

**AGENDA FOR THE REGULARLY SCHEDULED CITY OF COLLEGEDALE COMMISSION  
MEETING TO BE HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE,  
ON MONDAY, MARCH 02, 2020 AT 6:00 P.M.**

- I. Call to Order by the Mayor
- II. Invocation
- III. Roll Call by City Recorder
- IV. Approval of previous meeting minutes
  1. February 17, 2020- Commission meeting minutes
- V. Comments from Citizens
- VI. Unfinished Business
  - None
- VII. New Business
  1. First Reading, Ordinance #1079, an ordinance to amend the official zoning ordinance in regards to minimum lot sizes
  2. First and Final Reading, Resolution #513, a resolution instituting a moratorium on accepting and processing sign applications
  3. Approval of Sewer Easement
- VIII. Request for reports from City Administration/Commissioners by the Mayor
- IX. Adjournment

**MINUTES OF THE REGULARLY SCHEDULED CITY OF COLLEGEDALE BOARD OF COMMISSIONERS  
MEETING HELD IN THE MUNICIPAL BUILDING IN COLLEGEDALE, TENNESSEE  
ON MONDAY, FEBRUARY 17, 2020 AT 6:00 P.M.**

**INVOCATION:** Vice Mayor Tim Johnson

**PRESENT:** Mayor Katie Lamb, Vice Mayor Tim Johnson, Commissioner Debbie Baker, Commissioner Phil Garver, Commissioner Ethan White, City Manager Ted Rogers

**KEY MANAGERS:** Chief of Police Brian Hickman, Planning & Economic Development Director Kelly Martin, Director of Public Works Eric Sines, Airport & Safety Director Chris Swain, Parks and Recreation Director Traci Hobek-Bennett, City Recorder Kristi Wheeler, City Engineer Wayon Hines

**ABSENT:** City Attorney Sam Elliott, Assistant City Manager & CFO Michelle Toro, Building & Codes Director Andrew Morkert

**GUESTS:** David Barto, Sam Shorrosh, Merritt MacLafferty, Andrew Arnold, Gail Perry, Johnnie Hoskins, Kevin Hicks, Tonya Sadler, Matthew Sadler, Rita Vital, Bonnie Hoffer, Keith Hieb, Bruce Avery, Christine Payne

**2-17-2020 (1004) COMMISSION MINUTES– February 03, 2020**

It was moved by Vice Mayor Johnson and seconded by Commissioner Garver to accept the minutes of the commission meeting on February 03, 2020.

**ROLL CALL:**

<b>COMMISSIONER BAKER</b>	<b>YEA</b>
<b>COMMISSIONER GARVER</b>	<b>YEA</b>
<b>COMMISSIONER WHITE</b>	<b>YEA</b>
<b>VICE MAYOR JOHNSON</b>	<b>YEA</b>
<b>MAYOR LAMB</b>	<b>YEA</b>

Mayor Lamb opened the commission meeting for citizen comments at 6:00pm. No comments were made. The commission meeting reconvened at 6:00pm.

**2-17-2020 (1005) APPROVAL OF THE AIRPORT RUNWAY CULVERT DESIGN GRANT AMENDMENT**

It was moved by Commissioner Baker and seconded by Vice Mayor Johnson to approve an amendment to the Runway Culvert Design Grant to continue the next phase of the project.

**ROLL CALL:**

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	YEA
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

**2-17-2020 (1006) JANUARY FINANCE REPORT**

It was moved by Vice Mayor Johnson and seconded by Commissioner Garver to accept the January finance report as presented by City Manager Ted Rogers.

**ROLL CALL:**

COMMISSIONER BAKER	YEA
COMMISSIONER GARVER	YEA
COMMISSIONER WHITE	YEA
VICE MAYOR JOHNSON	YEA
MAYOR LAMB	YEA

**2-17-2020 (1007) MOTION TO ADJOURN**

It was moved by Commissioner Garver and seconded by Vice Mayor Johnson to adjourn the meeting.  
No roll call was taken.

**The meeting was adjourned at 6:12pm.**

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**Mayor, Katie Lamb**

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**City Recorder, Kristi Wheeler**

**ORDINANCE #1079**

**AN ORDINANCE OF THE CITY OF COLLEGEDALE, TENNESSEE TO AMEND THE  
OFFICIAL COLLEGEDALE ZONING ORDINANCE TO AMEND AREA  
REQUIREMENTS FOR CERTAIN ZONING DISTRICTS**

- WHEREAS**, the City of Collegedale, Tennessee has adopted a zoning ordinance under authority granted in Tennessee Code Annotated (T.C.A.) Section 13-7-201; and
- WHEREAS**, T.C.A. Section 13-7-204 authorizes the City to amend zoning ordinances and maps; and
- WHEREAS**, the City of Collegedale Board of Commissioners approved an ordinance to raise the the minimum lot area for lots not served by sanitary sewer from 20,000 square feet to 43,560 square feet according to Ordinance #541; and
- WHEREAS**, subsequent to said action, the provisions of state law were enacted or amended to provide more stringent oversight and requirements for individual subsurface sewage disposal systems; and
- WHEREAS**, state permitting for such systems are reviewed and approved through Hamilton County Groundwater Protection; and
- WHEREAS**, depending on the soil conditions of a given lot, the permitting entity may require a greater lot area than required by jurisdictional zoning controls to protect the health, safety, and welfare of the state's residents; and
- WHEREAS**, the suitability of soils for subsurface sewage disposal systems vary greatly within the City of Collegedale; and
- WHEREAS**, potential buildable lots less than the current minimum lot size prescribed by the Collegedale Zoning Ordinance, having with soils tested and otherwise approved as suitable for a septic system by Hamilton County Groundwater Protection on are therefore rendered unbuildable; and
- WHEREAS**, continued adherence to the larger lot size standard on otherwise suitable soil contributes to the inefficient use of land; and
- WHEREAS**, neighboring jurisdictions with similar soils such as unincorporated Hamilton County require a minimum lot area of 25,000 square feet or, adequate lot area to accommodate a septic system as required by Hamilton County Groundwater Protection in accordance with state requirements; and
- WHEREAS**, decreasing the minimum lot area to 25,000 square feet in certain zoning districts, or as permitted, or such area required by Hamilton County Groundwater Protection will allow for additional development flexibility; and

**WHEREAS,** the Collegedale Municipal Planning Commission recommends to the Collegedale Mayor and Board of Commissioners said amendment; and

**WHEREAS,** pursuant to the requirements of T.C.A., Section 13-7-203, the City of Collegedale conducted a public hearing subject to a 15 day notice prior to the final reading and adoption of this ordinance herein described;

**NOW THEREFORE BE IT ORDAINED,** by the City of Collegedale, Tennessee, that the official Zoning Ordinance be amended as follows:

**Section One:**

Chapter 5, Section 05.05 DIMENSIONAL REGULATIONS 4. Land Area: is amended to read:

Minimum Lot Area Requirements:

43,560 square feet for single-family lots on individual wells and septic tanks

25,000 square feet for single-family lots on public water and septic tanks

15,000 square feet single-family lots on sanitary sewers

In all other instances, a residential lot shall be large enough to construct the original subsurface sewage disposal system, and to provide an area for 100% duplication of that system. Review and approval by Hamilton County Groundwater Protection or any successor entity shall be required.. The area(s) for both original and duplicate systems shall meet the provision of the State Rules and Regulations to Govern Subsurface Sewage Disposal. The septic permitting entity may limit the number of bedrooms and whirlpool tubs on the basis of effective capacity of the proposed sewage disposal facilities.

**Section Two:**

Chapter 7, Section 07.05 DIMENSIONAL REGULATIONS 4. Land Area: is amended to read:

Minimum Lot Area Requirements:

43,560 square feet for single-family lots on individual wells and septic tanks

25,000 square feet for single-family lots on public water and septic tanks

15,000 square feet single-family lots on sanitary sewers

The following area requirements shall apply for two-family dwellings:

54,540 square feet for lots with public water and sanitary sewers

54,540 square feet for lots with individual wells and septic tanks

17,000 square feet for lots with public water and sanitary sewers

In all other instances, a residential lot shall be large enough to construct the original subsurface sewage disposal system, and to provide an area for 100% duplication of that system. Review and approval by Hamilton County Groundwater Protection or any successor entity shall be required.. The area(s) for both original and duplicate systems shall meet the provision of the State Rules and Regulations to Govern Subsurface Sewage Disposal. The septic permitting entity may limit the number of bedrooms and whirlpool tubs on the basis of effective capacity of the proposed sewage disposal facilities.

**Section Three:**

Chapter 8, Section 08.05 DIMENSIONAL REGULATIONS 4. Land Area: is amended to read:

Minimum Lot Area Requirements:

43,560 square feet for single-family lots on individual wells and septic tanks

25,000 square feet for single-family lots on public water and septic tanks

15,000 square feet single-family lots on sanitary sewers

The following area requirements shall apply for two-family dwellings:

Lots with public water and sanitary sewers 17,000 sq. ft.

Lots with public water and septic tanks 54,450 sq. ft.

Lots with individual wells and septic tanks 54,450 sq. ft.

On lots or parcels of land where there are three-family dwellings:

Lots with public water and sanitary sewers 19,000 sq. ft.

On lots or parcels of land where there are four-family dwellings:

Lots with public water and sanitary sewers 21,000 sq. ft.

On lots or parcels of land where there are greater than four-family dwellings each additional dwelling requires an additional 2,000 sq. ft. per dwelling.

**Section Four:**

Chapter 9, Section 09.05 DIMENSIONAL REGULATIONS 4. Land Area: is amended to read:

Minimum Lot Area Requirements:

The following area requirements shall apply for single family dwellings:

Lots with public water and sanitary sewers ..... 15,000 sq. ft.

Lots with public water and septic tanks ..... 25,000 sq. ft.

Lots with individual wells and septic tanks ..... 54,540 sq. ft.

The following area requirements shall apply for two-family dwellings:

Lots with public water and sanitary sewers 17,000 sq. ft.

Lots with public water and septic tanks 54,450 sq. ft.

Lots with individual wells and septic tanks 54,450 sq. ft.

On lots or parcels of land where there are three-family dwellings:

19,000 square feet for lots with public water and sanitary sewers

On lots or parcels of land where there are four-family dwellings:

21,000 square feet for lots with public water and sanitary sewers

On lots or parcels of land where there are over four-family dwellings each additional dwelling shall contain an additional 2,000 sq. ft. per dwelling.

In all other instances, a residential lot shall be large enough to construct the original subsurface sewage disposal system, and to provide an area for 100% duplication of that system. Review and approval by Hamilton County Groundwater Protection or any successor entity shall be required.. The area(s) for both original and duplicate systems shall meet the provision of the State Rules and Regulations to Govern Subsurface Sewage Disposal. The septic permitting entity may limit the number of bedrooms and whirlpool tubs on the basis of effective capacity of the proposed sewage disposal facilities.

**NOW, LET IT BE FURTHER ORDAINED**, that this ordinance shall take effect fifteen (15) days following a public hearing and a final reading by the Collegedale Board of Mayor and Commissioners, the welfare of the City requiring it.

Passed first reading

Votes for \_\_\_\_\_

Votes against \_\_\_\_\_

Passed second reading

Votes for \_\_\_\_\_

Votes against \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Attest: City Recorder

Approved as to form:

\_\_\_\_\_  
City Attorney



## RESOLUTION #513

**A RESOLUTION OF THE CITY OF COLLEGEDALE,  
TENNESSEE, INSTITUTING A 90 DAY MORATORIUM ON THE  
ACCEPTING AND PROCESSING OF APPLICATIONS FOR ANY  
NEW OUTDOOR ADVERTISING SIGNS AND ON THE  
CONSTRUCTION AND/OR INSTALLATION OF OUTDOOR  
ADVERTISING SIGNS, IN ADDITION TO THE CONVERSION  
OF EXISTING SIGNS AND POSTER PAPER OUTDOOR  
ADVERTISING SIGNS TO AN ELECTRONIC ADVERTISING OR  
MESSAGING SIGN, WITHIN THE CITY**

**WHEREAS**, the City of Collegedale, Tennessee (the “City”) is a municipality duly formed and existing pursuant to Tennessee law; and

**WHEREAS**, the Tennessee General Assembly has granted municipalities with the broad authority to plan for and regulate the use of land within its jurisdiction

**WHEREAS**, the City has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

**WHEREAS**, such authority also includes the power to adopt and enforce temporary moratoria on particular land uses pending the City’s developing, adopting, and implementing appropriate regulation for such uses in order to protect the public health, safety, and welfare, and to provide for a planned and orderly use of such land; and

**WHEREAS**, the City considers it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and City residents; and

**WHEREAS**, the concept of general public welfare is broad and inclusive and it is within the power and prerogative of the Board of Commissioners to determine and ensure that development be implemented in the best interests of the City as a whole; and,

**WHEREAS**, a recent ruling by the Sixth Circuit Court of Appeals, *Thomas v. Bright*, 937 F.3d 721 (6<sup>th</sup> Cir. 2019), ruled the Tennessee State Billboard Act, T.C.A. §54-21-101, *et seq.* unconstitutional; and

**WHEREAS**, the Tennessee Department of Transportation (“TDOT”) has indefinitely suspended its regulatory enforcement of its outdoor advertising control program and, as a result, is not accepting permit applications, issuing permits or transferring permits for outdoor advertising signs; and

**WHEREAS**, the City approved Ordinance 1010 on second and final reading on October 19, 2015 relative to the regulation of signage, including on-premises and off-premises outdoor signage; and

**WHEREAS**, Ordinance 1010 regulates on-premises and off-premises signage in a manner consistent with, and modeled in part and/or in whole pursuant to the Tennessee State Billboard Act and was approved to protect the public health, safety, and welfare, and to provide for a planned and orderly use of lands within the City of Collegedale relative to outdoor advertising signs; and

**WHEREAS**, the Board of Commissioners recognizes the First Amendment and private property rights of property owners seeking to erect advertising signs within the City and; and

**WHEREAS**, the Board of Commissioners recognizes and seeks to balance the First Amendment rights and commercial interests of private property owners seeking to erect outdoor advertising signs with the scenic beauty, natural resources, livability, and economic potential of the City of Collegedale, together with the planned and orderly use of lands within the City of Collegedale relative to outdoor advertising signs; and

**WHEREAS**, in light of the Sixth Circuit Court of Appeals' opinion in *Thomas v. Bright* invalidating the Tennessee State Billboard Act, coupled with TDOT's indefinite suspension of its regulatory enforcement of its outdoor advertising control program, there is a lack of concise controls over the regulation of outdoor advertising signs; and

**WHEREAS**, the Board of Commissioners is concerned that the life, safety and well-being of the citizens of the City could be negatively impacted as a result of such lack of concise controls over the regulation of outdoor advertising signs, in particular as it relates to traffic and distraction issues and also as it relates to aesthetic and community impacts that may not be adequately protected as a result of the invalidation of the Tennessee State Billboard Act; and

**WHEREAS**, the Board of Commissioners deems it appropriate to adopt a temporary moratorium relative to outdoor advertising signs to ensure that private interests are well balanced with public interests; and

**WHEREAS**, a temporary moratorium affords the Board of Commissioners and the City Administration to review, evaluate and, if warranted, develop appropriate amendments to the City's zoning regulations in accordance with applicable law; and

**WHEREAS**, pending the development of amended and updated regulations for outdoor advertising signs, the Board of Commissioners finds that it is necessary to adopt a temporary moratorium on the accepting and processing of applications for new outdoor advertising signs and on the construction and/or installation of outdoor advertising signs, in addition to the conversion of existing signs and poster paper outdoor advertising signs to electronic advertising or messaging signs within the City of Collegedale; and

**WHEREAS**, said moratorium is in the best interest of the health, welfare, and safety of the City and its residents, and also wholly consistent with the police and other powers vested in the City.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Collegedale, Tennessee, that a temporary moratorium is hereby imposed, effective upon the adoption of this resolution, regarding the following to:

1. Halt the acceptance of and processing of applications for any new outdoor advertising signs within the City;
2. Halt the construction and/or installation of outdoor advertising signs within the City; and
3. Halt the conversion of existing signs and poster paper outdoor advertising signs to electronic advertising or messaging signs.

**BE IT FURTHER RESOLVED** that during the term of this temporary moratorium, as provided in this Resolution, no land use application, including but not limited to any application for zoning, re-zoning, subdivision, Use by Special Review, Planned Unit Development or any other land use or building or other construction related permit, involving any new outdoor advertising sign or for conversion of any existing outdoor advertising sign to an electronic messaging sign shall be accepted, processed, or granted.

**BE IT FURTHER RESOLVED** that this temporary moratorium shall continue in effect for a period of ninety (90) days from the date of the adoption hereof, unless extended, or terminated at an earlier date, by further action of the Board of Commissioners.

**BE IT FURTHER RESOLVED** that during the period of this temporary moratorium, the City's administrative and planning staff is directed to study and review the City's outdoor advertising sign standards and propose appropriate revisions thereto.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately after its passage, the public safety, health, peace, property and welfare of the City requiring it.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Katie Lamb, Mayor

ATTEST:

\_\_\_\_\_  
Kristi Wheeler, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, Sam D. Elliott

March 18 2019

Electric Power Board of Chattanooga  
P.O. Box 182255  
Chattanooga, TN 37422

Re: **Utility Easement Purchase**  
CLT Map 151-C "B", Parcel 12.02

The City of Collegedale (CITY) has a need to obtain a permanent utility easement across your property at **10475 Apison Pike**. The easement is necessary in order for the CITY to provide improved utility service and reliability in your area. The proposed easement is shown on the attached easement documents. This easement will continue to be owned by the owner.

CITY will provide compensation in the amount of ~~\$5200.00~~ \$5200.00 for the referenced permanent easement and damages. CITY and/or its Contractors will restore all areas disturbed during construction at no cost to you. Upon completion of the work on your property, CITY and its Contractors will provide a one-year warranty for site restoration.

The CITY greatly appreciates your willingness to assist in providing improved utility service to you and your neighbors.

Payment will be made in full to the Owner within 30 days after acceptance of this offer by both the Owner and CITY. Once CITY records the documents with Hamilton County, a copy of the recorded documents will be mailed to the Owner.

This offer is made by:

This offer is accepted by:

Douglas Duke  
City of Collegedale Representative

Gregory Hines  
Electric Power Board

Date: 12-14-19

Date: 2/27/2020

\_\_\_\_\_  
Public Works Director

Date: \_\_\_\_\_

attachments

CITY Utility Easement Agreement  
Exhibit A Easement Drawing  
Exhibit B Legal Description

Prepared by: City of Collegedale  
4910 Swinyar Drive  
Collegedale, TN 37315

Hamilton County, Tennessee  
CLT Map 151-C "B"  
Parcel 12.02

### UTILITY EASEMENT

This Easement is entered into as of this 1<sup>st</sup> day of February, 2020, between Electric Power Board of Chattanooga (the "Owner") and the CITY OF COLLEGEDALE ("CITY").

**FACTS:** The Owner owns the property described in the deed book and page or instrument number shown below which includes the property shown on Exhibit "A" (the "Easement Tract") and described on Exhibit "B". CITY desires to install utility facilities and lines on the Easement Tract. The Owner has agreed that CITY can have an easement across the Easement Tract for its utility facilities and lines owned and/or licensed by CITY. By executing this easement Owner acknowledges that CITY shall compensate the Owner an amount that the Owner agrees is a reasonable payment for the easement given to CITY under this Agreement. Based on all of the above, the Owner agrees as follows:

1. The Owner grants to CITY a permanent utility easement over, under and across the Easement Tract and agrees that CITY has the perpetual right to enter on the Easement Tract and to do those things that are necessary to place, construct, operate, repair, maintain, remove and replace on the Easement Tract one or more utility lines and related equipment and facilities that are owned and/or licensed by CITY. Unless noted otherwise on the Easement Tract, it is agreed that the Easement Tract shall include an additional temporary construction easement as required and necessary to install, replace and maintain the facilities and lines beyond the permanent easement as shown on Exhibit "A". The Owner also agrees, in addition, that CITY shall have reasonable access across Owner's property to reach the Easement Tract as may be needed.
2. The Owner understands and agrees that:
  - a. CITY has agreed that it will restore the Easement Tract and Temporary Construction Easement after it installs the utility lines. Trees, shrubbery and other vegetation located in the Easement Tract and Temporary Construction Easement may be removed by CITY during construction and CITY is not obligated to replace trees, shrubbery or other vegetation (other than grass) within the Easement Tract and Temporary Workspace that is removed or disturbed.
  - b. CITY has the right to keep the Easement Tract free and clear of buildings, trees, and anything else that interferes with the installation, maintenance and use of the utility lines on the Easement Tract.
  - c. Three (3) days before allowing any digging or other work on the Easement Tract, the Owner will notify the person(s) doing the work of the existence of this Agreement and will instruct the person doing the work that they must contact CITY prior to working.

d. The Easement Tract will not be used for anything that will interfere with or endanger the use and operation of the utility lines that are placed on the Easement Tract. No permanent structure will be erected on the Easement Tract.

e. The ground level of the Easement Tract will not be changed without CITY's written approval in advance. Approval shall not be unreasonably withheld by CITY.

3. The Owner will have the right to use and enjoy the Easement Tract for lawns, gardens, pastures, roads, parking lots, and any purpose that does not interfere with the use and operation of the utility lines installed on the Easement Tract by CITY. The Owner is only granting CITY an easement over, under and across the Easement Tract. The Easement Tract will continue to be owned by the Owner.
4. This Agreement is intended to be binding on and to benefit CITY and its successors and assigns and the Owner and its heirs, successors and assigns. In this Agreement, the singular shall include the plural, the plural the singular and the use of any gender is meant to refer to all genders.
5. Ownership of the property was determined by review of warranty deeds and tax records, and no title opinion nor any subordination of liens was obtained for this property. The Owner, by executing this Agreement, represents that he/she/they is the owner of the Easement Tract and has the exclusive right to receive the compensation paid by CITY and to grant the rights to CITY as set forth in this Agreement. The Owner agrees to defend and hold CITY harmless in the event of any legal or financial claim by any third party to such compensation or otherwise involving CITY's rights as set forth in this Agreement.

IN WITNESS WHEREOF, the Owner(s) has executed this instrument as of the day and year first written above.  
"OWNER(s) "

  
Electric Power Board

Property Reference:

Deed Book 4985  
Page 58

1. Acknowledgment for One or More Persons

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ )

Before me, the undersigned authority, of the state and county aforesaid, personally appeared \_\_\_\_\_  
with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath,  
acknowledged that he/she the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal, at office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

2. Acknowledgment for Corporation

STATE OF Tennessee  
COUNTY OF Hamilton )

Before me, the undersigned authority, of the state and county aforesaid, personally appeared  
Gregory S. Eaves  
with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath,  
acknowledged himself/herself to be the Executive Vice President and Chief Financial Officer  
of Electric Power Board of Chattanooga, a corporation, the within named bargainor; and that  
he/she as such officer, executed the foregoing instrument for the purposes therein contained by signing the name of the  
corporation by himself/herself as such officer.

WITNESS my hand and seal, at office, this 27<sup>th</sup> day of February, 2020.

V. Elayne Gordy  
Notary Public



My commission expires: 01/09/2021

3. Acknowledgment for Partnership

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ )

Before me, the undersigned authority, of the state and county aforesaid, personally appeared \_\_\_\_\_  
with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath,  
acknowledged himself/herself to be a general partner of \_\_\_\_\_  
a partnership, the within named bargainor, and that he/she as such general partner, executed the foregoing instrument for the  
purposes therein contained by signing the name of the partnership by himself/herself as its general partner.

WITNESS my hand and seal, at office, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

COORDINATES HAVE BEEN DATUM ADJUSTED BY A FACTOR OF 1.00002



**CURVE TABLE**

CURVE	DELTA ANGLE	RADIUS	TANGENT	LENGTH	CHORD
C1	008°51'58"	702.00'	54.42'	108.63'	N 51°16'56" W 108.52'

**MATTHEW A. CONERLY**  
 D.B. 10240 / PG. 323  
 4976 EASTVIEW TERRACE

**ELECTRIC POWER BOARD OF CHATTANOOGA**  
 D.B. 4985 / PG. 58  
 10475 APISON PIKE

**MCKEE FOODS CORPORATION**  
 D.B. 4974 / PG. 904  
 10485 APISON PIKE

**PERMANENT UTILITY EASEMENT**  
 15,320.14 S.F. / 0.352 AC.

EXISTING SEWER LINE

CONCRETE HIGHWAY MONUMENT

**POINT OF BEGINNING**  
 CONCRETE HIGHWAY MONUMENT  
 N 260.378.82  
 E 2257645.17

FUTURE ROADWAY IMPROVEMENTS

PROPOSED SEWER LINE

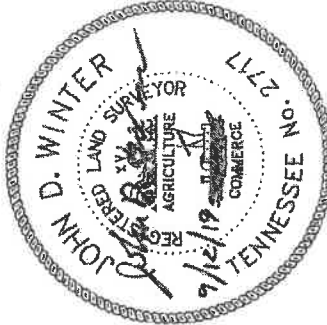
**REALIGNED APISON PIKE**

**LINE TABLE**

LINE	LENGTH	BEARING
L1	147.64'	N 37°51'38" W
L2	212.38'	N 25°19'27" W
L3	15.56'	N 51°22'55" E
L4	199.71'	S 29°10'34" E
L5	207.17'	S 38°43'16" E
L6	167.75'	S 55°01'49" E
L7	24.18'	S 33°37'02" W
L8	117.45'	N 55°42'57" W

**EASEMENT NOTES:**

1. The City of Collegedale Public Works Department has the right to install and operate on the Easement Tract utility lines and related equipment and facilities only for the utility services that the City of Collegedale Public Works Department provides.
2. This easement document was prepared by Cannon & Cannon, Inc., 8550 Kingston Pike, however, it is not intended to be a Boundary Survey compliant with the minimum standard detail requirements of the State of Tennessee.
3. This document does not warrant title or ownership. Owners and property addresses are shown in accordance with Hamilton County Property Assessors Records. The base mapping is shown in accordance with TDOT design plans for Apison Pike (S. R. 317). Reference TDOT project numbers SRP-317(17) & 33070-2233-14.



Prepared By: Cannon & Cannon, Inc.  
 Address: 8550 Kingston Pike  
 Knoxville, Tennessee 37919  
 Date: 9/12/2019 W.O. No:  
 Appd. By: RGL Chkd. By: RGL

**Exhibit "A"**  
**(PARCEL 12.02)**  
 Scale: 1" = 60'

County of Hamilton, CCPW Map No.:  
 CLT Map No. 151-C B Parcel No. 12.08  
 Deed Book 4985 Page 58  
 District 2C Ward N/A City Block N/A  
 CCPW Field Book: N/A Page: N/A



CCI# 01361-0000



**EXHIBIT "B"**

**LEGAL DESCRIPTION  
ELECTRIC POWER BOARD OF CHATTANOOGA**

**Situated** in the Second C (2C) Civil District of Hamilton County, Tennessee, within the corporate limits of the City of Collegedale and being a Permanent Utility Easement crossing a portion of Tax Parcel 12.02 on CLT Map 151-C "B" (Deed Book 4985, Page 58), more particularly described as follows:

**PERMANENT UTILITY EASEMENT**

**BEGINNING** on a concrete highway monument in the northeastern right-of-way line of Realigned Apison Pike, said monument bearing Tennessee State Plane, NAD 83 datum adjusted coordinates (1.0002) of, Northing 260,378.82 Easting 2,257,645.17;

Thence with the northeastern right-of-way line of Realigned Apison Pike, the following two (2) calls:

1. N 37° 51' 38" W, 147.64 feet to a concrete highway monument;
2. N 25° 19' 27" W, 212.38 feet to a point in the southeastern line of Matthew A. Conerly (Deed Book 10240, Page 323);

Thence leaving the northeastern right-of-way line of Realigned Apison Pike and with the southeastern line Conerly, N 51 22' 55" E, 15.56 feet to a point;

Thence leaving the southeastern line Conerly and with the remaining lands of the subject tract, the following three (3) calls:

1. S 29° 10' 34" E, 199.71 feet to a point;
2. S 38° 43' 16" E, 207.17 feet to a point;
3. S 55° 01' 49" E, 167.75 feet to a point in the southwestern line of McKee Foods Corporation (Deed Book 4974, Page 904);

Thence with the southwestern line of McKee Foods Corporation, S 33° 37' 02" W, 24.18 feet to a point in northeastern right-of-way line of Realigned Apison Pike;

Thence with the northeastern right-of-way line of Realigned Apison Pike, the following two calls:

1. N 55° 42' 57" W, 117.45 feet to a point;
2. With a curve to the right, having a radius of 702.00 feet and a chord of N 51° 16' 58" W, 108.52 feet to the Point of **BEGINNING**.

**Containing** 15,320.14 square feet or 0.352 acres, more or less.

This description was prepared September 12, 2019 by Cannon & Cannon, Inc., 8550 Kingston Pike, Knoxville, Tennessee 37919.