

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.028 ACRES, MORE OR LESS, FROM PROPERTY OWNER, McOMIE ENTERPRISES, LLC, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, BEING A PORTION OF TRACT 1, 7333 SHALLOWFORD ROAD, TAX MAP NO. 149H-G-020, IN THE AMOUNT OF THIRTY-SEVEN THOUSAND THREE HUNDRED DOLLARS (\$37,300.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the acquisition of 0.028 acres, more or less, from property owner, McOmie Enterprises, LLC, relative to Contract No. E-12-008, Gunbarrel Road Widening, being a portion of Tract 1, 7333 Shallowford Road, Tax Map No. 149H-G-020, in the amount of \$37,300.00.

This confirms the approval of the Chattanooga-Hamilton County Regional Planning Commission on February 8, 2016, MR-2016-020.

ADOPTED: _____, 2016

/mem

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: February 9, 2016

Preparer: Bertran Kuyrkendall

Department: Transportation

Brief Description of Purpose for Resolution/Ordinance: Res./Ord. # _____ Council District # 4

A resolution authorizing the acquisition of 0.028 acres, more or less, from property owner McOmie Enterprises, LLC, relative to contract No. E-12-008, Gunbarrel Road Widening, being a portion of Tract 1, 7333 Shallowford Road, Tax Map No. 149H-G-020 this confirming approval of the Chattanooga-Hamilton County Regional Planning Commission on February 8, 2016, MR 2016-020.

Name of Vendor/Contractor/Grant, etc.	<u>McOmie Enterprises, LLC</u>	New Contract/Project? (Yes or No)	<u>No</u>
Total project cost \$	<u>37,300.00</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>37,300.00</u>	Provide Fund	<u>4022</u>
City Amount Funded \$	<u>37,300.00</u>	Provide Cost Center	<u>P20207</u>
New City Funding Required \$	<u>-</u>	Proposed Funding Source if not budgeted	_____
City's Match Percentage %	<u>100%</u>	Grant Period (if applicable)	_____

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)

Approved by: *Bertran Kuyrkendall*
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Revised: October, 2011

899-112
MARK

MAIL TAX BILL TO:
McOmie Enterprises, LLC
6450 Solitude Drive
Chattanooga, Tennessee 37421
(TAX MAP NO. 149H-G-020)

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

TRACT # 1

RIGHT-OF-WAY

FOR AND IN CONSIDERATION OF THIRTY SEVEN THOUSAND THREE HUNDRED DOLLARS (\$37,300.00) to be upon Council approval the sufficiency of which is hereby acknowledged, McOmie Enterprises, LLC, the owner of Property No. 149H-G-020 as shown on a Hunnicutt Tax Map, in the city of Chattanooga, Tennessee, does 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. 149H-G-020, as shown by deed of record in Book 9783, Page 773, and being lot 14 of Timberland Subdivision as recorded in plat book 20, page 73 in the office of the Register of Hamilton County, Tennessee. Said right-of-way being more particularly described as follows:

BEGINNING AT A POINT on the existing western right-of-way line of Gunbarrel Road at the southwestern property line of Gunbarrel Partners, as recorded in book 9433, page 409 plat book 20, page 73 Tax Map No. 149H-G-018 in the office of the Register of Hamilton County, Tennessee; thence South 23 degrees, 51 minutes and 30 seconds West along said existing right-of-way line, a distance of 34.83 feet, more or less, to a point; thence South 23 degrees, 51 minutes and 30 seconds West a distance of 113.01 feet more or less to a point; thence along said right-of-way a curve to the right having a radius of 40.00 feet, a chord bearing and distance of South 68 degrees, 24 minutes and 32 seconds West, 56.73 feet, more or less, to a point on the proposed right-of-way line; thence North 65 degrees, 35 minutes and 16 seconds East along said proposed right-of-way line, a distance of 49.69 feet, more or less, to a point; thence North 23 degrees, 37 minutes and 32 seconds East, a distance of 82.80 feet, more or less, to a point; thence North 36 degrees, 01 minute and 50 seconds East, a distance of 33.46 feet, more or less, to a point on the existing western right-of-way line of Gunbarrel Road; thence North 23 degrees, 51 minutes and 30 seconds East along said right-of-way line, a distance of 34.83 feet, more or less, to the **POINT OF BEGINNING**, containing 1205 square feet, or 0.028 acre, as shown on Drawing No. E12008101-TRACT 1 attached and made a part of this document.

TEMPORARY CONSTRUCTION EASEMENT

Also included is a temporary construction easement on said lot for the purpose of roadway and sidewalk construction and necessary appurtenances, including a reasonable working area adjacent to the sidewalk. Said temporary construction easement being more particularly described as follows:

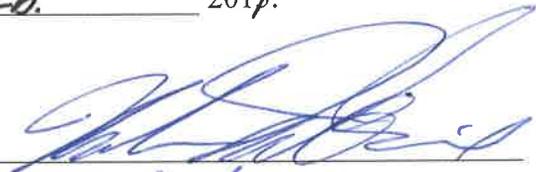
containing 1952 square feet, or 0.045 acre, as shown on Drawing No. E12008101-TRACT 1 attached and made a part of this document.

McOmie Enterprises, LLC also by these presents does 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.

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 25th day of Feb. 201~~7~~⁶.

Name 
Title President Mcemie Enterprises

Name _____
Title _____

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this 25th day of Feb 201~~7~~⁶, before me personally appeared Dr. Mary Mcemie and _____ with whom I am personally acquainted, and who upon oath acknowledged themselves to be the President and _____, respectively, of _____, 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.



James K. Gutshall
NOTARY PUBLIC

My Commission Expires: 12-05-2017

CURVE	RADIUS	DIRECTION	CHORD BEARING	CHORD DIST.
C1	40.00'	RIGHT	S68°24'32"W	56.73'

EXIST. DRAINAGE EASEMENT

LINE	BEARING	DISTANCE
L1	S23°51'30"W	34.83'
L2	S23°51'30"W	113.01'
L3	N65°35'16"E	49.69'
L4	N23°37'32"E	82.80'
L5	N36°01'50"E	33.46'
L6	N23°51'30"E	34.83'

OWNER: GUNBARREL PARTNERS
TAX MAP NO. 149H-G-018

EXIST. 20' SEWER EASEMENT

EXIST. 20' SEWER EASEMENT

1

OWNER: MCOMIE ENTERPRISES, LLC
TAX MAP NO. 149H-G-020
BOOK 9783, PAGE 773 R.O.H.C.
THIS DOCUMENT WAS PREPARED
WITH DEED BOOK 9783, PAGE 773 R.O.H.C.
AND DOES NOT CONSTITUTE A BOUNDARY
SURVEY.

TEMP. CONST. EASEMENT

PROP. R.O.W.

EXIST. R.O.W.

101+00

N 23° 37' 32" E
GUNBARREL ROAD

TRACT NO.	OWNERSHIP		BOOK	PAGE	RIGHT-OF-WAY REQUIRED	TEMP. CONST. ESMT. REOD.
	1	MCOMIE ENTERPRISES, LLC				
TAX MAP # 149H-G-020						
CITY OF CHATTANOOGA DEPT. OF TRANSPORTATION			SCALE: 1" = 20'		DATE: AUGUST 24, 2015	
			REVISION:		DWG. E12008101-TRACT 1	

MR-2016-020 City of Chattanooga
February 8, 2016

RESOLUTION

WHEREAS, City of Chattanooga Real Property Office/Gail Hart 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, parts of properties located in the 2300 thru 2500 blocks of Gunbarrel Road, 2346 Elam Lane, 7335 and 7342 McCutcheon Road and 7333 Shallowford Road.

Tracts 1 2B, 2C, 2D, 2E, 2F and Tracts 9 thru 15 of the City of Chattanooga Department of Transportation Gunbarrel Road Project being Drawing E12008101, Dated August 24, 2015 as submitted in the case file. Parts of Tax Maps 149A-B-013 thru 017, 017.02 and 149H-G-011 thru 016 and 020 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 8, 2016,

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

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

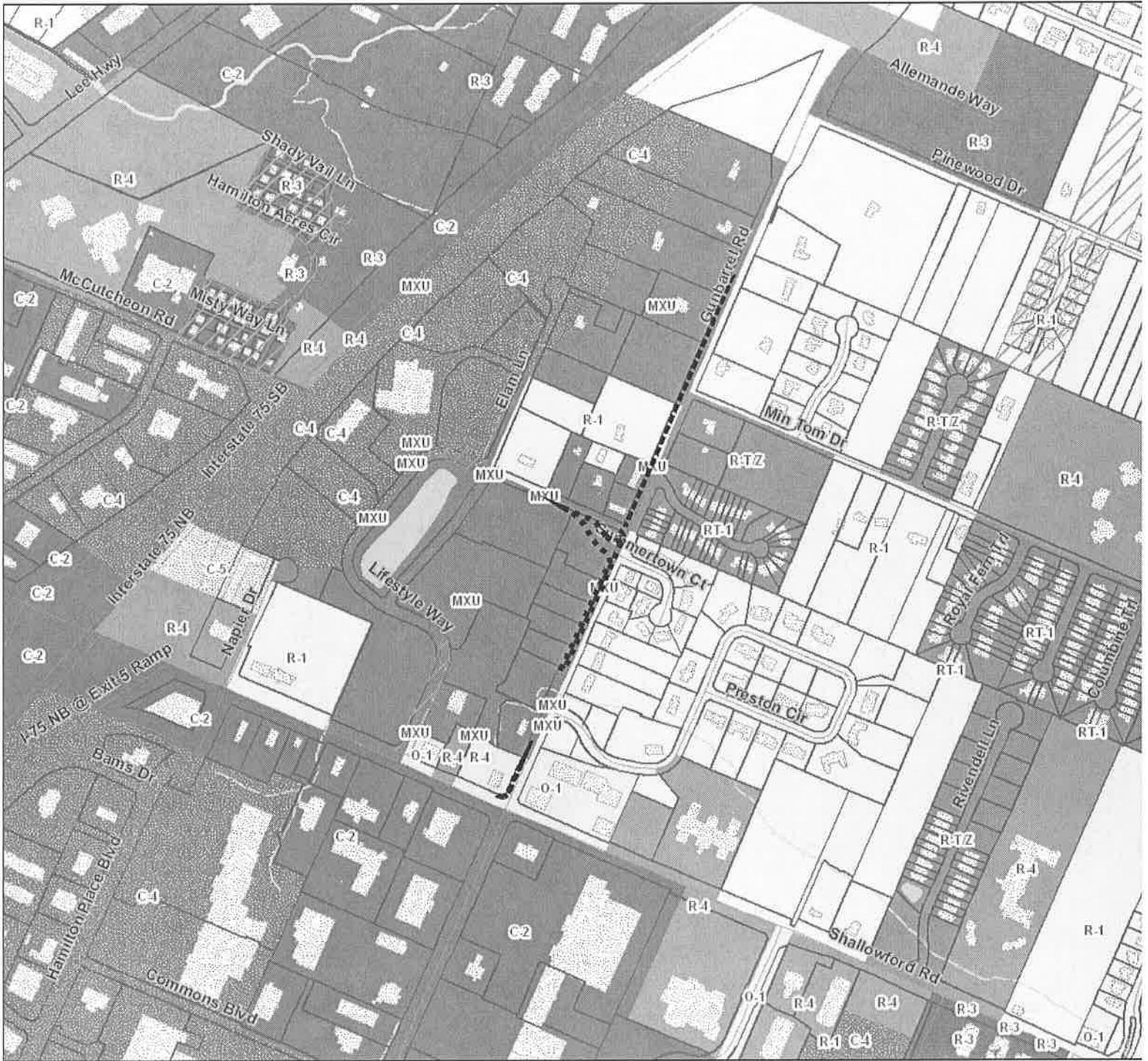
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on February 8, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral for acquisition for right-of-way for road improvements be approved.

Respectfully submitted,



John Bridger
Secretary



MR 2016-020 Acquisition

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2016-020: Approve



615 ft

