

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT TO SELOX, INC. FOR A PERMANENT STORM DRAINAGE EASEMENT RELATIVE TO CONTRACT NO. S-09-008-502, NORTH ST. ELMO DRAINAGE IMPROVEMENT PROJECT, FOR TRACT NO. 2, PROPERTY LOCATED AT TAX MAP NO. 155G-A-013, FOR AN AMOUNT NOT TO EXCEED FORTY-EIGHT THOUSAND THREE HUNDRED FORTY-FOUR AND 11/100 DOLLARS (\$48,344.11), OR TO AUTHORIZE THE OFFICE OF THE CITY ATTORNEY TO BEGIN EMINENT DOMAIN PROCEEDINGS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to SELOX, Inc. for a permanent storm drainage easement relative to Contract No. S-09-008-502, North St. Elmo Drainage Improvement Project, for Tract No. 2, property located at Tax Map No. 155G-A-013, for an amount not to exceed \$48,344.11, or to authorize the Office of the City Attorney to begin eminent domain proceedings.

ADOPTED: _____, 2015

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: September 9, 2015

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 either payment to SELOX, Inc., for a Permanent Storm Drainage Easement, relative to Contract S-09-008-502, North St. Elmo Drainage Improvement Project, for Tract No. 2, property located at Tax Map No. 155G-A-013, in the amount not to exceed \$48,344.11, or to authorize the Office of the City Attorney to begin eminent domain proceedings.

Name of Vendor/Contractor/Grant, etc. SELOX, Inc.
Total project cost \$ 48,344.11
Total City of Chattanooga Portion \$ 48,344.11
City Amount Funded \$ 48,344.11
New City Funding Required \$ _____
City's Match Percentage % _____

New Contract/Project? (Yes or No) Yes

Funds Budgeted? (YES or NO) Yes

Provide Fund 6031

Provide Cost Center K80116

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)

Funded in Water Quality FY15 Capital Budget

Approved by: 

DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Revised: 1/26/09

MAIL TAX BILL TO:
SELOX, INC.
c/o BOC Group, Inc.
575 Mountain Ave.
Murray Hill, NJ 07974
(Map 155G "A" Parcel 013)
Tract No. 2

THIS INSTRUMENT PREPARED BY:
City of Chattanooga
Engineering Division
1250 Market Street, Suite 2100
Chattanooga, Tennessee 37402
(TAX EXEMPT GOVERNMENTAL AGENCY)

STORM SEWER EASEMENT

IN CONSIDERATION OF FORTY THOUSAND THREE HUNDRED FORTY- FORDOLLARS AND ELEVEN CENTS (\$48,344.11), cash in hand paid, and other valuable considerations, the receipt of which is hereby acknowledged, **SELOX, INC**, a Tennessee Corporation, owner of property located at **3510 St. Elmo Ave., Chattanooga, TN 37409**, does hereby grant the City of Chattanooga, Tennessee, a municipal corporation, a **variable width easement and a twenty (20') foot easement** to construct and maintain a **ten (10') foot by ten (10') foot box culvert storm sewer and necessary appurtenances** as described on **Exhibit 'A'**, and shown on **Easement Exhibit, S-09-008-T002, Sheets 1 and 2 of 2**, attached and made a part hereof by reference, and **SELOX, INC** by these presents, does hereby transfer, convey, and grant unto the City said easement on, through, under, and across said property, as shown by deed of record in Book 2611, page 174, in the Register's Office of Hamilton County, Tennessee, for said purposes, and,

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.

SELOX, INC does 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 AND TO HOLD the same unto said City, its successors and assigns.

IN WITNESS WHEREOF, **SELOX, INC** has caused its name to be hereunto subscribed by its duly authorized officers, on this the _____ day of _____, 2015.

SELOX, INC
(Company name)

By: _____

By: _____

STATE OF TENNESSEE:
COUNTY OF HAMILTON:

On this _____ day of _____, 2015, personally appeared before me _____, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ of _____ and that said document was signed by him/her in behalf of said *Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ acknowledged to me that said *Corporation executed the same.

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

NOTARY PUBLIC

My Commission Expires: _____

EXHIBIT "A"

PERMANENT EASEMENTS

Easement "A"

A 20' wide easement crossing the above noted parcel as shown on the attached Easement Exhibit (Sheet 1 of 2) to which reference is hereby made for a more complete description and containing an area of 1,627.87 square feet or 0.04 acres, more or less.

Easement "B"

A variable width easement crossing the above noted parcel as shown on the attached Easement Exhibit (Sheets 1&2 of 2) to which reference is hereby made for a more complete description and containing an area of 55,094.53 square feet or 1.26 acres, more or less.

TEMPORARY CONSTRUCTION EASEMENTS

Easement "A"

A variable width easement crossing the above noted parcel lying north, west and east of, adjacent to, and running parallel with the above described Permanent Easements. Said temporary easement excludes the area contained within the existing concrete pad as shown on the attached Easement Exhibit (Sheets 1&2 of 2) and contains an area of 44,563.63 square feet or 1.02 acres, more or less.

Easement "B"

A variable width easement crossing the above noted parcel lying south of and adjacent to the above described Permanent Easement "B" as shown on the attached Easement Exhibit (Sheet 2 of 2) to which reference is hereby made for a more complete description and contains an area of 2,959.59 square feet or 0.07 acres, more or less.

The above described TEMPORARY easements shall terminate after construction of the storm sewer improvements is complete.

Being a portion of the same property conveyed to Selox, Inc. by deed of record in Deed Book 2611, Page 0174 in the Registers Office of Hamilton County, Tennessee.

SANITARY SEWER UTILITIES

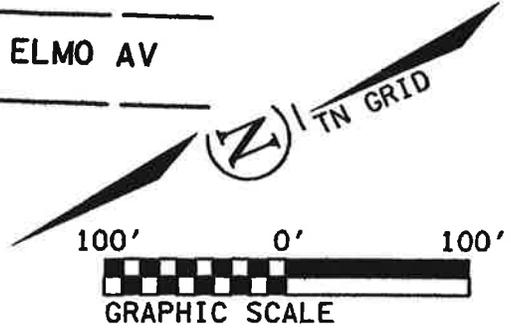
The maintenance and operation of all currently existing sanitary sewer facilities on the subject property and all proposed sanitary sewer service facilities to be constructed by the City of Chattanooga for the service of the subject property on the subject property and within public utility and drainage easements or public Rights-of-Way as a part of this agreement shall be the sole responsibility of the property owner.

The property owner understands that the currently existing sanitary sewer pump station which currently serves the subject property will be abandoned and sanitary sewer services currently connected to said sanitary sewer pump station and not served by the proposed

sanitary sewer service facilities to be constructed by the City of Chattanooga as described above will be non-operational and the City of Chattanooga will incur no liability for the loss of service.

NOTE:
 A COMPLETE BOUNDARY SURVEY WAS NOT PERFORMED BY CIVIC ENGINEERING FOR THE PURPOSE OF THIS EXHIBIT. THIS EXHIBIT WAS DONE UNDER THE AUTHORITY OF T.C.A. 62-18-126 AND THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-07.

ST ELMO AV



20' WIDE PERMANENT DRAINAGE EASEMENT "A"
 AREA=1627.87 S.F.

Parcel ID 155G A 014.02
 R & D PROPERTIES
 DB 4979 PG 0021

LINE	BEARING	DISTANCE
L1	N 65°28'51" W	204.44'
L2	N 31°26'25" E	80.18'
L3	S 58°33'35" E	20.00'
L4	N 31°26'25" E	82.61'
L5	S 65°28'51" E	24.07'
L6	S 65°28'51" E	497.91'
L13	S 58°33'35" E	525.11'
L14	N 65°28'51" W	20.15'
L15	S 31°26'25" W	5.00'

VARIABLE WIDTH
 TEMPORARY CONSTRUCTION EASEMENT "A"
 AREA=44563.63 S.F.

②
 3510 ST ELMO AVE
 Parcel ID 155G A 013
 SELOX INC
 C/O BOC GROUP INC
 DB 2611 PG 0174

TEMPORARY CONSTRUCTION EASEMENT EXCLUDES EXISTING CONCRETE PAD

VARIABLE WIDTH PERMANENT DRAINAGE EASEMENT "B"

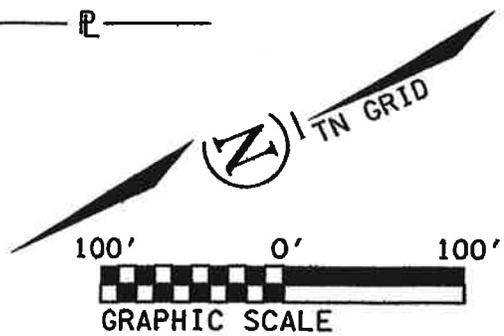


MATCH LINE

SEE SHEET 2 OF 2

TRACT NO.	OWNERSHIP		DEED BOOK	PAGE	R.O.W. REQUIRED	PERM. DRAINAGE ESMT. REQD.	SLOPE ESMT. REQD.	TEMPORARY CONST. ESMT. REQD.
②	SELOX INC C/O BOC GROUP INC		2611	174	0.00 S.F. 0.00 ACRE	56722.53 S.F. 1.30 ACRE	0.00 S.F. 0.00 ACRE	47523.22 S.F. 1.09 ACRE
	TAX MAP *155G A PARCEL 13							
CITY OF CHATTAHOOGA DEPT. OF PUBLIC WORKS ENGINEERING DIVISION			SCALE: 1"=100'		DATE: AUGUST 17, 2015			
			REVISION:		SHEET 1 OF 2		S-09-008-T002	

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TEMPORARY CONSTRUCTION EASEMENT EXCLUDES EXISTING CONCRETE PAD

MATCH LINE

SEE SHEET 1 OF 2

②

3510 ST ELMO AVE
 Parcel ID 155G A 013
 SELOX INC
 C/O BOC GROUP INC
 DB 2611 PG 0174

ST ELMO AVE
 Parcel ID 155G A 014
 WHELAND FOUNDRY LLC
 ATTN DOUG JOHNSON ATTORNEY
 DB 5648 PG 0320

VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT

VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT "B"
 AREA=2959.59 S.F.

VARIABLE WIDTH PERMANENT DRAINAGE EASEMENT "B"
 AREA=55094.53 S.F.

LINE	BEARING	DISTANCE
L7	S 58°33'35" E	220.82'
L8	N 31°26'25" E	26.81'
L9	S 65°28'51" E	192.99'
L10	N 22°58'28" E	141.61'
L11	S 58°33'35" E	212.43'
L12	S 31°26'25" W	25.00'
L13	S 58°33'35" E	525.11'
L15	S 31°26'25" W	5.00'
L16	S 58°33'35" E	190.00'

CIVIC
 EXPERIENCE | TECHNOLOGY | PROGRESS

25 LINDSLEY AVENUE
 NASHVILLE, TENNESSEE 37210
 (615) 425-2000

TRACT NO.	OWNERSHIP		DEED BOOK	PAGE	R.O.W. REQUIRED	PERM. DRAINAGE ESMT. REQD.	SLOPE ESMT. REQD.	TEMPORARY CONST. ESMT. REQD.
②	SELOX INC C/O BOC GROUP INC		2611	174	0.00 S.F. 0.00 ACRE	56722.53 S.F. 1.30 ACRE	0.00 S.F. 0.00 ACRE	47523.22 S.F. 1.09 ACRE
	TAX MAP *155G A PARCEL 13							
CITY OF CHATTANOOGA DEPT. OF PUBLIC WORKS ENGINEERING DIVISION			SCALE: 1"=100'		DATE: AUGUST 17, 2015			
REVISION:			SHEET 2 OF 2		S-09-008-T002			