

1ST READING

9-11-07

2ND READING

9-18-07

INDEX NO.

MR-2007-109

Mount Canaan Baptist Church

ORDINANCE NO. 12009

AN ORDINANCE CLOSING AND ABANDONING THE UNOPENED 700 BLOCK OF WEST ROAD; MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS 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 the unopened 700 block of West Road, more particularly described below and as shown on the maps attached hereto and made a part hereof by reference:

Abandonment of the unopened 700 block of West Road beginning at its intersection with the north line of the 4700 block of Midland Pike thence extending northeast some 989 feet to the north line of the unopened portion of the 4700 block of Belle Vista Drive. Said road separates Lots 1 and 15 thru 20 from and unplatted tract of land located at 4607 Midland Pike. Tax Map 147N-B-001 and 147N-E-001 and 016.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall be subject to:

1. The conditions on the attached Memorandum; and
2. AT&T Southeast and Tennessee Valley Authority to retain their respective easements for the full width.

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

PASSED on Second and Final Reading

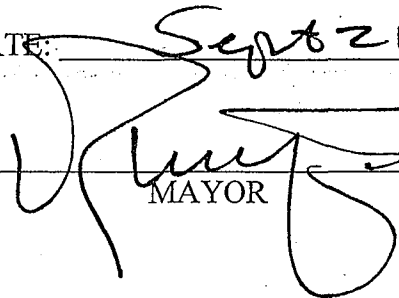
September 18, 2007.



CHAIRPERSON

APPROVED:  DISAPPROVED:

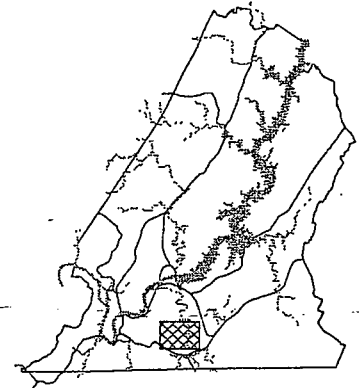
DATE: Sept 21, 2007



MAYOR

/add

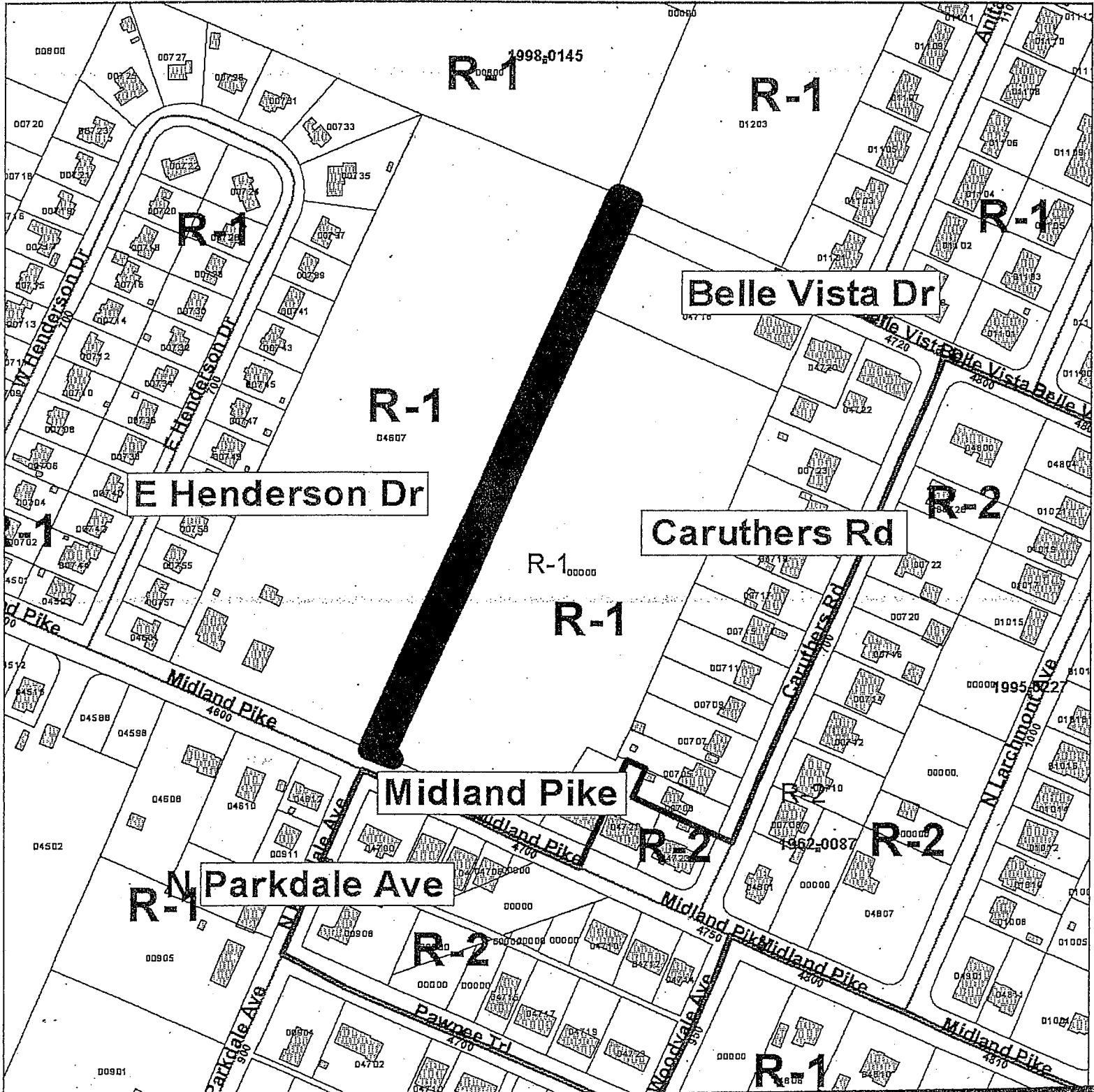
CHATTANOOGA - HAMILTON COUNTY REGIONAL  
PLANNING AGENCY



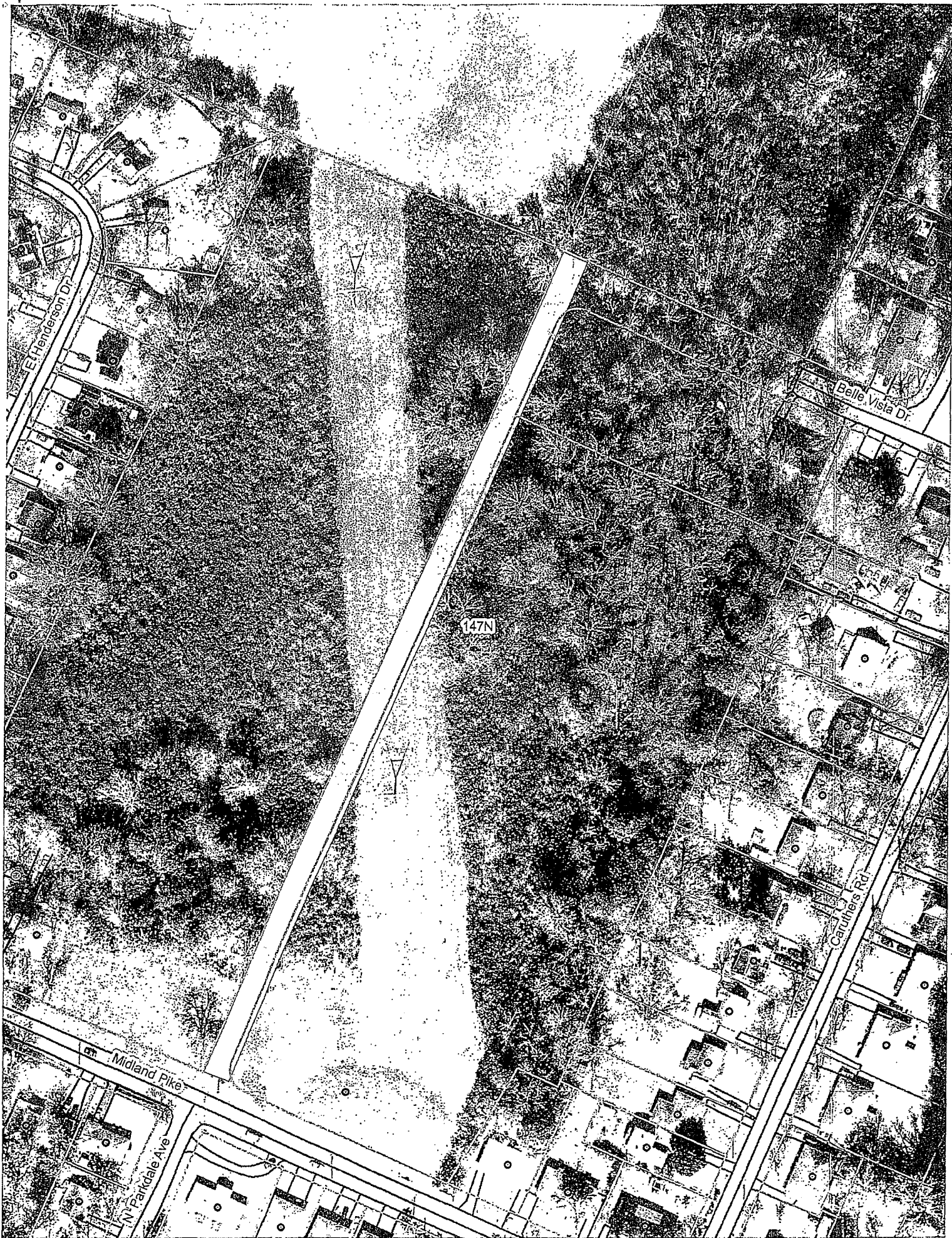
CHATTANOOGA  
CASE NO.: 2007-0109  
PC MEETING DATE: 7/9/2007  
MR ABANDON STREET R-O-W.



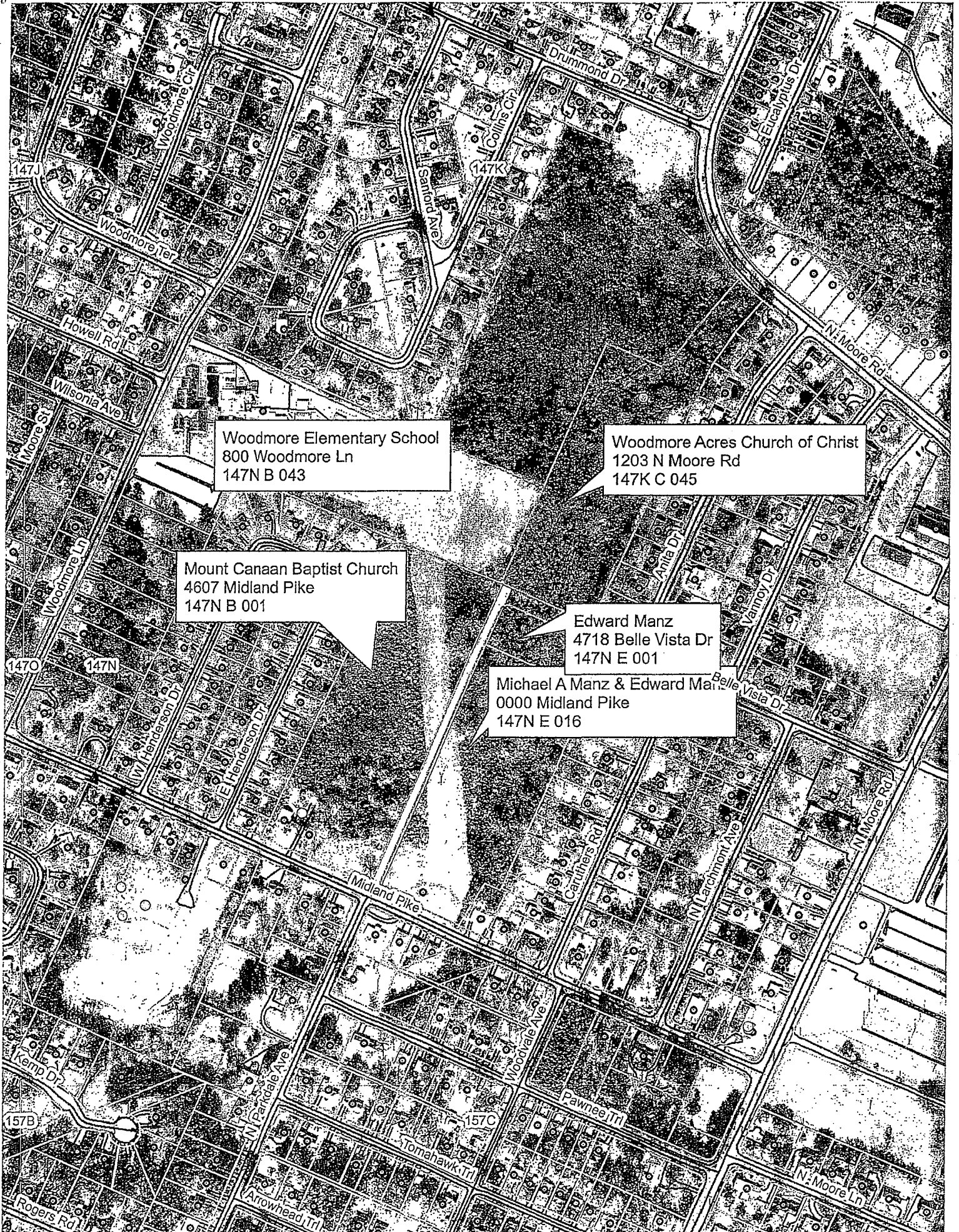
1 in. = 220.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2007-109: Approve, subject to







Woodmore Elementary School  
800 Woodmore Ln  
147N B 043

Woodmore Acres Church of Christ  
1203 N Moore Rd  
147K C 045

Mount Canaan Baptist Church  
4607 Midland Pike  
147N B 001

Edward Manz  
4718 Belle Vista Dr  
147N E 001

Michael A Manz & Edward Manz  
0000 Midland Pike  
147N E 016

# Memorandum

**To:** Bill Payne  
**From:** Bill Cannon  
**Date:** August 20, 2007  
**Re:** Mount Canaan Baptist Church - Case No. 2007-109  
700 Block of West Road  
Recommendations for Requested Unopened ROW Abandonment

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I have completed the review of Mount Canaan Baptist Church's request regarding abandonment of the unopened 700 Block of West Road ROW, beginning at its intersection with the north line of the 4700 Block of Midland Pike extending north east 989' ± to the north line of the unopened portion of the 4700 block of Belle Vista Drive. My comments are as follows:

1. The ROW for this opened alley is 30' in width. This was verified by the Plat dated March 1927 (Plat Book 11, Page 23).
2. The existing ROW is not open to traffic, is not surfaced, but is used as a service road.
3. There are plans to develop a portion of this property. The requested use for this land is to allow entry to proposed new construction of a building.
4. It should also be noted that this ROW has high voltage power lines bisecting it.
5. The following Public Interest and Utility Owners noted objections to the Abandonment.

- AT&T Southeast (formerly BellSouth)

6. AT&T Southeast (formerly BellSouth) has addressed its objection in written format stating they would not object if arrangements were made to maintain existing easements in the proposed abandonment area.

After review abandoning the a portion of the existing Alley does not conflict with the Public's interest provided all utility easements, routing rights and ingress/egress is maintained for the full width and length of the existing Alley ROW.

***Therefore, I recommend that the request for abandonment be approved with the following conditions:***

- 1. Retention of all utility easements, routing rights, and right of ingress/egress for the full width and length of the existing Alley ROW.***

In addition, the City of Chattanooga reserves the right to remove any fencing, gates, or similar appurtenances, at anytime for ingress/egress to City utilities. The cost of repair or replacement of such items will be at the expense of the owner; the City of Chattanooga will bear no associated financial responsibility whatsoever.