

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT TO MICAH L. AUBERT AND JESSICA A. AUBERT FOR A RIGHT-OF-WAY EASEMENT RELATIVE TO CONTRACT NO. E-03-027, GOODWIN ROAD EXTENSION – GUNBARREL ROAD TO JENKINS ROAD, FOR TRACT NO. 19, PROPERTY LOCATED AT TAX MAP NO. 159B-C-002, FOR AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to Micah L. Aubert and Jessica A. Aubert for a right-of-way easement relative to Contract No. E-03-027, Goodwin Road Extension – Gunbarrel Road to Jenkins Road, for Tract No. 19, property located at Tax Map No. 159B-C-002, for an amount not to exceed \$2,000.00.

ADOPTED: _____, 2013

/mms

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: August 29, 2013

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # _____ Council District #

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Council approval is requested to authorize payment to Micah L. Aubert and Jessica A. Aubert, for a Right-of-Way Easement, relative to Contract E-03-027, Goodwin Road Extension - Gunbarrel Road to Jenkins Road, for Tract No. 19, property located at Tax Map No. 159B-C-002, in the amount not to exceed \$2,000.00.

Name of Vendor/Contractor/Grant, etc.	Micah L. Aubert & Jessica A. Aubert	New Contract/Project? (Yes or No)	No
Total project cost \$	2,000.00	Funds Budgeted? (YES or NO)	Yes
Total City of Chattanooga Portion \$	2,000.00	Provide Fund	4016
City Amount Funded \$	2,000.00	Provide Cost Center	K12105
New City Funding Required \$		Proposed Funding Source if not budgeted	
City's Match Percentage %		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

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:
Micah L. Aubert and Jessica A. Aubert
2001 Jenkins Road
Chattanooga, Tennessee 37421
(TAX MAP NO. 159B C 002)

TRACT # 19

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 TWO THOUSAND DOLLARS

(\$2,000.00) to be paid upon council approval the sufficiency of which is hereby acknowledged, Micah L. Aubert and Jessica A. Aubert, the owners of Property No. 159B C 002 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. 159B C 002, 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 right-of-way being more particularly described as follows:

BEGINNING AT A POINT, said point being the southeastern corner of lot 1 of Nelson on Jenkins Road recorded in plat book 81, page 98 in the office of the Register of Hamilton County, Tennessee; lot 1 also being property of Micah L. Aubert and Jessica A.

Aubert as recorded in book 9852, page 907 in the office of the Register of Hamilton County, Tennessee; thence North 67 degrees, 10 minutes and 18 seconds West along the southern property line of said property, a distance of 15.37 feet, more or less, to a point; thence along the proposed western right-of-way of Jenkins Road, along 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; thence continuing along the proposed western right-of-way of Jenkins Road, along 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; thence continuing along the proposed western right-of-way of Jenkins Road North 19 degrees, 57 minutes and 27 seconds, a distance of 24.25 feet, more or less, to a point on the existing western right-of-way of Jenkins Road; thence along the existing western right-of-way of Jenkins Road South 12 degrees, 38 minutes and 17 seconds West, a distance of 62.77 feet, more or less, to the **POINT OF BEGINNING**, containing 341 square feet, or 0.008 acre, as shown on Drawing No. E03027-TRACT 19 attached and made a part of this document.

Micah L. Aubert and Jessica A. Aubert, 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 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.

TEMPORAY CONSTRUCTION EASEMENT

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 temporary construction in plat book 81, page 98 in the office of the Register of Hamilton County, Tennessee. Said easement being more particularly described as follows:

containing 1164 square feet, or 0.027 acre, as shown on Drawing No. E03027-TRACT 19 attached and made a part of this document.

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.

TO HAVE AND TO HOLD the above-described property as a right-of-way and 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 29 day of August 2013.

Name ✓ rich arbert

Name ✓ Jessica Arbert

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this 29 day of August 2013, before me personally appeared Michael L. Arbert and Jessica A. Arbert 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.



James K. Gutshall
NOTARY PUBLIC

My Commission Expires: 2-4-2014



CURVE	RADIUS	DIRECTION	CHORD BEARING	CHORD DIST.
C1	99.00'	LEFT	N34°54'54"E	24.23'
C2	87.50'	LEFT	N24°30'13"E	13.87'

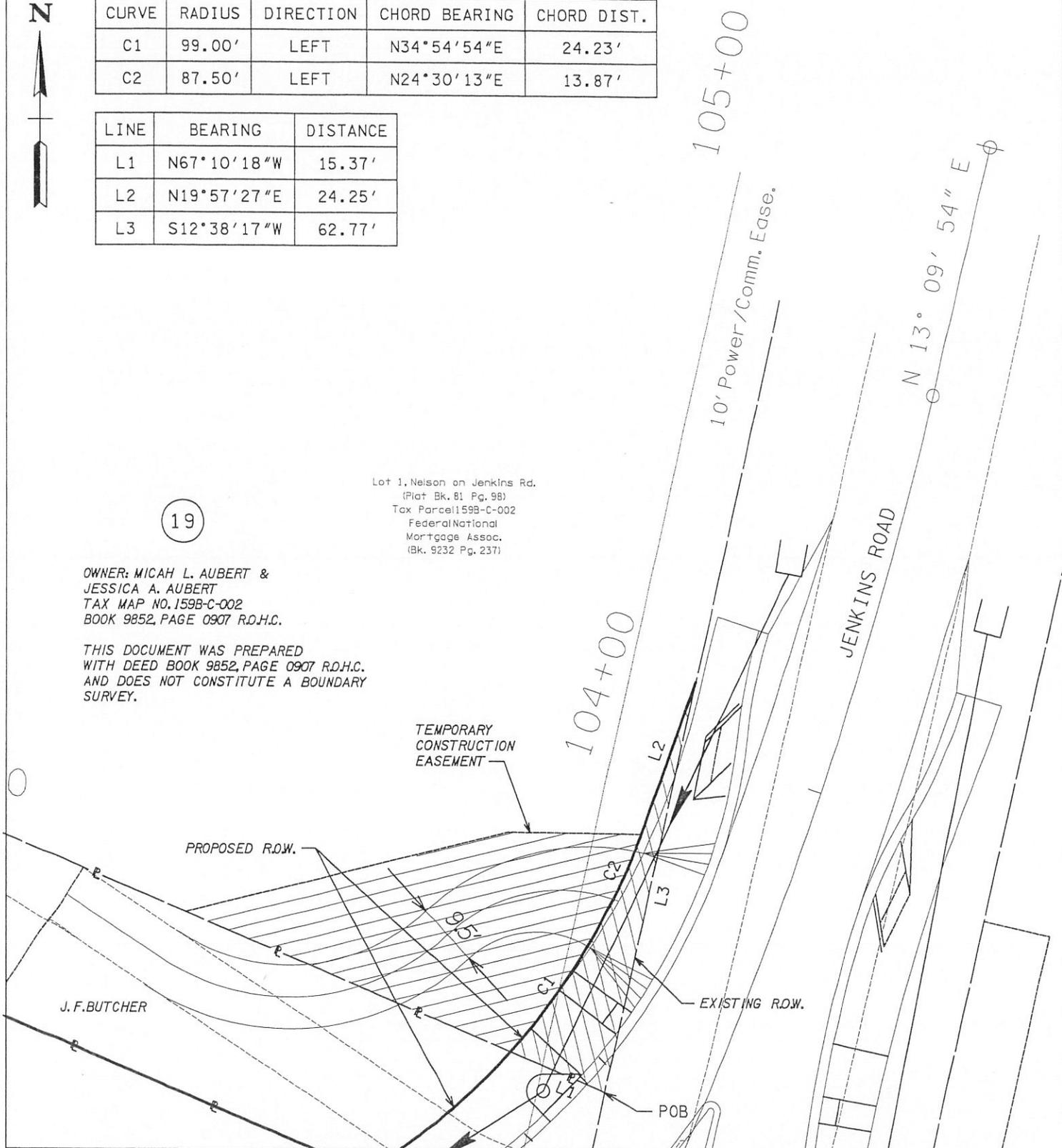
LINE	BEARING	DISTANCE
L1	N67°10'18"W	15.37'
L2	N19°57'27"E	24.25'
L3	S12°38'17"W	62.77'

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Lot 1, Nelson on Jenkins Rd.
 (Plat Bk. 81 Pg. 98)
 Tax Parcel 159B-C-002
 Federal National
 Mortgage Assoc.
 (Bk. 9232 Pg. 237)

OWNER: MICAH L. AUBERT &
 JESSICA A. AUBERT
 TAX MAP NO. 159B-C-002
 BOOK 9852, PAGE 0907 R.D.H.C.

THIS DOCUMENT WAS PREPARED
 WITH DEED BOOK 9852, PAGE 0907 R.D.H.C.
 AND DOES NOT CONSTITUTE A BOUNDARY
 SURVEY.



TRACT NO.	OWNERSHIP		BOOK	PAGE	RIGHT-OF-WAY REQUIRED	TEMP. CONST. ESMT. REQD.
	MICAH L. AUBERT & JESSICA A. AUBERT					
19	TAX MAP # 159B-C-002		9852	907	341 S.F. .008 ACRE	1164 S.F. .027 ACRE

CITY OF CHATTANOOGA DEPT. OF PUBLIC WORKS ENGINEERING DIVISION	SCALE: 1" = 20'	DATE: MAY 30, 2013
	REVISION: 8/28/13	DWG. E03027-TRACT 19