

RESOLUTION NO. 24539

A RESOLUTION AUTHORIZING DARREN KENNEDY TO USE TEMPORARILY THE 1400 BLOCK OF MARKET STREET TO INSTALL FOUR (4) AWNINGS ON THE FRONT END OF THE BUILDING, AS SHOWN ON THE DRAWINGS 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 Darren Kennedy (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the 1400 block of Market Street to install four (4) awnings on the front end of the building, as shown on the drawings attached hereto and made a part hereof by reference.

BE IT FURTHER ORDAINED, That said temporary usage shall be subject to the following additional conditions:

1. Temporary User shall execute the Indemnification Agreement attached hereto in favor of the City of Chattanooga, its officers, agents and employees for any and all claims for damages for injuries to persons or property related to or arising out of the temporary usage.

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.

ADOPTED: August 30, 2005

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and DARREN KENNEDY (hereinafter "Temporary User"), this 30~~th~~ day of August, 2005.

For and in consideration of the granting of the temporary usage of the 1400 block of Market Street to install four (4) awnings on the front end of the building, as shown on the drawings attached hereto and made a part hereof by reference, as shown on the drawings attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. Temporary User will defend, 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 will vacate the property and temporary use upon reasonable notice from the City to do so; the parties hereto agree that "reasonable notice" shall be deemed to be thirty (30) days. Temporary User will restore the property to its original condition when it is returned to the City.

3. Temporary User will provide adequate access for maintenance of any utilities located within the easement.

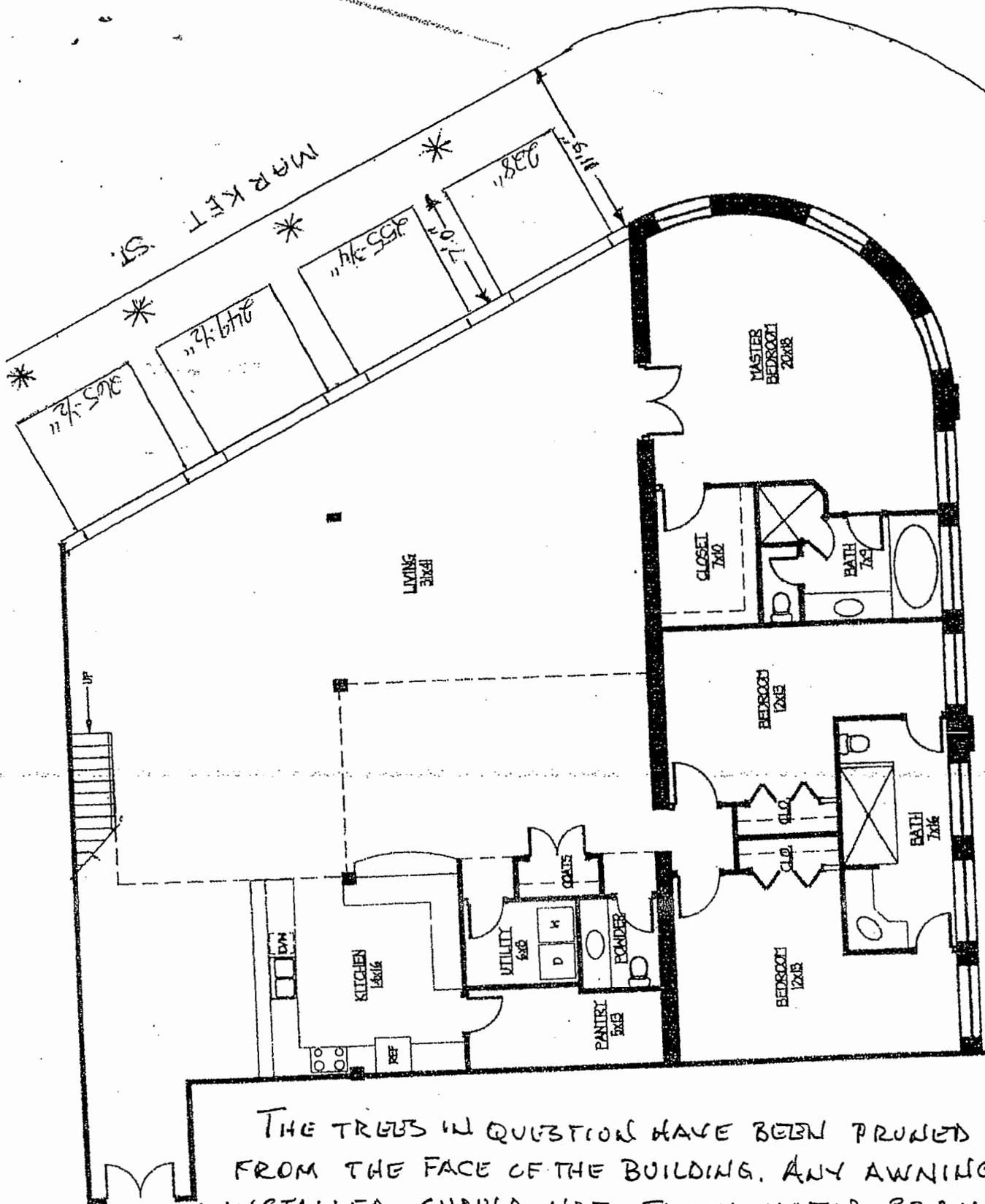
DARREN KENNEDY

Sept 20, 2005
Date

BY: Marneta Pack

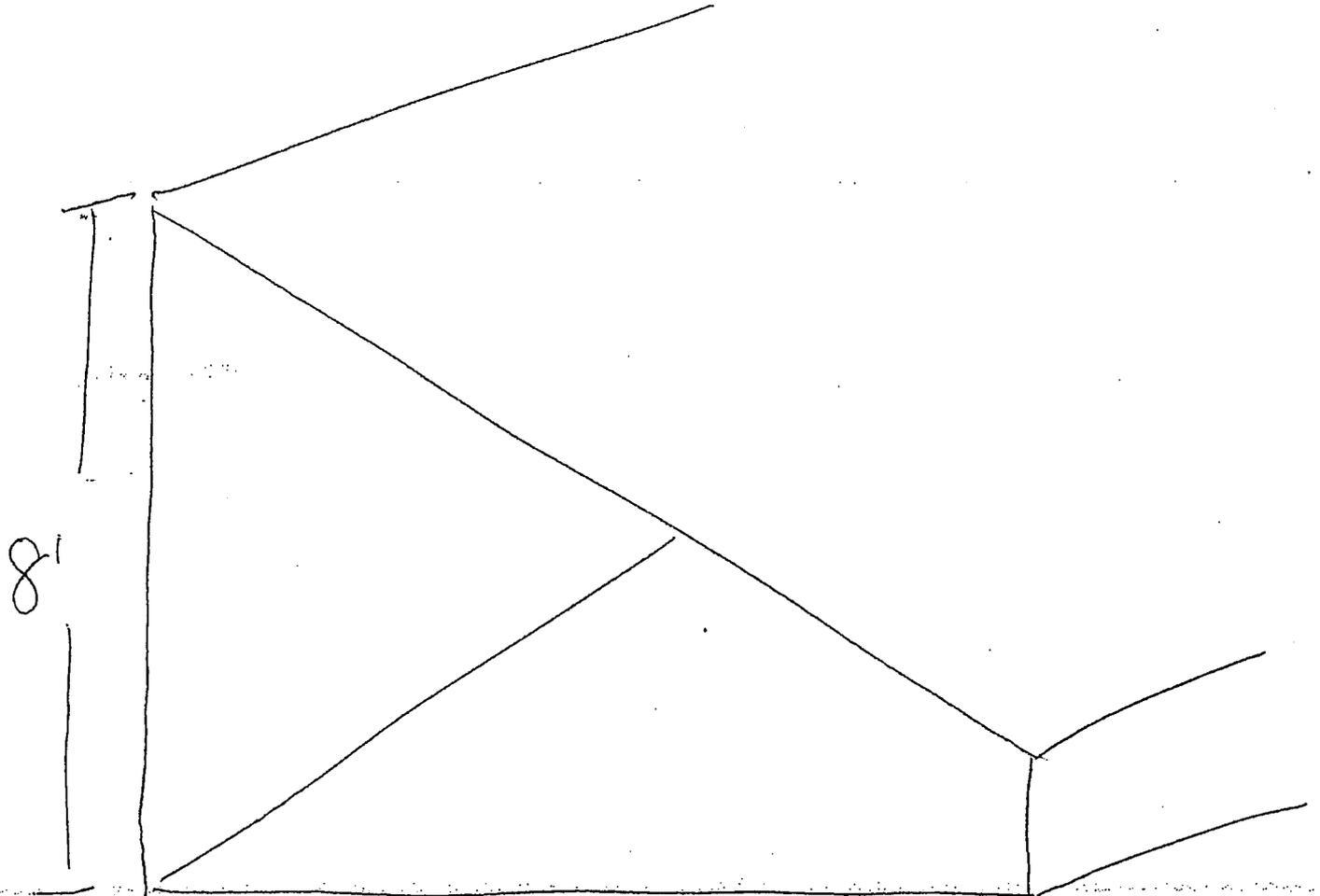
_____, 2005
Date

~~CITY OF CHATTANOOGA, TENNESSEE~~
BY: [Signature]
Ron Littlefield, Mayor



PLAN--UNIT 'D' SCALE NONE 3394SF + 882 SF LOFT = 4276 SF TOTAL CONDITIONED

THE TREES IN QUESTION HAVE BEEN PRUNED AWAY FROM THE FACE OF THE BUILDING. ANY AWNING INSTALLED SHOULD NOT TOUCH MAJOR BRANCHES. WE WILL GO BACK AND PRUNE SOME OF THE BRANCHES IN THE UPPER CROWN - AFTER CONSTRUCTION IS COMPLETE.



8'

7'

4 awnings

8'0

Top of Sidewalk

