

1ST READING 7-13-04
2ND READING 7-20-04
3RD READING 7-20-04
INDEX NO. _____

MR-2004-009
City of Chattanooga and
Chattanooga Housing Authority

ORDINANCE NO. 11588

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY LOCATED IN THE 3800 BLOCK OF CHANDLER AVENUE, AN UNOPENED PORTION OF OAKLAND AVENUE LOCATED IN THE NORTH LINE OF THE 500 BLOCK OF WEST 42ND STREET, THE UNOPENED 600 BLOCKS OF WEST 40TH STREET AND WEST 41ST STREET AND A PORTION OF THE UNOPENED 700 BLOCK OF WEST 40TH STREET RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby closed and abandoned an unopened alley located in the 3800 block of Chandler Avenue, an unopened portion of Oakland Avenue located in the north line of the 500 block of West 42nd Street, the unopened 600 blocks of West 40th Street and West 41st Street and a portion of the unopened 700 block of West 40th Street right-of-way, more particularly described below and as shown on the map attached hereto and made a part hereof by reference:

Abandonment of an unopened alley beginning in the west line of the 3800 block of Chandler Avenue thence northwest some 205

feet to the east line of the Chattanooga Belt Railroad right-of-way. Said alley separates Lots 1 thru 4 from Lot 5, Subdivision of the North Part of the Rogers Home Place at Alton Park, Plat Book 6, Page 60, ROHC. Tax Map 155N-L-002.

Abandonment of the unopened 600 block of West 41st Street beginning at its intersection with the east line of the 4000 block of Grand Avenue thence some 215 feet southeast to the west line of the 4000 block of Ohls Avenue. Said street separates lots 1 thru 4 of Block 5 from Lots 6 thru 8 of Block 6, Map of Alton Park Subdivision, Plat Book 3, Page 8, ROHC. Tax Map 155N-H-006, 007, 013 and 014.

Abandonment of the unopened 600 block of West 40th Street beginning at its intersection with the west line of the 3800 block of Ohls Avenue thence some 223 feet northwest to the east line of Lot 1, Block 7, Map of Alton Park Subdivision, Plat Book 3, Page 8, ROHC. Said right-of-way separates Lots 1 thru 4 of Lot 7 from Lots 1 thru 4 of Lot 6, Map of Alton Park Subdivision, Plat Book 3, Page 8, ROHC. Tax Map 155N-H-005.

Abandonment of a portion of the unopened, 700 block, of the West 40th Street right-of-way beginning at the intersection of the north line of an unnamed alley with the east line of the 4000 block of Grand Avenue, thence northeast some 205 feet to the east line of Lot 5, Block 8, Alton Park Addition Number 2, Plat Book 3, Page 8, ROHC, thence some 145 feet southwest to the east line of the opened portion of the 700 block of the West 40th Street right-of-way, thence following said east line southeastwardly some 123 feet to the north line of an unnamed alley, the point of beginning. Said right-of-way separates Lot 1, Block 6, Alton Park Addition Number 2, Plat Book 3, Page 8, ROHC from the open portion of the 700 block of West 40th Street. Tax Map 155N-H-005.

Abandonment of an unopened portion of Oakland Avenue beginning on the north line of the 500 block of West 42nd Street thence northwest some 273 feet to the east line of the 4000 block of Ohls Avenue. Said avenue separates Lots 201 and the southwest portions of Lots 202 thru 204 from the northeast portions of Lots 202 thru 204 and a large unplatted tract of land located in the 3800 block of Ohls Avenue as described in Deed Book 5826, Page 60, ROHC. Tax Map 155N-L-013 thru 015.

SECTION 2. BE IT FURTHER ORDAINED, That this abandonment shall be subject to a satisfactory resolution to relocation/abandonment and/or retention of respective easements and access for the City of Chattanooga Fire Department, City of Chattanooga, Electric Power Board, BellSouth Telecommunications Company and the Chattanooga Gas Company. See also Ordinance No. 11557, adopted May 18, 2004 (Hope VI Redevelopment Area).

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, as provided by law.

PASSED on Third and Final Reading

_____ July 20 _____, 2004.

_____ *W. Jack Benson Sr.* _____
CHAIRPERSON

APPROVED: DISAPPROVED: _____

DATE: 7/27 _____, 2004

_____ *Boeberly* _____
MAYOR

Reviewed By: *David* _____
David Eichenthal

/pm

