

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ADAM GREEN TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 324 VINE STREET FOR THE INSTALLATION OF A PLANTER BOX AND BUILDING AWNING, AS SHOWN ON THE DRAWINGS AND PHOTO 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 ADAM GREEN, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at 324 Vine Street for the installation of a planter box and building awning, as shown on the drawings and photo 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

/mem

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and ADAM GREEN (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 324 Vine Street for the installation of a planter box and building awning, as shown on the drawings and photo 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
Date

BY: _____
Adam Green

CITY OF CHATTANOOGA, TENNESSEE

_____, 2014
Date

BY: _____
Andy Berke, Mayor

City of Chattanooga



Resolution Request Form

Date Prepared: April 8, 2014

Preparer: Bert Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance:

Res./Ordinance # (if approved by Council)

A City Council Action is requested to authorize Temporary Usage No. 127325 for the temporary use of the right-of-way for installation of a planter box and building awning as shown on the attached drawings and photo.

Name of Vendor/Contractor/Grant, etc. n/a
Total project cost \$ n/a
Total City of Chattanooga Portion \$ n/a
City Amount Funded \$ n/a
New City Funding Required \$ n/a
City's Match Percentage % n/a

New Contract/Project? (Yes or No) n/a
Funds Budgeted? (YES or NO) n/a
Provide Fund n/a
Provide Cost Center n/a
Proposed Funding Source if not budgeted 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: *[Signature]*

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: 1/26/09

Memorandum

To: Fritz Brogdon ^{FB}
From: Ed Bowen
cc: Bertran Kuyrkendall; Blythe Bailey ^{BA}
Date: March 28, 2014
Re: Temporary Usage Request #127325
Vine Development Partners, LLC
c/o Adam Green
324 Vine Street

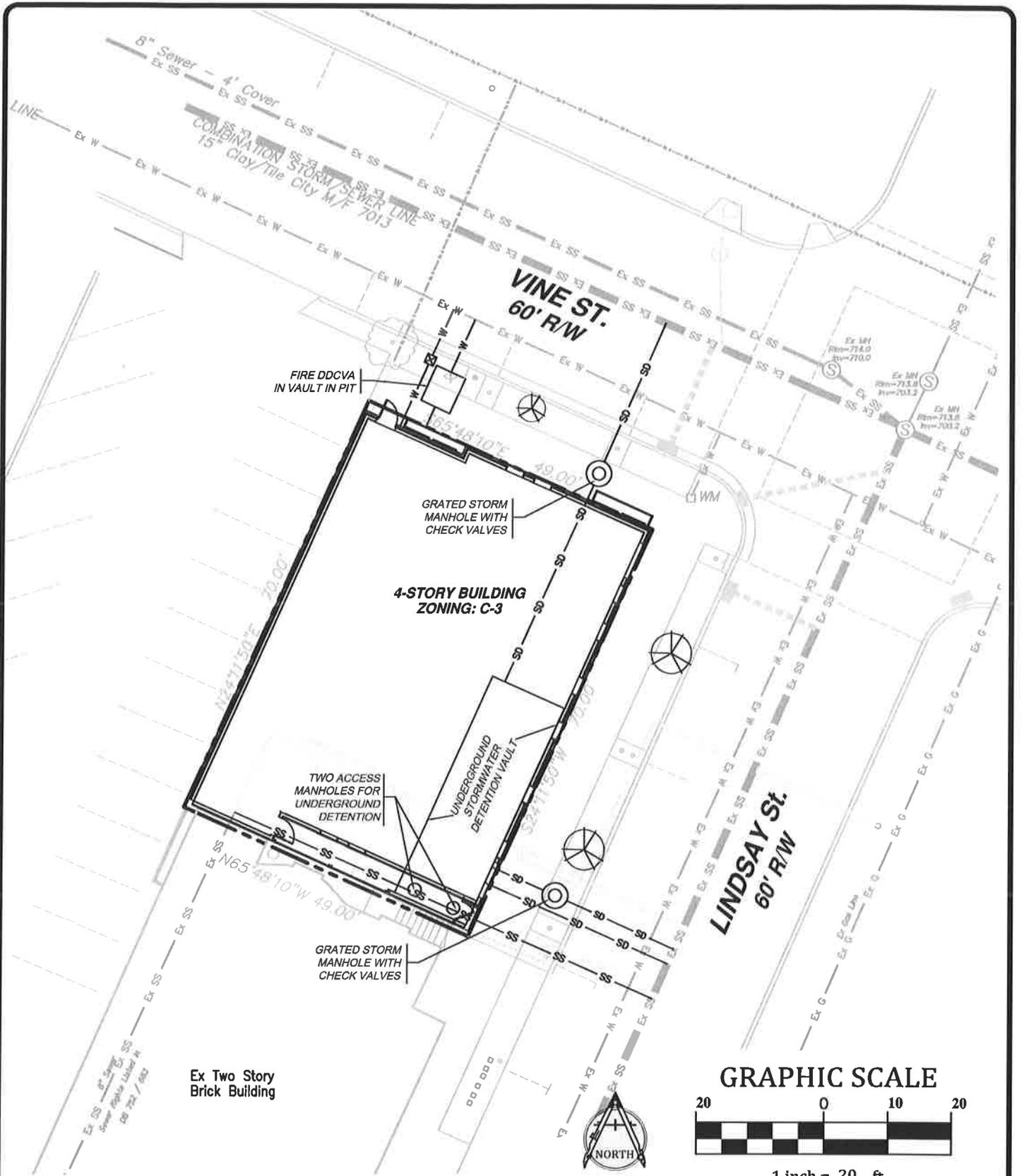
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Green's request regarding the Temporary Usage of the right-of-way for installation of a planter box and building awning as shown on the attached drawings and photo. My comments are as follows:

- The planter box is 12" wide and 18" high.
- The awning is 3'- 8" wide by 17' long and projects 2' into the sidewalk's air space.
- The bottom of the awning is 9'-10" above the sidewalk's surface.

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.***





651 E. 4th Street, Suite 407
Chattanooga, TN 37403
PH: (423) 266-3501 FAX: (423) 266-3286

324 Vine Street.
Chattanooga, TN

TEMPORARY USE OF RIGHT OF WAY AND
FRANCHISE AGREEMENT APPLICATIONS

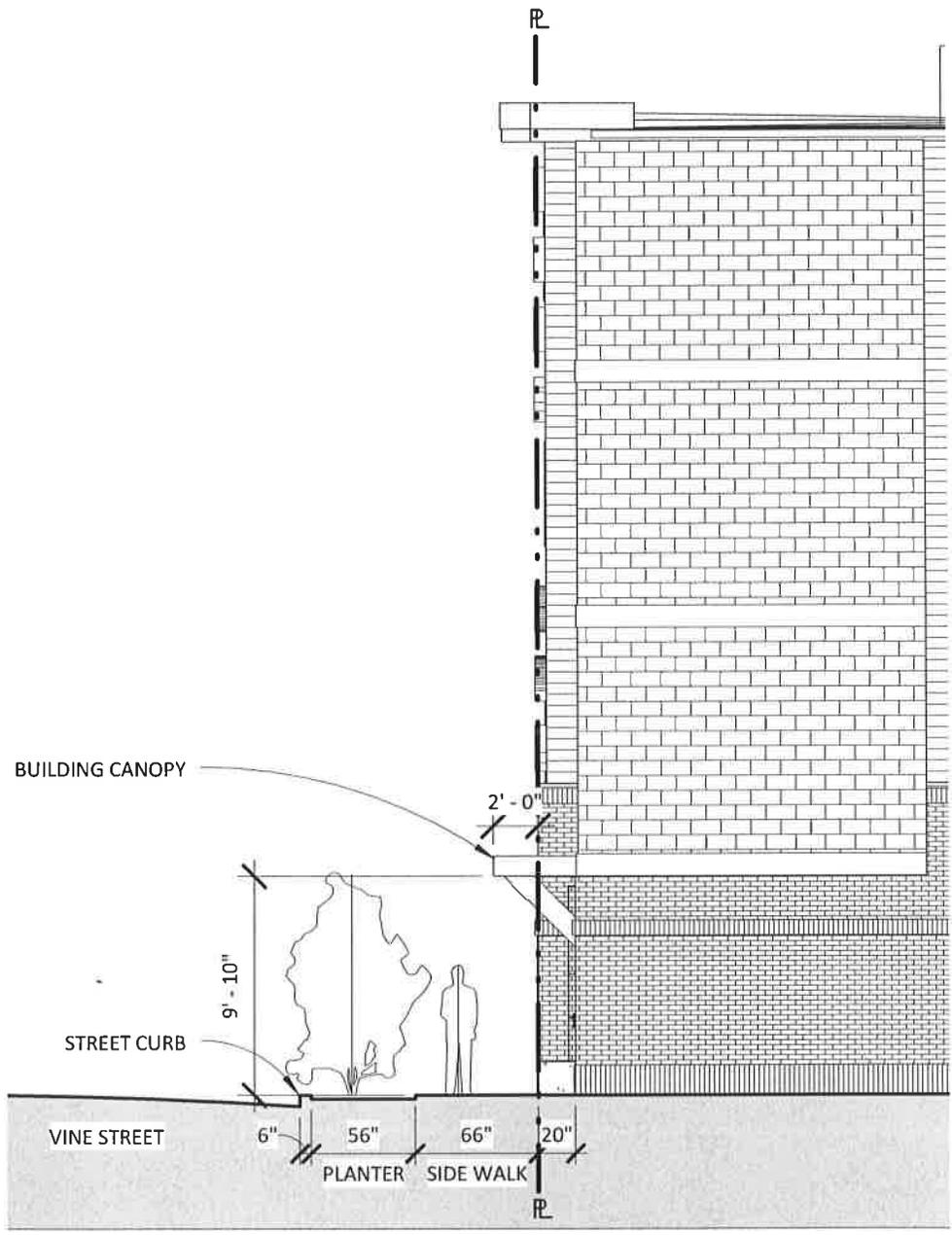
SCALE: 1"=20'

DATE: 03/17/2014

DRAWN BY: DJS

CHECKED BY: ASD

JOB NO: 13188

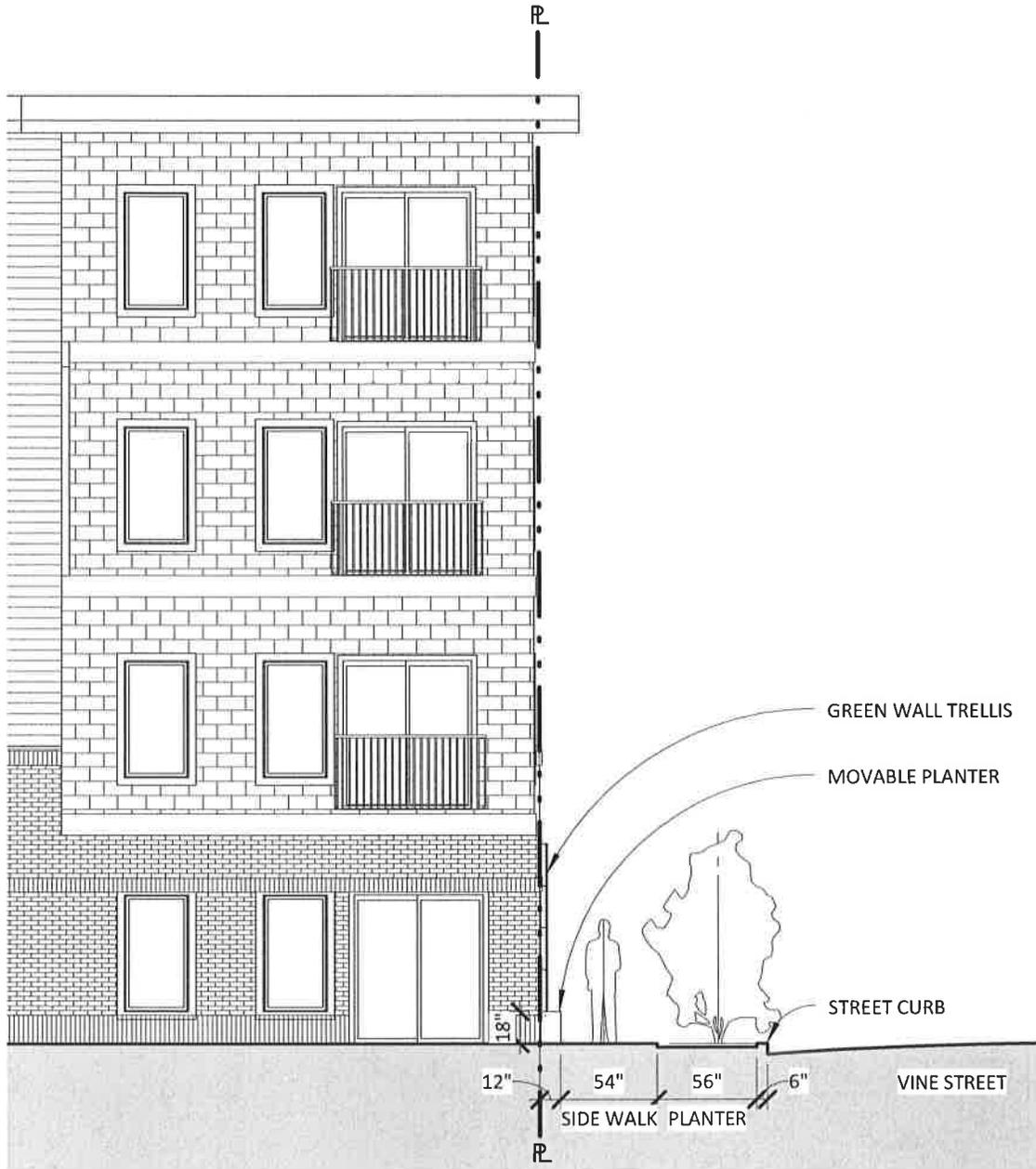


1 Vine Street West
 1/8" = 1'-0"

METHOD ARCHITECTURE
 www.method-architecture.com

VINE 324

VINE STREET WEST		SK-2
Project number	14104	
Date	03/11/14	Scale 1/8" = 1'-0"
Drawn by	TMB	
Checked by	TMB	



1 Vine Street East
 1/8" = 1'-0"



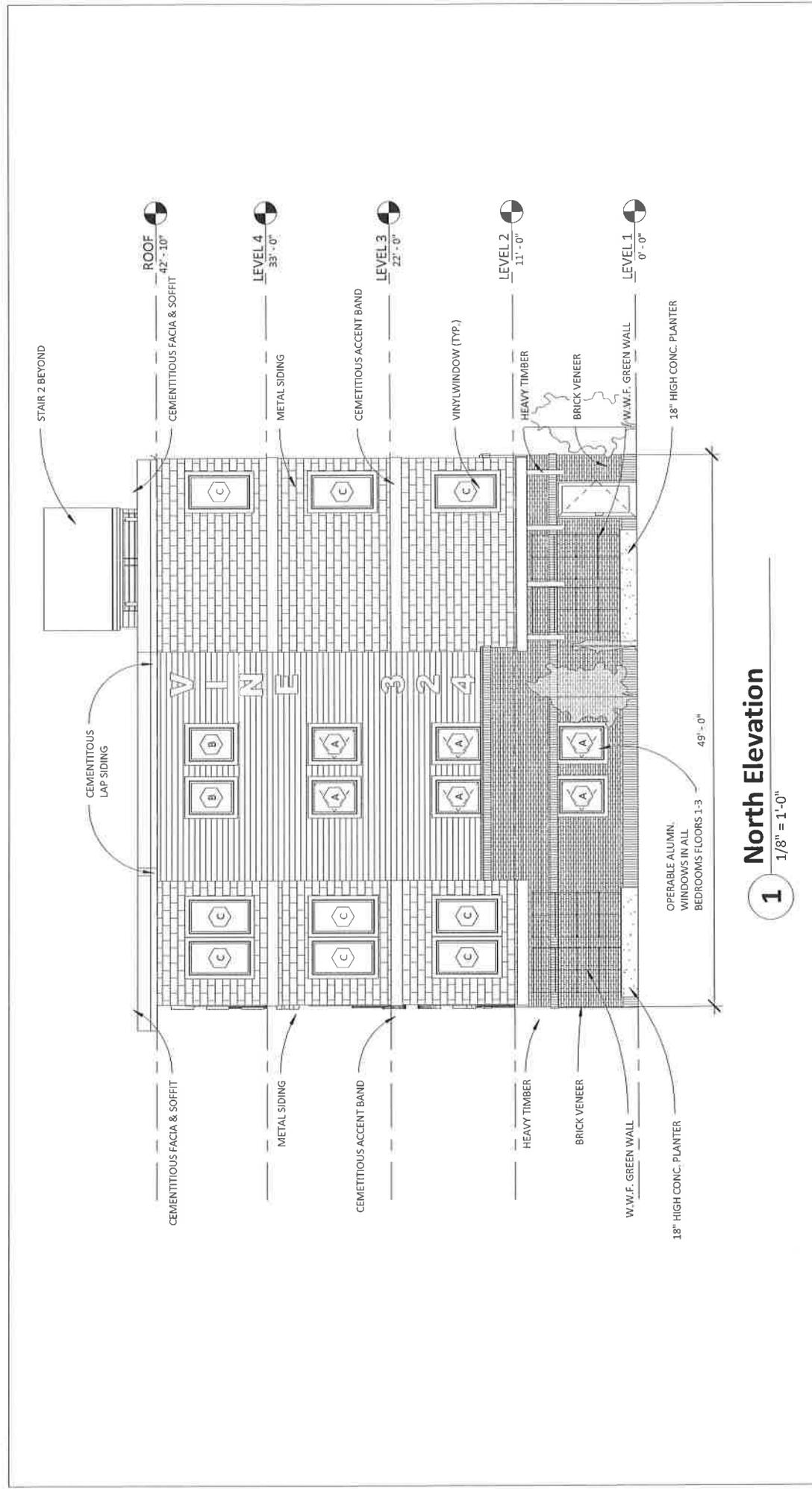
METHOD ARCHITECTURE

www.method-architecture.com

VINE 324

VINE STREET EAST

Project number	14104	SK-1
Date	03/11/14	
Drawn by	TMB	
Checked by	TMB	
Scale	1/8" = 1'-0"	



1 North Elevation
1/8" = 1'-0"

No.	Description	Date

Owner: Green Real Estate Group, LLC
VINE 324

METHOD ARCHITECTURE
www.method-architecture.com

NORTH ELEVATION

Project number	14104
Date	03/11/14
Drawn by	TMB
Checked by	TMB

Scale 1/8" = 1'-0"

SK-3