

RESOLUTION NO. 25458

A RESOLUTION AUTHORIZING RICHARD BUTLER TO USE TEMPORARILY A RIGHT-OF-WAY OF THE ENTRANCE OF THE HERITAGE RIDGE SUBDIVISION LOCATED OFF CASSANDRA SMITH ROAD TO INSTALL AN ENTRY SIGN AND A 20 FT. FLAG POLE, AS SHOWN ON THE ATTACHED DRAWING, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Richard Butler (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a right-of-way of the entrance of the Heritage Ridge Subdivision located off Cassandra Smith Road to install an entry sign and a 20 ft. flag pole, as shown on the drawing attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, 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: March 18, 2008

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and RICHARD BUTLER (hereinafter "Temporary User"), this 18<sup>th</sup> day of March, 2008.

For and in consideration of the granting of the temporary usage of a right-of-way of the entrance of the Heritage Ridge Subdivision located off Cassandra Smith Road to install an entry sign and a 20 ft. flag pole, as shown on the drawing 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.

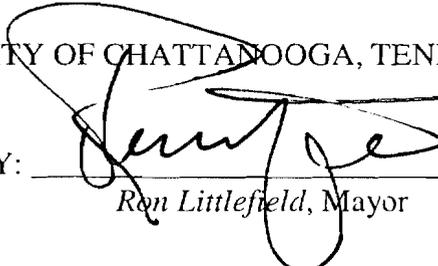
RICHARD BUTLER

\_\_\_\_\_, 2008  
Date

\_\_\_\_\_

03/24/08, 2008  
Date

CITY OF CHATTANOOGA, TENNESSEE

BY:   
\_\_\_\_\_  
Ron Littlefield, Mayor

/add



Location of Sign & Flag Pole.

Heritage Ridge Dr

L. B. BENTLEY BL



