

MR-2010-072
City of Chattanooga
c/o Dan Thornton

RESOLUTION NO. 26456

A RESOLUTION DECLARING SURPLUS FOR EXCHANGE CITY PROPERTY LOCATED AT 880 FOREST AVENUE; AUTHORIZING THE EXCHANGE OF SAID CITY PROPERTY FOR PROPERTY OWNED BY THOMAS A. AUSTIN AND LOCATED AT FRANCIS STREET AND WEST END AVENUE, BOTH PROPERTIES MORE PARTICULARLY DESCRIBED ON EXHIBITS "A" AND "B" ATTACHED HERETO; AND AUTHORIZING THE DIRECTOR OF GENERAL SERVICES TO EXECUTE THE PROPERTY EXCHANGE AGREEMENT AND ANY AND ALL OTHER DOCUMENTS NECESSARY RELATING THERETO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby declared surplus for exchange City property located at 880 Forest Avenue (as referenced in Case No. MR-2010-072), more particularly described on Exhibit "B" attached hereto and made a part hereof by reference ("City Property").

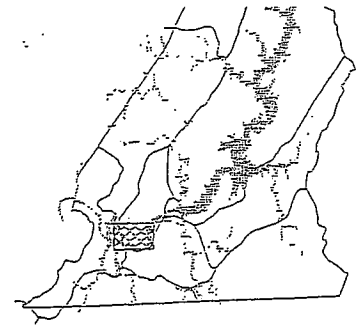
BE IT FURTHER RESOLVED, That it is hereby authorized the exchange of the City Property for the property owned by Thomas A. Austin and located at Francis Street and West End Avenue, more particularly described on Exhibit "A" attached hereto and made a part hereof by reference ("Austin Property").

BE IT FURTHER RESOLVED, That the Director of General Services be and is hereby authorized to execute the Property Exchange Agreement and any and all other documents necessary relating thereto.

ADOPTED: September 28, 2010

/add

PLANNING AGENCY

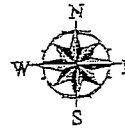


CHATTANOOGA

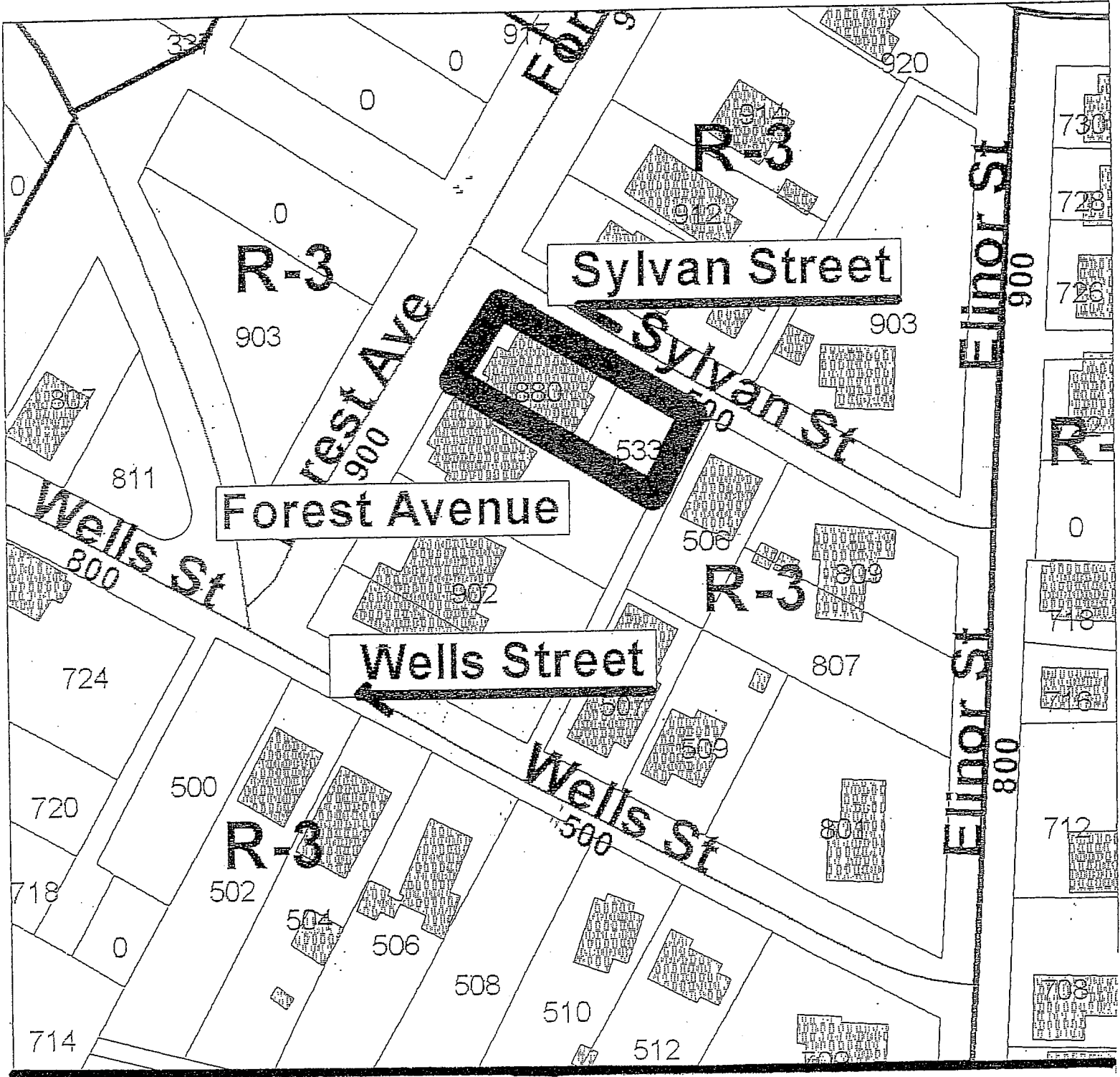
CASE NO: 2010-0072

PC MEETING DATE: 6/14/2010 07/12/2010

MR: SURPLUS PROPERTY



1 in. = 80.0 feet



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2010-072: Approve

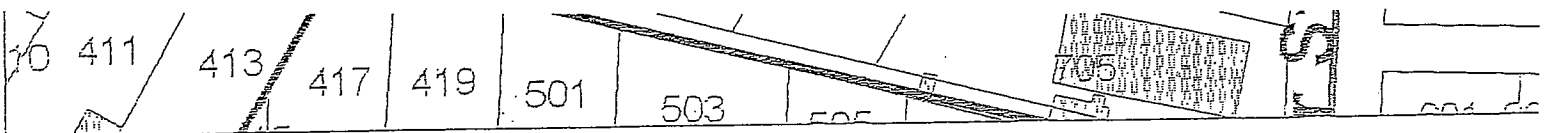
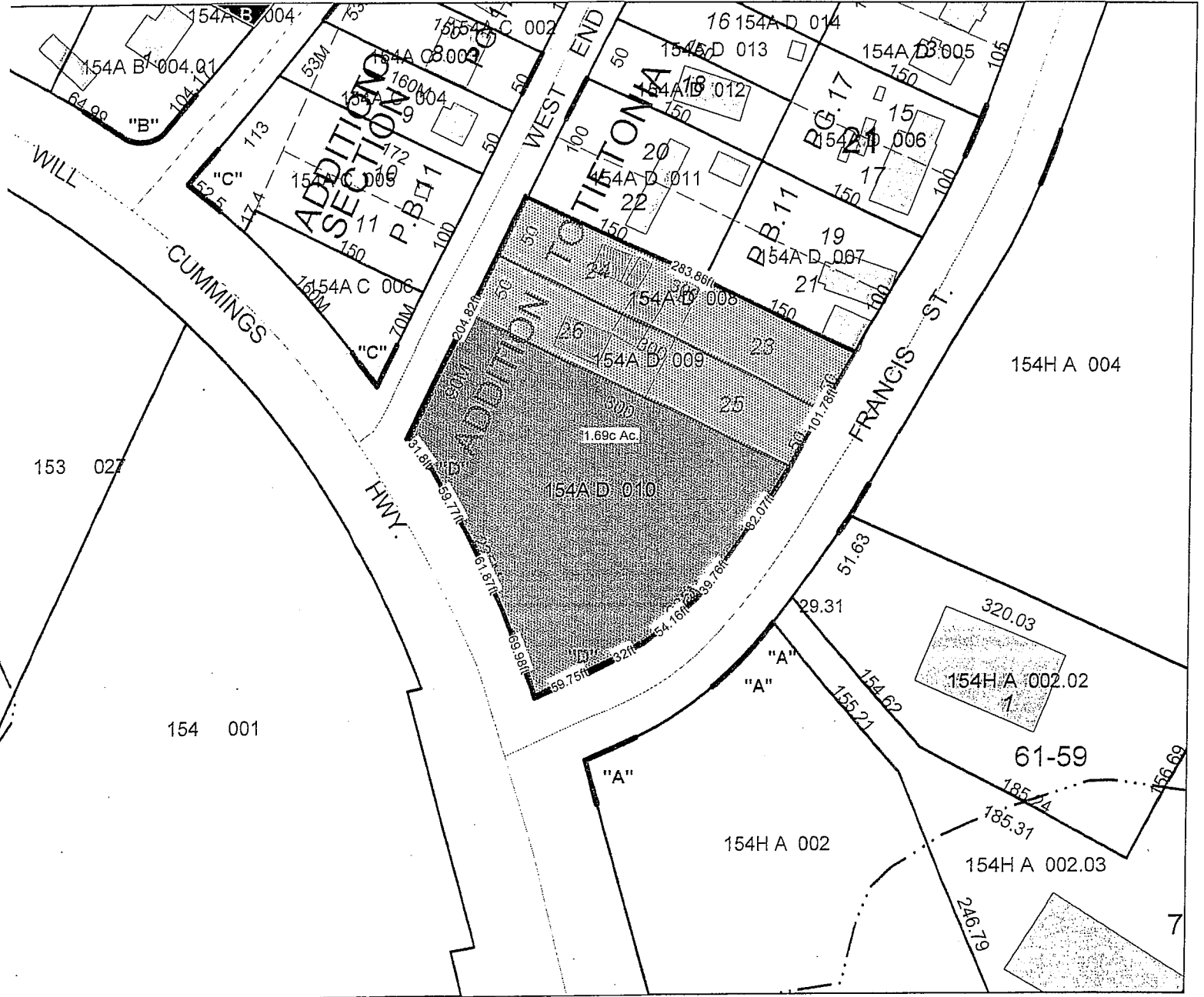


EXHIBIT "A"



LEGAL DESCRIPTION SHOWN ON NEXT PAGE

EXHIBIT "A"

Tract One (1): Parcel No. 154A-D-008 and 009

(Parcel I):

Lots twenty-five (25) and twenty-six (26), in Block 21, Section 1, Tiftonia as shown by plat of said subdivision registered in Plat Book 11, Page 17 (erroneously referred to as Plat Book 6, Page 17 in deed of acquisition), in the Register's Office of Hamilton County, Tennessee.

(Parcel II)

Lots Twenty-three (23) and Twenty-four (24), in Block 21, Section 1, Tiftonia as shown by plat of said subdivision registered in Plat Book 11, page 17, in the Register's Office of Hamilton County, Tennessee.

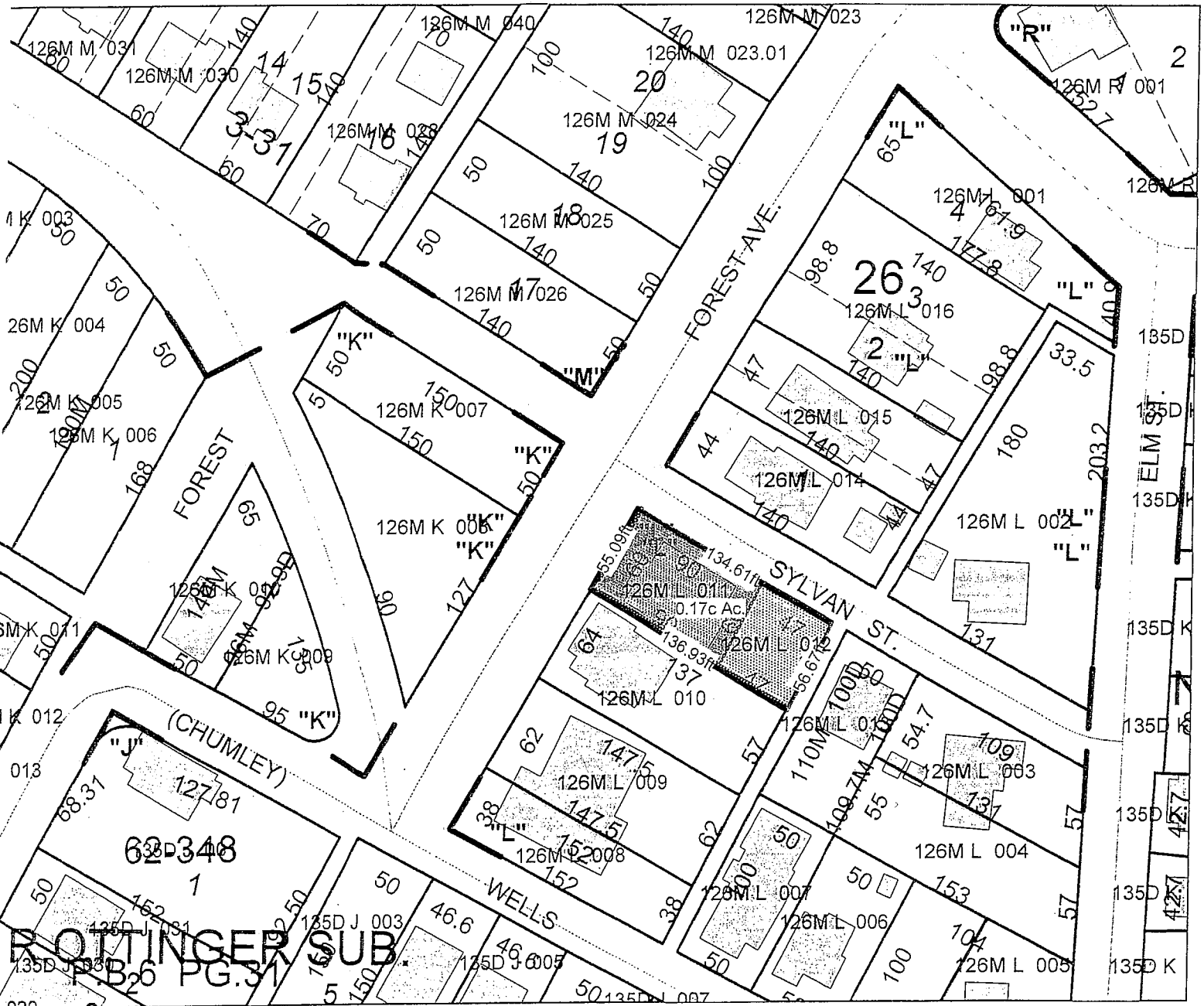
The source of Grantor's interest is found in deed recorded in Book 8193, page 642, and further referenced in Book 7406, Page 845, in the Register's Office of Hamilton County, Tennessee.

Tract Two (2): Parcel Number 154A-D-010

A tract of land bounded as follows: On the North by the South line of Block 21, Tiftonia (sic) Subdivision, Section No. 1; on the West by the East line of West End Avenue; on the East by the West line of Francis Avenue; and on the Southwest and West by the Northeast and East line of Cummings Highway, as the same is now established and located.

The source of Grantor's interest is found in deed recorded in Book 8193, page 642, and further referenced in Deed Book 6121, Page 557, in the Register's Office of Hamilton County, Tennessee.

EXHIBIT "B"



LEGAL DESCRIPTION SHOWN ON NEXT PAGE

EXHIBIT "B"

Parcel No. 126M-L-011

Being a part of Lot Number Thirteen (13) in Frazier's Addition Number Three (3) beginning at the Southeast corner of a thirty (30) foot street formerly known as Hampton Street (now called Sylvan Street) and Forest Avenue or Avon Street; thence Eastwardly along the South line of Sylvan Street ninety (90) feet; thence at right angles Southwardly sixty (60) feet more or less to the South line of the property heretofore conveyed by Minerva T. Mavity and husband, George W. Mavity, to Thomas I. Wilson by deed dated 14th February 1910 and registered on 17th February 1910, in book E Volume 10 page 371 in Register's Office of Hamilton County, Tennessee; thence Westwardly along the South line of said lot ninety (90) feet more or less, to the East side of Forest Avenue; thence Northwardly along the East side of Forest Avenue sixty (60) feet to the beginning; being the West ninety (90) feet of the property heretofore conveyed by Minerva T. Mavity and husband George W. Mavity to Thomas I. Wilson by deed dated 14th February 1910 and registered 17th February 1910 in book E. Volume 10 page 371 of the Register's Office of Hamilton County, Tennessee, and being the property devised by Thomas I. Wilson to his daughter Esther Wilson Nider, subject to all the rents from all rental property to his wife, Minta Wilson and in his Will designated as "The corner of Avon or Forest Avenue and Hampton Street" which is now called Sylvan Street.

Said Will was dated 20th October 1910 probated 24th February 1915 and is now found of record in Probate Record Book No. 16 page 284 and Will Book No. 4, page 351, of the County Clerk's Office of Hamilton County, Tennessee.

Being the same property conveyed to the City of Chattanooga, Tennessee, by deed as recorded in Book M24, Page 22, said Register's Office of Hamilton County, Tennessee.

Parcel Number 126M-L-012 (506 Sylvan Street)

All that tract or parcel of land lying and being in the Second Civil District of Hamilton County, Tennessee in Frazier's Addition No. 3 and being further described as follows: To find the true point of beginning, begin at the corner of a thirty (30) foot street known as Sylvan Street (formerly known as Hampton Street) and Forest Avenue; thence in a southeasterly direction along the southerly right of way of Sylvan Street; ninety (90) feet to the true point of beginning; thence continuing along said right of way, forty-seven (47) feet to a point on the eastern right of way of a ten (10) foot alley; thence in a southwesterly direction sixty (60) feet to a point; thence in a northwesterly direction and parallel to Sylvan Street forty-seven (47) feet to a point; thence in a northeasterly direction sixty (60) feet to the point of beginning as shown in survey drawing No. 1084-138-1 by Hopkins-Morton Engineering Co, Inc., Registered Land Surveyor dated March 21, 1984.

Being the same property convey by deed recorded in book 2870, Page 876, said Register's Office of Hamilton County, Tennessee