

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING OAK HILLS NEIGHBORHOOD ASSOCIATION C/O TERRY MCCULLOUGH TO USE TEMPORARILY A MURAL WALL FORTY-FIVE (45') FEET LONG AND ONE FOOT (1') WIDE LOCATED AT 4028 GRAND AVENUE, AS SHOWN ON THE MAPS AND PHOTOS 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 OAK HILLS NEIGHBORHOOD ASSOCIATION C/O TERRY MCCULLOUGH, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a mural wall forty-five (45') long and one (1') foot wide located at 4028 Grand Avenue, as shown on the maps and photos 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 obtain necessary building permits and approvals from the City of Chattanooga Land Development Office.

5. Temporary User shall coordinate with Public Art Chattanooga in the project design.

ADOPTED: _____, 2014

/mem

City of Chattanooga



Resolution Request Form

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

Date Prepared: October 24, 2014

Preparer: Blythe Bailey

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 7

A City Council Action is requested to authorize, Mr. Terry McCullough, President of Oak Hills Neighborhood Association, request for Temporary Usage No. 139035, at 4028 Grand Avenue for a mural wall 45 feet long and 1 foot wide as shown on the attached maps/photos.

RECOMMENDATION: GRANTED WITH CONDITION

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: Brandon Sutton
From: Ed Bowen
cc: Bertran Kuyrkendall
Date: October 28, 2014
Re: Temporary Usage Request #139035
4028 Grand Avenue (District 7)
Terry McCullough, President, Oak Hills Neighborhood Association

Recommendations Regarding Temporary Usage Request

I have completed my review of Mr. McCullough's request for Temporary Usage at 4028 Grand Avenue for a mural wall 45' long x 5' tall x 1' wide as shown on the attached maps/photos. My comments are as follows:

- The mural will be on city property adjacent to 4028 Grand Avenue.
- The city of Chattanooga has no sanitary sewer infrastructure in the subject Area.

After review, granting this Temporary Usage does not conflict with the public's interest. Therefore, I recommend that the request for *Temporary Usage be approved with these conditions:*

- The applicant shall obtain necessary building permits and approvals from the city of Chattanooga Land Development Office.
- The applicant shall coordinate with Public Art Chattanooga in the project design.



SR# 895464
WO# 139035

For Office Use Only
[Signature]
Technician Signature 10/1/14

10/1/14

(DATE)

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 4028 GRAND AVE
~~4012 WEST 40TH AVE~~

The reason for this request is as follows:
Mural wall 45' Long 5' High.

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:
P.O. Box 2311 CHATT. TN 37409 423-227-6972

(email address)

Terry McCullough
(Print) Applicant Name
South CHATT. OAK Hills
(Print) Owner's Name

Terry McCullough 10-1-14
(Sign) Applicant Name Date
President Terry McCullough 10-1-204
(Sign) Owner's Name 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)

Referencing 4028 Grand Ave for Temp Usage
District: 7 Owner: Oak Hills Neighborhood Association/Terry McCullough
Mural Wall 45' long x 5' tall x 1' wide

