

08-27-09

PROPOSED PLAN OF SERVICES FOR AREA 12A
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, including Hurricane Creek Subdivision, which are shown on the attached map for Area 12A and described as follows:

All roads and accepted right of ways within the boundaries shown on the attached map for Area 12A, including streets named Hurricane Ridge Road, Stone Crest Circle, Stonehurst Circle, Bobwhite Lane, Hurricane Ridge Circle, Cattails View Cove, Cattails Drive, Woodway Drive, Turtle Crossing, Lazy Circles Drive, Cattails Meadow Lane, Cloverleaf Place, Ancient Oaks Drive, Windstone Drive, Creek Way Drive, Creek Hill Circle, Joy Lane, Hurricane Creek Road, Amy Lane, Pine Brow Trail, Loch Haven Cove, Tennega Lane, Jenny Lynn Drive, Crestbrook Circle, Swansons Ridge Road, Havendale Lane, Stone Tip Lane, Tower Pines Cove, Tamara Lane, Windy Hill Drive, Chestnut Wood Lane, Oakhurst Drive, Ingelbrook Drive, Susan Carol Lane, Hurricane Manor Trail, Brookhollow Lane, Shay Cove, Hawks Landing, Oak Valley Lane, Misty Hollow Lane, Brookgreen Lane, Blue Jay Parkway, Weather View Drive, Breezewood Way, Holden Farm Place, Whisper Way, Moonrise Trail, Dew Drop Crossing, Serendipity Circle, Twin Cedars Circle, Silent Circle, Sedgefield Drive, Cobblecreek Way, Fore Winds Hill and Wisley Way, 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 of Chattanooga boundary and the northwestern corner of Lot 163 property now or formerly owned by Donald and Janice Clemens (171F-B-001.19) Hurricane Creek Estates Subdivision Unit Four (Plat Book 31, Page 96); thence proceeding southward a

distance of 2,164 feet, more or less, along the current City of Chattanooga boundary to the intersection of the southwestern corner of Lot 53 now or formerly owned by T L and Patricia Bell (171K-B-007) Hurricane Creek Estates Subdivision Unit Three (Plat Book 26, Page 179) and a point on the northern line of Lot 1 now or formerly owned by Edward and Jennie Virgin (171K-B-008) Hurricane Manor Subdivision Unit One (Plat Book 32, Page 42); thence proceeding north-westerly a distance of 1,715 feet, more or less, along the current City of Chattanooga boundary to the northwestern corner of Lot 61 property now or formerly owned by Ronald Pickett (171J-D-024) Irwin Hills Subdivision Unit Four (Plat Book 28, Page 255); thence proceeding south-westerly a distance of 2,735 feet, more or less, along the current City of Chattanooga boundary to the southwestern corner of Lot 47 now or formerly owned by Charles and Karen Kuhlman (171J-D-010) Irwin Hills Subdivision Unit Four; thence proceeding eastward a distance of 2,739 feet, more or less, along the current Tennessee Georgia State boundary to the southeastern corner of Lot 106 property now or formerly owned by Charles and Melody Turner (171J-E-023) Hurricane Ridge Subdivision (Plat Book 46, Page 32); thence proceeding a distance of 1,754 feet, more or less, following Hurricane Ridge Subdivision to the intersection of the northeastern corner of Lot 38 property now or formerly owned by Allen and Rosa Mann (171K-C-049) Hurricane Ridge Subdivision (Plat Book 39, Page 414) and a point on the southern line of Lot 218 property now or formerly owned by Russel and Michele Walker (171K-C-009.02) Hurricane Creek Estates Subdivision Phase Five (Plat Book 32, Page 104); thence proceeding eastward a distance of 703 feet, more or less, to the intersection of a point on the southern line of Lot 221 property now or formerly owned by Phuoc and Lulu Nguyen (171K-H-003.01) Hurricane Creek Estates Subdivision Phase Five and the northwestern corner of Lot 366 property now or formerly owned by Timothy and Melanie Gass (171L-C-031); thence proceeding a distance of 603 feet, more or less, to the southwestern corner of Lot 368 property now or formerly owned by Douglas and Arlene Dueker (171L-C-029) Hurricane Creek Estates Subdivision; thence proceeding eastward a distance of 8,288 feet, more or less, along the current Tennessee Georgia State Boundary including part of parcel numbers 172I-K-013, 172I-K-012, 172I-K-011, 172I-B-001.07, 172J-D-030, 172J-D-034, 172J-D-029, 172J-D-028, 172J-D-035, 172J-D-037, 172J-D-040, 172J-D-036, 172J-A-024, 172J-D-039, 172J-D-031, 172J-D-033, 172J-D-038, 172J-D-024, 172J-D-027, and 172J-D-032 to the intersection of the southeastern corner of property now or formerly owned by Jerry Holden (172-052.03) and the Ooltewah Ringgold Road right of way; thence proceeding northward a distance of 2,679 feet, more or less, along the western line of the Ooltewah Ringgold Road right of way to the intersection of the Cobblecreek Way right of way and a point on the southern line of property now or formerly owned by Pratt and Associates LLC (172-050.03); thence proceeding westward a distance of 680 feet, more or less, along the northern line of the Cobblecreek Way right of way to the northeastern corner of property now or formerly owned by Pratt and Associates LLC (172-050.08); thence proceeding northwesterly a distance of 221 feet, more or less, to the northeastern corner of property now or formerly owned by Pratt and Associates LLC (172-050.09); thence proceeding a distance of 1,352 feet, more or less, following the property line of Pratt and Associates LLC (172-050.09) to the intersection of the southwestern corner of property now or formerly owned by Pratt and Associates LLC (172-050.09) and a point on the northern line of property now or formerly owned by Homeland Development Company (172-011); thence proceeding a distance of 1,278 feet, more or less, following the property line of Homeland Development Company (172-011) to the intersection of the southwestern corner of property now or formerly owned by Homeland Development Company (172-011) and a point on the northern line of Lot 6 property now or formerly owned by Charles and Velma Campbell (172I-J-002.21) The Cattails at Windstone Subdivision (Plat Book 60, Page 47); thence proceeding northwesterly a distance of 667 feet, more or less, to the northeastern corner of Lot 232 property now or

formerly owned by Scott and Christina Bergthold (172I-F-033) The Overlook at Windstone Subdivision (Plat Book 54, Page 47); thence proceeding a distance of 1,597 feet, more or less, following the property line of The Overlook at Windstone Subdivision to the intersection of Lot 211 property now or formerly owned by Eric Poirier (172I-F-012) The Overlook at Windstone Subdivision and the northeastern corner of Lot 115 property now or formerly owned by Thomas and Frela Van Huis (172I-C-004) Lake Haven Subdivision Unit Two (Plat Book 52, Page 146); thence proceeding northwesterly a distance of 803 feet, more or less, to the northeastern corner of Lot 291 property now or formerly owned by Derek and Tracey Wirz (171L-H-012) Lake Haven Subdivision Unit Four (Plat Book 58, Page 4); thence proceeding northwesterly a distance of 1,305 feet, more or less, to the intersection of Lot 283 property now or formerly owned by Debra Stinnett (171L-H-020) Lake Haven Subdivision Unit Four and the northeastern corner of Lot 323 property now or formerly owned by Ralph and Sharon McDarmont (171L-F-005) Shelton's Addition Hurricane Creek Subdivision Unit Seven (Plat Book 34, Page 127); thence proceeding westward a distance of 2,040 feet, more or less, following the boundary of Hurricane Creek Subdivision Unit Seven to the intersection of the northwestern corner of Lot 321 now or formerly owned by Michael and Brenda Fleming (171L-F-007) Shelton's Addition Hurricane Creek Subdivision Unit Seven and the northeastern corner of Lot 229 now or formerly owned by Douglas Eskins (171L-A-004) Hurricane Creek Estates Subdivision Unit Five (Plat Book 32, Page 104); thence proceeding north-westerly a distance of 1,117 feet, more or less, to the northeastern corner of Lot 187 now or formerly owned by Patricia and Gary Holder (171K-F-033) Hurricane Creek Estates Subdivision Unit Four (Plat Book 31, Page 96); thence proceeding a distance of 1,698 feet, more or less, 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 A. 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 Catoosa County Water, 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 Catoosa County Water.

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. A portion of the newly annexed area is being served by a private sewer service that is not being operated in an environmentally safe manner. 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. If WWTA cedes its right to service that portion of the annexed area served by a private sewer service, the City of Chattanooga will take such actions as are reasonably required to redress environmental problems caused by the private sewer service. Alternatively, the City of Chattanooga may elect to condemn all or part of the private sewer service located in Tennessee.

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.