

ORDINANCE NO. 4679-18

AN ORDINANCE AUTHORIZING CONVEYANCE TO THE STATE OF TENNESSEE OF REAL PROPERTY OWNED BY THE CITY OF JOHNSON CITY, AND LOCATED AT OR NEAR LARK STREET UPON THE TERMS AND CONDITIONS CONTAINED HEREIN AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF JOHNSON CITY as follows:

SECTION I. That the conveyance is hereby authorized to the State of Tennessee of a certain property owned by the City of Johnson City (hereinafter the “City”) referred to as Tract 11 and more particularly described in Exhibit “A” attached hereto and made a part hereof, and

SECTION II. BE IT FURTHER ORDAINED that the above recitals are incorporated herein by reference.

SECTION III. BE IT FURTHER ORDAINED that the Mayor of the City of Johnson City, Tennessee is hereby authorized to execute a quitclaim deed and such other instruments as may be reasonably necessary to quitclaim the property, which instruments shall in form and content be satisfactory to the City Manager and legal counsel for the City.

SECTION IV. BE IT FURTHER ORDAINED that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION V. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after its passage on third and final reading as required by law, the public welfare requiring it.

PASSED IN OPEN, PUBLIC MEETING ON THE FIRST READING	<u>12/20/2018</u>
PASSED IN OPEN, PUBLIC MEETING ON THE SECOND READING	<u>12/21/2018</u>
PASSED IN OPEN, PUBLIC MEETING ON THE THIRD READING	<u>12/28/2018</u>

APPROVED AND SIGNED IN OPEN MEETING
ON THE 28th DAY OF December, 2018
FOLLOWING PASSAGE ON THIRD READING

/s/ Jenny Brock, Vice Mayor

MAYOR

ATTEST:

/s/ Janet Jennings

City Recorder

APPROVED AS TO FORM:

/s/ Erick Herrin

City Attorney

TRACT NUMBER 11, PROPERTY OWNER: Jeffrey W. & Jennifer M. Schoondyke
Tax Assessor's Property ID Number: Map 045M, Group E, Parcel 001.00

Project Description: State Industrial Access Road Serving Clinical Management Concepts
State Project Number: 90953-3533-04
Federal Project Number: N/A
County: Washington, Tennessee

Situated, lying and being in the 9th Civil District of Washington County, Tennessee, and more particularly described as follows, to-wit:

PREPARED BY:
CITY OF
JOHNSON CITY
PUBLIC WORKS
DEPARTMENT
501 C. MAIN ST.
JOHNSON CITY, TN
37601
(615) 454-6000

Parcel 1: BEGINNING at the point of right-of-way intersection of North State of Franklin Road (S.R. 381) and Lark Street, the northeastern corner of Schoondyke: thence, with Lark Street right-of-way South 00 degrees 50 minutes 42 seconds West – 21.09 feet to a point; thence, through Schoondyke along a curve to the left (Chord North 27 degrees 29 minutes 03 seconds West – 33.01 feet, Radius 65.00 feet, Delta 29 degrees 25 minutes 26 seconds, Length 33.38 feet) to a point; thence, through Schoondyke North 42 degree 11 minutes 46 seconds West – 57.45 feet to a point; thence, with North State of Franklin Road (S.R. 381) right-of-way South 46 degrees 50 minutes 30 seconds East – 74.21 feet to the POINT OF BEGINNING.

Containing 291 square feet, more or less.

The above-described property is hereby conveyed in fee simple.

Parcel 2: BEGINNING at a point located on a line of the above-described fee simple conveyance, said point located North 54 degrees 55 minutes 21 seconds West, 27.28 feet, from the northeast corner of the Schoondyke parcel; thence, with the above-described fee simple conveyance South 42 degree 11 minutes 46 seconds East – 10.10 feet to a point; thence, with the above-described fee simple conveyance along a curve to the right (Chord South 35 degrees 52 minutes 55 seconds East – 14.30 feet, Radius 65.00 feet, Delta 12 degrees 37 minutes 42 seconds, Length 14.33 feet) to a point; thence, through Schoondyke South 00 degrees 28 minutes 55 seconds East, 19.22 feet to a point; thence, through Schoondyke South 77 degrees 13 minutes 40 seconds West, 15.35 feet, to a point; thence, through Schoondyke North 00 degrees 28 minutes 55 seconds West, 41.68 feet to the POINT OF BEGINNING.

Containing 468 square feet, more or less.

By this instrument the Grantor(s) hereby convey a permanent easement for construction and maintenance of a permanent drainage facility. The land described above on which the permanent drainage facility is to be constructed is to remain the property of the undersigned and may be used for any purpose desired, provided such use does not interfere with the use or maintenance of said permanent drainage facility.

Parcel 3: BEGINNING at a point 85.32 feet North 46 degrees 50 minutes 30 seconds West from the point of right-of-way intersection of North State of Franklin Road (S.R. 381) and Lark Street, the existing northeastern corner of Schoondyke, varying in width from zero feet to eight feet ±, proceeding in a southeasterly direction with the existing and proposed North State of Franklin Road right-of-way line, and ending at a point 63 feet from the POINT OF BEGINNING.

Parcel 4: BEGINNING at a point South 00 degrees 50 minutes 42 seconds West – 21.09 feet with Lark Street right-of-way, varying in width from seven feet to zero feet ±, proceeding in a north-northwesterly direction with the above-described drainage easement, and ending at a point 19 feet from the POINT OF BEGINNING.

Parcels 3 and 4 combined contain 490 square feet, more or less.

The above-described parcel of land is hereby conveyed as an easement for the construction of a working area and erosion control outside of the proposed right of way line. The title to the above described land remains vested in the Grantor, and is to be used by the State of Tennessee, its contractors or assigns for a period of three (3) years, from and after the commencement of construction.

TRACT 11, JEFFREY W. & JENNIFER M. SCHOONDYKE PAGE 2 OF 2
PROJECT: STATE INDUSTRIAL ACCESS ROAD SERVING CLINICAL MANAGEMENT CONCEPTS
STATE PROJECT NO. 90953-3533-04
FEDERAL PROJECT NO. N/A NOVEMBER 30, 2018

