Temp Usage No. 139937

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING GAYLE NEWMAN HILL TO USE TEMPORARILY AN ALLEY LOCATED AT THE REAR OF 915 OVERMAN STREET DUE TO THE STEEPNESS OF THE ALLEYWAY TOWARD WORTHINGTON STREET, TO BE USED AS A DRIVEWAY FOR ACCESS TO THE PROPERTY, 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 GAYLE NEWMAN HILL, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily an alley located at the rear of 915 Overman Street due to the steepness of the alleyway toward Worthington Street, to be used as a driveway for access to the property, 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 obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

5. The driveway access must meet the minimum requirements per city codes and standards.

ADOPTED: _____, 2014

/mem

City of Chattanooga

Resolution Request Form

Date: November 17, 2014

Preparer: Blythe Bailey BB **Department:** Transportation

Brief Description of Purpose for Resolution/Ordinance: Res./Ordinance # (if approved by Council) DISTRICT 2

A City Council Action is requested to authorize Ms. Gayle Newman Hill, for a request for Temporary Usage No. 139937, of the alley at 915 Overman Street due to the steepness of the alleyway toward Worthington Street, this will be used as a driveway for access to her property as shown on the attached map.

RECOMMENDATION: GRANTED WITH CONDITIONS

Name of Vendor/Contractor/Grant, etc. _____ New Contract/Project? (Yes or No) _____

Total project cost $ _____ Funds Budgeted? (YES or NO) _____

Total City of Chattanooga Portion $ _____ Provide Fund _____

City Amount Funded $ _____ Provide Cost Center _____

New City Funding Required $ _____ Proposed Funding Source if not budgeted _____

City's Match Percentage % _____ Grant Period (if applicable) _____

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

Revised: 1/26/09

Memorandum

To: Brandon Sutton BS

From: Ed Bowen

cc: Bertran Kuyrkendall BK

Date: November 14, 2014

Re: Temporary Usage Request #139937
915 Overman Street (District 2)
Gayle Newman Hill

Recommendations Regarding Temporary Usage Request

I have completed my review of Ms. Hill's request for Temporary Usage of the alley at the rear of 915 Overman Street. Due to steepness of the alleyway toward Worthington Street, this will be used as a driveway for access to her property as shown on the attached map. My comments are as follows:

- 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 permits and approvals from the city of Chattanooga Land Development Office.
- The driveway apron must meet the minimum requirements per city codes and standards.

SRH 900974
WOH 139937

For Office Use Only

Bonnie Hodson
Technician Signature 10/22/14

10/22/14
DATE)

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

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of unopened alley way behind property

The reason for this request is as follows:

To access property as driveway. AT REAR OF 915 OVERMAN 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:

915 Overman St., Chattanooga TN 37405
423-310-3634 (email address) gayle.newman@ymail.com

Gayle Newman Hill — Gayle Newman Hill — 10/22/14
(Print) Applicant Name — (Sign) Applicant Name — Date

Gayle Newman Hill — Gayle Newman Hill — 10/22/14
(Print) Owner's Name — (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)

Gayle Newman Hill
District: 2 Temporary Use: 915 Overman Street
Access property via Unopened Alley
Garnett Ave
Worthington St
Overman St
Crozier St
TEMP USE
OPEN
OPEN
OPEN
Drive way
915
1021
1211
1213
1217
1219
1221
1024
1026
1022
1018
1020
1016
913
915
911
909
1302
914
912
1304
900
1215
1217
N