

RESOLUTION NO. 27231

A RESOLUTION AUTHORIZING MEO MIO'S SEAFOOD & CAJUN C/O JOHN BOYD TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED ALONG THE 4100 BLOCK OF CUMMINGS HIGHWAY FOR MAINTENANCE OF EXISTING LANDSCAPE, POND, AND BLOCK WALLS, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That MEO MIO'S SEAFOOD & CAJUN C/O JOHN BOYD, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily the right-of-way located along the 4100 block of Cummings Highway for maintenance of existing landscape, pond, and block walls, 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.

ADOPTED: September 4, 2012

/meb

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and MEO MIO'S SEAFOOD & CAJUN C/O JOHN BOYD (hereinafter "Temporary User"), this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

For and in consideration of the granting of the temporary usage of the right-of-way located along the 4100 block of Cummings Highway for maintenance of existing landscape, pond and block walls, 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.

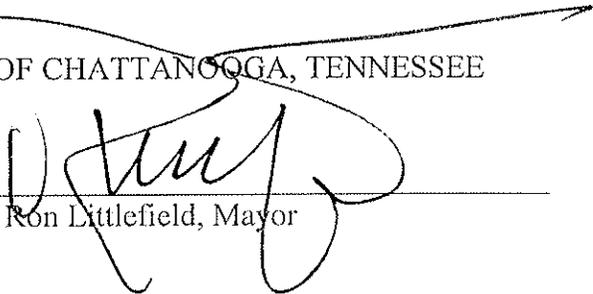
MEO MIO'S SEAFOOD & CAJUN

\_\_\_\_\_, 2012  
Date

BY:   
John Boyd

CITY OF CHATTANOOGA, TENNESSEE

9/5, 2012  
Date

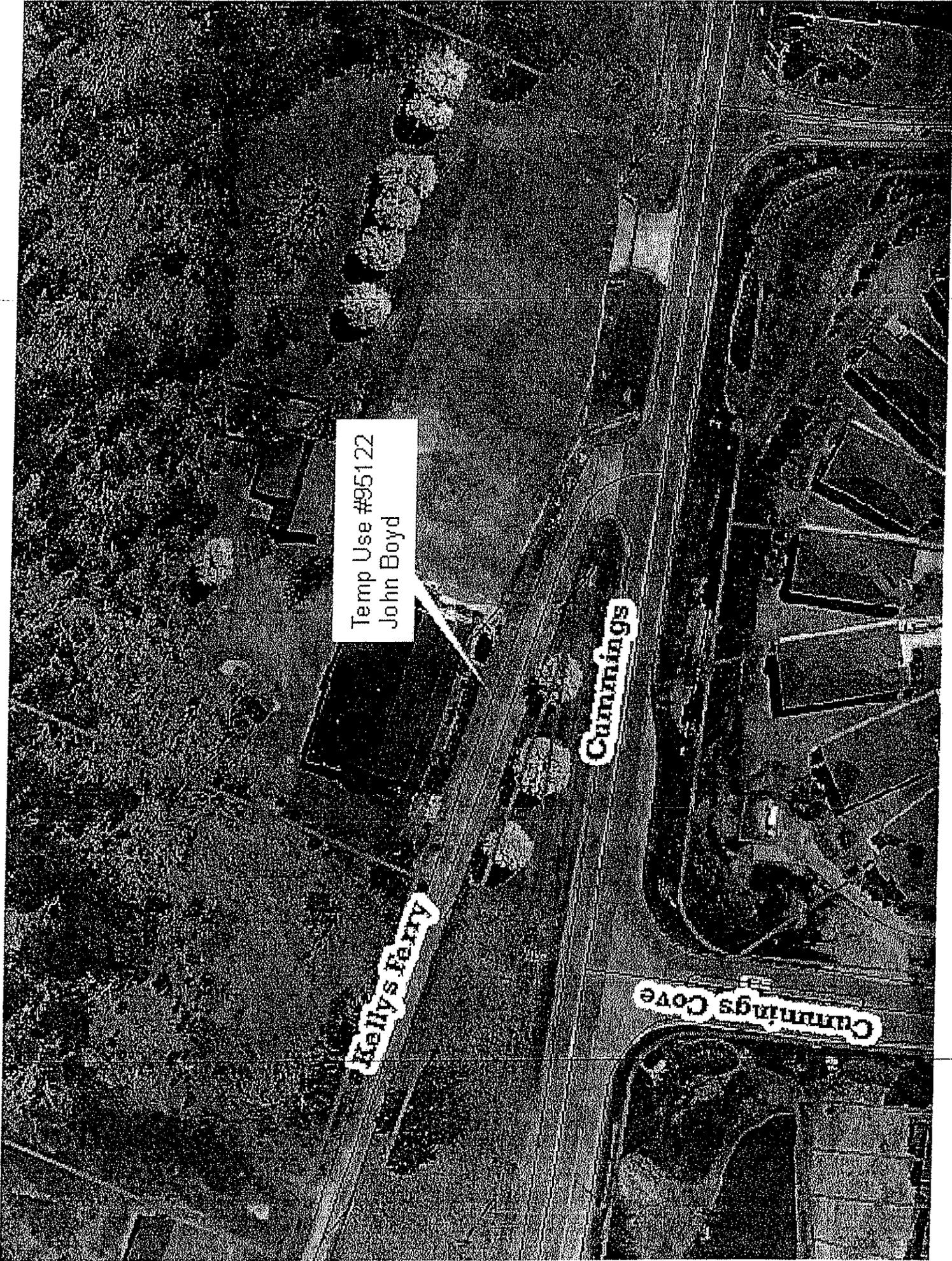
BY:   
Ron Littlefield, Mayor

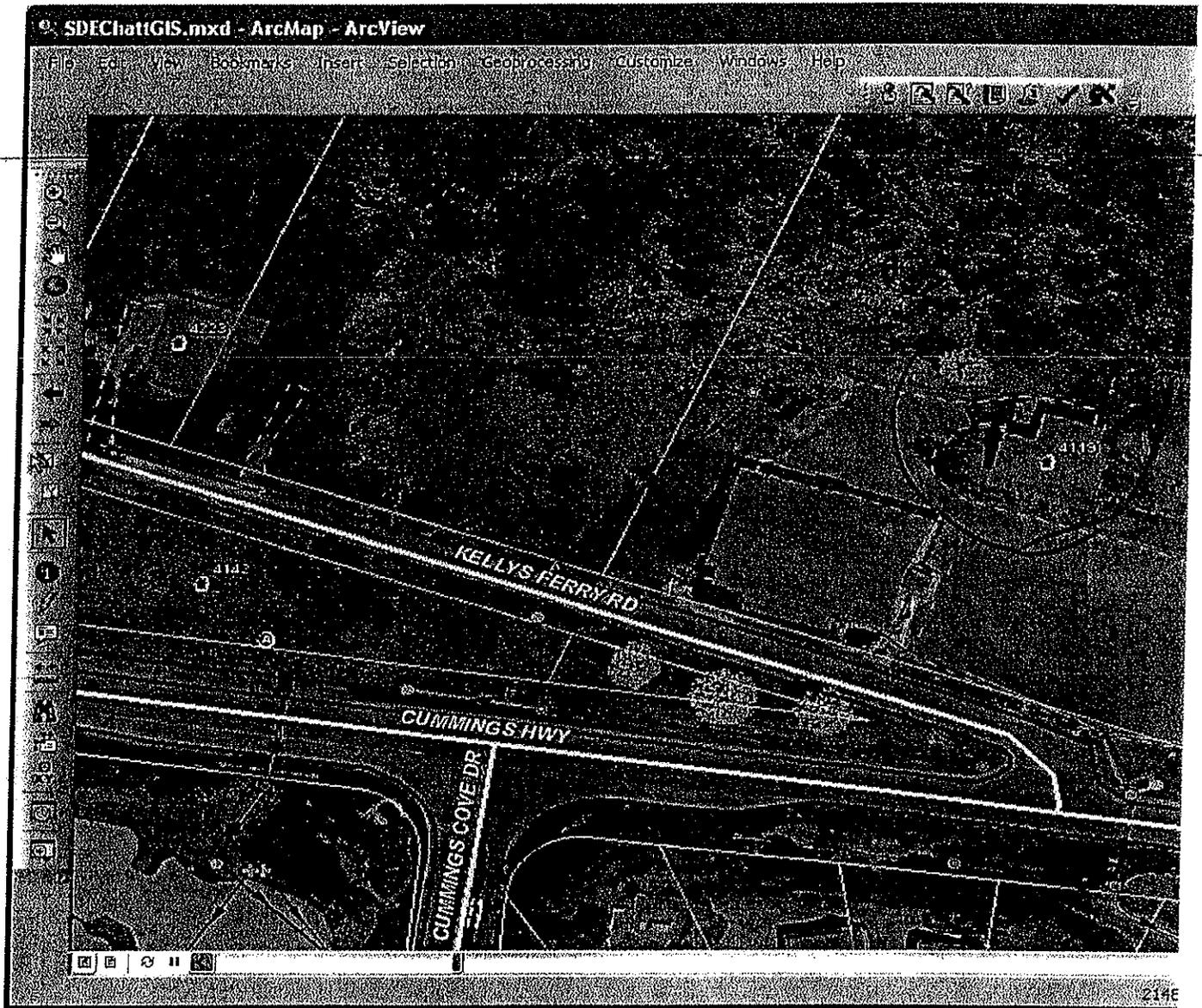
Temp Use #95122  
John Boyd

Rally's Party

Cummings

Cummings Cove





SR# ~~637016~~ 637016  
WO# 95122

Request for:  
Temporary Use