

RESOLUTION 2020-05

A RESOLUTION DECLARING CERTAIN RIGHT-OF-WAY LOCATED BETWEEN CANNON STREET AND ACADEMY STREET AS SURPLUS

WHEREAS, the Board of Mayor and Aldermen (BOMA) by approving this resolution, are determining that the existing right-of-way between Cannon Street and Academy Street as shown on Exhibit A is no longer necessary, suitable, and desirable as public right-of-way; and

WHEREAS, because this right-of-way as shown in Exhibit A is no longer needed, the City now desires to declare the right-of-way as surplus property in order to sell or dispose of the property to the adjoining property owners of Map 78J, Parcel Nos. 10.00, 11.00, 12.00, 13.00, 14.00, 17.00, 18.00, 20.00, 21.00, 22.00, 23.00, 24.00, 24.01, and 25.00; and

WHEREAS, the existing right-of-way between Cannon Street and Academy Street would be considered a non-buildable lot and staff has determined the value to be less than \$25,000; and

WHEREAS, in general the surplus property shall be disposed of equally (50/50) to property owners adjacent to both sides of the City right-of-way as shown in Exhibit A; and

WHEREAS, the City will realize additional tax benefits from this property being returned to the tax roll with such transfer of ownership of the property; and

WHEREAS, Municipal Code Title 5, Chapter 8, §5-802 allows for the BOMA to sell or dispose of right-of-way by negotiated contract or by other means that will adequately protect the public interest when the value does not exceed \$25,000.

NOW THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the right-of-way as shown in attached Exhibit A is hereby declared surplus property.

BE IT FURTHER RESOLVED by the Board of Mayor and Aldermen that the right-of-way so declared as surplus shall be disposed of equally (50/50) to the property owners of Map 78J, Parcel Nos. 010.00, 011.00, 012.00, 013.00, 014.00, 017.00, 018.00, 020.00, 021.00, 022.00, 023.00, 024.00, 024.01 and 025.00 as negotiated by the City Engineer and approved by the City Administrator with the following conditions:

- 1) Require a Public Utility and Drainage Easement on 100% of the property being vacated.
- 2) Require a Private Access Easement on a portion of the property being vacated as shown in Exhibit A. The existing asphalt and curb within the easement shall become the joint maintenance responsibility of the property owners.
- 3) Require the property owners to complete a survey for the surplus right-of-way and prepare legal descriptions for each portion to be disposed to the adjoining property owners of Map 78J, Parcel Nos. 010.00, 011.00, 012.00, 013.00, 014.00, 017.00, 018.00, 020.00, 021.00, 022.00, 023.00, 024.00, 024.01, 025.00.
- 4) According to City policy, staff shall not abandon portions of the alley and shall ensure the property, as shown on Exhibit A, is abandoned in its entirety.

IT IS SO RESOLVED AND DONE on this _____ day of _____, 2020.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____

ERIC S. STUCKEY
City Administrator

By: _____

DR. KEN MOORE
Mayor


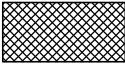
Approved as to Form:

By: _____

Sauna R. Billingsley
City Attorney

CONCEPTUAL ALLEY ABANDONMENT
EXHIBIT A

NOTE: THIS EXHIBIT WAS
PREPARED USING CITY
OF FRANKLIN GIS
INFORMATION AND MAY
NOT BE 100% ACCURATE

-  PROPOSED PUBLIC UTILITY AND DRAINAGE
EASEMENT
-  PROPOSED PUBLIC UTILITY, DRAINAGE AND
ACCESS EASEMENT (ALL IMPROVEMENTS TO
BE MAINTAINED BY THE PROPERTY OWNER)



EX ALLEY BETWEEN
CANNON ST. AND
ACADEMY ST.

CITY OF FRANKLIN