

**ORDINANCE NO. 4645-17**

**AN ORDINANCE RELEASING THE CITY'S RIGHT TO RECLAIM ALL OR ANY PORTION OF AN UNOPENED PORTION OF BEECH STREET ON REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF JOHNSON CITY, TENNESSEE**

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

SECTION 1: Ordinance #3121 authorized the conveyance of a closed portion of Beech Street to G. W. Puckett and Keith Lyons by quitclaim deed dated February 18, 1993, and recorded at Roll 26, Image 2850 in the Register's Office for Washington County, Tennessee. The quitclaim deed recorded at Roll 26, Image 2850 contains an agreement between the parties that the City of Johnson City retains the right to reclaim under certain conditions all or any portion of the abandoned strip (the closed portion of Beech Street), if in the future a need occurs requiring the use of said property for public purposes.

SECTION 2: The Board of Commissioners of the City of Johnson City finds that no need has occurred requiring the use of said property for public purposes; therefore, the Board of Commissioners releases all of the City's right to reclaim any and all of the property as set forth in that certain quitclaim deed dated February 18, 1993, and recorded at Roll 26, Image 2850 in the Register's Office for Washington County, Tennessee, said quitclaim deed being attached hereto and incorporated herein by reference.

SECTION 3: That the Mayor is hereby authorized to execute any and all instruments as may be necessary to effectuate this ordinance, which instruments shall in form and substance be satisfactory to the City Manager and the City Staff Attorney, and which instruments shall include a release and termination of all provisions giving the City the right to reclaim all or any portion of the property conveyed by the quitclaim deed dated February 18, 1993, from the City of Johnson City, Tennessee to G. W. Puckett and Ken Lyons, Inc., of record at Roll 26, Image 2850, in the Register's Office for Washington County, Tennessee.

SECTION 4: That all ordinances and all parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5: 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 7/20/2017  
PASSED IN OPEN, PUBLIC MEETING ON THE  
SECOND READING 8/3/2017  
PASSED IN OPEN, PUBLIC MEETING ON THE  
THIRD READING 8/17/2017

APPROVED AND SIGNED IN OPEN MEETING  
ON THE 17<sup>th</sup> DAY OF August, 2017,  
FOLLOWING PASSAGE ON THE THIRD  
READING

/s/ David Tomita  
MAYOR

ATTEST:  
/s/ Janet Jennings  
CITY RECORDER

APPROVED AS TO FORM:  
/s/ James H. Epps, IV  
STAFF ATTORNEY