

ORDINANCE NO. 4647-17

**AN ORDINANCE TO ABANDON THE JOHNSON CITY
PUBLIC RIGHT-OF-WAY ON ED BAXTER RD**

WHEREAS, the Johnson City Regional Planning Commission at its regular meeting on July 11, 2017 recommended the abandonment of the aforesaid right-of-way subject to its approval of a preliminary subdivision plat before the approval of this ordinance at final reading, and subject to this ordinance's becoming effective after a proposed road replacement has been constructed and accepted by the City of Johnson City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:

SECTION 1. That the public right-of-way of Johnson City on Ed Baxter Road is hereby abandoned;

See description marked "Exhibit 'A'" 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 BE IT FURTHER ORDAINED, That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.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 ALL of the following two conditions have been met: (1) the passage of this Ordinance on third and final reading as required by law; AND (2) after Hudson Automotive or its agents or contractors has constructed or caused to be constructed and the City of Johnson City has accepted a new road located as a replacement for the aforesaid right-of-way, the public welfare requiring it.

PASSED ON FIRST READING	<u>8/3/2017</u>
PASSED ON SECOND READING	<u>8/17/2017</u>
PASSED ON THIRD READING	<u>10/12/2017</u>

APPROVED AND SIGNED IN OPEN MEETING
ON THE 12th DAY OF October, 2017

/s/ David Tomita
MAYOR

ATTEST:

/s/ Janet Jennings
City Recorder

APPROVED AS TO FORM:

/s/ James H. Epps, IV
Staff Attorney