

RESOLUTION NO. 27349-A

A RESOLUTION AUTHORIZING MARKET STREET TAVERN C/O AARON LONG TO USE TEMPORARILY A PORTION OF SAID RIGHT-OF-WAY LOCATED IN THE 800 BLOCK OF MARKET STREET FOR THE INSTALLATION OF AN AWNING AND OUTDOOR SEATING, AS SHOWN ON THE DRAWINGS AND 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 MARKET STREET TAVERN C/O AARON LONG, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily a portion of said right-of-way located in the 800 block of Market Street for the installation of an awning and outdoor seating, as shown on the drawings and 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. Awning must meet the minimum elevation requirements as per City Codes and Standards.

5. Any proposed items placed along the subject building and in the subject right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic.

ADOPTED: ~~Dec~~ber 16, 2012

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and MARKET STREET TAVERN C/O AARON LONG (hereinafter "Temporary User"), this 18th day of December, 2012.

For and in consideration of the granting of the temporary usage of a portion of said right-of-way located in the 800 block of Market Street for the installation of an awning and outdoor seating, as shown on the drawings and 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. Awning must meet the minimum elevation requirements as per City Codes and Standards.

5. Any proposed items placed along the subject building and in the subject right-of-way must comply with ADA Standards and minimum clearances for pedestrian traffic.

MARKET STREET TAVERN

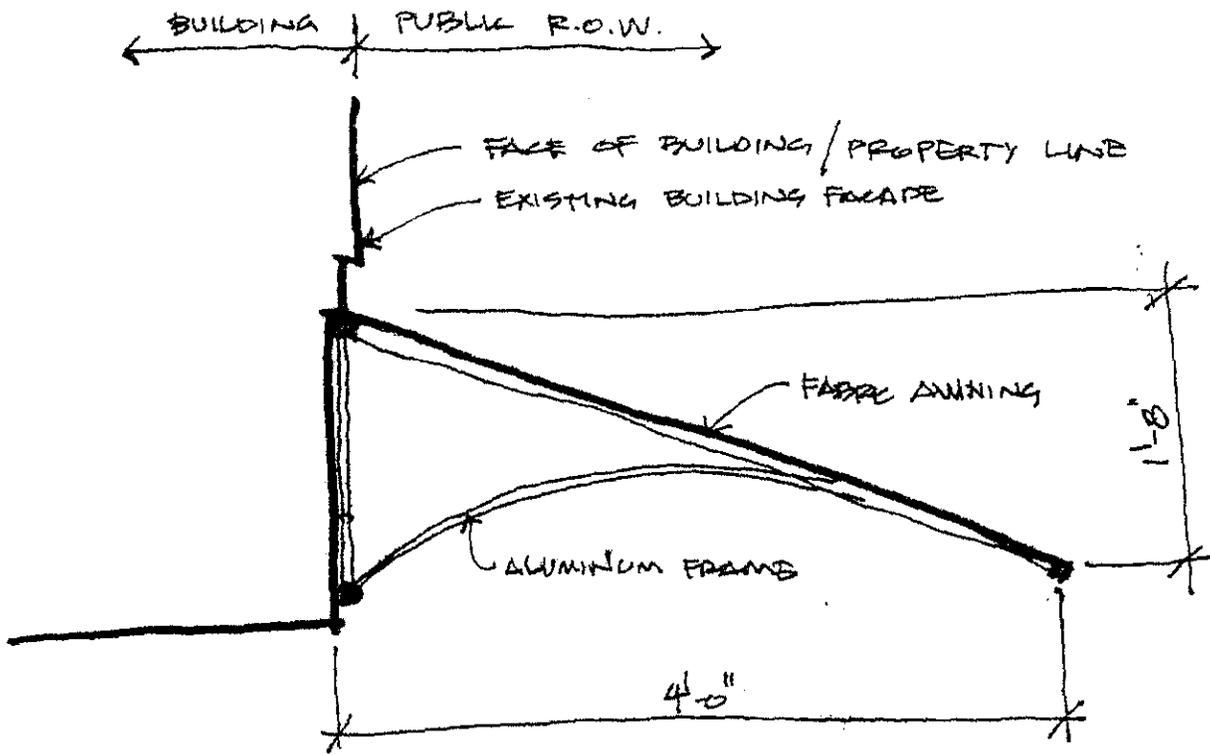
_____, 2012
Date

BY: _____
Aaron Long

~~CITY OF CHATTANOOGA, TENNESSEE~~

Dec 12, 2012
Date

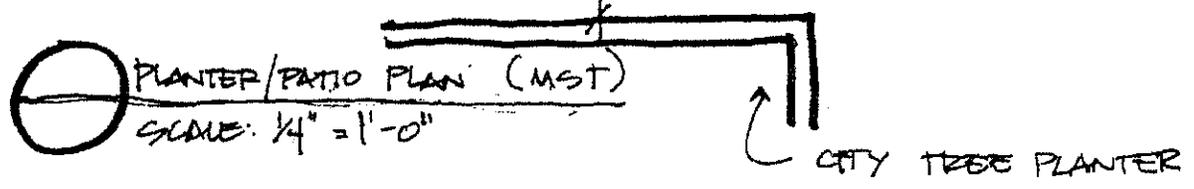
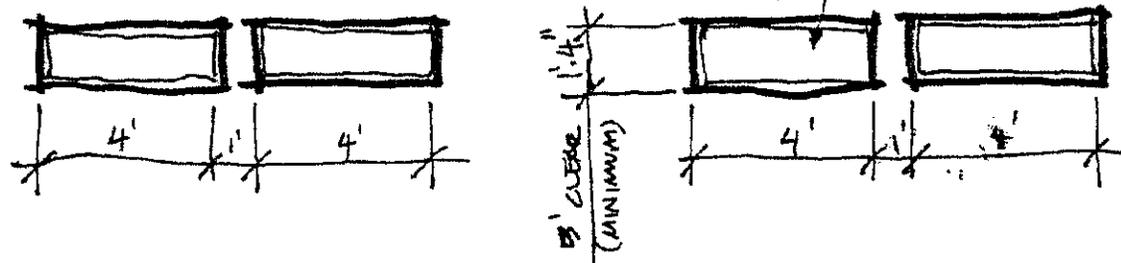
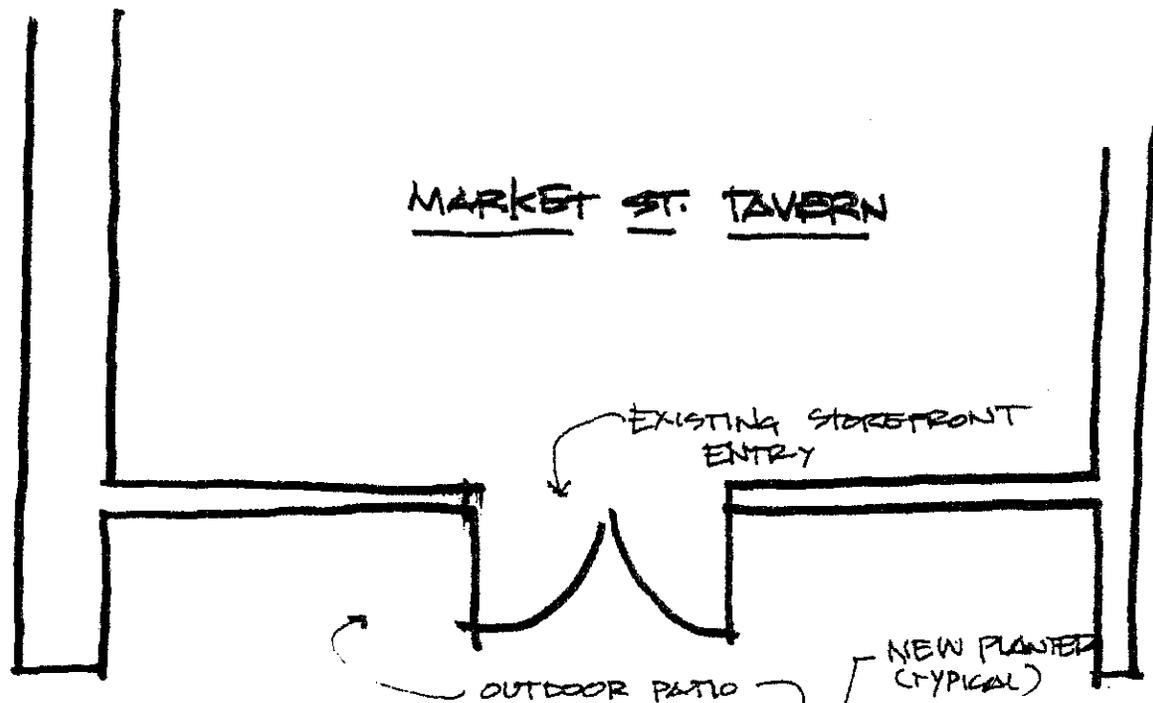
BY: _____
Ron Littlefield, Mayor

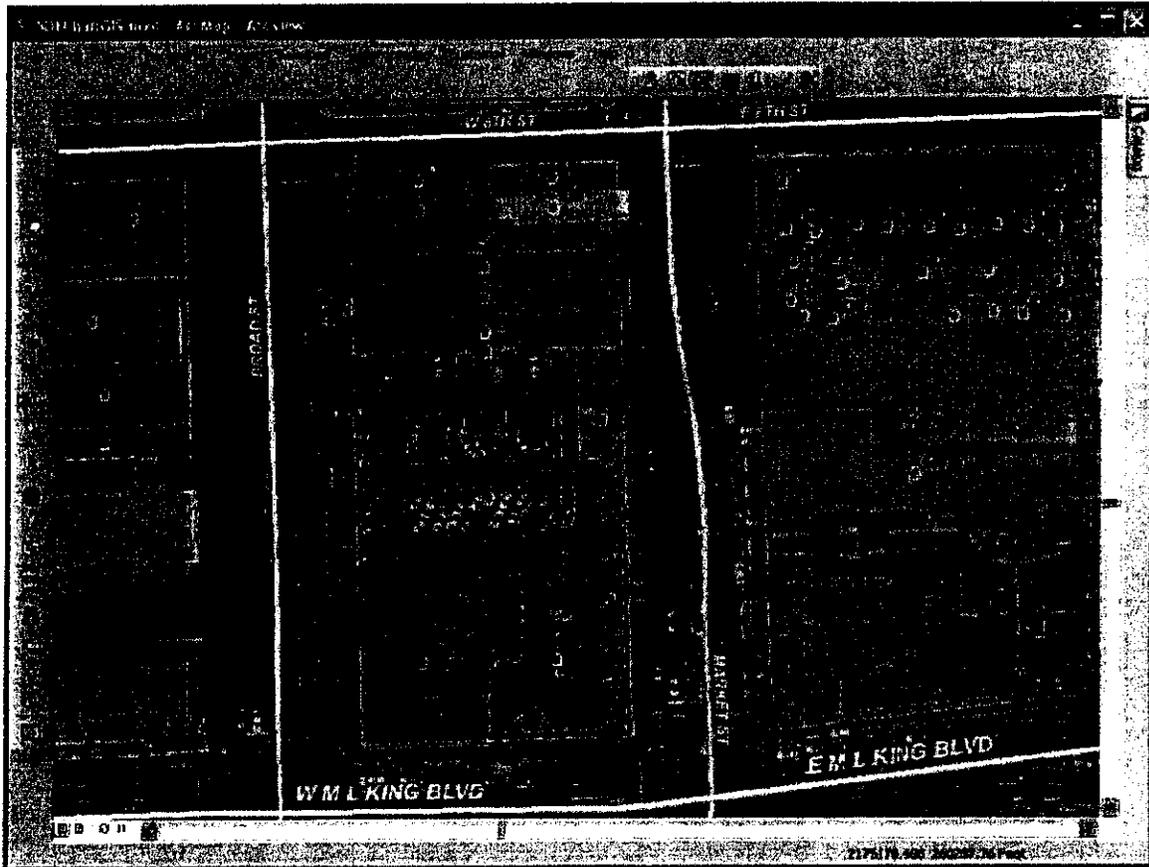


OUTDOOR
PATIO

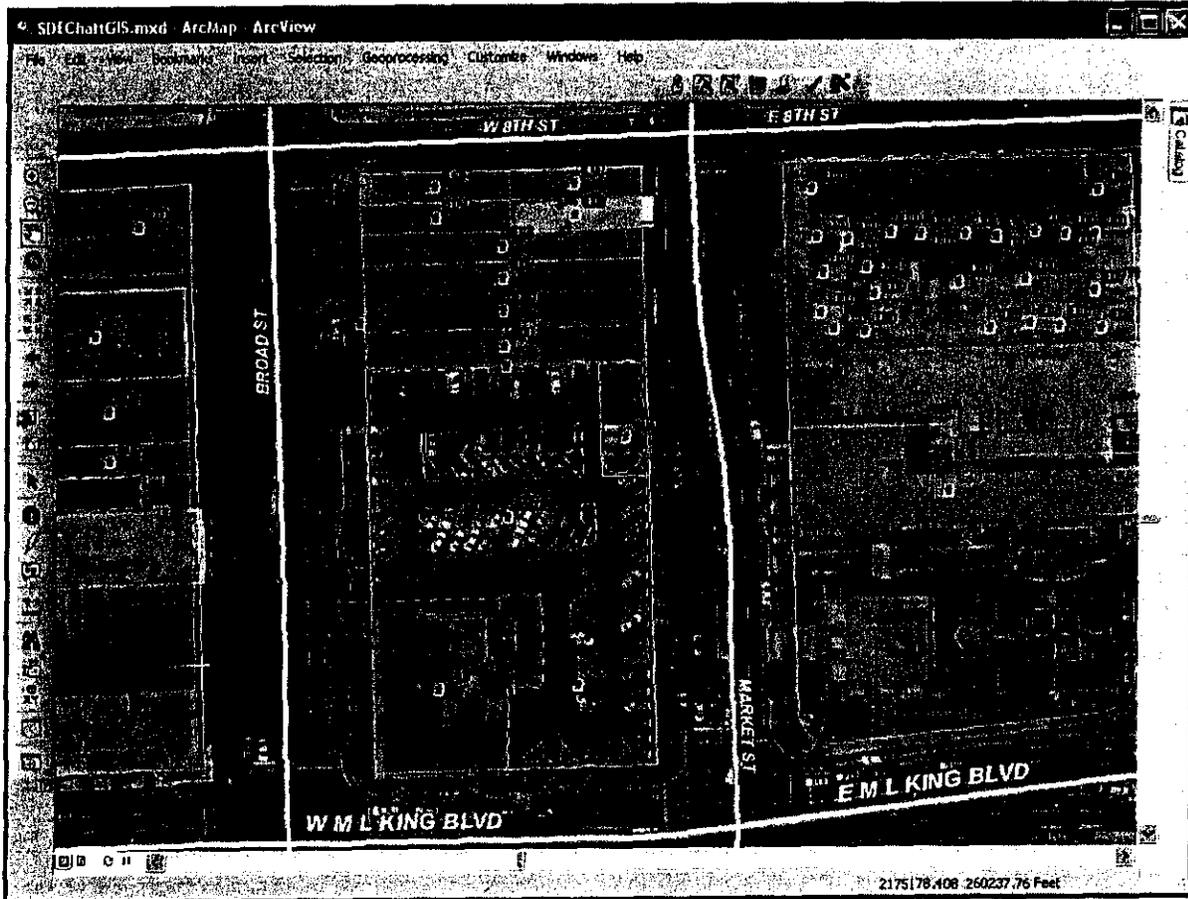
NEW AWNING (LAST)
SCALE 1" = 1'-0"

MARKET ST. TAVERN





809 MARKET STREET
MARKET STREET TAVERN



809 MARKET STREET
MARKET STREET TAVERN