

**First Reading:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_

MR-2013-092  
Adam Driver  
Hamilton County Board of Education

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CLOSING AND ABANDONING A  
PORTION OF A SANITARY SEWER EASEMENT AT 7553  
IGOU GAP ROAD, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CHATTANOOGA, TENNESSEE, That a portion of a sanitary sewer easement at 7553 Igou Gap  
Road, 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:

Abandonment of a sewer line and easement located on a property  
at 7553 Igou Gap Road beginning at Line B-5.1, approximate  
station 0+20.8, thence approximately 152 feet and ending at Line  
B-5.1, approximate station 1+72.2, as shown on Microfilm #51866  
and being within the property described in Deed Book 9376, Page  
120, ROHC. Tax Map No. 159B-B-019.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall  
be subject to a relocation plan approved by the City Engineer.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two  
(2) weeks from and after its passage.

Passed on second and final reading:\_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

APPROVED:\_\_\_\_ DISAPPROVED:\_\_\_\_

\_\_\_\_\_  
MAYOR

/mms

# City of Chattanooga



## Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date Prepared: August 2, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

### Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): \_\_\_\_\_

A Council Action is request to approve the request for Adam Driver at Hamilton County Board of Education for the abandonment of a portion of a sanitary sewer easement at 7553 Igou Gap Road, subject to a relocation plan approved by City Engineer.

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

### List all other funding sources and amount for each contributor.

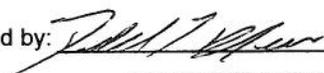
<u>Amount(s)</u>	<u>Grantor(s)</u>
_____	_____
_____	_____
\$ _____	_____
\$ _____	_____

Agency Grant Number \_\_\_\_\_

CFDA Number if known \_\_\_\_\_

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Public Works Capital Budget \_\_\_\_\_

Approved by:   
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

# Memorandum

**To:** Bill Payne  
**From:** Ed Bowen  
**cc:** Dennis Malone  
**Date:** July 12, 2013  
**Re:** Hamilton County Board of Education  
c/o Adam Driver  
Case No. 2013-092  
7553 Igou Gap Road

## Recommendations Regarding Abandonment Request

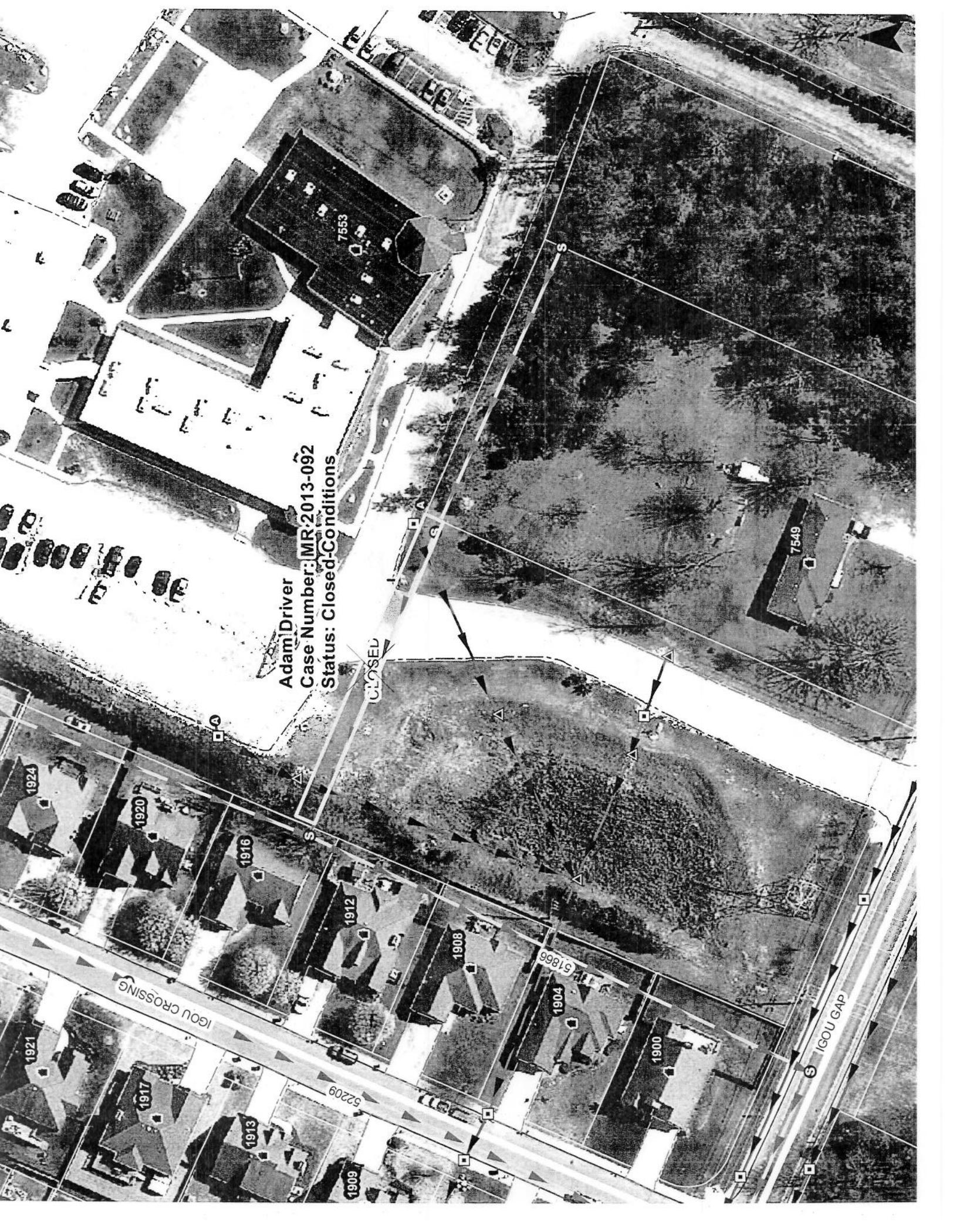
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I have completed the review of Adam Driver's request regarding abandonment of a portion of a sanitary sewer easement at 7553 Igou Gap Road. Abandonment of a sewer line and easement located on a property at 7553 Igou Gap Road beginning at Line B-5 .1, approximate station 0+20.8, thence approximately 152 feet and ending at Line B-5.1, approximate station 1 +72.2, as shown on Microfilm #51866 and being within the property described in Deed Book 9376, Page 120, ROHC. Tax Map 159B-B-019 as shown on the attached map. My comments are as follows:

1. The portion of the subject easement is 20' ± in width and 152' ± in length for a combined area of 3,040 ± sq ft.
2. The City of Chattanooga has infrastructure in the portion of the subject easement.
3. The Planning Commission recommended approval.
4. The following Utility Owners noted objections to the Abandonment:
  - City of Chattanooga

Therefore, I recommend the following: ***The request for abandonment of said portion of easement is approved with conditions.***

**Condition 1: Subject to a relocation plan approved by City Engineer.**



Adam Driver  
Case Number: MR:2013-092  
Status: Closed-Conditions

CLOSED

IGOU CROSSING

IGOU GAP

1909

1913

1917

1921

1924

1920

1916

1912

1908

61866

1904

1900

7553

7549



REGIONAL PLANNING AGENCY  
DEVELOPMENT RESOURCE CENTER  
DEVELOPMENT SERVICES 1250 MARKET ST.  
Chattanooga, Tennessee 37402  
423-668-2287

Dear Property Owner:

This notice is sent to you as a courtesy to inform you that an application has been made for a change in your neighborhood. A description of the proposed change is included below.

This notice does not require action on your part, nor is it a summons. However, if you wish to support or oppose the proposed change, you may want to attend a public hearing to be held by the Chattanooga-Hamilton County Regional Planning Commission.

The hearing will take place at **1:00 p.m. In County Commission Room, Hamilton County Court House, 4<sup>th</sup> Floor, 625 Georgia Avenue, Chattanooga, Tennessee.**

The Planning Commission recommendation will be sent to the local government having jurisdiction, for their action.

<p><b>Schedules of when cases will be heard by local governments (if not deferred at Planning Commission)</b> <b><u>City of Chattanooga:</u> Second Tuesday of the following month, 6:00 p.m. (closures will be placed on agenda by the City Engineers Office)</b> <b><u>Hamilton County:</u> Third Wednesday of the following month, 9:30 a.m.</b></p>
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**DATE OF PUBLIC HEARING: July 8<sup>th</sup>, 2013**

**TIME: 1:00 PM**

**LOCATION: County Commission Room, 4<sup>th</sup> Floor  
Hamilton County Court House  
625 Georgia Avenue  
Chattanooga, Tennessee 37402**

**CASE NO. 2013-092**

**JURISDICTION: City**

**APPLICANT: Adam Diver**

**TYPE OF CHANGE: Abandon Sewer Easement Line B-5.1 approximately sta 0+20.08 ending at Line B-5.1 approximately sta 1+72.2 Microfilm #51866**

**LOCATION: 7553 Igou Gap Road**

**(SEE MAP ON REVERSE SIDE)**

**CLOSURE/ABANDONMENT APPLICATION FORM**

<b>CASE NUMBER: MR 2013-092</b>		<b>Date Submitted: 06-07-2013</b>	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b> (Mandatory Referral per TCA 13-4-104)			
<b>Closure/Abandonment</b>	<input type="checkbox"/> Alley	<input type="checkbox"/> Street	<input checked="" type="checkbox"/> Sewer
Name of Street or Right-Of-Way: MF #51866			
	<input type="checkbox"/> Open	<input type="checkbox"/> Unopened	Length/Width: ~ 152 Feet
Beginning: Line B-5.1 approx sta 0+20.8			
Ending: Line B-5.1 approx sta 1+72.2			
<b>2 Property Information</b>			
Property Address:	7553 Igou Gap Road		
Property Tax Map Number(s):	159B B 019		
<b>3 Proposed Development</b>			
Reason for Request and/or Proposed Use:	A portion of the existing sewer to be abandoned and rerouted to increase available detention area at new E. Brainerd Elementary School		
<b>4 Site Characteristics</b>			
Current Zoning:	R-1		
Current Use:	School		
Adjacent Uses:	Residential		
<b>5 Applicant Information</b>			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Adam Driver		Address: 651 E. 4 <sup>th</sup> Street, Suite 407	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37403	Email: donna@adengineering.us
Phone 1: 423-266-3501	Phone 2:	Phone 3:	Fax: 423-266-3268
<b>6 Property Owner Information (if not applicant)</b>			
Name: Hamilton County Board of Education/Hamilton County, TN.		Phone: 423-209-5600	
Address: 2501 Dodds Avenue, Chattanooga, TN. 37404			
<b>Office Use Only:</b>			
Planning District: 10		Neighborhood: Friends of East Brainerd & Brainerd East Brainerd Chamber	
Hamilton Co. Comm. District: 8	Chatt. Council District: 4	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
<b>Checklist</b>			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9376-0120			
Plat Book/Page: 62 / 355	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1	
<input type="checkbox"/> Filing Fee: NC (No Charge)	<input type="checkbox"/> Cash	<input type="checkbox"/> Check	Check Number:
Planning Commission meeting date: July 8, 2013		Application processed by: Trevor Slayton	

MR-2013-092 City of Chattanooga  
July 8, 2013

RESOLUTION

WHEREAS, Adam Driver/Hamilton County Board of Education petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the abandonment of a sewer easement located on 7553 Igou Gap Road.

Abandonment of a sewer line and easement located on a property at 7553 Igou Gap Road beginning at Line B-5.1, approximate station 0+20.8, thence approximately 152 feet and ending at Line B-5.1, approximate station 1+72.2, as shown on Microfilm #51866 and being within the property described in Deed Book 9376, Page 120, ROHC. Tax Map 159B-B-019 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on July 8, 2013,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

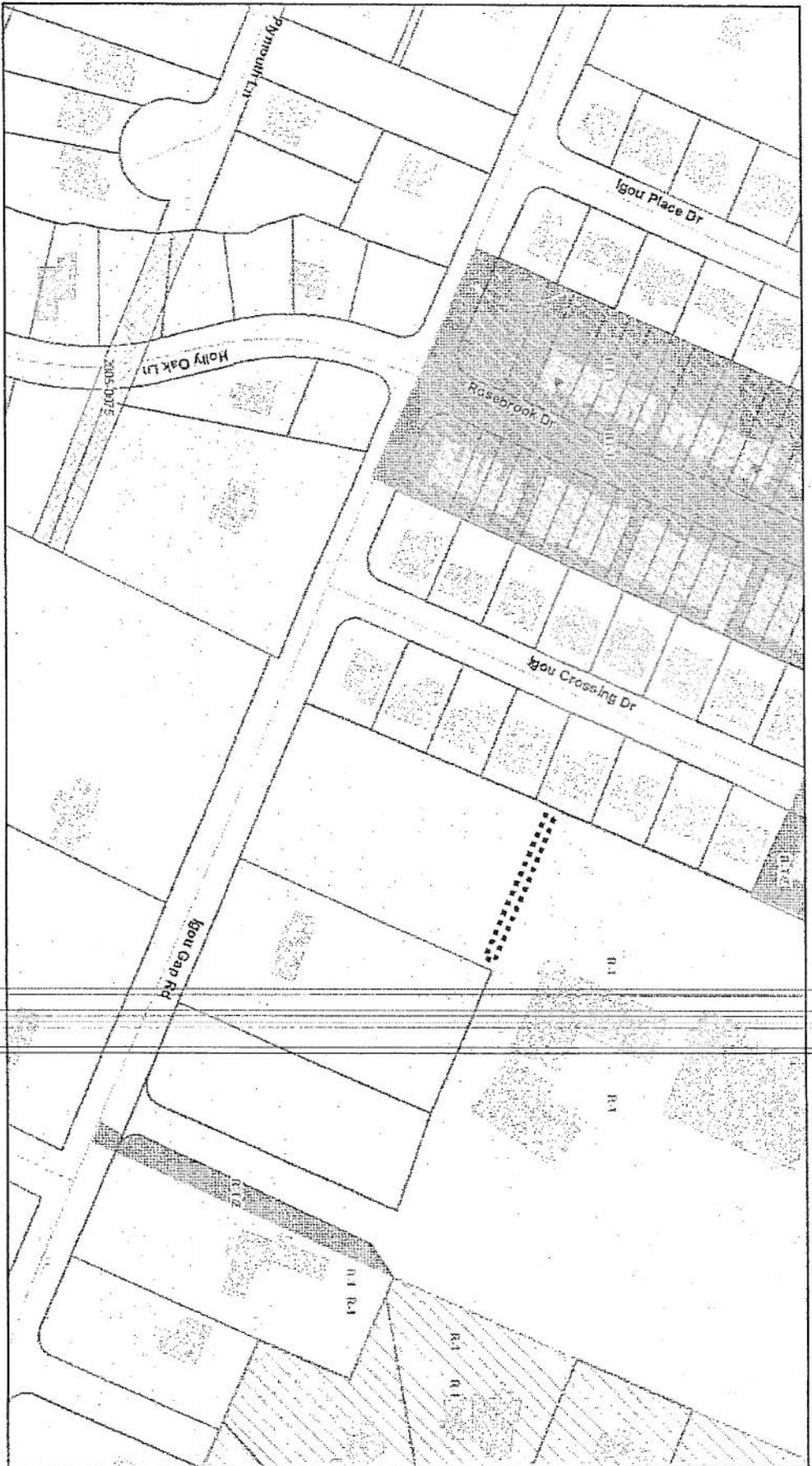
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on July 8, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved for Sewer Easement Abandonment to be rerouted.

Respectfully submitted,

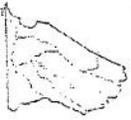


John Bridger  
Secretary



**MR 2013-092 Sewer Easement Abandonment**

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-092: Approve



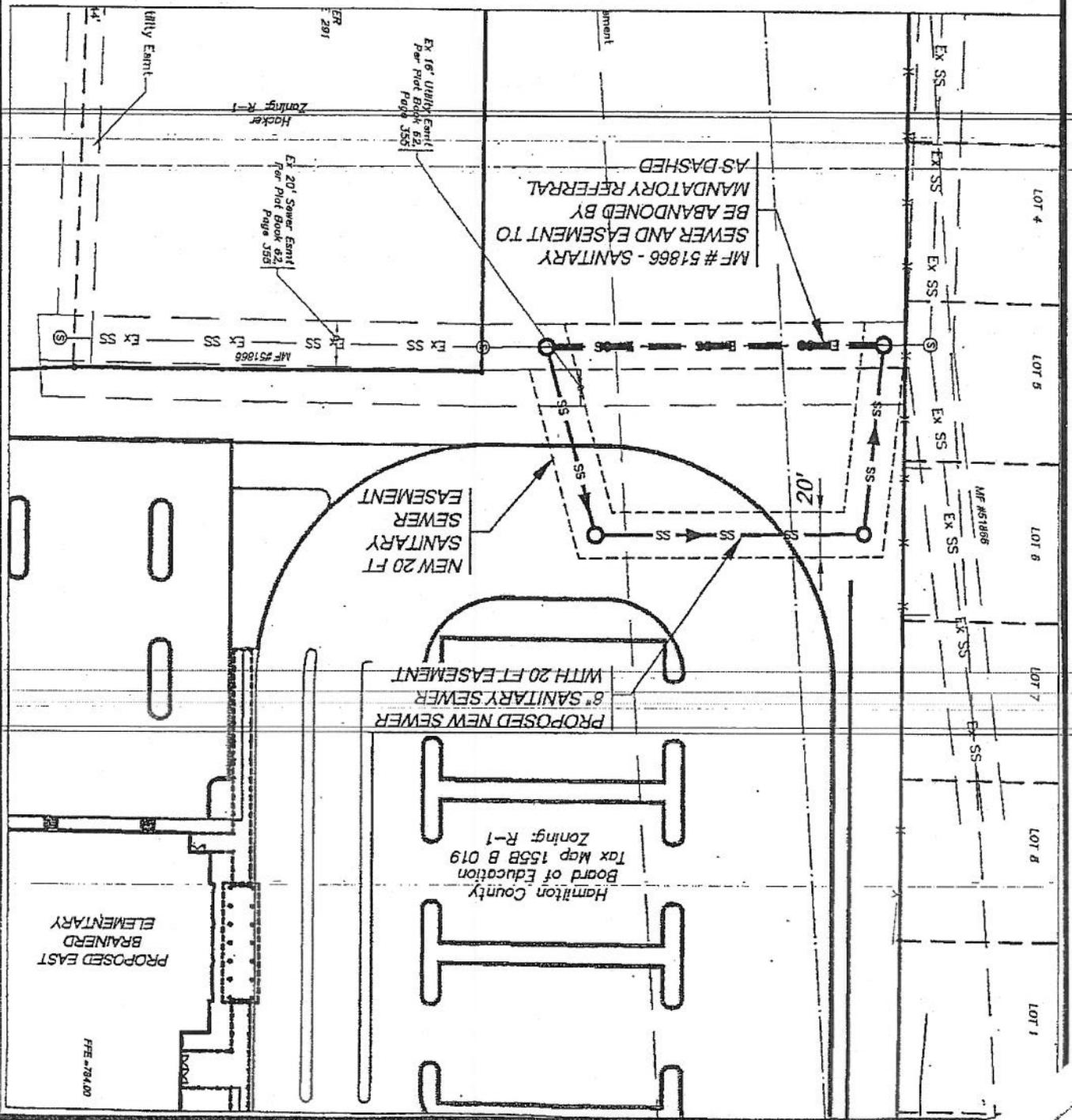
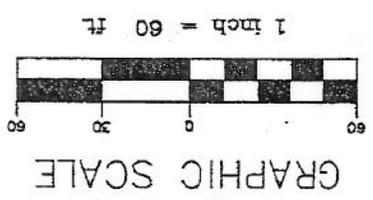
Chathamrooga Hamilton County Regional Planning Agency



153 ft



**A ENGINEERING SERVICES, INC.**  
 COMPLETE ENGINEERING & DESIGN SERVICES  
 651 E. 4th Street, Suite 407  
 Chattanooga, TN 37403  
 PH: (423) 266-3501 FAX: (423) 266-3286  
 ADES Project # 12176



MR 2013-092



Comcast Cable  
2030 E Polymer Drive, P.O. Box 182249  
Chattanooga, TN 37422

June 18, 2013

Regional Planning Agency  
1250 Market Street  
Suite 2000 Development Resource Center  
Chattanooga, Tennessee 37402

RE:Case # 2013-092, 2013-095, 2013-098

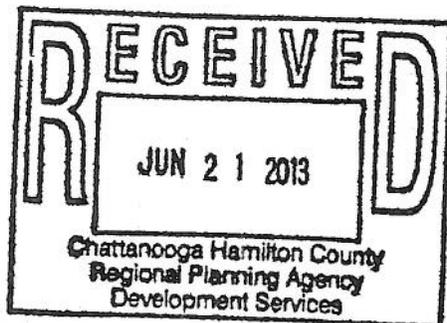
Dear Marcia:

Comcast does concur to the closure case(s). Comcast has active service, on a portion of the proposed closure. Comcast would agree to the closure if the existing Right of Way/Easements remained in effect and if any rerouting of existing plant would be required it would be at no cost to Comcast.

Sincerely,

*Mike Schlote*

Mike Schlote  
Construction Coordinator



# Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-090</del>		
MR 2013-092	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	
MR 2013-098	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/> RETAIN 20' SANITARY SEWER AND STORM EASEMENT		

BAND  
6/12/13

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-0910</del>		X
MR 2013-092	✓	
MR 2013-095	✓	
MR 2013-098		

City Engineer  
Bill Payne

BWD  
6/13/13

\* Comments forthcoming

A

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-0910	✓	
MR 2013-092	✓	
MR 2013-095		✓
MR 2013-098		✓

Bill P. B.  
Billy McChave

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-0910	X	
MR 2013-092		X
MR 2013-095		X
MR 2013-098		X

Comcast Cable  
Mike Blotz

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-0910	✓	
MR 2013-092	✓	
MR 2013-095		✓
MR 2013-098		✓

Beck South  
Don Mount

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-098	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	<input type="checkbox"/>
998 - No drawing attached		
no explanation of work.		
Dashed Circle 7-1-13		
OK by E-mail see Case 7-3-13		

OK  
Cattanooga Gas Co.  
Cfroid Hyde

MR 2013-098

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-098	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Dept. of Transportation  
Mr. Jackie Wolfe

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-095</del>	<input type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-095	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-098	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Chatt fire Dept  
Kandall Ferron

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-092	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-095	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-098	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Dept of Transportation  
Ray Rucker

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	✓	
MR 2013-092	✓	
MR 2013-095	✓	
MR 2013-098	✓	

W.W.T.#.  
Cleveland Games

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
<del>MR 2013-090</del>		
MR 2013-092	✓	
MR 2013-095	✓	
MR 2013-098	✓	

Chattanooga Police Dept  
David Frye

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-090	✓	
MR 2013-092	✓	
MR 2013-095	✓	
<del>MR 2013-098</del>		

In American Water Co.  
Robbie Harvey

\* Comments forthcoming

### Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-098	✓	

Hixson Utility District  
Caroleyn Hickman  
Lloyd Jackson

\* Comments forthcoming

