

1<sup>ST</sup> READING 8-11-09  
2<sup>ND</sup> READING 8-18-09  
INDEX NO. \_\_\_\_\_

MR-2009-097  
City of Chattanooga  
c/o Dan Thornton

ORDINANCE NO. 12279

AN ORDINANCE CLOSING AND ABANDONING A RIGHT-OF-WAY OF A PORTION OF THE FORMER EASTERN RIGHT-OF-WAY OF THE 400 BLOCK OF CHERRY STREET AND THE SOUTHERN RIGHT-OF-WAY OF THE 100 BLOCK OF EAST 4<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAPS AND DRAWINGS 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 a right-of-way of a portion of the former eastern right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street, more particularly described below and as shown on the maps and drawings attached hereto and made a part hereof by reference:

Abandonment of a portion of the former eastern right-of-way of the 400 block of Cherry Street and the southern right-of-way of the 100 block of East 4<sup>th</sup> Street as highlighted on the Boundary Survey for Provident Life and Accident Insurance Company, drawing #2009-77-1, drawn by Hopkins Surveying on April 27, 2009. Being the right-of-way adjacent to the northwest corner of Tax Map 135M-E-001.

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

1) Retention of all utility easements, routing rights, and right of ingress/egress for the full width of the existing ROW, including, but not limited to AT&T – Southeast, Comcast, and Tennessee American Water Company.

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

August 18, 2009.

W. Paul Benson  
CHAIRPERSON

APPROVED:   x   DISAPPROVED:       

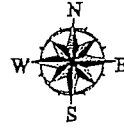
DATE: 8-20, 2009

[Signature]  
MAYOR

/mms



CHATTANOOGA  
CASE NO.: 2009-0097  
PC MEETING DATE: 7/13/2009  
MR ABANDON STREET R-O-W



1 in. = 35.0 feet

