

RESOLUTION NO. 26662

A RESOLUTION AUTHORIZING GRAPHIC WORKS, LLC TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT 429 BROAD STREET FOR THE INSTALLATION OF A SIGN ALONG A PORTION OF THE RIGHT-OF-WAY, AS SHOWN IN 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 GRAPHIC WORKS, LLC, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located at 429 Broad Street for the installation of a sign along a portion of the right-of-way, as shown in the drawings 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 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.
4. The sign from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements as per City Codes and Standards.

ADOPTED: April 12, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and GRAPHIC WORKS, LLC (hereinafter "Temporary User"), this 12th day of APRIL, 2011.

For and in consideration of the granting of the temporary usage of the right-of-way located at 429 Broad Street for the installation of a sign along a portion of the right-of-way, as shown in 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 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.

4. The sign from its base to the top of the existing surface/sidewalk is to meet the minimum elevation requirements as per City Codes and Standards.

GRAPHIC WORKS, LLC

5/5, 2011
Date

BY: Kerry Wood
Kerry Wood

CITY OF CHATTANOOGA, TENNESSEE

4/26, 2011
Date

BY: Ron Littlefield
Ron Littlefield, Mayor



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