

RESOLUTION 2012-06

A RESOLUTION TO RESCIND THE BOARD OF MAYOR AND ALDERMEN ACTION TO UNANIMOUSLY APPROVE THE CONSIDERATION OF REQUEST TO VACATE THE ALLEY LOCATED SOUTH OF 1404 COLUMBIA AVENUE, FRANKLIN, TENNESSEE

WHEREAS, the Board of Mayor and Aldermen unanimously approved the Consideration of Request to Vacate the Alley Located South of 1404 Columbia Avenue at the February 12, 2008 regular meeting of the Board of Mayor and Aldermen; and

WHEREAS, no formal Resolution was approved by the Board of Mayor and Aldermen authorizing the vacating or sale of this public Right-of-Way, as is required by the Franklin Municipal Code; and

WHEREAS, the alley located South of 1404 Columbia Avenue provides public access from Columbia Avenue to Cannon Street and Battle Avenue; and

WHEREAS, three properties would lose their public access to City of Franklin Right-of-Way if the entire alley South of 1404 Columbia Avenue was vacated by the City of Franklin; and

WHEREAS, the property owner that made the original request for vacation of the alley in February 2008 has agreed to the rescinding of this vacation; and

WHEREAS, it is in the best interest of the citizens of the City of Franklin for the City of Franklin to continue to own the alley.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

The Alley Located South of 1404 Columbia Ave shall not be vacated as previously requested and approved at the February 12, 2008 regular meeting of the Board of Mayor and Aldermen.

ADOPTED THIS ____ DAY OF _____, 2012.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

By: _____
ERIC S. STUCKEY
City Administrator/Recorder

By: _____
DR. KEN MOORE
Mayor



HISTORIC
FRANKLIN
TENNESSEE

ITEM #5
CIC
01-12-12

MEMORANDUM

January 4, 2012

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator
Paul Holzen, P.E., Interim Director of Engineering
David Parker, P.E., City Engineer/CIP Executive

SUBJECT: Consideration of Resolution 2012-06 A Resolution Rescinding Board of Mayor and Alderman Action to Unanimously Approve the Consideration of Request to Vacate the Alley Located South of 1404 Columbia Ave.

Purpose

The purpose of this memorandum is for the Board of Mayor and Aldermen (BOMA) to consider approving Resolution 2012-06, A Resolution Rescinding Board of Mayor and Alderman Action to Unanimously Approve the Consideration of Request to Vacate the Alley Located South of 1404 Columbia Ave.

Background

On 2/12/2008 The Board of Mayor and Alderman unanimously approved the Consideration to vacate the Alley located South of 1404 Columbia Ave. This request was never formalized with a resolution allowing staff and the property owner to officially vacate the alley. On 8/28/2008 the Franklin Municipal Planning Commission (FMPC) approved the final plat for 1404 Columbia Avenue showing the alley being vacated. This plat is now expired and on 11/17/2011 Mr. Richard Dooley resubmitted his plat and was unable to provide documentation showing the abandonment of the alley through formal resolution. Abandoning a section of this alley is not recommended by Engineering Staff. This is the only public right-of-way for 3 properties located adjacent to the alley. Abandoning sections of the right-of-way would make it very difficult to provide City services to these 3 properties. Approving Resolution 2012-06 will rescind the Board of Mayor and Alderman's direction to formally vacate the alley.

Financial Impact

None.

Recommendation

Staff recommends approval of Resolution 2012-06 A Resolution Rescinding Board of Mayor and Alderman Action to Unanimously Approve the Consideration of Request to Vacate the Alley Located South of 1404 Columbia Ave.



GIST

CAROLYN

ALLEY

COLUMBIA

1404 Columbia Ave

FAIRGROUND

Battle Ave

Fairground St

ACCESS

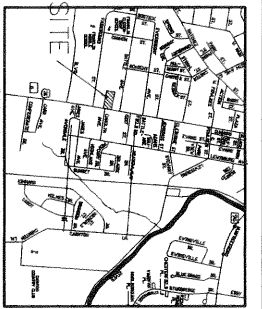
ACCESS

ACADEMY

BATTLE

CANNON

Fairground St



Vicinity Map - Not to Scale

- NOTES:
1. THE PURPOSE OF THIS PLAT IS TO CREATE TWO LOTS.
 2. THIS SURVEY MEETS THE REQUIREMENTS OF AN URBAN LANE SURVEY (CATEGORY 1), WITH A RATIO OF PRECISION OF THE UNADJUSTED SURVEY GREATER THAN 1:10,000 AS PER STANDARDS OF PRACTICE ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS, STATE OF TENNESSEE.
 3. BEARINGS SHOWN BASED ON PLAT NORTH AS OF RECORD IN PLAT BOOK 35, PAGE 123, R.O.W.C.
 4. PROPERTY ZONED TO R-40 (SINGLE-FAMILY RESIDENTIAL, 40,000 S.F. MINIMUM LOT AREA).
 5. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ABOVE GROUND AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE RECORDS. THE SURVEYOR HAS BEEN ADVISED BY OTHERS THAT UNDERGROUND UTILITIES ARE LOCATED IN THE AREA SHOWN AND THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO AS TO AVOID DAMAGE TO THE UTILITIES. THE SURVEYOR HAS BEEN ADVISED THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO AS TO AVOID DAMAGE TO THE UTILITIES. THE SURVEYOR HAS BEEN ADVISED THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO AS TO AVOID DAMAGE TO THE UTILITIES.
 6. THE SURVEYOR HAS BEEN ADVISED THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE SIZE AND LOCATION OF THE UTILITIES SHOWN SHOULD BE DONE SO AS TO AVOID DAMAGE TO THE UTILITIES.
 7. NO TITLE REPORT WAS FURNISHED TO THIS SURVEYOR AT THE TIME OF THE SURVEY.
 8. ALL DISTANCES AND ELEVATIONS WERE OBTAINED FROM RANDOM SHOTS USING EDM EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
 9. RETIRE AND SANITATION COLLECTION PROVIDED BY THE CITY OF FRANKLIN.
 10. THIS PORTION OF THE ALLEY ABANDONED BY THE BOARD OF MAYOR AND ALDERMAN ON FEBRUARY 12, 2008.
 11. WITHIN NEW DEVELOPMENTS AND FOR OFF-SITE LINES CONSTRUCTED AS A RESULT OF, OR TO PROVIDE SERVICE TO, THE NEW DEVELOPMENT, ALL UTILITIES, SUCH AS CABLE TELEVISION, ELECTRIC (INCLUDING TRANSFORMERS), GAS, SEWER TELEPHONE AND WATERLINES SHALL BE PLACED UNDERGROUND.
 12. STREET LIGHT LOCATIONS AND QUANTITIES ARE APPROXIMATE. FINAL POSITIONING AND QUANTITIES SHALL BE AT DISCRETION OF THE CITY.
 13. THE RECORDING OF THIS PLAT VOIDS NOTES AND SUPERSEDES THIS PORTION OF THE PLAT OF RECORD AS RECORDED IN PLAT BOOK 35, PAGE 123.
 14. NO EVIDENCE OF MINERAL RIGHTS WERE FOUND.
 15. ONE SHARED ACCESS DRIVE SERVING BOTH LOTS.
 16. LOTS 1 & 2 AS CRITICAL DRAINAGE LOTS.

ZONING TABLE
 (R) 400' C.T.O.C. C.A.O.-2
 MIN. LOT WIDTH=52.97'
 FRONT YARD SETBACK=60'
 SIDE YARD SETBACK=MIN. 5' / MIN. 12' BETWEEN BUILDINGS
 REAR YARD SETBACK=30'
 MAX. OVERHANG=50'

DEED REFERENCE: _____
 BEING PROPERTY CONVEYED TO DOOLEY HOMES, LLC BY
 DEED OF RECORD IN BOOK 4112, PAGE 543, R.O.W.C.
PROPERTY MAP REFERENCE: _____
 BEING PROPERTY MAP GROUP C AS SHOWN ON
 WILLIAMSON COUNTY PROPERTY MAP NO. 781
PLAT REFERENCE: _____
 BEING LOT 37 AS SHOWN ON PLAT BOOK 35, PAGE 123, R.O.W.C.

CERTIFICATE OF APPROVAL FOR RECORDING

Approved by the Franklin Municipal Planning Commission, Franklin, Tennessee, on this _____ day of _____, 2007, and this plat has been approved for recording in the Register's Office of Williamson County.

Secretary _____

Date _____

CERTIFICATE OF OWNERSHIP

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as of record in Book 4112, Page 543, R.O.W.C., Tennessee, and adopt the plan of subdivision of the property as shown hereon and dedicate all public ways and easements as noted. No lot(s) as shown hereon shall be again subdivided, resubdivided, or otherwise subdivided, until the subdivision of the property as shown hereon is approved by the Franklin Municipal Planning Commission, and under no condition shall such lot(s) be made to produce less area than is prescribed by the restrictive covenants as of record in Book 32, Page 125, R.O.W.C., Tennessee, running with the title to the property. I (we) further certify that there are no liens on this property, except as follows: None

Owner _____

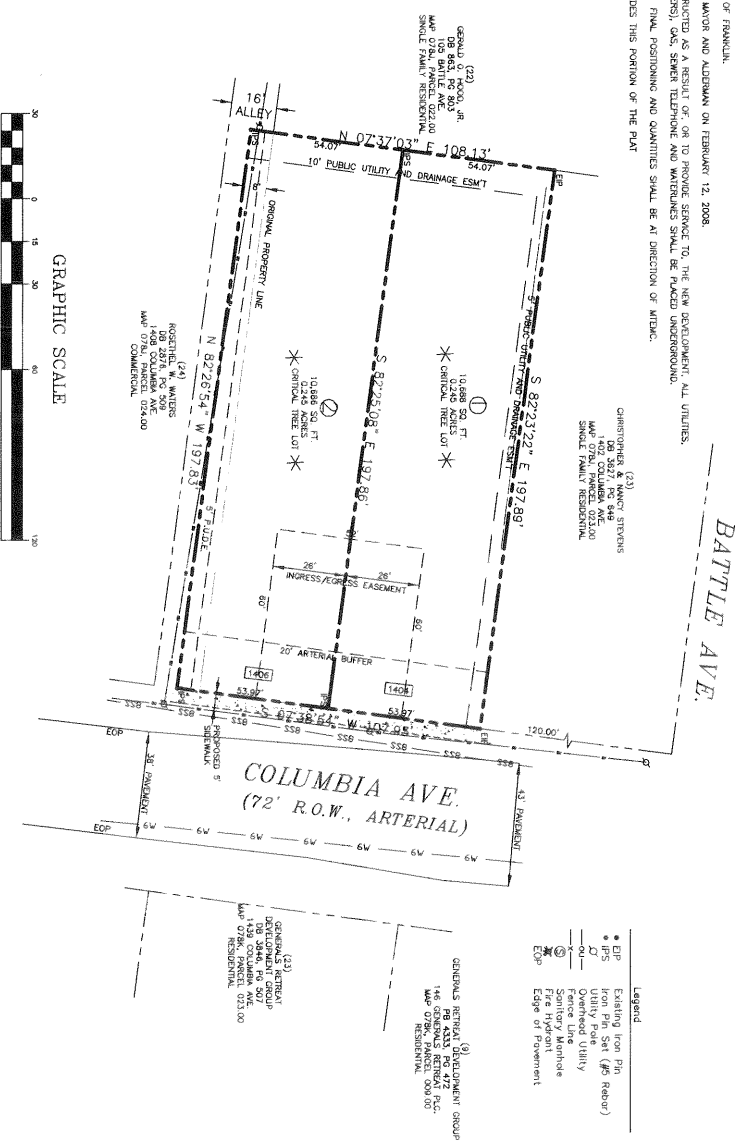
Date _____

CERTIFICATE OF APPROVAL OF WATER AND SEWER SYSTEMS

I hereby certify that:
 (1) the water and sewer systems designated in 1404 Columbia Ave. Subdivision have been installed in accordance with City specifications, or
 (2) a performance bond in the amount of \$_____ for the water system and \$_____ for the sewer system has been posted with the City of Franklin, Tennessee, to assure completion of such systems.

City Engineer _____

Date _____



TOTAL AREA = 21,375 SQUARE FEET OR 0.490 ACRES

CERTIFICATE OF APPROVAL OF SUBDIVISION NAME AND STREET NAMES
 Subdivision name and street names approved by the Williamson County Department of Emergency Communications

Williamson County Department of Emergency Communications

Date _____

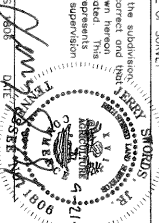
CERTIFICATE OF SURVEY

I (we) hereby certify that the subdivision plat as shown hereon is correct and that the same has been prepared in accordance with the standards in accordance with City specifications, or (2) a performance bond in the amount of \$_____ for streets and \$_____ for drainage has been posted with the City of Franklin, Tennessee, to assure completion of such improvements.

City Engineer _____

Date _____

JERRY SWORDS, JR., R.L.S. 6018



1404 COLUMBIA AVE. PUD SUBDIVISION, FINAL PLAT
 FRANKLIN, WILLIAMSON COUNTY, TENNESSEE

TOTAL ACRES: 0.490
 ACRES NEW STREETS: N/A
 FEET NEW STREETS: N/A
 CIVIL DISTRICT: 8th
 SCALE: 1"=30'
 DATE: 9/21/11

andDesign Surveying, Inc.
 181 Second Avenue South, Suite 100
 Nashville, Tennessee 37210
 PHONE (615) 591-7164 FAX (615) 591-9718
 CITY OF FRANKLIN PROJ. # _____ LDISI PROJ. # 4207100