

1ST READING 6/28/11
2ND READING 7-12-11
INDEX NO. _____

ORDINANCE NO. 12525

AN ORDINANCE DEANNEXING CERTAIN PROPERTIES ON ELDER MOUNTAIN AND ELDER MOUNTAIN ROAD WHICH ARE CURRENTLY IN THE CITY OF CHATTANOOGA.

WHEREAS, on February 2, 1974, the Chattanooga City Council adopted Ordinance No. 6393 on third and final reading which annexed certain territory, including certain properties on Elder Mountain; and

WHEREAS, one resident residing on Elder Mountain has filed a petition with the Chattanooga City Council on November 12, 2010, requesting to be deannexed, which is attached as Exhibit "A"; and

WHEREAS, the Department of Public Works, the Mayor's Office and the City Attorney's Office have reviewed the fire and roadway maintenance issues of providing services to areas outside of Hamilton County and after considering the petition request and it is recommended deannexation to certain map parcels adjacent to Elder Mountain beginning at those parcels where the Elder Mountain Road passes 3659 Elder Mountain Road (Tax Map No. 144-011.02), as shown on the attached map, attached hereto as Exhibit "B";

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, as follows:

SECTION 1. Pursuant to the authority conferred by T.C.A. §§ 6-51-201 through 6-51-204, the territory originally annexed by the City of Chattanooga within Ordinance No. 6393 shall be contracted by this Ordinance to deannex the following territory set forth in the map

which is attached hereto as Exhibit "B" and including the following specific tax parcels and owners referenced in the tax records of Hamilton County, Tennessee:

Parcel #	Owner Name
125 026	Powell, Stella and James
125 025	Rhodes, L C & Adrienne W.
125 024	McDowell, David J., Tr
125 023	Boring, Wendell D & Karen T.
125 022	Fleck G Wayne & Mary P.
125 021	Holder, George E. K. A.
125 020	Cross Cecil J. & Ethel J.
125 019	Clements, Lenora Beverly
125 018	Morris, Glenn H, Jr. and Suzanne
125 017	Morris, Faynell Grace Rev. Tr.
125 016	Janney, Robert E. and Jeanne B.
125 015	White, Larry E.
125 014	Viachos, Stamatios & Pamela
125 013	Bookout, Mark William & Pamela Ann
125 012	Fowler, John E.
125 011	Tabor, Britton & Johnson Stephen E.
125 010	Holmes, Gerald E & Betsye A.
125 009	Light, William D. & Deborah D.
125 008.02	Klimesch, Thomas A. & Carole C.
125 008.01	Klimesch, Thomas A. & Carole C.
125 008	Klimesch, Thomas A. & Carole C.
125 003.04	Hixson, David & Alison
134 004.08	Montague, Elizabeth B., Tr.
134 004.07	Burger, Thomas C. & Janis S.
134 004.06	Burger, Thomas C. & Janis S.
134 004.05	Haskew, Jerre R.
134 004.04	Burks, Gregory Brent & Cassandra Lyn
134 004.03	Burks, Gregory Brent & Cassandra Lyn
134 004.01	Mullady, Thomas F.
134 004	Elder, Garrison
134 001	Bright & Martin Dev Co
134 003.03	Rich, J. Stephen and Susan Elliott
134 003.02	McLaughlin, Gwendolyn H.
134 003.01	McLaughlin, Harold R. et al
134 002	Citico Realty Co
134 003.04	Krishock, David & Laurel

134 003.06 Krishock, David & Laurel
134 003.07 Mills, R. Kincaid
134 005.01 Quinn, James G.
134 005 Martin, John and Susan
144 012 Tennessee Valley Authority

SECTION 2. That this Ordinance shall become operative seventy-five (75) days from and after its passage, pursuant to T.C.A. §6-51-201, unless a petition objecting to deannexation signed by ten percent (10%) of the registered voters residing within the area proposed to be deannexed is filed with the Clerk of the City Council within seventy-five (75) days following the final reading of this Ordinance. If such a petition is filed, a referendum shall be held at the next general election to ascertain the will of the voters residing in the area which the City proposes to deannex. The ballot shall provide a place where voters may vote for or against deannexation by the City of Chattanooga. If a majority of those voting in the referendum fail to vote for the deannexation, the contraction ordinance shall be void and the matter may not be considered again for two (2) years. If a majority vote for deannexation, the ordinance shall become effective upon certification of the result of the referendum.

SECTION 3. That this Ordinance shall be effective two weeks from and after its passage, as distinguished from becoming operative, as provided by law.

PASSED on Second and Final Reading

July 12, 2011

S/ *James Ladd*
CHAIRPERSON



APPROVED: DISAPPROVED:

DATE: 7/13, 2011

S/ *[Signature]*

Reviewed By: s/ *[Signature]*

PAN/mms

-  Chattanooga City Limits
-  Elder Mountain properties

