

ORDINANCE NO. 2005-243

AN ORDINANCE RENOUNCING, PURSUANT TO THE RECOMMENDATIONS OF THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION, ANY INTEREST THE TOWN OF WALDEN, TENNESSEE MAY HAVE IN THE RIGHT-OF-WAY DESCRIBED IN THE PETITION SUBMITTED BY LYDLE AND CARMELITA BRINKLE

**WHEREAS**, Lydle and Carmelita Brinkle (the "Brinkles"), petitioned the Chattanooga-Hamilton County Regional Planning Commission (the "Planning Commission") to recommend to the Board of Mayor and Aldermen of the Town of Walden, Tennessee the abandonment of the unopened right-of way of the 300 block of Pine Street in the Town of Walden, Tennessee, more fully described in Exhibit A, attached hereto (the "Right-of-Way"); and

**WHEREAS**, the Planning Commission held a public hearing on the petition submitted by the Brinkles on January 10, 2005; and

**WHEREAS**, the Planning Commission heard and considered all statements favoring the petition; and

**WHEREAS**, no one was present in opposition to the petition; and

**WHEREAS**, the Planning Commission studied the petition in relation to existing zoning and land use and potential patterns of development; and

**WHEREAS**, the Planning Commission, on January 10, 2005, recommended to the Board of Mayor and Aldermen of the Town of Walden, Tennessee that the petition be approved; and

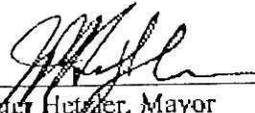
**WHEREAS**, on February 8, 2005, the Board of Mayor and Aldermen for the Town of Walden, Tennessee held a public hearing to consider the recommendation of the Planning Commission and the petition; and

**WHEREAS**, the Town of Walden, Tennessee has studied the petition in relation to the existing zoning, land use and potential patterns of development and finds that it has no present or future need for the Right-of-Way and as such renounces any interest it may have in the Right-of-Way; and

**WHEREAS**, the Town of Walden, Tennessee does not claim any interest to the Right-of-Way and makes no representation as to the ownership of the underlying fee of the Right-of-Way; and

**NOW, THEREFORE, BE IT ORDAINED**, that this ordinance shall take effect upon its publication, the public welfare requiring it.

  
Fern Lockhart, Recorder

  
J. Peter Hetzler, Mayor

First Reading

02/08/05

YEA   2  

NAY   1  

Second Reading

03/08/05

YEA   2  

NAY   0  

Absent   1