

RESOLUTION 2018-84

**A RESOLUTION AUTHORIZING CONDEMNATION FOR THE
ACQUISITION OF PROPERTY FOR THE MACK HATCHER NORTHWEST
EXTENSION UTILITY RELOCATIONS PROJECT**

WHEREAS, the City of Franklin (City) has determined that certain improvements are necessary, suitable, and desirable for the public welfare for the Mack Hatcher Northwest Extension Utility Relocations Project; and

WHEREAS, these improvements are generally described as the construction of approximately 40 feet of 6-inch water line, 2,600 feet of 18-inch water line, 475 feet of 24-inch water line, 940 feet of 16-inch reclaimed water line, 960 feet of 12-inch force main, 1,395 feet of 8-inch sanitary sewer line, 505 feet of 12-inch sanitary sewer line, and 255 feet of 18-inch sanitary sewer line as well as all appurtenances needed for the construction; and

WHEREAS, it will be necessary for the City to obtain easements from landowners for the construction of the Project; and

WHEREAS, the Franklin Board of Mayor and Aldermen expressly finds that the City has the power of eminent domain to construct sanitary sewer and water lines, see T.C.A. §29-17-301 *et seq.*, and to acquire Easements necessary for proper completion of the said Project, and that the acquisition of such Easements is for a public purpose and for a public use, and that the acquisition of the private property hereinafter described is necessary to accomplish said public use.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, that the City Engineer and /or City Attorney are authorized to obtain the necessary permanent easements and/or temporary easements across the properties listed in Exhibit A hereto and may enter into agreements with property owners with respect to the compensation to be paid for the said easements, so long as such amounts are reasonable, within the project budget, and supported by a qualified appraisal.

The City Engineer and City Attorney are authorized to continue negotiating with any landowner for the acquisition of the easements without resort to condemnation. However, if an impasse is reached with a property owner and condemnation is the only alternative, then the City Attorney, or his/her designee, is authorized to commence necessary condemnation proceedings. After condemnation proceedings have commenced, the City Engineer and /or City Attorney, are authorized to enter into settlement agreements with property owners with respect to the compensation to be paid for the said rights-of-way and easements, so long as such amounts are reasonable, within the project budget, and supported by a qualified appraisal.

(Signatures on Page 2)

IT IS SO RESOLVED AND DONE on this the ____ day of _____, 2018.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
ERIC S. STUCKEY
City Administrator/Recorder

By: _____
DR. KEN MOORE
Mayor

Approved As To Form By:

Shauna R. Billingsley
City Attorney

EXHIBIT A

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Parcels: 063 15.00
063G 'E' 18.00

