

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT TO J. F. BUTCHER FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 18, TAX MAP NO. 159B-C-002.01, FOR AN AMOUNT NOT TO EXCEED ONE THOUSAND SIX HUNDRED FOUR AND 25/100 DOLLARS (\$1,604.25).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to J. F. Butcher for a Right-of-Way Easement relative to Contract No. E-03-027, Goodwin Road Extension – Gunbarrel Road to Jenkins Road, for Tract No. 18, Tax Map No. 159B-C-002.01, for an amount not to exceed \$1,604.25.

ADOPTED: _____, 2013

/mms

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: July 12, 2013

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # _____ Council District # 4

Council approval is requested to authorize payment to J.F. Butcher, for a Right-of-Way Easement, relative to Contract E-03-027, Goodwin Road Extension - Gunbarrel Road to Jenkins Road, for Tract No. 18, property located at Tax Map No. 159B-C-002.01, in the amount not to exceed \$1,604.25.

Name of Vendor/Contractor/Grant, etc. J.F. Butcher

Total project cost \$ 1,604.25

Total City of Chattanooga Portion \$ 1,604.25

City Amount Funded \$ 1,604.25

New City Funding Required \$ _____

City's Match Percentage % _____

New Contract/Project? (Yes or No) No

Funds Budgeted? (YES or NO) No

Provide Fund 4016

Provide Cost Center K12105

Proposed Funding Source if not budgeted _____

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)

Requested in FY14 Capital Budget (General Fund)

Approved by: [Signature]

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:
J.F. Butcher
2010 Merlin Drive
Chattanooga, Tennessee 37421-2615
(TAX MAP NO. 159B C 002.01)

TRACT # 18

THIS INSTRUMENT PREPARED BY:
City of Chattanooga, Tennessee
Department of Public Works
Engineering Division
Development Resource Center
1250 Market Street
Chattanooga, Tennessee 37402

RIGHT-OF-WAY

FOR AND IN CONSIDERATION OF ONE THOUSAND SIX HUNDRED FOUR AND TWENTY FIVE HUNDRETHS DOLLARS (\$1,604.25) to be paid upon council approval the sufficiency of which is hereby acknowledged,, J.F. Butcher, the owner of Property No. 159B C 002.01 as shown on a Hunnicutt Tax Map, in the city of Chattanooga, Tennessee, does hereby give, grant, bargain, sell, and convey unto the City of Chattanooga, Tennessee, a municipal corporation, its successors and assigns, a right-of-way for public street purposes over and across the hereinafter described lands.

Said right-of-way is located in the City of Chattanooga, Hamilton County, Tennessee, and being designated as Hunnicutt Tax Map No. 159B C 002.01, as shown by deed of record in Book 8338, Page 496, and being lot 2 of Nelson on Jenkins Road Subdivision as recorded in plat book 81, page 98 in the office of the Register of Hamilton County, Tennessee. Said right-of-way being more particularly described as follows:

BEGINNING AT A POINT on the existing western right-of-way line of Jenkins Road at the northeastern property corner of City of Chattanooga, as recorded in book 8393,

Page 171 in the office of the Register of Hamilton County, Tennessee; thence North 67 degrees, 10 minutes and 18 seconds West along said property line, a distance of 32.76 feet, more or less, to a point on the proposed right-of-way; thence along said proposed right-of-way a curve to the left having a radius of 99.00 feet, a chord bearing and distance of North 50 degrees, 6 minutes and 42 seconds East, 28.13 feet, more or less, to a point on the southeastern property line of Federal National Mortgage Association at lot 1 of Nelson on Jenkins Road Subdivision as recorded in plat book 81, page 98 in the office of the Register of Hamilton County, Tennessee; thence South 67 degrees, 10 minutes and 18 seconds East along said property line, a distance of 15.37 feet, more or less, to a point on the existing western right-of-way line of Jenkins Road; thence South 12 degrees, 38 minutes and 17 seconds West along said existing right-of-way line, a distance of 25.40 feet, more or less, to the **POINT OF BEGINNING**, containing 583 square feet, or 0.013 acre, as shown on Drawing No. E03027-TRACT 18 attached and made a part of this document.

PERMANENT INGRESS/EGRESS EASEMENT

Subject to a Non-Exclusive permanent Easement for ingress and egress and for the installation and maintenance of utilities and services for the use and benefit of the owner of Property No. 159B-C-002.01 over the property of the owner of Property No. 159B-C-002 as described below and shown on the attached drawing E03027-TRACT 18. The owners of said properties served by said easements shall share equally in the expense of maintaining the driveway.

Located in the City of Chattanooga, Hamilton County, Tennessee, as shown by deed of record in Book 9852, Page 907, and being lot 1 of Nelson on Jenkins Road as recorded in plat book 81, page 98 in the office of the Register of Hamilton County, Tennessee. Said permanent ingress/egress easement being more particularly described as follows:

BEGINNING AT A POINT on the existing western right-of-way line of Jenkins Road at the southeastern property line of J.F. Butcher lot 2 of Nelson on Jenkins Road Subdivision as recorded in plat book 81, page 98 book 8338, page 496 in the office of the Register of Hamilton County, Tennessee; thence North 12 degrees, 38 minutes and 17 seconds East along said existing right-of-way line, a distance of 25.40 feet, more or less to point on the southeastern property line of Federal National Mortgage Association at lot

1 of Nelson on Jenkins Road Subdivision as recorded in plat book 81, page 98 in the office of the Register of Hamilton County, Tennessee; thence North 67 degrees, 10 minutes and 18 seconds West along said property line, a distance of 15.37 feet, more or less, to a point on the proposed right-of-way line; thence along said proposed right-of-way a curve to the left having a radius of 99.00 feet, a chord bearing and distance of North 34 degrees, 54 minutes and 54 seconds East, 24.23 feet, more or less, to a point; thence along said proposed right-of-way a curve to the left having a radius of 87.50 feet, a chord bearing and distance of North 24 degrees, 30 minutes and 13 seconds East, 13.87 feet, more or less, to a point on the permanent ingress/egress easement line; thence North 89 degrees, 31 minutes and 02 seconds West, along said permanent easement line a distance of 20.00 feet, more or less, to a point; thence South 76 degrees, 00 minutes and 56 seconds West, along said permanent easement line a distance of 50.00 feet, more or less, to a point northeastern property line of J.F. Butcher lot 2 of Nelson on Jenkins Road Subdivision as recorded in plat book 81, page 98 book 8338, page 496 in the office of the Register of Hamilton County, Tennessee; thence South 67 degrees, 10 minutes and 18 seconds East along said property line, a distance of 53.05 feet, more or less, to a point; thence South 67 degrees, 10 minutes and 18 seconds East along said property line, a distance of 15.37 feet, more or less, to a point on the existing western right-of-way line of Jenkins Road; thence South 12 degrees, 38 minutes and 17 seconds West along said existing right-of-way line, a distance of 25.40 feet, more or less, to the **POINT OF BEGINNING**, containing 1164 square feet, or 0.027 acre, as shown on Drawing No. E03027-TRACT 18 attached and made a part of this document.

TEMPORARY CONSTRUCTION EASEMENT

Also included is a temporary construction easement on said lot for the purposes of roadway and sidewalk construction and necessary appurtenances, including a reasonable working area adjacent to the sidewalk. Said temporary construction easement being more particularly described as follows:

containing 1682 square feet, or 0.039 acre, as shown on Drawing No. E03027-TRACT 18 attached and made a part of this document.

We also by these presents do hereby transfer, convey, and grant unto the City above referenced easement on, through, under, and across the portion of said property for said purposes, and we do hereby release and discharge the 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 walks, as near as is feasible, to the same conditions as they were before the construction.

TO HAVE AND TO HOLD the above-described property as a right-of-way, permanent ingress/egress and a temporary construction easement for public street purposes unto the said City and its successors in title.

IN TESTIMONY WHEREOF, the grantor has hereunto set his signature this the 11th day of July 2013.

Name J. F. Butcher

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this 11th day of July 2013, before me personally appeared C.F. BUTCHER with whom I am personally acquainted, and who upon oath acknowledged himself to be the person described in the foregoing instrument and acknowledged that he executed the same as his free act and deed.

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



James K. Gutshall
NOTARY PUBLIC

My Commission Expires: 7-4-2014



| CURVE | RADIUS | DIRECTION | CHORD BEARING | CHORD DIST. |
|-------|--------|-----------|---------------|-------------|
| C1 | 99.00' | LEFT | N50°06'42"E | 28.13' |
| C2 | 99.00' | LEFT | N34°54'54"E | 24.23' |
| C3 | 87.50' | LEFT | N24°30'13"E | 13.87' |

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N67°10'18"W | 32.76' |
| L2 | S67°10'18"E | 15.37' |
| L3 | S12°38'17"W | 25.40' |
| L4 | N12°38'17"E | 25.40' |
| L5 | N67°10'18"W | 15.37' |
| L6 | N89°31'02"W | 20.00' |
| L7 | S76°00'56"W | 50.00' |
| L8 | S67°10'18"E | 53.05' |

OWNER:
FEDERAL NATIONAL
MORTGAGE ASSOC.
C/O FANNIE MAE

18

143+00

104+00

OWNER: J. F. BUTCHER
TAX MAP NO. 159B-C-002.01
BOOK 8338, PAGE 0496 R.O.H.C.

THIS DOCUMENT WAS PREPARED
WITH DEED BOOK 8338, PAGE 0496 R.O.H.C.
AND DOES NOT CONSTITUTE A BOUNDARY
SURVEY.

PERMANENT
INGRESS/EGRESS
EASEMENT

TEMPORARY
CONSTRUCTION
EASEMENT

PROPOSED
R.O.W.

Lot 2 Nelson on Jenkins Rd.
(Plot Bk. 81 Pg. 98)
Tax Parcel 159B-C-002.01
Butcher, J. F.
(Bk. 8338 Pg. 496)

Tax Parcel 159B-C-003
City of Chattanooga
(Bk. 8393 Pg. 171)

OWNER:
CITY OF
CHATTANOOGA

103+00

EXISTING R.O.W.

POB

10' Power/
Comm. Easement

JENKINS ROAD

| TRACT NO. | OWNERSHIP | | BOOK | PAGE | RIGHT-OF-WAY REQUIRED | TEMP. CONST. ESMT. REQD. |
|--|-------------------------|-----------------|----------------------|------|-----------------------|--------------------------|
| | J. F. BUTCHER | | | | | |
| 18 | TAX MAP # 159B-C-002.01 | | 8338 | 496 | 583 S.F. .013 ACRE | 1682 S.F. .039 ACRE |
| CITY OF CHATTANOOGA DEPT. OF PUBLIC WORKS ENGINEERING DIVISION | | SCALE: 1" = 20' | DATE: MARCH 14, 2013 | | | |
| | | REVISION: | DWG. E03027-TRACT 18 | | | |