

RESOLUTION 2014-70

A RESOLUTION DECLARING CERTAIN RIGHT-OF-WAY LOCATED BETWEEN LOT 9 AND LOT 10 AS SHOWN ON THE HEATH PLACE AT FRANKLIN SECTION 1, PHASE 2 PLAT AS SURPLUS

WHEREAS, the Board of Mayor and Aldermen determined that the existing Right-of-Way between lot 9 and lot 10 as shown on The Heath Place at Franklin Section 1, Phase 2 Plat and shown in Exhibit A is no longer necessary, suitable and desirable for the public welfare; and

WHEREAS, this Right-of-Way as shown in Exhibit A is no longer needed and the City now desires to declare the Right-of-Way as surplus property in order to sell or dispose of the property to the adjoining property owner of Map 078 Parcel 04302; and

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

WHEREAS, Municipal Code (Chapter 8; Sec. 5-802) allows for the Board to sell or dispose of Right-of-Way by negotiated contract or by other means that will adequately protect the public interest when the value does not exceed \$25,000.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the Right-of-Way as shown in attached Exhibit A is hereby declared surplus property.

BE IT FURTHER RESOLVED by the Board of Mayor and Aldermen that the Right-of-Way so declared as surplus shall be disposed to the property owner of Map 078 Parcel 04302 as negotiated by the City Engineer and approved by the City Administrator with the following conditions:

- 1) Require a Public Utility, Drainage and Access Easement on 100% of the property being vacated.
- 2) Require the property owner to complete a survey of the surplus right-of-way and pay all closing cost associated with the transfer of the property.
- 3) Require the property owner to dedicate a 20' easement for a future water main across the property as determined by the City Engineer and as generally shown in Exhibit A.

IT IS SO RESOLVED AND DONE on this _____ day of _____ 2014.

ATTEST:

CITY OF FRANKLIN, TENNESSE

By: _____

ERIC S. STUCKEY
City Administrator

By: _____

DR. KEN MOORE
Mayor

Approved as to Form

By: _____

Shauna Billingsley
City Attorney