

THIS INSTRUMENT IS PREPARED BY:

City of Chattanooga
Engineering Department
Resource Center
1250 Market Street, Suite 2100
Chattanooga, Tennessee 37402

Parcel ID: 136E A 005.01

Prior Deed Reference: Book 5117, Page 438

SANITARY SEWER EASEMENT

IN CONSIDERATION OF TEN DOLLARS (\$10.00), cash in hand paid, and other valuable considerations, the receipt of which is hereby acknowledged, HAMILTON COUNTY, TENNESSEE, BOARD OF EDUCATION, owner of property located at 2225 Roanoke Ave., Chattanooga, TN 37406 (“GRANTOR”), does hereby grant the CITY OF CHATTANOOGA, TENNESSEE, a municipal corporation (“GRANTEE”), a twenty foot (20’) wide permanent sewer easement and a variable width construction easement to construct and maintain a fifteen inch (15”) sanitary sewer, a twenty-seven inch (27”) sanitary sewer and all necessary appurtenances (the “FACILITY”) as set forth in **Exhibit A – Map of Permanent Sanitary Sewer Easement** and **Exhibit B – Permanent Sanitary Sewer Easement, Temporary Construction Easement**, which are attached hereto and incorporated herein by reference. GRANTOR by these presents, does hereby transfer, convey, and grant unto GRANTEE said easement on, though, under, and across

said property, as shown by deed of record in Book 5117, page 438, in the Register's Office of Hamilton County, Tennessee, for said purposes, and,

In constructing, repairing, and maintaining the FACILITY, the GRANTEE and its assigns shall remove all surplus earth and make level the surface of the ground about said FACILITY so as to maintain the natural grade and, other than as detailed on the construction drawings previously approved by the GRANTOR, will interfere as little as possible with any improvements upon the lands of the GRANTOR and with the rights and privileges incident to the enjoyment of the use and ownership of said lands by the GRANTOR and its successors and assigns. Within six months after construction and completion of the actual pipelines, GRANTEE shall furnish, at no cost to GRANTOR, three copies of an "as built" survey, showing the location of the pipelines across all of GRANTOR'S land, and further such "as built" drawing shall show the depth to which said pipelines have been laid.

Upon completion of the Facilities and all related work therewith by GRANTEE, GRANTOR agrees to maintain all landscaping, mowing, and other aesthetic maintenance of the easement area in a manner consistent with GRANTOR'S adjacent property. However, maintenance of the FACILITY shall be the sole responsibility of GRANTEE.

GRANTOR does hereby acknowledge that cash and other consideration represents a fair and equitable compensation with respect to any damage to GRANTOR'S property during construction of the Facilities, provided, however, that said GRANTEE will restore said premises and any and all shrubbery, fences, and paved surfaces in as near as feasible to the same condition as they were before the construction.

This Sanitary Sewer Easement granted hereunder is further subject to the right of GRANTOR, its successors, assigns, transferees, or lessees, to use, access, maintain, and traverse with vehicles the easement via currently-existing access roads for the purposes of ingress and egress to the property. These rights of GRANTOR may only be limited by GRANTEE during construction of the FACILITY and reasonable maintenance activities shall at no time completely prevent access to the property by GRANTOR.

TO HAVE AND TO HOLD the same unto said GRANTEE its successors and assigns.

IN WITNESS WHEREOF, GRANTOR has caused its name to be hereunto subscribed by its duly authorized officers, on this the _____ day of _____, 2019.

GRANTOR:

Hamilton County, Tennessee, Board of Education

(Garber Elementary)

c/o Hamilton County Real Property Office

123 East 7th Street

Chattanooga, TN 37402

By: _____

Name: _____

Title: _____

STATE OF TENNESSEE

COUNTY OF HAMILTON

On this _____ day of _____, 2019, before me personally appeared _____ with whom I am personally acquainted, and who upon oath acknowledged himself/herself to be _____ of the HAMILTON COUNTY, TENNESSEE, BOARD OF EDUCATION, the within named bargainer, and that such person as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained as his/her free act and deed.

WITNESS my hand and Notarial Seal in said State and County of the day and year above written.

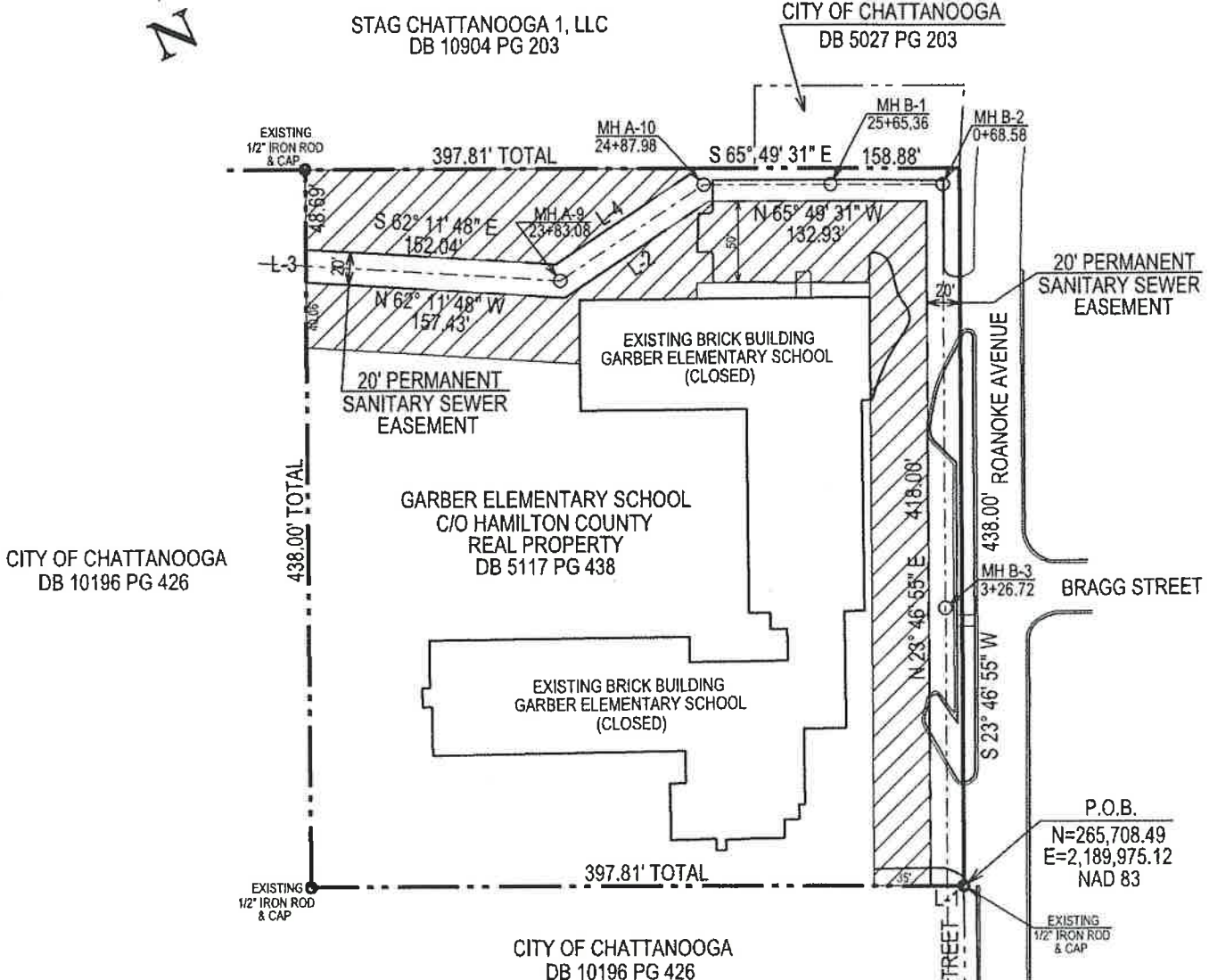
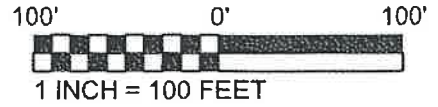
NOTARY PUBLIC

My Commission Expires: _____



NOTE:

1. THE 20 FOOT SANITARY SEWER EASEMENT AND MANHOLE LOCATIONS AS SHOWN HEREON ARE BASED ON DESIGN DRAWINGS.



HATCHED AREA - TEMPORARY CONSTRUCTION EASEMENT

PERMANENT 20' SANITARY SEWER EASEMENT
AREA = 16,672± SQUARE FEET
OR 0.38± ACRES

TEMPORARY CONSTRUCTION EASEMENT AREA
39,448± SQUARE FEET
OR 0.91 ACRES

LINE TABLE

LINE	BEARING	DISTANCE
LINE L-1	N 65° 49' 31" W	20.00'
LINE L-2	S 80° 17' 48" W	105.31'
LINE L-3	N 23° 46' 55" E	20.05'
LINE L-4	N 80° 17' 48" E	104.61'

EXHIBIT "A"
PERMANENT SANITARY SEWER EASEMENT



111C MARKET STREET, SUITE 200, CHATTANOOGA, TN 37402
PHONE 423-756-2025 FAX 423-756-8477

GARBER ELEMENTARY SCHOOL
TRACT 2 - DEED BOOK 5117, PAGE 438, R.O.H.C.
TAX MAP 136E, GROUP "A", PARCEL 005.01
ROANOKE AVENUE, CHATTANOOGA, HAMILTON CO., TENNESSEE

DRAWN BY: WNH	CHECKED BY: TG
DRAWING NO.:	1 of 1
PROJECT NO.:	DATE:
36535-01	08-07-19

EXHIBIT B

PERMANENT SANITARY SEWER EASEMENT

BEING a permanent sanitary sewer easement 20 feet in width located on the property of the Garber Elementary School, being Tract Number 2 as described in Deed Book 5117, Page 438, in the Register's Office of Hamilton County, Tennessee, said property is shown on Tax Map 136E, in Group "A", being Parcel 005.01, located in the City of Chattanooga, Hamilton County, Tennessee, the permanent sanitary sewer easement being more particularly described as follows:

COMMENCING at a point where the Western margin of Roanoke Avenue and the Northern margin of Southern Street intersect;

THENCE along the Western margin of Roanoke Avenue 880.0 feet, more or less, to an existing one-half inch iron rod and cap which marks the Southeast corner of the property and is located at Tennessee State Grid Coordinates of North=265,708.49 and East=2,189,975.12, coordinates based on North American Datum 1983 (NAD 83) all bearings are based on said system, all distances are horizontal ground, said iron rod and cap mark the POINT OF BEGINNING;

THENCE North 65 degrees, 49 minutes, 31 seconds West for a distance of 20.00 feet along the Southern boundary of the subject property to a point;

THENCE North 23 degrees, 46 minutes, 55 seconds East for a distance of 418.00 feet to a point;

THENCE North 65 degrees, 49 minutes, 31 seconds West for a distance of 132.93 feet to a point;

THENCE South 80 degrees, 17 minutes, 48 seconds West for a distance of 105.31 feet to a point;

THENCE North 62 degrees, 11 minutes, 48 seconds West for a distance of 157.43 feet to a point located on the Western boundary of the subject property;

THENCE North 23 degrees, 46 minutes, 55 seconds East for a distance of 20.05 feet along the Western boundary of the subject property to a point;

THENCE South 62 degrees, 11 minutes, 48 seconds East for a distance of 152.04 feet to a point;

THENCE North 80 degrees, 17 minutes, 48 seconds East for a distance of 104.61 feet to a point located on the Northern boundary of the subject property;