

RESOLUTION 2018-38

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO FORWARD A LETTER TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION – EXCESS LAND COMMITTEE, WAIVING THE CITY’S RIGHT TO PURCHASE A STRIP OF EXCESS RIGHT-OF-WAY AND TO EXECUTE A CROSS-ACCESS EASEMENT AGREEMENT WITH FRANKLIN INVESTMENT HOLDINGS, LLC.

WHEREAS, on March 29, 2018, the City received a request from Franklin Investment Holdings, LLC, for permission to proceed with purchasing a small portion of excess Tennessee Department of Transportation (TDOT) right-of-way adjacent to Franklin Investment Holdings, LLC, vacant property as illustrated on Exhibit A; and

WHEREAS, at the Board of Mayor and Aldermen Worksession on April 24, 2018, City staff presented the Franklin Investment Holdings, LLC, request and TDOT’s process for selling and transfer of excess right-of-way; and

WHEREAS, during the April 24, 2018, Board of Mayor and Aldermen Worksession, staff recommended the City forward a letter to the TDOT-Excess Land Committee waiving the City’s right to purchase the excess right-of-way as illustrated on Exhibit A in lieu of Franklin Investment Holdings, LLC, providing an irrevocable publicly accessible cross-access easement through their adjacent property at a mutually agreed location at such time a Development Plan and Plat are considered and approved; and

WHEREAS, Franklin Investment Holdings, LLC, has agreed to enter into a cross-excess agreement to ensure connectivity is established, north to south, through their vacant property at such time planning commences for developing their property and will include the exact location of the easement on their approved Development Plan and Plat.

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

Section 1. The City Administrator is hereby authorized to forward a letter to the TDOT-Excess Land Committee waiving the City’s right to purchase the excess right-of-way as illustrated on Exhibit A.

Section 2. The City Administrator is hereby authorized to execute a cross-access agreement between the City of Franklin and Franklin Investment Holdings, LLC, to ensure a cross-access easement that will provide connectivity north to south through their vacant property.

Adopted this ____ 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

GENERAL NOTES

- BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983. GPS EQUIPMENT WAS USED TO DETERMINE THE POSITION OF TWO (2) CONTROL POINTS FOR THE SURVEYED PROPERTY TO ESTABLISH AS BASIS FOR BEARING FOR THE SURVEY.
- TYPE OF GPS EQUIPMENT USED: TRIMBLE MODEL R10, DUAL FREQUENCY RECEIVER. TYPE OF GPS SURVEY: TDOT NETWORK ADJUSTED REAL TIME KINEMATIC. THE AVERAGE POSITIONAL QUALITY IS 0.12".
- ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88. CONTOURS ARE AT TWO FOOT INTERVALS AND ARE BASED ON A FIELD RUN SURVEY USING RANDOM SPOT ELEVATIONS. CONTOURS WERE DERIVED USING SURFACE MODELING TECHNIQUES.
- BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47187C0212F, WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2008, WHICH MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT; COMMUNITY NO. 470206, PANEL NO. 0212, SUFFIX F, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THIS SURVEYOR HAS NOT BEEN FURNISHED WITH A COPY OF A TITLE COMMITMENT. THE SURVEYED PROPERTY IS, THEREFORE, SUBJECT TO THE FINDINGS OF A COMPLETE AND ACCURATE TITLE SEARCH.

DEED REFERENCE

BEING A PORTION OF THE SAME PROPERTY, CONVEYED TO THE STATE OF TENNESSEE BY WARRANTY DEED FROM JAMES V. PICKARD AND WIFE, WILLIE H. PICKARD IN BOOK 117, PAGE 463, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.

EXHIBIT A

RIVERSIDE BUSINESS PARK
SUBDIVISION
PLAT BOOK P19, PAGE 59
R.O.W.C.T.

MAP 079, PARCEL 101.02
LIN DON REALTY LLC
BOOK 2200, PAGE 199
R.O.W.C.T.

POINT OF BEGINNING
PROPERTY DESCRIPTION

PROJECT BENCH MARK
SOUTHEAST BOLT ON
FIRE HYDRANT WITH
ELEVATION=710.83

MAP 079, PARCEL 101.19
E. WARNER BASS
BOOK 1347, PAGE 645
R.O.W.C.T.

WATSON GLEN SUBDIVISION
SECTION 2, REVISION 1
RESUBDIVISION OF LOT 31
PLAT BOOK P62, PAGE 45
R.O.W.C.T.

L=681.92'
R=11300.00'
Δ=3°27'27"E
N05°45'22"E
CHD=681.82'
T=341.06'

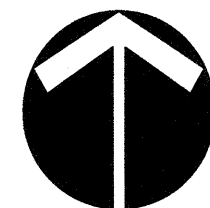
L=385.02'
R=11370.00'
Δ=1°56'25"W
S04°59'53"W
CHD=385.00'
T=192.53'

Excess TDOT
Right-of-Way

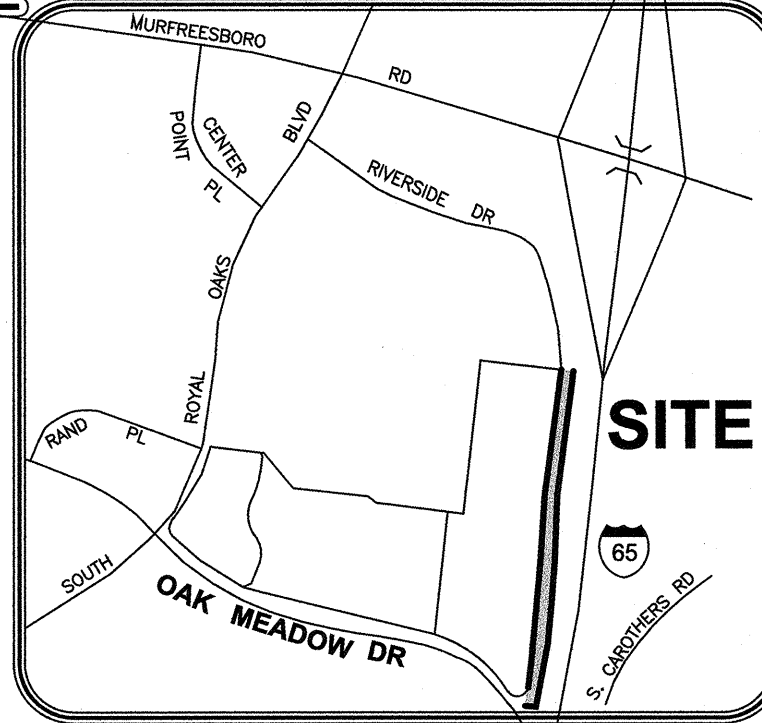
Interstate 65

PROJECT BENCH MARK
CHISELED SQUARE OF
SOUTH END OF HEADWALL
ELEVATION=685.27

TOTAL AREA =99,343 SQUARE FEET OR 2.28 ACRES ±



0 100 200 300
SEE NOTE 1.



PROPERTY DESCRIPTION

BEING A PORTION OF RIVERSIDE DRIVE ABANDONED (RIGHT-OF-WAY VARIES) LOCATED IN THE NINTH CIVIL DISTRICT, WILLIAMSON COUNTY, FRANKLIN, TENNESSEE. BEING GENERALLY BOUNDED ON THE NORTH BY THE REMAINING RIVERSIDE DRIVE; ON THE EAST BY INTERSTATE 65; ON THE SOUTH BY ABANDONED RIVERSIDE DRIVE; ON THE WEST BY THE E. WARNER BASS PROPERTY OF RECORD IN BOOK 1347, PAGE 645, REGISTER'S OFFICE OF WILLIAMSON COUNTY, TENNESSEE (R.O.W.C.T.), THE SAME BEING LOT 32 OF THE PLAN ENTITLED "WATSON GLEN SUBDIVISION, SECTION 2, REVISION 2, RESUBDIVISION OF LOT 31" OF RECORD IN PLAT BOOK P62, PAGE 45, R.O.W.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON AN EXISTING CONCRETE MONUMENT (OLD) AT THE SOUTHEAST CORNER OF THE LIN DON REALTY LLC PROPERTY OF RECORD IN BOOK 2200, PAGE 199, R.O.W.C.T.; THE SAME BEING LOT 10 OF RIVERSIDE BUSINESS PARK SUBDIVISION OF RECORD IN PLAT BOOK P19, PAGE 59, R.O.W.C.T. AND THE NORTHEAST CORNER OF SAID E. WARNER BASS PROPERTY, THE SAME BEING LOT 32 OF THE PLAN ENTITLED "WATSON GLEN SUBDIVISION, SECTION 2, REVISION 2, RESUBDIVISION OF LOT 31", AND IN THE WESTERLY RIGHT-OF-WAY OF INTERSTATE 65 (RIGHT-OF-WAY VARIES) AND SAID RIVERSIDE DRIVE (RIGHT-OF-WAY VARIES);

THENCE, CROSSING THE RIGHT-OF-WAY OF RIVERSIDE DRIVE WITH A NEW LINE THE FOLLOWING SIX CALLS:

- SOUTH 82 DEGREES 19 MINUTES 31 SECONDS EAST, 60.00 FEET TO AN IRON ROD (OLD) WITH A CAP STAMPED "RSA" (RAGAN-SMITH ASSOCIATES);
- SOUTH 07 DEGREES 40 MINUTES 29 SECONDS WEST, 577.88 FEET TO AN IRON ROD (OLD) WITH A CAP STAMPED "RSA";
- SOUTH 02 DEGREES 08 MINUTES 19 SECONDS WEST, 307.11 FEET TO AN IRON ROD (OLD) WITH A CAP STAMPED "RSA";
- ALONG A CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 385.02 FEET, A RADIUS OF 11370.00 FEET, A CENTRAL ANGLE OF 01 DEGREES 56 MINUTES 25 SECONDS AND A CHORD BEARING AND DISTANCE OF SOUTH 04 DEGREES 59 MINUTES 53 SECONDS WEST, 385.00 FEET TO AN IRON ROD (OLD) WITH A CAP STAMPED "RSA";
- SOUTH 10 DEGREES 32 MINUTES 37 SECONDS WEST, 300.14 FEET TO AN IRON ROD (OLD) WITH A CAP STAMPED "RSA";
- CROSSING SAID RIVERSIDE DRIVE RIGHT-OF-WAY, NORTH 83 DEGREES 59 MINUTES 15 SECONDS WEST, 50.02 FEET TO THE NORTHEAST CORNER OF SAID NASHVILLE LODGE NO. 72, B.P.O. ELKS PROPERTY;

THENCE, WITH THE WESTERLY RIGHT-OF-WAY OF INTERSTATE 65 THE FOLLOWING THREE CALLS:

- ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 681.92 FEET, A RADIUS OF 11300.00 FEET, A CENTRAL ANGLE OF 03 DEGREES 27 MINUTES 27 SECONDS AND A CHORD BEARING AND DISTANCE OF NORTH 05 DEGREES 45 MINUTES 22 SECONDS EAST, 681.82 FEET TO A HIGHWAY CONCRETE MONUMENT (OLD) IN THE EASTERLY LINE OF THE E. WARNER BASS, THE SAME BEING LOT 32 OF THE PLAN ENTITLED "WATSON GLEN SUBDIVISION, SECTION 2, REVISION 2, RESUBDIVISION OF LOT 31";
- NORTH 04 DEGREES 01 MINUTES 39 SECONDS EAST, 310.67 FEET TO A HIGHWAY CONCRETE MONUMENT (OLD);
- NORTH 07 DEGREES 40 MINUTES 29 SECONDS EAST, 577.88 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 99,343 SQUARE FEET OR 2.28 ACRES, MORE OR LESS.

SURVEYOR'S STATEMENT

I CERTIFY THAT I AM LICENSED TO PRACTICE THE PROFESSION OF LAND SURVEYING IN THE STATE OF TENNESSEE AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF AND IN MY PROFESSIONAL OPINION, DO HEREBY STATE THE FOLLOWING:

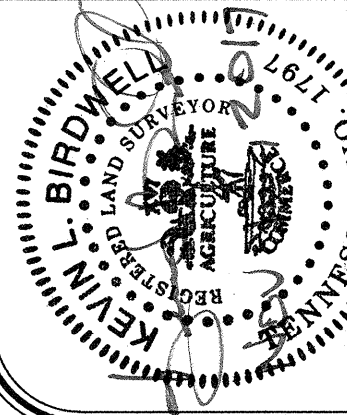
THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF A GENERAL PROPERTY AND TOPOGRAPHICAL SURVEY AND CONFORMS TO THE ACCURACY OF A CATEGORY 1 SURVEY AS CURRENTLY DEFINED AND ADOPTED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:12,111.

RAGAN-SMITH-ASSOCIATES, INC.

BY: KEVIN L. BIRDWELL, TN. R.L.S. NO. 1797

DATE OF FIELD SURVEY: OCTOBER 31, 2017

RAGAN-SMITH
LAND PLANNERS • CIVIL ENGINEERS
LANDSCAPE ARCHITECTS • SURVEYORS



TENNESSEE DEPARTMENT OF
TRANSPORTATION RIGHT-OF-WAY
FOR
WILLOWBROOKE HENDERSONVILLE, LLC RV

9TH CIVIL DISTRICT, WILLIAMSON COUNTY, CITY OF FRANKLIN, TENNESSEE

JOB NO.	WK. ORDER	APPROVED BY:	DATE:
14034	1010	KLB	NOVEMBER 1, 2017
DRAWN:	SLL	SCALE:	1"=100'
GENERAL PROPERTY AND TOPOGRAPHIC SURVEY			