

RESOLUTION NO. 27719

A RESOLUTION AUTHORIZING DAVID MARTIN C/O IRIS RODGER TO USE TEMPORARILY AN UNNAMED RIGHT-OF-WAY ADJACENT TO 754 INTERMONT CIRCLE FOR USE OF A DRIVEWAY TO THE SIDE GARAGE OF THE NEW HOUSE AT 754 INTERMONT CIRCLE, AS SHOWN ON THE MAPS 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 DAVID MARTIN C/O IRIS RODGER, (hereinafter referred to as "Temporary User") be and is hereby permitted to use temporarily an unnamed right-of-way adjacent to 754 Intermont Circle for use of a driveway to the side garage of the new house at 754 Intermont Circle, as shown on the maps 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. Approval will be needed from the owners to use their pavement/concrete alley in the unnamed right-of-way.

ADOPTED: December 3, 2013

/mms

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and DAVID MARTIN C/O IRIS RODGER (hereinafter "Temporary User"), this 30 day of December, 2013.

For and in consideration of the granting of the temporary usage of an unnamed right-of-way adjacent to 754 Intermont Circle for use of a driveway to the side garage of the new house at 754 Intermont Circle, as shown on the maps 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. Approval will be needed from the owners to use their pavement/concrete alley in the unnamed right-of-way.

Dec. 3, 2013  
Date

BY: Iris Rodger  
Iris Rodger

CITY OF CHATTANOOGA, TENNESSEE

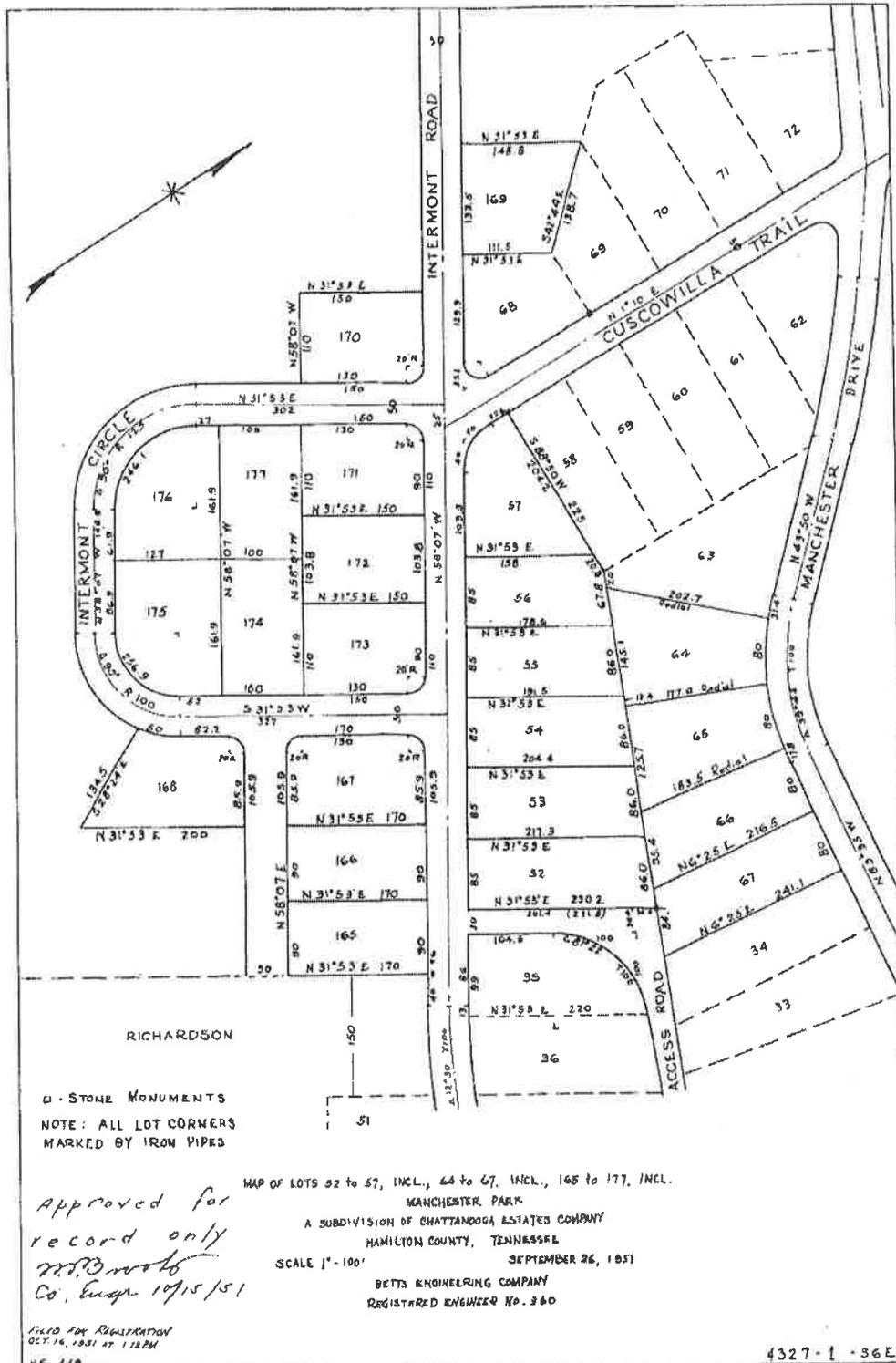
12/6, 2013  
Date

BY: Andy Berke  
Andy Berke, Mayor

Iris Rodger,  
Temp Usage: 754 Intermont Circle  
Driveway access off undeveloped ROW



17-3



RICHARDSON

□ - STONE MONUMENTS  
 NOTE: ALL LOT CORNERS  
 MARKED BY IRON PIPES

Approved for  
 record only  
 W.B. White  
 Co., Engr. 10/15/51

FILED FOR REGISTRATION  
 OCT. 16, 1951 AT 1:28 PM  
 V.F. 443

4327-1-36E