

**First Reading: March 31, 2020**  
**Second Reading: April 7, 2020**

MR-2019-0163  
Alan McMahon  
c/o The Beach Company  
District 7  
Planning Version #2

ORDINANCE NO. 13551

AN ORDINANCE CLOSING AND ABANDONING PARTIALLY THE RIGHT-OF-WAY OF THE NORTHWEST AND NORTHEAST CORNER OF 4<sup>TH</sup> STREET; SOUTHEAST CORNER OF 3<sup>RD</sup> STREET AND CHERRY STREET; SOUTHWEST CORNER OF 3<sup>RD</sup> STREET AND WALNUT STREET, AS DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the right-of-way of the Northwest and Northeast corner of 4<sup>th</sup> Street; Southeast corner of 3<sup>rd</sup> Street and Cherry Street; Southwest corner of 3<sup>rd</sup> Street and Walnut Street, as detailed on the attached map, be and are hereby partially closed and abandoned:

Abandonment of part of the western right-of-way of the 300 block of Cherry Street located within Tax Map No. 135MA-B-002 and beginning at a point in the east line of said parcel some 11.66 feet northwest from its southeast corner, thence continuing along the east line of said parcel some 11.34 feet to a point, thence southwest some 32.61 feet to a point in the south line of said parcel, thence northeast some 11.34 feet along said south line, thence northeast 16.53 feet to a point 11.66 feet from the southeast corner of said parcel, being the point of beginning. Tax Map No. 135MA-B-002.

Abandonment of part of the eastern right-of-way of the 300 block of Cherry Street located within Tax Map No. 153N-M-D-019. To find the point of beginning start at the northwest corner of said parcel thence southeast along its west line some 12.51 feet to a point, thence northeast some 9.41 feet to a point, being the point of beginning, thence north some 2.65 feet to a point, thence east 2.63 feet to a point, thence southeast along the north line of said tax map, thence southwest 3.74 feet to a point, being the point of beginning. Tax Map No. 135M-D-019.

Abandonment of part of the eastern right-of-way of the 300 block of Cherry Street located within Tax Map No. 135M-D-019. To find the point of beginning start at the southwest corner of said tax map thence northwest 8.96 feet to a point along its west line being the true point of beginning, thence continuing along said west line 19.04 feet to a point, thence southeast 39.5 feet to a point, thence southwest 19.03 feet to a point, thence northwest 8.63 feet to a point 8.96 feet northwest of its southwest corner being the point of beginning. Tax Map No. 135M-D-019.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall be subject to the following conditions:

- 1) The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office as required for any subsequent construction work. Council action for this item does not constitute a permit for construction work.
- 2) Subject to the retention of full-width utility easement(s) as required by said utilities, including, but not limited to Tennessee American Water, as attached and in the location specified on the utility cards attached with this Ordinance.
- 3) The abandonment limits shall align with the attached exhibits as provided to the Chattanooga Department of Transportation in order to ensure that pedestrian accessibility will be maintained within the right-of-way at each of the requested corners, as well as any signal equipment.

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: April 7, 2020



CHAIRPERSON

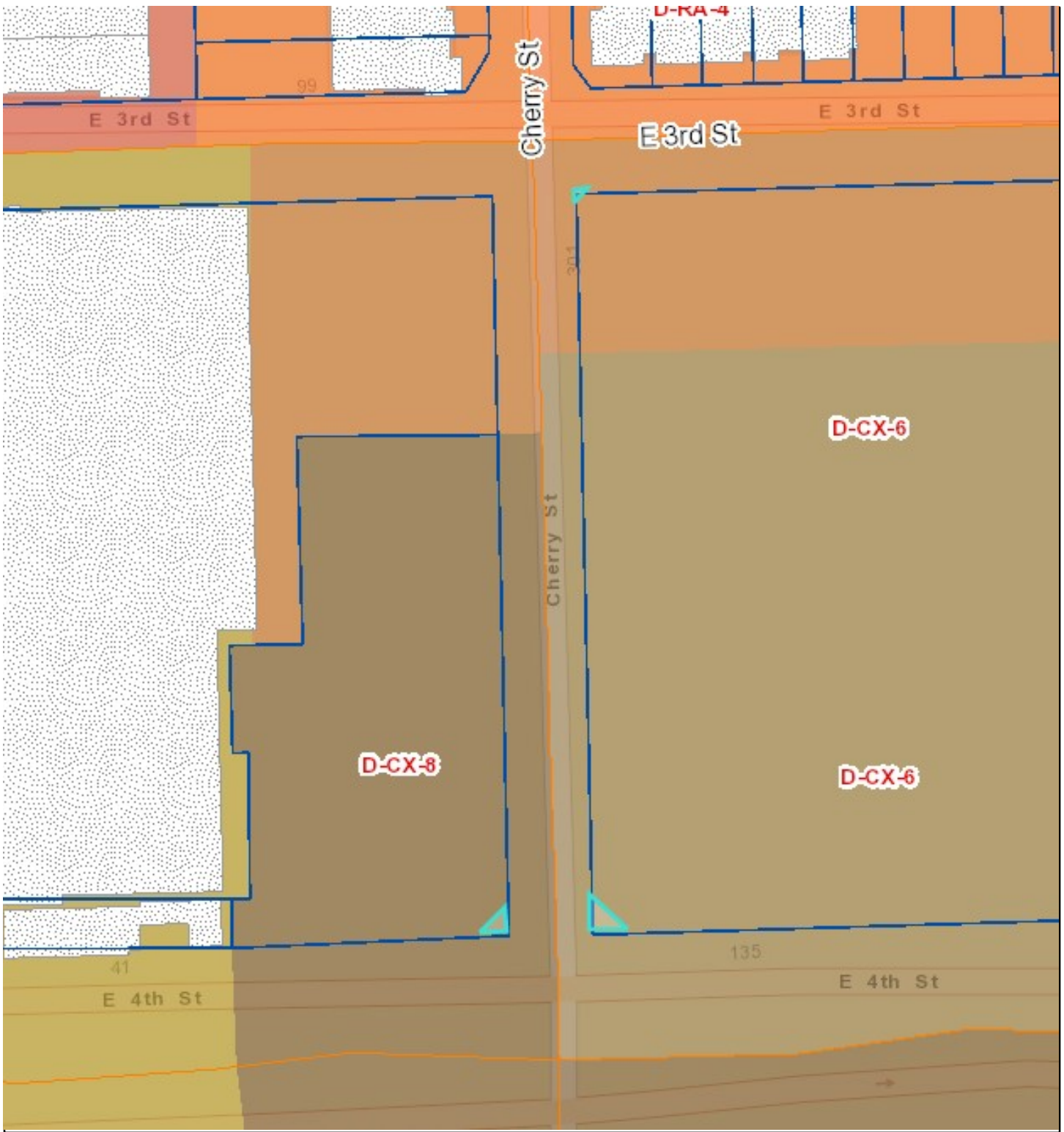
APPROVED:  DISAPPROVED:



MAYOR

/mem/v2

# MR 2019-0163 Abandonment



PLANNING COMMISSION RECOMMENDATION FOR  
CASE NO. MR-2019-0163: Approve.

# MR 2019-0163 Abandonment



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