



# MEMORANDUM

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July 31, 2013

**TO:** Board of Mayor and Aldermen

**FROM:** David Parker, City Engineer/CIP Executive  
Eric Stuckey, City Administrator

**SUBJECT:** **Abandonment of a Portion of the Rights-of-Way of Curd Lane  
To the Williamson Medical Center  
Resolution 2013-48**

**Purpose**

This memorandum is to provide the Franklin Board of Mayor and Aldermen (BOMA) with additional information concerning the need for Resolution 2013-48 in order for them to make the best informed decision as to approving the Resolution.

**Background**

When the City of Franklin (City) was designing the Carothers Parkway, Phase I Improvements Project (in 2003 & 2004) the Williamson Medical Center was also designing an improvements project to add space to their facility. In order to add the needed additional space and adhere to the City's zoning regulations, the Medical Center needed to be able to have their properties on either side of Curd Lane contiguous (not separated by Curd Lane). Therefore, in September 2004, the City, Williamson County and the Williamson Medical Center entered into an Interlocal Agreement Concerning Construction of Carothers Parkway and Related Road Improvements (Interlocal). This Interlocal spelled out various issues concerning the construction of Carothers Parkway, a connector street between Carothers Parkway and Curd Lane and the construction of cul-de-sacs on Curd Lane in order for the City to abandon the portion of the rights-of-way of Curd Lane lying between the north and south boundaries of the Medical Center property. The Medical Center and Count agreed as a part of this Interlocal to the dedication at no cost of all needed rights-of-way for Carothers Parkway within its property and to contribute to the City \$341,295.00 towards the cost of the Carothers Parkway Improvements cost.

On February 22, 2007, the Board of Trustees of Williamson Medical Center approved an additional agreement (Agreement) between the City and the Medical Center for the cost sharing of the design and construction of the two cul-de-sacs to be built on Curd Lane at the northern and southern boundaries of the Medical Center's property along Curd Lane. This agreement established that the Medical Center was to pay for one-half of the construction of the two cul-de-sacs with a not to exceed payment of One Hundred Thousand and No/100 Dollars (\$100,000.00). The construction of the two cul-de-sacs has been completed at a cost of One Hundred Ninety-Six Thousand Five Hundred Forty and No/100 Dollars (\$196,540.00) and the Medical Center has made payment for their agreed upon share (\$98,270.00) of this construction of the two cul-de-sacs.

With the completion of the construction of the Curd Lane cul-de-sacs and the payment by the Medical Center for one-half the cost of construction of the cul-de-sacs, the City now needs to take the action to



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abandon the rights-of-way for Curd Lane between the two cul-de-sacs. Resolution 2013-48 has, therefore, been prepared and presented in order to take this action.

### **Financial Impact**

There are no additional financial obligations of the City. The Medical Center is responsible for all the costs associated with the final plat, etc. that is to be completed for the dedication of the cul-de-sacs' rights-of-way as depicted in Exhibit C of Resolution 2013-48.

### **Recommendation**

Staff recommends approval of Resolution 2013-48.

**RESOLUTION 2013-48**

**A RESOLUTION ABANDONING A PORTION OF THE RIGHTS-OF-WAY (ROW) OF CURD LANE TO WILLIAMSON MEDICAL CENTER**

**WHEREAS**, the City of Franklin (City), Williamson County (County) and Williamson Medical Center (Medical Center) entered into an Interlocal Agreement Concerning Construction of Carothers Parkway and Related Road Improvements (Interlocal) in September 2004; and

**WHEREAS**, the City and the Medical Center negotiated an additional agreement (Agreement) approved by the Board of Trustees of Williamson Medical Center on February 22, 2007, for the design and construction of two cul-de-sacs on Curd Lane, one at the northern and one at the southern boundaries of the Medical Center property along Curd Lane; and

**WHEREAS**, said Agreement established that the Medical Center was to pay for one-half of the construction of the two cul-de-sacs with a not to exceed payment of One Hundred Thousand and No/100 Dollars (\$100,000.00); and

**WHEREAS**, the construction of the two cul-de-sacs has been completed at a cost of One Hundred Ninety-Six Thousand Five Hundred Forty and No/100 Dollars (\$196,540.00); and

**WHEREAS**, the Medical Center has made payment of their agreed upon amount, one-half of One Hundred Ninety-Six Thousand Five Hundred Forty and No/100 Dollars (\$196,540.00) or Ninety-Eight Thousand Two Hundred Seventy and No/100 Dollars (\$98,270.00), for the construction of the two cul-de-sacs; and

**WHEREAS**, the Board of Mayor and Aldermen has determined that the ROW between the two cul-de-sacs is of no further feasible use to the City and is not necessary for the interests of public health, safety and welfare of its citizens; and

**WHEREAS**, the Medical Center is in the final approval process of the Final Plat, Williamson County Medical Center Subdivision (Exhibit C) as prepared by James Terry & Associates dated June 6, 2013, that will provide the necessary ROW for the constructed cul-de-sacs on the Medical Center property as well as additional ROW for future expansion of Carothers Parkway.

**NOW THEREFORE:**

**SECTION I: BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE,** that the City of Franklin declares surplus the unused ROW of Curd Lane; that portion of Curd Lane between the northern and southern boundaries of the Medical Center property; and authorizes the Mayor and City Administrator to execute all documents necessary to transfer the ownership to the Medical Center, all as depicted in Exhibit A and as described in Exhibit B, with the creation of any public utility, drainage and/or access easements required for the installation, repair and maintenance of existing public utilities or pedestrian facilities.

**SECTION II: BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN** that this abandonment of the Curd Lane ROW shall be contingent upon the dedication of the ROW necessary for the two cul-de-sacs on Curd Lane and the future expansion of Carothers Parkway as depicted in Exhibit C.

**IT IS SO RESOLVED AND DONE** on this the 13<sup>th</sup> of August, 2013.

**ATTEST:**

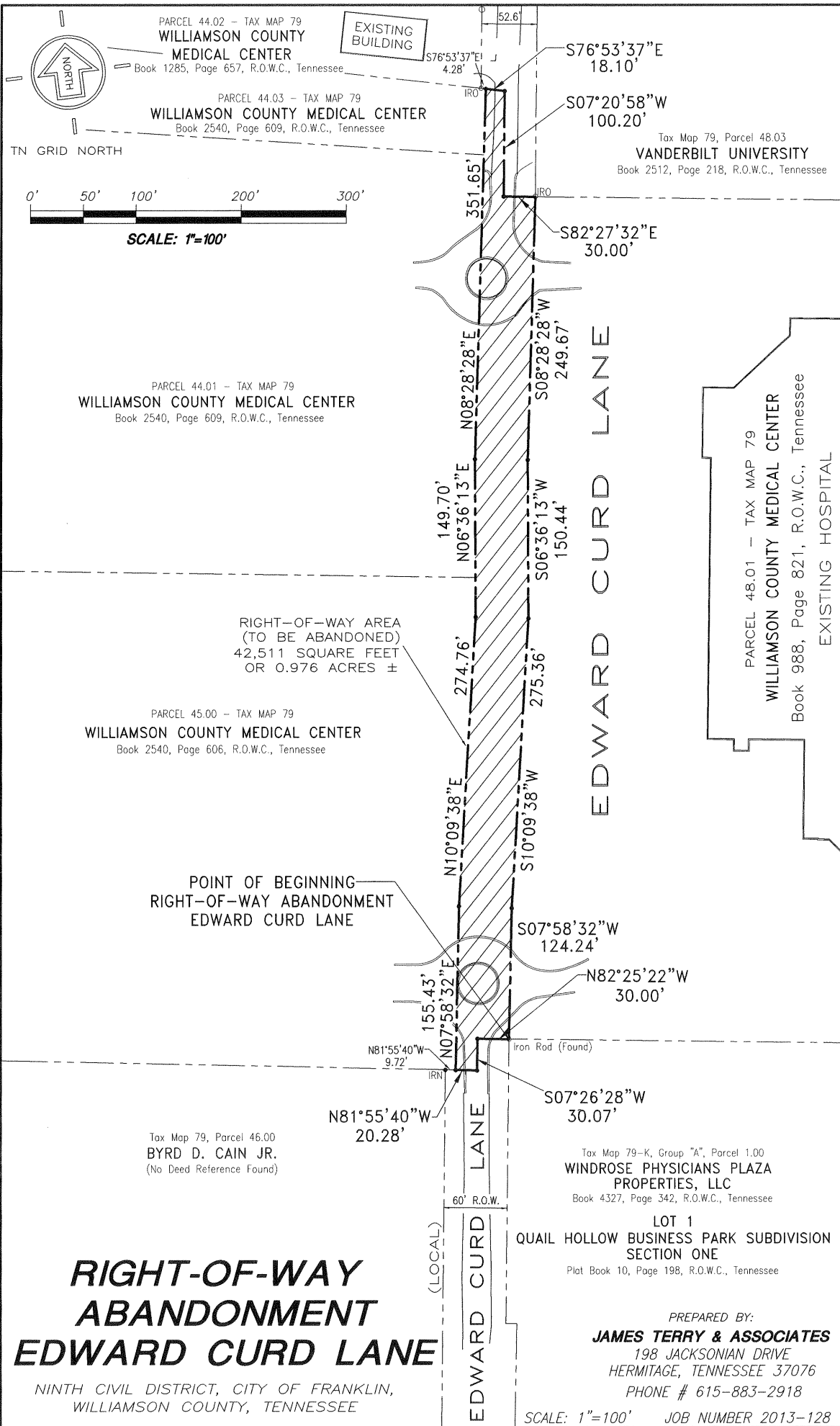
**CITY OF FRANKLIN, TENNESSEE**

By: \_\_\_\_\_  
**ERIC S. STUCKEY**  
City Administrator/Recorder

By: \_\_\_\_\_  
**DR. KEN MOORE**  
Mayor

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Shauna S. Billingsley, City Attorney



**RIGHT-OF-WAY  
ABANDONMENT  
EDWARD CURD LANE**

NINTH CIVIL DISTRICT, CITY OF FRANKLIN,  
WILLIAMSON COUNTY, TENNESSEE

SCALE: 1"=100' JOB NUMBER 2013-128

PREPARED BY:  
**JAMES TERRY & ASSOCIATES**  
198 JACKSONIAN DRIVE  
HERMITAGE, TENNESSEE 37076  
PHONE # 615-883-2918

PARCEL 44.02 - TAX MAP 79  
**WILLIAMSON COUNTY MEDICAL CENTER**  
Book 1285, Page 657, R.O.W.C., Tennessee

PARCEL 44.03 - TAX MAP 79  
**WILLIAMSON COUNTY MEDICAL CENTER**  
Book 2540, Page 609, R.O.W.C., Tennessee

TN GRID NORTH

0' 50' 100' 200' 300'  
**SCALE: 1"=100'**

EXISTING BUILDING

S76°53'37"E 18.10'  
S07°20'58"W 100.20'  
S82°27'32"E 30.00'

Tax Map 79, Parcel 48.03  
**VANDERBILT UNIVERSITY**  
Book 2512, Page 218, R.O.W.C., Tennessee

351.65'  
52.6'

IRN

PARCEL 44.01 - TAX MAP 79  
**WILLIAMSON COUNTY MEDICAL CENTER**  
Book 2540, Page 609, R.O.W.C., Tennessee

149.70' N06°36'13"E  
274.76' N08°28'28"E  
275.36' N06°36'13"E  
150.44' S08°28'28"W  
249.67' S06°36'13"W

EDWARD CURD LANE

PARCEL 48.01 - TAX MAP 79  
**WILLIAMSON COUNTY MEDICAL CENTER**  
Book 988, Page 821, R.O.W.C., Tennessee  
EXISTING HOSPITAL

RIGHT-OF-WAY AREA  
(TO BE ABANDONED)  
42,511 SQUARE FEET  
OR 0.976 ACRES ±

PARCEL 45.00 - TAX MAP 79  
**WILLIAMSON COUNTY MEDICAL CENTER**  
Book 2540, Page 606, R.O.W.C., Tennessee

POINT OF BEGINNING  
RIGHT-OF-WAY ABANDONMENT  
EDWARD CURD LANE

155.43' N10°09'38"E  
274.76' S10°09'38"W  
124.24' S07°58'32"W  
30.00' N82°25'22"W

Iron Rod (Found)

N81°55'40"W 20.28'  
N07°58'32"E  
N81°55'40"W 9.72'

60' R.O.W.

EDWARD CURD LANE (LOCAL)

Tax Map 79, Parcel 46.00  
**BYRD D. CAIN JR.**  
(No Deed Reference Found)

Tax Map 79-K, Group "A", Parcel 1.00  
**WINDROSE PHYSICIANS PLAZA PROPERTIES, LLC**  
Book 4327, Page 342, R.O.W.C., Tennessee

LOT 1  
QUAIL HOLLOW BUSINESS PARK SUBDIVISION  
SECTION ONE  
Plot Book 10, Page 198, R.O.W.C., Tennessee

**EDWARD CURD LANE  
RIGHT-OF-WAY ABANDONMENT**

**EXHIBIT B**

A 50-FOOT WIDE RIGHT-OF-WAY STRIP OF EDWARD CURD LANE TO BE ABANDONED THAT RUNS THROUGH THE WILLIAMSON COUNTY MEDICAL CENTER PROPERTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD (FOUND) ON THE EASTERLY RIGHT-OF-WAY LINE OF EDWARD CURD LANE, A 50-FOOT WIDE RIGHT-OF-WAY, AT THE NORTHWESTERLY PROPERTY CORNER OF LOT 1 AS SHOWN ON THE FINAL PLAT OF QUAIL HOLLOW BUSINESS PARK SUBDIVISION, SECTION ONE, AS OF RECORD IN PLAT BOOK 10, PAGE 198, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE; THENCE,

1. LEAVING THE EASTERLY RIGHT-OF-WAY LINE OF SAID EDWARD CURD LANE, NORTH 82 DEGREES 25 MINUTES 22 SECONDS WEST, 30.00 FEET TO A POINT IN THE CENTERLINE OF SAID EDWARD CURD LANE; THENCE,
2. WITH SAID CENTERLINE, SOUTH 07 DEGREES 26 MINUTES 28 SECONDS WEST, 30.07 FEET TO A POINT; THENCE,
3. LEAVING SAID CENTERLINE, NORTH 81 DEGREES 55 MINUTES 40 SECONDS WEST, 20.28 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID EDWARD CURD LANE; SAID IRON ROD BEING SITUATED SOUTH 81 DEGREES 55 MINUTES 40 SECONDS EAST, 9.72 FEET FROM THE NORTHEASTERLY PROPERTY CORNER OF THE BYRD D. CAIN JR. PROPERTY (TAX MAP 79-PARCEL 46.00); THENCE,
4. WITH THE WESTERLY RIGHT-OF-WAY LINE OF SAID EDWARD CURD LANE, NORTH 07 DEGREES 58 MINUTES 32 SECONDS EAST, 155.43 FEET TO A POINT; THENCE,
5. NORTH 10 DEGREES 09 MINUTES 38 SECONDS EAST, 274.76 FEET TO A POINT; THENCE,
6. NORTH 06 DEGREES 36 MINUTES 13 SECONDS EAST, 149.70 FEET TO A POINT; THENCE,
7. NORTH 08 DEGREES 28 MINUTES 28 SECONDS EAST, 351.65 FEET TO A POINT; THENCE,
8. LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF SAID EDWARD CURD LANE, SOUTH 76 DEGREES 53 MINUTES 37 SECONDS EAST, 18.10 FEET TO A POINT IN THE CENTERLINE OF SAID EDWARD CURD LANE; THENCE,
9. WITH SAID CENTERLINE, SOUTH 07 DEGREES 20 MINUTES 58 SECONDS WEST, 100.20 FEET TO A POINT; THENCE,
10. LEAVING SAID CENTERLINE, SOUTH 82 DEGREES 27 MINUTES 32 SECONDS EAST, 30.00 FEET TO AN IRON ROD (FOUND) ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID EDWARD CURD LANE; SAID IRON ROD BEING THE SOUTHWESTERLY PROPERTY CORNER OF A TRACT OF LAND CONVEYED TO VANDERBILT UNIVERSITY AS OF RECORD IN BOOK 2512, PAGE 218, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE; THENCE,
11. WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID EDWARD CURD LANE, SOUTH 08 DEGREES 28 MINUTES 28 SECONDS WEST, 249.67 FEET TO A POINT; THENCE,
12. SOUTH 06 DEGREES 36 MINUTES 13 SECONDS WEST, 150.44 FEET TO A POINT; THENCE,
13. SOUTH 10 DEGREES 09 MINUTES 38 SECONDS WEST, 275.36 FEET TO A POINT; THENCE,
14. SOUTH 07 DEGREES 58 MINUTES 32 SECONDS WEST, 124.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 42,511 SQUARE FEET OR 0.976 ACRES, MORE OR LESS, AS CALCULATED BY THE ABOVE COURSES AND DISTANCES.

THE ACCESS PORTION OF THE EXISTING RIGHT-OF-WAY OF EDWARD CURD LANE TO BE ABANDONED. ALL EXISTING UTILITIES TO REMAIN.