

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING VINE DEVELOPMENT, LLC C/O ADAM GREEN TO USE TEMPORARILY THE RIGHT-OF-WAY FOR STORMWATER DETENTION FACILITIES AND A FIRE VAULT, AS SHOWN ON THE DRAWINGS 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 VINE DEVELOPMENT, LLC C/O ADAM GREEN, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way for stormwater detention facilities and a fire vault, as shown on the drawings 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.

4. The temporary usage will be in effect until the franchise becomes operative or for a maximum of one hundred twenty (120) days, whichever comes first.

5. During the franchise agreement process that is required and that will follow, the Temporary User will submit additional drawings and/or details for the department's determination on the effect to the sidewalk of the installation of this fire vault. Those details should include but not necessarily be limited to, section drawings, material callouts, etc., for city approval.

ADOPTED: _____, 2014

/mem

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the “City”), and VINE DEVELOPMENT, LLC C/O 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 for stormwater detention facilities and a fire vault, as shown on the drawings 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.

4. The temporary usage will be in effect until the franchise becomes operative or for a maximum of one hundred twenty (120) days, whichever comes first.

5. During the franchise agreement process that is required and that will follow, the Temporary User will submit additional drawings and/or details for the department's determination on the effect to the sidewalk of the installation of this fire vault. Those details should include but not necessarily be limited to, section drawings, material callouts, etc., for city approval.

VINE DEVELOPMENT, LLC

_____, 2014
Date

BY: _____
Adam Green

CITY OF CHATTANOOGA, TENNESSEE

_____, 2014
Date

BY: _____
Andy Berke, Mayor

City of Chattanooga



Resolution Request Form

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

Date: April 16, 2014

Preparer: Fritz Brogdon

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): DISTRICT 6

A City Council Action is requested to authorize Temporary Usage No. 127325-A for Vine Development, LLC (Adam Green) for the right of way for stormwater detention facilities and a fire vault as shown on the attached drawings. Also, subject to the condition stated 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 <u>Fund</u>	<u>N/A</u>
City Amount Funded \$	<u>N/A</u>	Provide <u>Cost Center</u>	<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

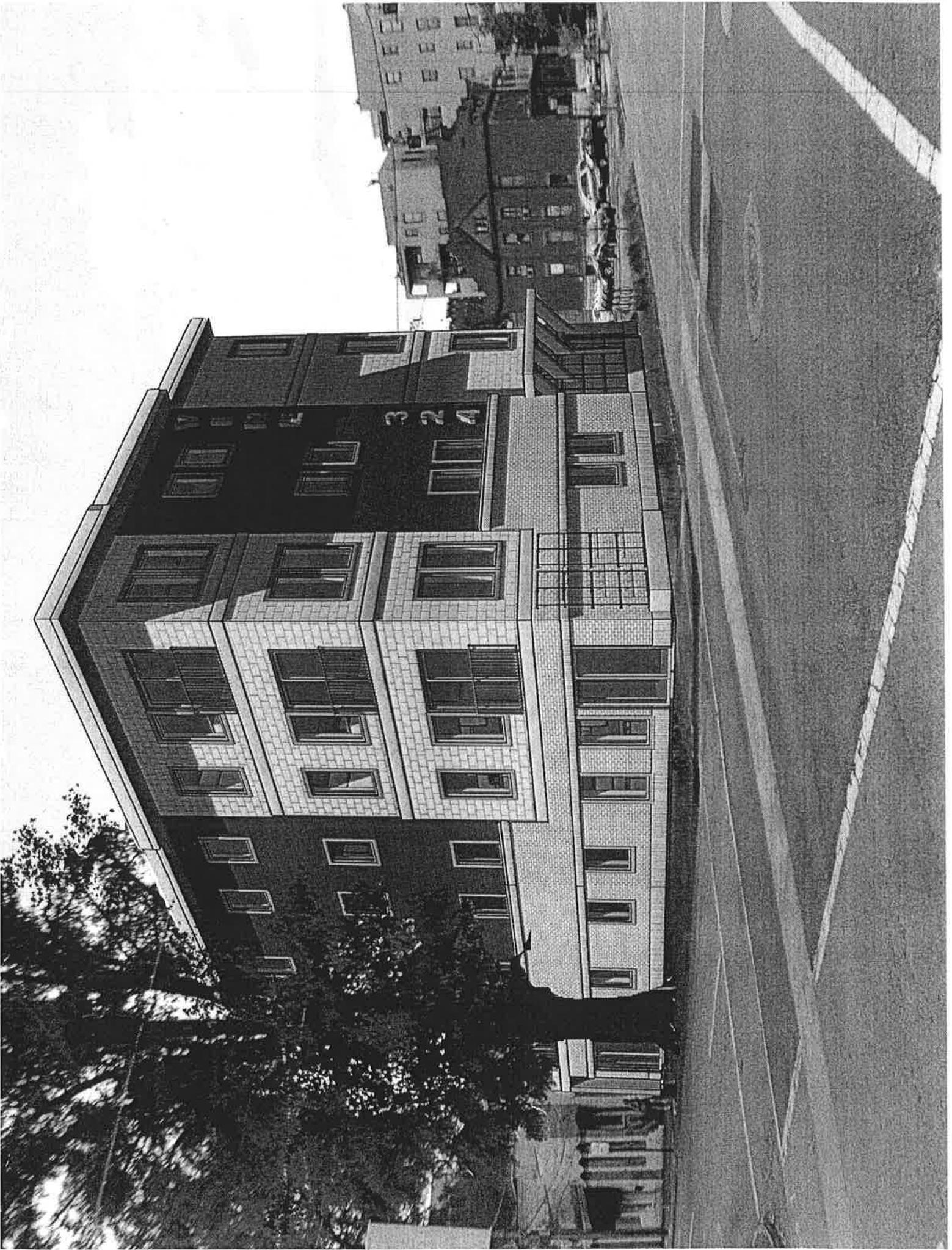
To: Fritz Brogdon
From: Ed Bowen
cc: Bertran Kuyrkendall; Blythe Bailey
Date: April 16, 2014
Re: Temporary Usage Request #127325-A
Vine Development Partners, LLC
C/o Adam Green
324 Vine Street

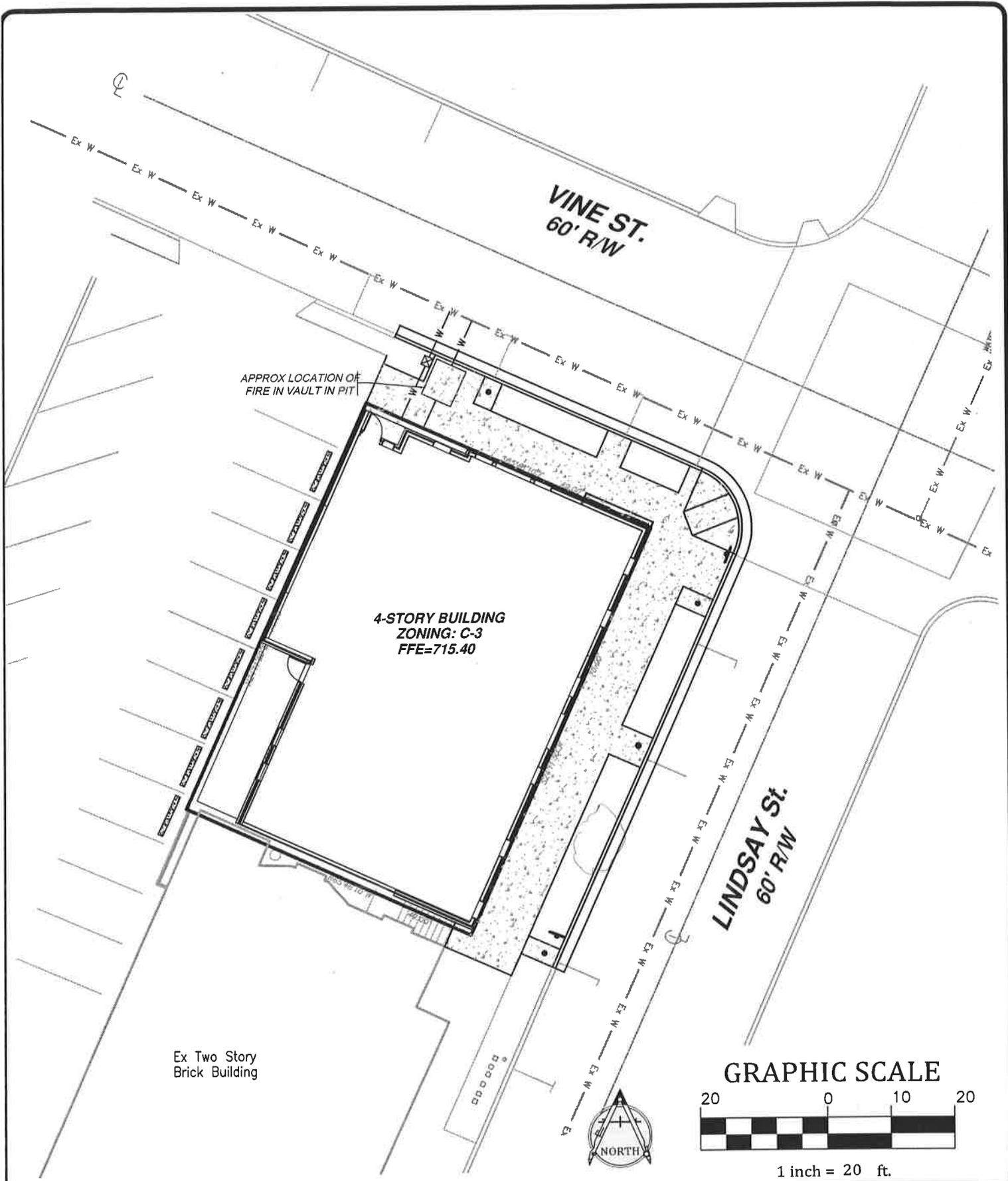
Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. Green's request regarding the Temporary Usage of the right-of-way for stormwater detention facilities and a fire vault as shown on the attached drawings. My comments are as follows:

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 these conditions:***

- The temporary usage will be in effect until the franchise becomes operative or for a maximum of 120 days, whichever comes first.
- During the franchise agreement process that is required and that will follow, the applicant will submit additional drawings and/or details for the department's determination on the effect to the sidewalk of the installation of this fire vault. Those details should include but not necessarily be limited to, section drawings, material callouts, etc., for city approval.





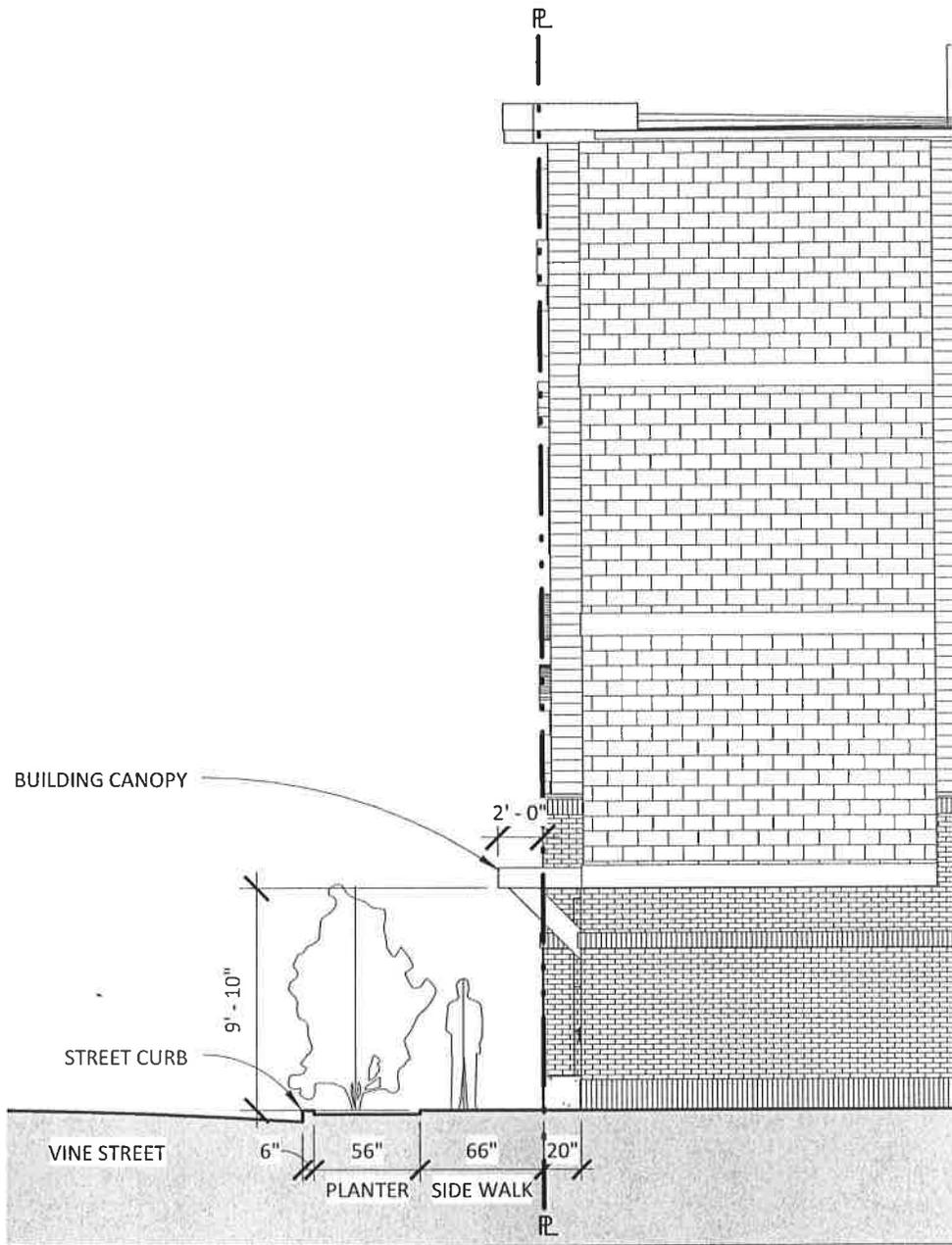
AD ENGINEERING SERVICES, INC.
COMPLETE ENGINEERING & DESIGN SERVICES

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: 04/15/2014
DRAWN BY: DJS
CHECKED BY: ASD
JOB NO: 13188



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



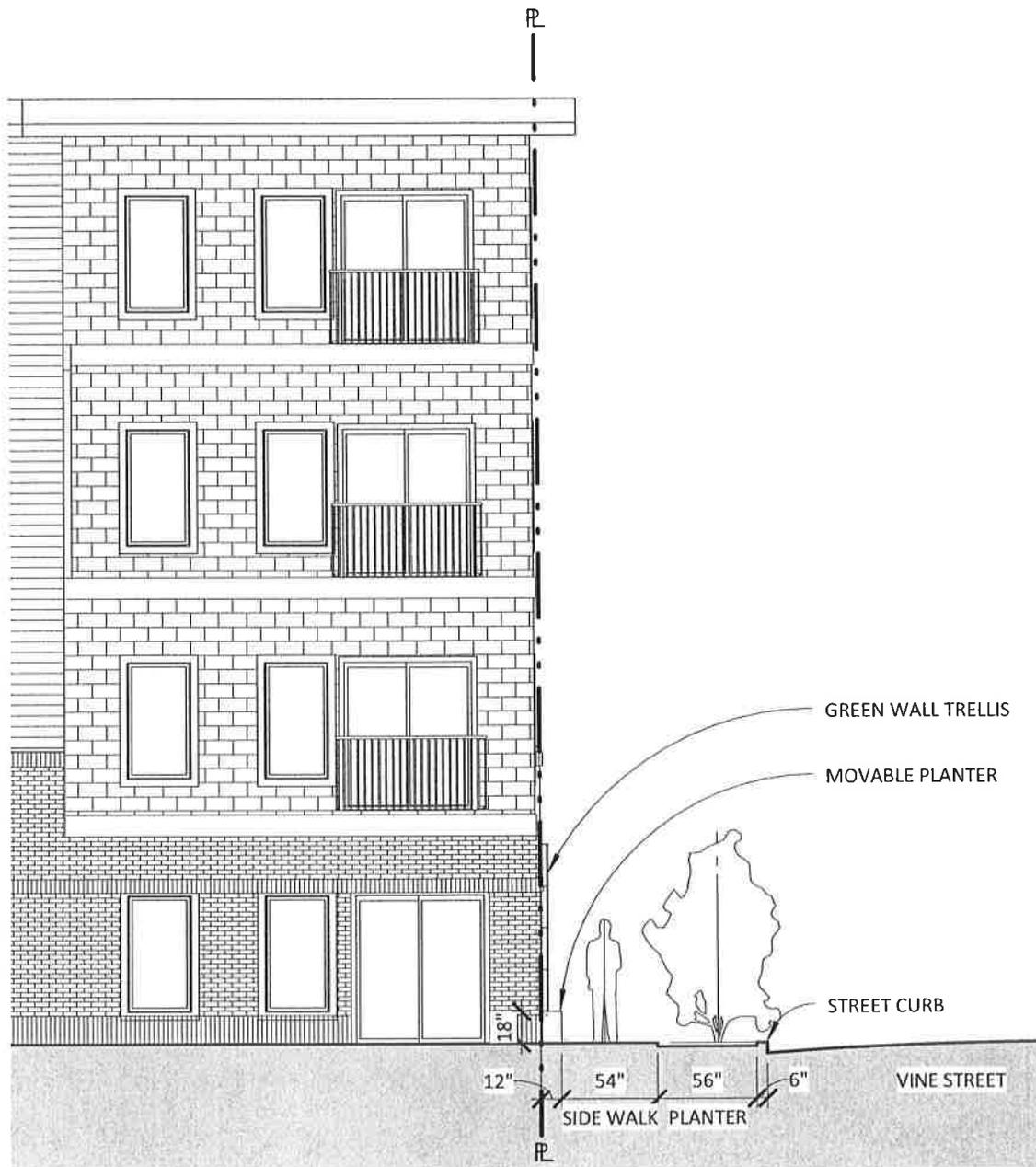
METHOD ARCHITECTURE

www.method-architecture.com

VINE 324

VINE STREET WEST

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



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



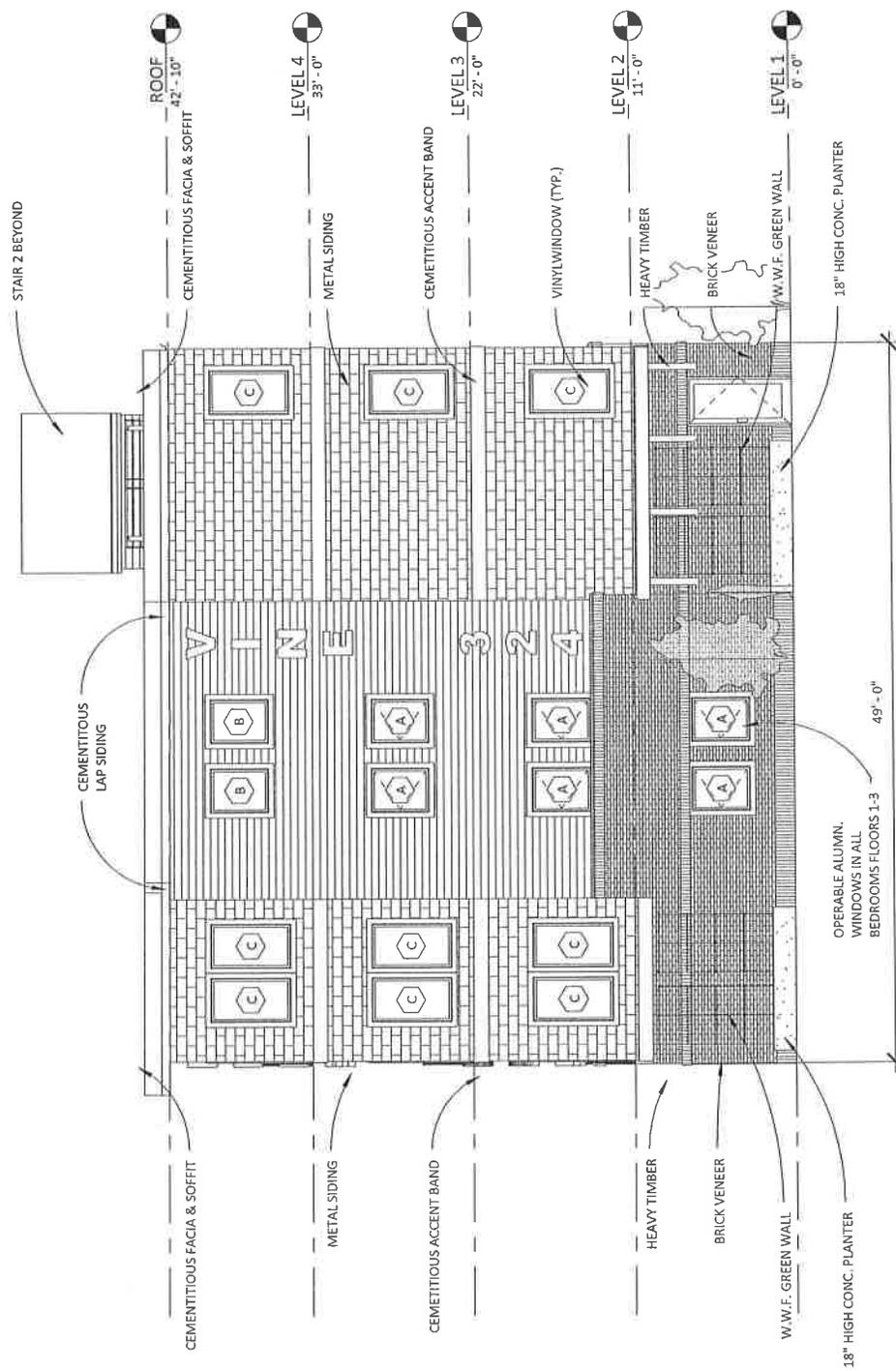
METHOD ARCHITECTURE

www.method-architecture.com

VINE 324

VINE STREET EAST

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



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

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

No.	Description	Date

Owner: Green Real Estate Group, LLC
VINE 324

METHOD ARCHITECTURE
www.method-architecture.com