

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ACQUISITION OF 0.147 ACRES, MORE OR LESS, FROM PROPERTY OWNERS, TOMMY AND KELLIE THOMPSON, RELATIVE TO CONTRACT NO. E-12-008, GUNBARREL ROAD WIDENING, BEING A PORTION OF TRACT 12, 2411 GUNBARREL ROAD, TAX MAP NO. 149A-B-015, IN THE AMOUNT OF ONE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$127,450.00).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing the acquisition of 0.147 acres, more or less, from property owners, Tommy and Kellie Thompson, relative to Contract No. E-12-008, Gunbarrel Road Widening, being a portion of Tract 12, 2411 Gunbarrel Road, Tax Map No. 149A-B-015, in the amount of \$127,450.00.

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 0.147 acres, more or less, from property owners Tommy and Kellie Thompson, relative to contract No. E-12-008, Gunbarrel Road Widening, being a portion of Tract 12, 2411 Gunbarrel Road, Tax Map No. 149A-B-015, 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>Tommy and Kellie Thompson</u>	New Contract/Project? (Yes or No)	<u>No</u>
Total project cost \$	<u>127,450.00</u>	Funds Budgeted? (YES or NO)	<u>Yes</u>
Total City of Chattanooga Portion \$	<u>127,450.00</u>	Provide Fund	<u>4022</u>
City Amount Funded \$	<u>127,450.00</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.

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: *Bertran Kuyrkendall*

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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

Revised: October, 2011

MAIL TAX BILL TO:
Tommy & Kellie Thompson
2411 Gunbarrel Road
Chattanooga, Tennessee 37421
(TAX MAP NO. 149A-B-015)

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

TRACT # 12

RIGHT-OF-WAY

FOR AND IN CONSIDERATION OF ONE HUNDRED TWENTY SEVEN THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$127,450.00) to be upon Council approval the sufficiency of which is hereby acknowledged, Tommy & Kellie Thompson, the owners of Property No. 149A-B-015 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. 149A-B-015, as shown by deed of record in Book 10416, Page 143 and being lot 5, block B of J L Jenkins Subdivision as recorded in plat book 10, page 49 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 northeastern property line of Napier Associates, as recorded in plat book 24, page 12 and book 9803, page 51 Tax Map No. 149A-B-014 in the office of the Register of Hamilton County, Tennessee; thence North 66 degrees, 15 minutes and 21 seconds West along said property line, a distance of 20.35 feet, more or less, to a point on the proposed right-of-way line; thence North 23 degrees, 21 minutes and 31 seconds East along said proposed right-of-way line, a distance of 58.58 feet, more or less, to a point; thence North 22 degrees, 55 minutes and 01 second East along said proposed right-if way line, a distance of 229.10 feet, more or less, to a point on the southeast property line of Napier Associates, as recorded in plat book 10, page 49 and book 9103, page 302 Tax Map No. 149A-B-016 in the office of the Register of Hamilton County, Tennessee; thence South 66 degrees, 15 minutes and 21 seconds East, along said property line a distance of 24.63 feet, more or less, to a point on the existing western right-of-way line of Gunbarrel Road; thence South 23 degrees, 51 minutes and 31 seconds West, along said existing right-of-way line, a distance of 287.66 feet, more or less, to the **POINT OF BEGINNING**, containing 6419 square feet, or 0.147 acre, as shown on Drawing No. E12008101-TRACT 12 attached and made a part of this document.

PERMANENT LANDSCAPE EASEMENT

FOR AND IN CONSIDERATION OF ONE DOLLAR (\$1.00) in hand paid and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, Tommy & Kellie Thompson, the owners of Property No. 149A-B-015 as shown on a Hunnicutt Tax Map, in the city of Chattanooga, Tennessee, do hereby authorize the CITY OF CHATTANOOGA, TENNESSEE, a municipal corporation, to enter upon their property for the purposes of construction and maintenance of landscaping and a shared-use path as shown on the aforesaid plans.

Located in the City of Chattanooga, Hamilton County, Tennessee, as shown by deed of record in Book 10416, Page 143, and being lot 5, block B of J L Jenkins Subdivision as recorded in plat book 10, page 49 in the office of the Register of Hamilton County, Tennessee.

Said permanent landscape and shared-use path easement being more particularly described as follows:

A twenty (20') feet deep buffer area adjacent to and following the western proposed right-of-way line of Gunbarrel Road, containing 5363 square feet, or 0.123 acre, as shown on Drawing No. E12008101-TRACT 12 attached and made a part of this document.

Tommy & Kellie Thompson, 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 do 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.

It is understood that the **MAINTENANCE RESPONSIBILITY** of all landscaping, mowing, and other aesthetic maintenance shall remain the sole responsibility of the property owners 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 a landscape shared-use path 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 8th day of MARCH 2015.

Name Hellie Thompson

Name Tommy Thompson

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

On this 8th day of MARCH 2015, before me personally appeared Tommy Thompson and Hellie Thompson with whom I am personally acquainted, and who upon oath acknowledged themselves to be the persons described in the foregoing instrument, acknowledged that they executed the same as their free act and deed.

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



James K. Gutshall
NOTARY PUBLIC

My Commission Expires: 12-05-2017



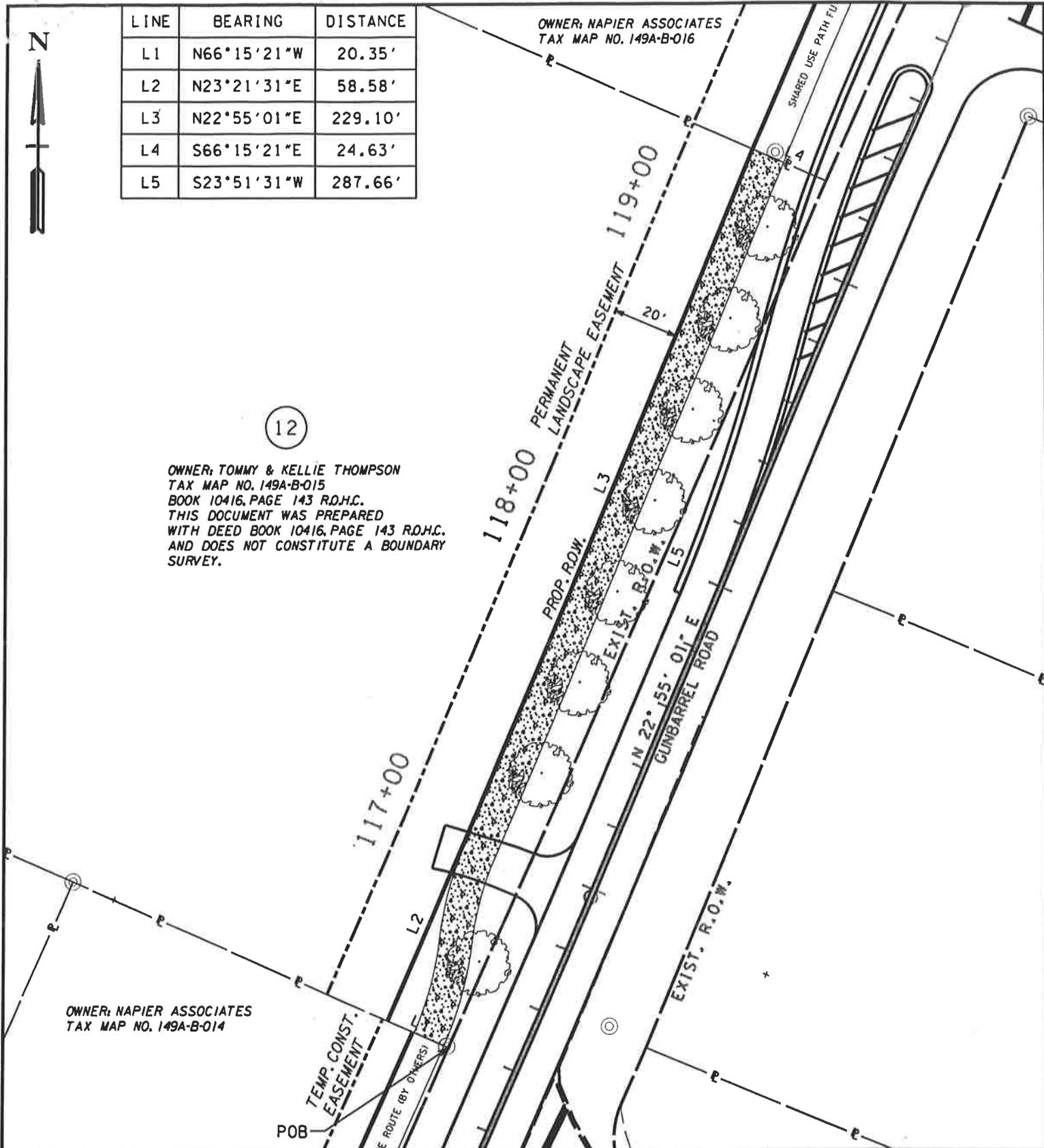
LINE	BEARING	DISTANCE
L1	N66°15'21"W	20.35'
L2	N23°21'31"E	58.58'
L3	N22°55'01"E	229.10'
L4	S66°15'21"E	24.63'
L5	S23°51'31"W	287.66'

OWNER: NAPIER ASSOCIATES
TAX MAP NO. 149A-B-016

12

OWNER: TOMMY & KELLIE THOMPSON
TAX MAP NO. 149A-B-015
BOOK 10416, PAGE 143 R.O.H.C.
THIS DOCUMENT WAS PREPARED
WITH DEED BOOK 10416, PAGE 143 R.O.H.C.
AND DOES NOT CONSTITUTE A BOUNDARY
SURVEY.

OWNER: NAPIER ASSOCIATES
TAX MAP NO. 149A-B-014



TRACT NO.	OWNERSHIP		BOOK	PAGE	RIGHT-OF-WAY REQUIRED	PERM. LANDSCAPE ESMT. REOD.
	TOMMY & KELLIE THOMPSON					
12	TAX MAP # 149A-B-015		10416	143	6419 S.F. .147 ACRE	5363 S.F. .123 ACRE

CITY OF CHATTANOOGA DEPT. OF TRANSPORTATION	SCALE: 1"= 40'	DATE: AUGUST 24, 2015
	REVISION:	DWG. EI200810I-TRACT 12

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,

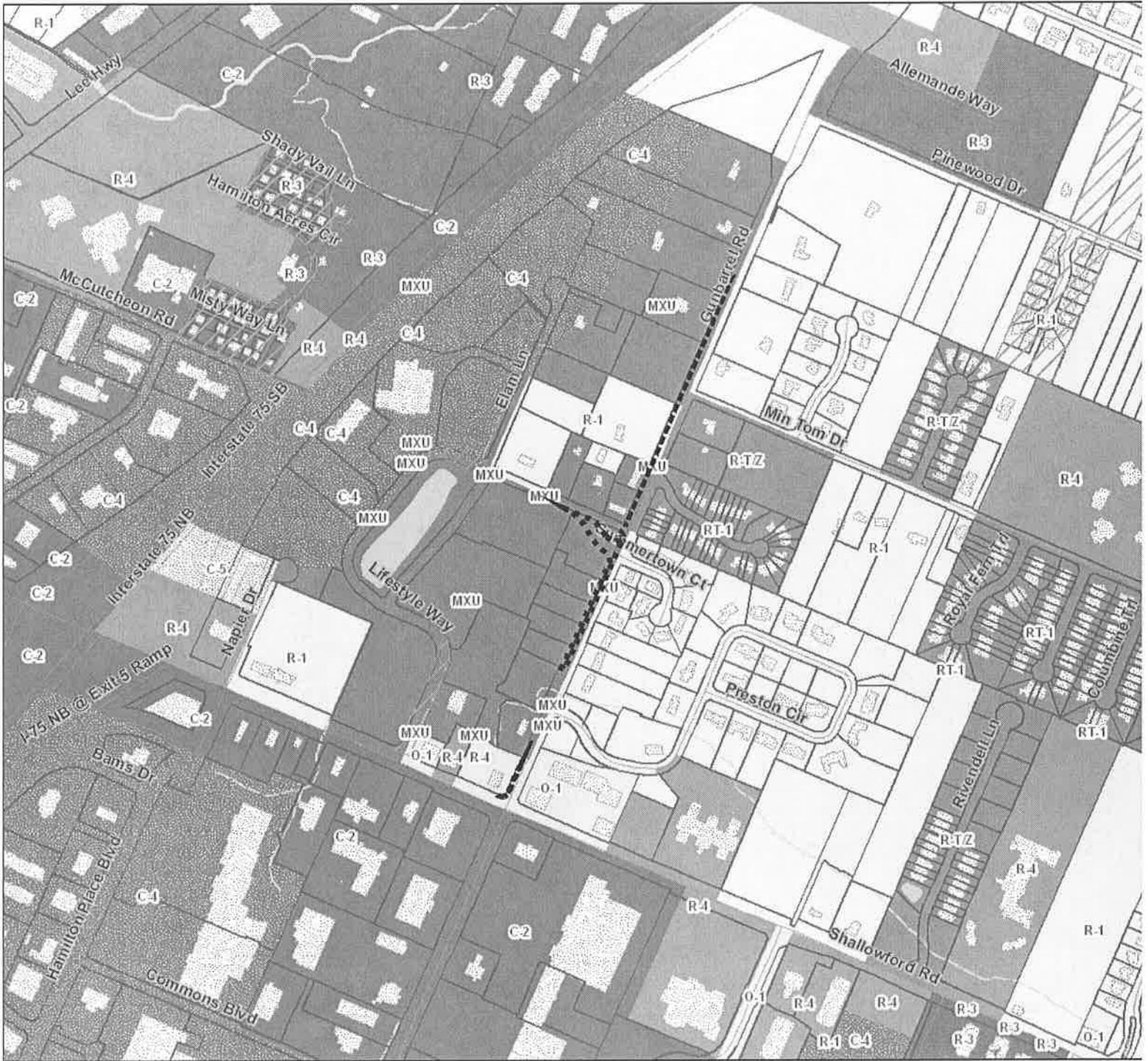
AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

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

