



MEMORANDUM

April 6, 2010

TO: Board of Mayor and Aldermen

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

SUBJECT: **Dedication of Easement to MTEMC
Harlinsdale Farms Property
COF Contract No. 2010-0028**

Purpose

The purpose of this memo is to provide the information required of the Board of Mayor and Aldermen (BOMA) to make an informed decision as to whether or not to grant an easement on the Harlinsdale Farms Property to Middle Tennessee Electric Membership Corporation (MTEMC) as requested by an adjoining property owner.

Background

Several months ago a resident, Matthew C. Ligon, of Myles Manor Park approached the Mayor and me as to the possibility of obtaining an easement on the Harlinsdale Farms Property in order to have the electrical lines along the backside of his property placed underground. Since the undergrounding of electric lines is something the BOMA has been seeking to achieve whenever possible, I told Mr. Ligon to have an easement prepared by an engineer and I would present it to the BOMA for approval. This proposed easement will be a twenty (20') foot side easement to MTEMC along the southern boundary of the Harlinsdale Farms Property from Franklin Road westwardly (see Exhibit A of the Easement document) to the Tyler Berry IV Property in Myles Manor. This easement will not cause any disruption in the operations of the Harlinsdale Farms Park.

Financial Impact

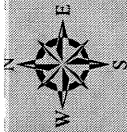
There is no financial impact to the City of Franklin as all costs for the work required to underground the electrical lines is to be borne by Mr. Ligon.

Options

Available options are to either approve or disapprove the dedication of this easement.

Recommendation

Staff recommends approval of the easement dedication to MTEMC in order to allow the undergrounding of the electrical lines in this area.



Scale: 1" = 100'

20' WIDE UTILITY EASEMENT
 AREA = 13745 S.F.

BERRY TYLER IV

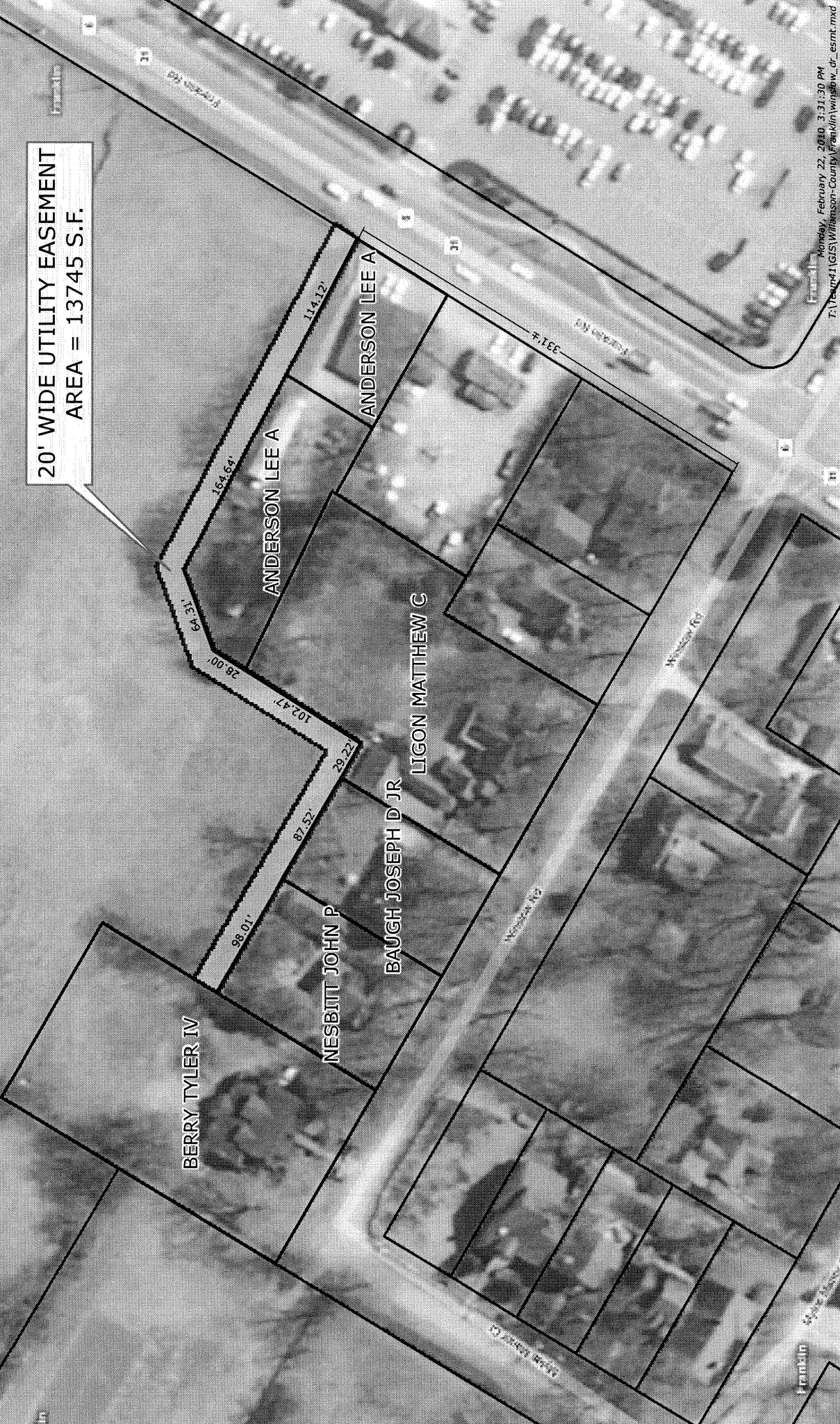
NESBITT JOHN P

BAUGH JOSEPH D JR

LIGON MATTHEW C

ANDERSON LEE A

ANDERSON LEE A



Public Utility Easement
 The Park At Harlinsdale Farm

**AGREEMENT FOR DEDICATION OF EASEMENT
FOR
UTILITY CONSTRUCTION**

Prepared By: SSR, Inc.
2995 Sidco Drive
Nashville, TN 37204

Mailing Address:
City of Franklin
P.O. Box 305
Franklin, TN 37065

Property Address:
The Park at Harlinsdale Farm
331 Franklin Road
Franklin, TN 37064

Map No. 63 Group Parcel 031.00
Deed Book 3390 Page 181

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable considerations, the receipt of which are all hereby acknowledged, the undersigned do hereby grant, bargain, sell transfer and convey unto the Middle Tennessee Electric Membership Corporation, its successors and assigns forever, an easement described as follows:

Permanent Easement #1

An irregular shaped, twenty (20) foot wide, permanent utility easement, located parallel and adjacent to the southern property line of subject property, the southern boundary of which is more particularly described as follows: Beginning at a point on the southeastern property corner of The City of Franklin property, said point lying approximately 331 feet northeast of the northwest corner of State Route 6 and Winslow Drive; thence northwesterly, along the north property line of the Lee A. Anderson property, approximately 279 feet to a point; thence southwesterly, along the northwestern property line of the Lee A. Anderson property, approximately 64 feet to a point; thence southwesterly, along the west property lines of the Lee A. Anderson property and the Matthew C. Ligon property, approximately 130 feet to a point; thence northwesterly, along the north property

lines of the Matthew C. Ligon property, the Joseph D. Baugh Jr. property and the John P. Nesbitt property, approximately 215 feet to the end point, said point being the northwest property corner of John P. Nesbitt with Tyler Berry IV. The total area encompassed by the easement is approximately 13,745 square feet (0.32 acre).

All of which is more particularly shown by words, figures, signs and symbols on the attached map, which is made a part hereof.

This conveyance includes the right of the Middle Tennessee Electric Membership Corporation (MTEMC), its servants and agents to construct, operate, maintain, repair, replace, and inspect electrical facilities within the limits of the aforescribed easement or right-of-way.

To have and to hold said easement or right-of-way to the MTEMC, its successors and assigns forever. I/we do hereby covenant with said MTEMC, that I am/we are lawfully authorized to act for the City of Franklin, Tennessee and that said City of Franklin is lawfully seized and possessed of said land in fee simple and have a good right to make this conveyance.

I/We do further covenant with said MTEMC, that said portion or parcel of land as aforescribed is to remain the property of the City of Franklin and may be used for any lawful purpose or purposes desired after the construction of all of the aforesaid improvements, provided, in the opinion of the MTEMC, said use or uses do not destroy, weaken or damage the abovementioned improvements or interfere with the operation or maintenance thereof. The MTEMC hereby covenants that upon completion of construction it will restore the hereinabove described property to its original condition, or as near thereto as is reasonably possible. I/We do not waive any claim for damage in any manner for the negligence of any agent, representative or

contractor for the MTEMC, during the construction of any of the aforesaid improvements.

I/We do further covenant and bind myself/ourselves, my/our heirs, and representatives to warrant and forever defend the right of the Grantee to the foregoing easement or right-of-way against the claim of all persons whomsoever.

WITNESS my/our hands this, the _____ day of _____, 20_____.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

ERIC STUCKEY,
CITY ADMINISTRATOR

JOHN SCHROER,
MAYOR

STATE OF: TENNESSEE

COUNTY OF: WILLIAMSON

Personally appeared before me, ERIC STUCKEY AND JOHN SCHROER, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who, after being first duly sworn, acknowledge themselves to be the City Administrator/Recorder and Mayor of the City of Franklin, Tennessee, respectively, and that as such City Administrator/Recorder and Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

Notary Public

My commission expires:

MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION

(SIGNATURE)

(PRINTED NAME & TITLE)

(SIGNATURE)

(PRINTED NAME & TITLE)

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STATE OF: TENNESSEE

COUNTY OF: WILLIAMSON

Personally appeared before me, _____,
a Notary Public in and for said State and County, the within named
_____ the bargainor(s), with whom I am personally acquainted, and
who acknowledge that _____ executed the within instrument for
the purposes therein contained.

Witness my hand and seal at _____,
_____, this _____ day of _____, 20____.

Notary Public

My commission expires: