RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED TRANSFERRING PROPERTY TO REBOUND, LLC THAT IS A PORTION OF THE BUCKLEY STREET RIGHT-OF-WAY BETWEEN CHAMBERLAIN AVENUE AND DUNCAN AVENUE.

_____

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the Mayor to execute a quitclaim deed transferring property to Rebound, LLC that is a portion of the Buckley Street right-of-way between Chamberlain Avenue and Duncan Avenue.

ADOPTED: _____, 2013

/mms

City of Chattanooga

Resolution/Ordinance Request Form

Date Prepared: 06-26-13

Preparer: Cary Bohannon **Department:** General Services

Brief Description of Purpose for Resolution/Ordinance: **Res./Ord. #** _____ **Council District #** 9

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM DEED TRANSFERRING PROPERTY THAT IS A PORTION OF THE BUCKLEY STREET RIGHT-OF-WAY BETWEEN CHAMBERLAIN AVENUE AND DUNCAN AVENUE; PROPERTY HAS BEEN ABANDONED IN ORDINANCE 12688 ON 02-05.13

Name of Vendor/Contractor/Grant, etc.	Rebound, LLC	New Contract/Project? (Yes or No)	NO
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

Revised: 1/26/09

Questions? Contact Finance Department . 423.757.5232

1ST READING 1-29-13
2ND READING 2-5-13

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

ORDINANCE NO. 12688

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.

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

February 5, 2013.

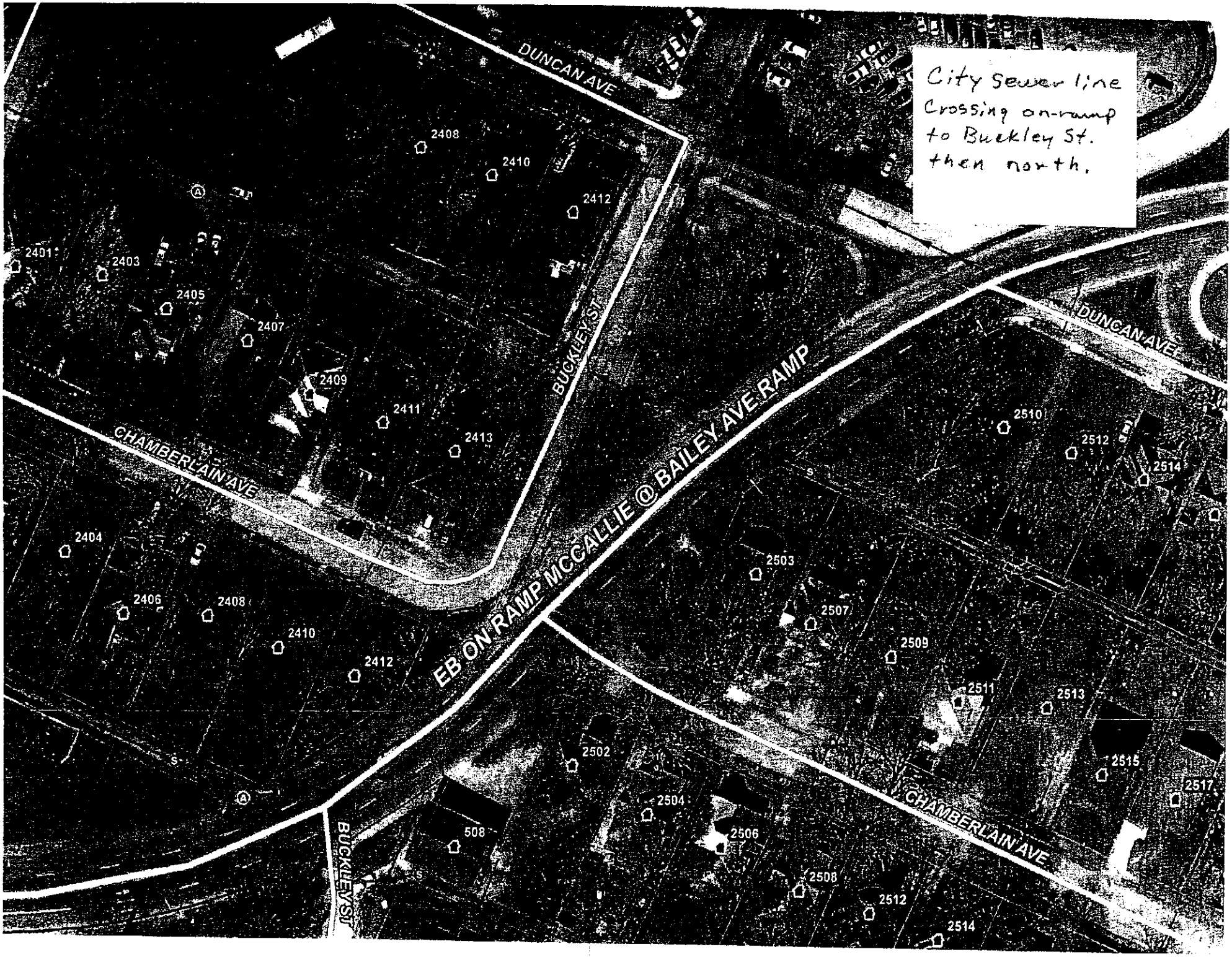
CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: 2/7, 2013

MAYOR

/ss


City Sewer line
Crossing on-ramp
to Buckley St.
then north.
DUNCAN AVE
BUCKLEY ST
CHAMBERLAIN AVE
EB ON RAMP MCCALLIE @ BAILEY AVE RAMP
2401
2403
2405
2407
2408
2409
2410
2411
2412
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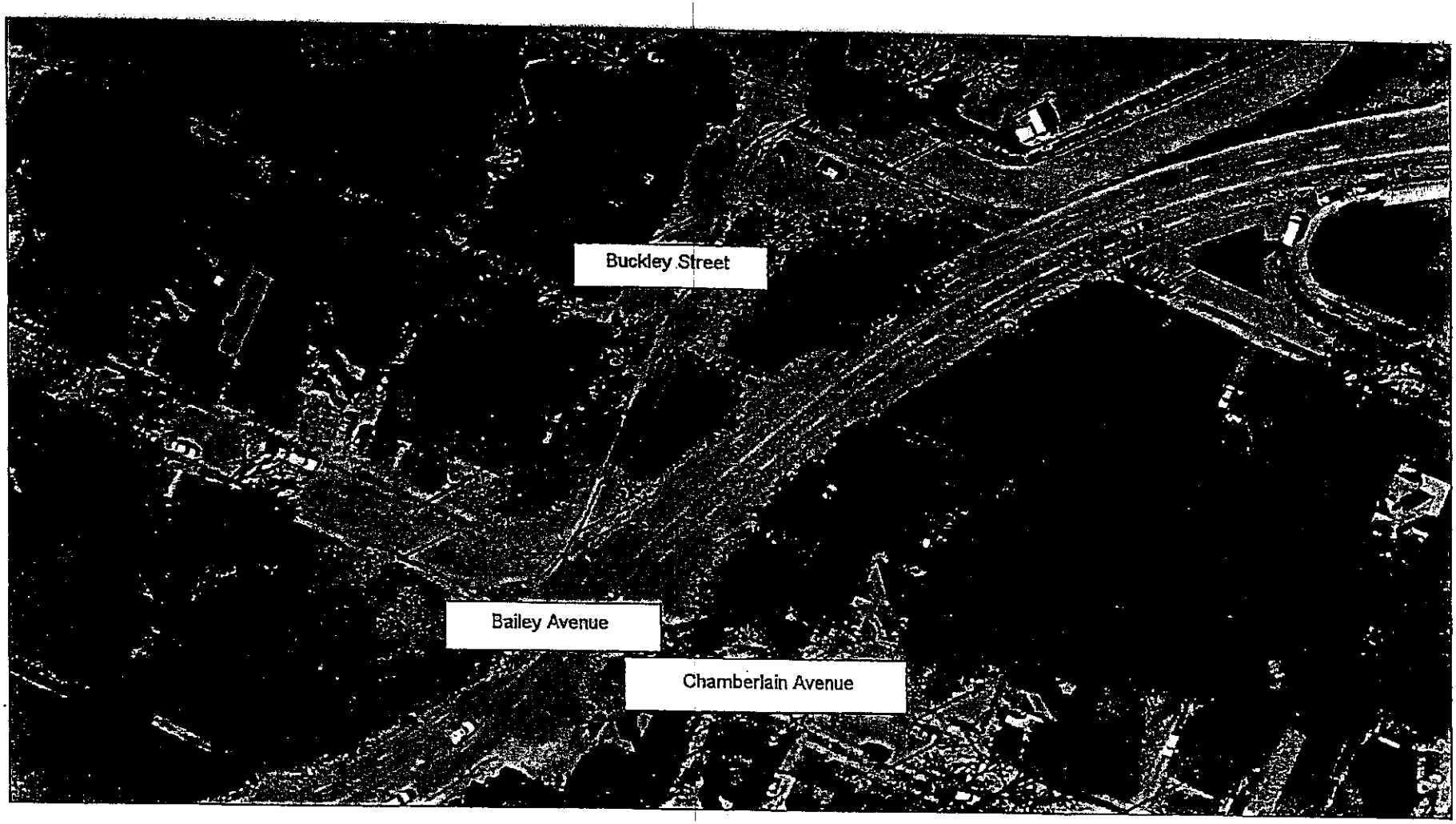

MR-2012-0095 Declare Surplus for Conveyance

80 ft

Chattanooga Hamilton County Regional Planning Agency

Chattanooga-Hamilton County
RPA
Regional Planning Agency

THIS INSTRUMENT PREPARED BY:
Chambliss, Bahner & Stophel
605 Chestnut Street, Suite 1700
Chattanooga, Tennessee 37450
Attn: Kirby Yost

Grantor and Grantee acknowledge that this deed was prepared from information furnished by them. The preparer of this instrument makes no warranty or representation as to the status of title of the property described therein, the existence or non existence of any liens, encumbrances, easements, or other encroachments, and shall have no liability for the status of the title to the property.

GRANTEE'S NAME AND ADDRESS	**MAIL TAX NOTICES TO:**	**MAP PARCEL NO.**
Rebound, LLC P. O. Box 380546 Birmingham, AL 35238	Rebound, LLC. P.O. BOX 380546 Birmingham, AL 35238	Pt. of 146N-F-012

QUITCLAIM DEED

In consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, The CITY OF CHATTANOOGA, TENNESSEE, a municipal corporation under the laws of the State of Tennessee ("Grantor"), with situs in Hamilton County, Tennessee, transfers, conveys, and quitclaims unto REBOUND, LLC, all of Grantor's right, title and interest in and to the following described real estate, located in the City of Chattanooga, Hamilton County, Tennessee, as more particularly described as follows (the "Property"):

> All that portion 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).

No assurance of title or warranty of any type, kind or nature is given by this Quitclaim Deed. Restrictions on the Property, if any, whether contained in prior title or otherwise, are not lifted or removed by this Quitclaim Deed.

Grantor executes this Quitclaim Deed pursuant to Ordinance No. 12688 adopted by the Chattanooga City Council on February 5, 2013, closing and abandoning the Property. A copy of Ordinance 12688 is attached as **Exhibit A** and incorporated into this Quitclaim Deed by reference.

The Property conveyed by this Quitclaim Deed is part of the property conveyed to Grantor by Deed recorded in Deed Book 1225, Page 586, Register's Office of Hamilton County, Tennessee.

This conveyance is subject the following: (1) all restrictions and easements of record and governmental zoning, subdivision ordinances or regulations in effect thereon; and (2) all matters as shown by recorded plat.

IN WITNESS WHEREOF, Grantor, by and through its Mayor, has hereunto set his signature, duly attested by the Real Property Coordinator, this _____ day of _____, 2013.

CITY OF CHATTANOOGA, TENNESSEE

BY: _____
ANDY BERKE
Mayor, City of Chattanooga

ATTEST:

_____
GAIL HART,
Real Property Coordinator

23572_00/1201/KWY-1591718_1

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Before me, _____, a Notary Public at large, personally appeared Andy Berke and Gail Hart, with whom I am personally acquainted, and who, upon oath, acknowledged themselves to be the Mayor and Real Property Coordinator, respectively, of the City of Chattanooga, Tennessee, the within-named Grantor, a municipal corporation, and that they, as said officials, being authorized so to do, executed and attested the foregoing instrument for the purpose therein contained by signing the name of the corporation as Mayor and attesting as Real Property Coordinator.

WITNESS my Hand and Seal at office in Chattanooga, Hamilton County, Tennessee, this _____ day of _____, 2013.

_____
NOTARY PUBLIC AT LARGE

My Commission Expires: _____

STATE OF TENNESSEE :
COUNTY OF HAMILTON :

I hereby swear and affirm that there is no consideration for this transfer, and that there is no tax due under Tennessee Code Annotated Section 67-4-409.

_____
Affiant/Grantee

Subscribed and sworn to before me this _____ day of _____, 2013.

_____
NOTARY PUBLIC AT LARGE

My Commission Expires: _____

EXHIBIT A

Ordinance No. 12688

(See attached.)