

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PAYMENT TO PORNPIMORN VONGSUNSUNEE AND KANOKPORN DILOKHATAKARN FOR A PERMANENT RIGHT-OF-WAY CONVEYANCE BY DEED RELATIVE TO CONTRACT NO. T-14-041, VIRGINIA AVENUE NEIGHBORHOOD GREENWAY PROJECT, FOR TWO THOUSAND FIVE HUNDRED SQUARE FEET (2,500'), MORE OR LESS, FOR A PORTION OF TRACT ONE, PROPERTY LOCATED AT 4008 ST. ELMO AVENUE, TAX MAP NO. 1550-L-020, MR-2015-125, CONTINGENT UPON THE EXECUTION OF AFFIDAVIT OF LEASE STATUS, FOR AN AMOUNT NOT TO EXCEED THIRTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$31,250.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing payment to Pornipimorn Vongsunsunee and Kanokporn Dilokhatakarn for a permanent right-of-way conveyance by deed relative to Contract No. T-14-041, Virginia Avenue Neighborhood Greenway Project, for 2,500 square feet, more or less, for a portion of Tract One, property located at 4008 St. Elmo Avenue, Tax Map No. 1550-L-020, MR-2015-125, contingent upon the execution of Affidavit of Lease status, for an amount not to exceed \$31,250.00.

This has been approved by the Planning Commission on October 12, 2015.

ADOPTED: _____, 2015

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: December 4, 2015

Preparer: Blythe Bailey

Department: TRANSPORTATION

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # _____ Council District # 7

A RESOLUTION AUTHORIZING PAYMENT TO PORNPIMORN VONGSUNSUNEE AND KANOKPORN DILOKHATAKARN FOR A PERMANENT RIGHT-OF-WAY CONVEYANCE BY DEED RELATIVE TO CONTRACT T-14-041, VIRGINIA AVENUE NEIGHBORHOOD GREENWAY PROJECT, FOR TWO THOUSAND FIVE HUNDRED (2,500) SQUARE FEET, MORE OR LESS, FOR A PORTION OF TRACT ONE, PROPERTY LOCATED AT 4008 ST. ELMO AVENUE, TAX MAP NO. 1550-L-020, THIS CONFIRMING APPROVAL OF THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION ON OCTOBER 12, 2015, MR-2015-125, FOR AN AMOUNT NOT TO EXCEED THIRTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$31,250.00) CONTINGENT UPON THE EXECUTION OF AFFIDAVIT OF LEASE STATUS.

Name of Vendor/Contractor/Grant, etc.	<u>Vongsunsunee & Dilokhatakarn</u>	New Contract/Project? (Yes or No)	<u>NO</u>
Total project cost \$	<u>\$31,250.00</u>	Funds Budgeted? (YES or NO)	<u>YES</u>
Total City of Chattanooga Portion \$	<u>\$31,250.00</u>	Provide Fund	<u>4022</u>
City Amount Funded \$	<u>\$31,250.00</u>	Provide Cost Center	<u>P20502</u>
New City Funding Required \$	<u>\$0.00</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.

Amount(s)	Grantor(s)
\$ _____	_____
\$ _____	_____
\$ _____	_____

Agency Grant Number _____

CFDA Number if known _____

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

Approved by Planning Commission on October 12, 2015, MR-2015-125.

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:
Pornpimorn Vongsunsunee &
Kanokporn Dilokhatakarn
4008 St. Elmo Avenue
Chattanooga, TN 37409

THIS INSTRUMENT PREPARED BY:
City of Chattanooga
Transportation Department
Development Resource Center
1250 Market Street, Suite 3030
Chattanooga, Tennessee 37402

TRACT NO. 1
TAX MAP NO. 1550 L 020

RIGHT-OF-WAY DEED

FOR AND IN CONSIDERATION OF THIRTY-ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$31,250.00) in hand paid and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Pornpimorn Vongsunsunee & Kanokporn Dilokhatakarn, the owners of Property No. 1550-L-020, as shown on a Hunnicutt Tax Map, in the City of Chattanooga, Tennessee, hereby gives, grants, bargains, sells, and conveys 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.

SITUATED in the City of Chattanooga, Hamilton County, Chattanooga, Tennessee, and being known and designated as Lots 9,10 & 11, Block 21, of the Revised Subdivision of St. Elmo, as shown on the map of the same as recorded in Plat Book 5, page 6, also being the same property referenced as Hunnicutt Tax Map No. 1550-L-022, as shown by deed of record in Book 8322, page 0082, in the office of the Register of Hamilton County, Tennessee. Said right-of-way being more particularly described as follows, to wit:

COMMENCE AT A POINT (P.O.C.) which is the Northwestern corner of the property referenced in Deed Book 3430, Page 45 also being the same property referenced as Hunnicutt Tax Map No. 1550-L-002, said point being the intersection of the Eastern right-of-way line of St. Elmo Avenue and the Northern right-of-way line of Virginia Avenue said point being an Iron Pin; thence South 24 degrees 10 minutes 45 seconds West a distance of 38.32 feet to the point of beginning (P.O.B.); thence along the Southern right-of-way of Virginia Avenue, South 16 degrees 32 minutes 19 seconds East a distance of 103.07 feet; thence leaving said right-of-way North 71 degrees 17 minutes 34 seconds West a distance of 59.55 feet to the Eastern right-of-way of St. Elmo Avenue;

thence along said right-of-way head North 18 degrees 51 minutes 35 seconds East a distance of 73.02 feet to an Iron Pin, thence continue along said right-of-way North 18 degrees 03 minutes 31 seconds East a distance of 8.82 feet to an Iron Pin; thence continue along said right-of-way North 18 degrees 03 minutes 31 seconds East a distance of 2.34 feet to the POINT OF BEGINNING; with a total area of 2500 square feet, more or less, all as shown on Drawing No. T-14-041, Tract No 1, dated November 18, 2015.

TO HAVE AND TO HOLD the above described property as a right-of-way for Public Street purposes unto the City of Chattanooga, Tennessee, its successors and assigns.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____ 2015.

Name

Name

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

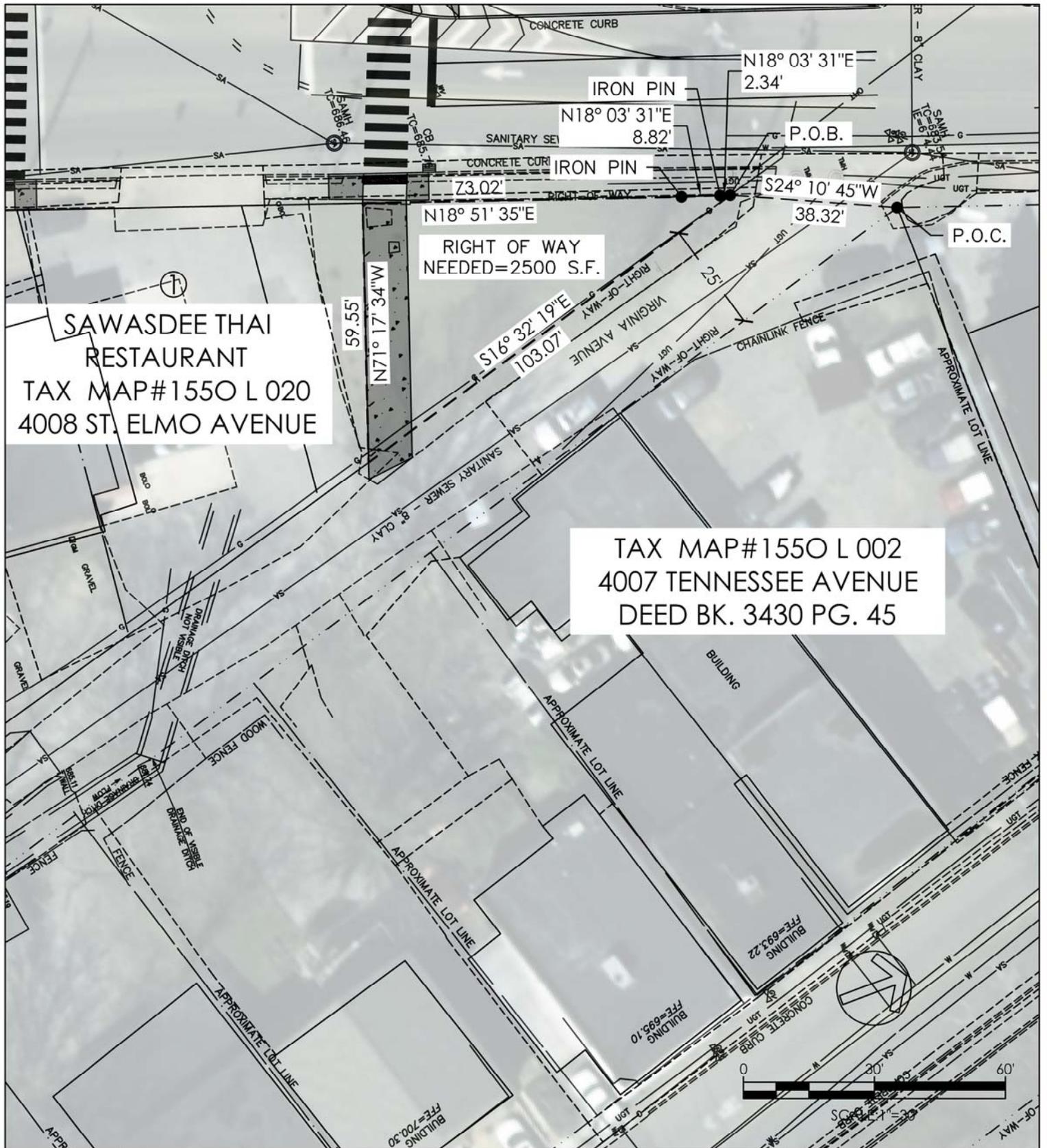
On this _____ day of _____, 2015, before me personally appeared _____ and _____

with whom I am personally acquainted, and who upon oath acknowledged themselves to be the persons described in the foregoing instrument and acknowledged themselves to be the persons described in the foregoing instrument and acknowledged that they executed the same as their free act and deed.

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

NOTARY PUBLIC

My Commission Expires: _____



SAWASDEE THAI
RESTAURANT
TAX MAP#155O L 020
4008 ST. ELMO AVENUE

TAX MAP#155O L 002
4007 TENNESSEE AVENUE
DEED BK. 3430 PG. 45

TRACT NO.	OWNERSHIP		DEED BOOK	PAGE	R/W REQUIRED SQ. FEET
	PORNPIMORN VONGSUNSUNEE & KANOKPORN DILOKHATAKARN 4008 ST. ELMO AVENUE CHATTANOOGA, TN 37409				
1			8322	82	2500
PREPARED BY AND FOR CITY OF CHATTANOOGA		SCALE: 1"=30'	DATE: 11/18/2015		
			DWG. NO. T-14-041.01		

AFFIDAVIT OF TERMINATION OR
EXPIRATION OF LEASE

The undersigned, having been duly sworn and under oath, does hereby make and affirm the following statements to be true and correct:

1) That certain Lease Agreement dated June 21, 1974, by and between Walsey and Company, as "Lessor" and the Southland Corporation, as "Lessee", recorded in Book 2184, Page 699, as assigned to Trust Company Bank, dated March 18, 1977, recorded in Book 2396, Page 368, as assigned to Raymond Kohn, dated March 18, 1977, recorded in Book 2396, Page 372 and further assigned to Valley Distributors, Inc., a West Virginia Corporation, dated March 18, 1977, recorded in Book 2396, Page 374, in the Register's Office of Hamilton County, Tennessee, has been terminated or expired under the terms of said Lease; and

2) That as to the knowledge and belief of the undersigned, said Lease Agreement is no longer effective.

Further Affiants Saith Not.

Witness our hands this ____ day of _____, 2015.

Pornpimorn Vongsunsunee

Kanokporn Dilokhatakarn

STATE OF _____
COUNTY OF _____

On this the _____ day of _____, 2015, before me personally appeared Pornpimorn Vongsunsunee and Kanokporn Dilokhatakarn, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) who executed the foregoing instrument in behalf of themselves, acknowledged that they executed the same as their free act and deed.

Witness my hand and Notarial Seal.

Notary Public

My Commission Expires: _____

MR-2015-125 City of Chattanooga
October 12, 2015

RESOLUTION

WHEREAS, City of Chattanooga Real Property Office/Gail Hart and Pronpimorn Vongsunsunee (Popi) petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga granting approval of a Mandatory Referral pursuant to T.C.A. 13-4-104 for Acquisition of a property located at 4008 Saint Elmo Avenue.

Acquisition of part of a property located at 4008 Saint Elmo Avenue as shown in the drawing prepared by and for the City of Chattanooga on July 16, 2015, being Tract No. 1, Drawing Number T-14-041.01 and being part of the property described in Deed Book 8322, Page 82, ROHC. Tax Map 155O-L-020 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 12, 2015,

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

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

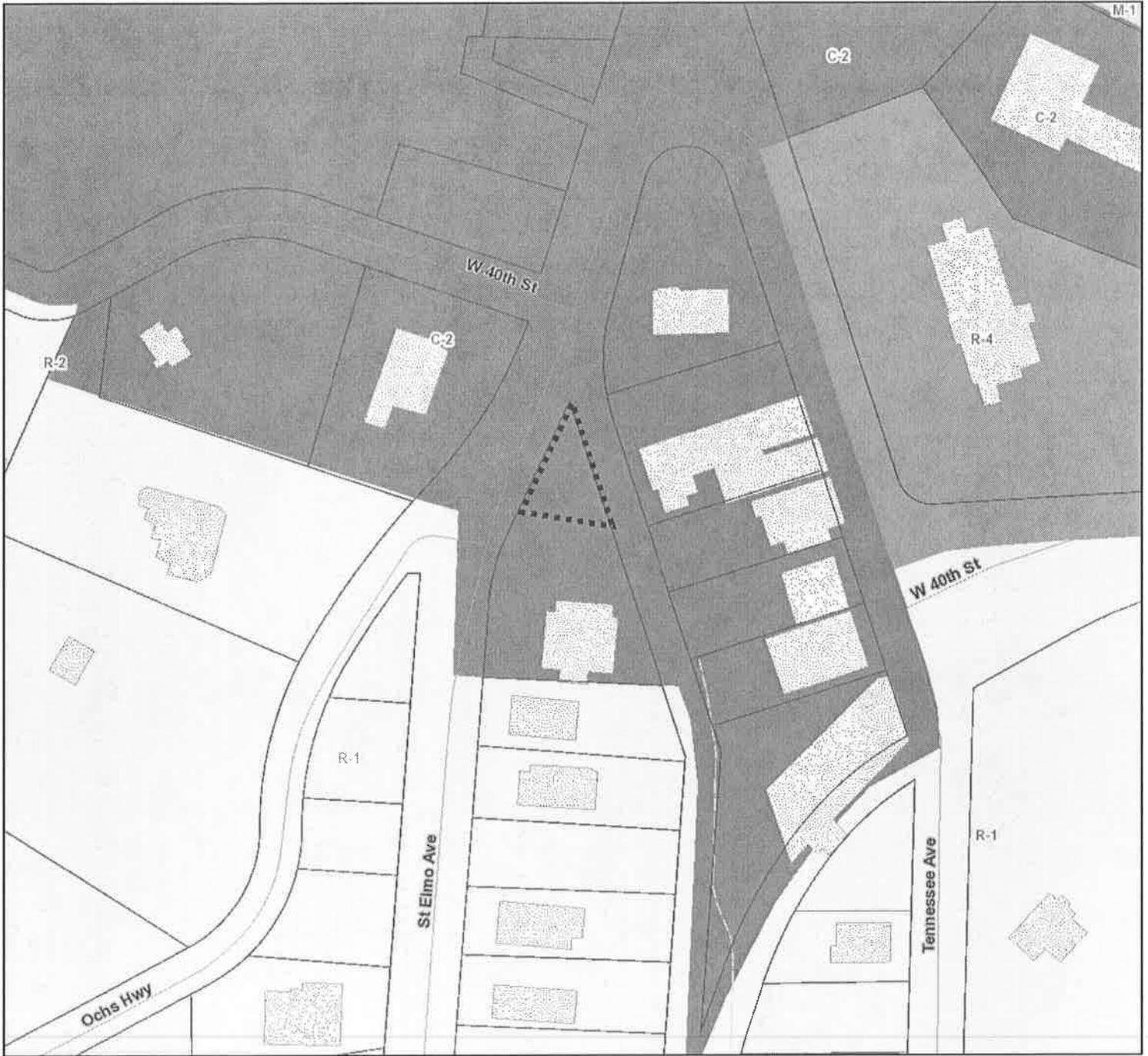
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on October 12, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral for Acquisition to improve pedestrian enhancements be approved.

Respectfully submitted,



John Bridger
Secretary



MR 2015-125 Acquisition

PLANNING COMMISSION RECOMMENDATION FOR CASE NO.
MR-2015-125: Approve



Chattanooga Hamilton County Regional Planning Agency



100 ft

