

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING PAYMENT TO CECIL BATEMAN AND INEZ O. BATEMAN FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, INTERSECTION IMPROVEMENT IGOU GAP ROAD AT JENKINS ROAD, FOR TRACT NO. 22, PROPERTY LOCATED AT 1905 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159G-A-001.01, FOR AN AMOUNT NOT TO EXCEED SIX THOUSAND DOLLARS (\$6,000.00).

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to Cecil Bateman and Inez O. Bateman for a Right-of-Way Easement relative to Contract No. E-03-027, Intersection Improvement Igou Gap Road at Jenkins Road, for Tract No. 22, property located at 1905 Jenkins Road, Chattanooga, TN 37421, Tax Map No. 159G-A-001.01, for an amount not to exceed \$6,000.00.

ADOPTED: \_\_\_\_\_, 2013

/mms

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: June 28, 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 Cecil Bateman and Inez. O. Bateman, for a Right-of-Way Easement, relative to Contract E-03-027, Intersection Improvement Igou Gap Road at Jenkins Road, for Tract No. 22, property located at 1905 Jenkins Road, Chattanooga, TN 37421, Tax Map No. 159G-A-001.01, in the amount not to exceed \$6,000.00.

Name of Vendor/Contractor/Grant, etc.	<b>Cecil Bateman &amp; Inez O. Bateman</b>	New Contract/Project? (Yes or No)	No
Total project cost \$	<u>6,000.00</u>	Funds Budgeted? (YES or NO)	No
Total City of Chattanooga Portion \$	<u>6,000.00</u>	Provide Fund	<b>4016</b>
City Amount Funded \$	<u>6,000.00</u>	Provide Cost Center	<b>K12105</b>
New City Funding Required \$	_____	Proposed Funding Source if not budgeted	_____
City's Match Percentage %	_____	Grant Period (if applicable)	_____
<b>List all other funding sources and amount for each contributor.</b>			
<u>Amount(s)</u>	_____	<u>Grantor(s)</u>	_____
<u>Agency Grant Number</u>	_____		
<u>CFDA Number if known</u>	_____		
<b>Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)</b>			
Requested in FY14 Capital Budget <i>(GENERAL FUND)</i>			
Reviewed by: FINANCE OFFICE		Approved by: <i>[Signature]</i>	
Please submit completed form to @budget, City Attorney and City Finance Officer		DESIGNATED OFFICIAL/ADMINISTRATOR	

Revised: 1/26/09

MAIL TAX BILL TO:  
Cecil Bateman &  
Inez O. Bateman, Trustees  
1905 Jenkins Road  
Chattanooga, Tennessee 37421  
(TAX MAP NO. 159G A 001.01)

TRACT # 22

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 SIX THOUSAND DOLLAR (\$6,000.00) to be paid upon council approval the sufficiency of which is hereby acknowledged, Cecil Bateman and Inez O. Bateman, Trustees, the owners of Property No. 159G A 001.01 as shown on a Hunnicutt Tax Map, in the city of Chattanooga, Tennessee, do 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. 159G A 001.01, as shown by deed of record in Book 5811, Page 537, in the office of the Register of Hamilton County, Tennessee.

Said right-of-way being more particularly described as follows:

**BEGINNING AT A POINT** at the intersection of the existing northern right-of-way line of Igou Gap Road and the existing western right-of-way line of Jenkins Road, being the southeastern property corner of Cecil Bateman & Inez O. Bateman, Trustees, as recorded in book 5811, page 537 in the office of the Register of Hamilton County, Tennessee; thence North 68 degrees, 40 minutes and 29 seconds West along said existing northern

right-of-way line of Igou Gap Road, a distance of 113.54 feet, more or less, to a point on the proposed right-of-way line; thence South 80 degrees, 26 minutes and 19 seconds East along said proposed right-of-way line, a distance of 31.53 feet, more or less, to a point; thence South 80 degrees, 26 minutes and 19 seconds East along said right-of-way line, a distance of 15.00 feet, more or less, to a point; thence along said right-of-way a curve to the left having a radius of 192.00 feet, a chord bearing and distance of South 89 degrees, 13 minutes and 7 seconds East, 37.01 feet, more or less, to a point; thence along said right-of-way a curve to the left having a radius of 27.00 feet, a chord bearing and distance of North 80 degrees, 35 minutes and 28 seconds East, 4.39 feet, more or less to a point; thence along said right-of-way a curve to the left having a radius of 92.00 feet, a chord bearing and distance of North 59 degrees, 8 minutes and 51 seconds East, 53.13 feet, more or less, to a point on the existing western right-of-way line of Jenkins Road; thence South 23 degrees, 55 minutes and 21 seconds West along said existing right-of-way line, a distance of 66.76 feet, more or less, to a point at the existing northern right-of-way corner of Igou Gap Road, said point being the **POINT OF BEGINNING**, containing 2160 square feet, or 0.050 acre, as shown on Drawing No. E03027-TRACT 22 attached and made a part of this document.

#### PERMANENT DRAINAGE EASEMENT

Also included is a permanent drainage easement on said lot for the necessary purposes of construction and maintenance of a drainage structure as shown on the aforesaid plans. Said permanent drainage easement being more particularly described as follows:

**BEGINNING AT A POINT** at the intersection of the existing northern right-of-way line of Igou Gap Road and the existing western right-of-way line of Jenkins Road, being the southeastern property corner of Cecil Bateman & Inez O. Bateman, Trustees, as recorded in book 5811, page 537 in the office of the Register of Hamilton County, Tennessee; thence North 68 degrees, 40 minutes and 29 seconds West along said existing northern right-of-way line of Igou Gap Road, a distance of 113.54 feet, more or less, to a point on the proposed right-of-way line; thence South 80 degrees, 26 minutes and 19 seconds East along said proposed right-of-way line, a distance of 31.53 feet, more or less, to a point; thence South 80 degrees, 26 minutes and 19 seconds East along said right-of-way line, a distance of 31.53 feet, more or less, to a point; thence South 80 degrees, 26 minutes and 19 seconds East along said right-of-way line, a distance of 15.00 feet, more or less, to a point on the proposed permanent drainage easement; thence along said right-of-way a curve to the left having a radius of 192.00 feet, a chord bearing and distance of South 89 degrees, 13 minutes and 7 seconds East, 37.01 feet, more or less, to a point; thence North 9 degrees, 33 minutes and 41 seconds East along said easement line, a distance of 10.00 feet, more or less, to a point; thence North 80 degrees, 26 minutes and 19 seconds West along said easement line, a distance of 15.00 feet, more or less, to a point; thence South 9 degrees, 33 minutes and 41 seconds West, along said easement, a distance of 10.00 feet, more or less, to a point on the proposed right-of-way line; thence North 80 degrees, 26

minutes and 19 seconds West along said proposed right-of-way line, a distance of 31.53 feet, more or less, to a point on the existing northern right-of-way line of Igou Gap Road; thence South 60 degrees, 40 minutes and 29 seconds East along said existing right-of-way line, a distance of 113.54 feet, more or less, to the **POINT OF BEGINNING**, containing 152 square feet, or 0.003 acre, as shown on Drawing No. E03027-TRACT 22 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 purpose, 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.

It is understood that the **MAINTENANCE RESPONSIBILITY** of all landscaping, mowing, and other aesthetic maintenance shall remain the sole responsibility of the property owner, once the City has completed the installation of the infrastructure.

#### TEMPORARY CONSTRUCTION EASEMENT

Also included is a construction easement on said lot for the necessary cut and fill slopes to bring said street to the grade shown on the aforesaid plans. Said construction easement being more particularly described as follows:

containing 1962 square feet, or 0.045 acre, as shown on Drawing No. E03027-TRACT 22 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, a permanent drainage easement, and a temporary construction easement for public street purposes unto the said City and its successors in title.

IN TESTIMONY WHEREOF, the grantors have hereunto set their signatures

this the 27 day of June 2013.

Name ✓ Cecil Bateman

Name ✓ Inez Bateman

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this 27 day of June 2013, before me personally appeared Cecil Bateman and INEZ BATEMAN with whom I am personally acquainted, and who upon oath acknowledged themselves to be the persons described in the foregoing instrument and acknowledged that they executed the same as their free act and deed.

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

  
NOTARY PUBLIC

My Commission Expires: 2-4-2014





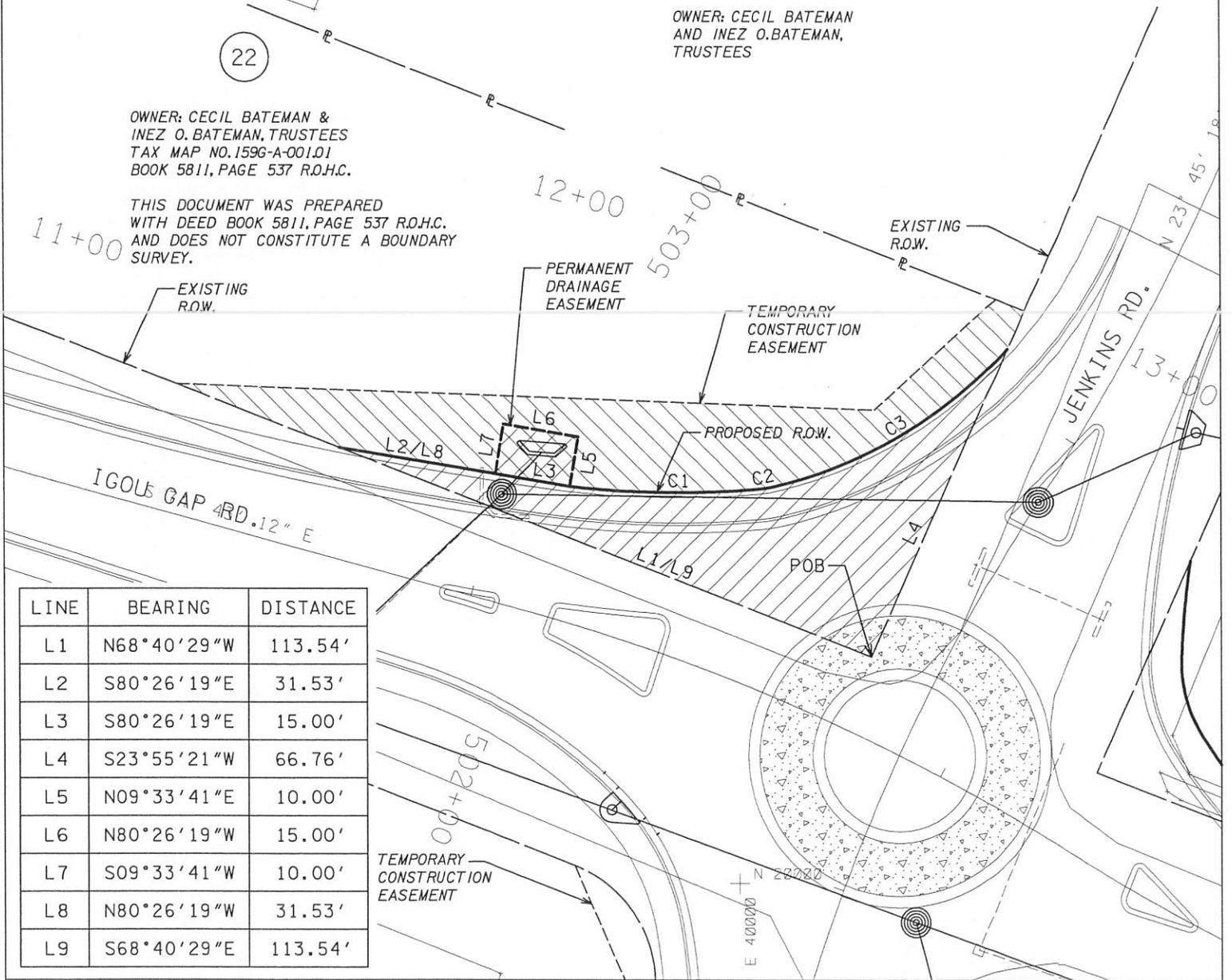
CURVE	RADIUS	DIRECTION	CHORD BEARING	CHORD DIST.
C1	192.00'	LEFT	S89°13'07"E	37.01'
C2	27.00'	LEFT	N80°35'28"E	4.39'
C3	92.00'	LEFT	N59°08'51"E	53.13'

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OWNER: CECIL BATEMAN  
AND INEZ O. BATEMAN,  
TRUSTEES

OWNER: CECIL BATEMAN &  
INEZ O. BATEMAN, TRUSTEES  
TAX MAP NO. 159G-A-001.01  
BOOK 5811, PAGE 537 R.O.H.C.

THIS DOCUMENT WAS PREPARED  
WITH DEED BOOK 5811, PAGE 537 R.O.H.C.  
AND DOES NOT CONSTITUTE A BOUNDARY  
SURVEY.



LINE	BEARING	DISTANCE
L1	N68°40'29"W	113.54'
L2	S80°26'19"E	31.53'
L3	S80°26'19"E	15.00'
L4	S23°55'21"W	66.76'
L5	N09°33'41"E	10.00'
L6	N80°26'19"W	15.00'
L7	S09°33'41"W	10.00'
L8	N80°26'19"W	31.53'
L9	S68°40'29"E	113.54'

TEMPORARY  
CONSTRUCTION  
EASEMENT

TRACT  
NO.

OWNERSHIP

CECIL BATEMAN & INEZ O. BATEMAN,  
TRUSTEES

BOOK

PAGE

RIGHT-OF-WAY  
REQUIRED

TEMP. CONST.  
ESMT. REQD.

PERM. DRAIN.  
ESMT. REQD.

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TAX MAP # 159G-A-001.01

5811

537

2085 S.F.  
.048 ACRE

1962 S.F.  
.045 ACRE

150 S.F.  
.003 ACRE

CITY OF CHATTANOOGA  
DEPT. OF PUBLIC WORKS  
ENGINEERING DIVISION

SCALE: 1"= 30'

REVISION:

DATE: MARCH 14, 2013

DWG. E03027-TRACT 22