

ORDINANCE NO. 4640-17

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE BEING PART OF THE APPENDIX TO ORDINANCE NO. 1519 ENTITLED "AN ORDINANCE TO ADOPT A CODE OF LAWS AND ORDINANCES FOR THE CITY OF JOHNSON CITY, TENNESSEE, AND TO REPEAL ALL LAWS AND ORDINANCES IN CONFLICT THEREWITH", AND AMENDATORY THEREOF, BY CHANGING FROM R-5 (HIGH DENSITY RESIDENTIAL) DISTRICT TO B-4 (PLANNED ARTERIAL BUSINESS) DISTRICT CERTAIN PROPERTY LOCATED AT 3407 AND 3409 TIMBERLAKE RD.

BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:

SECTION 1. That the Zoning Map of the city of Johnson City, Tennessee, being a part of the appendix to Ordinance No. 1519 entitled, "An Ordinance to Adopt a Code of Laws and Ordinances for the City of Johnson City, Tennessee, and to Repeal All Laws and Ordinances in Conflict Therewith," and all ordinances supplementary thereto and amendatory thereof, be and the same is hereby amended and modified by changing the zoning on the following described property from R-5 (High Density Residential) district to B-4 (Planned Arterial Business) district.

See description marked "Exhibit 'A'" hereto

See concept plan marked "Exhibit 'B'" hereto.

See map of the above-described property marked "Exhibit 'C'" hereto.

SECTION 2. BE IT FURTHER ORDAINED, That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. BE IT FURTHER ORDAINED, That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING	<u>7/20/2017</u>
PASSED ON SECOND READING	<u>8/03/2017</u>
PASSED ON THIRD READING	<u>8/17/2017</u>

APPROVED AND SIGNED IN OPEN MEETING

ON THE 17th DAY OF August, 2017

/s/ David Tomita
MAYOR

ATTEST:

/s/ Janet Jennings
City Recorder

APPROVED AS TO FORM:

/s/ James H. Epps, IV
City Attorney

"EXHIBIT 'A'"

CONTROL MAP 30, GROUP --, PARCEL 019.00

BEGINNING at a concrete monument located in the northwesterly right of way of North State of Franklin Road; thence 04 degrees 26 minutes 00 seconds West, 1806 feet to an iron rod; thence South 84 degrees 49 minutes 51 seconds West, 27.17 feet to a concrete monument corner to property of Samuel Humphrey's (Deed Book 652 Page 78); thence running with the line of Humphrey's the following three courses and distances: North 54 degrees 27 minutes 30 seconds East, 400.67 feet to a post; South 38 degrees 17 minutes 00 seconds East, 156.30 feet to a post; North 48 degrees 36 minutes 00 seconds East, 351.20 feet to an iron pin found; thence along a curve to the left having a chord bearing of North 60 degrees 29 minutes 53 seconds West, a radius of 457.47 feet, a delta angle of 60 degrees 30 minutes 58 seconds, a chord length of 52 feet, a tangent of 26.04 feet, an arc distance of 52.03 feet to an iron pin found corner to property of Sammy Fugate (Roll 120 Image 2481); thence with the line of Fugate the following two courses and distances: South 17 degrees 16 minutes 23 seconds West, 102.06 feet to an iron pin found; South 41 degrees 42 minutes 13 seconds East, 133.96 feet to a concrete monument located in the northerly right of way of North State of Franklin Road; thence running with the right of way of North State of Franklin Road along a curve to the right having a radius of 423.10 feet, an arc distance of 232.68 feet to an iron pin; thence continuing with the right of way of North State of Franklin Road, South 84 degrees 34 minutes 48 seconds West, 550.13 feet to the point of BEGINNING, containing 2.665 acres, more or less, as shown by survey of Jonathan Wayne Willis, TRLS #2385, 170 Lakeview Lane, Gray, TN 37615, bearing date of September 6, 2007, to which reference is here made.

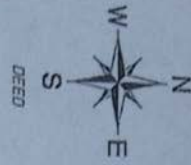
SUBJECT TO an easement for county road along southern boundary and a restriction that there shall be no junk yard or scrap yard operated on said property as set forth in Deed Book 385 Page 123.

BEING the same property conveyed to Jerome S. Pendzich by a deed dated the _____ day of December, 2015, from New Peoples Bank, Inc., recorded in the Register's Office for Washington County, Tennessee at Jonesborough, in Roll _____ Image _____, to which reference is here made.

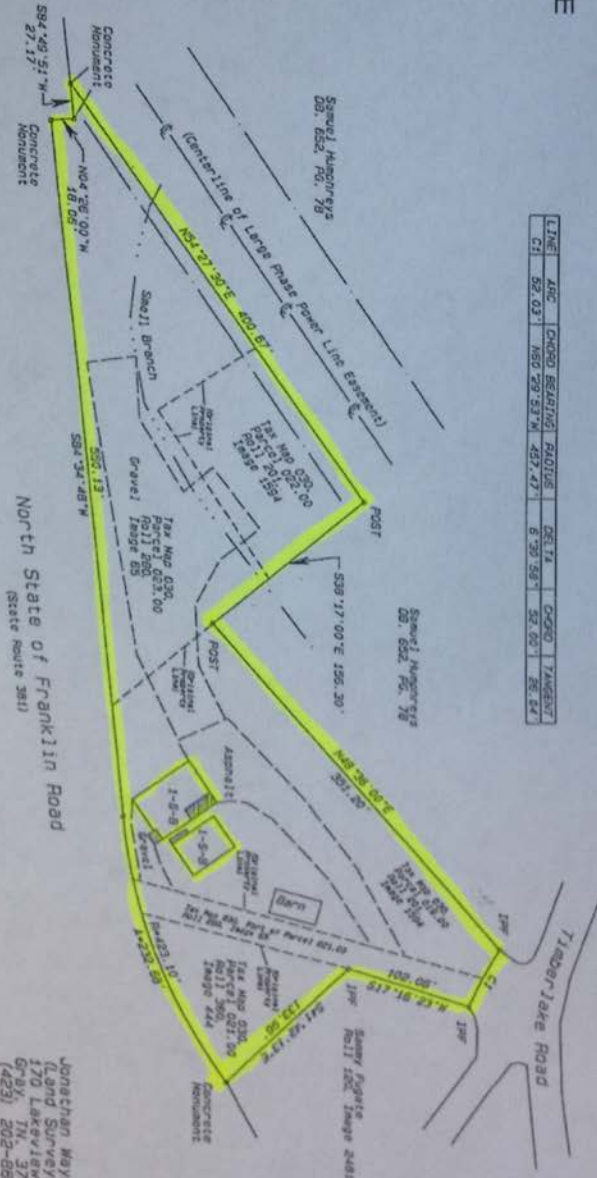
which has the address of 3407 TIMBERLAKE RD., JOHNSON CITY, TN 37601, ["Property Address"];

Together with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, and profits, (subject however to the rights and authorities given herein to Lender to collect and apply such rents and royalties, mineral, oil and gas rights and profits, water, water rights, and water stock, and all fixtures now or hereafter a

"Exhibit 'B'"



LINE	ARC	CORNER BEARING	RADIUS	DELT X	CORNER	TANGENT
C1	S84.03°	N89.29° 53' N	437.47'	6.30	S8°	85.24'



I hereby certify that this is a Category I survey and the ratio of precision of the unadjusted survey is 10,000. This survey is subject to the exact right of way location of Large Phase Power Line Easement.



2.665 Total Acres +-
 3407 Timberlake Road, Johnson City, TN. 37604
 Buyers- Thomas J. & Kimberly Sencho
 Sellers- Barbara Underwood Head & Edward N. Head
 SCALE: 1" = 80'
 DATE: 8/8/2002
 APPROVED BY: [Signature]
 MILLIS Land Surveying
 Located in the 10th Civil District of
 Washington County, TN.
 Jonachan Wayne Willis
 Land Surveyor #2385
 170 Lakeside Lane
 67815 TN. 37815
 (423) 202-8867

DATE	REVISION	DRAWING NUMBER
8/8/2002	1	9-6-07-867

"EXHIBIT 'C'"

