

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN PROCEEDINGS AGAINST DR. DAVID BOULER AND SUE BOULER ON THE PROPERTY LOCATED AT 314 NORTH CREST ROAD, CHATTANOOGA, TN 37404.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Office of the City Attorney be and is hereby authorized to institute eminent domain proceedings against Dr. David Bouler and Sue Bouler on the property located at 314 North Crest Road, Chattanooga, TN 37404, Tax Map No. 147A-A-011, for a Temporary Work Agreement for Geotechnical Investigation, relative to the Construction Feasibility Study and Conceptual Design for Improvements to the Wilcox Tunnel, Contract No. E-10-013, for an estimated amount of \$2,960.00.

ADOPTED: \_\_\_\_\_, 2013

/mms

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: December 14, 2012

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # \_\_\_\_\_ Council District # 5

A City Council resolution is requested to authorize the City Attorney to initiate Eminent Domain proceedings against Dr. David Boulter and Sue Boulter, (Property address 314 N. Crest Road, Chattanooga, TN 37404), Tax Map & Parcel No. 147-AA-011, for a Temporary Work Agreement for Geotechnical Investigation, relative to the Construction Feasibility Study and Conceptual Design for Improvements to the Wilcox Tunnel, Contract No. E-10-013.

Name of Vendor/Contractor/Grant, etc.	<u>Dr. David Boulter &amp; Sue Boulter</u>	New Contract/Project? (Yes or No)	<u>No</u>
Total project cost \$	<u>2,960.00</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>2,960.00</u>	Provide Fund	<u>4016</u>
City Amount Funded \$	<u>2,960.00</u>	Provide Cost Center	<u>K12104</u>
New City Funding Required \$	_____	Proposed Funding Source if not budgeted	_____
City's Match Percentage %	_____	Grant Period (if applicable)	_____

List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)
_____	_____
_____	_____
_____	_____

Agency Grant Number \_\_\_\_\_

CFDA Number if known \_\_\_\_\_

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: \_\_\_\_\_

DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: 1/26/09



**City of Chattanooga**  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT RESOURCE CENTER  
ENGINEERING DIVISION  
1250 MARKET STREET, SUITE 2100  
Chattanooga, Tennessee 37402-2713

December 03, 2012

Dr. & Mrs. David Bouler  
314 N. Crest Road  
Chattanooga, TN 37404

Re: Contract #E-10-013  
(Construction Feasibility Studies and  
Conceptual Designs for Improvements  
to the Wilcox Tunnel)

Dear Dr. & Mrs. Bouler,

As you know, this past February (2012) we requested a temporary work agreement on your property for the purposes of conducting a geotechnical investigation. We also met with you on April 16<sup>th</sup>, 2012 to answer additional questions regarding the request for temporary access as well as the project in general.

Since this last meeting, we have been in contact with you several times via email and telephone in order to coordinate our access needs. During this time, we also took the opportunity to have the value of the easement appraised by an independent property appraiser.

Please find attached a copy of the appraisal for the requested temporary easement on parcel No. 147-AA-011. The required easement consists of 5,920 sq.ft. and is valued at \$2,960. The city is willing to offer you this amount in exchange for your signature on the enclosed Temporary Work Agreement. This offer is valid through close of business on December 12, 2012.

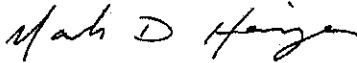
Engineering Division  
(423)643-6190  
Fax: (423)643-6008

Water Quality Program  
(423)643-5877  
FAX: (423)643-5862

Technical Information Center  
(423)643-6033  
FAX: (423)643-6027

Again, thank you for your time and attention to this project. As always, please feel free to contact me at any time if you have any questions or comments.

Sincerely,



Mark D. Heinzer  
Senior Engineer

Attachments:

Temporary Work Agreement for Geotechnical Investigation  
Property Appraisal  
Description of Work to be Conducted  
Location Map

Cc: Ron Littlefield, Mayor  
Steve Leach, Administrator Public Works  
Michael McMahan, City Attorney  
William Payne, City Engineer

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Engineering Division  
(423)643-6190  
Fax: (423)643-6008

Water Quality Program  
(423)643-5877  
FAX: (423)643-5862

Technical Information Center  
(423)643-6033  
FAX: (423)643-6027

## Description of Work to be Conducted

### Geotechnical Borings and Access – Missionary Ridge Wilcox Tunnel Project

Introduction – Proper geotechnical information is critical for both the design and construction of the new Wilcox tunnel. The geotechnical investigation will be performed approximately January through April of 2013. The geotechnical drilling will be performed using a tracked drill rig. In addition, we will be performing downhole geophysical and permeability testing. Both activities will utilize the tracked drill rig. We are currently planning eleven borings as our initial investigation, with an additional 5 borings (maximum) if geologic anomalies are encountered.

The work will include two tasks:

- Preparing access roads to the boring locations on both the west and east side of the mountain.
- Preparing sites adequate for the drilling operation

Both are described in more detail below.

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Access Roads – The access roads will begin at city streets, as shown on the drawing. The road will be advanced by disturbing the ground and vegetation to the least extent possible. We will be selectively advancing the route by avoiding steep terrain and large trees. To the extent possible, we will advance perpendicular to slope. In general, we will not use a bulldozer to significantly remove the ground cover. If that is required, we will use silt fences to control erosion. Upon completion, the terrain will be restored using mulch or locally available material

Boring Locations – The boring locations require a relative flat spot approximately 20 feet by 20 feet. Some shallow excavation and fill may be required at these locations. To the extent we disturb the ground, we will use silt fences and restoration as described above.

Schedule – We will initiate the work with surveyors to identify the proposed boring locations. This will also provide a better understanding of the work required to prepare the access roads, and boring locations.

After this initial work is complete, we anticipate the initial phase of the work (eleven borings plus down hole geophysical and permeability testing) will take 4 to 6 weeks. Based on this work, we may also perform contingency borings. These would take an additional 2 to 3 weeks. Thus, we anticipate that the field work could be completed in 2 to 2 ½ months.



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**OFFICIAL USE**

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Dr. & Mrs. David Boulter  
314 N. Crest Road  
Chattanooga, TN 37404


For Instructions



**City of Chattanooga**  
 DEPARTMENT OF PUBLIC WORKS  
 DEVELOPMENT RESOURCE CENTER  
 ENGINEERING DIVISION  
 1250 MARKET STREET, SUITE 2100  
 Chattanooga, Tennessee 37402-2713

TEMPORARY WORK AGREEMENT FOR GEOTECHNICAL INVESTIGATION

I (We), David or Sue Boulter, hereinafter called "owner(s)," hereby grant unto the CITY OF CHATTANOOGA, TENNESSEE, a municipal corporation, hereinafter called "City," or its agents, the right to enter onto Parcel No. 147AA011, Chattanooga, Tennessee, as shown by deed of record in Plat Book 9, page 29 in the Register's Office of Hamilton County, Tennessee, and indicated on Exhibit A, for the purpose of conducting a **Geotechnical Investigation**. Said right of entry terminates with the completion of the aforesaid work.

The City or its agents will clear brush and small trees where necessary to create an access path approximately 10 feet wide for the purposes of providing access for a tracked vehicle that will be used to drill a 6 or 8 inch diameter hole into the ground. Preparation of the actual drill sites will require a clearing of approximately 15 feet wide by 20 feet long. The City or its agents will stabilize any disturbed areas upon completion of the investigation to allow for natural re-vegetation to occur.

The City of Chattanooga and/or its agents shall be responsible for any and all damages, except as described above, that are a direct result of said work.

This is not an easement, or a taking of any kind or nature, and said property shall at all times remain under the owner's (owners') control and domination and shall at no time be owned, purchased, or otherwise encumbered by the City of Chattanooga, Tennessee, or its agents.

WITNESS my (our) hands(s) this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
 (Owner's Signature) -- Required

\_\_\_\_\_  
 (Owner's Signature) - Optional

\_\_\_\_\_  
 Signature(s) witnessed by:





**City of Chattanooga**  
DEPARTMENT OF PUBLIC WORKS  
DEVELOPMENT RESOURCE CENTER  
ENGINEERING DIVISION  
1250 MARKET STREET, SUITE 2100  
Chattanooga, Tennessee 37402-2713

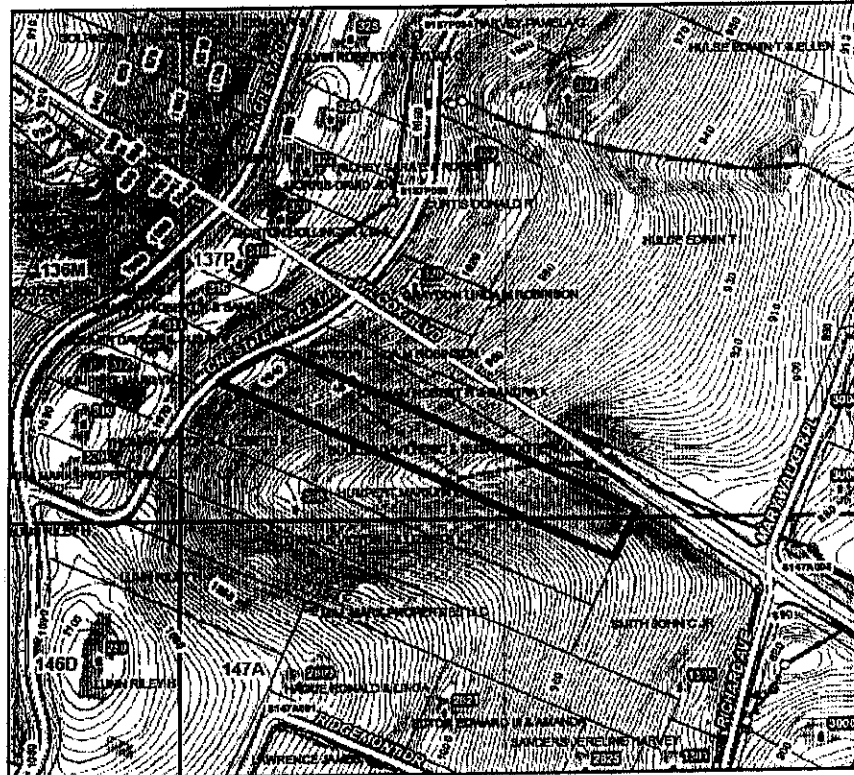


EXHIBIT "A"



ENGINEERING DIVISION  
(423) 643-6190  
FAX: (423) 643-6008

WATER QUALITY PROGRAM  
(423) 643-5877  
FAX: (423) 643-5862

TECHNICAL INFORMATION CENTER  
(423) 643-6033  
FAX: (423) 643-6027

Donald L. Tindell Inc.  
6257 E. Brainerd Road  
Chattanooga, TN 37421  
423-892-0051

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October 15, 2012

City of Chattanooga  
1250 Market Street  
Chattanooga, TN  
37402

Property - Wilcox Blvd  
Chattanooga, Tenn 37404  
Borrower - OWNER: David Boulter  
File No. - 147AA11  
Case No. -

Dear :

In accordance with your request, I have prepared an appraisal of the real property located at Wilcox Blvd, Chattanooga, Tenn.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the Summary Report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of Oct. 8, 2012 is :

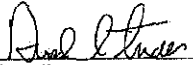
\$2,960

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Donald L. Tindell Inc.

  
\_\_\_\_\_  
Donald L. Tindell  
TN Certification #181

**SUMMARY APPRAISAL REPORT OF  
THE PROPERTY LOCATED AT**

Wilcox Blvd  
Chattanooga, Tenn 37404

**as of**

Oct. 8, 2012

**for**

City of Chattanooga  
1250 Market Street  
Chattanooga, TN  
37402

**by**

Donald L. Tindell Inc.  
6257 E. Brainerd Road  
Chattanooga, TN 37421

# Summary Appraisal Report

LAND APPRAISAL REPORT

File No. 147A11

<b>Borrower</b> <u>OWNER: David Boulter</u>	Census Tract _____	Map Reference <u>147A-A-011</u>
<b>Property Address</b> <u>Wilcox Blvd</u>	<b>City</b> <u>Chattanooga</u>	<b>State</b> <u>Tenn</u>
<b>Legal Description</b> <u>Lot Part 5 North Crest Terrace PB 9 PG 29</u>	<b>County</b> <u>Hamilton</u>	<b>Zip Code</b> <u>37404</u>
<b>Sale Price</b> \$ _____ <b>Date of Sale</b> _____ <b>Loan Term</b> _____ yrs.	<b>Property Rights Appraised</b> <input checked="" type="checkbox"/> Fee <input type="checkbox"/> Leasehold <input type="checkbox"/> De Minimis PUD	
<b>Actual Real Estate Taxes</b> \$ <u>129.39</u> (yr.) <b>Loan charges to be paid by seller</b> \$ _____	<b>Other sales concessions</b> _____	
<b>Lender/Client</b> <u>City of Chattanooga</u>	<b>Address</b> <u>1250 Market Street, Chattanooga, TN, 37402</u>	
<b>Occupant</b> <u>Vacant</u>	<b>Appraiser</b> <u>Donald L. Tindell</u>	<b>Instructions to Appraiser</b> <u>Estimate Value of Temporary Construction Easement</u>

<b>Location</b>	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25% to 75% <input type="checkbox"/> Under 25%	
<b>Built Up</b>	<input type="checkbox"/> Fully Dev. <input type="checkbox"/> Rapid <input type="checkbox"/> Steady <input checked="" type="checkbox"/> Slow	
<b>Growth Rate</b>	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	
<b>Property Values</b>	<input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	
<b>Demand/Supply</b>	<input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 4-6 Mos. <input type="checkbox"/> Over 6 Mos.	
<b>Marketing Time</b>		
<b>Present Land Use</b>	<u>85</u> % 1 Family <u>3</u> % 2-4 Fam <u>2</u> % Apts. _____ % Condo <u>5</u> % Commercial	
	_____ % Industrial <u>5</u> % Vacant _____ %	
<b>Change in Present Land Use</b>	<input checked="" type="checkbox"/> Not Likely <input type="checkbox"/> Likely (*) <input type="checkbox"/> Taking Place (*)	
	(*) From _____ To _____	
<b>Predominant Occupancy</b>	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <u>5</u> % Vacant	
<b>Single Family Price Range</b>	\$ <u>25,000</u> to \$ <u>350,000</u> <b>Predominant Value</b> \$ <u>85,000</u>	
<b>Single Family Age</b>	<u>1</u> yrs. to <u>80</u> yrs. <b>Predominant Age</b> <u>45</u> yrs.	

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, noise) The subject property lies within an established residential district, along the side of Missionary Ridge. The land has sloping topography, is mostly wooded and appears to have adequate drainage. The area has good access and all support facilities are located within close proximity.

<b>Dimensions</b>	<u>109'x715' IRR</u>	<u>= 56,628 sqft/-</u>
<b>Zoning Classification</b>	<u>R-1</u>	<b>Present Improvements</b> <input checked="" type="checkbox"/> do <input type="checkbox"/> do not conform to zoning regulations
<b>Highest and best use:</b>	<input checked="" type="checkbox"/> Present use <input type="checkbox"/> Other (specify) _____	
<b>Elec.</b>	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Other (Describe) _____	<b>Topo</b> <u>Gentle to a steep slope</u>
<b>Gas</b>	<input checked="" type="checkbox"/> _____	<b>Size</b> <u>Typical for the area</u>
<b>Water</b>	<input checked="" type="checkbox"/> _____	<b>Shape</b> <u>Irregular</u>
<b>San. Sewer</b>	<input checked="" type="checkbox"/> _____	<b>View</b> <u>Neighborhood</u>
	<input type="checkbox"/> Underground Elect. & Tel.	<b>Drainage</b> <u>Adequate</u>
	<b>OFF SITE IMPROVEMENTS</b>	<b>Is the property located in a HUD identified Special Flood Hazard Area?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
	Street Access: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
	Surface: <u>Asphalt</u>	
	Maintenance: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
	<input checked="" type="checkbox"/> Storm Sewer <input checked="" type="checkbox"/> Curb/Gutter	
	<input type="checkbox"/> Sidewalk <input checked="" type="checkbox"/> Street Lights	

Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions) The subject site fronts along Crest Terrace Drive as well as Wilcox Blvd, the land has sloping topography, is wooded and appears to have adequate drainage. The temporary construction easement will contain 5,920 sqft and will be utilized for access for core drilling.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

ITEM	Subject Property	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
<b>Address</b>	<u>Wilcox Blvd Chattanooga, Tenn</u>	<u>4712 Midland Pike Chattanooga, Tn 37411</u>	<u>Alta Vista Drive Chattanooga, Tn 37411</u>	<u>111 North Crest Road Chattanooga, Tn 37404</u>
<b>Proximity to Subj.</b>				
<b>Sales Price</b>		\$ <u>9,500</u>	\$ <u>13,000</u>	\$ <u>21,000</u>
<b>Price</b>		\$ _____	\$ _____	\$ _____
<b>Data Source</b>	<u>Inspection</u>	<u>Tax Records/MLS</u>	<u>Tax Records/MLS</u>	<u>Tax Records/MLS</u>
<b>Date of Sale and Time Adjustment</b>	<u>Oct. 2012</u>	<u>02/23/2012</u>	<u>09/29/2011</u>	<u>08/15/2012</u>
<b>Location</b>	<u>Average</u>	<u>Average</u>	<u>Average</u>	<u>Average</u>
<b>Site/Area</b>	<u>Average</u>	<u>Average</u>	<u>Average</u>	<u>Average</u>
<b>Site Area</b>	<u>56628 sf</u>	<u>10018 sf</u>	<u>18000 sf</u>	<u>14810 sf</u>
<b>Zone</b>	<u>R-1</u>	<u>R-1</u>	<u>R-1</u>	<u>R-1</u>
<b>Topo</b>	<u>Sloping</u>	<u>Level</u>	<u>Sloping</u>	<u>Sloping</u>
<b>Sales or Financing Concessions</b>		<u>Conv. sale None known</u>	<u>Conv. sale None known</u>	<u>Cash sale None known</u>
<b>Net Adj. (Total)</b>		Plus _____ Minus \$ _____	Plus _____ Minus \$ _____	Plus _____ Minus \$ _____
<b>Indicated Value of Subject</b>		Gross 0.0% Net 0.0% \$ <u>9,500</u>	Gross 0.0% Net 0.0% \$ <u>13,000</u>	Gross 0.0% Net 0.0% \$ <u>21,000</u>

Comments on Market Data: The above sales were found to be the most recent and best indicators of value for the subject property. The sales range from \$.72 psf to \$1.42 psf with an average of \$1.03 psf. Based upon the location, access and topography of the subject the estimated value is \$1.00 psf.

Comments and Conditions of Appraisal: Subject appraised AS-IS.

<b>Final Reconciliation:</b>	<u>Due to the subject being unimproved, only the sales comparison approach has been considered and evaluated. The subject's temporary construction easement contains 5,920 sqft, the estimated value is \$1.00 psf, therefore 1,750 sqft times \$1.00 psf equals \$1,750 times 50% (temp. constr. easement) equals \$875.00.</u>		
<b>I ESTIMATE THE MARKET VALUE AS DEFINED, OF SUBJECT PROPERTY AS OF</b>	<u>Oct. 8</u>	<u>2012</u>	to be <u>\$2,960</u>
<b>Appraiser(s)</b>	Review Appraiser (if applicable) <input type="checkbox"/> Did <input type="checkbox"/> Did Not Physically Inspect Property		
<b>Signature</b>	<u>Donald L. Tindell</u>	<b>Signature</b>	_____
<b>Name</b>	<u>Donald L. Tindell</u>	<b>Name</b>	_____
<b>Date</b>	<u>10/15/2012</u>	<b>Date</b>	_____
<b>State</b> <u>TN</u>	<input type="checkbox"/> License <input checked="" type="checkbox"/> Certification # <u>181</u>	<b>State</b>	<input type="checkbox"/> License <input type="checkbox"/> Certification # _____

USPAP COMPLIANCE ADDENDUM

Borrower or Owner **OWNER: David Boulter**

Property Address **Wilcox Blvd**

City **Chattanooga** County **Hamilton** State **Tenn** Zip Code **37404**

Lender or Client **City of Chattanooga**

Purpose of the Appraisal

**The purpose of this appraisal is to provide an opinion of the Market Value of the subject property as of October 8, 2012, which is the effective date of the appraisal.**

Scope of Work

**All data that was considered to be pertinent to the valuation of the subject property was assembled. The investigation undertaken and major sources used will be discussed. The area and neighborhood analysis included economic and demographic data was obtained from the U.S. Census Bureau, U.S. Dept. of Labor, The City of Chattanooga and Hamilton County web sites, and Chattanooga Chamber of Commerce. The existing improvements were inspected and measured at that time. See deed for legal description. Market data has been obtained by reviewing public records in the Hamilton County tax assessor's office and Chattanooga M.L.S records. Sufficient data was found to limit comparable sales and comparable rental data to the county in which the subject is located. The information utilized in this report has been verified with a knowledgeable party in each transaction whenever possible.**

Report of the prior sales history for the subject property

Is the subject property currently listed?  Yes  No List Price: \$  
Has the property sold during the prior three years?  Yes  No If yes, describe below

Exposure Time

What is your estimate of exposure time for the subject property? **4/6 months** Describe below the basis (rationale) for your estimate?  
**Based on a careful analysis of relevant competitive listings & sales in the subject market area.**

Non-real property transfers

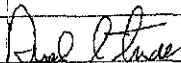
Does the transaction involve the transfer of personal property, fixtures, or intangibles that are not real property?  Yes  No  
If yes, provide description and valuation below.

**Any non-real properties and/ or personal items that may be included in this transaction have not been considered during the appraisal process.**

Additional Limiting Conditions or Additional Comments

Additional Certification Statements or Additional Comments

Date: **October 15, 2012** Appraiser(s): **Donald L. Tindell**



Date: Review Appraiser(s):

DISCLOSURE ADDENDUM

Borrower or Owner	OWNER: David Boulter		
Property Address	Wilcox Blvd		
City	Chattanooga	County	Hamilton
State	Tenn	Zip Code	37404
Lender or Client	City of Chattanooga		

DEFINITION OF INSPECTION:

The term "Inspection", as used in this report, is not the same level of inspection that is required for a "Professional Home Inspection". The appraiser does not fully inspect the electrical system, plumbing system, mechanical systems, foundation system, floor structure, or subfloor. The appraiser is not an expert in construction materials and the purpose of the appraisal is to make an economic evaluation of the subject property. If the client needs a more detailed inspection of the property, a home inspection, by a Professional Home Inspector, is suggested.

DIGITAL SIGNATURES:

The signature(s) affixed to this report, and certification, were applied by the original appraiser(s) or supervisory appraiser and represent their acknowledgements of the facts, opinions and conclusions found in the report. Each appraiser(s) applied his or her signature electronically using a password encrypted method. Hence these signatures have more safeguards and carry the same validity as the individual's hand applied signature. If the report has a hand-applied signature, this comment does not apply.

APPRAISER:

Signature: *Donald L. Tindell*  
 Name: Donald L. Tindell  
 Date Signed: October 15, 2012  
 State Certification #: 181  
 or State License #: \_\_\_\_\_  
 State: TN  
 Expiration Date of Certification or License: 10/31/2013

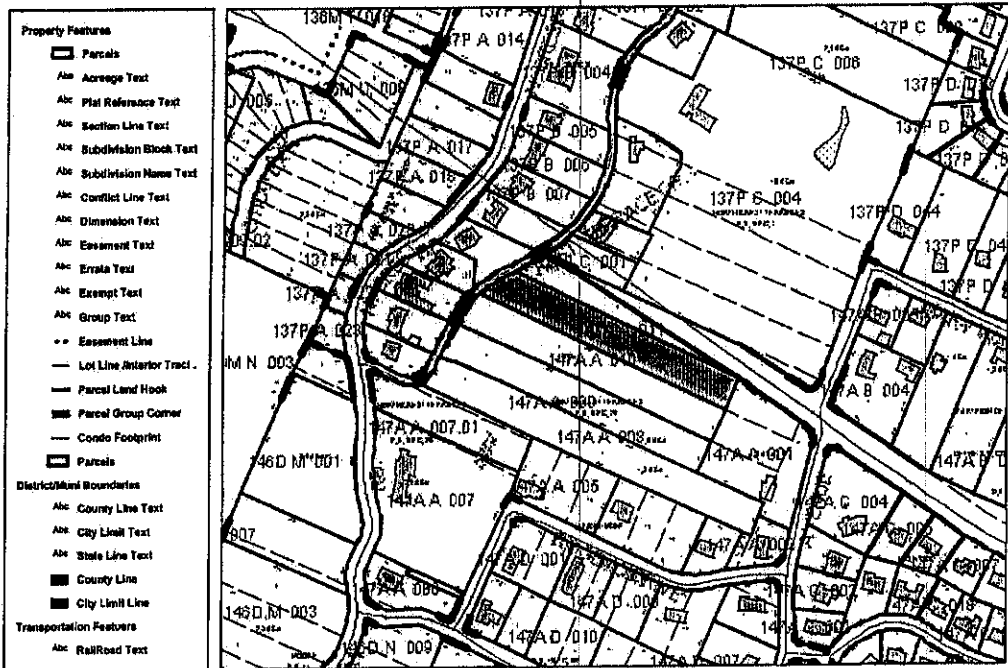
SUPERVISORY APPRAISER (ONLY IF REQUIRED):

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_  
 Did  Did Not Inspect Property

# SITE PLAN

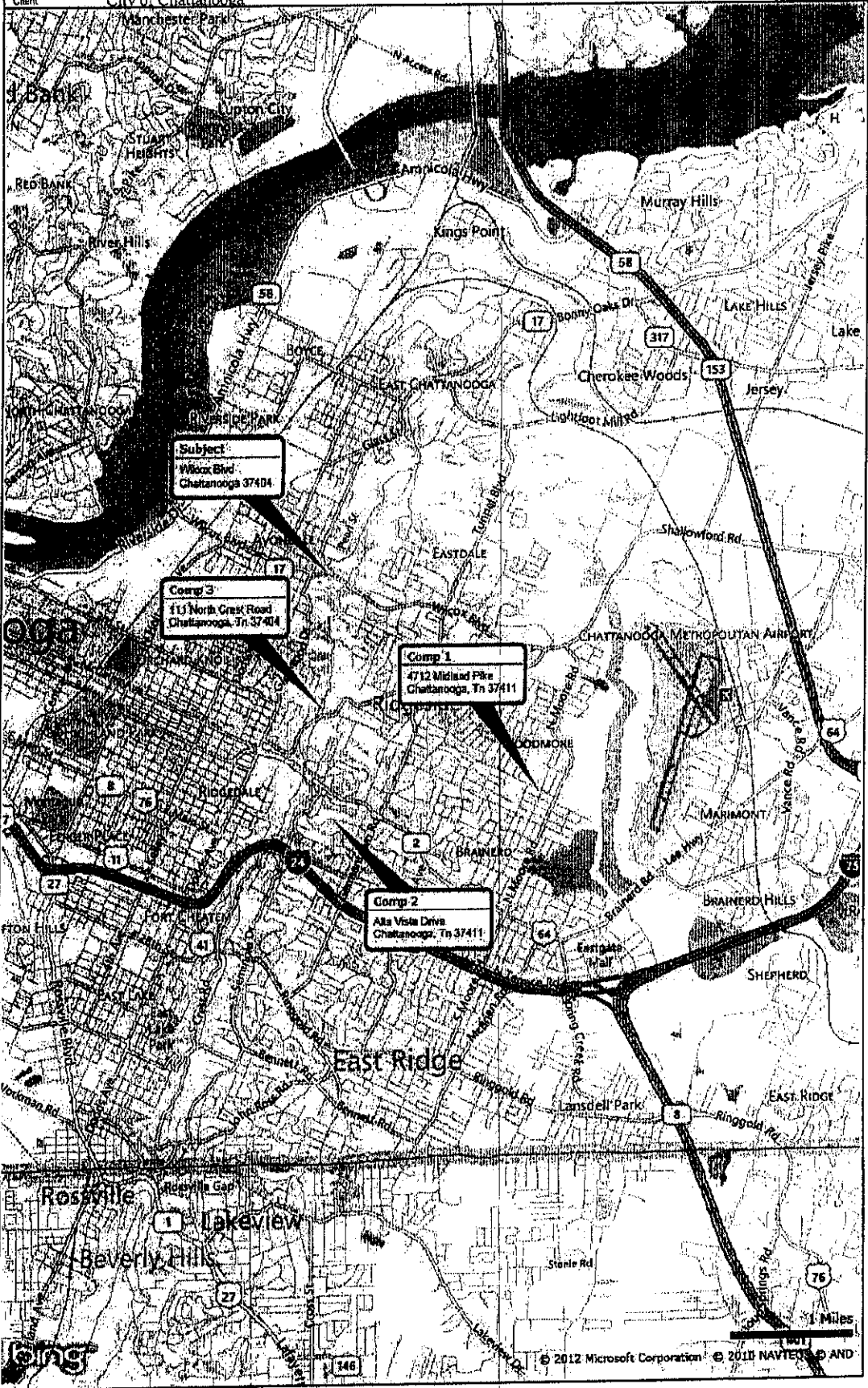
Borrower or Owner	OWNER: David Boulter		
Property Address	Wilcox Blvd		
City	County	State	Zip Code
Chattanooga	Hamilton	Tenn	37404
Client	City of Chattanooga		

## Hamilton County, Tennessee



Location Map

Borrower or Owner	OWNER: David Boulter		
Property Address	Wilcox Blvd		
City	Chattanooga	County	Hamilton
State	Tenn	Zip Code	37404
Client	City of Chattanooga		





# FLOOD MAP

Borrower or Owner **OWNER: David Bouler**  
 Property Address **Wilcox Blvd**  
 City **Chattanooga** County **Hamilton** State **Tenn** Zip Code **37404**  
 Client **City of Chattanooga**

9/7/12

Your Interflood map

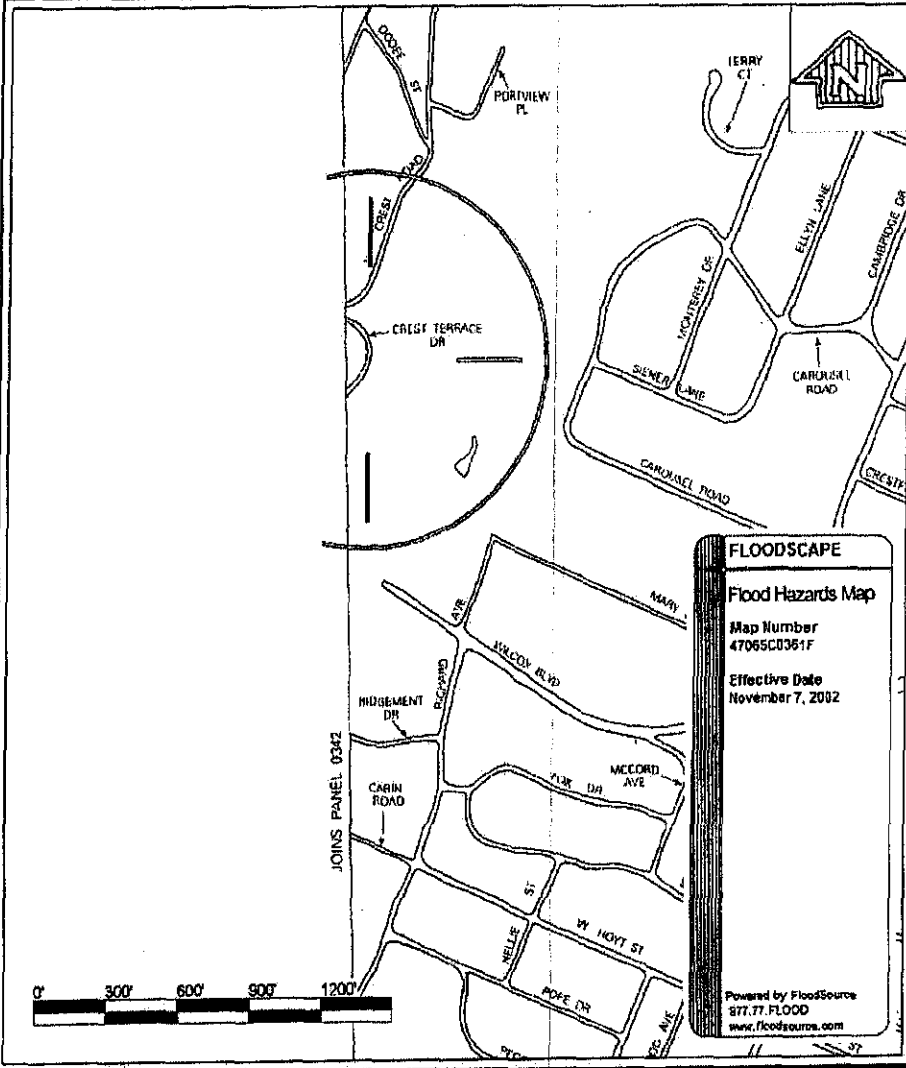
## InterFlood



www.interflood.com • 1-800-252-6633

Prepared for:  
Donald Tindell Inc.

Crest Terrace Dr  
Chattanooga, TN

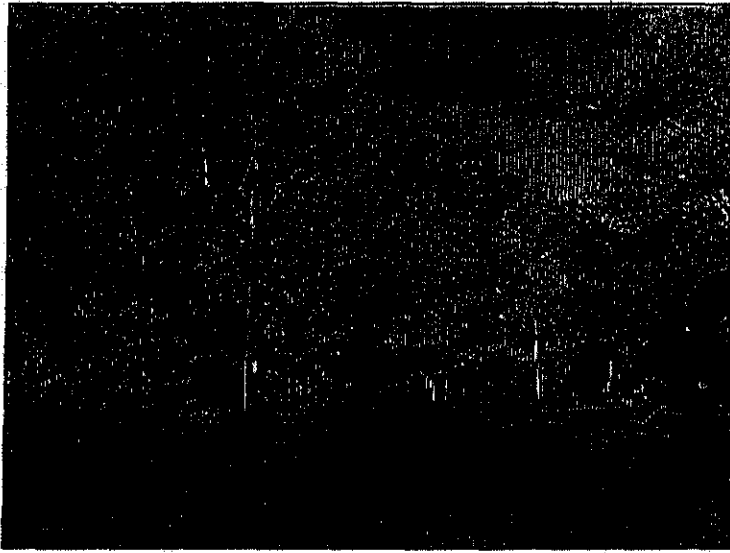


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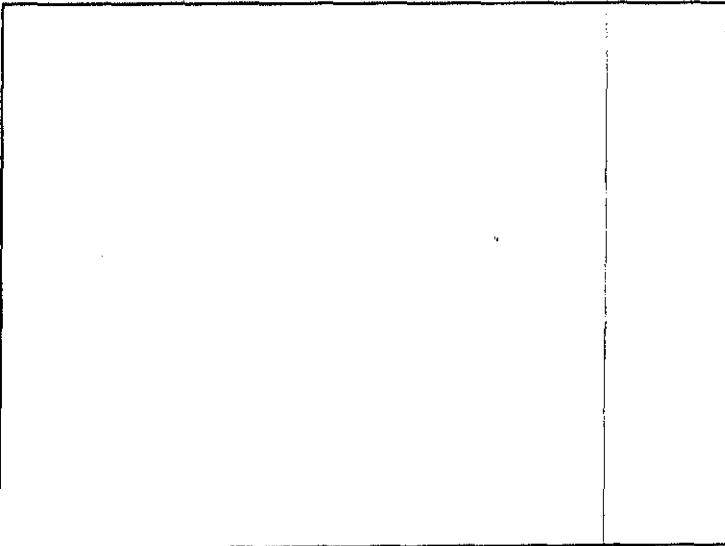
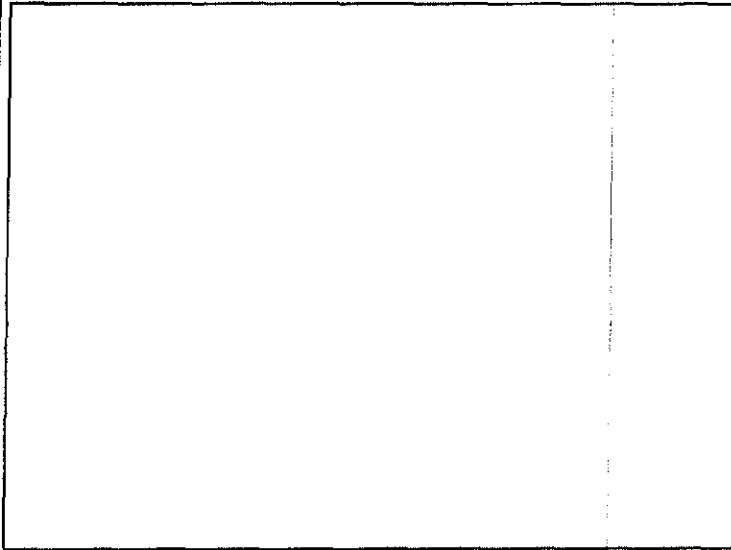
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PHOTOGRAPH ADDENDUM

Borrower or Owner	OWNER: David Boulter		
Property Address	Wilcox Blvd		
City	Chattanooga	County	Hamilton
		State	Tenn
		Zip Code	37404
Client	City of Chattanooga		



Wilcox Blvd  
GENERAL VIEW



**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concessions but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

### STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

**CONTINGENT AND LIMITING CONDITIONS:** The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. The separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

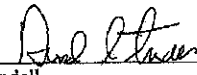
**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** Wilcox Blvd, Chattanooga, Tenn 37404

**APPRAISER:**

Signature:   
 Name: Donald L. Tindell  
 Date Signed: October 15, 2012  
 State Certification #: 181  
 or State License #: \_\_\_\_\_  
 State: TN  
 Expiration Date of Certification or License: 10/31/2013

**SUPERVISORY APPRAISER** (only if required):

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_  
 Did  Did Not Inspect Property