

RESOLUTION NO. 27823

A RESOLUTION AUTHORIZING MALCOLM J. WALKER TO USE TEMPORARILY THE RIGHT-OF-WAY LOCATED AT TALLADEGA AVENUE AND McHARRY DRIVE FOR USE AS A BUS STOP SHELTER FOR STUDENTS, AS SHOWN ON THE MAPS 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 MALCOLM J. WALKER, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily the right-of-way located at Talladega Avenue and McHarry Drive for use as a bus stop shelter for students, 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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 shelter and its foundation must be constructed according to City of Chattanooga codes and standards.

5. The shelter shall not be within the standard twenty-five (25') feet sight triangle utilized by the City of Chattanooga Traffic Engineering Department.

ADOPTED: April 1, 2014

/mem

INDEMNIFICATION AGREEMENT

This Indemnification Agreement is entered into by and between THE CITY OF CHATTANOOGA, TENNESSEE (hereinafter the "City"), and MALCOLM J. WALKER (hereinafter "Temporary User"), this 1st day of April, 2014.

For and in consideration of the granting of the temporary usage of the right-of-way located at Talladega Avenue and MeHarry Drive for use as a bus stop shelter for students, 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 may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

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 shelter and its foundation must be constructed according to City of Chattanooga codes and standards.

5. The shelter shall not be within the standard twenty-five (25') feet sight triangle utilized by the City of Chattanooga Traffic Engineering Department.

May 12, 2014
Date

BY: Malcolm J. Walker
Malcolm J. Walker

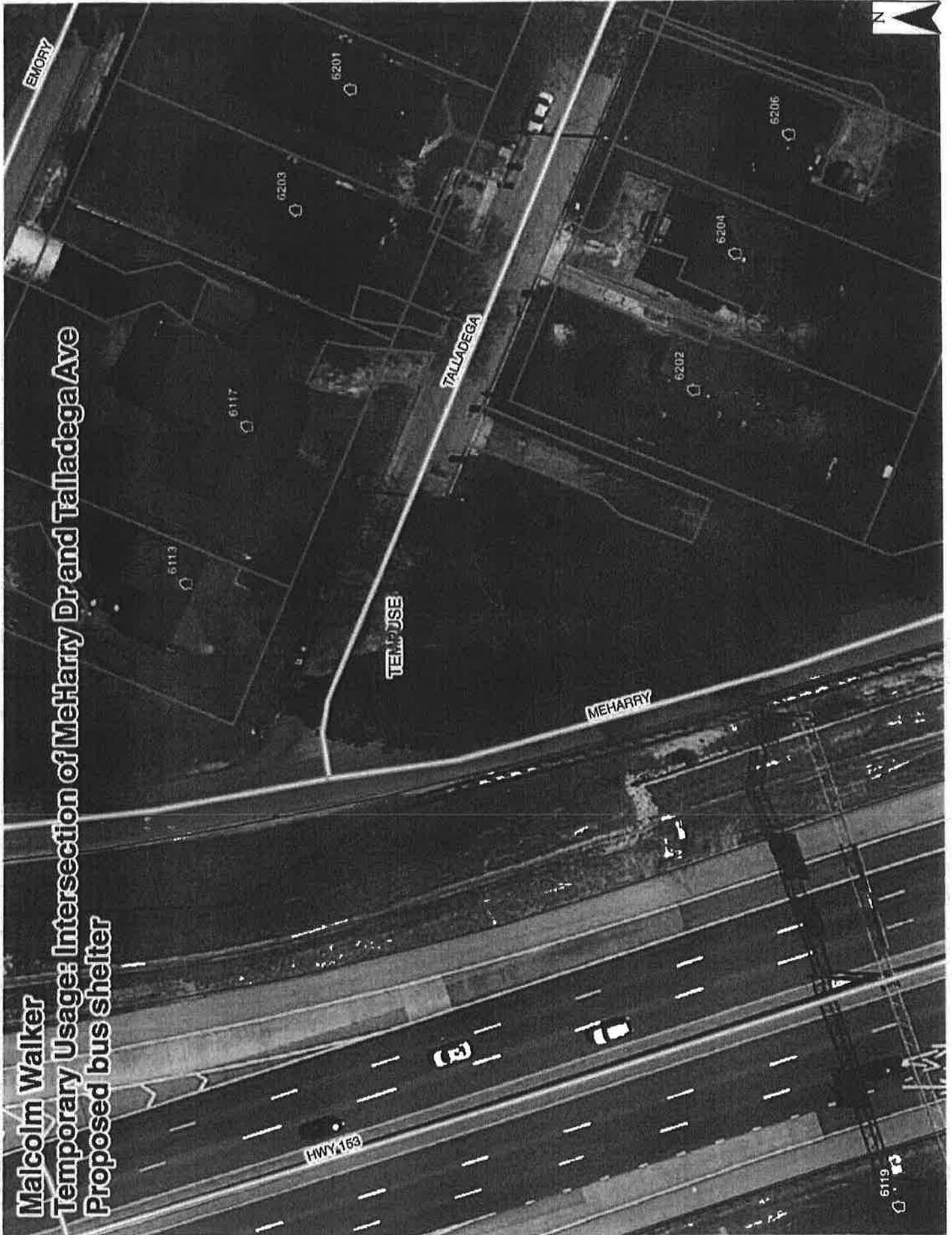
CITY OF CHATTANOOGA, TENNESSEE

May 12, 2014
Date

BY: Andy Berke
Andy Berke, Mayor

Malcolm Walker

**Temporary Usage: Intersection of MeHarry Dr and Talladega Ave
Proposed bus shelter**





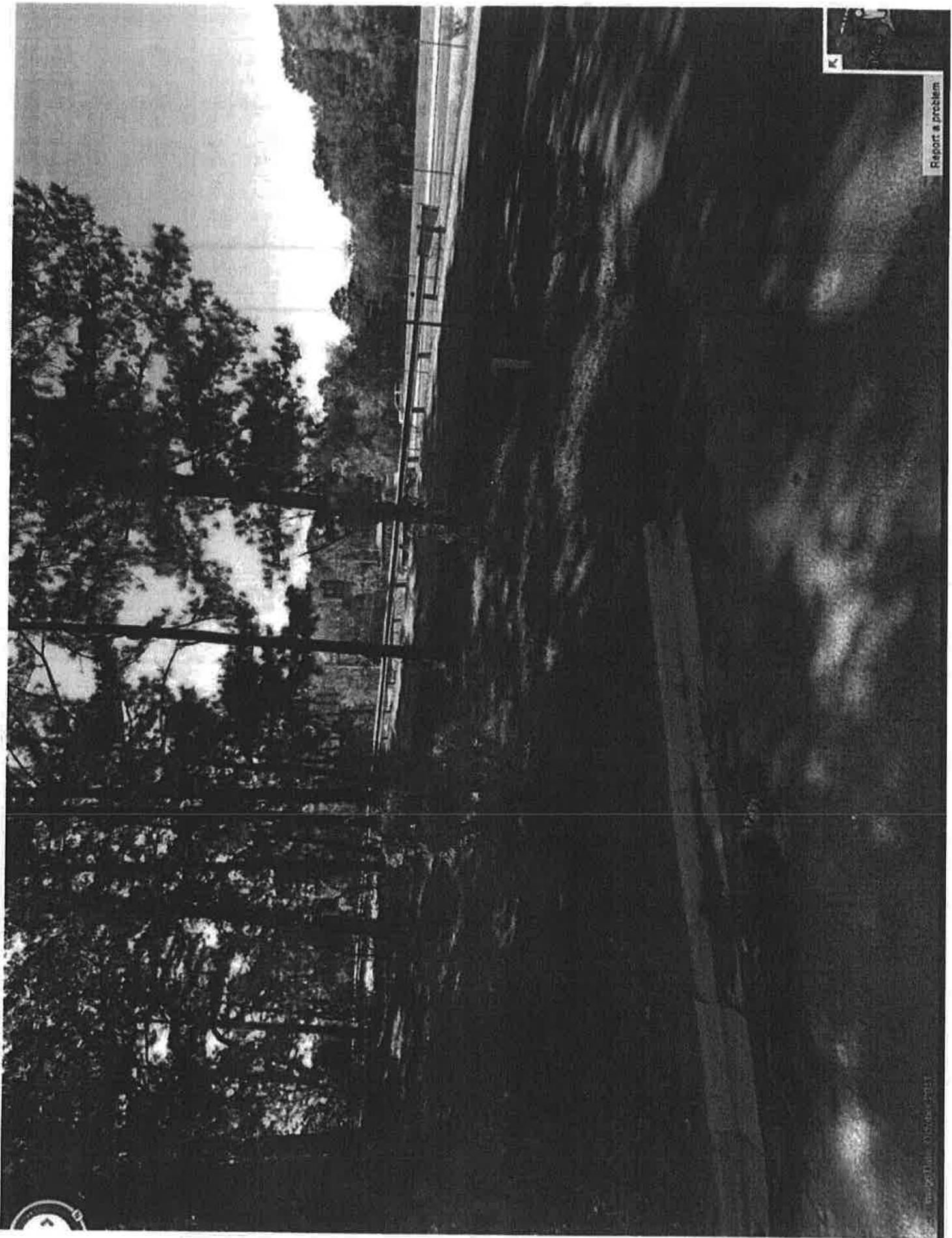
EMORY,DR

TALLADEGA AVE

MEHARRY DR

HWY 153

Proposed Bus Shelter



Report a problem

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