

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT TO CHATTANOOGA ADVENTURE, LLC FOR A PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT RELATIVE TO CONTRACT NO. W-11-005-502, I-124/US27 SANITARY SEWER RELOCATION PROJECT FOR TRACT NO. 2, PROPERTY LOCATED AT TAX MAP NO. 145C-B-001.01, FOR AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS (\$25,175.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to Chattanooga Adventure, LLC for a permanent sanitary sewer easement and temporary construction easement relative to Contract No. W-11-005-502, I-124/US27 Sanitary Sewer Relocation Project for Tract No. 2, property located at Tax Map No. 145C-B-001.01, for an amount not to exceed \$25,175.00.

ADOPTED: _____, 2015

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: April 15, 2015

Preparer: Dennis Malone

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. #

Council District #

7

Council approval is requested to authorize payment to Chattanooga Adventure, LLC, for a Permanent Sanitary Sewer Easement and Temporary Construction Easement, relative to Contract No. W-11-005-502, I-124/US27 Sanitary Sewer Relocation Project for Tract No. 2, property located at Tax Map No. 145C-B-001.01, in the amount not to exceed \$25,175.00.

Name of Vendor/Contractor/Grant, etc.	Chattanooga Adventures, LLC	New Contract/Project? (Yes or No)	Yes
Total project cost \$	25,175.00	Funds Budgeted? (YES or NO)	Yes
Total City of Chattanooga Portion \$	25,175.00	Provide Fund	6011
City Amount Funded \$	25,175.00	Provide Cost Center	K40162
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)			
Funded in ISS in previous Capital Budget years			
		Approved by:	<i>[Signature]</i>
Reviewed by: FINANCE OFFICE		DESIGNATED OFFICIAL/ADMINISTRATOR	
Please submit completed form to @budget, City Attorney and City Finance Officer			
Revised: 1/26/09			

Questions? Contact Finance Department . 423.757.5232

MAIL TAX BILL TO:
Chattanooga Adventure, LLC
800 Market Street
Chattanooga, TN 37402

THIS INSTRUMENT PREPARED BY:
City of Chattanooga, Tennessee
Engineering Division
Development Resource Center
1250 Market Street, Suite 2100
Chattanooga, TN 37402

Parcel No. 145C-B-001.01

Tract No. 2

SANITARY SEWER EASEMENT

IN CONSIDERATION OF TWENTY-FIVE THOUSAND, ONE HUNDRED, SEVENTY-FIVE DOLLARS (\$25,175.00), to be paid upon Council Approval, the sufficiency of which is hereby acknowledged, We, Chattanooga Adventure, LLC the undersigned owners of 400 MLK Blvd., Chattanooga, TN 37402 do hereby authorize the City of Chattanooga, Tennessee, a municipal corporation, to enter upon and excavate, construct, and maintain a ten (10") inch sanitary sewer and necessary appurtenances as shown on Drawing No. SE-2 attached and made a part hereof by reference, and We by these present do hereby transfer, convey, and grant unto said City an easement on, through, under, and across the portion of said property, as shown by deed of record in Book 10231, Page 88 in the Register's Office of Hamilton County, Tennessee, for said purposes, and,

I do hereby release and discharge said 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 in as near as feasible to the same condition as they were before the construction.

TO HAVE AN TO HOLD the same unto said City, its successors and assigns.

IN WITNESS WHEREOF, I, the respective grantor, have hereunto subscribed my name as my free act and deed this 9th day of April, 2015.

[Signature]
Chattanooga Adventure, LLC

STATE OF TENNESSEE:

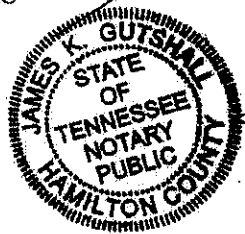
COUNTY OF HAMILTON:

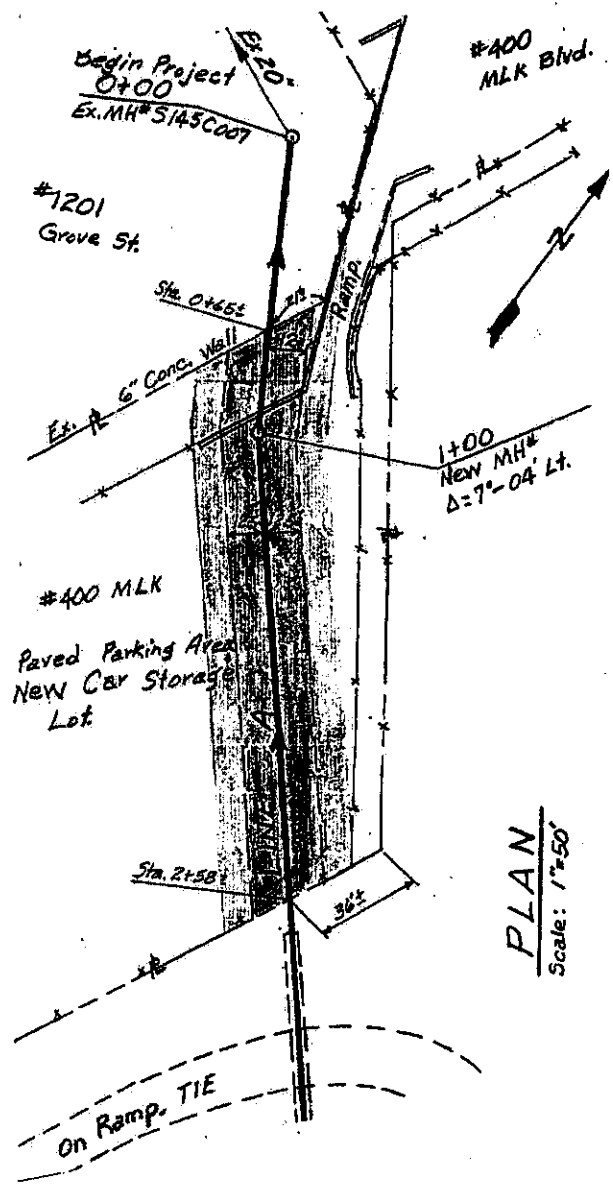
On this 9th day of April 2015, before me personally appeared Lee Kirby and _____ with whom I am personally acquainted, and who upon oath acknowledged themselves to be the OWNER and _____, respectively, of Spill Hummer within named bargainor, a corporation, and that they as such OWNER and _____ being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as such OWNER and _____.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

[Signature]
NOTARY PUBLIC

My Commission Expires: 12-03-2017





10' Construction Easement Each Side of Easement
 25' wide sewer easement
 Construction Easement Sq. Ft. = 3,907

PLAN
 Scale: 1" = 50'

Easement Sq. Ft. = 4,825	OWNERSHIP Chattanooga Adventure, LLC	Deed Book: 10231
Tract No.: 2		Page No.: 88
CITY OF CHATTANOOGA DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION	Scale: 1" = 50'	Date: March 5, 2015
	10" Sewer Relocation	SE-2

REAL PROPERTY APPRAISAL REVIEW REPORT (PROPERTY ACQUISITION)

This appraisal review has been conducted in accordance with the Scope of Work Rule and Standard 3 of the *Uniform Standards of Professional Appraisal Practice*, as promulgated by the Appraisal Foundation. This review and this review report are intended to adhere to the Standard 3 in effect as of the date this review was prepared. The appraisal and appraisal report have been considered in light of the Standards 1 & 2 in effect as of the date the appraisal was prepared - not necessarily the effective date of valuation.

The purpose of this technical review is to develop an opinion as to the compliance of the appraisal report identified herein to the *Uniform Standards of Professional Appraisal Practice*, the *Uniform Relocation Assistance & Real Property Acquisition Act*, and the Tennessee Department of Transportation's *Guidelines for Appraisers*; and further develop opinions as to the completeness, adequacy, relevance, appropriateness, and reasonableness of opinions presented in the appraisal report as advice to the acquiring agency in its development of a market value offer to the property owner. This review is conducted on a TDOT appraisal review form for the intended user, The City of Chattanooga, Tennessee.

All estimates of value prepared for agency acquisitions shall be based on "market value" - as defined and set forth in the Tennessee Pattern Jury instructions to wit: "the amount of money which a purchaser, willing but under no compulsion to buy, would pay, and which a seller, willing but under no compulsion to sell, would accept, taking into consideration all the legitimate uses to which the property was adaptable and might in reason be applied." Compensations are in compliance with the Tennessee State Rule.

Section (A) Identification & Base Data:

(1) City Project: Sanitary Sewer/ (2) County: Hamilton (3) Tract No: 2
Construction
Easement

(4) Owner(s) of Record: Chattanooga Adventure, LLC

(5) Address/Location of Property Appraised:
North Side of West 12th Street Chattanooga, TN; Western most section of the city of Chattanooga's downtown central business district.

(6) Effective Date of the Appraisal: 3/16/15

(7) Date Appraisal Was Prepared: 3/23/15

(8) Type of Appraisal: Formal
 Formal Part-Affected

(9) Type of Acquisition: Total
 Partial

(10) Interest Acquired:
 Sewer Esmt.
 Construct. Esmt.

(11) Appraisal & Review Were Based On:
 Original Plans
 Plan Revision Dated: _____

(12) Author(s) of Appraisal Report: Lloyd (Chip) T. Murphy, III, MAI, CCIM

(13) Date of Appraisal Review: 03/23/15

(14) Appraisal Review Conducted By: Thomas R. Carter TN CG-1081

Section (G) Review Comments

"Before" & "After" Valuation (Include Comments For "NO" Responses To Questions 1 - 7 & "YES" Response To Question 8)

(1) Are the conclusions of highest and best use (before & after) reasonable and adequately supported?

Yes

(2) Are the valuation methodologies (before & after) appropriate?

Yes

(3) Are the data employed relevant & adequate to the (before & after) appraisal problems?

Yes

(4) Are the valuation techniques (before & after) appropriate and properly applied?

Yes

(5) Are the analyses, opinions, and conclusions (before & after) appropriate and reasonable?

Yes

(6) Is the report sufficiently complete to allow proper review, and is the scope of the appraisal assignment broad enough to allow the appraiser to fully consider the property and proposed acquisitions?

Yes

(7) Is the appraisal report under review generally compliant with *USPAP*, the *Uniform Act*, and TDOT's *Guidelines for Appraisers*?

Yes

(8) Do the general and special "Contingent and Limiting Conditions" outlined in the appraisal report limit the valuation to the extent that the report cannot be relied on for the stated use?

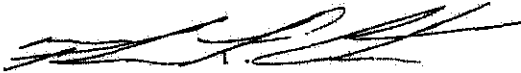
No

Appraisal Report Conclusions – Amounts Due Owner:

(a) Fee Simple:	<u>\$0</u>
(b) Permanent Sewer Easement:	<u>\$23,088</u>
(c) Slope Easement:	<u>\$0</u>
(d) Air Rights:	<u>\$0</u>
(e) Temporary Construction Easement:	<u>\$935</u>
(f) _____:	<u>\$0</u>
(g) Improvements:	<u>\$0</u>
(h) Compensable Damages:	<u>\$575</u>
(i) Special Benefits:	<u>\$0</u>
(j) Total Amount Due Owner By Appraisal:	<u>\$25,175</u>

- I DO Recommend Approval Of This Report
- I DO NOT Recommend Approval Of This Report

Comments:



Thomas R. Carter
Appraisal Review Consultant(s)

Tennessee CG-1081
State License/Certification No(s):

Consultant Staff

Date: March 23, 2015

Additional Comments:

Section (H) Certification

I certify to the best of my knowledge and belief:

The facts and data reported by the review appraiser and used in the review process are true and correct.

The analyses, opinions, and conclusions in this review report are limited only by the assumptions and limiting conditions stated in this review report, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.

I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

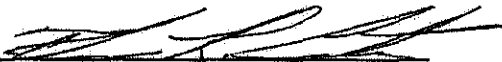
My engagement in this assignment was not content upon developing or reporting predetermined results.

My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this review.

My analyses, opinions, and conclusions were developed and this review report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice.

I did personally inspect the exterior of the subject property of the report under review.

No one provided significant professional assistance to the person signing this review report.


Appraisal Review Consultant(s)

Consultant Staff

Date: March 23, 2015

Section (I) Contingent & Limiting Conditions

This appraisal review report has been made with the following general limiting conditions and assumptions:

- (1) Unless stated herein to the contrary, it is specifically assumed that the author of the appraisal report under review made the required contact with the property owner, and conducted the appropriate inspections and investigations.
 - (2) Unless stated herein to the contrary, it is specifically assumed that the right-of-way plans upon which the appraisal was based are accurate.
 - (3) Unless stated herein to the contrary, it is specifically assumed that all property (land & improvement) descriptions are accurate.
 - (4) Unless stated herein to the contrary, no additional research was conducted by the review appraiser.
 - (5) Unless stated herein to the contrary, all specific and general contingent and limiting conditions outlined in the appraisal report submitted for review are adopted herein.
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