

2017-
City of Chattanooga
Phillip A. Noblett
District No. 6

RESOLUTION NO. 29192

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT WITH THE CITY OF COLLEGEDALE ADJUSTING BOUNDARIES IN ACCORDANCE WITH T.C.A. § 6-51-302 FOR 2.76 ACRES SOUTH OF LEE HIGHWAY AT I-75 EXIT 11 (TAX PARCEL NO. 131-082.13) SO THAT IT WILL BE MAINTAINED AND BE INCLUDED IN THE CORPORATE BOUNDARIES OF THE CITY OF COLLEGEDALE FROM THE EFFECTIVE DATE OF THIS ATTACHED INTERLOCAL AGREEMENT FORWARD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Mayor be and is hereby authorized to sign an Interlocal Agreement with the City of Collegedale adjusting the boundaries in accordance with T.C.A. § 6-51-302 for 2.76 acres south of Lee Highway at I-75 Exit 11 (Tax Parcel No. 131-082.13) so that it will be maintained and be included in the corporate boundaries of the City of Collegedale from the effective date of this attached Interlocal Agreement forward, more particularly described in the map attached hereto.

A parcel of land containing approximately 2.76 acres more or less as shown by the survey of Mario G. Forte as Exhibit A to the Interlocal Agreement between the City of Chattanooga and the City of Collegedale dated _____, 2017 (Tax Parcel No. 131-082.13)

Beginning at a point of intersection between the South present right-of-way line and control access fence of I-75 and the North present right-of-way line of Old Lee Highway on Highway Project No. NH-I-75-1(103)12, and being 213.34 feet ± right of ramp at project centerline station 22+51; thence along said proposed right of way and control access fence line, North 43 degrees 06 minutes 58 seconds East 321.95 feet ± to a point of intersection with the

South present right-of-way line of Lee Highway and being 72.00 feet \pm right of Lee Highway project centerline station 15+33; thence along said proposed right of way line and control access fence line of Lee Highway, South 66 degrees 34 minutes 36 seconds East 788.34 feet \pm to a point of intersection with the South right of way of Lee Highway and controlled access fence line of I-75; thence along said present right of way and control access fence line as follows: North 84 degrees 32 minutes 27 seconds West 123.30 feet \pm to a point, 141.25 feet \pm right of Lee Highway project centerline station 21+97, North 86 degrees 47 minutes 06 seconds West 236.62 feet \pm to point, 295.07 feet \pm right of Lee Highway project centerline station 17+77, and running with the controlled access fence and curving to the left in a northwesterly direction and having a radius of 1186.16 feet \pm and an arc length of 289.04 feet \pm to a point, 215.12 \pm right of Lee Highway project centerline station 22+95; thence along said present right of way and control access fence line, North 87 degrees 24 minutes 00 seconds West 77.66 feet \pm to the point of beginning containing 2.761 acres more or less.

Being part of the property acquired by the State of Tennessee by Deed recorded in Book 1248, Page 615-616, in the Register's Office of Hamilton County, Tennessee.

REFERENCE: All boundaries and description as shown on plans for Highway Project No. NH-I-75-1(103)12 Right-of-Way on file in the Office of the Department of Transportation in Nashville, Tennessee.

ADOPTED: September 26, 2017

/mem

INTERLOCAL AGREEMENT BETWEEN THE CITY OF CHATTANOOGA, TENNESSEE
AND THE CITY OF COLLEGEDALE, TENNESSEE ADJUSTING BOUNDARIES IN
ACCORDANCE WITH T.C.A. §6-51-302

THIS INTERLOCAL AGREEMENT IN ACCORDANCE WITH T.C.A. §6-51-302 is entered into by and between the City of Chattanooga, Tennessee (“Chattanooga”) and the City of Collegedale, Tennessee (“Collegedale”).

WHEREAS, on May 23, 2001, the parties hereto, as well as the other municipal and county governments in Hamilton County approved the Master Interlocal Agreement which, among other things, established urban growth boundaries for Hamilton County in accordance with the provisions of T.C.A. §6-58-101, et. seq.; and

WHEREAS, at approximately the same time, Chattanooga and Collegedale resolved an annexation dispute over areas north of Collegedale along Lee Highway; and

WHEREAS, as a result of those agreements, the city limits and urban growth boundaries along Lee Highway was established so that, generally speaking, Collegedale’s jurisdiction was south of the Lee Highway right-of-way, and Chattanooga’s was north of the same; and

WHEREAS, as a result of the recent reconfiguration by the Tennessee Department of Transportation of the intersection of I-75 Exit 11, an approximately 2.76 acre parcel of property (the “Property”) has been created south of the Lee Highway right-of-way that was not contemplated to exist at the time of the agreements relative to the municipal boundaries and urban growth boundaries in that area; and

WHEREAS, for the purposes of this Agreement, the Property is more fully described in Exhibit A hereto, which is incorporated herein by reference; and

that both municipalities, in the manner set forth below, may financially benefit from the anticipated development of the Property.

WHEREAS, the municipal boundaries between the two parties hereto are contiguous and such boundaries either are not in line with the street and lot layout of the municipalities or do not conform to the new public right-of-way as described above. Accordingly, the parties hereto desire to adjust such boundaries by contract between themselves so as to avoid confusion and uncertainty about the location of the contiguous boundary or to conform the contiguous boundary to an existing public right-of-way by the boundary being adjusted so that the jurisdiction over the Property is consistent with the general situation of the jurisdictional boundaries in that area.

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, and promises expressed herein, Chattanooga and Collegedale agree as follows:

1. Chattanooga and Collegedale agree to modify their respective boundaries for the reasons described above by Chattanooga relinquishing municipal jurisdiction over the Property depicted in the attached Exhibit A and Collegedale assuming municipal jurisdiction over the same.

2. In consideration of the adjustment of the boundary contemplated herein, and to provide Chattanooga with a certain aspect of the financial benefit of the anticipated development of the Property, Collegedale agrees as follows:

Collegedale will pay Chattanooga the cash equivalent of three (3) years of one hundred (100%) percent of the local option sales tax and real property tax effective on the first day of the

December 31, 2017, then the equivalent of the tax collections for the Property as described above for 2018, 2019 and 2020 will be paid to Chattanooga. If the first day a restaurant/business is operational is January 2, 2018, then the equivalent of the tax collections for 2019, 2020 and 2021 will be paid to Chattanooga.

3. Following the expiration of the three year period, Collegedale will pay Chattanooga the equivalent of fifty (50%) percent of the local option sales tax and real property tax collected from this property for the fourth year of business operations. No other payment is due Chattanooga other than as set forth herein.

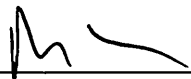
4. Collegedale agrees to provide payment to Chattanooga within thirty (30) days after tax payments are provided under this Interlocal Agreement to Collegedale by the property owner as a result of this boundary line adjustment. In the event there is any question over the amount of real property or sales tax equivalent payments due to Chattanooga, Collegedale shall provide audit information for all taxes collected within seven (7) business days of any request by Chattanooga Finance or Audit employees.

5. From and after ten (10) days from the date of this agreement, the Property, in the manner depicted in the attached Exhibit A, will be within the municipal limits of Collegedale.

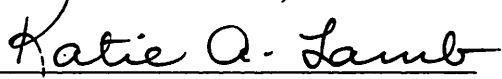
6. By the execution of this document, Chattanooga and Collegedale each represent that their respective governing bodies have approved this Agreement.

THIS the 2nd day of October, 2017.

CITY OF CHATTANOOGA, TENNESSEE

By: 
Mayor

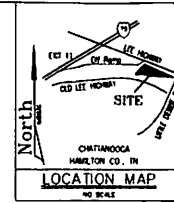
CITY OF COLLEGEDALE, TENNESSEE

By: 
Mayor

THE UTILITIES AND STRUCTURES AS SHOWN ON THIS PLAN WERE FOUND PER ABOVE GROUND EXAMINATION OF THE SITE, BASED ON VISUAL INDICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL EXACT LOCATIONS AND ELEVATIONS OF ALL UNDERGROUND UTILITIES AND OTHER STRUCTURES BEFORE THE START OF CONSTRUCTION ON THIS PROJECT. THIS NOTICE APPLIES TO INFORMATION SHOWN ON THIS PLAN OR ANY ASSOCIATED PLANS FOR THIS PROJECT - INCLUDING PLANS OF THE SAME PREPARED BY OTHERS. CALL BEFORE YOU DIG (800)-292-7411, TN (800)-351-1111.

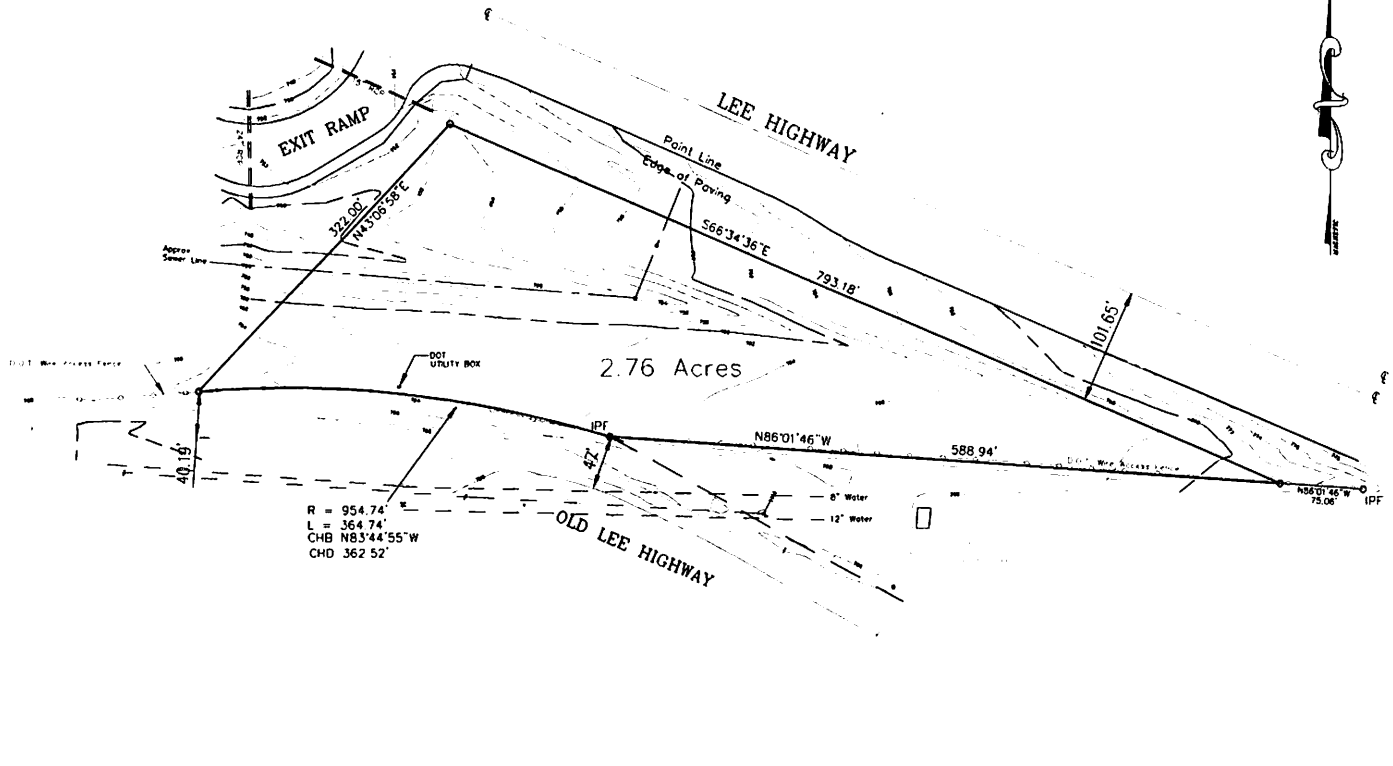
NORTH AZIMUTH: TENNESSEE GRID (NAD 83).
ELEVATION DATUM: MEAN SEA LEVEL (NGVD 85)

FLOOD HAZARD NOTE:
THIS PROPERTY LIES WITHIN ZONE "1" (OUTSIDE NORMAL FLOODING) AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MAP OF CHATTANOOGA, TN. COMMUNITY PANEL NUMBER 15080-0378-1 DATED 11/7/2002
100 Year Base Flood Elevation: 749'

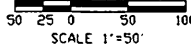


APPROVED FOR RECORDING
HAMILTON COUNTY GIS DEPT.
DATE _____
BY _____
JURISDICTIONAL AUTHORITY
DATE _____
BY _____
CHATTANOOGA CNTY REGIONAL
PLANNING COMMISSION
DATE _____
BY _____

COPYRIGHT © 2002. THE INFORMATION ON THIS PLAN IS THE PROPERTY OF BEGINNING POINT SURVEYS, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND PARCEL IDENTIFIED HEREON. ANY REUSE OR REPRODUCTION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF BEGINNING POINT SURVEYS, INC. IS STRICTLY PROHIBITED.



R = 954.74'
L = 364.74'
CHB N83°44'55\"W
CHD 362.52'



- REFERENCE MATERIAL & NOTES**
- 1) ELEVATION DATUM: MEAN SEA LEVEL
 - 2) TAX ID: (None - New Lot)
 - 3) DEED BOOK 8888/888, HAMILTON CO., TN
 - 4) ATTENTION IS CALLED TO THE CITY OF CHATTANOOGA CODES AS AMENDED
 - 5) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE
 - 6) PUBLIC SANITARY SEWER AVAILABLE BY GRAVITY FLOW
 - 7) CITY ORDINANCE # 9942 ENTITLED STORM WATER RUNOFF AND EROSION CONTROL SHALL APPLY TO ANY DISCHARGE OF THE SAME FROM THIS SUBDIVISION OF PROPERTY
 - 8) NO FILL MATERIAL IS TO BE PLACED ON A CONSTRUCTED DRAINAGE FACILITY IN SUCH A MANNER AS TO IMPEDE STORM WATER RUNOFF FLOW UNLESS APPROVED BY THE CITY ENGINEER
 - 9) ALL MATTERS OF RECORD ARE EXEMPT

SURVEYOR'S CERTIFICATION
I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:20,000 AS SHOWN HEREON. I FURTHER CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SURVEYOR:
TERRY PCC # 1993

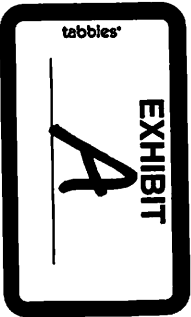


BEGINNING POINT SURVEYS, INC.
Consulting Land Surveyors
101 Tusculum Circle Chattanooga TN 37411
(423) 624-0020

TOPOGRAPHIC PLAN
D.O.T. Outparcel
CHATTANOOGA, Hamilton Co. Tennessee
PREPARED BY
LARRY ARNOLD

DATE	REVISION	BY

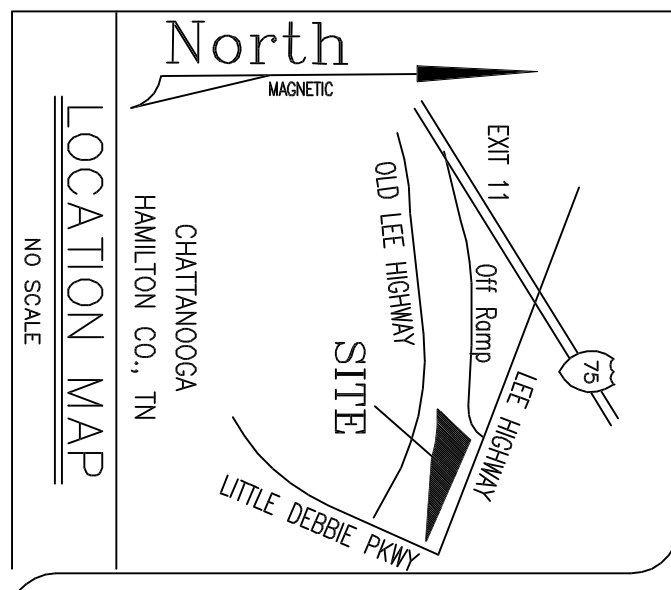
PLAT NO. 1
AS NO. 1
TN-143



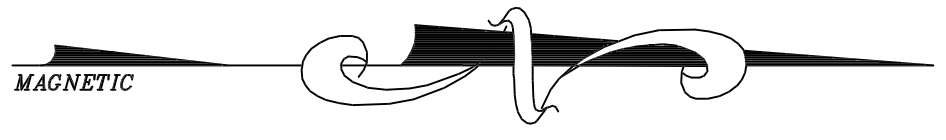
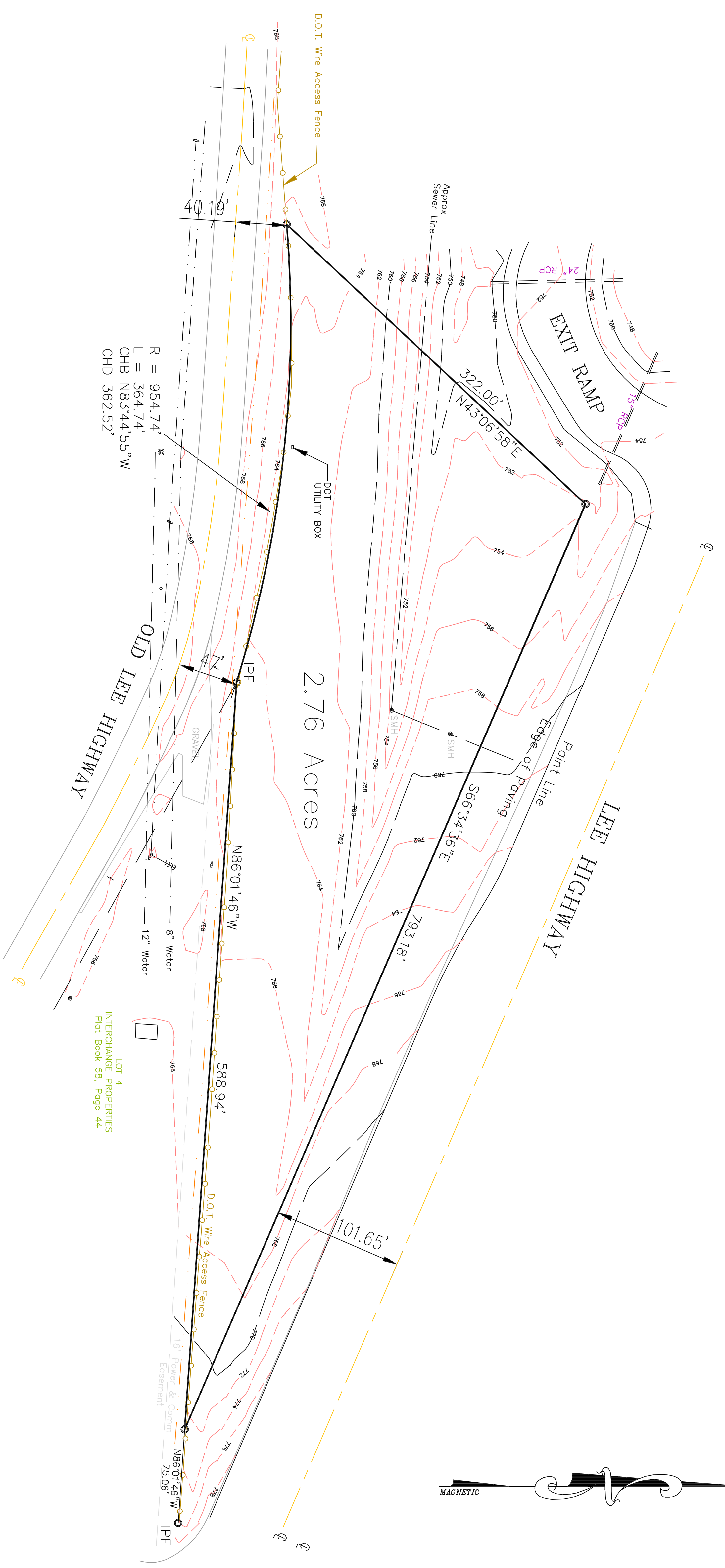
THE UTILITIES AND STRUCTURES AS SHOWN ON THIS PLAN WERE FOUND PER ABOVE GROUND EXAMINATION OF THE SITE BASED ON VISIBLE INDICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL EXACT LOCATIONS AND ELEVATIONS OF ALL UNDERGROUND UTILITIES AND OTHER STRUCTURES BEFORE THE START OF CONSTRUCTION ON THIS PROJECT. THIS NOTICE APPLIES TO INFORMATION SHOWN ON THIS PLAN OR ANY ASSOCIATES' PLAN FOR THIS PROJECT - INCLUDING PLANS OF THE SAME PREPARED BY OTHERS. CALL BEFORE YOU DIG: CA (800)-282-7411, TN (800)-351-1111

NORTH AZIMUTH: TENNESSEE GRID (NAD 83).
ELEVATION DATUM: MEAN SEA LEVEL (NGVD 88)

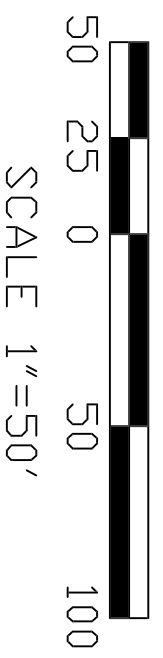
FLOOD HAZARD NOTE:
THIS PROPERTY LIES WITHIN ZONE "X" (OUTSIDE NORMAL FLOODING) AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE FLOOD HAZARD MAP OF CHATTANOOGA, TN COMMUNITY PANEL NUMBER 47065C-0379-9F DATED 11/7/2002 100 Year Base Flood Elevation: 749'



APPROVED FOR RECORDING
HAMILTON COUNTY GIS DEPT
DATE _____
BY _____
JURISDICTIONAL AUTHORITY
CHATTANOOGA COUNTY REGIONAL
PLANNING COMMISSION
DATE _____
BY _____

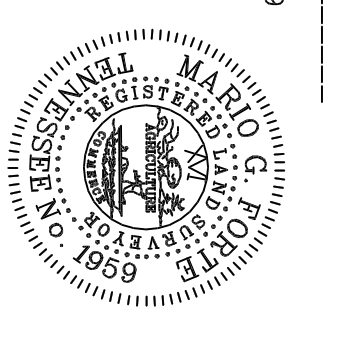


- REFERENCE MATERIAL & NOTES:**
- 1) ELEVATION DATUM: MEAN SEA LEVEL
 - 2) TAX ID: (None - New Lot)
 - 3) DEED BOOK xxxx/xxx, HAMILTON CO., TN
 - 4) ATTENTION IS CALLED TO THE CITY OF CHATTANOOGA CODES AS AMENDED
 - 5) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE
 - 6) PUBLIC SANITARY SEWER AVAILABLE BY GRAVITY FLOW AND EROSION CONTROL SHALL APPLY TO ANY DISCHARGE OF THE SAME FROM THIS SUBDIVISION OF PROPERTY
 - 7) CITY ORDINANCE # 9942 ENTITLED STORM WATER RUNOFF AND DRAINAGE FACILITY IN SUCH A MANNER AS TO IMPEDIE STORM WATER RUNOFF FLOW UNLESS APPROVED BY THE CITY ENGINEER.
 - 9) ALL MATTERS OF RECORD ARE EXEMPT



SURVEYOR'S CERTIFICATION:
I, GUY F. FORT, LICENSED SURVEYOR, CATEGORY 1 SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:20,000 AS SHOWN HEREON. I FURTHER CERTIFY THAT HEREON AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SURVEYOR
TENN. REG # 1959



DRAWN BY:	MGF	REVISION	DATE
CHECKED BY:	MGF		
DATE:	5/14/2014		
SCALE:	1"=50'		
SECTION:			
TOWNSHIP:			
RANGE:			

TOPOGRAPHIC PLAN
D.O.T. Outparcel
CHATTANOOGA, Hamilton Co. Tennessee
PREPARED FOR
LARRY ARMOUR

BEGINNING POINT SURVEYS, INC.
Consulting Land Surveyors
101 Tuxedo Circle. Chattanooga TN 37411
(423) 624-0020

JOB NO.
TN-1413

SHEET NO.
1

OF
1