



Legislation Text

File #: 19-0681, **Version:** 1

DATE: June 19, 2019

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator

SUBJECT:

*Consideration of Resolution 2019-63, A Resolution Authorizing Condemnation for 801 Crescent Centre Drive, Franklin, TN

Purpose

The purpose of this memo is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the authorization of condemnation for the right of way at 801 Crescent Centre Drive.

Background

The City has determined that Carothers Parkway will be widened. While that project is not currently funded, when applications for new construction are presented to City staff, future improvements are considered. The owners of the property at issue here, 801 Crescent Centre Drive, presented a plan to engineering showing building inside the future Carothers Parkway. City staff met multiple times with the owners and their attorney. At each meeting, City staff explained that we would need the right of way in the future and are willing to purchase the right of way now. City staff asked that they owners have the property and the right of way appraised so we would be able to ascertain a purchase price.

Instead, the owners applied to planning, still showing the building in the future right of way, demanding that the item be placed on the agenda. Because we were still waiting on the requested appraisal and because the application was unchanged, it was not placed on the agenda. The property owners have still not provided the City with an appraisal, but instead, filed a Writ of Mandamus in the Williamson County Chancery Court against the City and Emily Hunter demanding that the City place the item on the agenda as provided (showing the building in the future right of way) because the City is demanding dedication of the property. This assertion is blatantly untrue. The City has offered to pay for the right of way, never demanding that it be dedicated. The City presents this resolution to authorize the City to obtain its own appraisal and file condemnation proceedings.

Financial Impact

It is estimated that the purchase price for the right of way will be \$190,600, but the City has not appraised the property.

Recommendation

Staff recommends the Board approve Resolution 2019-63 authorizing condemnation for 801 Crescent Centre Drive, Franklin, TN.