

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

A RESOLUTION AUTHORIZING THE OFFICE OF THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN PROCEEDINGS AGAINST ROBERT GRAHAM AND SANDY GRAHAM ON THE PROPERTY LOCATED AT 316 N. CREST ROAD, CHATTANOOGA, TN 37404.

---

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 Robert Graham and Sandy Graham on the property located at 316 N. Crest Road, Chattanooga, TN 37404, Tax Map No. 147A-A-012, 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 \$875.00.

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

/ss

# 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 Robert Graham and Sandy Graham, (Property address 316 N. Crest Road, Chattanooga, TN 37404), Tax Map & Parcel No. 147-AA-012, 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.	<b>Robert Graham &amp; Sandy Graham</b>	New Contract/Project? (Yes or No)	No
Total project cost \$	<u>875.00</u>	Funds Budgeted? (YES or NO)	Yes
Total City of Chattanooga Portion \$	<u>875.00</u>	Provide Fund	<u>4016</u>
City Amount Funded \$	<u>875.00</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

Mr. & Mrs. Robert & Sandy Graham  
316 N. Crest Road  
Chattanooga, TN 37404

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

Dear Mr. & Mrs. Graham,

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-012. The required easement consists of 1,750 sq.ft. and is valued at \$875. 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.

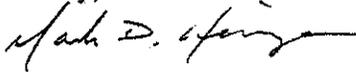
Engineering Division  
(423)643-6190  
Fax: (423)643-6008

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

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.

---

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.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits. (MH)

1. Article Addressed to:

Mr. & Mrs. Robert & Sandy Graham  
 316 N. Crest Road  
 Chattanooga, TN 37404

2. Article Number  
 (Transfer from service label)

7011 1150 0000 9536 3369

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Jeff Graham*  Agent  
 Addressee

B. Received by (Printed Name) *Jeff Graham* C. Date of Delivery *12-7-12*

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery (Extra fee)  Yes

**U.S. Postal Service<sup>TM</sup>**  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7011 1150 0000 9536 3369

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

(MH)

Postmark  
 Here

Mr. & Mrs. Robert & Sandy Graham  
 316 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), Robert or Sandra Graham, 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. 147AA012**, 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

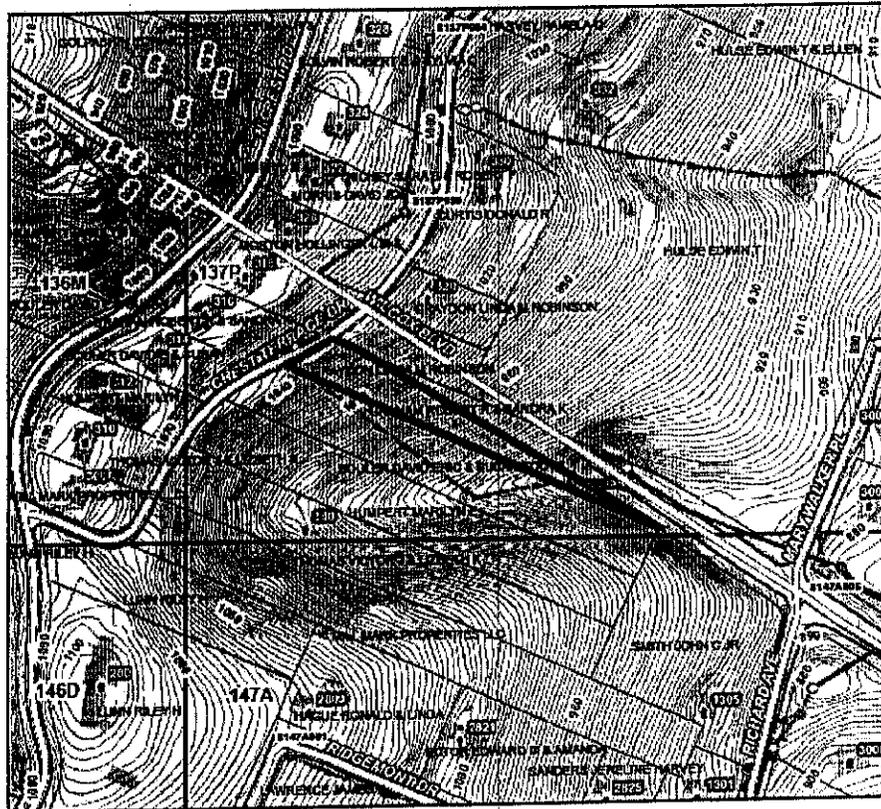


EXHIBIT "A"



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

---

October 15, 2012

City of Chattanooga  
1250 Market Street  
Chattanooga, TN  
37402

Property - Wilcox Blvd  
Chattanooga, Tenn 37404  
Borrower - OWNER: Robert Graham  
File No. - 147AA12  
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 :

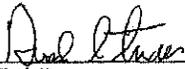
\$875

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. 147AA12

IDENTIFICATION	Borrower <b>OWNER: Robert Graham</b>	Census Tract	Map Reference <b>147A-A-012</b>
	Property Address <b>Wilcox Blvd</b>	City <b>Chattanooga</b>	County <b>Hamilton</b>
	Legal Description <b>Lot Part 6 North Crest Terrace PB 9 PG 29</b>	State <b>Tenn</b>	Zip Code <b>37404</b>
	Sale Price \$ _____ Date of Sale _____ Loan Term _____ yrs.	Property Rights Appraised <input checked="" type="checkbox"/> Fee <input type="checkbox"/> Leasehold <input type="checkbox"/> De Minimis PUD	
	Actual Real Estate Taxes <b>\$68.50</b> (yr.)	Loan charges to be paid by seller \$ _____	Other sales concessions _____
	Lender/Client <b>City of Chattanooga</b>	Address <b>1250 Market Street, Chattanooga, TN, 37402</b>	
Occupant <b>Vacant</b>	Appraiser <b>Donald L. Tindell</b>	Instructions to Appraiser <b>Estimate Value of Temporary Construction Easement</b>	

NEIGHBORHOOD	Location	<input checked="" type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Employment Stability</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Employment</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Shopping</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Convenience to Schools</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Public Transportation</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Recreational Facilities</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Adequacy of Utilities</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Property Compatibility</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Protection from Deleterious Conditions</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Police and Fire Protection</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>General Appearance of Properties</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Appeal to Market</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recreational Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequacy of Utilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Protection from Deleterious Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Employment Stability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Convenience to Employment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Convenience to Shopping	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Convenience to Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Adequacy of Public Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Recreational Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Adequacy of Utilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
	Protection from Deleterious Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>																																																											
Police and Fire Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																													
General Appearance of Properties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																													
Appeal to Market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																													
Built Up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%																																																														
Growth Rate	<input type="checkbox"/> Fully Dev.	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Steady																																																														
Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining																																																														
Demand/Supply	<input type="checkbox"/> Shortage	<input checked="" type="checkbox"/> In Balance	<input type="checkbox"/> Over Supply																																																														
Marketing Time	<input type="checkbox"/> Under 3 Mos.	<input checked="" type="checkbox"/> 4-6 Mos.	<input type="checkbox"/> Over 6 Mos.																																																														
Present Land Use	<b>85</b> % 1 Family <b>3</b> % 2-4 Fam <b>2</b> % Apts. _____ % Condo <b>5</b> % Commercial																																																																
Change in Present Land Use	<input checked="" type="checkbox"/> Not Likely	<input type="checkbox"/> Likely (?)	<input type="checkbox"/> Taking Place (?)																																																														
Predominant Occupancy	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<b>5</b> % Vacant																																																														
Single Family Price Range	<b>\$ 25,000</b> to <b>\$ 350,000</b>	Predominant Value <b>\$ 85,000</b>																																																															
Single Family Age	<b>1</b> yrs. to <b>80</b> yrs.	Predominant Age <b>45</b> 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.

SITE	Dimensions <b>115'x655' IRR</b>	Area <b>24,880 sqft/-</b>	<input type="checkbox"/> Corner Lot
	Zoning Classification <b>R-1</b>	Present Improvements <input checked="" type="checkbox"/> do <input type="checkbox"/> do not conform to zoning regulations	
	Highest and best use: <input checked="" type="checkbox"/> Present use <input type="checkbox"/> Other (specify) _____		
	Elec. <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other (Describe) _____	OFF SITE IMPROVEMENTS	Topo <b>Gentle to a steep slope</b>
	Gas <input checked="" type="checkbox"/> _____	Street Access: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	Size <b>Typical for the area</b>
	Water <input checked="" type="checkbox"/> _____	Surface <b>Asphalt</b>	Shape <b>Irregular</b>
	San. Sewer <input checked="" type="checkbox"/> _____	Maintenance: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	View <b>Neighborhood</b>
	<input type="checkbox"/> Underground Elect. & Tel.	<input checked="" type="checkbox"/> Storm Sewer <input checked="" type="checkbox"/> Curb/Gutter	Drainage <b>Adequate</b>
		<input type="checkbox"/> Sidewalk <input checked="" type="checkbox"/> Street Lights	Is the property located in a HUD identified Special Flood Hazard Area? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
			Comments (favorable or unfavorable including any apparent adverse easements, encroachments or other adverse conditions) <u>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 1,750 sf and will be utilized for access for core drilling.</u>

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.

MARKET DATA ANALYSIS	ITEM	Subject Property	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
	Address	Wilcox Blvd Chattanooga, Tenn	4712 Midland Pike Chattanooga, Tn 37411	Alta Vista Drive Chattanooga, Tn 37411	111 North Crest Road Chattanooga, Tn 37404
	Proximity to Subj.				
	Sales Price	\$ _____	\$ 9,500	\$ 13,000	\$ 21,000
	Price	\$ _____	\$ _____	\$ _____	\$ _____
	Data Source	Inspection	Tax Records/MLS	Tax Records/MLS	Tax Records/MLS
	Date of Sale and Time Adjustment	DESCRIPTION Oct. 2012	DESCRIPTION 02/23/2012	DESCRIPTION 09/29/2011	DESCRIPTION 08/15/2012
	Location	Average	Average	Average	Average
	Site View	Average	Average	Average	Average
	Site Area	24,880 sqft/-	10018 sf	18000 sf	14810 sf
	Zone	R-1	R-1	R-1	R-1
	Topo	Sloping	Level	Sloping	Sloping
	Sales or Financing Concessions		Conv. sale None known	Conv. sale None known	Cash sale None known
	Net Adj. (Total)		Plus Minus \$	Plus Minus \$	Plus Minus \$
	Indicated Value of Subject		Gross 0.0% Net 0.0% \$ 9,500	Gross 0.0% Net 0.0% \$ 13,000	Gross 0.0% Net 0.0% \$ 21,000

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.

RECONCILIATION	Final Reconciliation: <u>Due to the subject being unimproved, only the sales comparison approach has been considered and evaluated. The subject's temporary construction easement contains 1,750 sf, the estimated value is \$1.00 psf, therefore 1,750 sf times \$1.00 psf equals \$1,750 times 50% (temp. constr. easement) equals \$875.00.</u>
	I ESTIMATE THE MARKET VALUE AS DEFINED, OF SUBJECT PROPERTY AS OF Oct. 8 2012 to be \$875
	Appraiser(s) <u>Donald L. Tindell</u>
	Signature <u>Donald L. Tindell</u>
	Name <b>Donald L. Tindell</b> Date <b>10/15/2012</b>
State <b>TN</b> License <input checked="" type="checkbox"/> Certification # <b>181</b>	
Review Appraiser (if applicable) <input type="checkbox"/> Did <input type="checkbox"/> Did Not Physically Inspect Property	
Signature _____ Date _____	
Name _____ State _____ License <input type="checkbox"/> Certification # _____	

USPAP COMPLIANCE ADDENDUM

Borrower or Owner **OWNER: Robert Graham**  
 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 MLS 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: Robert Graham		
Property Address	Wilcox Blvd		
City	Chattanooga	County	Hamilton
State	Tenn	Zip Code	37404
Lender or Client	City of Chattanooga		

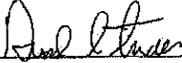
## DEFINITION OF INSPECTION:

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:   
 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

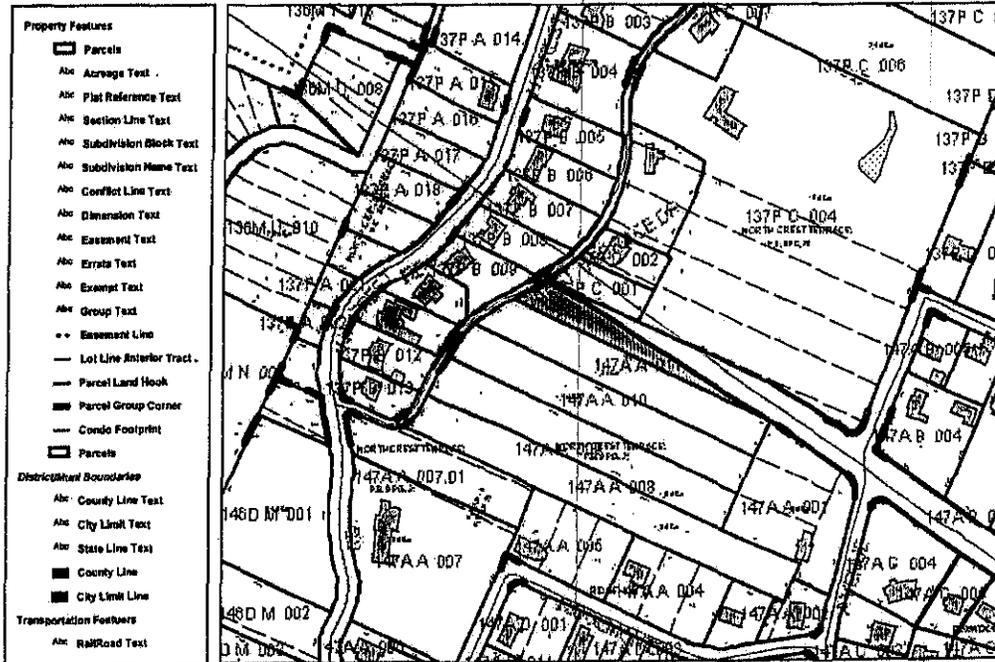
## SUPERVISORY APPRAISER (ONLY IF REQUIRED):

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

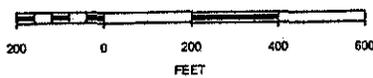
# SITE PLAN

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

## Hamilton County, Tennessee

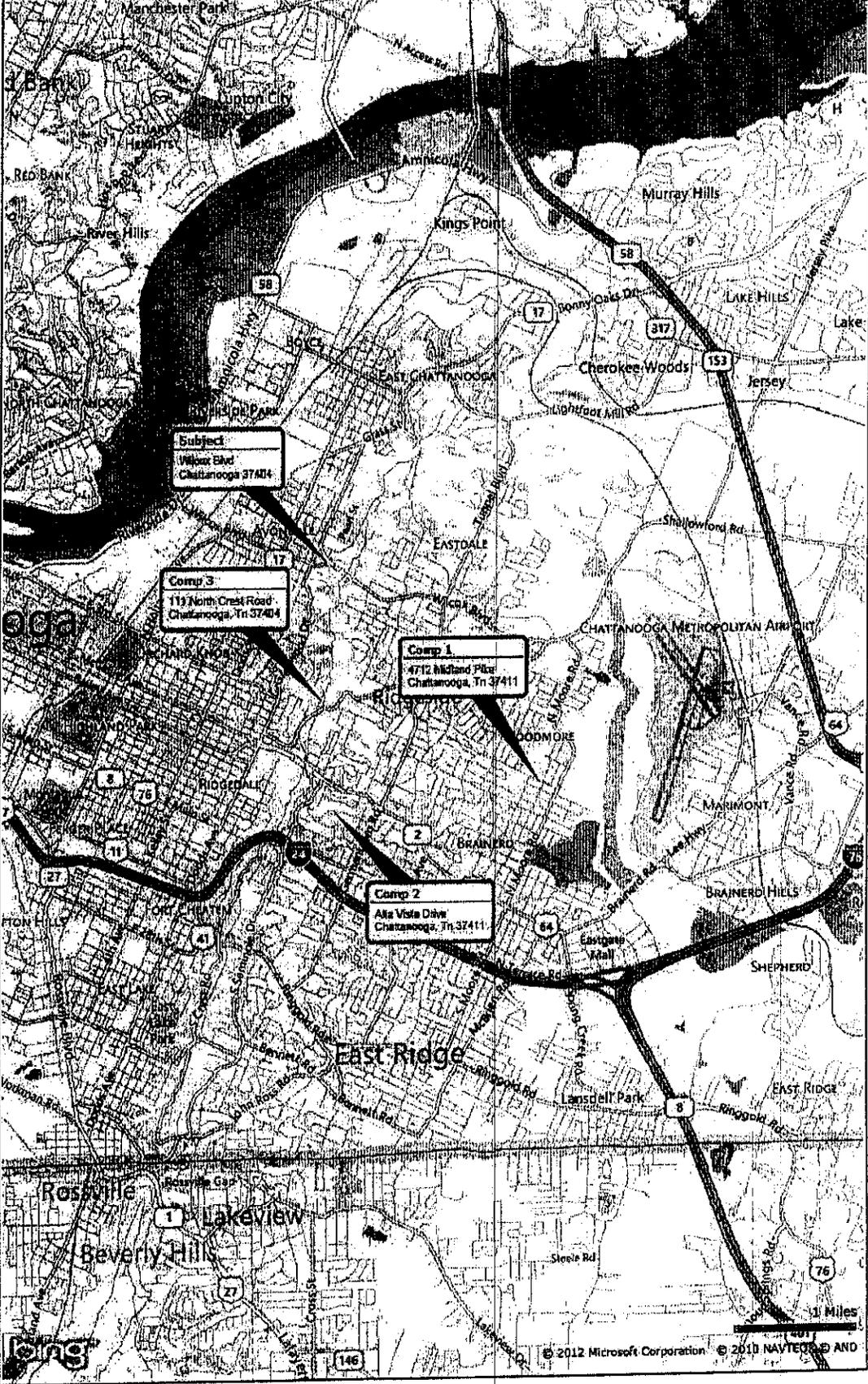


SCALE 1 : 3,537



Location Map

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



# FLOOD MAP

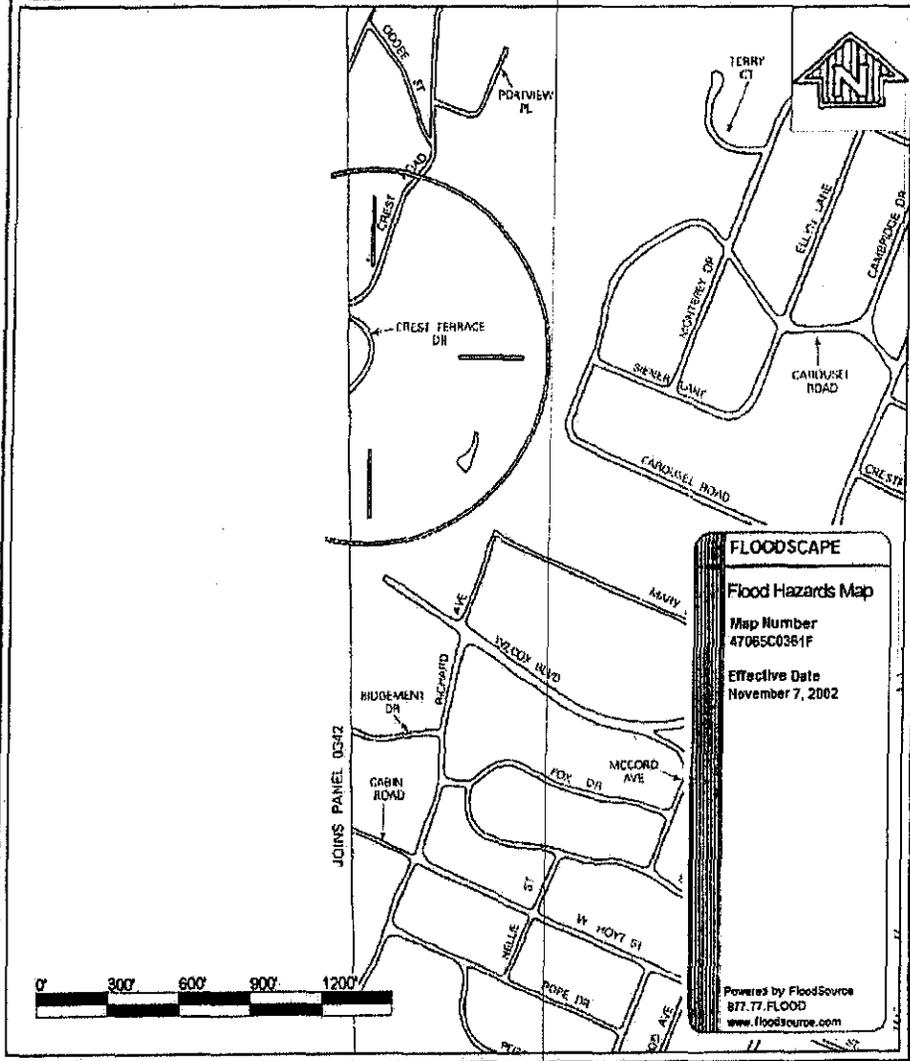
Borrower or Owner <b>OWNER: Robert Graham</b>				
Property Address <b>Wilcox Blvd</b>				
City <b>Chattanooga</b>	County <b>Hamilton</b>	State <b>Tenn</b>	Zip Code <b>37404</b>	
Client <b>City of Chattanooga</b>				

9/7/12

Your InterFlood map

**InterFlood**  
by a la mode  
www.interflood.com • 1-800-252-6633

Prepared for:  
Donald Tindell Inc.  
Crest Terrace Dr  
Chattanooga, TN



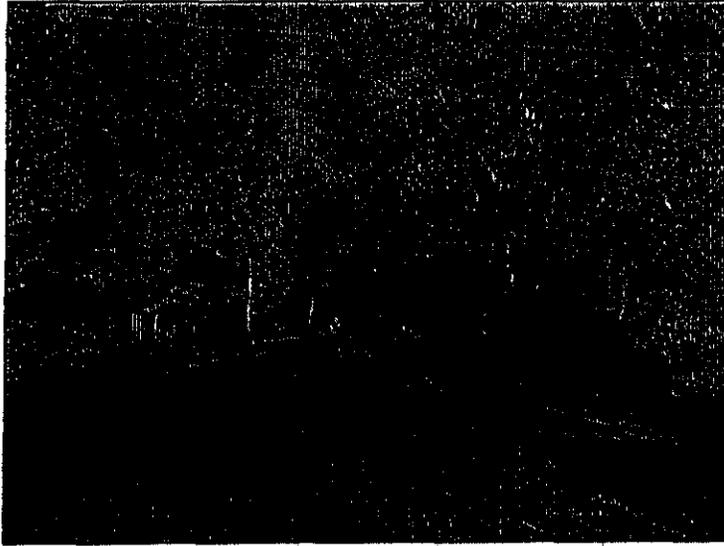
© 1999-2012 SourcePress and/or FloodSource Corporation. All rights reserved. Patents 6,631,326 and 6,676,515. Other patents pending. For info: info@floodsource.com.

[https://www.interflood.com/show\\_map.asp?r=http://floodmap.alamode.com:8080/FloodScopeImage/c...](https://www.interflood.com/show_map.asp?r=http://floodmap.alamode.com:8080/FloodScopeImage/c...)

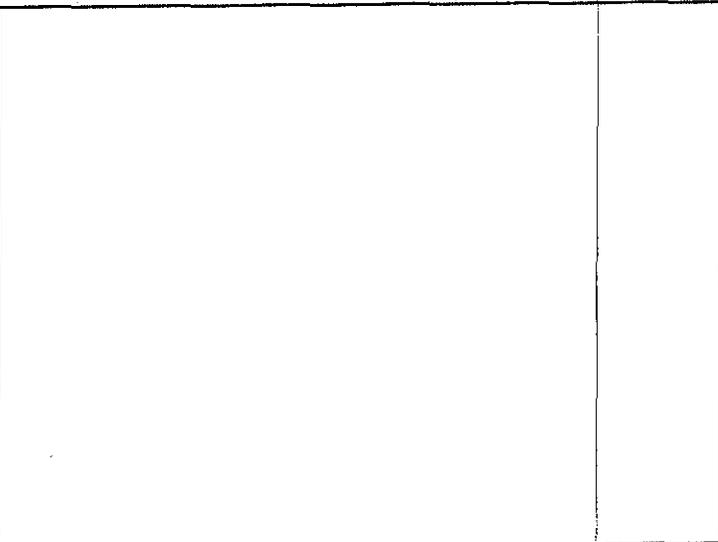
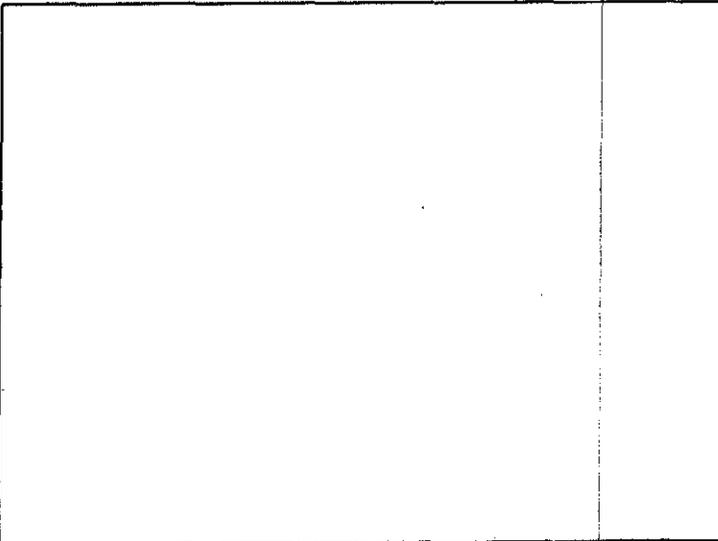
2/2

PHOTOGRAPH ADDENDUM

Borrower or Owner <b>OWNER:Robert Graham</b>	
Property Address <b>Wilcox Blvd</b>	
City <b>Chattanooga</b>	County <b>Hamilton</b> State <b>Tenn</b> Zip Code <b>37404</b>
Client <b>City of Chattanooga</b>	



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.

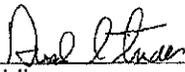
**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

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