

ORDINANCE 2015-79

TO BE ENTITLED, “AN ORDINANCE TO REZONE 10.09 ACRES FROM AGRICULTURAL (AG) DISTRICT AND ESTATE RESIDENTIAL (ER) DISTRICT TO NEIGHBORHOOD COMMERCIAL (NC) DISTRICT FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF SOUTH CAROTHERS PARKWAY AND SOUTH CAROTHERS ROAD.”

WHEREAS, the City of Franklin, Tennessee, encourages responsible growth and the sensible transition of land uses and densities; and

WHEREAS, the NC district provides zoning for land uses compatible with both the Franklin Land Use Plan and surrounding development; and

WHEREAS, the zoning has been reviewed and approved by BOMA after a public hearing and a recommendation by the Franklin Municipal Planning Commission.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That the following described property shall be, and is hereby, rezoned from its present zoning classification of (AG) Agricultural District and (ER) Estate Residential District to (NC) Neighborhood Commercial District:

PREMISES CONSIDERED

Map-Parcel	Acres
89-49.01	6.55
89-50	2.00
89-50.02	1.64
Total	10.09

BEGINNING at a point 84 poles east of Jessie Pierce's southwest corner; thence east 47 poles to Hillary Harvey's northwest corner; thence south 1° west 132 poles to a stake; thence east 5 ½ poles to a honey locust; thence south 1° east 30 poles to the center of Big Harpeth River; thence south 89° west 18 ½ poles to a stone; thence south 19 poles to the center of the river; thence with the meanderings of the river on or about 54 poles to two sycamore trees on the north bank of said river; thence northeasterly, with the new line fence, to the place of beginning and containing 60 acres, more or less.

Being the same property conveyed to John Thomas Helm, III and Susie Thompson Helm from Gladys Skelley by Warranty Deed of record in Book 148, page 186, Register's Office of Williamson County, Tennessee, and the same property with respect to which Susie Thompson Helm did convey her entire interest therein to John Thomas Helm, III by Quitclaim Deed of record in Book 617, page 344, Register's Office of Williamson County, Tennessee; LESS AND EXCEPT 2.00 acres conveyed to Lillian M. Helm by Quitclaim Deed, dated May 18, 2005 and of record in Book 3560, page 83, Register's Office of said county; LESS AND EXCEPT 5.076 ACRES CONVEYED TO THE City of Franklin by Warranty Deed, dated December 2, 2009 and of record in Book 4971, page 337, Register's Office of said county; and LESS AND EXCEPT that tract of or parcel conveyed to Lillian M. Helm from the Estate of John T. Helm, III, John T. Helm, IV, and Ellen Helm Sacchi by Quitclaim Deed of record in Book 5616, at page 864, Register's Office of said county, said tract or parcel comprised of 1.59 acres more or less, as more particularly described in a survey prepared by Ronny G. Brown, surveyor, RLS #763, said survey being attached hereto as Exhibit B and specifically incorporated herein by reference.

And

Beginning at a point on the south margin of Carothers Road, said point also being on Bond's east property line and 27 feet S of his NE corner; thence with the south margin of Carothers Road, S 83 degrees 00 minutes E 198.00 feet to a point; thence with a new line S 10 degrees 15 minutes W 440.00 feet to a point; thence N 83 degrees 00 minutes W 198.00 feet to a point on Bond's east fence line; thence with Bond's east fence line, N 10 degrees 15 minutes E 440.00 feet to the point of beginning, containing 2.00 acres, more or less.

Being the same property conveyed to John Thomas Helm, III by warranty deed of record in Book 1204, page 518, Register's Office for Williamson County, Tennessee.

And

Land located in the 14th civil district of Williamson County, Tennessee, and said tract of land being bounded on the South & West by South Carothers Parkway, on the North by a Connector Road and on the East by Lillian M. Helm & Crescent Helm, LLC, properties and being more particularly described as follows;

Commencing at the intersection of South Carothers Parkway and the Connector Road to South Carothers Road, thence in a easterly direction 88.5 +/- feet to a point situated in the Northeasterly margin of South Carothers Parkway being the westerly most corner of the subject property and being the Point of Beginning of herein described property;

Thence leaving the margin of South Carothers Parkway, N 23°54'16" E, a distance of 35.36 feet to a point in the Southerly margin of the Connector Road;

Thence, with the margin of said road for the next three calls, N 68°54'16" E, a distance of 172.68 feet to a point;

Thence, with a curve to the right, having a Radius of 565.00 feet, Delta angle of 34°25'14", Tangent of 175.01 feet, Arc Length of 39.42 feet, with a chord bearing of N 86°03'53" E, a chord distance of 334.43 feet to a point;

Thence, S 76°40'30" E, a distance of 22.99 feet to a point being the Northwest corner of Lillian M. Helm property record in Book 5616, Page 864, in the Register's Office for Williamson County, Tennessee;

Thence, leaving said road with the Helm Western property line, S 10°39'44" W, a distance of 392.93 feet to a 48" diameter dead hackberry found in the Westerly line of Helm property;

Thence, with Helm Westerly property line S 09°34'04" W, passing a corner at 59.82 feet being the Northwest corner for Crescent Helm, LLC, property as recorded in Deed Book 5975, Page 22, in the Register's Office for Williamson County, Tennessee, being a total distance of 612.03 feet to a Spike survey marker in the root of a cedar tree and on the Easterly margin of the South Carothers Parkway, as partially constructed;

Thence, with the margin of said road N 70°40'52" W, a distance of 22.50 feet to a point;

Thence, with the margin of said road N 21°05'44" W, a distance of 932.89 feet to the Point of Beginning and containing 283,148.205 square feet or 6.500 acres of land, the information for this legal description was taken from an November 20, 2012 survey by Dale & Associates, project # 12066 that was updated on March 28, 2014;

Being a portion of the same property conveyed to Carothers Land Company, L.L.C. of record in Book 4745, Page 442, in the Register's Office for Williamson County, Tennessee;

SECTION II: That the attached Location Map shall serve the purpose of further delimiting the geographical boundaries as described by this Ordinance.

SECTION III. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric Stuckey
City Administrator/Recorder
Approved as to form by:

By: _____
Dr. Ken Moore
Mayor

Shauna R. Billingsley
City Attorney

PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:

