

RESOLUTION NO. 29320

A RESOLUTION ADOPTING A PLAN OF SERVICES AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHATTANOOGA, TENNESSEE, BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF SAID CITY, BEING TAX MAP NOS. 155J B 004, 155J B 004.1, 155J B 006, 155J B 009, 155J B 010, 155J B 011, 155J B 008, 155 J B 013, 155I C 002, 155I C 001, 155I C 001.02, 155J A 002, 155J A 003, 155J A 004, 155J A 006, 155J C 006, 155J C 007, 155J C 008, 155J C 006.1, 155J C 005, 155J C 004, 155J C 025, 155J C 003, 155J C 002, PART 155I-C-003, 155J A 007, 155J A 010, TO THIS RESOLUTION PURSUANT TO T.C.A. § 6-51-104 LOCATED IN HAMILTON COUNTY, TENNESSEE, OWNED BY LOOKOUT MOUNTAIN CONSERVANCY, BEING MORE FULLY DESCRIBED HEREIN.

WHEREAS, the City of Chattanooga has been petitioned by the property owners of the affected territory to annex such territory, a copy of which Petition executed by Lookout Mountain Conservancy and dated November 9, 2017, is attached hereto as **Exhibit “A”** and made a part hereof by reference pursuant to T.C.A. § 6-51-104; and

WHEREAS, the Plan of Services, which is attached to this Resolution as **Exhibit “B”** and incorporated herein by reference, was submitted to the Chattanooga-Hamilton County Regional Planning Commission, and a written report was prepared and approved by the Chattanooga-Hamilton County Regional Planning Commission on November 9, 2017, as required by law; and

WHEREAS, the Clerk of the Council gave notice of a public hearing on January 23, 2018, with reference to the petitioned annexation of the herein described territory, to be held February 6, 2018, at 6:00 p.m., which notice was published in the daily newspaper of

Chattanooga, Tennessee at least fourteen (14) days before February 6, 2018, as referenced in the attached as **Exhibit “C”**; and

WHEREAS, after such public hearing and investigation by the City Council, it now appears that the prosperity of the City and of the territory herein described and as described in said notice will be materially retarded and the safety and welfare of the inhabitants and property of the City and the herein described territory endangered if such territory is not annexed; and

WHEREAS, the annexation of the hereinafter described territory is deemed necessary for the health, welfare and safety of the residents and property owners thereof, as well as of the City of Chattanooga as a whole;

NOW, THEREFORE,

SECTION 1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That under the authority conferred by Chapter 113, Public Acts of 1955, and the amendments thereto (T.C.A. § 6-51-104, et seq.), there be and hereby is annexed to the City of Chattanooga, Tennessee, and included within the corporate boundaries of said City, certain territory in Hamilton County, Tennessee, owned by Lookout Mountain Conservancy, lying contiguous to the present corporate limits, as shown on the attached map, and described as follows:

Lookout Mountain Conservancy, Inc. (“LMC”) is a Tennessee non-profit corporation and is the owner of real property parcels located at Old Wauhatchie Pike, and designated as Hamilton County Tax Parcels:

Parcel 1 - 1835 Old Wauhatchie Pike (Tax ID# 155J B 004)

Parcel 2 - 1837 Old Wauhatchie Pike (Tax ID# 155J B 004.1)

Parcel 3 - 1907 Old Wauhatchie Pike (Tax ID# 155J B 006)

Parcel 4 - Old Wauhatchie Pike (Tax ID# 155J B 009)

Parcel 5 -1921 Old Wauhatchie Pike (Tax ID# 155J B 010)

Parcel 6 - Old Wauhatchie Pike (Tax ID# 155J B 011)

Parcel 7 - 2000 Old Wauhatchie Pike (Tax ID# 155J B 008)

Parcel 8 - Old Wauhatchie Pike (Tax Parcel# 155 J B 013)

Parcel 9 - 1984 Cravens Road (Tax ID # 155I C 002)

Parcel 10 - 1952 Cravens Road (Tax ID # 155I C 001)

Parcel 11 - 3720 Cravens Road (Tax ID 155I C 001.02)

Parcel 12 - 3743 Cravens Road (Tax ID 155J A 002)

Parcel 13 - 1912 Old Wauhatchie Pike (Tax ID 155J A 003)

Parcel 14 - 1910 Old Wauhatchie Pike (Tax ID 155J A 004)

Parcel 15 - Old Wauhatchie Pike (Tax ID # 155J A 006)

Parcel 16 - 1840 Old Wauhatchie Pike (Tax ID # 155J C 006)

Parcel 17 - 1838 Old Wauhatchie Pike (Tax ID 155J C 007)

Parcel 18 - 1832 Old Wauhatchie Pike (Tax ID # 155J C 008)

Parcel 19 - Grandview Place (Tax ID# 155J C 006.1)

Parcel 20 - 3710 Grandview Place (Tax ID# 155J C 005)

Parcel 21 - Grandview Place (Tax ID # 155J C 004)

Parcel 22 - Church Street (Tax ID#155J C 025)

Parcel 23 - Grandview Place (Tax ID 155J C 003)

Parcel 24 - Grandview Place (Tax ID # 155J C 002)

Parcel 25 – JO CONN GUILD TRL (Part of Tax ID #155I C 003)

Parcel 26 - Cravens Road (Tax ID# 155J A 007)

Parcel 27 - Grandview Place (Tax ID# 155J A 010)

All of the above-referenced properties are located within or adjacent to the current boundaries of the City of Chattanooga and the property owner has signed a petition requesting annexation of all such properties by the City of Chattanooga as required by T.C.A. § 6-51-104.

SECTION 2. BE IT FURTHER RESOLVED, That residents of and persons owning property in the above-described territory shall be entitled to all the rights and privileges of citizenship in accordance with the provisions of the Charter of the City of Chattanooga, Tennessee, immediately upon annexation as though the above-described territory annexed has always been part of said City of Chattanooga, Tennessee.

SECTION 3. BE IT FURTHER RESOLVED, That the proposed plan of services attached hereto as **Exhibit “B”**, pursuant to T.C.A. § 6-51-102(b)(2), as amended, is adopted as the plan of services for this annexation area and such plan shall be implemented in accordance with the term periods of implementation contained therein.

SECTION 4. BE IT FURTHER RESOLVED, That this Resolution shall take effect upon its passage as set forth in T.C.A. § 6-51-104(c).

ADOPTED: February 6, 2018.

PAN/mem

CITY OF CHATTANOOGA, TENNESSEE

IN RE: Lookout Mountain Conservancy
Annexation of Tax Parcels

PETITION FOR ANNEXATION

Lookout Mountain Conservancy, Inc. ("LMC") is a Tennessee non-profit corporation and is the owner of real property parcels located at Old Wauhatchie Pike, and designated as Hamilton County Tax Parcels:

- Parcel 1, 1835 Old Wauhatchie Pike (Tax ID# 155J B 004)
- Parcel 2, 1837 Old Wauhatchie Pike (Tax ID# 155J B 004.1)
- Parcel 3 – 1907 Old Wauhatchie Pike (Tax ID# 155J B 006)
- Parcel 4 – Old Wauhatchie Pike (Tax ID# 155J B 009)
- Parcel 5 -1921 Old Wauhatchie Pike (Tax ID# 155J B 010)
- Parcel 6 - Old Wauhatchie Pike (Tax ID# 155J B 011)
- Parcel 7 – 2000 Old Wauhatchie Pike (Tax ID# 155J B 008)
- Parcel 8 - Old Wauhatchie Pike (Tax Parcel# 155 J B 013)
- Parcel 9 - 1984 Cravens Road (Tax ID # 155I C 002)
- Parcel 10 - 1952 Cravens Road (Tax ID # 155I C 001)
- Parcel 11 - 3720 Cravens Road (Tax ID 155I C 001.02)
- Parcel 12 - 3743 Cravens Road (Tax ID 155J A 002)
- Parcel 13 - 1912 Old Wauhatchie Pike (Tax ID 155J A 003)
- Parcel 14 - 1910 Old Wauhatchie Pike (Tax ID 155J A 004)
- Parcel 15 - Old Wauhatchie Pike (Tax ID # 155J A 006)
- Parcel 16, 1840 Old Wauhatchie Pike (Tax ID # 155J C 006)
- Parcel 17, 1838 Old Wauhatchie Pike (Tax ID 155J C 007)
- Parcel 18, 1832 Old Wauhatchie Pike (Tax ID # 155J C 008)



- Parcel 19 - Grandview Place (Tax ID# 155J C 006.01)
- Parcel 20 - 3710 Grandview Place (Tax ID# 155J C 005)
- Parcel 21 - Grandview Place (Tax ID # 155J C 004)
- Parcel 22 - Church Street (Tax ID#155J C 025)
- Parcel 23 - Grandview Place (Tax ID 155J C 003)
- Parcel 24 - Grandview Place (Tax ID # 155J C 002)
- Parcel 25 - JO CONN GUILD TRL (Part of Tax Parcel# 155 I C 003)
- Parcel 26 - Cravens Road (Tax ID# 155J A 007)
- Parcel 27 - Grandview Place (Tax ID# 155 J A 010)

(the "Parcels").

LMC hereby requests that the City of Chattanooga, Tennessee (the "City") annex the Parcels into the City limits.

EXECUTED the 1st day of May, 2017. *Pen*

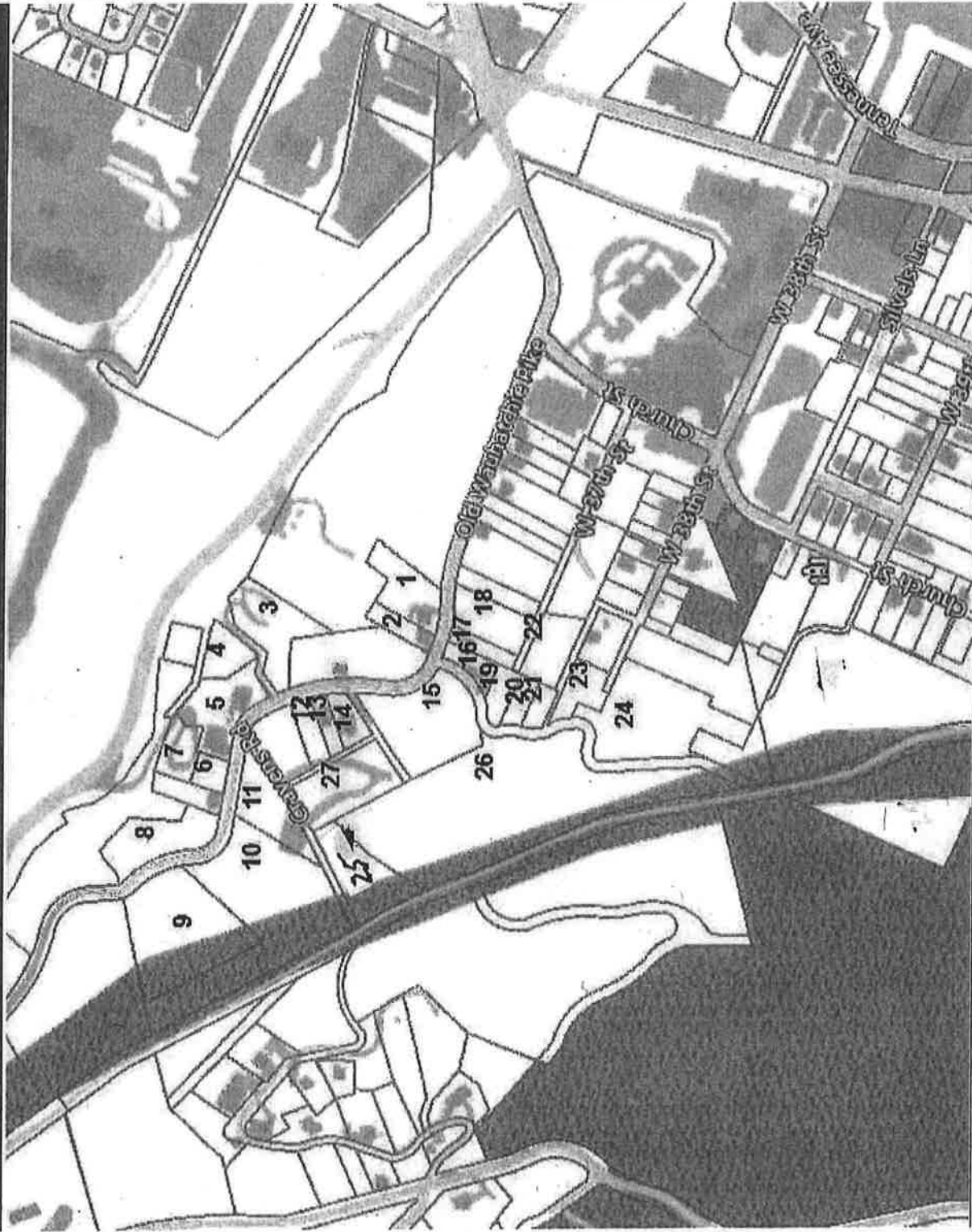
REVISED the 7th day of October, 2017. *Pen*

REVISED this 9th day of November, 2017. *Pen*

LOOKOUT MOUNTAIN CONSERVANCY, INC.

By: *[Signature]*
Name: ROBYN L CARLTON
Title: CEO

GISMO 5



- Legend**
- Parcels
 - County Boundary
 - ⊕ Recycling Centers
 - ⊕ Healthcare Facilities
 - ⊕ Emergency Services Locations
 - FIRE
 - MEDIC
 - POLICE
 - ⊕ Cemeteries
 - ⊕ Religious Facilities
 - ⊕ Schools
 - ⊕ Building Footprints
 - ⊕ Miscellaneous Structures
 - ⊕ Driveways
 - ⊕ Parking
 - ⊕ Water Bodies
 - ⊕ Other Water Bodies
 - ⊕ Recreational Areas
 - Surrounding
 - Hardtton



NAD_1983_StatePlane_Tennessee_FIPS_4100_Feet
 © Latitude Geographics Group Ltd.



Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. This map was automatically generated using HGIS Mapping System. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.



PROPOSED PLAN OF SERVICES
IN ACCORDANCE WITH
TENNESSEE CODE ANNOTATED § 6-51-122(a)(1)(B)

The City Council of the City of Chattanooga, Tennessee hereby proposes the following Plan for Provision of Services for certain property and rights-of-ways located at Old Wauhatchie Pike, Atchensons Road, Cravens Road, and Grandview Place lying contiguous to the present corporate limits of the City of Chattanooga, Tennessee, owned by Lookout Mountain Conservancy, which are shown on the attached map and described as follows:

The legal description for the property to be annexed is set forth as follows:

- Parcel 1 - 1835 Old Wauhatchie Pike (Tax ID# 155J B 004)
- Parcel 2 - 1837 Old Wauhatchie Pike (Tax ID# 155J B 004.1)
- Parcel 3 - 1907 Old Wauhatchie Pike (Tax ID# 155J B 006)
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- Parcel 15 - Old Wauhatchie Pike (Tax ID # 155J A 006)
- Parcel 16 - 1840 Old Wauhatchie Pike (Tax ID # 155J C 006)
- Parcel 17 - 1838 Old Wauhatchie Pike (Tax ID 155J C 007)



- Parcel 18 - 1832 Old Wauhatchie Pike (Tax ID # 155J C 008)
- Parcel 19 - Grandview Place (Tax ID# 155J C 006.1)
- Parcel 20 - 3710 Grandview Place (Tax ID# 155J C 005)
- Parcel 21 - Grandview Place (Tax ID # 155J C 004)
- Parcel 22 - Church Street (Tax ID#155J C 025)
- Parcel 23 - Grandview Place (Tax ID 155J C 003)
- Parcel 24 - Grandview Place (Tax ID # 155J C 002)
- Parcel 25 – JO CONN GUILD TRL (Part of Tax ID #155I C 003)
- Parcel 26 - Cravens Road (Tax ID# 155J A 007)
- Parcel 27 - Grandview Place (Tax ID# 155J A 010)

All of the above-referenced properties and rights-of-ways are located within or adjacent to the current boundaries of the City of Chattanooga and the property owner has signed a petition requesting annexation of all such properties by the City of Chattanooga as required by T.C.A. § 6-51-104.

1. POLICE

Patrolling, radio directed response to calls for assistance, crime prevention services, traffic control and accident prevention services and other police protection and support using present personnel and equipment will be provided on the effective date of annexation.

2. TRAFFIC ENGINEERING

Traffic Engineering and installation of signs and other traffic control devices to be installed as required throughout the annexation area, when the need is established by appropriate traffic studies.

3. FIRE

(a) Fire protection by present personnel and the equipment of the fire fighting force within the limitations of available water and distance from fire stations will be provided on the effective date of annexation.

(b) Additional fire services such as those made available through the City's fire prevention bureau and its arson investigation unit will be made available on the effective date of annexation.

(c) Within six (6) months after annexation, the location of fire hydrants shall be determined and installed in those areas where water mains of adequate size are available. Placement of hydrants will be on the basis of nationally-accepted standards defined by the National Fire Underwriters' Association. As additional water lines are extended into the annexation area, if not presently served, fire hydrants shall be installed as required by the above-mentioned standard when the population density or need for hydrant services is sufficient to cost effectively extend hydrant services to the annexed property in the discretion of the Mayor and the City Council.

(d) Within six (6) months after annexation, a study will be completed to determine the need for the establishment of a fire substation in or near the annexed area to assure the continued compliance with standards established by the National Fire Underwriters appropriate to the existing fire insurance rating.

4. REFUSE COLLECTION

The same regular refuse collection now provided by the City will be extended to the annexed area on the effective date of annexation.

5. ROAD AND STREET CONSTRUCTION AND REPAIR; SIGNS AND LIGHTING

1. Emergency maintenance of streets (repair of hazardous chuck holes, measures necessary to maintain normal traffic flow), removal of snow and/or sanding of streets during icing conditions will begin on the effective date of annexation.

2. Routine maintenance, on the same basis as in the present City, will begin in the annexed area following the effective date of annexation.

3. Within six (6) months of annexation, street name signs will be installed as needed in all substantially developed areas.

4. Street lights will be installed under the same standards as now prevail in the City.

6. PLANNING AND ZONING

The planning and zoning jurisdiction of the City will be extended to the annexed area of the effective date of annexation. City planning will thereafter encompass the annexed area. Pending a review of the zoning by the Chattanooga-Hamilton County Regional Planning Agency and the City, the property shall be reclassified to a temporary classification pursuant to Article X, Section 100 of the City's Zoning Ordinance consistent with zoning classifications of this property in Hamilton County.

7. RECREATION FACILITIES AND PROGRAMS

1. All of the recreational areas and programs provided for the present City residents will be made available immediately to the residents of the annexed area.

2. Summer recreation programs such as softball tournaments and Little League will be made available to all residents.

8. WATER SYSTEM

Water for domestic, commercial and industrial uses will continue to be provided to residents of the newly annexed area by the Tennessee American Water Utility District.

9. ELECTRICAL SERVICE

Electricity for domestic, commercial and industrial uses will continue to be provided to residents of the newly annexed area by the Electric Power Board of Chattanooga.

10. SEWER SYSTEM

The City of Chattanooga will provide sewer services to the annexed area within three (3) years of the effective date of annexation, as provided in Paragraph 6(C) of the Master Interlocal

Agreement approved by the City of Chattanooga dated May 23, 2001, if the Hamilton County Water and Wastewater Treatment Authority, (hereinafter “WWTA”), cedes its service area to the City within thirty (30) days of the date of annexation. If sewer services for properties within the annexed area are not ceded to the City of Chattanooga or allowed to be provided by the City of Chattanooga because this area is retained by the WWTA, such services will be provided to the residents of the newly annexed area by the WWTA to the extent that lines are available within the annexed area and density of development makes new sewer lines feasible and funds for construction of necessary sewer lines are available as determined by the WWTA Board.

11. INSPECTION/CODE ENFORCEMENT

Chattanooga now provides inspection and code enforcement services (building, electrical, plumbing, gas, and better housing) to all areas of the City. These same services will be provided to the newly annexed area when it becomes a part of the municipality.

12. ANIMAL CONTROL

The Chattanooga Animal Services provides the services of animal control and enforces the City’s leash laws and other animal control ordinances. This service will be available in the new area when the annexation becomes effective.

V7



Account #: 109291
Company: CITY OF CHATTA /
ACCOUNTING
Client:
Ad number: 87113
PO#: REF 183
Note:

AFFIDAVIT • STATE OF TENNESSEE • HAMILTON COUNTY

Before me personally appeared Jim Stevens, who being duly sworn that he is the Legal Sales Representative of the CHATTANOOGA TIMES FREE PRESS, and that the Legal Ad of which the attached is a true copy, has been published in the above named newspaper and on the corresponding newspaper website on the following dates, to-wit:

Chattanooga Times Free Press: 01/23/18; TimesFreePress.com: 01/23/18.

And that there is due or has been paid the CHATTANOOGA TIMES FREE PRESS for publication the sum of \$264.66. (Includes \$10.00 Affidavit Charge).



Sworn to and subscribed before me this date: 01/23/2018



My Commission Expires 03/07/2021



Chattanooga
Times Free Press

400 EAST 11TH ST
CHATTANOOGA, TN 37403

EXHIBIT



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NOTICE

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Assembly Room at the City Council Building, 1000 Lindsay Street, on Tuesday,

February 6, 2018

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in the proposed petitioned annexation of certain territory pursuant to T.C.A. § 6-51-104 on the side of Lookout Mountain, owned by Lookout Mountain Conservancy, more specifically described herein below, lying contiguous to the present corporate limits.

The legal description for the property to be annexed is set forth as follows:

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All of the above-referenced properties are located within or adjacent to the current boundaries of the City of Chattanooga and the property owner has signed a petition requesting annexation of all such properties by the City of Chattanooga as required by T.C.A. § 6-51-104.

This the 23rd day of January 2018.

Nicole Gwyn
Clerk of the City Council