

08-27-09

PROPOSED PLAN OF SERVICES FOR AREA 12B
IN ACCORDANCE WITH
TENNESSEE CODE ANNOTATED § 6-51-102

The City Council of the City of Chattanooga, Tennessee hereby proposes the following Plan for Provision of Services for certain properties lying contiguous to the present corporate limits of the City of Chattanooga, Tennessee, adjacent to East Brainerd Road and Ooltewah-Ringgold Road which are shown on the attached map and described as follows:

All roads and accepted right of ways within the boundaries shown on the attached map for Area 12B, including, East Brainerd Road, Fuller Road, Windrose Circle, Everett Drive, Waterbury Lane, Chestnut Hill Lane, Ivy Brook Court, Ethridge Lane, Waycross Circle, Tatum Road, and all property described as follows and as shown on the attached map:

IN THE SECOND CIVIL DISTRICT OF HAMILTON COUNTY,
TENNESSEE:

Beginning in the current city limit boundary and the intersection of the western corner of property now or formerly owned by Virginia Million (171C-D-003) and the Fuller Road right of way; thence proceeding south-easterly a distance of 1,794, feet, more or less, along the northern line of the Fuller Road right of way to the southeastern corner of property now or formerly owned by Virginia Million (171C-D-003); thence proceeding a distance of 2,170 feet, more or less, following the property line of Virginia Million (171C-D-003) to the southwestern corner of property now or formerly owned by Jack Duggan (171C-D-008); thence proceeding north-easterly a distance of 183 feet, more or less, to the southwestern corner of property now or formerly owned by Jack Duggan (171C D 009); thence proceeding north-easterly a distance of 275 feet, more or less, to the southwestern corner of property now or formerly owned by Jack Duggan (171C-G-001); thence proceeding north-easterly a distance of 50 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Jack Duggan (171C-G-001) and the Brently Woods Drive right of way; thence proceeding north-easterly a distance of 50 feet, more or less, across Brently Woods Drive to the southwestern corner of property now or formerly owned by Daniel and Kamilla Boerema (171C-G-063); thence proceeding eastward a distance of 253 feet, more or less, to the eastern corner of property now or formerly owned by Bette Hunt (171C-D-011); thence proceeding eastward a distance of 215 feet, more or less, to

the southern corner of property now or formerly owned by Michael Berryman (171C-D-012.01); thence proceeding north-easterly a distance of 329 feet, more or less, to the intersection of the eastern corner of property now or formerly owned by Michael Berryman (171C-D-012.01) and the southeastern corner of property now or formerly owned by Marti Hood (171C-D-013); thence proceeding a distance of 177 feet, more or less, following the property line of Marti Hood (171C-D-013) to the intersection of northeastern corner of property now or formerly owned by Marti Hood (171C-D-013) and the Springview Drive right of way; thence proceeding north-westerly a distance of 95 feet, more or less, across Springview Drive to the southwestern corner of property now or formerly owned by Richard and Rita Chatfield (171C-C-002); thence proceeding north-easterly a distance of 91 feet, more or less, to the southwestern corner of property now or formerly owned by DB Holdings (171C-C-003); thence proceeding north-easterly a distance of 105 feet, more or less, to the southwestern corner of property now or formerly owned by Bone's East Brainerd Properties LLC (171C-C-004); thence proceeding north-easterly a distance of 94 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Bone's East Brainerd Properties LLC (171C-C-004) and a point on the western line of property now or formerly owned by Bone's East Brainerd Properties LLC (171C-C-005); thence proceeding a distance of 336 feet, more or less, following the property line of Bone's East Brainerd Properties LLC (171C-C-005) to the southwestern corner of property now or formerly owned by James Davis and Tommie Gentry (171C-C-006); thence proceeding north-easterly a distance of 165 feet, more or less, to the southwestern corner of property now or formerly owned by Danny Gibson (171C-C-007); thence proceeding north-easterly a distance of 124 feet, more or less, to the southwestern corner of property now or formerly owned by Lee McCraw (171C-C-008); thence proceeding north-easterly a distance of 143 feet, more or less, to the intersection of southeastern corner of property now or formerly owned by Lee McCraw (171C-C-008) and the Everett Drive right of way; thence proceeding eastward a distance of 62 feet, more or less, across the Everett Drive right of way to a point on the western line of property now or formerly owned by Thomas and Sandra Ryall (159M-C-001); thence proceeding south-easterly a distance of 655 feet, more or less, along the northern line of the Everett Drive right of way to the southwestern corner of property now or formerly owned by Thomas and Sandra Ryall (159M-C-009); thence proceeding a distance of 749 feet, more or less, following the property line of Thomas and Sandra Ryall (159M-C-009) to the intersection of the southeastern corner of property now or formerly owned by Thomas and Sandra Ryall (159M-C-009) and the Everett Drive right of way; thence proceeding south-easterly a distance of 50 feet, more or less, across the Everett Drive right of way to the western corner of property now or formerly owned by Orvel and Mary Crumley (159M-C-019); thence proceeding eastward 285 feet, more or less, to the southwestern corner of property now or formerly owned by Bear Barsoumian (159M-C-020); thence proceeding south-easterly a distance of 102 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Bear Barsoumian (159M-C-020) and a point on the western line of property now or formerly owned by Christopher Brock

(171-003); thence proceeding south-westerly a distance of 53 feet, more or less, to the intersection of the southwestern corner of property now or formerly owned by Christopher Brock (171-003) and the northeastern corner of property now or formerly owned by William and Dianna Ruffner (171-003.01); thence proceeding a distance of 1,354 feet, more or less, along the property line of William and Dianna Ruffner (171-003.01) to the southwestern corner of property now or formerly owned by Joseph and Joy Morris (171D-E-001); thence proceeding south-easterly a distance of 165 feet, more or less, to the southwestern corner of property now or formerly owned by Thelma Morris and Sharon Morris (171D-E-002); thence proceeding south-easterly a distance of 160 feet, more or less, to the southwestern corner of property now or formerly owned by Mary Harrison (171D-E-003); thence proceeding south-easterly a distance of 170 feet, more or less, to the southwestern corner of property now or formerly owned by Sharon Morris (171D-E-004); thence proceeding a distance of 1,400 feet, more or less, following the property line of Sharon Morris (171D-E-004) to the southwestern corner of property now or formerly owned by Harold and Mary Fugate (171-018.01); thence proceeding eastward a distance of 631 feet, more or less, to the southwestern corner of property now or formerly owned by Orville and Linda Ault (172-017); thence proceeding south-easterly a distance of 215 feet, more or less, to the southwestern corner of property now or formerly owned by Wallace and Condra Rowland (172A-D-001); thence proceeding south-easterly a distance of 150 feet, more or less, to the southwestern corner of property now or formerly owned by Bruce Lansford (172A-D-005); thence proceeding south-easterly a distance of 146 feet, more or less, to the southwestern corner of property now or formerly owned by Kelly and Sheri Degrave (172-015); thence proceeding south-easterly a distance of 307 feet, more or less, to the southwestern corner of property now or formerly owned by Kelly and Sheri Degrave (172-014.01); thence proceeding south-easterly a distance of 261 feet, more or less, to the southwestern corner of property now or formerly owned by Judith Wilson and Barbara Rea (172-013.01); thence proceeding south-easterly a distance of 80 feet, more or less, to the southwestern corner of property now or formerly owned by Kendall and Mary Kaylor (172-013); thence proceeding south-easterly a distance of 158 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Kendall and Mary Kaylor (172-013) and the Fuller Road right of way; thence proceeding north-easterly a distance of 177 feet, more or less, to the intersection of the White Road right of way and the southwestern corner of property now or formerly owned by Pamela Edgmon (172-029.04); thence proceeding south-easterly a distance of 755 feet, more or less, to the southwestern corner of property now or formerly owned by Westview Baptist Church (172-029); thence proceeding a distance of 981 feet, more or less, following the property line of Westview Baptist Church (172-029) to Earl and June Bolton (172-035.04); thence proceeding south-easterly a distance of 590 feet, more or less, to the southwestern corner of property now or formerly owned by Charles and Doris Worley (172-049); thence proceeding south-easterly a distance of 530 feet, more or less, to the intersection of the southeastern corner of property now or formerly owned by Charles and Doris Worley (172-049) and the western corner of property now or

formerly owned by Pratt and Associates LLC (172 050.03); thence proceeding a distance of 1,586 feet, more or less, following the property line of Pratt and Associates LLC (172 050.03) to the intersection of the southeastern corner of property now or formerly owned by Pratt and Associates LLC (172 050.03) and the Ooltewah Ringgold Road right of way; thence proceeding north-easterly a distance of 1,118 feet, more or less, to the southeastern corner of property now or formerly owned by the ANT Group LLC (172 050.05); thence proceeding north-easterly a distance of 1,105 feet, more or less, to the intersection of the northeastern corner of property now or formerly owned by John and Dianne Mullin (172-050.01) and the East Brainerd Road right of way; thence proceeding north-easterly a distance of 388 feet, more or less, along the western line of the Ooltewah Ringgold Road right of way to the northeastern corner of property now or formerly owned by Northwest Georgia Bank (172-042.03); thence proceeding northeasterly a distance of 2,288 feet, more or less, along the western line of Ooltewah Ringgold Road right of way to the northeastern corner of property now or formerly owned by Hamilton County (160-005); thence proceeding a distance of 4,030 feet, more or less, following the property line of Hamilton County (160-005) to the northwestern corner of Lot 21 now or formerly owned by George and Correna Andrews (172B-B-022) Emerald Valley Subdivision Phase One (Plat Book 57, Page 87); thence proceeding a distance of 1,488 feet, more or less, following the property line of Emerald Valley Subdivision to the intersection of Lot 89 property now or formerly owned by Emerald Valley Homeowners Association Incorporated (172B-B-031.01) Emerald Valley Subdivision Phase Three and a point on the northern line of property now or formerly owned by Jenny and Ronald Allen (172-038.02); thence proceeding northwesterly a distance of 337 feet, more or less, to the northeastern corner of property now or formerly owned by Garvin and Sarah Bryant (172-038); thence proceeding a distance of 1,251 feet, more or less, following the property line of Garvin and Sarah Bryant (172-038) to the northwestern corner of property now or formerly owned by Michael Blevins (172-037); thence proceeding south-westerly a distance of 180 feet, more or less, to the northeastern corner of property now or formerly owned by Cynthia Gibson (172-024.07); thence proceeding a distance of 423 feet, more or less, following the property line of Cynthia Gibson (172-024.07) to the northeastern corner of property now or formerly owned by Mark and Carol Sylar (172-022.04); thence proceeding a distance of 873 feet, more or less, following the property line of Mark and Carol Sylar (172-022.04) to the northeastern corner of Lot 8 property now or formerly owned by John and Donna Reneau (172A-B-031) Seven Oaks Subdivision (Plat Book 73, Page 19); thence proceeding north-westerly a distance of 408 feet, more or less, to the northwestern corner of Lot 1 property now or formerly owned by Jerry Bowman (172A-B-030) Seven Oaks Subdivision; thence proceeding northward a distance of 745 feet, more or less, to the intersection of the northwestern corner of property now or formerly owned by Clarence and Charlotte Creek (172-019) and the eastern line of property now or formerly owned by Clarence and Charlotte Creek (172-018.01); thence proceeding a distance of 1,362 feet, more or less, following the property line of Clarence and Charlotte Creek (172-018.01) to the northeastern corner of property now or

formerly owned by Clarence and Charlotte Creek (172-018.01); thence proceeding south-westerly a distance of 90 feet, more or less, to the northwestern corner of property now or formerly owned by Gregory Perryman (171D-A-001); thence proceeding a distance of 598 feet, more or less, following the property line of Gregory Perryman (171D-A-001) to the northwestern corner of property now or formerly owned by Ruth Harris (171D-A-002); thence proceeding south-westerly a distance of 205 feet, more or less, to the northeastern corner of property now or formerly owned by Billie and Cleo Lollar (171D-A-003); thence proceeding westward a distance of 280 feet, more or less, to the intersection of the Rolling Ridge Drive right of way and the northeastern corner of Lot 3 property now or formerly owned by Bobbie Weeks (171D-A-049) Rolling Ridge Subdivision (Plat Book 27, Page 252); thence proceeding north-westerly a distance of 121 feet, more or less, to the intersection of northwestern corner of Lot 3 property now or formerly owned by Bobbie Weeks (171D-A-049) Rolling Ridge Subdivision and the eastern line of Lot 2 property now or formerly owned by David and Mary Brown (171D-A-050) Rolling Ridge Subdivision; thence proceeding north-easterly a distance of 85 feet, more or less, to the southern corner of property now or formerly owned by Mary Brown (171D-A-047); thence proceeding a distance of 378 feet, more or less, following the property line of Mary Brown (171D-A-047) to the northeastern corner of Lot 7 property now or formerly owned by Robert and Luci Stone (159M-E-035) Hamlet Village Subdivision (Plat Book 26, Page 42); thence proceeding north-westerly a distance of 383 feet, more or less, to a point on the eastern line of property now or formerly owned by Dee and Lorine Cody (159M-E-038) directly across the Hamlet Drive right of way from the northwestern corner of property now or formerly owned by Robert and Luci Stone (159M-E-035); thence proceeding a distance of 465 feet, more or less, following the property line of Dee and Lorine Cody (159M-E-038) to the intersection of the northwestern corner of property now or formerly owned by Dee and Lorine Cody (159M-E-038) and the eastern line of property now or formerly owned by John Brown (159M-E-039); thence proceeding a distance of 2,317 feet, more or less, following the property line of John Brown (159M-E-039) to the northeastern corner of property now or formerly owned by Rebecca and John Allen (159M-E-040); thence proceeding westward a distance of 187 feet, more or less, to the northeastern corner of property now or formerly owned by Ola and Margaret Rader (159M-E-041); thence proceeding a distance of 573 feet, more or less, to the intersection of the Bel Air Road right of way and a point on the northern line of property now or formerly owned by Kenneth and Cleo Janow (159M-D-012); thence proceeding north-westerly a distance of 503 feet, more or less, to the northeastern corner of property now or formerly owned by Lawrence and Carolyn Denton (159M-D-015); thence proceeding a distance of 495 feet, more or less, following the property line of Lawrence and Carolyn Denton (159M-D-015) to the intersection of the southwestern corner of property now or formerly owned by Lawrence and Carolyn Denton (159M-D-015) and the East Brainerd Road right of way; thence proceeding south-westerly a distance of 117 feet, more or less, to a point on the southern line of the East Brainerd Road right of way; thence proceeding south-westerly a distance of 3,574 feet, more or less, along the

southern line of the East Brainerd Road right of way to the intersection of the East Brainerd Road right of way and the northwestern corner of property now or formerly owned by Virginia Million (171C-D-003); thence proceeding a distance of 379 feet, more or less, along the current City of Chattanooga boundary to the point of beginning. Included in this annexation are all tax parcel numbers and road right of ways on the accompanying attached map for Annexation Zone 12 B. All of this property lies within the Urban Growth Boundary of the City of Chattanooga as provided in the Master Interlocal Agreement between all municipalities within Hamilton County effective May 23, 2001. References to parcel numbers in parenthesis above are based upon official Geographic Information System maps maintained by the Hamilton County GIS Department.

A. 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. A study will be conducted within ninety (90) days of the effective date of annexation to consider the need for additional police personnel and equipment.

B. 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. A study will be conducted within ninety (90) days of the effective date of annexation to consider the need for additional signs or other traffic control devices within the annexation area.

C. FIRE

1. 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 and will continue to serve this area until such time as a new fire station can be constructed to assure the continued compliance with standards established by the

Insurance Services Organization appropriate to maintain the existing fire insurance ratings in this annexation area which are comparable to existing fire insurance ratings in the other areas of the City.

2. Additional fire services such as those made available through the City of Chattanooga's Fire Marshal's Office and fire investigation will be made available on the effective date of annexation.

3. Within six (6) months after annexation, the need for additional fire hydrants shall be determined. Within eighteen (18) months needed additional hydrants shall be 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 adopted codes for the City of Chattanooga. As additional water lines of adequate size are extended into the annexation area by Tennessee-American Water Company or Eastside Utility District, 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 as determined by the Fire Chief, subject to appropriation of required funds.

4. Within six (6) months after annexation, a study will be completed to determine the need for construction of a fire substation to serve annexed areas 12A and/or 12B to assure the continued compliance with standards established by the National Fire Underwriters appropriate to the existing fire insurance rating.

D. REFUSE COLLECTION

Chattanooga currently provides its residents with certain refuse collection established under Chattanooga City Code § 18-101 et seq. The services currently provided by the

City will be extended to the annexed area within ninety (90) days after the effective date of annexation.

E. ROAD AND STREET CONSTRUCTION AND REPAIR; SIGNS AND LIGHTING, AND STORMWATER AND DRAINAGE

1. Emergency maintenance of streets (repair of hazardous potholes, 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 of Chattanooga, will begin in the annexed area on the effective date of annexation.

3. Within six (6) months of the effective date 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 of Chattanooga. A study will be conducted within six (6) months of the effective date of annexation to consider the need for any additional street lights within the annexed area.

5. Stormwater and drainage services for all streets within the annexed area will be studied within six (6) months of the effective date of annexation for the need of any additional stormwater and drainage services.

6. Erosion and drainage services for the Water Quality Program currently provided to all streets within the City of Chattanooga shall be provided to the annexed area immediately following the effective date of annexation.

F. PLANNING AND ZONING

The planning and zoning jurisdiction of the City will be extended to the annexed area of the effective date of annexation. Chattanooga-Hamilton County Regional Planning Agency and the Chattanooga-Hamilton County Regional Planning Commission will thereafter

encompass the annexed area. Pending a review of the zoning by the Chattanooga-Hamilton County Regional Planning Commission and the City Council, the property shall be reclassified to a temporary classification which shall be rezoned in accordance with the City's Zoning Ordinances.

G. RECREATION FACILITIES AND PROGRAMS

1. All of the recreational areas and programs provided for the present City residents will be made available immediately to all residents of the annexed area in the same manner as current citizens of the City of Chattanooga.

2. Recreation programs such as swimming, summer camps, baseball, flag football, basketball, tennis will be made available to all residents of the annexed area in the same manner as the current residents of the City of Chattanooga.

H. WATER SYSTEM

Water for all annexed properties will continue to be provided in the same manner as it is currently provided by Tennessee-American Water Company or Eastside Utility District.

I. ELECTRICAL SERVICE

Electricity will continue to be provided to residents of the newly annexed area by the Electric Power Board of Chattanooga.

J. 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.

K. INSPECTION/CODE ENFORCEMENT

The Public Works Department of the City now provides plans review services, inspection and code enforcement services (building, electrical, plumbing, gas, and unsafe building services, Land Use (Zoning) and development services, including flood plain, NFIP/FEMA requirements and Neighborhood Services for housing, litter, overgrowth and illegal dumping) to all areas of the City of Chattanooga. These same services will be provided to the newly annexed area when it becomes a part of the City of Chattanooga.

L. ANIMAL CONTROL

The McKamey Animal Care and Adoption Center currently provides the services of animal control by contract with the City 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.