

This instrument prepared by:
State of Tennessee
Department of Transportation
Legal Office
Region III – 6601 Centennial Blvd.
Nashville, TN 37243

Federal Project No. F-106(5)
State Project No. 94092-2214-14
Williamson County
Tract No. 1
Inventory No. 2068

**ACCESS EXCHANGE
FOR RIGHT OF INGRESS AND EGRESS**

This Access Exchange by and between the State of Tennessee, hereinafter referred to as the State, and the City of Franklin, Tennessee, hereinafter referred to as Requestor:

Whereas, the Requestor desires to exchange their old location of the access for ingress and egress over the controlled access highway facility to a new location over the controlled access highway facility, each being of equal value, unless otherwise provided herein; and

Whereas, the State is willing to approve the access exchange of the location for the right of ingress and egress with the Requestor;

Now, therefore, in consideration of the premises and this exchange of access location, the State does hereby quitclaim and convey unto the Requestor for a public use purpose, subject to reversion to the State for failure to continue public ownership and use, the following described access right of ingress and egress in Williamson County, Tennessee on Highway State Route 397, also known as Mack Hatcher Parkway, being more particularly described as follows:

**New Location of Access Right of Ingress and Egress Over and
Across Controlled Access Highway Facility**

A new access control opening approximately sixty feet (60') wide located left of Station 434+85, said opening being located at the intersection of SR 397 and Spencer Creek Road, as shown on plans for Project #94092-2214-14. A copy of such plans is on record with the Tennessee Department of Transportation, 600 James K. Polk Building, Nashville, Tennessee 37243-0337.

Such access is located on a portion of the property conveyed to the State by Deed of Record in Deed Book 1071, Page 271, in the Register's Office for Williamson County, Tennessee, and being adjacent to the property acquired by Requestor pursuant to Right-of-Way Dedication as of record in Plat Book P59, Page 119, in the Register's Office for Williamson County, Tennessee.

In consideration of the premises and this exchange of access location, the Requestor does hereby agree to assume the responsibility for the opening of the new access and the closing of the old access to all motorized traffic and for relocating the access control fence in accordance with State specifications. Furthermore, the Requestor does hereby agree to release unto the State all right, title and interest in and to the following described access right of ingress and egress in Williamson County, Tennessee on Highway State Route 397, also known as Mack Hatcher

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Parkway, as to all motorized traffic, such access to remain solely for the use of pedestrian and other non-motorized traffic, being more particularly described as follows:

Old Location of Access Right of Ingress and Egress Over and Across Controlled Access Highway Facility

An existing access control opening approximately fifty feet (50') wide located left of Station 408+50, said opening being located at the intersection of SR 397 and Daniel McMahon Lane, previously known as Spencer Creek Road, as shown on plans for Project #94092-2214-14. A copy of such plans is on record with the Tennessee Department of Transportation, 600 James K. Polk Building, Nashville, Tennessee 37243-0337.

Such access is located on a portion of the property conveyed to the State by Deed of Record in Deed Book 1071, Page 271, in the Register's Office for Williamson County, Tennessee.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures as duly authorized officials of the respective parties hereto as of this the ____ day of _____, 2014.

CITY OF FRANKLIN, TENNESSEE

STATE OF TENNESSEE

BY: _____
KEN MOORE
MAYOR

BY: _____
JOHN C. SCHROER
COMMISSIONER OF TRANSPORTATION

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public in and for said State and County, JOHN C. SCHROER, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Commissioner of Transportation, and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the State of Tennessee by himself as such Commissioner.

WITNESS my hand and official seal at office this ____ day of _____, 2014.

NOTARY PUBLIC

My Commission Expires:

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STATE OF TENNESSEE
COUNTY OF _____

Personally appeared before me, the undersigned a Notary Public in and for said State and County, the within named KEN MOORE, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Mayor of the City of Franklin, Tennessee, and that he, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Franklin, Tennessee by himself as such Mayor.

WITNESS my hand and official seal at office this ____ day of _____, 2014.

NOTARY PUBLIC

My Commission Expires:

STATE OF TENNESSEE, COUNTY OF _____

I (or we) hereby offering this instrument for recording within the meaning of the Statutes of the State of Tennessee, under T. C. A. Section 67-4-409, swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$ _____, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

AFFIANT

SWORN to and SUBSCRIBED before me this ____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
REGION 3 RIGHT OF WAY DIVISION
6601 CENTENNIAL BOULEVARD
NASHVILLE, TENNESSEE 37243-0380
(615) 350-4200



JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

CERTIFIED MAIL

July 11, 2014

Mr. Carl Baughman
City of Franklin
109 3rd Avenue South, Suite 142
Franklin, TN 37065-0305

RE: Excess Land Access Exchange Agreement Signature

Inv No.: 2068
Project: 94092-2214-14; F-106(5)
Tract: 1
County: Williamson

Dear Mr. Baughman:

Enclosed you will find the unexecuted Access Exchange Agreement which has been prepared for the above referenced project. Please obtain the necessary signatures and return it to me. After we receive the signed document from you we will have it executed by the proper appointed authority. We will then return it to you so that you can have it recorded by the Williamson County Register of Deeds and keep the original copy for your records. Please let me know if you have any questions.

Sincerely,

Casey Ponders
TDOT/Region 3/Excess Land Office
(615) 350-4214
Casey.ponders@tn.gov



August 7, 2014

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator
David Parker, City Engineer/CIP Executive
Joe York, Streets Department Director
Paul Holzen, P.E., Director of Engineering
Carl Baughman, P. E., Traffic/Transportation Engineer

SUBJECT: Mack Hatcher Parkway Land Exchange Recommendation
Contract No. 2014-0184
Report for CIC meeting on August 27, 2014

Purpose

The purpose of this memorandum is to provide a recommendation to the Board of Mayor and Aldermen (BOMA) for a new public street access on Mack Hatcher Parkway (SR397) at Aldersgate Way opposite Spencer Creek Road, in exchange for release of a street right-of-way access on SR397 at Daniel McMahon Lane. This recommendation follows up City approval of the First United Methodist Church site plan and final plat in October 2013 and May 2014.

Background

SR 397 is a State-controlled limited access highway that requires an Access Exchange Agreement for the transaction described above. In 2006 the State Excess Land Subcommittee gave an initial recommendation to approve the closure of the 50 foot access opening at the end of Daniel McMahon Lane, and the opening of a new 36 foot access way opposite Spencer Creek Road, contingent upon the Church deeding the right-of-way needed to develop this public roadway. On July 26, 2013 the Excess Land Committee recommended approval of a revised request to allow only non-motorized access via a multi-use path at Daniel McMahon Lane, and a 60 foot access way opposite Spencer Creek Road; final approvals and the recording of the Agreement are needed before a conveyance document can be issued. With the recording of the final plat that occurred on May 14, 2014, the TDOT Region 3 Excess Land Office prepared an Access Exchange Agreement (attached) for City of Franklin signature. This Agreement will become the legal description of the access exchange to be recorded with the Register of Williamson County.

Data

The new 60 foot right-of-way named Aldersgate Way will provide a 48 feet wide roadway that will extend about 200 feet southward into a cul-de-sac that will provide access easements splitting off both east and west. The eastward access easement (48 feet wide) will serve the First United Methodist Church site and parking lot, and the westward access easement (30 feet wide) will serve the property to the west that is owned by the City of Franklin via a 24 feet wide roadway. The Aldersgate Way approach to Mack Hatcher Parkway will be signalized by way of modification of the traffic signal at Spencer Creek Road. A new eastbound Mack Hatcher right turn lane and two new westbound Mack Hatcher left turn lanes will be built at this entrance. At the Daniel McMahon access, the multi-use path



connection has been built by the recently completed widening of the northeast portion of Mack Hatcher Parkway.

Options

The available options are as follows:

1. Accept the Access Exchange – provides a means of access from the City of Franklin property with Mack Hatcher Parkway, and also non-motorized access from the Harlinsdale Park trail system through the Church site with the multi-use path along Mack Hatcher Parkway.
2. No action – negates the prior recommendations for approval of this access plan.

Financial Impact

The estimated financial impacts are as follows:

Option 1 - Initial construction costs to be borne by the Church, ongoing maintenance of right-of-way and signalization to be borne by the City of Franklin, estimated at \$1,000. Adds value to the City of Franklin property by way of direct access onto Mack Hatcher Parkway.

Option 2 - No cost.

Recommendation

Adopt Option 1 and apply Street Department budget.

In summary, these recommended approvals should be adopted for fulfillment of the overall access plan for the First United Methodist Church site with Mack Hatcher Parkway.

Attachments