

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT TO DAVID J. ERWIN FOR A PERMANENT DRAINAGE EASEMENT RELATIVE TO CONTRACT NO. E-03-027, INTERSECTION IMPROVEMENT IGOU GAP ROAD AT JENKINS ROAD, FOR TRACT NO. 23, PROPERTY LOCATED AT 1849 JENKINS ROAD, CHATTANOOGA, TN 37421, TAX MAP NO. 159G-A-001.05, FOR AN AMOUNT NOT TO EXCEED THREE HUNDRED THREE AND 24/100 DOLLARS (\$303.24).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to David J. Erwin for a Permanent Drainage Easement relative to Contract No. E-03-027, Intersection Improvement Igou Gap Road at Jenkins Road, for Tract No. 23, property located at 1849 Jenkins Road, Chattanooga, TN 37421, Tax Map No. 159G-A-001.05, for an amount not to exceed \$303.24.

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 David J. Erwin, for a Permanent Drainage Easement, relative to Contract E-03-027, Intersection Improvement Igou Gap Road at Jenkins Road, for Tract No. 23, property located at 1849 Jenkins Road, Chattanooga, TN 37421, Tax Map No. 159G-A-001.05, in the amount not to exceed \$303.24.

Name of Vendor/Contractor/Grant, etc. David J. Erwin
Total project cost \$ 303.24
Total City of Chattanooga Portion \$ 303.24
City Amount Funded \$ 303.24
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 FUNDS)

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:
David J. Erwin
P.O. Box 21562
Chattanooga, Tennessee 37424
(PARCEL NO. 159G A 001.05)

TRACT # 23

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

PERMANENT DRAINAGE EASEMENT

FOR AND IN CONSIDERATION OF THREE HUNDRED THREE AND TWENTY FOUR HUNDRETHS DOLLAR (\$303.24) to be paid upon council approval the sufficiency of which is hereby acknowledged, David J. Erwin, the owner of Property No. 159G A 001.05 as shown on a Hunnicutt Tax Map, in the city of Chattanooga, Tennessee, does hereby authorize the CITY OF CHATTANOOGA, TENNESSEE, a municipal corporation, to enter upon his property for the purposes of construction and maintenance of a drainage structure as shown on the aforesaid plans.

Located in the City of Chattanooga, Hamilton County, Tennessee, as shown by deed of record in Book 4293, Page 675, and being lot 4 of Laurel Point Subdivision as recorded in plat book 50, page 309 in the office of the Register of Hamilton County, Tennessee. Said permanent drainage easement being more particularly described as follows:

BEGINNING AT A POINT on the existing southern right-of-way line of Igou Gap Road at the northwestern property corner of lot 4 of David J. Erwin at Laurel Point Subdivision as recorded in plat book 50, page 309 and book 4293, page 675 in the office of the Register of Hamilton County, Tennessee; thence South 68 degrees, 40 minutes and

29 seconds East along the said right-of-way line, a distance of 11.12 feet, more or less, to a point; thence South 68 degrees, 40 minutes and 29 seconds East along said right-of-way line, a distance of 15.00 feet, more or less, to a point on the permanent drainage easement line; thence South 21 degrees, 19 minutes and 31 seconds West along said easement line, a distance of 10.00 feet, more or less, to a point; thence North 68 degrees, 40 minutes and 29 seconds West along said easement line, a distance of 15.00 feet, more or less, to a point; thence North 21 degrees, 19 minutes and 31 seconds East along said easement, a distance of 10.00 feet, more or less, to a point on the southern right-of-way line; thence North 68 degrees, 40 minutes and 29 seconds West along said right-of-way line to the **POINT OF BEGINNING**, containing 150 square feet, or 0.003 acre, as shown on Drawing No. E03027-TRACT 23 attached and made a part of this document.

David J. Erwin, also by these presents does 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 does 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 178 square feet, or 0.004 acre, as shown on Drawing No. E03027-TRACT 23 attached and made a part of this document.

I 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, I 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 grantor has hereunto set his signature this the 27 day of June 2013.

Name 

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this 27 day of June 2013, before me personally appeared DAVID J. ERWIN 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

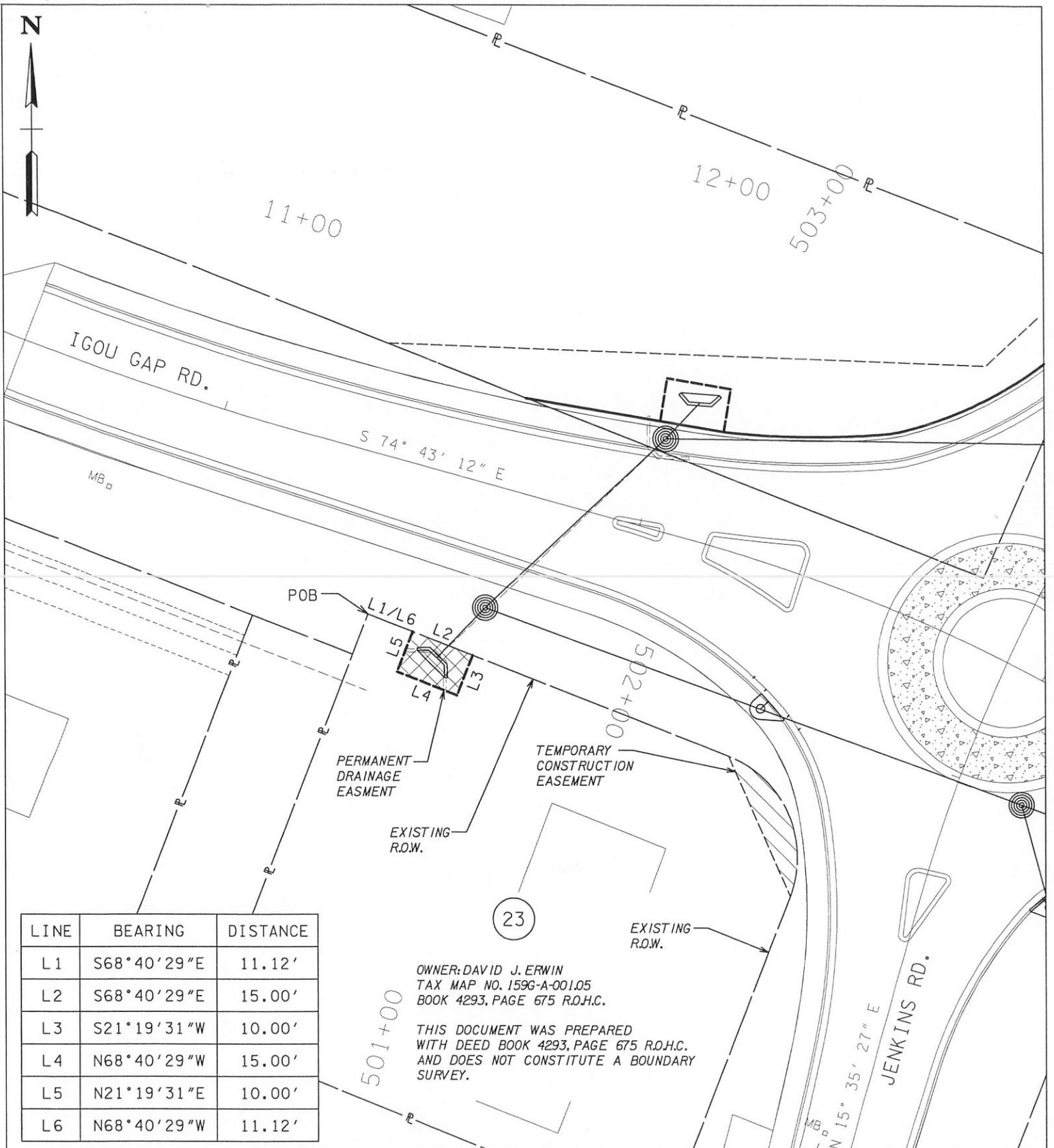
day and year above written.



James K. Gutshall

NOTARY PUBLIC

My Commission Expires: 2-4-2014



LINE	BEARING	DISTANCE
L1	S68°40'29"E	11.12'
L2	S68°40'29"E	15.00'
L3	S21°19'31"W	10.00'
L4	N68°40'29"W	15.00'
L5	N21°19'31"E	10.00'
L6	N68°40'29"W	11.12'

OWNER: DAVID J. ERWIN
 TAX MAP NO. 159G-A-001.05
 BOOK 4293, PAGE 675 R.O.H.C.

THIS DOCUMENT WAS PREPARED
 WITH DEED BOOK 4293, PAGE 675 R.O.H.C.
 AND DOES NOT CONSTITUTE A BOUNDARY
 SURVEY.

TRACT NO.	OWNERSHIP		BOOK	PAGE	RIGHT-OF-WAY REQUIRED	TEMP. CONST. ESMT. REQD.	PERM. DRAIN. ESMT. REQD.
	DAVID J. ERWIN						
23	TAX MAP # 159G-A-001.05		4293	675	N/A	178 S.F. .004 ACRE	150 S.F. .003 ACRE

CITY OF CHATTANOOGA DEPT. OF PUBLIC WORKS ENGINEERING DIVISION	SCALE: 1" = 30'	DATE: MARCH 14, 2013
	REVISION:	DWG. E03027-TRACT 23