

RESOLUTION NO. 26706

A RESOLUTION AUTHORIZING STUART HEIGHTS NEIGHBORHOOD ASSOCIATION TO USE TEMPORARILY THE RIGHTS-OF-WAY LOCATED AT FOUR SITES FOR THE INSTALLATION OF COMMUNITY MARKERS TO INDICATE THE ASSOCIATION'S BOUNDARIES 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 STUART HEIGHTS NEIGHBORHOOD ASSOCIATION, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the rights-of-way located at four sites for the installation of community markers to indicate the Association's boundaries, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.

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 dimensions and placement of markers must be coordinated with and approved by the City of Chattanooga's Traffic Engineering Department.

5. Any encroachment onto private property requires the approval of the property owner.

ADOPTED: May 24, 2011

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and STUART HEIGHTS NEIGHBORHOOD ASSOCIATION (hereinafter "Temporary User"), this 24th day of May, 2011.

For and in consideration of the granting of the temporary usage of the rights-of-way located at four sites for the installation of community markers to indicate the Association's boundaries, 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 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 dimensions and placement of markers must be coordinated with and approved by the City of Chattanooga's Traffic Engineering Department.
5. Any encroachment onto private property requires the approval of the property owner.

STUART HEIGHTS NEIGHBORHOOD
ASSOCIATION

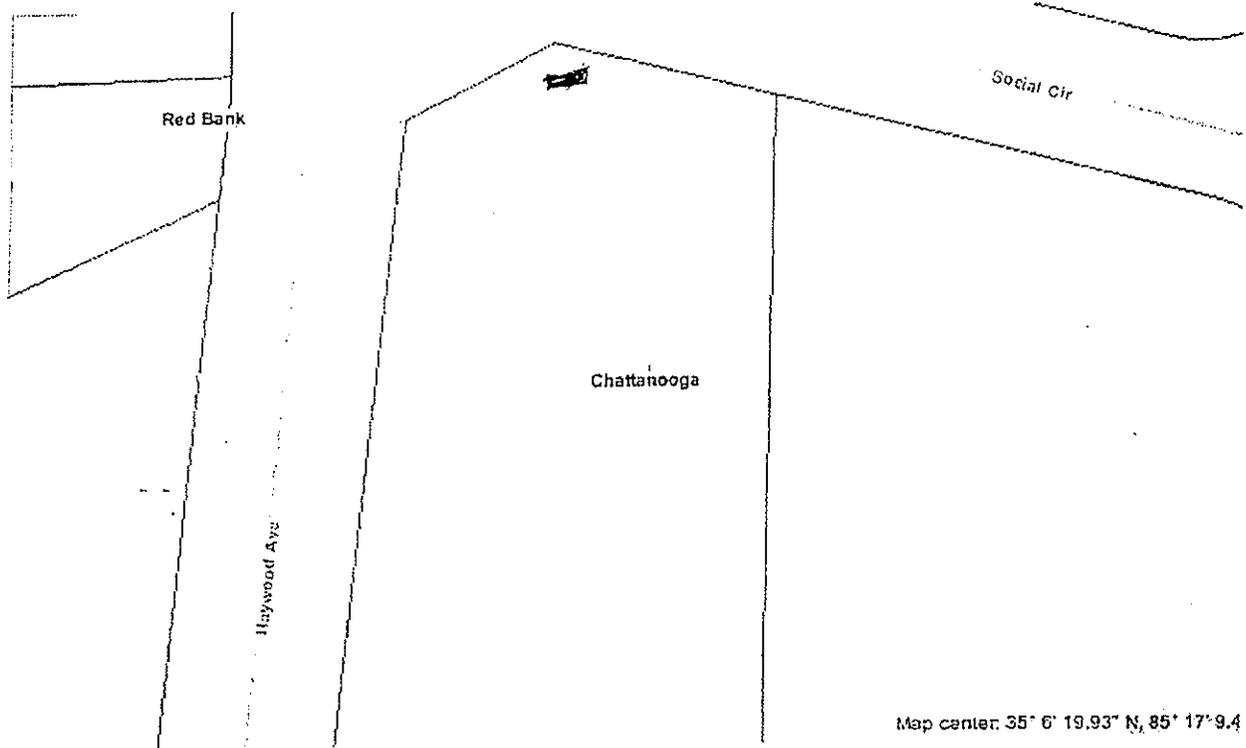
May 31, 2011
Date

BY: Charlotte Freeman, President
Charlotte Freeman, President

~~CITY OF CHATTANOOGA, TENNESSEE~~

5/26, 2011
Date

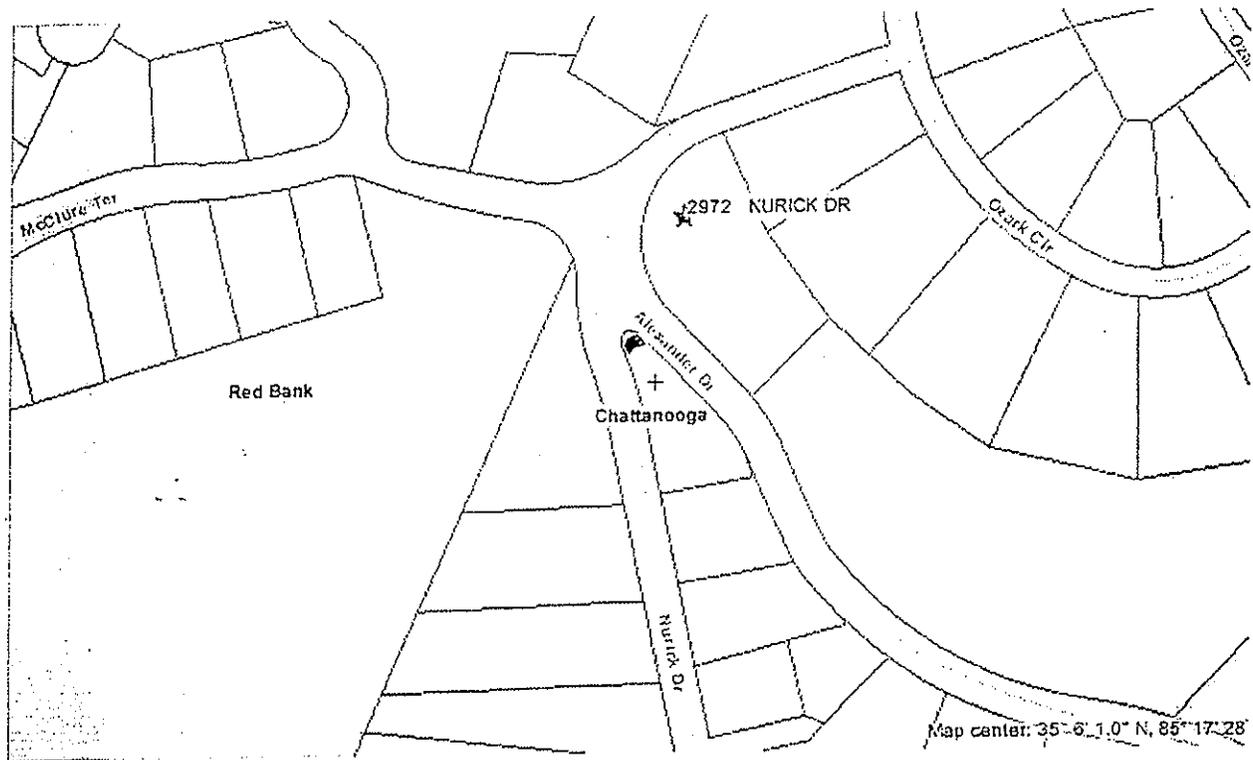
BY: Ron Littlefield, Mayor
Ron Littlefield, Mayor



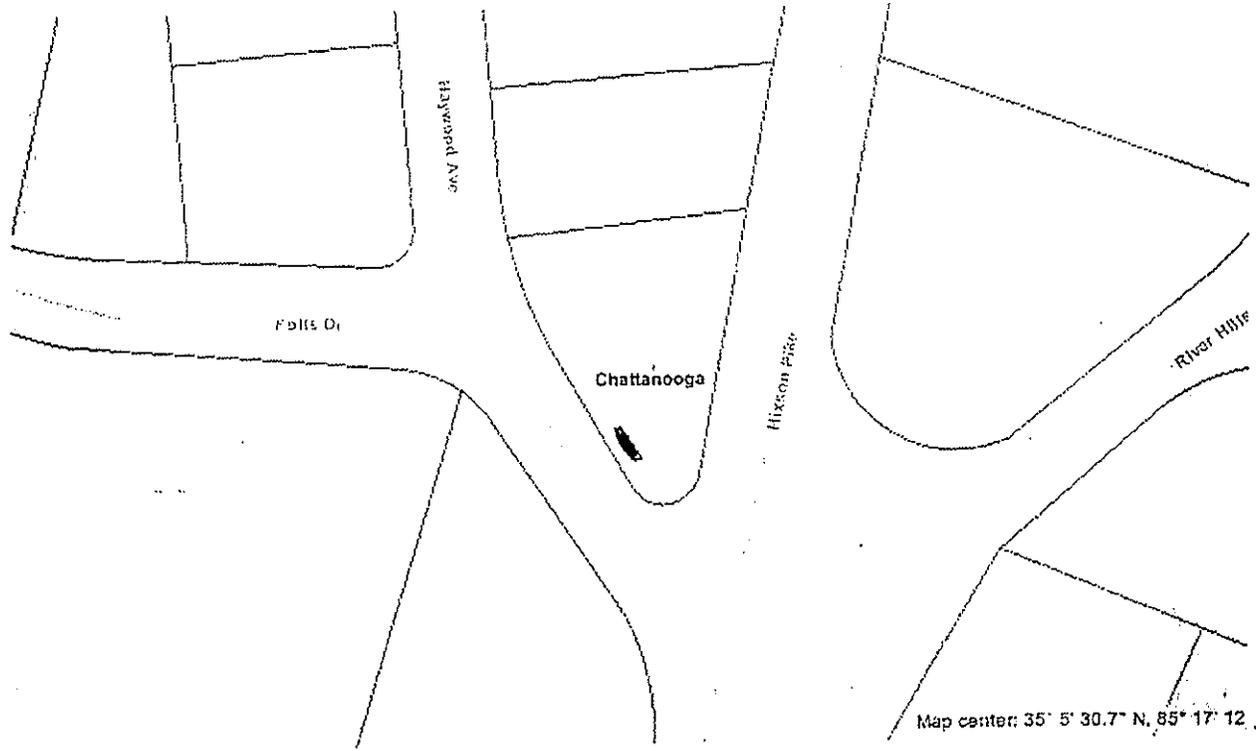
Haywood Avenue / Social Circle Intersection

Temp. sign shown approximate location

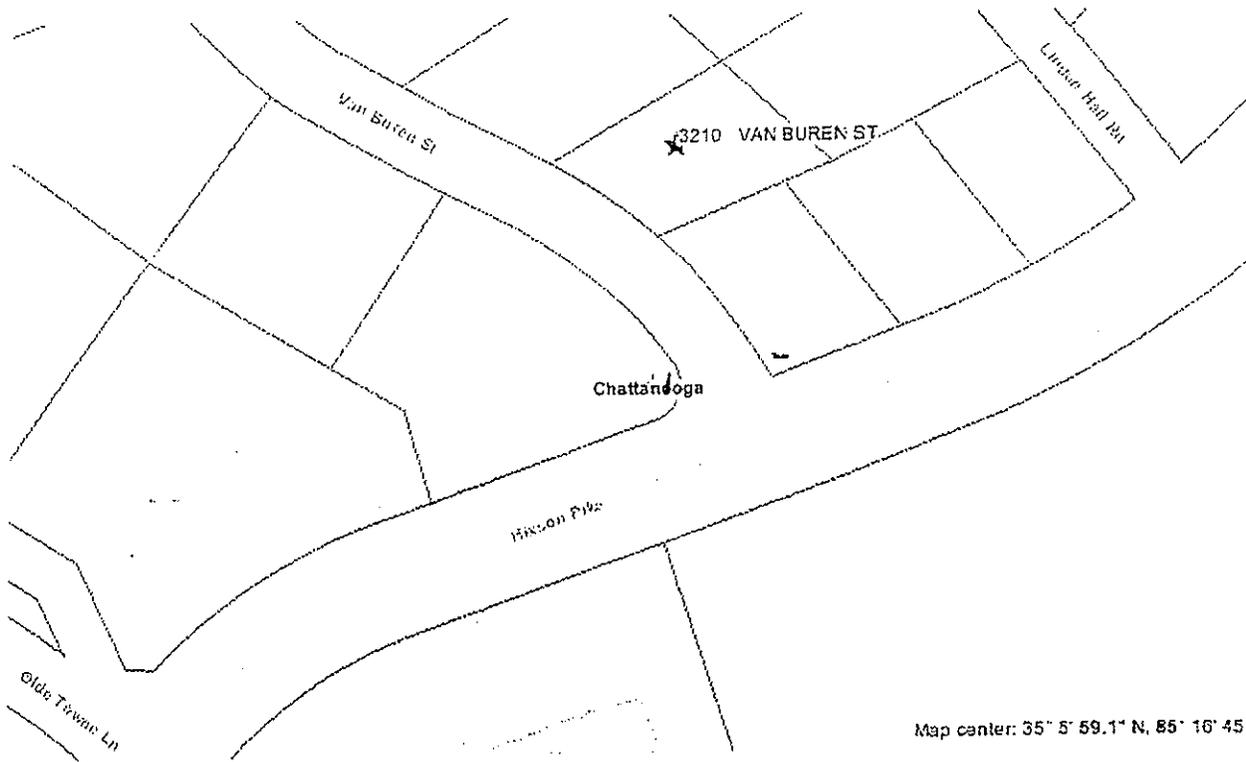
<http://gis.hamiltontn.gov/imf5/imfMainMap.jsp?cmd=zoom&x1=2182085.752224796&y1...> 1/25/2011



*Alexander / Kurick Intersection with
approx. location marked w/ imp. sign*



*Hayward/Hixson Pike Intersection
with approx. location marked by
Camp sign.*



Corner of Van Buren + Hickson Pike - not sure
 of one side of this intersection is better
 than the other - maybe against shrubs to prevent
 signs from blackening over time -
<http://gis.hamiltontn.gov/imf5/imfMainMap.jsp?cmd=zoom&x1=2184123.021481563&y1...> 2/10/2011