

First Reading: _____
Second Reading: _____

MR-2013-032
Jack P. Reid/Stuart L. Myers/Patricia A. Lowry

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING OF TWO
(2) SEWER EASEMENTS WITHIN THE PROPERTY LINES
OF 2907 BRALY PLACE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That two (2) sewer easements within the property lines of 2907 Braly Place, 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 portions of the easements of Sewer Lines #50150 and #52113 which are shown within Lot 4, Final Plat of River Knoll at Braly Place, Plat Book 53, Page 72, ROHC. Tax Map No. 118O-A-003.08 (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: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

City of Chattanooga



Resolution Request Form

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

Date: May 29, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

A City Council Action is requested to approve the request of Mandatory Referral for the abandonment of two sewer easements within the property lines of 2907 Braly Place, as referenced in Case No. 2013-032.

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: DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE
Please submit completed form to @budget, City Attorney and City Finance Officer



Abandonment Case 2013-032

S1180018

S1180017

S1180016

S1180094

S1180093

S1180095

2911

2912

2904

2907

2903

2900

2904

2836

2834

2832

OZARK RD

BRALY PL

APPROVED FOR RECORDING
 CHATTANOOGA COUNTY HEALTH DEPT.
 BY: *[Signature]*
 DATE: 5/27/1984

ADDITIONAL BOOKER
 BY: *[Signature]*
 DATE: 7/19/84

CHATTANOOGA COUNTY REGISTER
 REGIONAL PLANNING COM. W. CO.
 BY: *[Signature]*
 DATE: 7/19/84

State of Tennessee
 County of Hamilton
 File filed in the
 Office on 05/27/1984
 Record in Plat Book
 No. 330 - Page 162
 SIGNED P. DARNIEK, REGISTER
 My Comm. Expires 12/31/84

SURVEYOR'S CERTIFICATION

I Certify That I have Surveyed The Property Shown Hereon, That It is a Class "A" Survey, and That the Ratio of Precision of the Unadjusted Survey Exceeds 1:10,000. This is a Class "A" Survey.

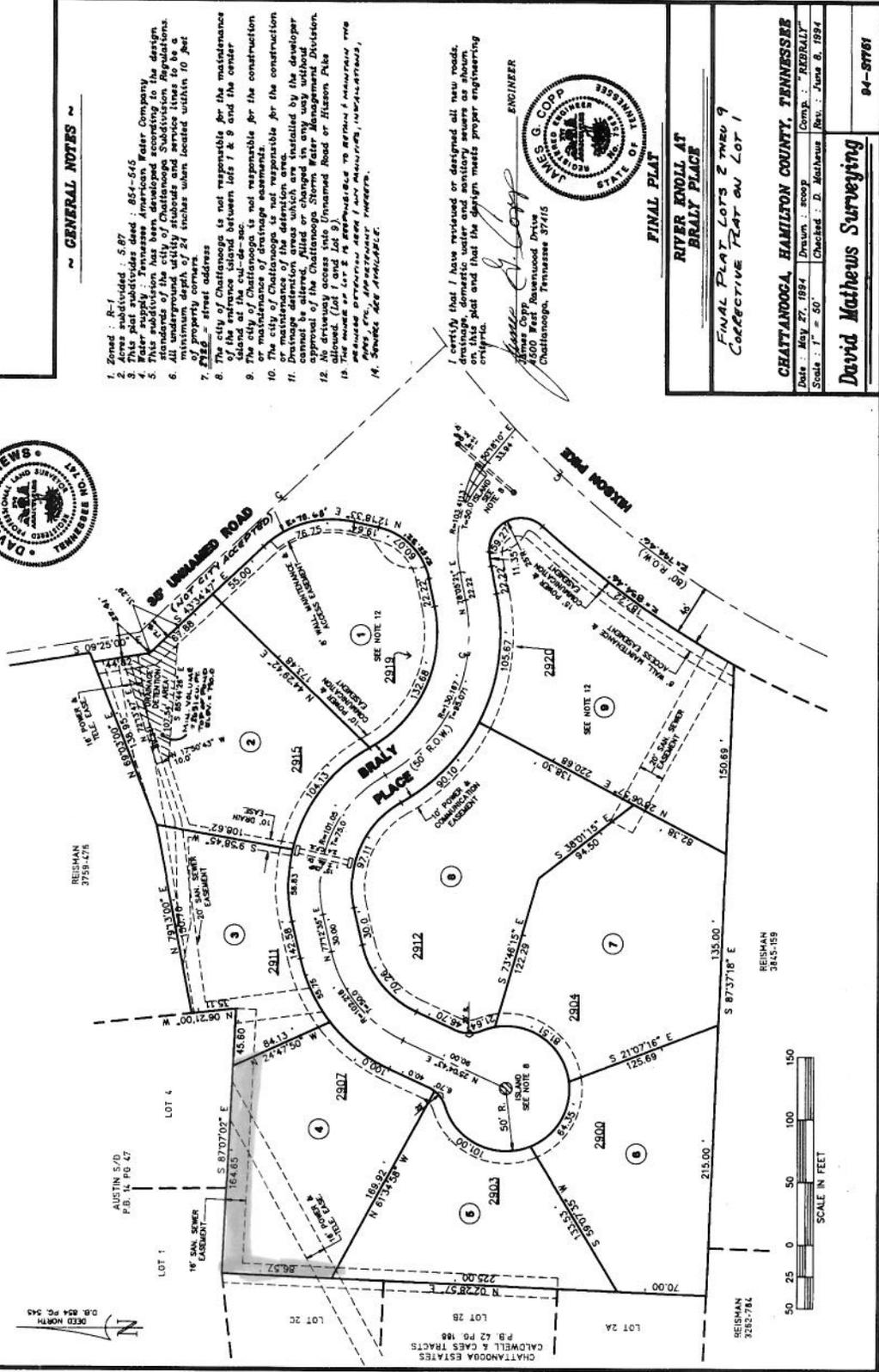
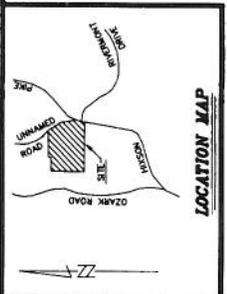
David Mathews, R.L.S., The Reg. No. 747
 1820 Hamilton Road
 Chattanooga, TN, 37413



OWNER'S CERTIFICATION

I, the Undersigned Owner/s of the Property Shown Hereon, do hereby certify that the Right-of-Way To the Public Use, Forever, and I declare that there are no encumbrances on the property dedicated.

Mary B. Brady - Living Trust
 Successor Trustee
 102 West 25th, Jr. (Trustee)
 Chattanooga, Tennessee 37402



GENERAL NOTES

1. Zoned - R-1
2. Area subdivided - 5.87
3. Plat No. 330 - Page 162
4. Water submittal was made - 05/14/84
5. This subdivision has been developed according to the design standards of the city of Chattanooga Subdivision Regulations.
6. Minimum depth of utility stubouts and service lines to a minimum depth of 24 inches when located within 10 feet of property corners.
7. 25' EASE - street address
8. The city of Chattanooga is not responsible for the maintenance of the entrance sign between lots 1 & 9 and the center of the road.
9. The city of Chattanooga is not responsible for the construction or maintenance of drainage easements.
10. The city of Chattanooga is not responsible for the construction or maintenance of drainage easements.
11. Drainage deflection areas which are installed by the developer cannot be altered, filled or changed in any way without approval of the Chattanooga Storm Water Management Division.
12. All driveway access into Unnamed Road or Hixson Pike shall be made at Lot 2. It is recommended to remain the same as shown on the site plan.
13. The use of Lot 2 is recommended to remain the same as shown on the site plan.
14. See Note 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

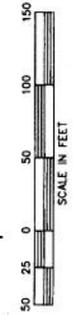
I certify that I have reviewed or designed all new roads, drainage, domestic water and sanitary sewers as shown on this plan and that the design meets proper engineering criteria.



James G. Corp
 4800 East Ravenwood Drive
 Chattanooga, Tennessee 37415

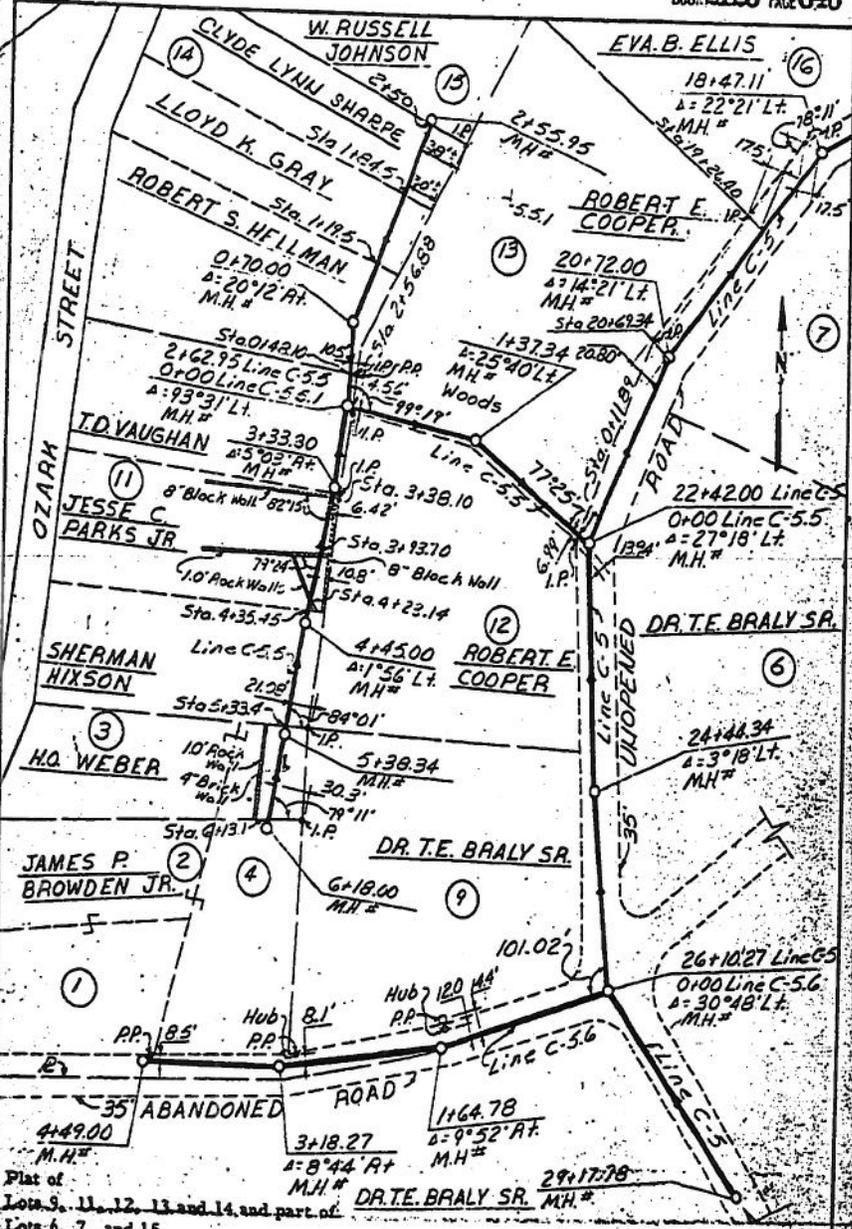
FINAL PLAN

RIVER KNOLL AT
 BRADY PLACE
 FINAL PLAN LOTS 2 THRU 9
 COLLECTIVE FEAT ON LOT 1



CHATTANOOGA, HAMILTON COUNTY, TENNESSEE
 Date: May 27, 1984 Drawn: asopy
 Scale: 1" = 50' Checked: D. Mathews Rev.: June 8, 1984

David Mathews Surveying
 84-8781



Plat of
 Lots 9, 11, 12, 13 and 14, and part of
 Lots 6, 7, and 15
 MARYCALDWELL SUBDIVISION and
 Lots 1, 2, 3 and
 AUSTIN RE. SUB.

Showing Proposed Sanitary Sewers
 CITY OF CHATTANOOGA, TENNESSEE
 Department of Public Works
 Charles A. Rose, Commissioner
 Ellis L. Spencer, City Engineer
 Hensley-Schmidt, Inc.
 Consulting Engineers
 Chattanooga, Tennessee

Scale 1" = 100'
 March 15, 1972

Drawing No. 2245-SE-28, 0

Lines C-5, C-5.5, C-5.6, C-5.7

Tentative Council Date: May 21, 2013

Right-Of-Way Closure/Abandonment Request 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 2013-032
Date Submitted: 02/06/2013
Planning District: 5
County District: 2
City District: 2
Jurisdiction: Chattanooga
Neighborhood: Stuart Heights/Rivermont Neighborhood
Staff Action:
PC Action/Date:
Legis. Action/Date:

Print Form

Closure/Abandonment Request:

Street Alley Sewer Easement Other: _____

Right-of-Way Location / Information

Name of Street or ROW: 2907 Braly Place Open Unopened

Beginning:

Ending:

Any portion of the Sewer Easement Right-of-Way located between Sewer line #50150 and #52113 and within the property lines of Lot 4, Final Plat of River Knoll at Braly Place, Plat Book 53, Page 72

Tax Map Number: 118O-A-003.08

Reason for Request/Proposed Use: The existing sewer line is not located within the boundaries of the sewer line easement shown on the plat of Lot 4, River Knoll at Braly Place

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: Surveyor

Name	Jack P. Reid
Address:	617 Walnut St
City	Chattanooga
State:	TN
Zip Code:	37402
Daytime Phone:	423-265-1969
Cell Phone:	423-265-1621
Other Phone:	
Email:	bkopet@tgt1887.com
Fax:	423-265-8855

Property Owner Information (if not applicant)	
Name:	Stuart L. Myers and Patricia A. Lowry
Address:	2907 Braly Place Chattanooga, TN 37415
Phone:	423-664-1818

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: 80177/35
<input checked="" type="checkbox"/> Map showing property to be rezoned.	<input checked="" type="checkbox"/> Copy of Plats, if applicable
<input checked="" type="checkbox"/> Site Plan, if applicable	Plat Book/Page: 53/72
<input checked="" type="checkbox"/> Total acres to be considered: 0.08	<input checked="" type="checkbox"/> Notice Signs How Many? 1
<input checked="" type="checkbox"/> Filing Fee: 350.00	<input type="checkbox"/> Cash Check No. 26921

Accepted by: Jennifer Ware Date: 02/06/2013

Right-Of-Way Closure/Abandonment Request 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
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Office Use Only

Case Number: MR 2013-032
Date Submitted: 02/06/2013
Planning District: 5
County District: 2
City District: 2
Jurisdiction: Chattanooga
Neighborhood: Stuart Heights/Rivermont Neighborhood
Staff Action:
PC Action/Date:
Legis. Action/Date:

Print Form

Closure/Abandonment Request:

- Street
 Alley
 Sewer Easement
 Other: _____

Right-of-Way Location / Information

Name of Street or ROW: 2907 Braly Place Open Unopened

Beginning: _____ **Ending:** _____

Any portion of the Sewer Easement Right-of-Way located between Sewer line #50150 and #52113 and within the property lines of Lot 4, Final Plat of River Knoll at Braly Place, Plat Book 53, Page 72

Tax Map Number: 1180-A-003.08

Reason for Request/Proposed Use: The existing sewer line is not located within the boundaries of the sewer line easement shown on the plat of Lot 4, River Knoll at Braly Place

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: Surveyor

Name	Jack P. Reid
Address:	617 Walnut St
City	Chattanooga
State:	TN
Zip Code:	37402
Daytime Phone:	423-265-1969
Cell Phone:	423-265-1621
Other Phone:	
Email:	bkopet@tgt1887.com
Fax:	423-265-8855

Property Owner Information (if not applicant)	
Name:	Stuart L. Myers and Patricia A. Lowry
Address:	2907 Braly Place
	Chattanooga, TN 37415
Phone:	423-664-1818

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: 8017/735
<input checked="" type="checkbox"/> Map showing property to be rezoned.	<input checked="" type="checkbox"/> Copy of Plats, if applicable
<input checked="" type="checkbox"/> Site Plan, if applicable	Plat Book/Page: 53/72
<input checked="" type="checkbox"/> Total acres to be considered: 0.08	<input checked="" type="checkbox"/> Notice Signs: How Many? 1
<input checked="" type="checkbox"/> Filing Fee: 350.00	<input type="checkbox"/> Cash Check No. 26921
Accepted by: Jennifer Ware	Date: 02/06/2013

Case Number: MR-2013-032

Applicant Request: Mandatory Referral- Sewer Easement Abandonment

Applicant: Jack P. Reid/Stuart Meyers & Patricia Lowry

Property Address: 2907 Braly Place

Jurisdiction: Chattanooga District 2/ Hamilton County District 2

Neighborhood: Stuart Heights

Proposed Development

Site Plan Submitted: Not required

Proposed Use: Sewer Easement not used within property lines of 2907 Braly Place

Site Characteristics

Current Zoning: R-1 Residential Zone

Current Use: Residential

Adjacent Uses: Residential

Size of Tract or 0.08 acres

PLANNING COMMISSION ACTION:
Approve

STAFF RECOMMENDATION: APPROVE

Analysis

Extension of Existing Zoning? Not applicable

Community Land Use Plan: No Land Use Plan

Proposed Use Supported by

Community Land Use Plan? Mandatory referrals not addressed in plan

Proposed Use Supported by

Comprehensive Plan? Mandatory referrals not addressed in plan

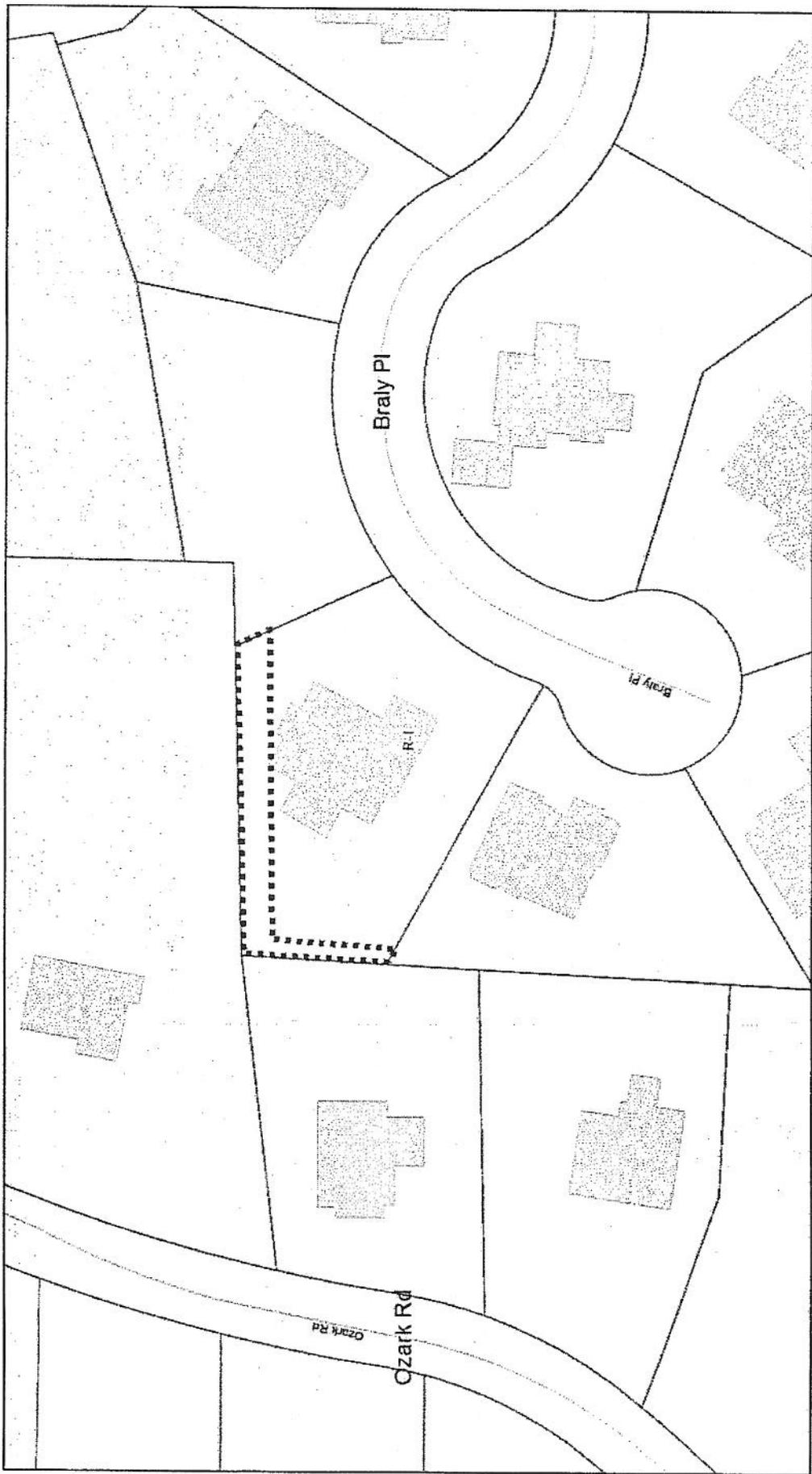
Comments

Planning Staff: **Applicant Request Overview**

The applicant is requesting the abandonment of an existing public sanitary sewer line easement. The location of the existing public sewer line (Master File Number 50150 and 5211), as determined by the surveyor, is not located within this public sanitary sewer easement.

Staff Recommendation

Staff is recommending approval. The request appears to be reasonable. City Engineering Department will have an opportunity to review the request and provide a final recommendation on the abandonment to the Chattanooga City Council.



MR 2013-032 Sewer Easement Abandonment



75 ft



Cherokee-Hamilton County Regional Planning Agency

MR-2013-032 City of Chattanooga
March 11, 2013

RESOLUTION

WHEREAS, Jack P. Reid, Stuart L. Myers and Patricia A. Lowry petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga for the abandonment of two sewer easements within the property lines of 2907 Braly Place.

All portions of the easements of Sewer Lines #50150 and #52113 which are shown within Lot 4, Final Plat of River Knoll at Braly Place, Plat Book 53, Page 72, ROHC. Tax Map 118O-A-003.08 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on March 11, 2013,

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 existing pattern of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 11, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,


John Bridger
Secretary



MR 2013-032 Sewer Easement Abandonment

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-032: Approve



75 ft



Chattanooga Hamilton County Regional Planning Agency