
Lawn St
100323
112
110
108
104
102
100
28
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22
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1007
1005
201
111
107
1001
29
25
Sawyer St
100323
204
202
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102
100
Spears Ave
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22
16
information has been filed
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is not known to be correct or
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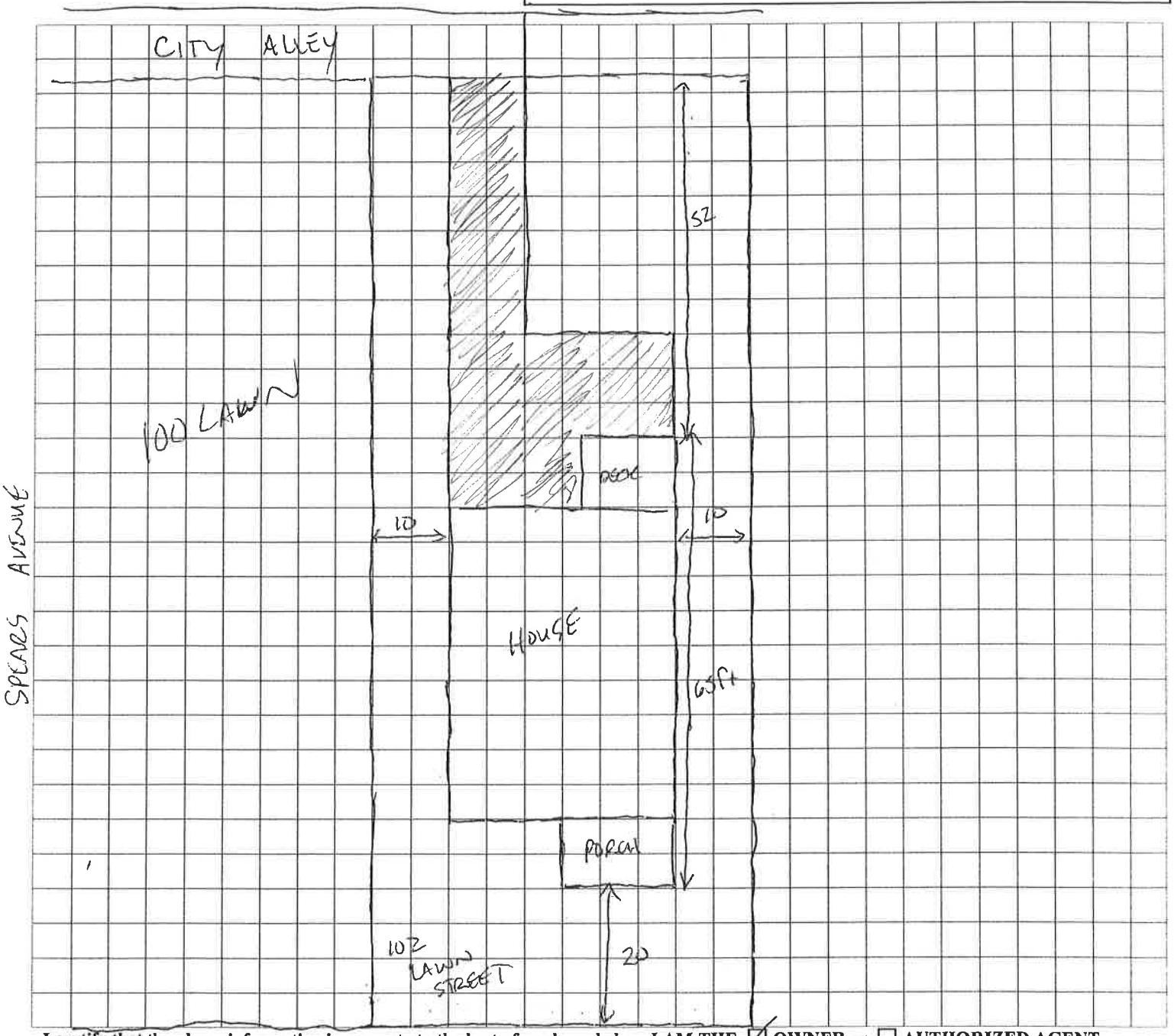
reliability of the information

SITE PLANS MUST SHOW ALL PROPERTY LINES AND DIMENSIONS

☒ **Drawn to Scale: 1 square =** 5 ft

☐ **Feet Not Drawn to Scale = Total Acres** _____

Show dimension of all lot lines and relationship to all rights-of-way that adjoin lot. Show all proposed driveways and walkways. Show dimensions of the structure(s) to be built. Include all projections: porches, landings, decks, bay windows, carports, etc. Show square footage to include attached or detached garage. Show dimensions of setbacks from the property lines and Right of Way to new structure or additions. Show dimensions between existing and proposed structures. Show all easements. Show floodplain info. **Show all roads / streets.**



I certify that the above information is accurate to the best of my knowledge. I AM THE ☒ **OWNER or** ☐ **AUTHORIZED AGENT.**

My telephone number is : 423 316 6475 Name (please print): LARRY WALDREP JR

Address of subject property: 102 LAWN STREET Lot #: _____ Subdivision: _____

MAP GROUP PARCEL #: _____ Flood Zone: ☐ Yes ☒ No Elevation (in feet): _____

Number of Floors: 1.5 Height of Structure: 20 Total square footage of proposed structure(s): 1850 (Finished) - _____ (Unfinished)

Plat Book: _____ Page #: _____ Sewer MF #: _____ Sewer Verification: ☐ Yes ☐ No

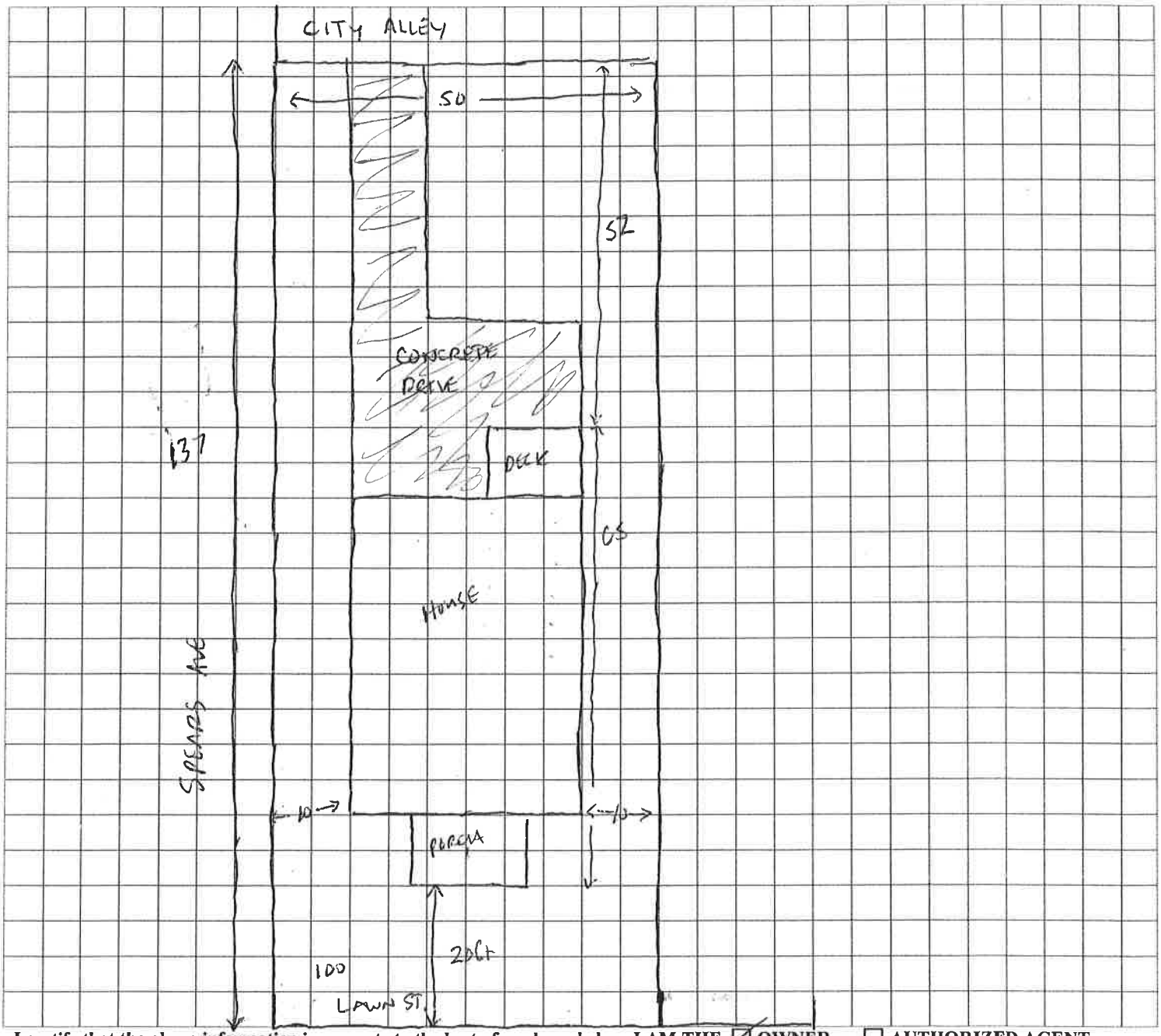
Lot of Record: ☐ Yes ☐ No Date of Lot Creation: _____ Sewer Permit # or Dye Test: _____

SITE PLANS MUST SHOW ALL PROPERTY LINES AND DIMENSIONS

☒ **Drawn to Scale: 1 square =** 5ft

☐ **Feet Not Drawn to Scale = Total Acres** ____

Show dimension of all lot lines and relationship to all rights-of-way that adjoin lot. Show all proposed driveways and walkways. Show dimensions of the structure(s) to be built. Include all projections: porches, landings, decks, bay windows, carports, etc. Show square footage to include attached or detached garage. Show dimensions of setbacks from the property lines and Right of Way to new structure or additions. Show dimensions between existing and proposed structures. Show all easements. Show floodplain info. **Show all roads / streets.**



I certify that the above information is accurate to the best of my knowledge. I AM THE ☒ **OWNER or** ☐ **AUTHORIZED AGENT.**

My telephone number is : 423 316 6475 Name (please print): LARRY WALDREP JR

Address of subject property: 100 LAWN STREET Lot #: _____ Subdivision: _____

MAP GROUP PARCEL #: _____ Flood Zone: ☐ Yes ☒ No Elevation (in feet): _____

Number of Floors: 1.5 Height of Structure: 20 Total square footage of proposed structure(s): 1850 (Finished) - ____ (Unfinished)

Plat Book: _____ Page #: _____ Sewer MF #: _____ Sewer Verification: ☐ Yes ☐ No

Lot of Record: ☐ Yes ☐ No Date of Lot Creation: _____ Sewer Permit # or Dye Test: _____

1/28/14

Larry R Waldrep Jr

3070 Twisted Twil Lane

Apison, TN 37302

Concerning my Temporary Usage Permit application for a driveway accessing 100 and 102 Lawn Street, I acknowledge my responsibility for removing any of the work in the event the City Council should deny my permit. I need to proceed as quickly as possible.

Sincerely,

Larry R Waldrep Jr