

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING STEVIE PHILLIPS TO USE TEMPORARILY AN ALLEY BEHIND LOT LOCATED AT 707 MERRIAM STREET, AS SHOWN ON THE 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 STEVIE PHILLIPS, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily an alley behind lot located at 707 Merriam Street, as shown on the 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.

4. Temporary User shall install a City Standard driveway approximately at the entrance to the alleyway.

ADOPTED: _____, 2014

/mem

City of Chattanooga



Resolution Request Form

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

Date Prepared: October 6, 2014

Preparer: Blythe Bailey

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 1

A City Council Action is requested to authorize, Ms. Stevie Phillips, request for Temporary Usage No. 139025, of the alley behind her lot at 707 Merriam Street as shown on map. It is my recommendation that the request be granted.

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
Provide Fund n/a
Provide Cost Center n/a
Proposed Funding Source n/a
Grant Period (if applicable) n/a

List all other funding sources and amount for each contributor.

	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 ^{FB}

From: Ed Bowen

Cc: Bertran Kuyrkendall; Brandon Sutton ^{BS}

Date: October 6, 2014

RE: Temporary Usage Request # 139025
707 Merriam Street (District 1)
Ms. Stevie Phillips

Recommendations regarding temporary usage request

I have completed my review of Ms. Phillips' request for the Temporary Usage of the alley behind her lot at 707 Merriam Street. My comments are as follows:

- The applicant wants to use the alley for access to her property, entering the alley from Chambliss Street, to build a new home.
- The front of the lot is steep and drops off to the street.
- Her contractor said a retaining wall will be needed.
- The first 3 lots are now cleared off and are being graded.
- She plans to clear some trees and add gravel.
- The city has no sanitary sewer infrastructure within the subject alleyway.

Therefore, I **recommend that the request for Temporary Usage be granted with these conditions:**

- Applicant shall install a City Standard driveway approximately at the entrance to the alleyway.



9/30/14
(DATE)

WO# 139025
SR# 895451

For Office Use Only
Ronald Jordan
Technician Signature 9/30/14

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of an alleyway to access property.

The reason for this request is as follows:
to build a new home @ 707 MERRIAM ST

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 agrees to comply with any and all conditions recommended by the City Transportation Engineer and/or City Transportation Department and approved by the Chattanooga City Council during the review of this application. The failure to comply with any condition approved by the City Council may be grounds for revocation of this temporary use at any time after its approval
3. 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.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. 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.
7. 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:
716 forest Avenue, Apt. #4
Chattanooga, TN 37405

(email address) stevie@davis-hoss.com

Stevie Phillips
(Print) Applicant Name

[Signature]
(Sign) Applicant Name

9/30/14
Date

Stevie Phillips
(Print) Owner's Name

[Signature]
(Sign) Owner's Name

9/30/14
Date

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

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

Stevie Phillips
District 1 Temporary Uses: 707 Merriam St (126N G 028)
Access Property via Alley

