

30
1990-072
The McCallie School, Inc.

ORDINANCE NO. 9395

AN ORDINANCE CLOSING AND ABANDONING WOODWARD AVENUE LOCATED SOUTHWEST FROM KIRBY AVENUE, BETWEEN DODDS AVENUE AND LEWIS STREET, MORE PARTICULARLY DESCRIBED HEREIN, UPON CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby closed and abandoned Woodward Avenue located southwest from Kirby Avenue, between Dodds Avenue and Lewis Street, more particularly described herein, and as shown on plat attached hereto and made a part hereof by reference:

Woodward Avenue, a right-of-way varying in width from 40 feet to 45 feet and beginning on the southwest line of the original Kirby Avenue right-of-way 307 feet southeast of the intersection of the southwest line of Kirby Avenue with the southeast line of Dodds Avenue, thence southeast 45 feet with Kirby Avenue to the original southeast line of Woodward Avenue, thence southwest 438.6 feet with said line to the northeast line of Anderson Avenue, thence northwest 40 feet with Anderson Avenue to the original northwest line of Woodward Avenue, thence northeast 338.6 feet with said line to the northeast corner of Lot 25, Careys Addition to Ridgedale, as shown by plat of record in Plat Book 1, Page 38, R.O.H.C., thence northwest 5 feet with the northeast line of said Lot 25 to the northwest line of the Woodward Avenue right-of-way as dedicated in Plat Book 42, Page 354, R.O.H.C., thence northeast 100 feet with said new right-of-way line to the original southwest line of Kirby Avenue, the point of beginning. Said street separates Lots 19-25, Carey's Addition to Ridgedale, as shown by plat of record in Plat Book 1, Page 38, R.O.H.C., and Lot 26, resubdivision of Lots 26 and 27, Careys Addition to Ridgedale, as shown by plat of record in Plat Book 42, Page 354, from Lots 49-54, said Careys Addition, and Lot 1, Griffith's subdivision of Lots 46, 47, 48, 61, 62, 63, 64, 65, 66, Careys Addition to Ridgedale, as shown by plat of record in Plat Book 1, Page 38, R.O.H.C.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment is made subject to the following conditions:

1. The reservation for Jupiter Industries, Inc., d/b/a Chattanooga Gas Company, of an easement the width of the right-of-way for its gas main, lines and other distribution facilities located within the petitioned right-of-way, which must be maintained for the use and benefit of its customers.
2. The reservation for the Electric Power Board of Chattanooga of an easement the width of the entire right-of-way for the operation, maintenance, rebuilding, and replacement of its distribution facilities.
3. The reservation for the Tennessee-American Water Company of an easement the in width of the right-of-way for the purpose of operating and maintaining their facilities located within the right-of-way.
4. The City of Chattanooga has a sewer located within the right-of-way and reserves an easement the width of the right-of-way for the purpose of maintaining said sewer.
5. The areas reserved for utility easements must be kept free and clear of all structures.
6. All existing easements are retained.

SECTION 3. BE IT FURTHER ORDAINED, That this

Ordinance shall take effect two weeks from and after its passage as provided by law.

PASSED on Third and Final
Reading 6/5/90

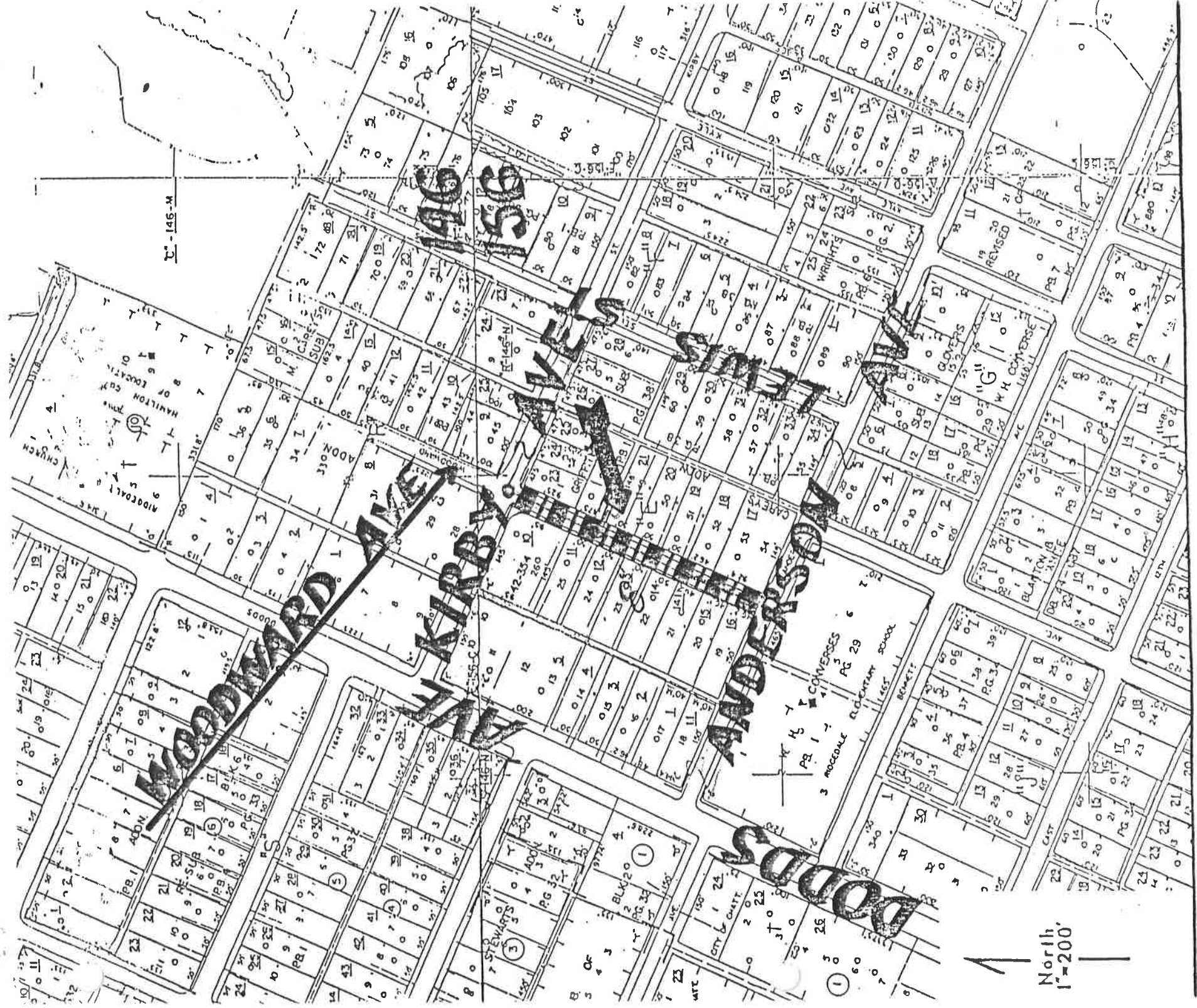


COMMISSIONER



MAYOR

WSP:cmc



Chattanooga-Hamilton County Regional Planning Commission
Application No.: 1990-072
Mandatory Referral: Abandon Street