

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SANITARY SEWER EASEMENT RELATIVE TO CONTRACT NO. W-10-005, THE ESIP SANITARY SEWER PROJECT FOR TRACT NO. 11, A PORTION OF THE PROPERTY JOINTLY HELD BY THE CITY OF CHATTANOOGA AND HAMILTON COUNTY CURRENTLY KNOWN AS RAILROAD WEST.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the Mayor to execute a Sanitary Sewer Easement relative to Contract No. W-10-005, the ESIP Sanitary Sewer Project for Tract No. 11, a portion of the property jointly held by the City of Chattanooga and Hamilton County currently known as Railroad West.

ADOPTED: _____, 2013

/mms

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: July 15, 2013

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # _____ Council District #

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A City Council resolution is requested to authorize the Mayor to sign a Sanitary Sewer Easement, relative to Contract No. W-10-005, the ESIP Sanitary Sewer Project, for Tract No. 11, a portion of the property jointly held by City of Chattanooga and Hamilton County currently know as Railroad West.

Name of Vendor/Contractor/Grant, etc.	<u>City of Chattanooga</u>	New Contract/Project? (Yes or No)	<u>No</u>
Total project cost \$	<u>-</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>-</u>	Provide Fund	<u>N/A</u>
City Amount Funded \$	<u>-</u>	Provide Cost Center	<u>N/A</u>
New City Funding Required \$	<u>0</u>	Proposed Funding Source if not budgeted	_____
City's Match Percentage %	<u>0%</u>	Grant Period (if applicable)	_____

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
\$ _____	_____
_____	_____
_____	_____
_____	_____

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

Revised: 1/26/09

MAIL TAX BILL TO:
City of Chattanooga and Hamilton County
c/o Hamilton County Real Property
123 East 7th Street, 4th Floor
Chattanooga, TN 37402

THIS INSTRUMENT PREPARED BY:
Grantee: City of Chattanooga, Tennessee
Engineering Division
Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, TN 37402

(Parcel No. N/A)

Tract No. 11

SANITARY SEWER EASEMENT

IN CONSIDERATION OF ONE DOLLAR (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, I, the authorized agent of the undersigned owner (City of Chattanooga and Hamilton County) of property currently known as Railroad West and described In Deed Book 8195, Page 485 (502) in the Register's Office of Hamilton County, Tennessee, does hereby authorize the City of Chattanooga, Tennessee, a municipal corporation, to enter upon and excavate, construct, and maintain a thirty-six inch (36") sanitary sewer gravity line and necessary appurtenances as shown on Drawing No. SE-011 attached and made a part of hereof by reference, said easement being more particularly described as follows:

EASEMENT

COMMENCING at a point located on the Northern boundary of the Railroad West property, said point marks the Southeast corner of Lot 8, Bonnyshire Industrial Park as shown on plat of record in Plat Book 60, Page 15, R.O.H.C. and is located at Tennessee State Grid Coordinates of North=267,972.82 and East=2,218,765.50, coordinates based on the City of Chattanooga- Hamilton County Monument Network System (CHAM

System) North American Datum 1983 (NAD 83) all bearings are based on said system, all distances are horizontal:

THENCE North 78 degrees, 44 minutes, 14 seconds East a distance of 105.60 feet along the Northern boundary of the Railroad West property to the POINT OF BEGINNING;

THENCE North 78 degrees, 44 minutes, 14 seconds East a distance of 30.00 feet along the Northern boundary of the Railroad West property to a point;

THENCE South 10 degrees, 56 minutes, 26 seconds East a distance of 117.96 feet to a point located on the Southern boundary of the Railroad West property;

THENCE South 78 degrees, 54 minutes, 05 seconds West a distance of 30.00 feet along the Southern boundary of the Railroad West property to a point;

THENCE North 10 degrees, 56 minutes, 26 seconds West a distance of 117.87 feet to the POINT OF BEGINNING.

SAID easement being thirty feet (30') wide 15 feet on each side of the thirty-six inch (36") sanitary gravity sewer containing an area of three thousand, five hundred, thirty seven (3,537) square feet, more or less, as shown on the attached drawing SE-011.

TEMPORARY CONSTRUCTION EASEMENT

AS shown on drawing SE-011, attached, located on each side of the permanent easement and encompassing an area of four thousand, seven hundred, seventeen (4,717) square feet, more or less.

And I by these present do hereby transfer, convey, and grant unto said City a thirty foot (30') and a twenty foot (20') easement as shown on drawing SE-011, attached, on, through, under, and across the portion of said property, as shown by deed of record in Book 8195 Page 485 (502) in the Register's Office of Hamilton County, Tennessee, for said purposes.

I do hereby release and discharge said City from any and all damages and claims whatsoever resulting from such construction and maintenance, provided, however, that said City, where and when required or necessary, will restore said premises and any and

all shrubbery, fences, or walls in as near as feasible to the same condition as they were before the construction.

TO HAVE AND TO HOLD the same unto said City, its successors and assigns.
IN WITNESS WHEREOF, I the respective grantor, have hereunto subscribed my name as my free act and deed this _____ day of _____, 2013.

Andy Berke, Mayor
City of Chattanooga

STATE OF TENNESSEE:
COUNTY OF HAMILTON:

On this _____ day of _____, 2013, before me personally appeared _____ to me known and known to me to be the same person whose name is subscribed to the foregoing grant of easement, who being by me duly sworn did depose and say that he is Mayor, City of Chattanooga, Tennessee, that he is duly designated, empowered and authorized by Resolution _____ of the City Council of the City of Chattanooga, Tennessee, dated _____ to execute the foregoing grant of easement and sign his name thereto: and that he signed his name thereto and acknowledges that he executed the foregoing instrument for and on behalf of the City of Chattanooga, Tennessee, for the purposes and uses therein described.

WITNESS MY HAND and Notarial Seal in said State and County of the day and year above written.

NOTARY PUBLIC

My Commission Expires: _____

TO HAVE AND TO HOLD the same unto said City, its successors and assigns.
IN WITNESS WHEREOF, I the respective grantor, have hereunto subscribed my name
as my free act and deed this _____ day of _____, 2013.

Jim Coppinger, County Mayor
Hamilton County

STATE OF TENNESSEE:
COUNTY OF HAMILTON:

On this _____ day of _____, 2013, before me personally appeared
_____ to me known and known to me to be the same person
whose name is subscribed to the foregoing grant of easement, who being by me duly
sworn did depose and say that he is Mayor, Hamilton County, Tennessee, that he is duly
designated, empowered and authorized by Resolution _____ of the Hamilton
County Board of Commissioners, dated _____ to execute the foregoing grant of
easement and sign his name thereto; and that he signed his name thereto and
acknowledges that he executed the foregoing instrument for and on behalf of Hamilton
County, Tennessee, for the purposes and uses therein described.

WITNESS MY HAND and Notarial Seal in said State and County of the day and
year above written.

NOTARY PUBLIC

My Commission Expires: _____



LOT 8
BONNYSHIRE
INDUSTRIAL PARK
"PAVESTONE"
PB 60 PG 15

PROPOSED 36"
SANITARY SEWER

N 267,972.82
E 2,218,765.50

P.O.C.

N 78°44'14"E
105.60'

P.O.B.

30.00'

1799.3± TO HICKORY VALLEY ROAD R/W

CITY OF CHATTANOOGA
HAMILTON COUNTY
RAILROAD WEST
DB 8195 PG 485 (502)

S 78°54'05"W

30' PERMANENT SEWER
EASEMENT = 3,537± SF

TEMPORARY
CONSTRUCTION
EASEMENT = 4,717± SF

NORFOLK-SOUTHERN RAILROAD

WOODLAND PARK
BAPTIST CHURCH
DB 3875 PG 525

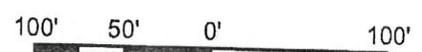
LEGEND



PERMANENT EASEMENT



TEMPORARY CONSTRUCTION
EASEMENT



SCALE: 1 INCH = 100 FEET

BWSC

BARGE
WAGGONER
SUMNER &
CANNON, INC.

110 Market Street, Suite 200 Chattanooga, Tennessee 37402
PHONE 423 756-2026 FAX 423 756-9477

CITY-COUNTY RAILROAD WEST

CITY OF CHATTANOOGA
ESIP SANITARY SEWER PROJECT
CHATTANOOGA, TENNESSEE

DRAWN BY: JWW	CHECKED BY: RDM
DRAWING NO.: SE-011	
PROJECT NO.: 35053-00	DATE: 05/10/2013