

RESOLUTION NO. 27169

A RESOLUTION AUTHORIZING L. RAYMOND DEBARGE TO USE TEMPORARILY A PORTION OF TWO ADJOINING ALLEYS THAT INTERSECT NEAR THE 1600 BLOCK OF ROSSVILLE AVENUE FOR THE INSTALLATION OF A PEDESTRIAN SIDEWALK, FENCE, AND TRELIS ALONG SAID ALLEY'S CENTER LINE TO THE ALLEY'S SOUTH RIGHT-OF-WAY LINES, AS SHOWN IN 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 L. RAYMOND DEBARGE, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a portion of two adjoining alleys that intersect near the 1600 block of Rossville Avenue for the installation of a pedestrian sidewalk, fence, and trellis along said alley's center line to the alley's south right-of-way lines, as shown in 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.

ADOPTED: July 17, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and L. RAYMOND DEBARGE (hereinafter "Temporary User"), this 17th day of JULY, 2012.

For and in consideration of the granting of the temporary usage of a portion of two adjoining alleys that intersect near the 1600 block of Rossville Avenue for the installation of a pedestrian sidewalk, fence, and trellis along said alley's center line to the alley's south right-of-way lines, 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.

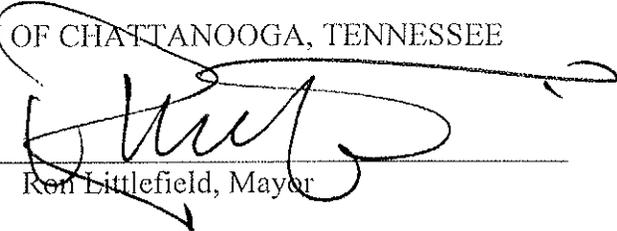
R & J PROPERTIES GROUP, INC.

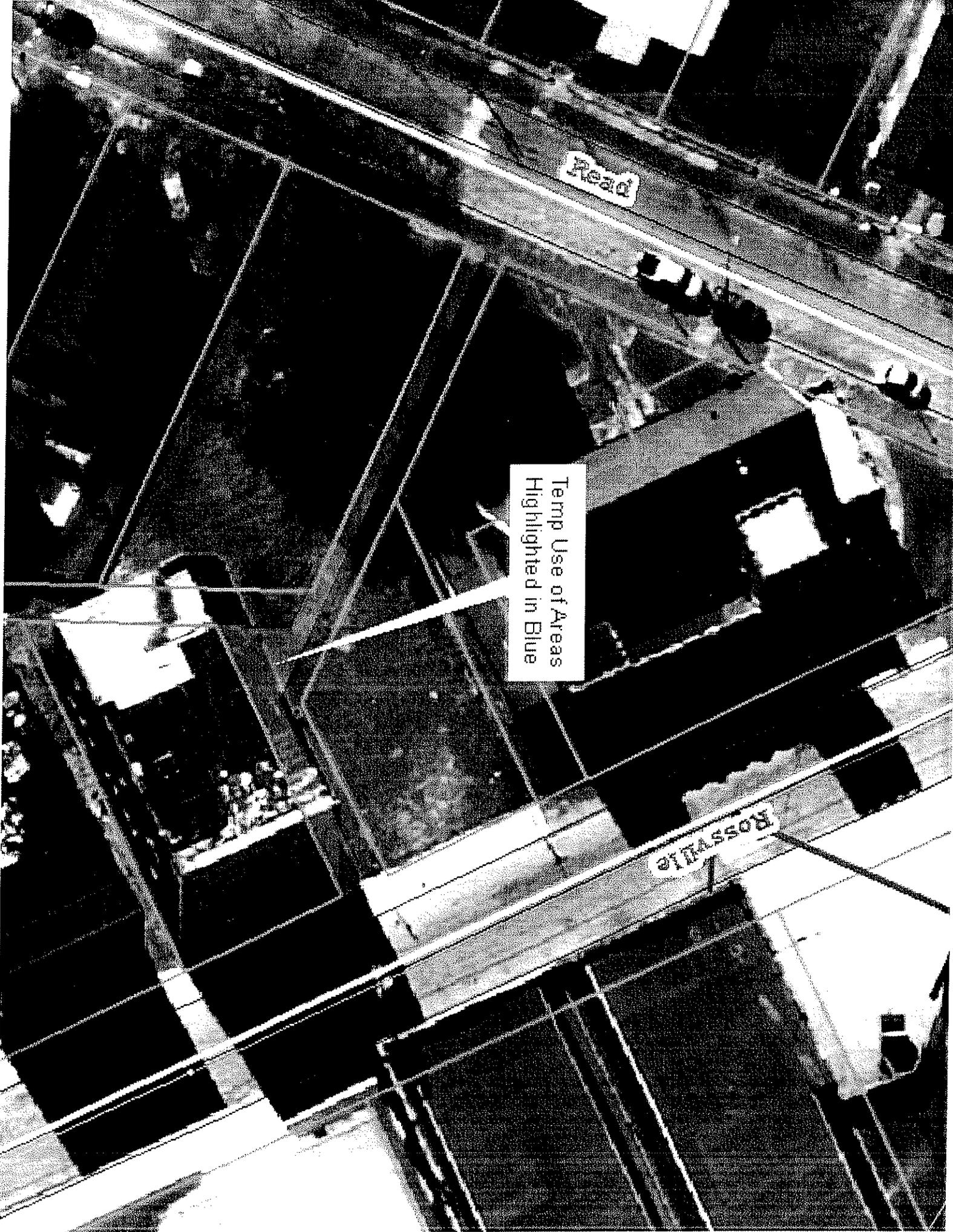
_____, 2012
Date

BY: _____
L. Raymond Debarge

CITY OF CHATTANOOGA, TENNESSEE

_____, 2012
Date

BY: 
Ron Littlefield, Mayor



Temp Use of Areas
Highlighted in Blue

Road

ROSSVILLE