



March 12, 2014

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
David Parker, City Engineer/CIP Executive
Paul Holzen, Director of Engineering
Ben Worley, Right of Way Agent

SUBJECT: **Resolution 2014-21; Resolution Declaring Certain Property
On Downs Blvd. as Surplus Property**

Purpose

The purpose of this memorandum is to provide the information necessary for the Franklin Board of Mayor and Aldermen (BOMA) to make an informed decision concerning Resolution 2014-21, Declaring Certain Property on Downs Blvd. as Surplus Property.

Background

City staff was approached by Drew Luna with the proposal for the City to sell a small piece of property owned by the City along Downs Blvd. This piece of property was purchased in April 1971 from the English family. This piece of property contains approximately 3.36 acres.

Staff believes it is in the best interest of the City to sell this piece of property as it is of no value to the City and by selling the property it will be placed back on the tax role. Resolution 2014-21 has been drafted to formally handle the process of declaring this property as surplus with the intent to sell.

At this time Mr. Luna will need to contact the adjacent property owners to see if any have interest in this property. It will also be Mr. Luna's responsibility to provide a legal description, exhibit and pay for any and all costs associated with the transfer of this property. The final contract for sale associated with this property will be presented to the BOMA for approval prior to closing.

Financial Impact

The city would be paid the appraised or negotiated value of the property.

Options

1. Approve Resolution 2014-21 and sell the remnant property; or
2. Approve Resolution as may be amended such that the property is sold to highest bidder; or
3. Do nothing and keep property.

Recommendation

Staff recommends Option 1 above; approve Resolution 2014-21 and sell the remnant property.

RESOLUTION 2014-21

**A RESOLUTION DECLARING CERTAIN PROPERTY ON
DOWNS BOULEVARD AS SURPLUS PROPERTY**

WHEREAS, in April 1971 the Board of Mayor and Aldermen determined that the Proposed Construction of Downs Boulevard, which lies in the City limits of Franklin, west of Columbia Avenue (SR 6, US 31), was necessary, suitable and desirable for the public welfare; and

WHEREAS, it was necessary in connection with the construction of Downs Boulevard to obtain rights-of-way (ROW) from landowners for these improvements; and

WHEREAS, the City has obtained ownership of a Tract of Property known as the English Property (Tax Map 78, Parcel 35), a portion of which is being used for the ROW of Downs Boulevard; and

WHEREAS, the remaining portion of this property is not needed for any additional ROW or public easements, and the City now desires to declare said property as surplus property in order to sell to the adjoining property owner, who has indicated an interest in the purchase of the remaining portion of property; and

WHEREAS, the City will realize additional tax benefits from this remaining portion of property being returned to the tax roll, with such transfer of ownership of the property.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the portion of the English Property purchased for ROW for Downs Boulevard as described in attached Exhibit A is hereby declared surplus property.

BE IT FURTHER RESOLVED by the Board of Mayor and Aldermen that the property so declared as surplus shall be disposed of by a sale of the property to the adjoining property owner as negotiated by the City Engineer and approved by the City Administrator.

IT IS SO RESOLVED AND DONE on this 8th day of April 2014.

ATTEST:

CITY OF FRANKLIN, TENNESSE

By: _____

ERIC S. STUCKEY
City Administrator

By: _____

DR. KEN MOORE
Mayor

Approved as to Form

By: _____

Kristen L. Corn
Staff Attorney

EXHIBIT A
RESOLUTION 2014-21

