

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING TRACY HENSHAW, AGENT FOR THE PROPERTY OWNER, UNIVERSITY PROPERTY GROUP, LLC C/O KEVIN BLUM TO USE TEMPORARILY THE RIGHT-OF-WAYS LOCATED AT THE CORNERS OF LEE HIGHWAY AND HONEST STREET ADJACENT TO 5725 LEE HIGHWAY TO UPDATE EXISTING SIGNAGE, AS SHOWN ON THE MAPS 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 TRACY HENSHAW, AGENT FOR THE PROPERTY OWNER, UNIVERSITY PROPERTY GROUP, LLC C/O KEVIN BLUM, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-ways located at the corners of Lee Highway and Honest Street adjacent to 5725 Lee Highway to update existing signage, as shown on the maps 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 obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

ADOPTED: _____, 2016

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: February 19 2016

Preparer: Bertran Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # _____ Council District # 5

A resolution authorizing Temporary Usage Request TU 2016-006 for Tracy Henshaw, agent for the property owner University Property Group LLC (Kevin Blum) for the temporary usage of the right-of-way at the corner of Lee Highway and Honest Street adjacent to 5725 Lee Highway to update existing signage.

APPROVED WITH CONDITIONS

Name of Vendor/Contractor/Grant, etc. _____	New Contract/Project? (Yes or No) _____	N/A
Total project cost \$ _____	Funds Budgeted? (YES or NO) _____	N/A
Total City of Chattanooga Portion \$ _____	Provide Fund _____	N/A
City Amount Funded \$ _____	Provide Cost Center _____	N/A
New City Funding Required \$ _____	Proposed Funding Source if not budgeted _____	N/A
City's Match Percentage % _____	Grant Period (if applicable) _____	N/A

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

Revised: October, 2011

Memorandum

To: Brandon Sutton ^{BS}
From: Kari Lawman
cc: Bert Kuyrkendall
Date: February 3, 2016
Re: Temporary Usage Request # TU 2016-006
University Property Group LLC (Kevin Blum)
5725 Lee Highway (District 5)

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received on January 11, 2016, from Tracy Henshaw, agent for University Property Group LLC (Kevin Blum), property owner. The business intends to update existing signage at the corner of Lee Highway and Honest Street, and is requesting temporary usage of the right-of-way for that purpose.

After review, granting this Temporary Usage does not conflict with the public's interest.

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

- The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.
- Temporary User shall provide adequate access for maintenance of any utilities located within the easement, is responsible for verifying all utility locations within the subject area prior to initiating the agreed usage, as well as the protection of said utilities for the duration of this permit.

(DATE)

Bertran Kuyrkendall, P.E.
Transportation Engineer,
Chattanooga Department of Transportation
Development Resource Center
1250 Market Street, Suite 3030
Chattanooga, TN 37402
(423) 643-5950

For Office Use Only

Kan Alawman
Technician Signature / Date 1/27/16

TU 2016-006
Request No.

RE: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for temporary usage of Existing sign located on ROW adjacent to Lot 1-E PAUL GRAY SUBDIVISION 5725 Lee Hwy

The reason for the request is as follows: Sign has been at location for 30+ years and is in great condition. (1967)

In making this request: Temporary User agrees as follows:

1. Temporary User shall 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 shall 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 shall vacate the property and temporary use upon thirty (30) days notice from the City to do so. Upon vacating the property, whether voluntarily or at the request of the City, the Temporary User shall restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations.
4. Temporary User shall provide full access for maintenance of any utilities located within the easement.
5. Temporary User shall obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. Temporary User shall 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 Temporary User shall, upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, abandon the well 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, phone number and email address is as follows:

Tracy Owen Henshaw
1601 BUSH RD CHATTANOOGA, TN 37421
tracyhenshaw@aol.com

<u>Tracy O. Henshaw</u> (Print) Applicant Name	<u><i>Tracy O. Henshaw</i></u> (Sign) Applicant Name	<u>1/24/2016</u> Date
<u>Kevin Blum</u> (Print) Property Owner Name	<u><i>Kevin Blum</i></u> (Sign) Property Owner Name	<u>1/25/2016</u> Date

This application must include property owner's signature, if different than applicant, and a site map of the reference location.

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

(DATE)

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Transportation Engineer,
Chattanooga Department of Transportation
Development Resource Center
1250 Market Street, Suite 3030
Chattanooga, TN 37402
(423) 643-5950

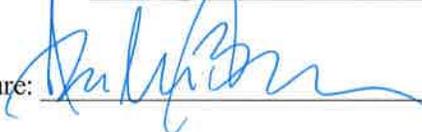
RE: Acting Agent Letter – Temporary Usage of Right of Way

Dear Mr. Kuyrkendall:

I am formally requesting the City of Chattanooga accept the attached Temporary Usage Right of Way application, submitted by my Agent Tracy Henshaw, on my behalf.

P.O.

Applicant Printed Name: Kevin Blum

Applicant Signature: 

Date: 1-24-2016

Agent Printed Name: Tracy Henshaw

Agent Signature: 

Date: 1-24-2016

Temporary Usage Request # TU 2016-006
University Property Group LLC (Kevin Blum)
5725 Lee Highway (District 5)

