

MR-2012-095  
City of Chattanooga  
c/o Bill Payne

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CLOSING AND ABANDONING OF A PORTION OF THE BUCKLEY STREET RIGHT-OF-WAY BETWEEN CHAMBERLAIN AVENUE AND DUNCAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That a portion of the Buckley Street right-of-way between Chamberlain Avenue and Duncan Avenue, more particularly described herein, and as shown on the maps attached hereto and made a part hereof by reference, be and is hereby closed and abandoned:

All that part of Lot 26, Block 5, Chamberlain Avenue Land Company's Addition to Highland Park, not currently part of the McCallie @ Bailey Eastbound On Ramp right-of-way and being part of the property described in Deed Book 1225, Page 581, ROHC. Tax Map No. 146N-F-012 (part).

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

\_\_\_\_\_, 2013.

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_, 2013

/ss

\_\_\_\_\_  
MAYOR

# City of Chattanooga



## Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: January 11, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

### Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): \_\_\_\_\_ District 7

A City Council Action is requested to approve the abandonment of a portion of the Buckley Street right-of-way between Chamberlain Avenue and Duncan Avenue as shown on the attached and as referenced in Case No. MR-2012-095, with Comcast, AT&T and the City of Chattanooga to retain as easement for the full width.

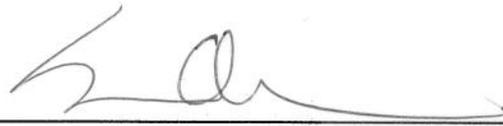
Name of Vendor/Contractor/Grant, etc.	N/A	New Contract/Project? (Yes or No)	N/A
Total project cost \$	N/A	Funds Budgeted? (YES or NO)	N/A
Total City of Chattanooga Portion \$	N/A	Provide Fund	N/A
City Amount Funded \$	N/A	Provide Cost Center	N/A
New City Funding Required \$	N/A	Proposed Funding Source if not budgeted	N/A
City's Match Percentage %	N/A	Grant Period (if applicable)	N/A

### 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: 

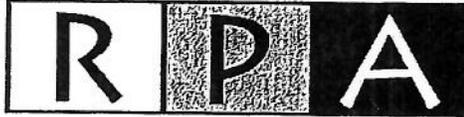
Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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

City Sewer line  
Crossing on-ramp  
to Buckley St.  
then north.





REGIONAL PLANNING AGENCY  
DEVELOPMENT RESOURCE CENTER  
DEVELOPMENT SERVICES 1250 MARKET ST.  
Chattanooga, Tennessee 37402  
423-668-2287

Dear Property Owner:

This notice is sent to you as a courtesy to inform you that an application has been made for a change in your neighborhood. A description of the proposed change is included below.

This notice does not require action on your part, nor is it a summons. However, if you wish to support or oppose the proposed change, you may want to attend a public hearing to be held by the Chattanooga-Hamilton County Regional Planning Commission.

The hearing will take place at **1:00 p.m. In County Commission Room, Hamilton County Court House, 4<sup>th</sup> Floor, 625 Georgia Avenue, Chattanooga, Tennessee.**

The Planning Commission recommendation will be sent to the local government having jurisdiction, for their action.

**Schedules of when cases will be heard by local governments (if not deferred at Planning Commission)**

**City of Chattanooga: Second Tuesday of the following month, 6:00 p.m. (closures will be placed on agenda by the City Engineers Office)**

**Hamilton County: Third Wednesday of the following month, 9:30 a.m.**

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**DATE OF PUBLIC HEARING: August 13<sup>th</sup>, 2012**

**TIME: 1:00 PM**

**LOCATION:** County Commission Room, 4<sup>th</sup> Floor  
Hamilton County Court House  
625 Georgia Avenue  
Chattanooga, Tennessee 37402

**CASE NO. MR 2012-095**

**JURISDICTION: Chattanooga**

**APPLICANT:** City of Chattanooga/Real Property/Gail Hart

**CONTACT NAME: Gail Hart**

**Phone Number: 423-425-7821**

**TYPE OF CHANGE: Surplus Property for Conveyance**

(Public Works/Bill Payne/ wanted to be sure there were no Utilities located within these property lines)

Phone number for Mr. Payne is 423-643-6160

**LOCATION: 2407 Duncan Avenue (Part of)**

**(SEE MAP ON REVERSE SIDE)**

**(This case was previously heard by Planning Commission)**

# Special Request Form

Print Form

Chattanooga-Hamilton County



Regional Planning Agency

1250 Market Street  
Suite 2000  
Development Resource Center  
Chattanooga, Tennessee  
37402  
Phone: 423-668-2287  
Fax: 423-668-2289  
www.chcrpa.org

Office Use Only

Case Number: MR 2012-095

Date Submitted: 07-02-2012

Planning District: 8B

County District: 6

City District: 7

Jurisdiction: Chattanooga

Neighborhood: Ridgedale Community

Staff Action:

PC Action/Date:

Legis. Action/Date:

**Special Exceptions Permit for Planned Unit Development (P.U.D.)**

Acreage: \_\_\_\_\_ Density: \_\_\_\_\_  Preliminary  Residential  Institutional

Final  Both

P.U.D. Name: \_\_\_\_\_

**Other Special Permits**  **Mandatory Referral**  **Conditions of a Previous Action**

Special  Exceptions  Acquisition  Surplus  Lift  Amend

Conditional  Other  Resolution/Ordinance No. \_\_\_\_\_

Use: \_\_\_\_\_ For Conveyance \_\_\_\_\_ Previous Case No. \_\_\_\_\_

Property Location / Information			
Address: 2407 Duncan Avenue (Part of)	Tax Map No. 146N-F-012 (Part of)	Current Zone: R-4 & R-2	
Current Use: Traffic Barrier	Adjacent Uses: Traffic Roadways		
Proposed Development or Use:	To Declare the triangular portion as Surplus for Conveyance in order to clear up Title		

**Applicant Information**

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc.).

- Property Owner  Architect  Engineer  Optionee  Purchaser of Property  Trustee
- Other:

Name	City of Chattanooga Real Property Division-Gail Hart		
Address:	100 E. 11th Street		
City	Chattanooga	State:	TN
Zip Code:	37402		
Daytime Phone:	423-425-7821		
Cell Phone:			
Other Phone:			
Email:	hart_g@chattanooga.gov		
Fax:	423-757-5079		

Name:	Same
Address:	
Phone:	

**CHECKLIST (OFFICE USE ONLY)**

<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Deeds for property to be rezoned
<input checked="" type="checkbox"/> Ownership Verification (Tax Map Printout, Letter)	Deed Book: 1225-581
<input checked="" type="checkbox"/> Map showing property to be rezoned.	<input checked="" type="checkbox"/> Copy of Plats, if applicable
<input type="checkbox"/> Site Plan, if applicable	Plat Book/Page: 3-14
<input checked="" type="checkbox"/> Total acres to be considered: 0.10	<input checked="" type="checkbox"/> Notice Signs How Many? 1
<input type="checkbox"/> Filing Fee: N/A	<input type="checkbox"/> Cash Check No.

Accepted by: Marcia P & Hugh F Date: 07-02-2012

RESOLUTION

WHEREAS, City of Chattanooga Real Property Office/Gail Hart petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga to grant approval of a Mandatory Referral pursuant to T.C.A. 13-4-104 to declare surplus to clear up title, part of a property located at 2407 Duncan Avenue.

All that part of Lot 26, Block 5, Chamberlain Avenue Land Company's Addition to Highland Park, not currently part of the McCallie @ Bailey Eastbound On Ramp right-of-way and being part of the property described in Deed Book 1225, Page 581, ROHC. Tax Map 146N-F-012 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 13, 2012,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on August 13, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral to declare surplus to clear up title be approved.

Respectfully submitted,



John Bridger  
Secretary

**Parker Marcia**

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**From:** Dodd Pattie  
**Sent:** Wednesday, October 10, 2012 11:14 AM  
**To:** Parker Marcia  
**Cc:** Haynes Greg  
**Subject:** Message from Harold Hyde of Chattanooga Gas ( RE: PC Case 2012-095)

Marcia,  
Please put this info in your utility notification file and forward to Engineering when all other info has been received.

Thanks!

*Pattie Dodd, Planner  
Regional Planning Agency  
Development Services  
(423) 643-5916*

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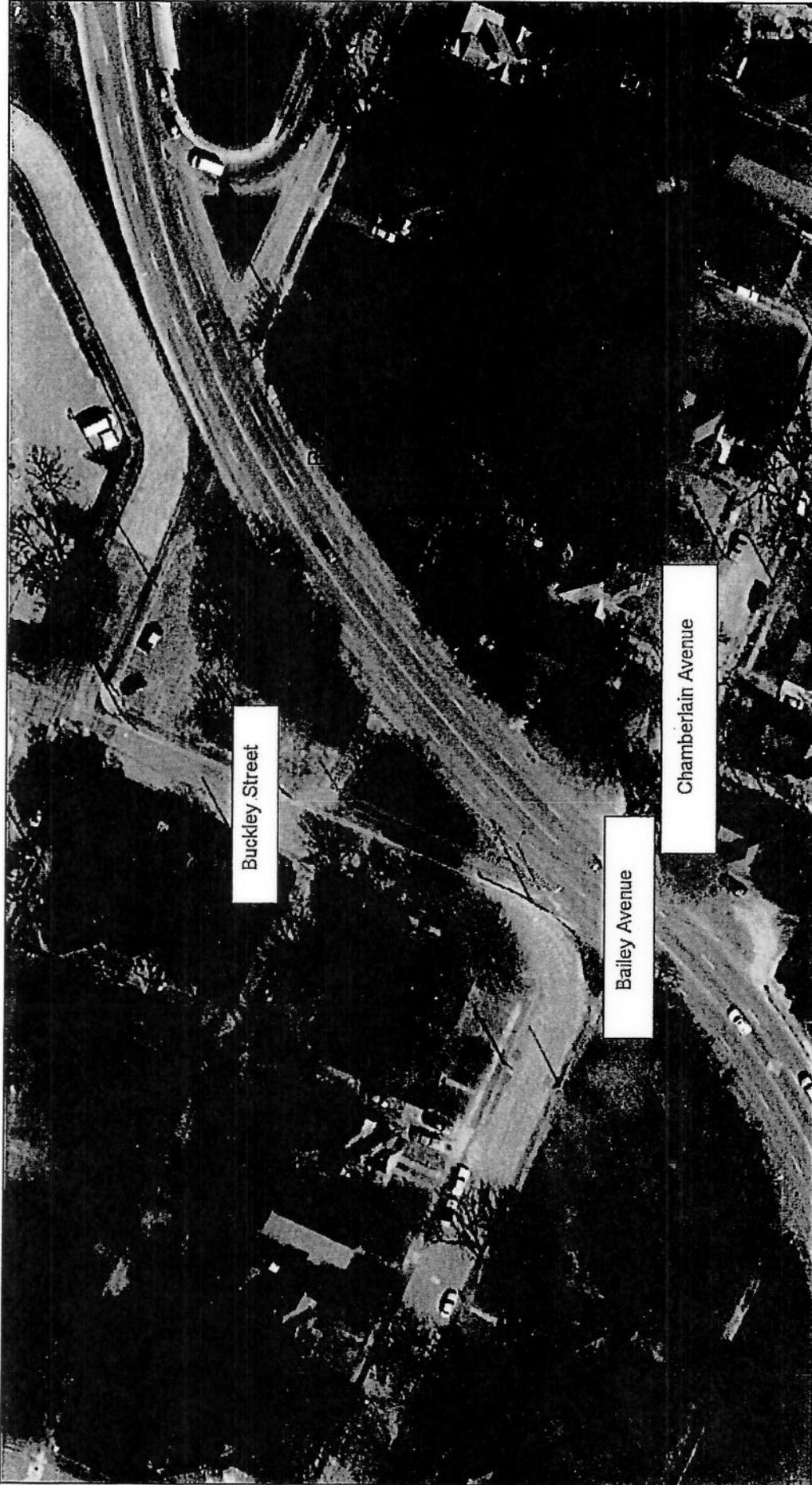
**From:** Hart, Gail  
**Sent:** Tuesday, October 09, 2012 8:25 AM  
**To:** Bridger John; Rennich Karen; Dodd Pattie  
**Subject:** Message from Harold Hyde of Chattanooga Gas

When I returned from RPA on Monday, I had a message from Harold Hyde of Chattanooga Gas; please see that his message is forwarded to the correct personnel on your staff.

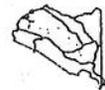
Mr. Hyde said that he was calling in regards to a RPA request that was sent about Chamberlain Avenue at Bailey Avenue and Buckley Street. Mr. Hyde said that as long as it is existing private property, they don't have a claim to it and don't have anything on it, but they do have a gas main that is on the North side of Chamberlain Avenue between the sidewalk and the curb that does go under Bailey Avenue to serve the East and West side of Chamberlain Avenue East and West of Bailey Avenue. If you have any questions about the message, please call Harold Hyde at 490-4262.

Thanks

**Gail Hart**  
Real Property Coordinator  
City of Chattanooga  
423.425.7821 (Office)  
423.757.5079 (Fax)  
hart\_g@chattanooga.gov



MR-2012-0095 Declare Surplus for Conveyance



80 ft



Chattanooga Hamilton County Regional Planning Agency



AT&T - Southeast  
300 East M. L. King Blvd.  
Chattanooga, TN 37403

T: (423)752-9018  
F: (423)267-0120  
www.att.com

October 15, 2012

Mr. Greg L. Haynes, Director  
Chattanooga-Hamilton County Regional Planning Agency  
Development Resource Center  
1250 Market Street, Suite 2000  
Chattanooga, TN 37402

RE: Closures and Abandonment Case Numbers MR2012-095

Dear Mr. Haynes:

In regards to Case Number MR2012-095 for the November 13, 2012, Planning Commission Meeting Agenda, AT&T Southeast cannot agree to closure since facilities are in these areas. Please reserve any existing or future utility easements inside the proposed abandonment areas.

If additional information is needed, please contact me at 752-9018.

Thank You,

  
Shaun Prigmore  
Area Manager OSP Planning & Engineering Design

cc: RPC File

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Comcast Cable  
2030 E Polymer Drive, P.O. Box 182249  
Chattanooga, TN 37422

October 24, 2012

Regional Planning Agency  
1250 Market Street  
Suite 2000 Development Resource Center  
Chattanooga, Tennessee 37402

RE:Case # 2012-095, 2012-150

Dear Marcia:

Comcast does not concur to the closure case(s). Comcast has active service, on a portion of the proposed closure. Comcast would agree to the closure if an alternate route was provided and the rerouting of existing plant was performed at no cost to Comcast.

Sincerely,

*Mike Schlote*

Mike Schlote  
Construction Coordinator

# Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-095		<input checked="" type="checkbox"/>

Comcast cable  
Mike Schlotz

\* Comments forthcoming

# Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-095	<input checked="" type="checkbox"/>	
RETAIN 20' SANITARY SERVICE GASSEBUT ON NORTH LIMIT IN ALLEY		

City Engineer  
Bill Taylor

\* Comments forthcoming

# Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
* 2012-095		<input checked="" type="checkbox"/>

Bill South  
San mount

\* Please reserve any existing  
or future utility easements  
inside the proposed abandonment  
Areas.

\* Comments forthcoming

# Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-095		<input checked="" type="checkbox"/>
OK Per Phone 10-22-12 Robbie Harvey		

In American water co.  
Robbie Harvey

\* Comments forthcoming



Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-095	RH	

\* Comments forthcoming

East Fire Dept.  
Randall Haven

Dept. of Transportation  
Ackie White

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-095	<input checked="" type="checkbox"/>	

\* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-095	<input checked="" type="checkbox"/>	

\* Comments forthcoming

Dept. of Transportation  
Ray Rucker