

RESOLUTION NO. 26461

A RESOLUTION AUTHORIZING THE FATHER PETER KANYI ON BEHALF OF TAKE ROOT GARDENS TO USE TEMPORARILY CHATTANOOGA HUMAN SERVICES PROPERTY FOR COMMUNITY GARDEN AND OFFICE SPACE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Father Peter Kanyi on behalf of Take Root Gardens, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily Chattanooga Human Services property for community garden and office space.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following 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: October 12, 2010

/mms/add

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and FATHER PETER KANYI on behalf of TAKE ROOT GARDENS (hereinafter "Temporary User"), this 12th day of October, 2010.

For and in consideration of the granting of the temporary usage of Chattanooga Human Services property for community garden and office space, the receipt of which is hereby acknowledged, Temporary User agrees as follows:

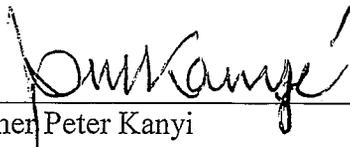
1. Temporary User shall defend, and hold harmless the City of Chattanooga, Tennessee, its officers, agents and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.

2. 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.

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

TAKE ROOT GARDENS

Nov. 10, 2010, 2010  
Date

BY:   
Father Peter Kanyi

CITY OF CHATTANOOGA, TENNESSEE

\_\_\_\_\_, 2010  
Date

BY:   
Ron Littlefield, Mayor