

RESOLUTION NO. 26026

A RESOLUTION AUTHORIZING ROBERT E. SANDERS TO USE TEMPORARILY 2474 CLAY STREET TO INSTALL A DIRECTIONAL SIGN AT THE CORNER OF APPLING STREET AND AMNICOLA HWY., 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 Robert E. Sanders, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily 2474 Clay Street to install a directional sign at the corner of Appling Street and Amnicola Hwy, 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. No structure adjacent to any street shall be of a nature impairing visibility from or of approaching vehicular traffic where such visibility is important to safety, nor shall such features in any way create potential hazards to pedestrians. In particular, at vehicular entrances and exits, no off-street parking, landscaping, or other material impediment to visibility between the heights of three (3) feet shall be permitted within a triangular area bounded by imaginary lines connecting three (3) point.
2. 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.
3. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

ADOPTED: August 11, 2009

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and ROBERT E. SANDERS (hereinafter "Temporary User"), this 11th day of August, 2009.

For and in consideration of the granting of the temporary usage of 2474 Clay Street to install a directional sign at the corner of Appling Street and Amnicola Hwy., as shown on the maps attached hereto and made a part hereof by reference, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

1. No structure adjacent to any street shall be of a nature impairing visibility from or of approaching vehicular traffic where such visibility is important to safety, nor shall such features in any way create potential hazards to pedestrians. In particular, at vehicular entrances and exits, no off-street parking, landscaping, or other material impediment to visibility between the heights of three (3) feet shall be permitted within a triangular area bounded by imaginary lines connecting three (3) point.
2. Temporary User shall 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.
3. Temporary User shall 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 shall restore the property to its original condition when it is returned to the City.

4. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

_____, 2009
Date

BY: _____
Robert E. Sanders

8/14
_____, 2009
Date

CITY OF CHATTANOOGA, TENNESSEE

BY: _____
Ron Littlefield, Mayor