

1ST READING
2ND READING
INDEX NO.

12-02-08

ORDINANCE NO. 12190

AN ORDINANCE AMENDING AND MODIFYING ORDINANCE NO. 11705 (CASE NO. MR-2005-076) WHICH CLOSED AND ABANDONED A PORTION OF THE DEDICATED RIGHT-OF-WAY WITHIN THE 7500 BLOCK OF HEWITT LANE, MORE PARTICULARLY DESCRIBED HEREIN, AND AS SHOWN ON THE ATTACHED MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, a portion of dedicated right-of-way within the 7500 block of Hewitt Lane was closed and abandoned by Ordinance No. 17705 (Case No. MR-2005-076), subject to certain conditions, including "developer agreeing to build connectivity to Hewitt Lane;" and

WHEREAS, the Chattanooga-Hamilton County Regional Planning Commission has recommended that no connectivity to Hewitt Lane be required to be built by the developer at this time and the City Engineer has recommended approval of this request, subject to certain conditions.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the closure and abandonment of a portion of the 7500 block of Hewitt Lane is approved provided that Section 2 of Ordinance No. 11705, which is attached hereto, is hereby amended by deleting Section 2 therein in its entirety and replacing that condition with the following language in lieu thereof:

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall be subject to the City retaining a sewer easement for the full width and length of this right-of-way until such time as Shady Oaks Subdivision is replatted to provide for new alignment of the sewer line and utilities previously constructed along the right-of-way of Hewitt Lane. At such time, the City Engineer and Utility Owners shall approve any relocations or modifications of this existing sewer

line and utilities within the dedicated right-of-way on the subdivision plat.

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

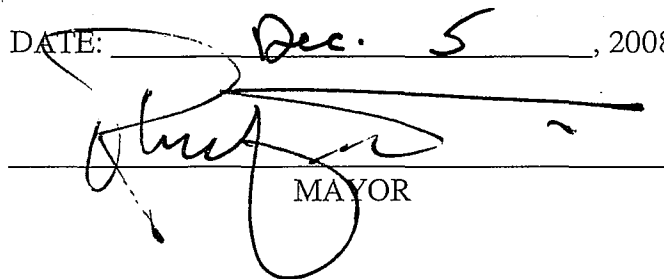
PASSED on Second and Final Reading

December 2, 2008.


CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: Dec. 5, 2008


MAYOR

PAN/kac