

RESOLUTION NO. 27045

A RESOLUTION AUTHORIZING THOMAS J. SNOW TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED IN THE 6200 BLOCK OF JIM SNOW WAY (DEAD END ROAD) FOR THE USE OF SAID RIGHT-OF-WAY IN THE DAY-TO-DAY OPERATIONS OF IBI POWER, AS SHOWN ON THE MAP, 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 THOMAS J. SNOW, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located in the 6200 block of Jim Snow Way (Dead End Road) for the use of said right-of-way in the day-to-day operations of IBI Power, as shown on the map 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 existing Jim Snow Way cul-de-sac is to remain open and unobstructed for Emergency Responders.

5. The existing vegetation along the west side of the subject right-of-way is to remain and will be groomed and/or supplemented by the Temporary User.

ADOPTED: March 27, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and THOMAS J. SNOW (hereinafter "Temporary User"), this 27 day of March, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located in the 6200 block of Jim Snow Way (Dead End Road) for the use of said right-of-way in the day-to-day operations of IBI Power, as shown on the map 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 existing Jim Snow Way cul-de-sac is to remain open and unobstructed for Emergency Responders.

5. The existing vegetation along the west side of the subject right-of-way is to remain and will be groomed and/or supplemented by the Temporary User.

4/2, 2012
Date

BY: Thomas J. Snow, Jr.
Thomas J. Snow

CITY OF CHATTANOOGA, TENNESSEE

3/29, 2012
Date

BY: Ron Littlefield
Ron Littlefield, Mayor

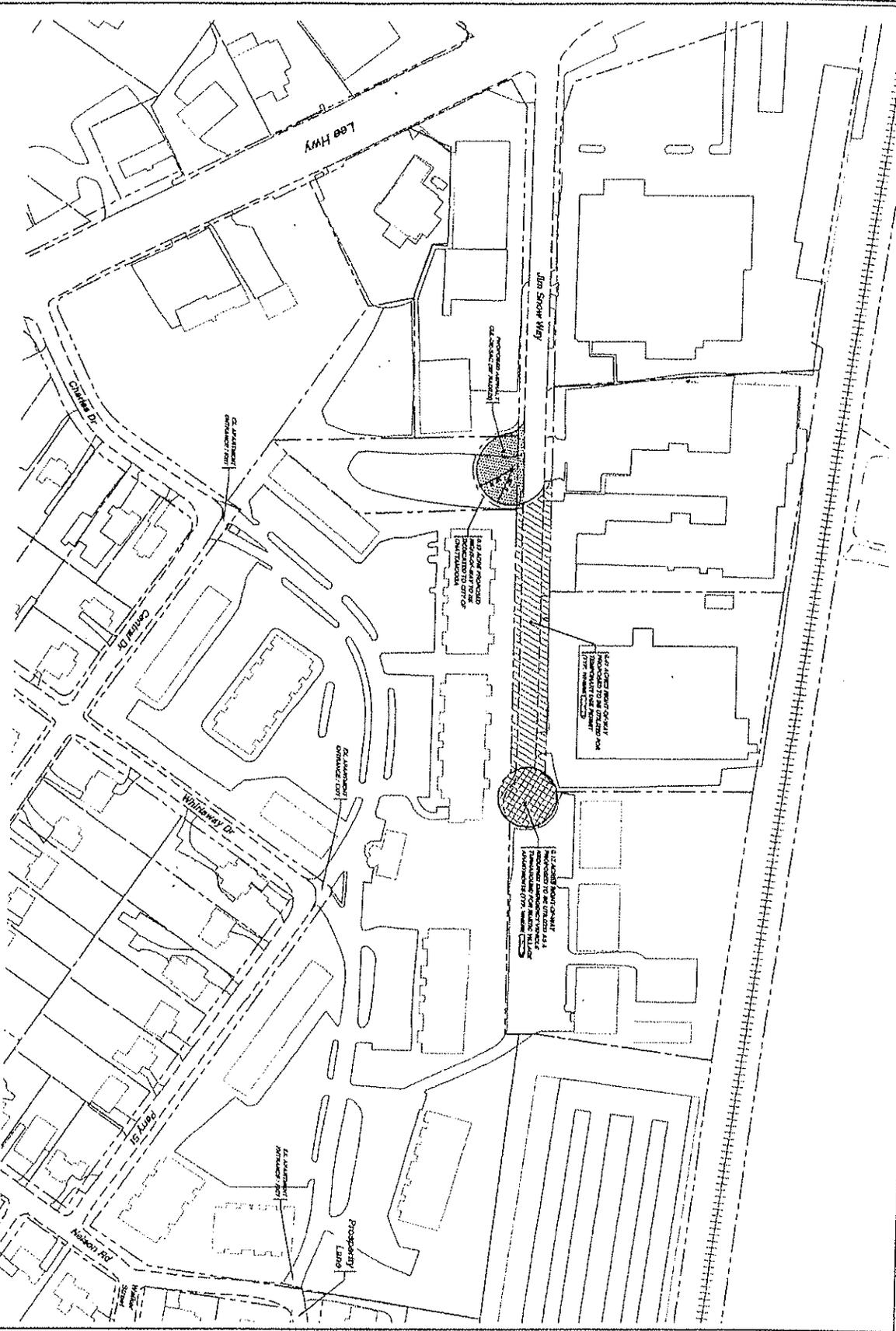
Preliminary Site Plan

SCALE: 1" = 40'

DATE: 11-11-10

PROJECT: 10-10-10

PS-1



NO.	DATE	DESCRIPTION
1	11-11-10	PRELIMINARY SITE PLAN

PRELIMINARY SITE PLAN

JIM SNOW WAY TEMPORARY USAGE
 FOR
IBI POWER
 20304 Pinto Lane
 Caldwell, ID 83607

MAP ENGINEERS L.L.C.
 1790 Armstrong Lane
 Chattanooga, TN 37411
 TEL: 423.266.4444
 FAX: 423.266.4444

GRAPHIC SCALE
 0' 40' 80' 120' 160'

