

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING KENSINGTON FOREST NEIGHBORHOOD ASSOCIATION C/O SANDY COLE, AGENT FOR THE PROPERTY OWNER, FRANCES PEPPER, TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT WELLINGTON LANE AND ELDRIDGE ROAD ADJACENT TO 933 WELLINGTON LANE TO INSTALL SIGNAGE, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That KENSINGTON FOREST NEIGHBORHOOD ASSOCIATION C/O SANDY COLE, AGENT FOR THE PROPERTY OWNER, FRANCES PEPPER (hereinafter referred to as “Temporary User”), be and is hereby permitted to use temporarily the right-of-way located at Wellington Lane and Eldridge Road adjacent to 933 Wellington Lane to install 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 shall vacate the property and temporary use upon thirty (30) days’ notice from the City to do so.

3. The markers should not interfere with driver line of sight for the affected intersection. To ensure there are no line of sight conflicts, location is to be approved by CDOT prior to installation.

4. Any and all signage must comply with all City of Chattanooga codes and standards.

5. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

6. 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/Version 2

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: June 02, 2016

Preparer: Bertran Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance: \_\_\_\_\_ Res./Ord. # \_\_\_\_\_ Council District # 2

A resolution authorizing Temporary Usage Request TU 2016-027 for Sandy Cole (Kensington Forest Neighborhood Association) agent for the property owner Frances Pepper for the temporary usage of the right-of-way at Wellington Lane and Eldridge Road adjacent to 933 Wellington Lane to install 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 <sup>DS</sup>  
**From:** Kari Lawman  
**cc:** Bert Kuyrkendall  
**Date:** June 2, 2016  
**Re:** Temporary Usage Request # TU 2016-027  
Sandy Cole (Kensington Forest Neighborhood Association)  
933 Wellington Lane (District 2)

## RECOMMENDATION: APPROVAL WITH CONDITIONS

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This application was received on April 25, 2016, from Sandy Cole (Kensington Forest Neighborhood Association). The applicant has applied for the usage of a 24" by 36" area of right-of-way for placement of a neighborhood sign.

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 markers should not interfere with driver line of sight for the affected intersection. To ensure there are no line of sight conflicts, location is to be approved by CDOT prior to installation.
- Any and all signage must comply with all City of Chattanooga codes and standards.
- 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.

12/3/2015

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

<b>For Office Use Only</b>
<u>Klawns</u>
Technician Signature / Date
<u>TU 2016-027</u>
Request No.

**RE: Request for Temporary Usage**

Dear Mr. Kuyrkendall:

933 Wellington Ln.

This is a request for temporary usage of City right-of-way at 4931 Eldridge Road. Tax ID 109DA00344 109D A 003.09

The reason for the request is as follows: Install neighborhood sign for a 24" x 36" piece of right-of-way near oak tree

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: Kensington Forest Neighborhood Association. President, Sandy Cole, 4824 Eldridge Road, 423-875-4022, Sandy-Cole@utc.edu

<u>SANDY Cole, Kensington Forest</u>	<u>Sandy Cole</u>	<u>12/3/15</u>
(Print) Applicant Name	(Sign) Applicant Name	Date
<u>Frances E. Pepper</u>	<u>Frances E. Pepper</u>	<u>3/20/16</u>
(Print) Property Owner Name	(Sign) Property Owner Name	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)

12/3/2015

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Transportation Engineer,  
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1250 Market Street, Suite 3030  
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**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 of Right of Way application, submitted by my Agent, Sandy Cole, President of Kensington Forest Neighborhood Association , on my behalf.

Applicant Printed Name: FRANCES TYPPEK

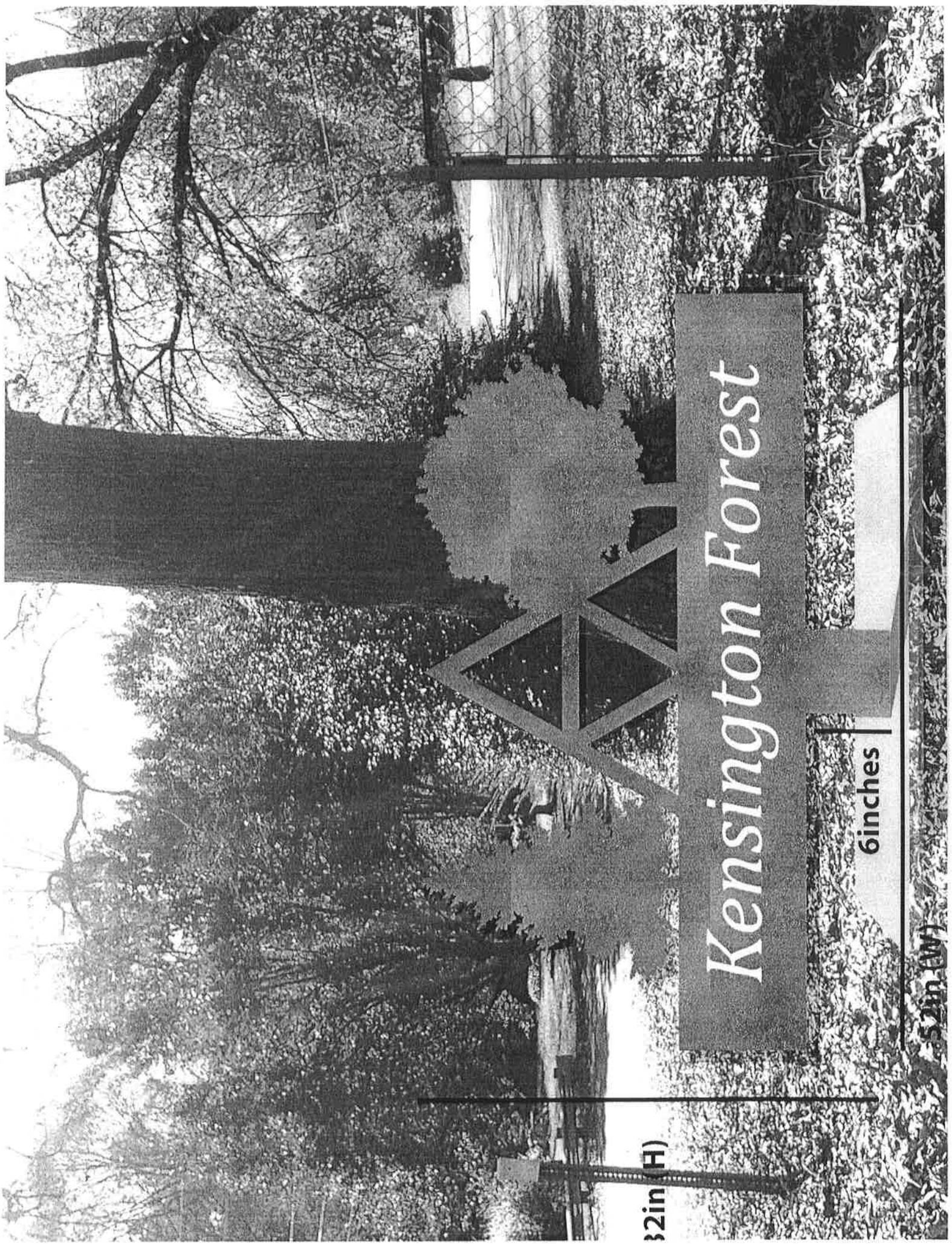
Applicant Signature: [Handwritten Signature]

Date: 3/21/16

Agent Printed Name: SANDY COLE

Agent Signature: [Handwritten Signature]

Date: 12-3-15



32in (H)

*Kensington Forest*

6inches

52in (W)

Temporary Usage Request # TU 2016-027  
Sandy Cole (Kensington Forest Neighborhood Association)  
933 Wellington Lane (District 2)

