

**RESOLUTION 2018-43**

**A RESOLUTION AUTHORIZING CONDEMNATION FOR THE ACQUISITION OF  
PROPERTY FOR THE BOBBY DRIVE WATER LINE IMPROVEMENTS PROJECT**

**WHEREAS**, the City of Franklin (City) has determined that certain improvements are necessary for the Bobby Drive Water Line Improvements Project; and

**WHEREAS**, these improvements are generally described as the construction of approximately 5,650 feet of a 6-inch water line that ties into the 36-inch transmission water line on Hillsboro Road and the existing mains at Overlook Drive, Jefferson Davis Drive and Bradley Drive; the installation of approximately 12 fire hydrants; and the replacement of approximately 31 water meters, 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 extend public roads, see T.C.A. §29-17-301 *et seq.*, and to acquire Rights-of-Way and Easements necessary for proper completion of the said Project, and that the acquisition of such Rights-of-Way and/or 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 rights-of-way, 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 rights-of-way and 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 rights-of-way and/or 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.

**IT IS SO RESOLVED AND DONE** on this the \_\_\_\_ day of \_\_\_\_\_, 2018.

(Signatures on Page 2)

**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  
RESOLUTION 2018-43



MAP AND PARCEL	
1.	207 BOBBY DRIVE
2.	309 BOBBY DRIVE
3.	317 BOBBY DRIVE
4.	1128 BRADLEY DRIVE
5.	413 BOBBY DRIVE
6.	503 BOBBY DRIVE
7.	505 BOBBY DRIVE

- Fire Hydrants
- Water Main
- Water Main
- Abandoned Water Main