

**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 right-of-way does not exceed \$25,000.00 in value and the Franklin Municipal Code allows for the Board to sell or dispose of property by negotiated contract or by other means that will adequately protect the public interest when the value does not exceed \$25,000.00; 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, and therefore, the Board believes it is in the best interest of the City to declare such property surplus.

**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, and the City Administrator is authorized to sign any documents necessary for the transfer of ownership of such property.

**IT IS SO RESOLVED AND DONE** on this 8<sup>th</sup> 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**





HISTORIC  
FRANKLIN  
TENNESSEE

Get New MAP  
ITEM #8  
CIC  
03-26-14

# MEMORANDUM

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.