

RESOLUTION 2007-51

TO BE ENTITLED: "A RESOLUTION TO AUTHORIZE THE CONSTRUCTION OF SEWER IMPROVEMENTS IN THE HIGHGATE SUBDIVISION AREA."

WHEREAS, the City of Franklin, by Ordinance 2005-93, has annexed into the City some 70.24 acres located west of Franklin Road and south of Country Road, generally known as the Highgate Subdivision; and

WHEREAS, pursuant to T.C.A. §§ 7-33-101 to 314, the Board of Mayor and Aldermen of the City has determined that it would be in the best interest of the property owners residing in the annexed area and of the public generally to construct sanitary sewer improvements in the area hereinafter described and to assess a portion of the cost of the said improvements against the properties to be benefited;

NOW THEREFORE, THE BOARD OF MAYOR AND ALDERMEN OF THE CITY RESOLVES AS FOLLOWS:

1. The following sanitary sewer improvements shall be constructed:

SEE DESCRIPTION OF LOCATION, NATURE AND SCOPE OF IMPROVEMENTS IN FEBRUARY 16, 2007 LETTER FROM SMITH SECKMAN REID ATTACHED AS EXHIBIT "A".

2. The geographic limits of the properties to be benefited are as follows:

Map-Parcel	Acres
53H-A-01.00	1.20
53H-A-02.00	1.81
53H-A-03.00	1.92
53H-A-04.00	1.93
53H-A-05.00	1.30
53H-A-06.00	1.26
53H-A-07.00	1.20
53H-A-08.00	1.40
53H-A-09.00	1.30
53H-A-10.00	1.27
53H-A-11.00	1.20
53H-A-12.00	1.20
53H-A-13.00	1.79
53H-A-14.00	1.51
53H-A-15.00	1.80
53H-A-16.00	1.69
53H-A-17.00	1.67
53H-A-18.00	2.22
53H-A-19.00	2.58
53H-A-20.00	3.18
53H-A-21.00	2.41
53H-A-22.00	1.84
53A-A-01.00	2.09
53A-A-03.00	1.07

53A-A-04.00	1.30
53A-A-05.00	1.39
53A-A-06.00	0.97
53A-A-07.00	1.19
53A-A-08.00	1.84
53-07.00	2.90
53-09.00	14.58

Commencing at the west right-of-way line of Franklin Road and the south right-of-way line of Country Road, if extended; thence south 280 feet along the west right-of-way line of Franklin Road to a northeast corner of parcel 9.00, Map 53H-A, all parcels being referenced to Tennessee State Board of Equalization Maps, as may be revised, which is also the point of beginning.

Thence south 180 feet along the east line of parcel 9.00 to the southeast corner of parcel 9.00, which is also a point along the north right-of-way line of Century Oak Drive; thence south 60 feet along the east line of parcel 9.00, if extended, to a point along the south right-of-way line of Century Oak Drive, which is also the northeast corner of parcel 8.00, Map 53HG-A; thence south 205 feet along the east line of parcel 8.00 to the southeast corner of parcel 8.00; thence west 340 feet along the south line of parcel 8.00 to the southwest corner of parcel 8.00, which is also a point along the east line of parcel 7.00, Map 53H-A; thence south 580 feet along the east lines of parcels 7.00, 4.00, Map 53H-A, and 3.00, Map 53H-A, to the southeast corner of parcel 3.00; thence west 800 feet along the south lines of parcels 3.00, 2.00, Map 53H-A, and 22.00 Map 53H-A, to the southwest corner of parcel 22.00; thence south 685 feet along the east lines of parcels 21.00, Map 53H-A, and 20.00, Map 53H-A, to the southeast corner of parcel 20.00; thence west 390 feet along the south lines of parcels 20.00 and 19.00, Map 53H-A, to the southwest corner of parcel 19.00; thence northwest 530 feet along the west line of parcel 19.00 to the northwest corner of parcel 19.00, which is also a point along the south right-of-way line of Century Oak Drive; thence northwest 60 feet along the west line of parcel 19.00, if extended, to the southwest corner of parcel 18.00, Map 53H-A, which is also a point along the north right-of-way line of Century Oak Drive; thence northwest 450 feet along the west line of parcel 18.00 to the northwest corner of parcel 18.00; thence northeast 876 feet along the north lines of parcels 18.00, 17.00, Map 53H-A, 16.00, Map 53H-A, 15.00, Map 53H-A, 14.00, Map 53H-A, and 13.00, Map 53H-A, to the southwest corner of parcel 7.00, Map 53A-A; thence north 265 feet along the west line of parcel 7.00 to the northwest corner of parcel 7.00; thence east 195 feet along the north line of parcel 7.00 to the northeast corner of parcel 7.00, which is also the west right-of-way line of Windsor Way; thence generally north 800 feet along the west right-of-way line of Windsor Way to the southeast corner of parcel 8.00, Map 53A-A; thence northwest 275 feet along the south line of parcel 8.00 to the southwest corner of parcel 8.00; thence north 240 feet along the west line of parcel 8.00 to the northwest corner of parcel 8.00; thence east 313 feet along the north line of parcel 8.00 to the northeast corner of parcel 8.00; thence southwest 260 feet along the east line of parcel 8.00 to a southeast corner of parcel 8.00; thence east 15 feet along a line of parcel 8.00 to the northwest corner of the west right-of-way line of Windsor Way; thence east 55 feet along the north line of parcel 9.00, Map 53, if extended, to the northwest corner of parcel

9.00, Map 53; thence generally east and south 1,320 feet along the north lines of parcels 9.00 and 7.00, Map 53, to a northeast corner of parcel 7.00, which is also a point along the west right-of-way line of Franklin Road; thence south 780 feet along the west right-of-way line of Franklin Road to the northeast corner of parcel 9.00, Map 53H-A, which is also the point of beginning, and containing 65.01 acres in parceled land.

3. Based upon a preliminary estimate prepared by David Parker, City Engineer, a engineer licensed by the State of Tennessee, the total costs of the above improvements is \$ 231,866.

4. It is the intention of the Board that one hundred percent (100%) of the cost of the improvements shall be assessed against the benefited properties listed in paragraph 2 and that improvement assessments shall be assessed annually against the benefited property in the proportion that the assessed value of each lot or parcel bears to the whole assessed value of the benefited properties, pursuant to T.C.A. §§7-33-310 to 314.

5. It is understood that the City is bound by the terms of this resolution as to the estimated cost of the project, however, the total cost assessed may exceed the estimate by up to 10%.

6. A public hearing shall be held on June 12th, 2007, at 7:00 P.M. before the Board of Mayor and Aldermen, at which time the benefited property owners shall appear and be heard on the issue of whether the proposed improvements shall be undertaken as planned, or abandoned; whether the nature and scope of the improvements should be altered; and whether the improvements should be financed through the issuance of bonds on the "assessed value basis" as authorized by T.C.A. §§7-33-301 to 314.

IT IS SO RESOLVED AND DONE THIS 12th DAY OF JUNE, 2007.

ATTEST:

By: James R. Johnson
JAMES R. JOHNSON
City Administrator/Recorder

CITY OF FRANKLIN, TENNESSEE:
By: Thomas R. Miller
THOMAS R. MILLER
Mayor